Anno decimo

Georgii III. Regis.

An Act to enlarge the Term and Powers of an Act made in the Fifth Year of His preſent Majeſty, *for repairing and widening the Road from* Stockport *in the County of* Cheſter, *to* Saxon's Lane End *in the County of* Lancaſter, *and other Roads in the ſaid Act mentioned.*

WHEREAS an Act was made in the Fifth Year of his preſent Majeſty's Reign, for repairing and widening the Road from *Stockport* in the County of *Cheſter*, to *Saxons Lane End* in the County of *Lancaſter*; and from the *Croſs* in *Aſhton under Line* in the ſaid County of *Lancaſter*, to *Doctors Lane Head* in the County of *York*; and alſo the Road branching out of the ſaid Firſt mentioned Road in the Townſhip of *Bredbury* to *Mottram* in the ſaid County of *Cheſter*: And whereas the Truſtees to the ſaid Act have made great Progreſs in the Repair of the ſaid Roads; and for that Purpoſe, and to purchaſe Land to divert, alter, and turn the ſaid Roads, have borrowed upwards of Four thouſand Pounds on the Credit of the ſaid Act, which ſtill remains due, and ſome other Monies are now owing on Account of the ſaid Roads, and the Tolls granted by Preamble.

the said Act are insufficient for the Purposes they were given, and the said Roads cannot be effectually amended and kept in Repair unless the Term of the said Act be further continued, and some of the Powers enlarged and amended: May it therefore please Your Majesty, That it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said recited Act, made in the Fifth Year of His present Majesty's Reign, and all Clauses, Tolls, Powers, Provