



ANNO PRIMO

# GEORGII IV. REGIS.

\*\*\*\*\*

## Cap. xxviii.

An Act for making and maintaining a Turnpike Road from or nearly from the Town of *Stockport*, in the County Palatine of *Chester*, to or near unto the Town of *Warrington*, in the County Palatine of *Lancaster*, and a Branch of Road to communicate therewith. [22d June 1820.]

WHEREAS the making and maintaining of a Turnpike Road from the Division of the Townships of *Stockport* and *Cheadle Bulkeley*, both in the County Palatine of *Chester*, at or near a Place called *Brinksway*, to the Turnpike Road leading from *Manchester* in the County Palatine of *Lancaster* to *Wilmslow* in the said County Palatine of *Chester*, at *Cheadle* in the same County Palatine, and from the same Turnpike Road nearly opposite to the Parish Church of *Cheadle* aforesaid to the Turnpike Road leading from *Crossford Bridge* in the said County Palatine of *Lancaster*, to *Altrincham* in the said County Palatine of *Chester*, at the Westerly End of a certain Street in *Altrincham* aforesaid called the *Well Lane*; and from the Turnpike Road leading from *Altrincham* aforesaid to *Northwich* in the said County Palatine of *Chester*, at the present Toll Bar on the same Turnpike Road erected in the Township of *Bollington* in the same County Palatine to the Turnpike Road leading from *Knutsford* in the same County Palatine, to *Warrington* in the said County Palatine of *Lancaster*, at a certain Place in the Parish of *Grappenhall* in the said County Palatine of *Chester*, near the Second Milestone from *Warrington* aforesaid; and also of a Branch of Road to lead from the said intended Turnpike Road on *Cheadle Moor*, through the Hamlet

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of *Edgeley* in the said Township of *Cheadle Bulkeley*, to the Turnpike Road leading from *Stockport* aforesaid to *Buxton* in the County of *Derby*, would be of great Advantage and Convenience to the aforesaid Towns of *Stockport*, *Cheadle*, *Altrincham* and *Warrington*, and to the Land Owners and Inhabitants of the Neighbourhood, and would likewise be of great public Utility; but the beneficial Purposes aforesaid cannot be effected without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all His Majesty's Justices of the Peace acting for the said County Palatine of *Chester*, together with the Right Honourable *George Harry Grey* commonly called Lord *Grey*, the Honourable *Henry Booth Grey*, the Honourable *William Booth Grey*, the Honourable and Reverend *Anchitel Grey* Clerk, Sir *John Chetwode* Baronet, Sir *Henry Mainwaring Mainwaring* Baronet, *James Ackers*, *Thomas Blackburn* Clerk, *Peter Langford Brooke*, *Henry Delves Broughton* Clerk, *Jonathan Brundrett*, *John Barratt*, *Thomas Baxter*, *Henry Baxter*, *John Baxter*, *Richard Broadbent* the younger, *John Chetwode*, *George Chetwode* Clerk, *John Cooper*, *Thomas Pickering Clarke*, *John Clarke*, *William Crowther*, *Davies Davenport*, *Matthew Dunn* Clerk, *Wilbraham Egerton*, *William Tatton Egerton*, *Wilbraham Egerton* the younger, *Thomas Egerton*, *William Fox*, *William Fox* Clerk, *Edward Vigor Fox*, *Peter Davenport Finney*, *James Gee*, *Robert Gee*, *Richard Irlam Grantham*, *George Heron* Clerk, *Peter Heron*, *James Harrison*, *Henry Harrison*, *Josiah Haughton*, *Robert Harrop* Clerk, *Isaac Harrop*, *John Hollins*, *William Hollins*, *Joseph Hearword*, *Josiah Hardey*, *John Hill*, *Peter Holland*, *Christopher Hurd Jones*, *Samuel Jowett*, *Thomas Legh*, *George John Legh*, *Ralph Leicester* the younger, *James Thomas Law* Clerk, *Thomas Lyon*, *Roger Rowson Lingard*, *Oswald Leicester* Clerk, *Peter Leicester*, *John Holdsworth Mallory* Clerk, *John Moore* the younger, *Thomas Moreton*, *James Antrobus Newton*, *James Newton* the younger, *Thomas Newton*, *Edward Newton*, *Devereux Jones Nicholls*, *Robert Devereux Nicholls*, *Charles Kenrick Prescott* Clerk, *Kelsall Prescott* Clerk, *William Prescott*, *Shakespeare Phillips*, *Robert Parker*, *William Pass*, *William Rigby*, *Thomas Assheton Smith*, *William Henry Assheton Smith*, *Thomas Smith*, *Edward Stracey*, *William Sykes*, *Edward Sykes*, *Richard Sykes*, *Edward Stelfox* the younger of *Reddish*, *William Stelfox*, *Thomas Steel*, *Thomas William Tatton*, *Thomas William Tatton* the younger, *Trafford Trafford*, *Richard Leigh Trafford*, *George Leigh Trafford*, *William Leigh Trafford*, *Henry Leigh Trafford*, *Edward Leigh Trafford*, *Robert Taylor*, *Mascie Taylor* Clerk, *John White*, *Thomas Wright*, *Strethill Wright*, *Strethill Wright* the younger, *Thomas Worthington* of *Sharson*, *Thomas Worthington* the younger of *Sharson*, *Charles Robert Worthington*, *Hugo Worthington*, *Robert Worthington*, *James Wood*, *William Whitelegg* of *Ashley*, *William Whitelegg* of *Yew Tree Northern*, *John Whitehead*, *John Kenyon Winterbottom*, *George Whitelegg*, *William Barlow Worthington*, *Thomas Worthington* of *Stockport*, and their Successors, to be elected in Manner hereinafter mentioned, shall be and they are hereby appointed Trustees for making, maintaining, repairing, and otherwise improving the said intended Road and Branch of Road, and for otherwise

Trustees.



otherwise carrying this Act, and all the Matters and Things herein contained into full and complete Execution and Effect.

II. And be it further enacted, That it shall be lawful for the said Trustees, or any Five or more of them, at a Meeting to be held for that Purpose, of which Meeting and of the Purpose thereof Ten Days Notice shall be given in the Manner hereinafter directed respecting Meetings for the Appointment of Trustees on Vacancies, to elect and appoint any Number of Persons, not exceeding Ten in the whole, to be Trustees for executing this Act, in addition to the Trustees hereby appointed; and such Trustees so elected and appointed shall be and they are hereby invested with the same Powers and Authorities for executing this Act as if they had been appointed in and by this Act.

Power to  
appoint ad-  
ditional  
Trustees.

III. And be it further enacted, That when and so often as any Trustee named in this Act, or to be appointed as aforesaid, or in Manner hereinafter mentioned, shall become by Bankruptcy or Insolvency, or Reduction of Property, or in any other Manner disqualified to act, or shall die, neglect, or refuse to act, it shall be lawful to or for the surviving or remaining Trustees, or any Five or more of them, from Time to Time, at any Meeting of the said Trustees (of the Time and Place of which Meeting Notice shall have been inserted Once in some public Newspaper printed or circulated in the Neighbourhood through which the said Road and Branch of Road pass, and also affixed on all and every Turnpike Gates then erected on the said Road and Branch of Road, at least Ten Days previously to such Meeting,) to elect and appoint one other Person or Persons to be a Trustee or Trustees in the Room of such Trustee or Trustees so disqualified to act, dying, or neglecting or refusing to act as aforesaid, and every Person so to be elected and appointed (being qualified as hereinafter mentioned) shall be and he is hereby empowered to act in the Execution of this Act, in as full and ample Manner to all Intents and Purposes as the Trustee in whose Room or Stead he shall be so elected could or might have done.

Election of  
new Trus-  
tees.

IV. Provided always, and be it further enacted, That no Person shall be capable of acting as a Trustee in the Execution of this Act unless he shall be in his own Right, or in the Right of his Wife, in the actual Possession or Receipt of Rents and Profits of Freehold or Copyhold Lands, Tenements, or Hereditaments, situate in the said County Palatine of *Chester*, of the clear Yearly Value of One hundred Pounds, or be possessed of or entitled to a Personal Estate of the Value of Four thousand Pounds, or shall be Heir Apparent of some Person who shall be in the actual Possession or Receipt of Freehold or Copyhold Lands, Tenements or Hereditaments, to be situate as aforesaid, of the clear Yearly Value of One hundred and fifty Pounds; nor shall any such Person be capable of acting in the Execution of this Act, not being such Heir Apparent as aforesaid, (save and except in administering the Oath or Affirmation following to the other Trustees,) until he shall have taken and subscribed the Oath or Affirmation following, before any Two or more of the said Trustees, who are hereby authorised and required to administer the same; that is to say,

Qualification  
of Trustees.



‘ I do swear, [or, being One of the People called *Quakers*, do solemnly affirm,] that I truly and *bonâ fide* am, in my own Right [or, in the Right of my Wife, *as the Case may be*,] in the actual Possession or Enjoyment of Freehold [or, Copyhold] Lands, Tenements, or Hereditaments, situate in the said County Palatine of *Chester*, of the clear Yearly Value of One hundred Pounds [or, possessed of or entitled to a personal Estate of the Amount or Value of Four thousand Pounds; [or, am Heir Apparent of *A. B.* who to the best of my Knowledge and Belief is in the actual Possession or Receipt of Freehold [or Copyhold] Lands, Tenements, or Hereditaments of the clear yearly value of One hundred and fifty Pounds;] and that I will truly, faithfully, and impartially act in the Execution of the Trusts and Powers reposed in me by virtue of an Act passed in the First Year of the Reign of King *George* the Fourth, intituled *An Act [here set forth the Title of this Act]*. So help me GOD.’

Penalty on acting not being qualified.

And if any Person not being so qualified shall act as a Trustee in the Execution of this Act, every such Person shall for every such Offence forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall sue for the same, to be recovered in any of His Majesty's Courts of Record at *Westminster*, or elsewhere, by Action of Debt, or on the Case, or by Bill, Suit or Information, wherein no Essoign, Protection or Wager of Law, or more than one Imparlance, shall be allowed; and every such Person so sued or prosecuted shall prove that he is qualified as aforesaid, or otherwise shall pay the said Penalty without any other Proof on the Part of the Plaintiff or Prosecutor than that such Person hath acted as a Trustee in the Execution of this Act; provided nevertheless, that all Acts and Proceedings of any Person or Persons acting as a Trustee or Trustees in the Execution of this Act, (although not duly qualified as aforesaid,) previously to his or their being convicted of the said Offence, shall, notwithstanding such Conviction, be as good, valid, and effectual as if such Person or Persons had been qualified according to the Directions of this Act.

All Acts of Trustees done before Conviction valid.

Persons holding any Place of Profit not to act as Trustees.

V. And be it further enacted, That no Person or Persons appointed or to be appointed a Trustee or Trustees for putting this Act into Execution, who shall have or accept of any Place or Office of Profit arising out of or by reason of any Tolls or Duty by this Act granted, or who shall be interested or concerned in any Contract or Contracts, or a Lessee or Lessees, Farmer or Farmers of the Tolls granted by this Act, shall be capable of acting as a Trustee or Trustees in the Execution of this Act.

Victuallers, &c. incapable of acting.

VI. Provided always, and be it further enacted, That no Person or Persons who shall keep any Victualling-house, Ale-house or other House of public Entertainment, or who shall keep or drive any Post Horses or Post Chaise or Stage Coach, or the Partner or Partners of any Person or Persons who shall keep or drive any Post Horses or Post Chaise or Stage Coach, or who shall sell any Wine, Cider, Beer, Ale, Spiritibus or other strong Liquors by retail, shall be capable of acting as a Trustee, or of taking, holding or enjoying any Place or Places



Places of Trust or Profit under the said Trustees, or of collecting the Tolls hereby granted and made payable, and to be collected on the said Road and Branch of Road, during such Time as he, she, or they shall keep such Victualling-house, Ale-house or other House of public Entertainment, or shall keep or drive such Post Horses or Post Chaise or Stage Coach, or shall sell any Wine, Cider, Beer, Ale, Spirituous or other strong Liquors by retail; but no such Person shall be precluded from farming such Tolls, provided he, she, or they employ a Person to collect such Tolls who shall not be under any such Incapacity.

VII. And be it further enacted, That such of the Trustees as are or shall be Justices of the Peace, shall and may, in their respective Jurisdictions, and they are hereby empowered to act as Justices of the Peace in the Execution of this Act, notwithstanding their being Trustees, except only in such Cases where he or they shall be personally interested; and that no Mortgagee or Assignee of any Mortgage or other Security, or any Lender of Money upon the Credit of any of the Tolls granted by this Act, or receiving Interest for the same, shall on that Account be deemed disqualified to act as a Trustee.

Trustees may act as Justices except where interested.

Mortgagee or Assignee may act as a Trustee.

VIII. And be it further enacted, That for putting this Act in Execution the said Trustees, or any Five or more of them, shall and may and they are hereby required to meet at the *Unicorn Inn*, if then open, and if not, then at some other convenient House or Place in the Town of *Altrincham* aforesaid, on the Third *Monday* next after the passing of this Act, at Eleven of the Clock in the Forenoon, to proceed to the Execution of this Act, and shall then adjourn themselves, and from Time to Time afterwards meet at and adjourn again to the *Unicorn Inn* aforesaid, or to such other Place or Places as they, or any Five or more of them, shall think most convenient, when and as often as it shall be necessary for putting this Act into Execution; and if it shall happen that at any such Meeting there shall not appear a sufficient Number of Trustees to proceed in the Execution of this Act, or to adjourn to another Day (One Trustee being deemed sufficient for the Purpose of Adjournment only), or in case the Trustees at any Time assembled shall omit or neglect to adjourn themselves, the Clerk to the said Trustees shall from Time to Time in either of such Cases, by Notice in Writing, to be affixed on all the Turnpike Gates or Toll Gates then erected on the said Road and Branch of Road in pursuance of this Act, and also inserted Once in some public Newspaper printed or circulated in the Neighbourhood through which the said Road and Branch of Road pass, at least Ten Days before the next Meeting, appoint the Trustees to meet at the House where the last Meeting was held, or was to have been held, on such Day as shall be specified in such Notice, not exceeding Three Calendar Months after the Day on which such last Meeting was held, or was to have been held; and in case the Clerk to the said Trustees shall refuse or neglect to give Notice, or shall by any Means be prevented from giving Notice as aforesaid, it shall and may be lawful for any Five or more of the said Trustees, although not assembled at a Meeting

First Meeting of Trustees.

Clerk to call Meeting if One Trustee does not attend or omit to adjourn.

If Clerk shall omit or neglect to call such Meeting Trustees may do it.

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held pursuant to this Act, at any Time or Times after the Space of Ten Days after such Refusal, Neglect or Prevention of such Clerk, by Notice in Writing under their Hands, to be affixed and inserted in Manner aforesaid, to appoint the Trustees to meet at the House where the last Meeting was held, or was appointed to be held, or some other convenient House upon the Day Fortnight after the Date of such last-mentioned Notice; but no Business shall be done or proceeded upon by the said Trustees at any Meeting to be held under this Act before the Hour of Ten in the Forenoon; and no Adjournment shall be made to or any Meeting appointed to be held at any Hour later than Four in the Afternoon of the Day on which such Meeting shall be appointed to be held; and the said Trustees at all their Meetings shall defray their own Expences; and all Acts, Orders and Proceedings relating to this Act, which are directed to be had, made, done or exercised by or before the said Trustees, shall and may be had, made, done and exercised by or before any Five or more of them (except in such Cases where any other Number is herein mentioned); and all Acts, Orders, and Proceedings had, made or done by or before such Five Trustees shall have the same Force and Effect, and be as binding and conclusive on all Persons, to all Intents and Purposes, as if the same were had, made, done or executed by or before all the said Trustees: Provided always, that no Order or Proceedings shall be or be deemed to be valid unless made or had at a Meeting held in pursuance of this Act (except as herein is particularly mentioned,) nor unless there shall be present at such Meeting Five Trustees at the least, nor unless the Majority of the Trustees present at a Meeting shall concur therein; nor shall any such Order or Proceeding be revoked or altered at any subsequent Meeting, unless Notice in Writing, specifying the Alteration or Revocation proposed to be made, be affixed upon the Turnpike Gates or Toll Gates as aforesaid, and also inserted in some public Newspaper printed or circulated in the Neighbourhood through which the said Road and Branch of Road pass, at least Fifteen Days before such subsequent Meeting, nor unless a Majority of the Trustees present at such subsequent Meeting, such Majority to consist of Five Trustees at the least, shall concur in such Revocation or Alteration; and at every Meeting of the said Trustees a Chairman shall and may be appointed; and when and as often as it shall happen that there shall be an Equality of Votes at any such Meeting upon any Question (including the Vote of the Chairman), then and in every such Case the Chairman shall have and he is hereby empowered to give the decisive or casting Vote.

Hours of Meeting.

Trustees to pay their own Expences.

Orders to be made at Meetings only, and Five Trustees concur.

Orders not to be revoked unless Notice given of Intention to revoke such Orders, and a Majority, consisting of Five, consent thereto.

Meetings on Emergencies.

IX. And be it further enacted, That if after any Adjournment of the said Trustees it shall at any Time be thought necessary that an earlier Day of Meeting should be appointed than the Day appointed by such Adjournment, in that Case the Clerk to the said Trustees, upon an Order in Writing signed by Three or more of the acting Trustees, although not assembled at a Meeting, mentioning the Time, Place and Purpose of such Meeting, shall forthwith give Notice thereof in the Manner before directed, and of the Time and Place which shall be mentioned in the Order of the said Trustees (such Time not being less than Ten Days after such Notice,) and such  
earlier



earlier Meeting shall and may be held accordingly; and all the Proceedings of the Trustees at such earlier Meetings shall be as valid and effectual as they would have been in case such Meetings had been held in pursuance of Adjournment.

X. And be it further enacted, That the said Trustees shall cause to be provided and kept a proper Book or Books, and fair and regular Entries to be made therein, of all their Acts, Orders and Proceedings relative to the Execution of this Act, and of the Names of the Trustees who shall be present at their several Meetings, and all Entries in such Book or Books being signed by the Chairman then present shall be deemed Originals, and shall be allowed to be read in Evidence in all Cases, Suits, Actions, Prosecutions and Proceedings touching or concerning any Thing done in pursuance of this Act; and that such Book or Books shall at all seasonable Times be open and liable to the Inspection of all and every the said Trustees, and of the Creditors on the Tolls hereby granted and made payable; and that any of the said Trustees and Creditors shall and may have and take Copies thereof, paying for every Copy not exceeding One hundred Words the Sum of Sixpence, and so in Proportion for any greater Number of Words.

Proceedings to be entered in a Book.

XI. And be it further enacted; That the said Trustees, or any Five or more of them, shall and they are hereby required, from Time to Time and at all Times during the Continuance of this Act, to order and direct a Book or Books to be provided and kept by their Clerk for the Time being, in which Book or Books such Clerk shall enter or cause to be entered, true and regular Accounts of all Sums of Money received, paid, laid out and expended for or on Account of the said Road and Branch of Road, and of the several Articles, Matters and Things for which such Sums of Money shall have been disbursed, laid out and paid, which Book or Books shall at all seasonable Times be open to the Inspection of the said Trustees, or any Creditor or Creditors on the Tolls hereby granted, without Fee or Reward; and the said Trustees and Creditors, or any of them, shall and may take Copies of and Extracts from the said Book or Books, or any Part or Parts thereof, without paying any thing for the same; and in case the said Clerk shall not permit, or shall refuse to permit, the said Trustees or such Creditors, or any of them, to inspect the same, or to take such Copies or Extracts as aforesaid, such Clerk shall forfeit and pay any Sum of Money not exceeding Five Pounds, to be levied and recovered in Manner hereinafter mentioned.

Accounts to be kept of Receipts and Disbursements, which shall be open to the Inspection of the Trustees and Creditors.

XII. And be it further enacted, That the said Trustees, or any Five or more of them, shall and may at their First or any subsequent Meetings, as Occasion shall require, by Writing under their Hands, elect and appoint a Clerk, Surveyor or Surveyors, Treasurer or Treasurers, Receiver or Receivers, Collector or Collectors of the Tolls hereby granted, and other Officers respectively, as they shall think proper; and that the said Trustees, or any Five or more of them, shall and may from Time to Time remove such Clerk, Treasurers, Receivers, Collectors, Surveyors and other Officers, or any of them, as they shall see Occasion, and from Time to Time appoint others in

Trustees may appoint Officers.

the



Officers to  
account.

Proceedings  
against Offi-  
cers refusing  
to account or  
deliver  
Books, &c.

the Room of such of them as shall be so removed, or as shall die or resign, or refuse or neglect to perform, or become incapable of performing their Duty; and the said Clerk, Treasurers, Receivers, Collectors, Surveyors and other Officers, and all other Persons who shall be employed in the Receipt or Expenditure of any of the Monies arising by virtue of this Act, shall from Time to Time, as often as they shall be called upon for that Purpose, produce and give unto such Trustees true and perfect Accounts in Writing under their respective Hands of all the Monies which shall have been by them respectively collected or received, and how and to what Uses the same have been paid and applied, together with proper Receipts and Vouchers for such Payments, and shall pay all such Monies as shall remain in their Hands to the said Trustees, or any Five or more of them, or to such Person or Persons, or to such Uses or Purposes as the said Trustees or any Five or more of them shall direct and appoint; and if any of the said Officers or other Persons shall refuse to give such Account or Accounts as aforesaid, or to produce and deliver to the said Trustees the Receipts and Vouchers relating to the same, or to pay any Sum or Sums of Money which shall appear to remain in his or their Hands, or shall not deliver to the said Trustees within Fourteen Days next after having been thereunto required as aforesaid all the Books, Papers, and Writings in his or their Custody or Power relating to the Execution of this Act, then and in any of the said Cases it shall be lawful for any One or more of the Justices of the Peace for the County or Place where such Officer or other Person shall reside, and such Justice or Justices is or are hereby authorised and required to make Enquiry concerning such Default in a summary Way, as well by Confession of the Parties themselves as by the Testimony of One or more credible Witness or Witnesses upon Oath, (which Oath the said Justice and Justices is and are hereby empowered and required to administer without any Fee or Reward,) and if any such Person shall be thereof convicted, such Justice or Justices shall commit the Party to the Common Gaol or House of Correction of the County or Place aforesaid, there to remain without Bail or Mainprize until he shall give and make a true and perfect Account, and shall have delivered up all such Books, Papers and Writings as aforesaid, or given Satisfaction in respect thereof to the said Trustees; and in case any of the said Officers or other Persons shall refuse or neglect to pay any Sum or Sums of Money which shall appear to remain in his or their Hands, it shall be lawful for any One or more of the Justices of the Peace for the County or Place where such Person or Persons shall reside to make Enquiry touching such Neglect or Refusal in a summary Way in Manner as aforesaid, and by Warrant under his or their Hand and Seal, or Hands and Seals, to cause such Sums of Money as shall appear to him or them to be due and unpaid, to be levied by Distress and Sale of the Goods and Chattels of such Person or Persons, rendering the Overplus (if any) after the Money remaining due and the Charges of making such Distress and Sale shall be deducted unto the Party on whom such Distress or Distresses shall be made; and if sufficient Distress cannot be found, then the said Justice or Justices shall commit such Person or Persons to the Common Gaol or House of Correction of the County or Place aforesaid, there to remain without Bail or Mainprize until he or they shall have



paid over such Money in Manner as aforesaid, or compounded for the same, and paid such Composition Money to the said Trustees or any Five or more of them, or to such Person as they or any Five or more of them shall appoint to receive the same; which Composition the said Trustees respectively or any Five or more of them at any Meeting are hereby empowered to make: Provided always, that no Person shall by virtue of this Act be committed for Want of sufficient Distress for any longer Space of Time than Six Calendar Months.

Trustees may compound with Officers.

XIII. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees to appoint the Person or Persons who may be appointed to act as their Clerk in the Execution of this Act, or the Partner of any such Clerk, the Treasurer for the Purposes of this Act, or to appoint the Person or Persons who may be appointed Treasurer or Treasurers, or the Partner or Partners of any such Treasurer or Treasurers, the Clerk to the said Trustees; and if any Person shall act in both the Capacities of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of any such Clerk shall act as Treasurer, or being the Partner of any such Treasurer or Treasurers shall act as Clerk in the Execution of this Act, every Person so offending shall for every such Offence forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall sue for the same, to be recovered in any of His Majesty's Courts of Record at *Westminster* by Action of Debt or on the Case, or by Bill, Suit or Information, wherein no Essoign, Protection or Wager of Law, nor more than one Imparance, shall be allowed.

Clerk not to act as Treasurer, and vice versa.

XIV. And be it further enacted, That as often as any Collector or Collectors of the Tolls shall die, or shall grossly neglect or become incapable of performing his Duty, or shall absent himself or abscond, any Three or more of the said Trustees, though not assembled at a Meeting of the said Trustees appointed by virtue of this Act, shall and may lawfully discharge such Collector or Receiver so neglecting, or being incapable of performing his Duty, or absconding, or absenting himself, and shall and may also nominate and appoint a proper Person to be a Collector or Receiver of the said Tolls, to continue until the then next Meeting of the said Trustees, in the Stead of such Collector or Receiver as shall so die or be discharged; and such Person so nominated and appointed shall have the like Power and Authority, and be answerable and accountable in the same Manner, in all Respects, as the Person in whose Place he was appointed, or the Representatives of such Person were or would have been; and if any Collector or Receiver of the said Tolls who shall be discharged from his said Office by the said Trustees, or the Wife or Widow, or any of the Children, Family or other Representatives of any Collector or Receiver who shall die or be discharged, or any other Person, shall refuse to deliver up the Possession of any Toll House or Building erected or being in and upon the said Road or Branch of Road by virtue of this Act, for the Space of Four Days after Demand thereof made, and Notice in Writing given for that Purpose by any Three or more of the said Trustees, although not at a Meeting, or by their Clerk or Treasurer for the Time being, then and in any of the said Cases it

Trustees to appoint temporary Collectors, discharge those misbehaving, and appoint others till the next Meeting.

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shall



shall and may be lawful for any Justice or Justices of the Peace for the said County Palatine of *Chester*, by Warrant under his or their Hand and Seal, or Hands and Seals, to order any Constable or other Peace Officer for the same County, with such Assistance as shall be necessary, to enter such House or Building in the Day-time, and to remove the Person or Persons who shall be found therein, together with his or their Goods out of the same, and to put the said Trustees, or any Three or more of them, or their new appointed Officer into the Possession thereof.

Trustees  
may allow  
Salaries.

XV. And be it further enacted, That out of the Tolls to be collected by virtue of this Act, such Allowances shall be made to the Collector or Collectors of the Tolls, and to the said Clerk, Treasurer or Treasurers, Receiver or Receivers, Surveyor or Surveyors, and to such other Persons as shall be assisting in and about the Execution of this Act, as the said Trustees, or any Five or more of them, shall order and direct.

Treasurers,  
&c. to give  
Security.

XVI. Provided always, and be it further enacted, That the said Trustees, or any Five or more of them, shall take such Security from their Treasurers, Clerk, Collectors of the Tolls, and other Officers, for the due Execution of their respective Offices and accounting for the Money received by them, as to the said Trustees, or any Five or more of them, shall seem meet.

Actionsto be  
brought in  
the Name of  
the Treasurer  
or Clerk,  
who are not  
to be per-  
sonally liable  
to Costs.

XVII. And be it further enacted, That the said Trustees may sue and be sued in the Name of any one of them, or in the Name or Names of their Treasurer or Treasurers, or Clerk, and no Action shall abate or be discontinued by the Death or Removal of the Person in whose Name or against whom the same shall be brought or commenced, nor by the Act of such Person or Persons done, without the Consent of the said Trustees, or any Five or more of them, at a Meeting to be holden in pursuance of this Act; but no Trustee, Treasurer, Clerk, or any of them, shall be subject to the Payment of any Debt, Costs, or Expences on account thereof, but all such Debt, Costs and Expences shall be defrayed out of the Money arising by virtue of this Act, or to be collected or received by the said Trustees under or by virtue hereof.

Trustees  
may erect  
Toll Houses.

XVIII. And be it further enacted, That it shall be lawful for the said Trustees, or any Five or more of them, from Time to Time to erect and set up, or cause to be erected and set up, such and so many Turnpikes or Toll Gates in, upon, or across or on the Side or Sides of any Part or Parts of the said Road and Branch of Road, and across any Lane or Way leading into, from, or out of the same respectively, and also such Toll Houses, Cranes, Weighing Machines, or Engines as they shall think necessary, with suitable Outbuildings thereto, and from Time to Time afterwards to remove, alter or discontinue such Turnpikes, Toll Gates, Toll Houses, Cranes, Weighing Machines or Engines, or any of them, as they the said Trustees, or any Five or more of them, shall think expedient; and also to inclose from the said Road and Branch of Road and any Waste Grounds thereunto adjoining convenient Garden Spots to the said Toll Houses,  
not



not exceeding in the Whole One Eighth Part of a Statute Acre for each Toll House, as they may judge proper.

XIX. And be it further enacted, That the Turnpikes or Toll Gates and Toll Houses, Cranes, Weighing Machines, Engines, and other Erections and Buildings, and the several Conveniences and Appurtenances thereto belonging, to be erected or provided in or upon the same Road and Branch of Road, and the Materials for building or altering the same, and all Materials and Things which shall be provided, collected, or made use of for repairing the said Road and Branch of Road, shall be and the same are hereby vested in the said Trustees, and they or any Five or more of them are hereby authorised and empowered to sell and dispose of the same as they shall think proper; and to bring or cause to be brought any Action or Actions in the Name of their Clerk, or to prefer and prosecute or cause to be preferred and prosecuted, at the Expence of the Revenues of the said Road and Branch of Road, any Bill or Bills of Indictment against any Person or Persons who shall steal, take, carry away, break down, or damage the same, or any Part thereof, or disturb them or their Agents or Servants in the Possession of the same, or any Part thereof, in which Bill or Bills of Indictment it shall be sufficient to state generally such Articles, Matters and Things to be the Property of the Clerk for the Time being to the said Trustees.

Turnpikes,  
Toll Houses,  
&c. vested in  
Trustees.

XX. And be it further enacted, That there shall be demanded and taken at every Turnpike Gate or Toll Gate so to be erected in, upon, or across or on the Side or Sides of the said Road and Branch of Road respectively, or across any Lane or Way leading into, from or out of the said Road or the said Branch of Road, such Tolls as the said Trustees, or any Five or more of them, shall from Time to Time direct or appoint, not exceeding the respective Tolls following, 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 or Beast, Coach, Waggon, Cart, or other Carriage shall be permitted to pass through the same on any Day in the Week; (that is to say);

Tolls to be  
demanded  
and taken.

At every Turnpike or Toll Gate so to be erected in, upon, across, or on the Side of the said Road, or across any Lane or Way leading into, from, or out of the same, (except the said Branch of Road;)

Tolls upon  
the Road.

For every Horse or Beast of Draught drawing any Coach, Berlin, Landau, Phaeton, Chaise, Hearse, Calash, or other such Carriage with Four Wheels, the Sum of Sixpence:

Tolls.

For every Horse or Beast of Draught drawing any Curricule, Chaise, Chair, or other such Carriage with Two Wheels, the Sum of Sixpence:

For every Horse or Beast of Draught drawing any Waggon, Wain, or other such Carriage with Four Wheels, the Fellies of such Wheels being of the Breadth of Nine Inches, or of a greater Breadth than Six Inches from Side to Side at the Bottom or Sole thereof, when there shall be Seven or more Horses or Beasts of Draught, the Sum



Sum of Eight-pence; when there shall be Six or less Horses or Beasts of Draught, the Sum of Sixpence :

For every Horse or Beast of Draught drawing any Waggon, Wain, or other such Carriage with Four Wheels, the Fellies of such Wheels being of the Breadth of Six Inches from Side to Side at the Bottom or Sole thereof, when there shall be Five or more Horses or Beasts of Draught, the Sum of One Shilling; and when there shall be Four Horses or Beasts of Draught the Sum of Nine-pence; and when there shall be only Two or Three Horses or Beasts of Draught, the Sum of Eight-pence :

For every Horse or Beast of Draught drawing any Waggon, Wain, or other such Carriage with Four Wheels, the Fellies of such Wheels being of a less Breadth than Six Inches from Side to Side at the Bottom or Sole thereof, the Sum of One Shilling :

For every Horse or Beast of Draught drawing any Cart, Wain, or other such Carriage with Two Wheels, the Fellies of such Wheels being of the Breadth of Nine Inches from Side to Side at the Bottom or Sole thereof, when there shall be Three or more Horses or Beasts of Draught, the Sum of Sixpence; and when there shall be only Two Horses or Beasts of Draught, the Sum of Four-pence :

For every Horse or Beast of Draught drawing any Cart, Wain, or other such Carriage with Two Wheels, the Fellies of such Wheels being of less Breadth than Nine Inches, and exceeding Six Inches in Breadth from Side to Side at the Bottom or Sole thereof, when there shall be Four Horses or Beasts of Draught, the Sum of Nine-pence; when there shall be Three or Two Horses or Beasts of Draught, the Sum of Sixpence :

For every Horse or Beast of Draught drawing any Cart, Wain, or other such Carriage with Two Wheels, the Fellies of such Wheels being of the Breadth of Six Inches from Side to Side at the Bottom or Sole thereof, the Sum of Sixpence :

For every Horse or Beast of Draught drawing any Cart, Wain, or other such Carriage with Two Wheels, the Fellies of such Wheels being of less Breadth than Six Inches from Side to Side at the Bottom or Sole thereof, when there shall be Two or more Horses or Beasts of Draught, the Sum of Nine-pence; and when there shall be only One Horse or Beast of Draught, the Sum of Sixpence :

For every Single Horse or Beast of Draught drawing any Cart, Wain, or other such Carriage with Two Wheels, the Sum of Sixpence :

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

For every Drove of Oxen or neat Cattle, the Sum of Three Shillings and Four-pence *per* Score; and so in Proportion for any greater or less Number :

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

Upon the  
Branch of  
Road.

And at every Turnpike or Toll Gate so to be erected in, upon, across or on the Side or Sides of the said Branch of Road, or across any Lane or Way leading into, from, or out of the same, a Toll



or Tolls equal to Half only of the Toll or Tolls hereby authorized and directed to be paid at any Turnpike or Toll Gate so to be erected in, upon, across or on the Side of the said Road, or across any Lane or Way leading into, from, or out of the same: Provided always, that in all Cases where in computing such Half Toll as aforesaid there shall be a fractional Part of a Halfpenny, then the Sum of One Halfpenny shall and may be demanded and taken in lieu of such fractional Part.

XXI. Provided nevertheless, and be it further enacted, That nothing herein contained shall extend or be construed to extend to empower the said Trustees to demand or take more than Two full Tolls and a Half for the going and returning of the same Horse or other Cattle or Beast drawing any Carriage, or not drawing, through all the Turnpikes or Toll Gates to be erected as aforesaid, in, upon, across, or on the Side or Sides of the said Road and Branch of Road, or across any Lane or Way leading into, from or out of the same respectively, on the same Day (such Day to be computed from Twelve of the Clock at Night to Twelve of the Clock in the next succeeding Night.)

XXII. And be it further enacted, That nothing in this Act contained shall extend or be construed to extend to empower the said Trustees to demand or take more than One full Toll for the going and returning of the same Horse or other Cattle or Beast drawing any Carriage, or not drawing, through all the Turnpikes or Toll Gates to be erected as aforesaid, in, upon, across, or on the Side or Sides of the said Road, or across any Lane or Way leading into, from, or out of the same, between the Easterly End thereof and the said Town of *Altrincham*, on the same Day, (to be computed as aforesaid,) nor more than One full Toll for the going and returning of the same Horse or other Cattle or Beast drawing any Carriage, or not drawing, through all the Turnpikes or Toll Gates to be erected as aforesaid, in, upon, across, or on the Side or Sides of the said Road, or across any Lane or Way leading into, from, or out of the same between the said Town of *Altrincham* and the Westerly End of the said Road, on the same Day (to be computed as aforesaid).

XXIII. And be it further enacted, That nothing in this Act contained shall extend or be construed to extend to empower the said Trustees to demand or take more than One Half of a full Toll by this Act authorized to be taken at each of the Turnpikes or Toll Gates to be erected as aforesaid, in, upon, or across, or on the Side or Sides of the said Road, or across any Lane or Way leading into, from, or out of the same, for the going and returning of the same Horse or other Cattle or Beast drawing any Carriage, or not drawing, through all the Turnpikes or Toll Gates to be erected as aforesaid, in, upon, across, or on the Side or Sides of the said Branch of Road, or any Lane or Way leading into, from, or out of the same on the same Day (to be computed as aforesaid).

XXIV. And be it further enacted, That nothing in this Act contained shall extend or be construed to extend to empower the said Trustees

[Local.]

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Trustees



of Road after  
having paid  
a full Toll for  
passing on  
the Road.

Trustees to demand or take any Toll whatsoever for the going and returning of the same Horse, Cattle or other Beast, drawing any Carriage, or not drawing, on the same Day, (to be computed as aforesaid) through all or any of the Turnpikes or Toll Gates to be erected as aforesaid, in, upon, or across, or on the Side or Sides of the said Branch of Road, or across any Lane or Way leading into, from, or out of the same, in case such Horse or other Cattle or Beast shall have passed through all or any of the Turnpikes or Toll Gates to be erected as aforesaid, in, upon, across, or on the Side or Sides of the said Road, or any Lane or Way leading into, from, or out of the same, and in respect of which Horse or other Cattle or Beast, the Amount of a full Toll shall have been paid at any of such last-mentioned Turnpikes or Toll Gates.

Persons  
having paid  
full Toll to  
return Toll  
free.

XXV. Provided always, and be it further enacted, That all and every Person and Persons having paid the full Toll hereby authorized to be taken at any Turnpike or Toll Gate erected or to be erected on any Part of the said Road or Branch of Road, or on the Sides thereof respectively, for any Horse or other Cattle or Beast drawing any Carriage, or not drawing as aforesaid, shall, upon producing a Note or Ticket, or Notes or Tickets, denoting such Payment, be permitted to return Toll free the same Day, to be computed from Twelve of the Clock at Night to Twelve of the Clock in the succeeding Night, with the same Horse or other Cattle or Beast drawing any Carriage, or not drawing, in respect of which he shall have paid the Toll through all or any of the said Turnpikes or Toll Gates on the same Road and Branch of Road, or on the Sides thereof respectively, except for any Horse or other Cattle or Beast drawing any Waggon or Cart which shall be laden, both going and returning, in which Case such Person or Persons shall be liable to pay Toll for such Horse or other Cattle or Beast when returning, in like Manner as he or they would have been liable to pay for the same in case the same had not before passed through such Turnpike or Toll Gate on the same Day; and no Waggon, Cart or other such Carriage shall be deemed to be laden unless the Lading therein or thereon, when consisting of Flour or Meal returning from the Mill after having been ground to be laid up in the House or Outbuildings of the Owner of such Flour or Meal, shall be of the Weight of Seven hundred and twenty Pounds Avoirdupois Weight, or upwards, or unless the Lading in all other Cases shall be of the Weight of Two hundred and forty Pounds Avoirdupois Weight, or upwards.

No Toll for  
Carriages  
except laden  
both Ways.

Carriages to  
pay after  
passing and  
repassing.

XXVI. And be it further enacted, That if any Person or Persons shall pass or go a third Time on the same Day with any Horse or other Cattle or Beast drawing any Carriage, or not drawing, through all or any of the Turnpikes or Toll Gates to be erected by virtue of this Act, then every such Person or Persons shall be liable and compellable again to pay the Tolls and Duties hereby imposed on such Horse or other Cattle or Beast drawing any Carriage, or not drawing, in such and the same Manner as he, she, or they are and would have been liable to pay the same, in case he, she or they had not before on the same Day paid any Tolls, or passed through any of the said Turnpikes or Toll Gates.

XXVII. Pro-



XXVII. Provided always, and be it further enacted, That the Tolls hereby granted shall be paid for and in respect of all Horses or Mules drawing any Stage Coach every Time they shall pass or re-pass through any Turnpike or Toll Gate to be erected by virtue of this Act, and for and in respect of all Horses or Mules travelling Post or for Hire and drawing any Post Chaise or other Carriage every Time they shall pass or re-pass through any such Turnpike or Toll Gate, and the Driver thereof shall deliver a Ticket denoting a fresh Hiring.

Stage Coaches and Post Chaises to pay each Time of passing.

XXVIII. And whereas it may frequently happen that Carts drawn by one Horse passing upon and along the said Road and Branch of Road will carry a greater Weight than is by Law allowed for Carts drawn by Two or more Horses; be it therefore further enacted, That all Carts passing along the said Road or Branch of Road, drawn by one Horse only, shall and may be weighed at any Machine to be erected on the said Road or Branch of Road; and that in case the said Trustees, or any Five or more of them, shall so order and direct, the like additional Sums or Tolls as are payable by virtue of any Law or Laws now in force for the Overweight of any Waggon, Cart or other Carriage, and the Loading thereon, shall and may be demanded and taken by the said Trustees, or any Five or more of them, or their Collector or Collectors, in respect of Carts drawn by One Horse only, and which with the Loading thereon shall exceed the Weights hereinafter mentioned; (that is to say), Carts having the Sole or Bottom of the Fellies of the Wheels of the Breadth or Gauge of Six Inches, Two Tons and Twelve hundred Weight, of One hundred and twenty Pounds to the Hundred, in Summer, and Two Tons and Seven hundred Weight, of One hundred and twenty Pounds to the Hundred, in Winter; and Carts having the Sole or Bottom of the Fellies of the Wheels of less Breadth or Gauge than Six Inches, One Ton and Ten hundred Weight, of One hundred and Twenty Pounds to the Hundred, in Summer, and One Ton and Seven hundred Weight, of One hundred and twenty Pounds to the Hundred, in Winter; and that all the Powers, Regulations, and Penalties now in force relating to the weighing of Waggons, Carts and other Carriages drawn by more than One Horse shall be applicable to Carts passing on the said Road or Branch of Road drawn by One Horse only, and to the Drivers, Masters and Owners thereof.

One-Horse Carts may be weighed.

XXIX. And be it further enacted, That all Waggons, Carts or other Carriages having the Fellies of the Wheels of the Widths and Descriptions, and the Axletrees fixed as mentioned and set forth in and by an Act made in the Fifty-fifth Year of the Reign of his late Majesty King George the Third, intituled *An Act to enable the Trustees of Turnpike Roads to abate the Tolls on Carriages, and to allow of their carrying extra Weights in certain Cases*, shall be entitled to an Abatement of One Fourth Part of the Tolls hereby granted.

Abatement of Tolls in certain Cases.

XXX. Provided also, and be it further enacted, That no Person shall be subject or liable to the Payment of any Toll more than once in the same Day for any Horse or other Cattle or Beast laden with or drawing

Persons carrying Milk to pay Tolls only once a Day.



drawing any Carriage laden wholly with Milk, Butter, Whey, Buttermilk or Curds, or for the Return of any such Horse or other Cattle or Beast drawing any Carriage, or not drawing, conveying the empty Cans in which such Milk, Butter, Whey, Buttermilk or Curds shall have been conveyed, any Thing herein contained to the contrary thereof in any wise notwithstanding.

Trustees to provide Tickets denoting Payment of Tolls.

XXXI. And be it further enacted, That upon Payment of the said Tolls the Collector or Receiver thereof shall and he is hereby required to deliver *gratis*, to the Person paying such Toll, a Note or Ticket denoting such Payment, and which Note or Ticket shall be provided by the said Trustees, and there shall be printed and specified thereon the Names of the several and respective Turnpikes or Toll Gates freed by such Payment.

Upon Refusal of Payment of Tolls, Collector may distrain upon any Horse, &c.

XXXII. And be it further enacted, That if any Person or Persons subject to the Payment of any of the said Tolls shall after Demand thereof made neglect or refuse, either in Person or by his, her, or their Servant or Servants, to pay the same Tolls, or any Part thereof, it shall be lawful for the Person or Persons appointed as aforesaid to collect such Tolls to seize, distrain, detain and keep any Horse or Horses or other Cattle, or any Harness or Accoutrements belonging to the same, but not the Bridle or Reins separate from such Horse or other Beast, or any Carriage, or any Goods in any Carriage of or belonging to the same Person or Persons so neglecting or refusing as aforesaid, or a sufficient Part thereof; and if such Tolls, and all Arrears of Tolls theretofore due from the same Person or Persons, and the reasonable Charges of such Seizure or Distress, shall not be paid within the Space of Four Days next after such Seizure made, the Person or Persons so distraining shall and may sell and dispose of the Horse or Horses, Cattle, Harness, Accoutrements, Carriage or Goods so distrained, returning the Overplus (if any) on Demand, to the Owner thereof, after such Tolls, and the reasonable Charges occasioned by such Distress and Sale, shall be paid.

Settling Disputes concerning Tolls.

XXXIII. And be it further enacted, That if any Dispute shall happen about the Amount of the Tolls due, or the Charges of making, keeping, or selling any Distress, it shall be lawful for the Collector or Person distraining to retain such Distress, or the Money arising from the Sale thereof, until the Amount of the Tolls due, and the Charges of the Distress and Sale, and of keeping the Distress, shall be ascertained by some Justice of the Peace for the County, Liberty or Place where such Dispute shall arise, who on Application made to him for that Purpose shall examine the Matter on Oath of the Parties, or other Witness or Witnesses, and shall determine the Amount of the Tolls due, and shall award such Costs and Charges to either Party as to the said Justice shall appear right and proper; all which Costs and Charges shall and may be levied and recovered, in case of Non-payment thereof forthwith, by Distress and Sale of the Goods and Chattels of the Person or Persons liable to pay the same, by Warrant under the Hand and Seal of such Justice, rendering the Overplus (if any) of the Money to be raised or levied under such Warrant, on Demand, after deducting the Costs and Charges of such last-mentioned Warrant and



of executing the same, to the Party against whom such Costs and Charges shall be so awarded; and in case sufficient Distress cannot be found, and such Costs and Charges shall not be forthwith paid, it shall be lawful for the said Justice, or any other Justice of the Peace for the County, Liberty, or Place where such Dispute as aforesaid shall arise, and he is hereby authorised and required, by Warrant or Warrants under his Hand and Seal, to cause the Party against whom such Costs and Charges shall be so awarded to be committed to the Common Gaol or House of Correction of the said County Palatine of *Chester*, there to remain without Bail or Mainprize for any Time not exceeding Three Calendar Months, unless such Costs and Charges and all further reasonable Costs and Charges shall be sooner paid and satisfied.

XXXIV. And be it further enacted, That in case any Dispute or Litigation shall arise touching or in anywise relating to the said Tolls, 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 not be incompetent to give Evidence in any such Dispute, Suit, or Litigation, by reason of his, her, or their being the Taker of or appointed to collect such Tolls, or by reason of his, her, or their acting under the Authority of the said Trustees, or of the Taker of such Tolls.

Collectors of  
Tolls not  
incompetent  
Witnesses.

XXXV. And be it further enacted, That all and every Toll Collector appointed either by the said Trustees, or any Five or more of them, or by any Lessee or Lessees under them, to collect the Tolls payable at any Turnpike or Toll Gate to be erected by virtue of this Act, shall and he is hereby required to place his Christian and Surname, painted on a Board, in legible Characters in the Front or on some other conspicuous Part of the Toll House or Turnpike or Toll Gate immediately upon his coming on Duty, each of the Letters of such Name or Names to be at least Two Inches in Length, and of a Breadth in Proportion, and painted either in White Letters on a Black Ground or Black Letters on a White Ground, and shall continue the same so placed during the whole Time he shall be upon such Duty; and if any Collector of the said Tolls shall not place such Board as aforesaid, and keep the same there during the Time aforesaid, or shall demand or take a greater or less Toll from any Person or Persons than he shall be authorised to do by virtue of the Powers of this Act, or shall demand or take a Toll from any Person or Persons who shall be exempt from the Payment thereof and claim such Exemption, or shall refuse to permit or suffer, or shall in anywise hinder, any Person or Persons from reading such Christian or Surname, or shall refuse to tell his Christian or Surname to any Person or Persons who shall demand the same on having paid the said Tolls or any of them, or shall give a false Name or Names on such Demand, or shall refuse or neglect to give a Ticket denoting the Payment of the Toll, and naming and specifying the several Turnpikes or Toll Gates freed by such Payment, or shall make Use of any scurrilous or blasphemous Language to any Person or Persons travelling upon the said Road or Branch of Road, or shall without sufficient Cause detain or delay any Person or Persons travelling thereon, or on either of them,

Toll Col-  
lectors to put  
up their  
Names, &c.

[Local.]

8 G

then



then and in every such Case every such Collector shall forfeit and pay any Sum not exceeding Forty Shillings for every such Offence, as the Justice or Justices before whom the Information shall be laid shall adjudge; and such Penalty shall be recovered and applied as other Penalties are by this Act directed to be recovered and applied.

Trustees  
may let  
the Tolls.

XXXVI. And be it further enacted, That it shall and may be lawful for the said Trustees, or any Five or more of them, (at any Meeting whereof Fourteen Days' Notice shall have been given in Writing affixed upon all the Turnpikes or Toll Gates then erected upon the said Road and Branch of Road, and inserted in some public Newspaper printed or circulated in the Neighbourhood through which the said Road and Branch of Road pass) from Time to Time to let to farm, or agree to let to farm, all or any of the Tolls arising by virtue of this Act for any Term not exceeding Three Years upon public Bidding, or upon Failure thereof by private Contract, for the best Price that can be gotten for the same, payable at such Times, to such Person or Persons, under such Conditions and Agreements, and with such Sureties for the Payment thereof, as the said Trustees, or any Five or more of them, shall think fit, and the Money arising thereby shall be applied in such Manner as the Tolls under this Act are directed to be applied, any Thing in any Law or Statute to the contrary thereof notwithstanding; and the Renter or Renters of such Tolls, and their Collectors, shall have the same Powers and Authorities as are vested in the Collectors hereinbefore mentioned for all the Purposes of this Act; and such Lessee or Lessees, Farmer or Farmers, shall have such and the like Powers and Authorities of appointing any Collectors of the Tolls and dismissing them for Misbehaviour or Neglect of Duty, of recovering the Tolls received by such Collector and of obtaining Possession of the Toll Gates and Houses, as are by this Act given to the said Trustees.

Lessees and  
Persons ap-  
pointed by  
them may  
collect the  
Tolls.

XXXVII. And be it further enacted, That during such Times as the said Tolls, or any Part or Parts thereof, shall be let or agreed to be let to any Person or Persons whatsoever, it shall and may be lawful to and for the Farmer or Taker, Farmers or Takers thereof, or such other Person or Persons as he or they shall by Writing or Writings under his or their Hand or Hands authorize and appoint, to demand and take the same Tolls, with the like Powers for Recovery thereof, to all Intents and Purposes whatsoever, as any Collector of the said Tolls appointed by the said Trustees is hereby authorized and empowered to demand, take, and recover the same, and such Farmer or Taker, Farmers or Takers, or other Person or Persons as aforesaid, shall be subject to the like Pains, Penalties and Forfeitures, and shall be liable to the like Actions and Prosecutions, as any Collector of the said Tolls appointed by the said Trustees is subject or liable to.

Exempting  
Royal Fami-  
ly from Tolls.

XXXVIII. Provided always, and be it further enacted, That no Toll shall be demanded or taken for or in respect of any Horse or other Cattle or Beast drawing any Carriage, or not drawing, attending His Majesty or any of the Royal Family.

XXXIX. Pro.



XXXIX. Provided also, and be it further enacted, That no Toll shall be demanded or taken for any Horse or other Cattle or Beast drawing any Carriage laden with, or going empty or unladen for, or returning the same Day empty or unladen, after having been laden with Stone, Bricks, Lime, Gravel, or other Materials for making and repairing the said Road or Branch of Road, or for repairing the Highways in any of the Townships or Places through which any Parts of the said Road or Branch of Road lead; nor for any Horse or other Cattle or Beast drawing any Carriage laden with, or going empty or unladen for, or returning the same Day empty or unladen, after having been laden only with Lime, Lime-Ashes, Marl, Muck, Dung, Compost, or other Manure to be employed in Husbandry, or for any Horse or other Cattle or Beast drawing any Carriage, or not drawing, employed in carrying or conveying Hay or Corn in the Straw, not sold or disposed of, or going to be sold or disposed of, but to be laid up in the respective Houses, Outhouses, or Yards of the respective Owners thereof; nor shall any Toll be demanded or taken for any Ploughs, Harrows, or other Implements of Husbandry passing in order to the using or repairing the same, or any other Thing employed in Husbandry in the several Townships through which the said Road or Branch of Road pass; nor for any Horse or other Cattle or Beast going to or from Water, Pasture, or Plough, or other Tillage or Work in Husbandry, upon or within any of the Lands within such Townships, or either of them; nor for any Horse or other Cattle or Beast belonging to any Inhabitant of any of the Townships through which the said Road or Branch of Road pass, which shall be only passing to the Smith's Shop in such Township in order to be shod, or drawing or taking any Carriage, Plough, or Implement in Husbandry, or other Matter or Thing to the Carpenter's Shop or Wheelwright's Shop in such Township in order to be repaired, or for the Return of any such Horse or other Cattle or Beast unladen, or drawing any Cart or other Carriage unladen; nor shall any Toll be demanded or taken of or from any Rector, Vicar, or Curate going to or returning from his own Parish Church or other Place of Divine Worship, or visiting his sick Parishioners; or from any Person or Persons going to or returning from his, her or their proper Parochial Church or Chapel, or from any Person or Persons going to or returning from his, her or their usual Place of Religious Worship tolerated by Law upon *Sundays*, or any other Days on which Divine Worship is ordered by Authority to be celebrated; nor from any Person or Persons going to or returning from the Funeral of any Person or Persons who shall die or be buried within any of the Parishes of *Stockport, Cheadle, Northen, Northenden, Bowdon, Rosthern, Lymm, and Groppenhall, otherwise Grappenhall*, and the Township of *Thekwall* within the Chapelry of *Daresbury*, all in the said County Palatine of *Chester*; nor for any Person or Persons going to or returning from any Election of a Member or Members to serve in Parliament for the said County Palatine of *Chester*, during the Time of or on the Day before or Day after such Election shall begin or be concluded; nor for any Horses or other Cattle or Beasts 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

Exemptions  
from Tolls.



employed in conveying, fetching, or guarding, such Mails or Expresses or in returning back therefrom; nor for any Horse furnished by or for any Person belonging to any Corps of Yeomanry or Volunteer Cavalry, and rode by him in going to or returning from any Place appointed for Exercise, Inspection, or Review, provided that such Person be dressed in the Uniform of his Corps, and have his Arms, Furniture, and Accoutrements according to the Regulations appointed for such Corps at the Time of claiming the Exemption: nor for the Horses or Soldiers passing who are upon their March or upon Duty, nor for Horses or other Cattle or Beasts drawing any Waggon, Wains, Carts or Carriages employed in conveying the Arms or Baggage of any such Officers or Soldiers, or any sick, wounded, or disabled Officers or Soldiers, or for any Horse or other Cattle or Beast drawing any Waggon, Wain, Cart, or other Carriage whatsoever, which shall be employed in carrying or conveying any Ordnance, Barrack, or Commissariat, or other Public Stores of or belonging to His Majesty, or for the Use of His Majesty's Forces, or returning after having been so employed; nor for Horses or other Cattle or Beasts drawing any Carriage employed in conveying Vagrants sent by legal Passes, or Prisoners sent to Gaol or House of Correction, or returning after having been so employed.

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

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

Penalty on evading Tolls.

XLI. And be it further enacted, That if any Person or Persons shall ride, drive, go or pass with any Horse, Beast, Cattle, or Carriage, through or over any Gate, private Passage, Land, Ground, or Place lying by the Side of or near to any Part of the said Road or Branch of Road (except the Owner or Occupier of such Land or other Premises, or any of his, her or their Family, Servant, or Servants), or if any Person or Persons owning or occupying any Land, Ground or Place situate as aforesaid (the same not being a public Highway or Road to or from some Parish Church, Mill, Market Town, or Village to Village) shall knowingly or wilfully permit or suffer any Person or Persons, not being of his, her, or their Family, or his, her, or their Servant or Servants, to go or pass with any Horse, Beast, Cattle, or Carriage through or over such Gate, private Passage, Land, Ground, or Place, in order or with Intent thereby to evade the Payment of the said Tolls, or any of



them, or any Part thereof; or if any Person or Persons shall forge, counterfeit, or alter, or shall deliver to or receive from any other Person or Persons (except a Collector of the Tolls) any Note or Ticket of the Day by this Act directed to be given by the Collectors or Receivers of the said Tolls, or any Note or Writing purporting to be such, for the Purpose of evading the said Tolls, or any of them, or shall forcibly or fraudulently pass through any Turnpike or Toll Gate with any Horse, Carriage, Cattle, or Beast, without Payment of Toll, or shall take off or cause to be taken off any Horse, Beast, or Cattle from any Carriage, or after having passed through any Turnpike or Gate, shall put on an additional Horse or Beast to any such Carriage, or shall leave or cause to be left upon or near to the said Road, or Branch of Road, any Horse, Cattle, Beast, or Carriage, or shall unload or cause to be unladen any Goods, Merchandise, or other Things, from or out of any Carriage, with intent to evade Payment of any of the said Tolls, or if any Person claiming any Exemption from the Payment of any of the said Tolls shall refuse or decline, on Demand, to give his or her Name and Place of Residence to the Collector or Collectors of the Tolls at any Gate or Gates at which such Exemption shall be claimed, or shall give a false Name and Place of Residence, all and every such Person or Persons so offending in any of the Cases aforesaid shall for each and every Offence forfeit and pay any Sum not exceeding Five Pounds, over and besides such Damages or Punishment as he, she, or they shall be otherwise liable to by Law.

XLII. And be it further enacted, That if any Person or Persons shall forcibly or wilfully go or pass with any Horse or other Cattle or Beast drawing any Carriage, or not drawing, through the Turnpikes or Toll Gates by virtue of this Act to be erected or set up, or any of them, without paying the Toll or Tolls by this Act directed to be paid for the same, or shall knowingly or designedly assault, interrupt, or obstruct any of the Collectors or Persons employed in the collecting or receiving the said Tolls, or otherwise in the Execution of his, her, or their Office or Offices of Collector or Receiver; or if any Person or Persons (not being the Owner or Owners, or Occupier or Occupiers thereof, or any of his, her, or their Family or Servants,) shall go or pass with any Horse, Beast, or other Cattle or Beast drawing any Carriage, or not drawing, through or over any Land, Ground, or Place lying by the Side of or near to the said Road or Branch of Road, the same not being a public Highway, or if any Person or Persons owning or occupying any Land, Ground, or other Place, or private Way, shall knowingly and wilfully permit or suffer any Person or Persons (not being his, her, or their Servant or Servants, or of his, her, or their Family) to go or pass with any Horse or other Cattle or Beast drawing any Carriage, or not drawing, through or over such Land, Place, or private Way, in order or with Intent to avoid the Payment of the said Tolls or any of them, or any Part thereof, or whereby or by reason or means whereof the Payment of any of the Tolls aforesaid shall or may be evaded or avoided, every such Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, to be applied as is hereinbefore directed with respect to Penalties imposed upon Offenders who knowingly or deceitfully claim

Penalties on Persons forcibly passing through the Turnpikes, &c.

[Local.]

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or



or take the Benefit of Exemptions for the Tolls hereby directed to be paid.

Power of  
reducing the  
Tolls.

XLIII. Provided always, and it is hereby enacted and declared, That the said Trustees, or any Seven or more of them, are hereby authorized and empowered from Time to Time, if they shall think proper, to reduce or lower all or any of the several Tolls hereby granted, and to raise the same again, so as that the same do not exceed the Tolls by this Act granted, and so as such Reduction be with the Consent of the several Persons who shall be entitled to Five-sixth Parts of the Money then due upon the Credit of the said Road or Branch of Road, and secured on the Tolls intended to be reduced; but such Reduction shall not be made unless Notice in Writing of the Meeting to be holden for that Purpose be given, specifying the Toll or Tolls intended to be reduced or lowered, by affixing the same upon all the Turnpikes or Toll Gates which shall be then erected upon the said Road and Branch of Road, and also by inserting the same in some public Newspapers printed or circulated in the Neighbourhood through which the said Road and Branch of Road pass, Twenty-one Days at least previous to such Meeting, nor unless a Majority of the Trustees to be present at such Meeting, such Majority to consist of Seven Trustees at the least, shall concur in such Reduction; and such Tolls so reduced or lowered shall be collected, levied, and applied respectively, in the same Manner as the Tolls hereby granted are directed to be collected, levied, and applied respectively.

Trustees em-  
powered to  
compound  
for Tolls.

XLIV. And be it further enacted, That the said Trustees, or any Seven or more of them, may and they are hereby empowered, from Time to Time as they shall see convenient, to compound and agree for any Term, not exceeding One Year at any one Time, with any Person or Persons for any Horses or other Cattle or Beasts drawing any Carriage, or not drawing, passing through any of the said Turnpikes or Toll Gates, so that no such Composition shall be made for any Horse or other Cattle or Beast drawing any Carriage, or not drawing, and travelling for Hire, except for Horses or other Cattle or Beasts drawing Stage Coaches; and all such Composition Money shall be paid One Year in advance otherwise such Composition shall be void.

Loaded  
Carts to be  
weighed,  
and Tolls  
to be taken  
for Over-  
weight, &c.

XLV. And be it further enacted, That it shall be lawful for the said Trustees, by Writing signed by them, or any Five or more of them, to order all and every or any Carriage or Carriages which shall pass through any Turnpike or Toll Gate to be erected upon, across, or on the Side of the said Road or Branch of Road, or shall come upon any Part of the said Road and Branch of Road, or either of them, within the Distance of One hundred Yards from any Crane, Machine, or Engine to be erected upon, across, or on the Side of the said Road or Branch of Road, although the same Carriage or Carriages shall not have passed through any Turnpike or Toll Gate to be weighed, together with the Loading thereof; and it shall be lawful for the said Trustees, or any Five or more of them, to order any Person or Persons to receive and take, over and above the Tolls hereby granted, the several Sums of Money hereinafter mentioned, as  
additional



additional Tolls for the Excess of Weight which any Waggon, Cart, or Carriage, together with the Loading thereof, shall weigh at any such Crane, Machine, or Engine to be erected by virtue of this Act, over and above the Weights hereinafter mentioned to be allowed to each of them respectively; (that is to say,)

To every Waggon or Four-wheeled Carriage having the Fellies or Rollers of the Wheels of the Breadth of Sixteen Inches, Eight Tons Weight in Summer, and Seven Tons Weight in Winter :

Tolls for  
Overweight.

To every Waggon or Wain having the Axletrees thereof of such different Lengths, that the Distance from Wheel to Wheel of the nearer Pair of the said Wheels be not more than Four Feet Two Inches, to be measured at the Ground, and that the Distance from Wheel to Wheel of the other Pair thereof be such, that the fore and Hind Wheels of such Waggons and Wains shall roll only one single Surface or Path of Sixteen Inches wide at the least, on each Side of the said Waggons or Wains, and having the Fellies thereof of the Breadth of Nine Inches from Side to Side at the Bottom or Sole thereof, Six Tons and Ten hundred Weight in Summer, and Six Tons Weight in Winter :

To every Waggon, or every Four-wheeled Carriage, having the Sole or Bottom of the Fellies of the Wheels of the Breadth of Nine Inches, Six Tons Weight in Summer, and Five Tons and Ten hundred Weight in Winter :

To every Cart having the Fellies of the same Dimensions, Three Tons Weight in Summer, and Two Tons and Fifteen hundred Weight in Winter :

To every Waggon having the Sole or Bottom of the Fellies of the Wheels of the Breadth of Six Inches, Four Tons and Five hundred Weight in Summer, and Three Tons and Fifteen hundred Weight in Winter :

And to every such Waggon so constructed as to roll and actually rolling a Surface of Eleven Inches by the Wheels thereof, Five Tons and Ten hundred Weight in Summer, and Five Tons Weight in Winter :

To every Cart having the Fellies of the Wheels of the Breadth of Six Inches, Two Tons and Twelve hundred Weight in Summer, and Two Tons and Seven hundred Weight in Winter :

To every Waggon having the Sole or Bottom of the Fellies of the Wheels of less Breadth than Six Inches, Three Tons and Ten hundred Weight in Summer, and Three Tons Weight in Winter :

And to every Cart having the Fellies of the Wheels of the same Dimensions, One Ton and Ten hundred Weight in Summer, and One Ton and Seven hundred Weight in Winter :

And that for the several Purposes aforesaid, it shall be deemed Summer from the First Day of *May* to the Thirty-first Day of *October*, both Days inclusive, and Winter from the First Day of *November* to the Thirtieth Day of *April*, both Days inclusive; and that there shall be demanded and taken for such Overweights, except in the Case of Carts drawn by One Horse only, the several Sums of Money following; (that is to say,)

Declaring  
what shall  
be deemed  
Summer and  
Winter for  
the Purposes  
of this Act.

For



For every Hundred (after the Rate of One hundred and twenty Pounds to the Hundred) of such Overweight of any Goods, Wares, Merchandize, or other Matter or Thing whatsoever, not exceeding Five Hundred, the Sum of Three-pence :

For every Hundred of such Overweight of any Goods, Wares, Merchandize, or other Matter or Thing whatsoever, above Five Hundred, and not exceeding Eight Hundred, the Sum of Sixpence :

For every Hundred of such Overweight of any Goods, Wares, Merchandize, or other Matter or Thing whatsoever, above Eight Hundred, and not exceeding Ten Hundred, the Sum of Two Shillings :

For every Hundred of such Overweight of any Goods, Wares, Merchandize, or other Matter or Thing whatsoever, above Ten Hundred, and not exceeding Fifteen Hundred, the Sum of Five Shillings :

And for every Hundred of such Overweight of any Goods, Wares, Merchandize, or other Matter or Thing whatsoever, above Fifteen Hundred, the Sum of Twenty Shillings :

And that there shall be demanded and taken for such Overweight as aforesaid, in respect of Carts drawn by One Horse only, the several Sums of Money following ; (that is to say,)

For each of the First and Second Hundreds of such Overweight of any Goods, Wares, Merchandize, or other Matter or Thing whatsoever, the Sum of Three-pence :

For every Hundred of such Overweight of any Goods, Wares, Merchandize, or other Matter or Thing whatsoever, above Two Hundred, and not exceeding Five Hundred, the Sum of Sixpence :

And for every Hundred of such Overweight of any Goods, Wares, Merchandize, or other Matter or Thing whatsoever, above Five Hundred, the Sum of Two Shillings and Sixpence.

Which said Additional Toll or Duty hereby granted and made payable shall and may be levied and recovered in any of the Cases aforesaid upon any Person liable thereto, or upon his or her Goods and Chattels, who shall after Demand made thereof refuse or neglect to pay the same, in such Manner as any Toll or Duty is hereby directed to be levied and recovered ; and the Money arising from such additional Toll or Duty shall be applied to the Repair of the said Road and Branch of Road, and other Purposes of this Act.

Trustees  
may exempt  
Carts, &c.  
with Nine-  
inch Wheels  
from addi-  
tional Toll.

XLVI. Provided always, and be it enacted, That the said Trustees, or any Five or more of them, are hereby authorized and empowered, if they shall think proper, to exempt from the Whole or any Part or Proportion of the additional Tolls for Overweights hereinbefore granted and made payable, every Waggon, Cart, or other Carriage which shall have the Sole or Bottom of the Fellies of the Wheels thereof respectively of the Breadth of Nine Inches.

Carriages  
with Wheels  
of less  
Breadth  
than Six

XLVII. Provided also, and be it further enacted, That One Half of the additional Tolls hereby granted and made payable shall and may be demanded, levied, and recovered for and in respect of the Overweights of any Waggon, Cart, or other Carriage, having the

Sole



Sole or Bottom of the Fellies of the Wheels thereof respectively of a less Breadth than Six Inches.

Inches to pay Half Toll more.

XLVIII. Provided always, and be it enacted, That no Toll or Duty shall be collected or payable at any Turnpike or Toll Gate to be erected at any such Crane, Weighing Machine, or Engine, for the Use of any such Crane, Machine, or Engine only, for any Horse or other Cattle or Beast drawing any Carriage passing through the same, and being weighed, except for Overweight as aforesaid, unless the said Turnpike or Toll Gate shall be also a Turnpike or Toll Gate for collecting the Tolls hereby and hereinbefore granted for the Purposes of this Act.

No Toll but for Overweight to be taken at the Turnpike at any Weighing Machine.

XLIX. And be it further enacted, That the Keeper of every Crane, Weighing Machine, or Engine to be erected as aforesaid, or any other Person or Persons appointed by the said Trustees, or any Five or more of them, to the Care of such Crane, Weighing Machine, or Engine, shall and he is hereby authorized and required to weigh all such Waggon, Carts, and other Carriages liable to be weighed by virtue of this Act, which shall pass loaded through the said Turnpikes or Toll Gates respectively, or shall come upon any Part of the said Turnpike Road or Branch of Road, within the Distance of One Hundred Yards from any Crane, Weighing Machine, or Engine to be erected as aforesaid, without passing through any such Turnpikes or Toll Gates respectively, and which he shall have reason to believe carry greater Weights than are allowed to pass without paying such additional Toll, or which any of the said Trustees, or any Surveyor of any Part of the said Road or Branch of Road, or of any of the Highways within any of the Townships through which the said Road or Branch of Road pass shall require or direct to be weighed; and if any Gatekeeper or Person so appointed shall agree with any Person or Persons not to weigh his, her, or their Waggon, Cart, or other Carriage, or shall take or agree to take any Money or other Consideration from any Person or Persons, for not weighing his, her, or their Waggon, Cart, or other Carriage, or shall agree with any Person or Persons to carry, or connive at his, her, or their carrying in any Waggon, Cart, or other Carriage greater Weights, including the Weight of such Waggon, Cart, or other Carriage than are allowed as aforesaid, without weighing the same Waggon, Cart, or other Carriage and the Lading thereof, or shall permit any Waggon, Cart, or other Carriage, which may reasonably be suspected of being, with the Lading thereof, of greater Weight than is allowed as aforesaid, to go or pass by any Crane, Weighing Machine, or Engine, to be erected on the said Road or Branch of Road, or through any such Turnpike or Toll Gate without weighing the same; or shall permit any Waggon, Cart, or other Carriage whatsoever which shall be required or directed by any Trustee or Surveyor as aforesaid to be weighed to go or pass by any such Crane, Weighing Machine, or Engine, or through any such Turnpike or Toll Gate without weighing the same; or shall permit any Waggon, Cart, or other Carriage whatsoever, which shall have been weighed, and shall with the Lading thereof be of greater Weight than is allowed as aforesaid, to pass any such Crane, Weighing Machine, or Engine, or through any such Turnpike or Toll Gate without receiving such additional Tolls as are allowed as aforesaid,

The Person appointed by the Trustees shall weigh all loaded Carriages which he has reason to suspect carry Overweight;

[Local.]

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every



or for his neglect, shall forfeit not exceeding Five Pounds.

If any Owner or Driver shall refuse to permit his Carriage to be weighed, every Owner or Driver being the Owner shall forfeit not exceeding Five Pounds; and every Driver not being the Owner not exceeding Forty Shillings.

every such Gatekeeper, or other Person so appointed as aforesaid, shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds; and if any Owner or Driver of any Waggon, Cart, or other Carriage which shall pass loaded through any such Turnpikes or Toll Gates respectively, or shall come upon any Part of the said Road or Branch of Road within the Distance of One Hundred Yards from any Crane, Weighing Machine, or Engine to be erected on the said Road or Branch of Road, shall refuse to have his or her Waggon, Cart, or other Carriage weighed, or shall hinder or prevent, or do any Act whatsoever to hinder or prevent such Waggon, Cart, or other Carriage being weighed, upon being thereto respectively required by the Collector or Receiver of such additional Tolls, or by any of the said Trustees, or by any Surveyor of any Part of the said Road or Branch of Road, or of any of the Highways within any of the Townships through which the said Road or Branch of Road pass, or shall agree with any such Gatekeeper or Person so appointed as aforesaid, not to weigh his or her Waggon, Cart, or other Carriage, or shall pay or give, or agree to pay or give any Money or other Consideration to such Gatekeeper or Person so appointed as aforesaid, or any other Person whatsoever, for not weighing or requiring to be weighed his or her Waggon, Cart, or other Carriage, every such Owner or Driver, being the Owner of any such Waggon, Cart, or other Carriage, shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds; and every such Driver, not being the Owner of such Waggon, Cart, or other Carriage, shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Manure for Land, Hay, Straw, Fodder, or Corn unthrashed, not to be weighed.

L. Provided always, and be it enacted, That the Regulations of Weight hereinbefore mentioned shall not extend or be deemed or construed to extend to any Waggons, Carts, or other Carriages employed only in Husbandry, or carrying only Muck, Mould, Soil, Ashes, Lime, or Lime Ashes to be used in Husbandry, or Compost for Land, Hay, Straw, Fodder, or Corn unthrashed, excepting Hay and Straw for Sale.

Power to compel Payment of Subscriptions.

LI. And be it further enacted, That all Persons who have subscribed or are engaged to pay any Money towards making and repairing the said Road or Branch of Road, shall and he, she, and they is and are hereby required to pay his, her, and their Subscription Money to the Treasurer or Treasurers to the said Trustees, at such Time or Times as shall be appointed by the said Trustees, or any Five or more of them; and if any such Persons as aforesaid shall neglect or refuse to pay such Money as aforesaid, it shall and may be lawful to and for the said Trustees, or any Five or more of them, in the Name of their Clerk or Treasurer or Treasurers for the Time being, to sue for and recover the same by Action at Law in any of His Majesty's Courts of Record at *Westminster*, or in the Court of Great Sessions for the said County Palatine of *Chester*.

Power to borrow Money.

LII. And be it further enacted, That it shall be lawful for the said Trustees, or any Seven or more of them, from Time to Time to borrow and take up at Interest such Sum or Sums of Money as they shall think fit, upon the Credit of the Tolls arising by virtue of this Act, or any Part or Parts thereof, and by Writing under their Hands and Seals to assign



assign over the said Tolls, or any Part or Parts thereof, and the Turnpikes or Toll Gates, Weighing Machines, Toll Houses, Erections, and Buildings for collecting the same, (the Charges of such Mortgages or Assignments to be paid out of the said Tolls,) to any Person or Persons for any Term during the Continuance of this Act, as a Security or Securities for the Payment of the several Sums, as well those already subscribed or agreed to be advanced towards the obtaining of this Act, and the Expences incident thereto, and the making and repairing the said Road and Branch of Road, as those hereafter to be borrowed, with the Interest thereof: Provided always, that no Money already subscribed or agreed to be advanced, or which shall be borrowed upon the Credit of the Tolls to arise at any Turnpike or Toll Gate or Weighing Machine to be erected upon, across, or on the Side of the said Road, or any Lane or Way leading into, from, or out of the same, shall be charged or secured upon the Tolls arising or collected upon the said Branch of Road; nor shall any Money already subscribed or agreed to be advanced, or which shall be borrowed upon the Credit of the Tolls to arise at any Turnpike or Toll Gate or Weighing Machine to be erected upon, across, or on the side of the said Branch of Road, or any Lane or Way leading into, from, or out of the same, be charged or secured upon the Tolls arising or collected upon the said Road; and all such Mortgages and Assignments shall and may be in the Form following, or such other Form as the said Trustees making the same shall think proper; (that is to say,)

BY virtue and in pursuance of an Act passed in the First Year of the Reign of His Majesty King George the Fourth, intituled *An Act, &c. [here insert the Title of this Act,]* and in Consideration of the Sum of \_\_\_\_\_ to A. B. the Treasurer appointed by the Trustees for putting the said Act into Execution, having been paid this Day by C. D. of \_\_\_\_\_ We whose Names are hereunto subscribed and Seals affixed, being of the said Trustees, do grant and assign unto the said C. D. Executors, Administrators, and Assigns, the Tolls arising or to arise by virtue of the said Act, at or from the Turnpikes or Toll Gates erected or to be erected upon, across, or on the Side or Sides of the said Road [*or Branch of Road, as the Case may be,*] or across any Lane or Way leading into, from, or out of the same, and also the Toll Houses, Weighing Machines, and other Engines for collecting the said Tolls, to have, hold, receive, and take the said Tolls, Toll Houses, and Premises, with the Appurtenances, unto the said C. D. Executors, Administrators, and Assigns, for the Residue and Remainder now to come of the Term for which the said Tolls are granted by the said Act, subject to the Proviso following; (that is to say,) Provided always, that if the said Sum of \_\_\_\_\_ shall be repaid to the said C. D. Executors, Administrators, or Assigns, together with the Interest for the same, after the Rate of \_\_\_\_\_ *per Centum per Annum*, without any Deduction whatsoever, on or before the \_\_\_\_\_ Day of \_\_\_\_\_ now next ensuing, then this Assignment shall be void, or else shall remain in full force. In Witness whereof we have hereunto set our Hands and Seals this \_\_\_\_\_ Day of \_\_\_\_\_

Form of  
Mortgage.

Copies of all which Mortgages or Assignments shall be entered in a Book or Books to be kept for that Purpose by the Clerk or Treasurer to be entered.

to



Trustees not  
liable in their  
private  
Capacities.

Mortgages  
may be as-  
signed.

Form of  
Transfer.

to the said Trustees; but nothing in this Act contained shall extend or be construed to extend to charge or subject the said Trustees, or any of them, or the Persons appointed to receive the said Money, or any Part thereof, to any Payment of the same by reason of their or any of their signing any such Mortgages, Assignments, or other Securities to be made in pursuance of this Act, or any of them; and all Persons to whom such Mortgages shall be made as aforesaid, or who shall be entitled to the same, or to the Money thereby secured, may from Time to Time transfer his, her, or their Right, Title, Interest, or Benefit to the said Mortgage, and the Principal and Interest thereby secured to any Person or Persons whomsoever by Indorsement on the Back of such Security, or by any other Writing or Writings, before Two credible Witnesses in the following Words, or Words to the like Effect; (that is to say,)

‘ I do transfer this Mortgage, [*or, a certain Mortgage, &c.*  
‘ *as the Case may be,*] with all my Right and Title to the Principal  
‘ thereby secured, and to all Interest now due and to become due  
‘ upon the same, unto Executors, Administrators, and  
‘ Assigns. Dated this Day of A. B.’

Which Transfer shall be produced and notified within Sixty Days after the Date thereof to the Clerk or Treasurer of the said Road and Branch of Road, who shall cause an Entry or Memorial to be made thereof in the before-mentioned Book or Books, containing the Numbers, Dates, Names of the Parties, and Sums of Money therein transferred, for which the said Clerk or Treasurer shall be paid the Sum of Five Shillings, and no more, and such Transfer shall then entitle such Assignee, his, her, or their Executors, Administrators, and Assigns to the Benefit thereof and Payment thereon; and such Assignee may in like Manner assign or transfer the same again, and so *toties quoties*, and it shall not be in the Power of any Person or Persons who shall have made any such Assignment or Transfer to make void, release, or discharge the same, or any Monies due thereon.

No Priority  
of Mort-  
gages.

LIII. Provided nevertheless, and be it further enacted, That no Preference shall be given to any Person or Persons who shall advance any Sum or Sums of Money upon the Credit of this Act in respect to the Priority of advancing any such Sum or Sums of Money, but that all Persons to whom such Mortgages or Assignments shall be made as aforesaid shall, in Proportion to the Sum or Sums of Money therein mentioned, be Creditors on this Act in equal Degree one with another.

One Mort-  
gagee may  
obtain Pos-  
session of the  
Toll Houses.

LIV. And be it further enacted, That if any Mortgagee or Mortgagees of the said Tolls, Turnpikes or Toll Gates, Weighing Machines, Toll Houses, and Buildings, shall seek to obtain Possession of the said Turnpikes or Toll Gates, Weighing Machines, Toll Houses, and Buildings, in order to pay himself, herself, or themselves the Principal Money and Interest, or any Part thereof, due to him, her, or them, it shall be competent for him, her, or them, as Lessor or Lessors of the Plaintiff, and upon his, her, or their Demise only, and without uniting in such Demise the other Mortgagees of the said Tolls and Premises, to obtain such Possession; but such Person or Persons who shall obtain



obtain the Possession thereof shall not apply the Tolls which may consequently be received by him, her, or them, to his, her, or their own exclusive Use and Benefit, but to and for the Use and Benefit of all the Mortgagees of the said Tolls, Turnpikes, or Toll Gates, Buildings, and Premises, *pari passu*, and in Proportion to the several Sums which may be due to them as such Mortgagees.

LV. And be it further enacted, That all Monies which shall arise and be produced by or from the several Sums already subscribed or agreed to be advanced towards the making and repairing the said Road and Branch of Road as aforesaid, and by and from the Tolls by this Act granted and made payable, together with the Monies which shall from Time to Time be borrowed upon the Credit of the same Tolls, and all other Monies which shall arise or be produced under or by virtue of this Act, and not herein otherwise appropriated or directed to be applied, shall be vested in the said Trustees for the Time being, and shall be applied in the Order and Manner following; (that is to say,) in the first Place in paying the Costs, Charges, and Expences attending the preparing, obtaining, and passing of this Act, and preparing Securities for the Sums so subscribed or agreed to be advanced and to be borrowed as aforesaid; the said respective Costs, Charges, and Expences to be paid and discharged in such Proportions nevertheless out of the separate Funds of the said Road and Branch of Road as the said Trustees, or any Seven or more of them, shall direct or appoint; and in the second Place in defraying the Expences of erecting and providing Turnpikes or Toll Gates, Weighing Machines, Toll Houses, and other Buildings, and repairing the same, and of erecting and making necessary and convenient Bridges upon the said Road and Branch of Road, and of repairing the said Road and Branch of Road, and otherwise in executing the several other Powers and Purposes of this Act, and in paying the Interest accruing upon the several Sums of Money subscribed, or agreed to be advanced, or which shall from Time to Time be secured upon the Credit of the Tolls to arise on the said Road and Branch of Road, and in reducing, paying off, and discharging the same Principal Sums in such Manner as the said Trustees, or any Seven or more of them, shall direct or appoint: Provided always nevertheless, that no Money already subscribed, or agreed to be advanced, or which shall be borrowed upon the Credit of the Tolls to arise at any Turnpike or Toll Gate, or Weighing Machine, to be erected upon, across, or on the Side or Sides of the said Road, or across any Lane or Way leading into, from, or out of the same, shall be laid out or expended upon or for or on account of the said Branch of Road, or any Thing solely relative thereto; nor shall any Money already subscribed, or agreed to be advanced, or which shall be borrowed upon the Credit of the Tolls to arise at any Turnpike or Toll Gate, or Weighing Machine to be erected upon, across, or on the Side or Sides of the said Branch of Road, or across any Lane or Way leading into, from, or out of the same, shall be laid out or expended upon or for or on account of the said Road, or any Thing solely relative thereto; provided also further, that all Charges and Expences to be hereafter incurred respecting the said Road and Branch of Road jointly shall be paid and discharged by and out of the separate Funds of the said Road,

[Local.]

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and



and Branch of Road, in such Proportions as the said Trustees, or any Seven or more of them, shall direct or appoint, any thing herein contained to the contrary notwithstanding.

Power to  
enter Lands  
and make  
Roads.

LVI. And be it further enacted, That it shall be lawful for the said Trustees, or any Five or more of them, and for their Surveyor and Surveyors and Workmen, with or without Carriages and Cattle, from Time to Time to enter upon the Lands or Grounds through or adjoining to which or whereupon the said Road and Branch of Road hereby authorized to be made are intended to pass, and to stake out and make the same of such Width (not exceeding Sixty Feet) and in such Manner as the said Trustees shall think necessary or proper, without being deemed a Trespasser or Trespassers, and without being subject or liable to any Fine, Penalty, or Punishment for entering or continuing upon any Part or Parts of such Lands or Grounds respectively, for any of the Purposes of this Act, making Satisfaction to the Occupiers of such Lands and Grounds for the Damage that shall be done to the Lands or Grounds on the Sides of the said Road and Branch of Road whilst the same shall be making; and if any Person shall wilfully pull up, remove, or destroy any of the Stakes or other Marks used in laying out or making any Part of such Road or Branch of Road, every Person so offending shall forfeit and pay for every such Offence any Sum not exceeding Forty Shillings.

Trustees  
may make  
and divert  
the Road.

LVII. And be it further enacted, That it shall be lawful for the said Trustees, or any Five or more of them, and they are hereby fully authorized and empowered to make and repair, and from Time to Time to widen, divert, shorten, vary, and alter within the Distance hereinafter mentioned, the Course or Path of any Part or Parts of the said Road and Branch of Road, through any Waste Grounds, Commons, or uncultivated Lands, without making Satisfaction for the same, and also through any private Grounds or Hereditaments, first making Satisfaction to the Owners thereof and Persons interested therein for the Damage they shall sustain thereby; and for that Purpose it shall be lawful for the said Trustees, or any Five or more of them, to treat, contract, and agree with the Owners of and Persons interested in any Lands or Hereditaments which the said Trustees shall judge necessary for the Purposes aforesaid, for the Purchase thereof, or for the Loss or Damage such Owners or Persons may sustain by the making, widening, diverting, turning, or altering the Course or Path of any Part or Parts of the said Road and Branch of Road through such Lands or Hereditaments; and it shall be lawful for all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Tenants for Life, or in Fee Tail General or Special, or for Years determinable on any Life or Lives, Husbands, Guardians, Trustees or Feoffees in Trust, Committees, Executors, Administrators, and all other Trustees and Persons whatsoever, not only for and on Behalf of themselves, their Heirs and Successors, but also for and on Behalf of their *cestui que* Trusts, whether Femes Covert, Infants or Issue unborn, Lunatics, Idiots, or other Person or Persons whatsoever, and to and for all other Femes Covert who are or shall be seised of or interested in their own Right, and to and for all and every Person  
and



and Persons whatsoever who are or shall be seised or possessed of or interested in any such Lands or Hereditaments, to contract and agree with the said Trustees for the Satisfaction to be made for such Damages as aforesaid, or to sell and convey unto them all or any such Lands or Hereditaments, or any Part thereof, for the Purposes aforesaid, and all Contracts, Sales, and Conveyances which shall be so made shall be valid to all Intents and Purposes, any Law, Statute, Usage, or other Matter to the contrary notwithstanding; and all such Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Tenants for Life, or in Fee Tail General or Special, or Lessees for Years determinable on any Life or Lives, Husbands, Guardians, Trustees, Feoffees, Committees, Executors, Administrators, and all other Persons, shall be and are hereby indemnified for what they or any of them shall lawfully do by virtue or in pursuance of this Act.

LVIII. And whereas a Map or Plan describing the Line of the said Road and Branch of Road, and the Lands through which the same are intended to be carried, together with a Book of Reference, containing Lists of the Names of the Owners and Occupiers of such Lands, have been deposited at the Office of the Clerk of the Peace for the said County Palatine of *Chester*; be it therefore enacted, That the said Map or Plan and Book of Reference shall remain in the Custody of the Clerk of the Peace for the said County, to the end that all Persons may at all seasonable Times have Liberty to inspect and peruse the same, and to take Copies or Extracts thereof at their Will and Pleasure, paying the Clerk of the Peace for the Time being of the said County the Sum of One Shilling for every such Inspection, and at the Rate of Sixpence for every One hundred Words of such Copies or Extracts of the said Map or Plan and Book of Reference; and that the said Trustees in making the said Road and Branch of Road shall not deviate more than One hundred Yards from the Line described in the said Map or Plan, without the Consent and Approbation in Writing of the Person or Persons, Body Politic, Corporate, and Collegiate, through whose Lands or Grounds such Deviation shall be made.

For restraining the Trustees from deviating beyond certain Distances of the Line described in the Plan, &c.

LIX. Provided always, and be it further enacted, That if any of the Lands or Buildings to be taken or used for the Purposes of this Act shall happen not to be described in the said Map or Plan, or any of the Owners or Occupiers of the same, or any of the Lands or Buildings described in the said Map or Plan, or any Part thereof, shall happen to be omitted, misnamed, or inaccurately described in the said Book of Reference, such Omission, Misnomer, or inaccurate Description shall not prevent or retard the Execution of this Act; but the several Premises and every Part thereof shall and may be purchased for the Purposes of this Act as fully and effectually as if the Owners or Occupiers of the same had not been omitted, or were more properly and accurately named; provided it shall appear to any Two or more Justices of the Peace for the said County Palatine of *Chester*, and be certified in Writing under their Hands, that such Omission, Misnomer, or inaccurate Description proceeded from Mistake, or that the real

Misnomers not to prevent the Execution of this Act.

Owners



Owners or Occupiers of such Lands or Buildings had Notice previous to the Application to Parliament for this Act that such Lands or Buildings would be wanted for the Purposes of this Act.

The Damage, Value, and Recompence to be settled by a Jury.

LX. And be it further enacted, That if any such Body Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Tenants for Life, or in Fee Tail General or Special, or for Years determinable on any Life or Lives, Husbands, Guardians, Trustees, Feoffees, Committees, Executors, Administrators, Femes Covert, or any other Person or Persons interested in any such Lands or Hereditaments, upon Notice to him, her, or them given, or left in Writing at the Dwelling House or Dwelling Houses, or Places of Abode of such Person or Persons, or of the principal Officer or Officers of any such Body Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, or at the House of the Tenant in Possession of the Lands or Hereditaments through which any Part of such Road or Branch of Road may be intended to be widened, diverted, turned, varied, or altered, shall for the Space of Twenty-one Days next after such Notice given or left as aforesaid, neglect or refuse to treat, or shall not agree in the Premises, or by reason of Absence shall be prevented from treating, then and in every such Case the said Trustees, or any Five or more of them, shall cause such Damage, Value, or Recompence to be enquired into and ascertained by a Jury of Twelve indifferent Men of the said County Palatine of *Chester*, from the Neighbourhood of the Place where such Lands and Hereditaments do lie; and in order thereto, the said Trustees, or any Five or more of them, are hereby empowered and required, from Time to Time as Occasion shall require, to summon and call before such Jury, and examine upon Oath, all and every Person and Persons whatsoever who shall be thought necessary or proper to be examined concerning the Premises (which Oath any One or more of the said Trustees is and are hereby empowered to administer); and such Trustees, or any Five or more of them, shall, by ordering a View or otherwise, use all Ways and Means, as well for their own as for the said Jury's better Information in the Premises; and after the said Jury shall have enquired of and assessed such Damage, Value, or Recompence, they the said Trustees, or any Five or more of them, shall thereupon order, adjudge, and appoint the Sum or Sums of Money so assessed by the said Jury to be paid to the said Owners and other Persons interested in the said Lands and Hereditaments respectively, according to the Verdict or Inquisition of such Jury, which said Verdict or Inquisition, and Judgment, Order, and Determination thereupon, shall be final, binding, and conclusive to all Intents and Purposes against all Parties and Persons whatsoever claiming or to claim any Estate in Possession, Reversion, or otherwise, their Heirs and Successors, as well absent as present, Infants, Femes Covert, Lunatics, Idiots, and Persons under any other Disability whatsoever, Bodies Politic, Corporate, and Collegiate, Corporations Aggregate and Sole, as well as all and every other Person and Persons whatsoever; and for summoning and returning such Juries, the said Trustees, or any Five or more of them, are hereby empowered to issue their Warrant or Warrants to the Sheriff of the said County Palatine of *Chester*, commanding him to impanel, summon, and return an indifferent Jury of Twenty-four Persons from the Neighbourhood of

Trustees to issue Warrants to the Sheriff to impanel a Jury.



the Place where such Lands lie, qualified to serve upon Juries, to appear before such Trustees, or any Five or more of them, at such Time and Place as in such Warrant or Warrants shall be appointed; and such Sheriff, or his Deputy or Deputies, is and are hereby required to impanel, summon, and return such Number of Persons accordingly, and out of the Persons so impanelled, summoned, and returned, or out of such of them as shall appear upon such Summons, the said Trustees, or any Five or more of them, shall and they are hereby empowered and required to swear or cause to be sworn Twelve Men, who shall be a Jury for the Purposes aforesaid; and in Default of a sufficient Number of Jurymen, the said Sheriff, or his Deputy or Deputies, shall return other honest and indifferent Men of the Standers-by or that can be speedily procured to attend that Service to the Number of Twelve, and all Persons concerned shall have their lawful Challenges against any of the said Jurymen when they come to be sworn; and the said Trustees, or any Five or more of them, acting in the Premises, shall have Power from Time to Time to impose any reasonable Fine or Fines upon such Sheriff, his Deputy or Deputies, Bailiff or Bailiffs, Agent or Agents, making Default in the Premises, and on any of the Persons who shall be summoned and returned on such Jury and who shall not appear, or appearing shall refuse to be sworn on the said Jury, or being sworn, shall refuse to give or shall not give their Verdict, or in any other Manner wilfully neglect their Duty therein contrary to the true Intent and Meaning of this Act, and on any of the Persons who being required to give Evidence before the said Jury shall refuse or neglect to appear, after having been paid or tendered a reasonable Sum for their Costs, Charges, and Expences, or appearing shall refuse to be sworn and examined or to give Evidence, so that no Fine be more than Five Pounds on any one Person for one Offence; which said Fine or Fines shall be levied and applied as the Penalties for Offences against this Act are hereinafter directed to be levied and disposed of.

Jury may be challenged.

Trustees may impose Fines on the Sheriff making Default, or on the Jury or Witnesses.

LXI. And be it further enacted, That in case any Jury or Juries to be summoned and sworn pursuant to the Authority of this Act shall give in and deliver a Verdict or Assessment for more Money as a Recompence or Satisfaction for the Right, Interest, or Property of every Person or Persons in any such Lands or Hereditaments, or for any such Loss or Damage, than what shall have been agreed to and offered by the said Trustees, or any Five or more of them, before the summoning or returning of the said Jury or Juries, as a Recompence or Satisfaction for any such Right, Interest, or Property, or for any Loss or Damage as aforesaid, then and in such Case the Costs and Expences of summoning and maintaining the Jury and Witnesses, and all other Expences attending the hearing and determining of such Difference, shall be borne and paid by the said Trustees out of the Tolls, Duties, or Monies, arising by virtue of this Act, or out of any Money borrowed upon the Credit thereof; but if any Jury or Juries so summoned and sworn as aforesaid shall give in and deliver a Verdict or Assessment for no more or for less Money than shall have been agreed to and offered by the said Trustees, or any Five or more of them, before the summoning or returning the said Jury or Juries, as a Recompence and Satisfaction for any such Right, Interest, or Property in any such Lands or Hereditaments, or Loss or Damage as

How the Expences of the Jury and Witnesses are to be paid.



aforesaid, then the Costs and Expences of summoning and maintaining the said Jury and Witnesses, and all other Expences aforesaid, shall be borne and paid by the Person or Persons with whom the said Trustees shall have such Controversy or Dispute; which said Costs and Expences, having been ascertained and settled by some Justice of the Peace for the said County Palatine of *Chester* not interested in the Matter in Question who is hereby required to settle the same, shall and may be deducted out of the Money so assessed and adjudged as so much Money advanced to and for the Use of such Person or Persons; and the Payment or Tender of the Remainder of such Money shall be deemed and taken to all Intents and Purposes to be a Payment or Tender of the whole Sum or Sums of Money so assessed and adjudged, or otherwise such Costs and Expences, in case the same be not paid upon Demand, after having been so ascertained and settled as aforesaid, may be levied and recovered by the Ways and Means hereinafter provided for levying and Recovery of Penalties and Forfeitures: Provided always, that in all Cases where any Person or Persons shall by reason of Absence out of the Kingdom have been prevented from treating about such Recompence or Satisfaction as aforesaid, such Costs and Expences shall be borne and paid by the said Trustees as aforesaid.

Money allowed for Lands how to be paid.

Lands purchased to become a Part of the Road.

LXII. And be it further enacted, That every Sum of Money or Recompence to be agreed for or assessed as aforesaid shall be paid out of the Tolls and Duties hereby granted, or out of the Money to be advanced or borrowed on the Credit thereof to the Parties or Persons respectively entitled thereto, or to their Agents; and upon Payment thereof, or depositing the same in the Bank of *England* as hereinafter directed (as the Case may be), and after Eight Days Notice thereof given to such Parties or Persons, or their Agents, or to the Tenant in Possession of the Premises, such Lands or Hereditaments shall be laid into and made Part of the said Road or Branch of Road (as the Case may be), in such Manner as the said Trustees, or any Five or more of them, shall direct; and shall be by them, or by such Person or Persons as they, or any Five or more of them, shall appoint, sufficiently drained, ditched, fenced, and set out for that Purpose; and shall to all Intents and Purposes whatsoever become and be and be deemed and taken to be a common Highway, and be from thenceforth Part of the said Road or Branch of Road (as the Case may be) for ever thereafter.

Trustees not to pull down Houses, &c. except as herein mentioned.

LXIII. Provided always, and it is hereby enacted and declared, That the Power and Authority given to the said Trustees as aforesaid shall not extend to the taking down of any Dwelling House or other Buildings, or taking in the Site of any House or other Buildings, or to the taking in any Garden, Orchard, Yard, Court, Park, Paddock, inclosed Shrubbery, planted Walk or Avenue to a House, without the Consent in Writing of the Owners and Proprietors thereof respectively; save and except the several Hereditaments mentioned and described in the Schedule hereunto annexed.

Application of Compensation, when exceeding 200l.

LXIV. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands, Tenements, or Hereditaments purchased, taken, or used by virtue of the Powers of this Act



for the Purposes thereof, which shall belong to any Corporation, Feme Covert, Infant, Lunatic, or Person or Persons under any other Disability or Incapacity as herein 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 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, and Hereditaments in the Purchase of the Land Tax, or Discharge of any Debt or Debts, or such other Incumbrances, or Part thereof, as the said Court shall authorize to be paid, affecting other Lands, Tenements, or Hereditaments, standing settled therewith to the same or the like Uses, Intents, and Purposes; or where such Money shall not be so employed then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Lands, Tenements, or Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Lands, Tenements, and Hereditaments, which shall be so purchased, taken, or used as aforesaid stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing, undetermined, and capable of taking Effect; and in the Meantime 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 Meantime, 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 Lands, Tenements, and Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made.

LXV. Provided always, and be it further enacted, That if any Application Money so agreed or awarded to be paid for any Lands, Tenements, or Hereditaments, purchased, taken, or used for the Purposes aforesaid, and belonging to any Corporation, or to any Person or Persons under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall amount to the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Lands, Tenements, and 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 of *England*, in the Name and with the Privity of the said Accountant General of the High Court of Chancery, and be placed to his Account as aforesaid, in order to be applied in Manner hereinbefore directed,



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 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 Manner hereinbefore directed, so far as the Case be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court of Chancery.

Application where the Money is less than 20l.

LXVI. 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 Lands, Tenements, and Hereditaments so purchased, taken, or used for the Purposes of this Act, in such Manner as the said Trustees 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.

In case of not making out Titles.

LXVII. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be awarded for the Purchase of any Lands, Tenements, or Hereditaments, to be purchased by virtue of this Act, shall refuse to accept the same, or shall not be able to make out a good Title to the Premises to the Satisfaction of the said Trustees, or any Five or more of them, or in case such Person or Persons to whom such Sum or Sums of Money shall be so awarded as aforesaid cannot be found, or if the Person or Persons entitled to such Lands, Tenements, or Hereditaments be not known or discovered, then and in every such Case it shall and may be lawful to and for the said Trustees, or any Five or more of them, to order the said Sum or Sums of Money so awarded as aforesaid to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to his Account, to the Credit of the Persons interested in the said Lands, Tenements, or Hereditaments, [describing them,] subject to the Order, Control, and Disposition of the said Court of Chancery, which said Court of Chancery, on the Application of any Person or Persons making Claim to such Sum and Sums of Money, or any Part thereof, by Motion or Petition, shall be and is hereby empowered, in a summary Way of Proceeding or otherwise as to the same Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order the Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest of the Person or Persons making Claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England*, who shall receive such Sum or Sums of Money, is and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying for what and for whose Use the same is or are received, to such Person or Persons who shall pay any such Sum or Sums of Money into the Bank as aforesaid.

LXVIII. Pro-



LXVIII. Provided always, and be it further enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Chancery, in pursuance of this Act, for the Purchase of any Lands, Tenements, or Hereditaments, or of any Estate, Right, or Interest in any Lands, Tenements, or Hereditaments to be purchased in pursuance of this Act, or to any Bank Annuities to be purchased with any such Money, or the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in Possession of such Lands, Tenements, or Hereditaments at the Time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, or Hereditaments according to such Possession, until the contrary shall be shown to the Satisfaction of the said Court of Chancery; and the Dividends or Interest of the said Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied, and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

Where any Question shall arise touching the Title to Money.

LXIX. Provided also, and be it enacted, That where by reason of any Disability or Incapacity of the Person or Persons, or Corporation entitled to any Lands, Tenements, or Hereditaments to be purchased under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the Court of Chancery, and to be applied in the Purchase of other Lands, Tenements, or Hereditaments, to be settled to the like Uses in pursuance of this Act, it shall and may be lawful to and for the said Court of Chancery to order the Expences of all Purchases from Time to Time to be made in pursuance of this Act, or so much of such Expences as the said Court shall deem reasonable, to be paid by the said Trustees, or any Five or more of them, out of the said Monies to be received by virtue of this Act, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

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

LXX. And whereas by reason of the Purchases which the said Trustees are empowered and required to make by virtue of this Act, they may happen to be seised of some Piece or Pieces of Ground over and above what shall be necessary for effecting the Purposes of this Act; be it therefore further enacted, That it shall be lawful for the said Trustees, or any Five or more of them, to sell and dispose of such Pieces or Parcels of Ground, either together or in Parcels, as they shall find most convenient and advantageous, to such Person or Persons as shall be willing to contract for and purchase the same: Provided always, that the said Trustees, before they shall sell or dispose of any Piece or Pieces of Ground as aforesaid, and before they shall sell and dispose of any Land constituting any former Road, in lieu whereof some new Road shall be made, and which shall be vested in the said Trustees by virtue of this Act, for the Purposes of Sale as aforesaid, shall offer the same respectively to the Person or Persons

Trustees empowered to sell overplus Grounds.

[*Local.*]

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to



to whom the same originally belonged; or where the same shall arise by reason of diverting any Part or Parts of the said Roads, then to the Person whose Lands shall adjoin thereto; and in case such Person or Persons respectively shall not then and thereupon agree, (except with respect to and on account of the Price thereof as hereinafter mentioned,) or shall refuse (except with respect to and on account of the Price thereof) to purchase and repurchase the same respectively, on an Affidavit being made and sworn before a Master or Master Extraordinary in the High Court of Chancery, or before One of his Majesty's Justices of the Peace for the said County Palatine of *Chester*, by some Person or Persons no Way interested in the said Piece or Pieces of Ground, stating that such Offer was made by and on the Behalf of the said Trustees, and that such Offer was not then and thereupon agreed to, or was refused by the Person or Persons to whom the same was so offered, and such Affidavit shall in all Courts whatsoever be a sufficient Evidence and Proof that such Offer was made, and was not agreed to, or was refused by the Person or Persons to whom such Offer was made; and in case such Person or Persons shall be desirous of purchasing the same, and he, she, or they and the said Trustees shall differ and not agree with respect to the Price thereof, then the Price or Prices thereof shall be ascertained by a Jury in Manner in this Act directed, with respect to disputed Value of Premises to be purchased by the said Trustees in pursuance of this Act; and the Expences of hearing and determining such Difference shall be borne and paid in like Manner as hereinbefore directed with respect to such Purchases made by the said Trustees, *mutatis mutandis*; and the Money to arise by the Sale or Sales of such Piece or Pieces of Road or Ground as aforesaid shall be applied to the Purposes of this Act, but the Purchaser or Purchasers thereof shall not be answerable or accountable for any Misapplication or Non-application of such Money.

Trustees  
may contract  
for Work,  
&c.

LXXI. And be it further enacted, That the said Trustees, or any Five or more of them, or such Person or Persons as the said Trustees, or any Five or more of them, shall for that Purpose appoint, are hereby authorised and empowered to contract with any Person or Persons for making, altering, raising, widening, improving, or repairing the said Road and Branch of Road, or any Part or Parts thereof respectively, or any Arches or Bridges upon the same, and for doing any other Work by this Act authorised to be done, in such Manner and for such Sum or Sums of Money as the said Trustees, or any Five or more of them, shall think proper.

Surveyors,  
by Order of  
Trustees  
may make  
Causeways,  
Drains, &c.;

may make  
temporary  
Roads  
through the

LXXII. And be it further enacted, That it shall be lawful for the said Surveyor or Surveyors, by Order of the said Trustees, or any Five or more of them, to make or cause to be made Causeways and Footpaths, and also Ditches and Drains in and upon the said Road and Branch of Road, and also through any Grounds lying contiguous thereto, and to erect Arches upon the said Road and Branch of Road; and also to make or cause to be made a Road through the adjoining Grounds of any narrow or ruinous Part of the said Road or Branch of Road respectively, not being the Ground whereon



whereon any House or Houses or other Buildings stand, or a Garden, Orchard, Yard, Park, Paddock, planted Walk, or Avenue to any House, or any inclosed Ground planted or set apart as a Nursery for Trees, to be made Use of for all Passengers, Cattle, Carriages or otherwise, as a public Highway whilst the old Road is repairing or widening, and until such Time as it shall be convenient and safe for Passengers and Carriages to pass through the same, making such reasonable Satisfaction to the Owners or Occupiers of such Ground respectively, through which any such Drains shall be made, or on which any such Arches shall be erected, or through which any temporary Road shall be made, for the Damages which such Owners or Occupiers respectively shall or may thereby sustain, as shall be adjudged reasonable by the said Trustees, or any Five or more of them; and in case of any Difference concerning the same between such Owners and Occupiers and the said Trustees, that then it shall and may be lawful for the Justices of the Peace, or the major Part of them assembled at the next General Quarter Sessions of the Peace for the said County Palatine of *Chester*, to settle, adjudge, and finally determine what Recompence shall be made to such Owners and Occupiers for the Damages they shall have sustained as aforesaid, which Determination shall be final.

LXXIII. And be it further enacted, That it shall be lawful for the said Surveyor and Surveyors, and such Persons as he or they shall appoint, to search for, dig, gather, fish up, and take away any Furze, Heath, Sand, Stones, Gravel, or other Materials for repairing the said Road and Branch of Road, or for the Purposes of this Act, out of any common or public River, Brook or Pit, or out of any Waste or Common Ground in any Parish, Town, Village, or Hamlet, in which any Part of the said Road or Branch of Road shall pass, or in any adjoining Parish, Township, or Place, without paying any thing for such Materials; such Surveyor or Surveyors levelling or causing to be levelled all such Holes and Pits, or otherwise to be railed or fenced-out where and from whence any such Materials shall be digged, gathered, or taken away, in such Manner as that the same shall not be dangerous to any Cattle or Travellers, and paying for the Damages done by landing, and for going over and through any Lands, Grounds, and private Lanes, for or with such Materials, to be ascertained as hereinafter mentioned; and also it shall be lawful for the said Surveyor and Surveyors, and such Person and Persons as he or they shall appoint, (such Surveyor or Surveyors first having an Order of Two or more Justices of the Peace for the County in which the Lands shall be situated,) to search for, dig, gather, and take away such Materials out of the several Grounds of any Person or Persons within any Parish, Township, or Place, in which the said Road or Branch of Road, or any Part or Parts thereof shall lie or be situate, or in any adjoining Parish, Township, or Place, not being a Garden, Orchard, Yard, Park, Paddock, or planted Walk or Walks, or Avenue to a House, or any Piece of Ground inclosed, planted and set apart as a Nursery for Trees, paying such Rates for such Materials and for Damage done to the Owners or Occupiers of such Grounds where and from whence the same shall be digged, gathered, and carried away, or over which  
the

Surveyor  
may dig for  
Gravel.



the same shall be carried, as the said respective Trustees, or any Five or more of them; shall judge reasonable; and in case of any Difference concerning the same, between the said Trustees, Surveyor or Surveyors, and the said Owners or Occupiers, or any of them, concerning the Value of such Materials and Damages, it shall and may be lawful to and for any Two Justices of the Peace for the County in which the Lands shall be situated, on Ten Days Notice thereof in Writing being given by either Party to the other, or left at their respective Places of Abode, to hear, settle, and determine the same.

Notice to be given to Occupiers of Lands before Materials are taken.

LXXIV. Provided nevertheless, and be it further enacted, That no Surveyor, or any other Person or Persons acting under the Authority of this Act, shall first begin to dig, gather, or carry away any Materials for repairing the said Road or Branch of Road of or from any inclosed Lands without the Consent of the Owners or Occupiers thereof, until Notice in Writing signed by the Surveyor shall have been given to the Owner or his known Agent, or to the Occupier of the Land from which such Materials are intended to be taken, or left at such Occupier's usual Place of Residence, to appear before any Justice or Justices of the Peace acting for the County or Place wherein such Land shall lie to shew Cause why such Materials shall not be had therefrom; and in case such Owner, Agent, or Occupier shall attend pursuant to such Notice, such Justice or Justices shall, if he or they shall think proper, authorize such Surveyor or other Person to dig, gather, take, and carry away such Materials at such Time or Times as to such Justice or Justices shall seem proper; and if such Owner or Occupier shall neglect or refuse to appear by himself or herself, or his or her Agent, such Justice or Justices shall and may make such Order therein as he or they shall think fit, as fully and effectually to all Intents and Purposes as if such Owner or Occupier or his or her Agent had attended; and the Order of such Justice or Justices shall be final and conclusive to and upon all Parties.

Penalties on taking away Materials got by Surveyor.

LXXV. And be it enacted, That if any Person whosoever shall take or carry away Materials which shall have been digged or gathered for the Purpose of making, completing, or amending the said Road or Branch of Road, or shall get or take away any Materials out of any Pit or Quarry which shall have been made for the Purpose of getting Materials for the said Road or Branch of Road, before the said Surveyors or their Workmen shall have discontinued working therein for the Space of Thirty Days, (except the Owner or Occupier of any private Ground and Persons authorized by such Owner or Occupier to get Materials for his own private Use and not for Sale,) every Person so offending shall forfeit for every such Offence any Sum not exceeding Five Pounds.

Mines reserved to the Owners of Lands.

LXXVI. Provided always, and be it further enacted, That all Mines of Lead, Ore, Mines, Veins, Beds, or Seams of Coal, Ironstone, and other Minerals whatsoever, which shall be discovered or found in or under any Lands to be appropriated to the said Road and Branch of Road by virtue of this Act, shall be and they are hereby reserved



to the Person or Persons, Bodies Politic, Corporate, or Collegiate, who would have been seised of or entitled to the same in case this Act had not been made, with Liberty for him or them, or his or their respective Agents or Servants, to dig for, mine, and work the same, in such Manner as is usual for carrying on Works of that Kind in the District or Place where such Mines, Coals, or other Minerals shall be found, and in as full and ample a Manner as if the said Land had not been taken and appropriated for the Purposes aforesaid, so that in the working thereof no Damage shall be done to the said Road or Branch of Road, or any Part thereof respectively.

LXXVII. And be it further enacted, That it shall and may be lawful to and for the said Surveyor or Surveyors, and such Person or Persons as he or they shall appoint, by Direction and under the Hands of any Five or more of the said Trustees, from Time to Time to remove and prevent all Nuisances or Annoyances on any Part or Parts of the said Road and Branch of Road, by Rails, Steps, Sign Posts, Walls, or otherwise, and to turn or stop any Watercourses, Sinks, or Drains running into, along, and out of any Part of the said Road or Branch of Road to the Prejudice or Injury thereof, and to open, scour, and cleanse any Sough, Ditch, or Watercourse adjoining to or leading into or out of any Part or Parts of the said Road or Branch of Road, and to make the same as deep and large as the said Trustees or any Five or more of them shall think proper and necessary, and at proper Seasons of the Year to cut down or lop any Branches of Trees, Shrubs, or Bushes growing in any Part of the said Road and Branch of Road, or in the Hedges or Banks adjoining thereto, not being Shrubs or Bushes planted as a Shelter or Ornament to a House or other Building, or not standing in any Garden, Orchard, Yard, Park, Paddock, planted Walk, or Avenue to a House, in case the Person or Persons occasioning such Annoyances, or who ought to remove the same, or to cleanse such Ditch or Watercourse, or to cut down or lop such Branches of Trees, Shrubs, or Bushes, shall neglect or refuse so to do for the Space of Fourteen Days next after Notice in Writing given for that Purpose, signed by any Five or more of the said Trustees, or by their Surveyor or Surveyors for the Time being, the reasonable Charges whereof shall be reimbursed to the said Surveyor or Surveyors by the Person or Persons refusing or neglecting as aforesaid; and in case any such Person or Persons shall not, upon Demand, pay and reimburse to such Surveyor or Surveyors such Charges as aforesaid, the same shall and may be recovered by Distress and Sale of the Goods and Chattels of such Person or Persons, in like Manner as is herein authorized or directed for the Recovery of any other Penalty inflicted by this Act; and if after the Removal of any of the said Annoyances any Person shall again offend in the like Manner, every such Person shall, for every such Offence, over and above such Charges as aforesaid, forfeit and pay any Sum not exceeding Five Pounds, One Moiety whereof to be paid to the Informer and the other Moiety to be applied to the Purposes of this Act.

LXXVIII. And be it further enacted, That the said Trustees, or any Five or more of them, shall cause the said Road and Branch of Road to be measured, and Mile-

[Local.]

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Road



stones to be set up.

Road to be measured, and Stones or Posts to be set up, in or near the Sides of the said Road and Branch of Road, at the Distance of One Mile from each other, with such Inscription thereon, denoting the Number of Miles and Distances of Places, as they the said Trustees shall think fit; and all such and so many Direction or Guide Posts as the said Trustees, or any Five or more of them, shall judge proper.

Troughs, &c. not to be placed on the Road.

LXXIX. And be it further enacted, That no Person shall erect or place any Trough or Troughs, or other Vessel, for the Purpose of watering Horses or other Cattle, nearer the Middle of the said Road or Branch of Road than Twenty Feet, and every Person so offending shall forfeit and pay any Sum not exceeding Forty Shillings.

Penalty on Persons damaging Direction Posts, and for preventing Nuisances on the Road.

LXXX. And be it further enacted, That if any Person or Persons shall wilfully pull up or damage any Direction Posts, or Mile Posts, or Mile Stones to be erected or fixed on the Side or Sides of or adjoining to the said Road or Branch of Road, or shall obliterate or deface any of the Letters, Figures, or Marks inscribed thereon; or if any Person or Persons shall ride upon any Footway adjoining to the said Road or Branch of Road, or shall drive any Horse, Cattle, or Swine, or any Truck, Wheelsledge, Wheelbarrow, Handbarrow, or Carriage thereon, or shall cause any Damage to be done to such Footway; or if any Person shall hale or draw, or cause to be haled or drawn, upon any Part of the said Road or Branch of Road, any Tree or Piece of Timber, or any Stone, (otherwise than upon wheeled Carriages,) or shall suffer any Part of any Tree, or Piece of Timber or Stone, which shall be carried upon any wheeled Carriage to drag upon any Part of the said Road or Branch of Road to the Prejudice thereof respectively; or if any Person or Persons shall bait, drive, or worry any Bull or Bear, with Dogs or otherwise upon the said Road or Branch of Road, or when driving any Pigs or Swine upon the said Road or Branch of Road shall suffer the same to root up and damage the same, or any Part thereof respectively, or the Fences, Hedges, Backings, or Cops on either Side thereof respectively; or if any Person driving any Coach, Chaise, Waggon, Cart, or other Carriage upon the said Road or Branch of Road, and meeting another Coach, Chaise, Waggon, Cart, or other Carriage, shall not keep his Carriage on the left Hand Side of the Middle of the said Road or Branch of Road, or if any Person having the Care of or driving any Waggon, Cart, or other such Carriage upon the said Road or Branch of Road, shall absent himself or herself therefrom, or shall not drive on the left-hand Side of his Horse or Horses or other Beasts of Draught therein, or shall suffer his Horse or Horses or other Beasts of Draught therein to go faster than a Walk; or if any Person having the Care of or driving any Waggon, Cart, or other such Carriage upon the said Road or Branch of Road, shall ride within the said Waggon, Cart, or other such Carriage, in case there shall be more than one Horse, or other Beast of Draught drawing the same, or in case there shall be only One Horse or other Beast of Draught drawing the same, then without Reins to the Bridle in the Head of such Horse or other Beast of Draught for the Management thereof, or in any Case whatsoever shall ride upon the Shafts



Shafts on either of them of such Waggon, Cart, or other such Carriage; or if any Person driving or riding upon any Horse or other Beast of Draught, carrying Milk Cans, Crates, Cans, or Panniers, shall not keep the said Horse or other Beast of Draught on the left-hand Side of the Middle of the said Road or Branch of Road, or shall permit or suffer the same to go faster than a Trot; or shall drive or ride his or her Horse or other Beast of Draught opposite to or abreast of any other Person driving or riding any other Horse or Beast of Draught carrying Milk Cans, Crates, Cans, or Panniers, so that Two or more of such Horses or other Beasts of Draught shall be abreast or opposite to each other, in travelling upon the said Road or Branch of Road; or if any Person after having blocked any Carriage whatsoever in going up any Hill or rising Ground, shall leave on the said Road or Branch of Road the Stone or other Thing used in such Blocking; or if any Person shall in any Manner wilfully prevent any other Person or Persons from passing him or them upon the said Road or Branch of Road, or the Coach, Chaise, Waggon, Cart, or other Carriage under his Care; 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, Serpent, or Firework whatsoever, on the said Road and Branch of Road, or either of them, or any Part thereof respectively, or within Eighty Feet of the Centre thereof respectively, or play at Football or any other Game, to the Annoyance of any Passenger or Passengers on any Part or Parts of the said Road or Branch of Road; or if any Person shall leave any Coach, Chaise, Waggon, Wain, Cart, or other Carriage, in, upon, or on the Side of any Part of the said Road or Branch of Road, either with or without any Horse or Beast of Draught harnessed or yoked thereto, or shall lay any Piece of Timber, or any Stones, Hay, Straw, Dung, Manure, Soil, Rubbish, or other Matter or Thing whatsoever, (except Materials for the Repairs of the said Road or Branch of Road deposited by or by the Order of the Surveyor thereof respectively,) on any Part of the said Road or Branch of Road, or on the Side or Sides thereof, to the Prejudice thereof, or to the Annoyance or Prejudice of any Person or Persons travelling along the same respectively; or if any Person or Persons shall lay any Hay, Straw, or other Matter or Thing upon any Part of the said Road or Branch of Road to be made into Manure, or shall scrape off the same, or any Mud, Soil, or other Matter or Thing which shall be or lie upon any Part of the said Road or Branch of Road, with an Iron Cow-Rake or other Instrument with sharp Points, whereby the said Road or Branch of Road or any Part thereof shall be damaged; or if any Person shall damage or injure any of the Posts, Rails, Stoops, Stone Walls, Hedges, or Fences on the Sides of the said Road or Branch of Road, or any Footway adjoining thereto respectively; or if any Blacksmith or other Person occupying a Blacksmith's Shop, having Doors or Windows to the Front of the said Road or Branch of Road, shall not by good and close Shutters, every Evening after it becomes Twilight, and every Morning until after Twilight, bar and prevent the Light from such Shop shining into the said Road or Branch of Road; or if any Person or Persons shall do any other wilful Act, Damage, or Injury to the said Road or Branch of Road, or either of them, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.



For securing  
transient  
Offenders.

LXXXI. And whereas Offences may be committed against this Act by Persons unknown to the Collectors, Surveyors, or other Officers appointed to put this Act in Execution, be it therefore enacted, That it shall be lawful for any of the said Collectors, Surveyors, or other Officers respectively, and such other Person or Persons as he or they shall call to his or their Assistance, without any Warrant or other Authority than this Act, to seize and detain any such unknown Person or Persons who shall commit any such Offence or Offences, and take him, her, or them before any Justice of the Peace of the said County Palatine of *Chester*, residing near to the Place where the Offence or Offences shall be committed, and such Justice is hereby empowered and directed to proceed with all convenient Speed to the hearing and determining of the Complaint.

Penalty on  
Witnesses  
not attending  
when sum-  
moned.

LXXXII. And be it further enacted, That if any Person or Persons, after having been summoned as a Witness or Witnesses to give Evidence before any Justice of the Peace, touching any Matter of Fact contained in any Information or Complaint for any Offence against this Act, shall refuse or neglect to appear at the Time and Place for that Purpose appointed (after having been paid or tendered a reasonable Sum of Money for his, her, or their Costs, Charges, and Expences,) without a reasonable Excuse for his, her, or their Refusal or Neglect, or appearing shall refuse to be examined upon Oath, and give Evidence before such Justice of the Peace, then and in either of such Cases every Person or Persons so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Penalties on  
obstructing  
Surveyors.

LXXXIII. And be it further enacted, That if any Person or Persons shall assault, interrupt, or hinder, or cause or procure to be assaulted, interrupted, or hindered, any Collector of the Tolls, or any Turnpike Surveyor, or any other Person or Persons by them or any of them, or by the said Trustees, or any Five or more of them, employed in the Execution of this Act, every such Person shall for every such Offence forfeit any Sum not exceeding Five Pounds.

For impoun-  
ding Cattle  
or Swine  
straying on  
the Roads,  
&c.

LXXXIV. And be it further enacted, That if any Cow, Horse, Ass, Pig, or other live Stock or Cattle, shall at any Time be found wandering, straying, or lying about the said Road or Branch of Road, or any Part thereof respectively, it shall be lawful for the Surveyor of the said Road or Branch of Road for the Time being, or some other Person or Persons employed by him, or for the said Trustees, or any Three or more of them, (although not assembled at a Meeting,) to seize every such Cow, Horse, Ass, Pig, or other live Stock or Cattle, and to impound the same in the common Pound (if any) of the Hamlet, Township, Parish, or Place in which the same shall be found wandering, straying, or lying about the said Road or Branch of Road, or any Part thereof, or in such other Place or Places as the said Trustees, or any Three or more of them, (although not assembled at a Meeting,) or the said Surveyor shall appoint, and the same there to detain until the Owner or Owners thereof shall for every and each Cow, Horse, Ass, Pig, or other live Stock or Cattle so impounded, pay the Sum of Five Shillings for the first Time such Owner or Owners shall have any Cow, Horse, Ass, Pig, or other live Stock, or



Cattle so impounded, and the Sum of Ten Shillings for the Second and every other Time the same Owner or Owners shall have any Cow, Horse, Ass, Pig, or other live Stock so impounded; and the said Sum of Five Shillings or Ten Shillings, as the Case may be, shall be paid to the Person impounding the same, together with the reasonable Charges and Expences of impounding and keeping the same; and in Case the said Penalty, Charges, and Expences shall not be paid within Three Days after such impounding, it shall be lawful for any One or more Justice or Justices of the Peace for the County or Place where the Offence shall have been committed, by an Order or Warrant under his or their Hand or Hands, to sell or cause every such Cow, Horse, Ass, Pig, or other live Stock or Cattle to be sold, and the Money arising from such Sale, after deducting the said Penalty, and the Charges and Expences of impounding, keeping, and selling every such Cow, Horse, Ass, Pig, or other live Stock or Cattle, shall be paid to the Person whose Property the same so sold shall appear to have been.

LXXXV. And be it further enacted, That in case any Person or Persons shall release or attempt to release any Cow, Horse, Ass, Pig or other live Stock or Cattle, which shall be seized for the Purpose of being impounded under the Authority of this Act, or shall release or attempt to release any Horse, Cow, Ass, Pig, or other live Stock or Cattle, which shall be impounded under the Authority of this Act, from the Pound or Place where the same shall be so impounded, or shall pull down, damage, or destroy the same Pound or Place, or any Part thereof, or any Lock or Bolt belonging thereto or with which the same shall be fastened; or shall rescue or release or attempt to rescue or release any Distress or Levy which shall be made under the Authority of this Act, until or before such Cow, Horse, Ass, Pig, or other live Stock or Cattle so seized or impounded, or such Distress or Levy so made shall be discharged by due Course of Law, every Person so offending shall upon Conviction thereof before any One of His Majesty's Justices of the Peace for the said County Palatine of *Chester*, either upon the Confession of the Party or Parties offending or upon the Oath of One credible Witness, and which Oath the said Justice is hereby authorized and empowered to administer, be committed by such Justice, by Warrant under his Hand and Seal, to the Common Gaol or House of Correction of the said County Palatine of *Chester*, there to remain without Bail or Mainprize for any Time not exceeding Three Calendar Months.

Punishment  
of Persons  
guilty of  
Pound  
Breach.

LXXXVI. And be it further enacted, That no Gate of any Park, Paddock, or Field shall be made to open towards the said Road or Branch of Road, or shall be suffered to continue so to open, unless the Hanging Posts thereof shall be Thirty Feet at the least from the Centre of the said Road and Branch of Road; and the Occupier or Occupiers of every Park, Paddock, or Field, the Gate whereof shall open towards the said Road and Branch of Road, shall, within Fourteen Days after Notice from the Surveyor or Surveyors of the said Road or Branch of Road, cause such Gate to be altered in such a Manner as that no Part of the Gate when open shall project over any Part of the said Road or Branch within Twenty Feet from the Centre thereof respectively; and in Default thereof the said Surveyor or Surveyors is and are hereby authorized to cause such

Gates to  
open in-  
wards.

[Local.]

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Gate



Gate to be taken down and afterwards fixed up in the Manner here-  
inbefore directed, and the Person or Persons making Default shall  
upon Complaint made to any Justice of the Peace for the said County  
Palatine of *Chester*, and on Conviction thereof on the Oath of One  
credible Witness, pay to such Surveyor or Surveyors such Sum as the  
said Justice shall direct for defraying the Expence of such Alteration,  
and shall also forfeit and pay any Sum not exceeding Forty Shillings  
for his or their Default therein.

Persons  
liable to the  
Repair of the  
Road, &c. to  
continue so.

LXXXVII. And be it further enacted, That all Owners, Occu-  
piers, Grantees, Trustees, Feoffees, and Committees of any Lands,  
Tenements, and Hereditaments, and all other Person or Persons liable  
to the amending, maintaining, or repairing any Part or Parts of the  
said Road, or Branch of Road, or any Bridge, Causeway, Drain, Arch,  
or Sewer therein, shall still remain liable and chargeable to the Repair  
thereof in such Manner as they were before the passing of this Act.

Townships  
to be liable  
to Repair.

LXXXVIII. And be it further enacted, That all the Inhabitants of  
the several Parishes, Townships, Hamlets, or Places through which  
the said Road or Branch of Road shall pass, shall be liable to the  
Repair of such Parts of the said Road, and Branch of Road respec-  
tively, as are or shall be within their respective Parishes, Townships,  
Hamlets or Places; in such and the same Manner as they are liable to  
the Repair of any other Highways within the same.

Statute  
Work.

LXXXIX. And be it further enacted, That all Persons who by Law  
are or shall be liable to do Statute Work, or are or shall be chargeable  
towards repairing or amending the said Road or Branch of Road, or  
any Part thereof respectively, shall still remain liable thereto in like  
Manner as heretofore; and it shall be lawful for any Two or more  
Justices of the Peace within their respective Jurisdictions, and they  
are hereby required and empowered, upon Application made to them  
by the said Trustees, or any Five or more of them, or by their Trea-  
surer, Clerk, or Surveyor, by their Order, or by any Person or Persons  
liable to do such Statute Work, (Ten Days Notice of such last-men-  
tioned Application being first given to the said Treasurer, Clerk, or  
Surveyor,) yearly to adjudge and determine what Part or Proportion  
of Statute Work shall every Year be done by the Inhabitants of the  
respective Townships or Places through which the said Road and  
Branch of Road shall pass, upon those Parts of the said Road and  
Branch of Road as pass through the same respective Townships or  
Places, and also what Proportion of the Money received by the Sur-  
veyor or Surveyors of the Highways of every such Township or Place,  
in lieu of or as a Composition for such Statute Work as aforesaid  
shall be by him, her, or them paid to the said Trustees or their  
Treasurer or Treasurers; and in order thereto it shall be lawful for  
such Justices from Time to Time to summon the Surveyor or  
Surveyors of the Highways for every such Township or Place,  
to bring in Lists before such Justices, at some Place to be expressed  
in such Summons, (within Ten Days after the serving of such Sum-  
mons,) of the Names of the several Persons who within such Township  
or Place are by Law subject and liable to do Statute Work for that  
Year, or to the Payment of any Money in lieu of or as a Composition  
for such Statute Work, distinguishing the Nature of the Work to be  
done,



done, whether with Teams or Draughts or otherwise; and also the Amount of the respective Sums to be paid; which Lists of Names shall be made in such Manner, and under such Regulations and Restrictions, as are or may be directed by any Law or Statute in Force and Effect for the Repair of the public Highways; and out of such Lists the said Justices shall and may allot, appoint, and order such and so many of the Persons who shall appear to be subject and liable to do Statute Work as aforesaid, to do such Number of Days Statute Work in every Year upon the said Road or Branch of Road as the said Justices shall think reasonable; and the same shall be done at such Days and at such Times, (not being Hay-time or Harvest) and in such Parts of the said Road or Branch of Road, nevertheless within the same Township or Place wherein the Party resides, as the said Trustees, or any Five or more of them, or their Surveyor or Surveyors, shall from Time to Time order, direct, and appoint; and the said Justices shall and may also order and direct the Persons who by such Lists shall appear to be subject and liable to the Payment of any Money in lieu of or as a Composition for Statute Work as aforesaid, to pay such Proportion thereof as the said Justices shall think proper, to the Surveyor or Surveyors of such Townships or Places respectively, who shall collect and receive the same for the Use of the said Trustees, and afterwards pay over the same to the said Trustees, or their Treasurer or Surveyor, at such Time or Times as the said Justices shall direct; and in Default of Payment thereof, the same shall and may be recovered by Distress and Sale of the Goods and Chattels of such Surveyor or Surveyors, or of the other Persons respectively liable to the Payment thereof, in like Manner as any Penalty is by this Act authorised or directed to be recovered; and each and every Person who shall neglect or refuse to do such Statute Work as aforesaid, after Notice in Writing given to or left for him, her, or them at his, her, or their usual Residence, Place or Places of Abode for that Purpose, by any Surveyor of the said Trustees, shall for every Day of his, her, or their Default, or the Default of any Labourer or Labourers, Team or Teams, Draught or Draughts, Horse or Horses, Beast or Beasts, to be provided by him, her, or them, be subject and liable to such Pains, Penalties, and Forfeitures, as such Person or Persons may be subject and liable to by any Law or Statute in Force or Effect for Repair of the public Highways; and if any Person who shall come to work as a Labourer, or shall be sent with any Team or Draught to work on the said Road or Branch of Road, shall be found idle or negligent by any Surveyor to the said Trustees, such Surveyor is hereby empowered to remove and discharge the Person who shall be found idle or negligent as aforesaid; and in that Case every such Person shall be subject and liable to the respective Forfeitures and Payments aforesaid as if he had neglected or refused to come, or such Team or Draught had not been sent to work on any Part of the said Road or Branch of Road; all which Forfeitures shall be paid to the Treasurer or Surveyor to the said Trustees and applied towards amending the said Road or Branch of Road; and if any Surveyor of the Highways for any of the said Townships or Places shall refuse or wilfully neglect to give in such Lists as aforesaid, or shall knowingly and wilfully give in false or imperfect Lists, or shall refuse or neglect to collect or pay over such Composition Money, or any Part thereof in Manner aforesaid, every such Surveyor so offending shall for every such Offence forfeit  
and



and pay any Sum not exceeding Ten Pounds: Provided always, that the full Amount of the Composition Money received or gathered in any one Parish, Township, or Place, and paid to the said Trustees as aforesaid, shall be laid out and expended in the Repair of that Part of the said Road or Branch of Road lying within the same Township or Place.

Trustees may compound for Statute Work.

Composition Money how to be recovered.

XC. Provided always, and be it further enacted, That it shall and may be lawful for the Surveyor or Surveyors of any Township or Place, through which the said Road or Branch of Road shall pass, or any other Person or Persons, by and with the Consent of the Inhabitants of the same Township or Place respectively first had at any Vestry or other public Meeting of such Inhabitants, who shall be summoned together for that Purpose, to compound and agree from Time to Time with the said Trustees, or any Five or more of them, for a certain Sum of Money, by the Year or otherwise, in lieu of the Statute Work to be performed by such respective Inhabitants upon any Part of the said Road or Branch of Road; and in case such Composition Money shall not be paid to the said Trustees, or any Five or more of them, or to such Person as they shall appoint to receive the same, within Ten Days after the same shall be due and demanded, it shall be lawful for any One or more Justice or Justices of the Peace for the said County Palatine of *Chester* upon Oath made before him or them of such Default, which Oath the said Justice or Justices is or are hereby empowered to administer, and he or they is and are hereby required to issue a Warrant under his or their Hand and Seal, or Hands and Seals, empowering such Person so by the said Trustees, or any Five or more of them, appointed to receive such Composition Money, to levy the same by Distress of the Goods and Chattels of the Person or Persons who hath or have made such Composition as aforesaid, and such Goods and Chattels so distrained, after the Space of Five Days, (such Composition Money and the reasonable Charges of such Distress and keeping the same not being sooner paid,) to sell, rendering the Overplus (if any there be) to the Owner or Owners thereof upon Demand, after the Composition Money and all reasonable Charges of such Distress and Sale shall be deducted, which Composition Money shall be applied to the Purposes of this Act; and such Surveyors and other Persons by whom such Composition shall be made on Behalf of any of the said Townships or Places as aforesaid, shall be reimbursed such Composition Money, in such Manner as the Surveyors of the Highways are by the Laws now in being to be reimbursed the Monies by them expended in buying Materials for repairing the Highways.

Penalties how to be recovered and applied.

XCI. And be it further enacted, That all Penalties, Forfeitures, and Fines hereby inflicted or authorized to be imposed, the Manner of levying and Recovery whereof is not herein otherwise directed, shall, upon Proof of the Offences respectively before any One Justice of the Peace for the said County Palatine of *Chester*, either by the Confession of the Party or Parties offending, or by the Oath of One or more Witness or Witnesses, (which Oath such Justice is hereby empowered and required to administer without Fee or Reward,) be levied by Distress and Sale of the Goods and Chattels of the Party or Parties offending, by Warrant or Warrants under the Hand and Seal of such Justice (which Warrant or Warrants such Justice is hereby



empowered to grant for those Purposes); and the Overplus, after such Penalties, Forfeitures, and Fines, and the Charges of such Distress and Sale are recovered and deducted, shall be returned, upon Demand, unto the Owner or Owners of such Goods and Chattels; and the Penalties, Forfeitures, and Fines when paid or recovered shall be, if not otherwise directed to be applied by this Act, from Time to Time paid, One Half to the Informer, and the other Half to any Five or more of the said Trustees, or to their Clerk, Treasurer or Treasurers, and applied in the Repair of the said Road or Branch of Road; and in case sufficient Distress cannot be found, or such Penalties or Forfeitures shall not be forthwith paid upon Conviction, then it shall be lawful for such Justice to order the Offender or Offenders so convicted to be detained, and kept in safe Custody, until Return can conveniently be made to such Warrant of Distress, unless the Offender or Offenders shall give sufficient Security to the Satisfaction of such Justice, for his, her, or their Appearance before such Justice, on such Day or Days as shall be appointed for the Return of such Warrant of Distress, such Day or Days not being more than Ten Days from the Time of taking any such Security, and which Security the said Justice is hereby empowered to take, by way of Recognisance or otherwise; but if upon the Return of such Warrant it shall appear that no sufficient Distress can be had thereupon, then and in such Case it shall be lawful for such Justice of the Peace as aforesaid, or any other Justice of the Peace for the said County, and he is hereby authorised and required by Warrant or Warrants under his Hand and Seal, to cause such Offender or Offenders to be committed to the Common Gaol or House of Correction of the said County Palatine of *Chester*, there to remain without Bail or Mainprize for any Time not exceeding Three Calendar Months, unless such Penalties, Forfeitures, and Fines, and all reasonable Charges shall be sooner paid and satisfied.

XCII. And for the more speedy and easy Conviction of Offenders against this Act, be it enacted, That all and every Justice or Justices of the Peace before whom any Person or Persons shall be convicted of any Offence against this present Act, shall and may cause the Conviction to be drawn up in the following Form of Words, or in any other Form of Words to the like Effect, as the Case shall happen; (this is to say,)

For the more easy Conviction of Offenders.

County of }  
*Chester*, }  
 To wit. } BE it remembered, That on the  
 Day of \_\_\_\_\_ in the Year of our Lord  
 A. B. is convicted before me,  
 C. D. one of His Majesty's Justices of the Peace for the County  
 Palatine of *Chester*, [*specifying the Offence, Time and Place when  
 and where the same was committed, as the Case may be, without further  
 setting forth the Information or Evidence against the Defendant.*]  
 Given under my Hand and Seal the Day and Year first above  
 mentioned.'

Form of Conviction.

And that no Objection shall be made or Advantage taken for want of Form in any such Conviction, by any Person or Persons whatsoever, and that no Proceeding to be had touching any Offender or Offenders  
 [Local.] 8 P against

Proceedings not to be quashed for want of Form.



against this Act, shall be quashed, vacated, or discharged for want of Form only.

Persons ag-  
grieved may  
appeal to the  
Quarter  
Sessions.

Notice of  
Appeal to be  
given.

Recogni-  
sances to be  
entered into.

XCHH. And be it further enacted, That if any Person shall think himself or herself aggrieved by any Thing done by virtue of this Act, and for which no particular Method of Relief hath been appointed, such Person may appeal to the Justices of the Peace at the First General Quarter Session of the Peace to be held for the said County Palatine of *Chester*, within Six Calendar Months after the Matter of such Complaint shall have arisen, such Appellant first giving or causing to be given Twenty-one Days Notice at the least in Writing, of his, her, or their Intention to bring such Appeal, and of the Cause or Matter thereof, to the Treasurer or Clerk of the said Trustees, and within Four Days after such Notice, entering into a Recognizance before some Justice of the Peace for the said County, with Two sufficient Sureties conditioned to try such Appeal, and abide the Order of the said Quarter Session; and the said Justices at their said Session, upon due Proof of such Notice being given, and of the entering into such Recognizance, shall hear and finally determine such Appeal in a summary Way, and if they see Cause may, by Order of such Session, mitigate at their Discretion all or any of the said Penalties, or vacate and set aside any Conviction or Convictions of any Justice or Justices of the Peace, or otherwise may ratify and confirm the same, and award such Costs to either of the Parties or otherwise as they may think proper, and may also order such further Satisfaction to be made to the Party injured as they shall judge reasonable; and the Determination of the said Justices shall be binding and conclusive upon all Parties to all Intents and Purposes.

Limitation  
of Actions.

General  
Issue.

XCIV. And be it further enacted, That no Action or Suit shall be brought by any Person or Persons for any Thing done by virtue of this Act, till after Fourteen clear Days Notice thereof in Writing shall be given to the Person or Persons against whom such Action shall be intended to be so brought, thereby setting forth the Cause of such Action, or left at his or their last or usual Place of Abode; and that every Action brought for any Thing done as aforesaid shall be brought within the Space of Three Calendar Months next after the Cause thereof shall arise, and shall be laid and tried in the said County or Place where the Cause of Action shall have arisen, and the Defendant or Defendants therein may plead the General Issue, and give this Act and the Special Matter in Evidence, and that the same was done by virtue thereof; and if on the Trial of such Action it shall appear that the same was brought before the Expiration of Fourteen Days next after such Notice shall have been so given or left as aforesaid, or after the End of Three Calendar Months next after the Cause thereof shall arise, or if such Action shall be brought or laid in any other County than as aforesaid, or if after sufficient Tender of Amends shall have been made to the Party or Parties aggrieved, then and in every the Cases aforesaid the Jury on the Trial of such Action shall find for the Defendant or Defendants therein; and in all Cases where any Verdict shall be found for any Defendant or Defendants in such Action, or the Plaintiff or Plaintiffs therein shall



shall discontinue the same after the Defendant or Defendants shall have appeared thereto, or shall be nonsuited, or if upon Demurrer Judgment shall be given against such Plaintiff or Plaintiffs, the Defendant or Defendants in such Action shall have Treble Costs, and Treble the like Remedies for recovering the same as Defendants have for recovering their Costs in other Cases by Law.

XCV. And be it further enacted, That this Act shall be deemed Public Act, 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.

XCVI. And be it further enacted, That this Act shall commence Term and take Place on the passing thereof, and shall continue and be in force for Twenty-one Years, and from thence to the End of the next Session of Parliament.

The SCHEDULE referred to by the foregoing Act.

Premises.	Owners.	Lessees.	Occupiers.
In Thelwall :			
A Plantation -	William Fox, Esquire -	- - - -	Himself.
In Statham :			
A Garden -	James Heyes -	- - - -	Mary Hinton.
A Garden -	Edward Hatton -	- - - -	Himself.
A Garden -	John Knowles -	- - - -	Samuel Southern.
A Garden -	John Leigh the elder -	- - - -	John Leigh the younger.
In Lymm :			
A Garden -	Mrs. Percival -	- - - -	Peter Moores.
A Garden -	Robert Taylor, Esquire -	- - - -	Peter Moores the younger.
A Garden -	- - - Ditto -	Samuel Okell -	George Leigh.
A Garden -	- - - Ditto -	John Thorpe -	Himself.
A Garden -	- - - Ditto -	- - - Ditto -	Ann Street.
A Garden -	- - - Ditto -	- - - Ditto -	William Kinsey.
A Garden -	Devises in trust of the late Sir Peter Warburton, Bart.	Thomas Darbyshire	Himself.
A Garden -	George John Legh, Esq.	Mr. Whitlow -	Himself.
A Garden -	Martha Penkett -	- - - -	Herself.
A Garden -	William Bullock -	- - - -	Himself.
A Garden -	Thomas Lawton -	- - - -	Ralph Mottram.
A Garden -	Robert Taylor, Esquire -	- - - -	John Radcliffe.
A Garden -	- - - Ditto -	- - - -	John Irlam.
A Garden -	Trafford Trafford, Esquire -	- - - -	Thomas Baguley.
In Agden :			
An Orchard -	Sir John Chetwode, Bart.	- - - -	Henry Kelsall.
An Orchard -	- - - Ditto -	- - - -	John Harrison.
A Garden -	- - - Ditto -	- - - -	James Hollingworth.

(continued)



Premises.	Owners.	Lessees.	Occupiers.
<b>In Bollington:</b>			
A Garden - - -	The Earl of Stamford and Warrington	John Johnson	Himself.
A Garden - - -	- - - Ditto	Mrs. Cheetham	Hannah Mills.
A Garden - - -	- - - Ditto	Robert Booth	Himself.
A Garden - - -	- - - Ditto	William Leigh	Himself.
A Garden - - -	- - - Ditto	Thomas Webster	George Chorlton and John Thorpe.
<b>In Altrincham:</b>			
A House - - -	John Drinkwater and Mary his Wife	- - -	George Beaumont, late William Clayton.
A House - - -	The Earl of Stamford and Warrington	Thomas Ashley	William Ashley.
A Garden - - -	- - - Ditto	John Shuttleworth	John Mitchell.
A Plantation - - -	- - - Ditto	John Barratt	Himself.
<b>In Baguley:</b>			
An Orchard - - -	Thomas William Tatton, Esquire	- - -	James Kitchen.
<b>In Northen:</b>			
A Garden - - -	Trustees of Sharson School	- - -	William Richardson.
A Garden - - -	Thomas Worthington	- - -	William Massey.
A Garden - - -	- - - Ditto	- - -	John Woodall.
A Garden - - -	Josiah Hardey	- - -	Himself.
A Garden - - -	Thomas Moreton	- - -	Himself.
<b>In Cheadle Bulkeley:</b>			
A Garden - - -	William Pass	- - -	John Williamson.
A Garden - - -	Jeremiah Williamson	- - -	Thomas Yates.
A Garden - - -	- - - Ditto	- - -	Joseph Challinder.
A Garden - - -	- - - Ditto	- - -	William Sykes.
A Garden - - -	- - - Ditto	- - -	Richard Emerson.
<b>In Stockport:</b>			
A Garden - - -	The Viscount Bulkeley	- - -	Robert Booth.
A Garden - - -	- - - Ditto	- - -	Benjamin Bramall.
A Garden - - -	- - - Ditto	- - -	George Bowring.
A Garden - - -	- - - Ditto	- - -	William Bolton.
A Garden - - -	- - - Ditto	- - -	John Ryle.
A Garden - - -	- - - Ditto	- - -	Daniel Cheetham.
A Garden - - -	- - - Ditto	- - -	Widow Atkinson.
A Garden - - -	- - - Ditto	- - -	Thomas Nixon.
A Garden - - -	- - - Ditto	- - -	Aaron Hydes.
A Garden - - -	- - - Ditto	- - -	Richard Cooper.
A Garden - - -	- - - Ditto	- - -	John Barnett.
A Garden - - -	- - - Ditto	- - -	Joseph Scholfield.
A Garden - - -	- - - Ditto	- - -	John Wright.
A Garden - - -	- - - Ditto	- - -	Jeremiah Boothley.
A Garden - - -	Josiah Haughton	- - -	William Robinson.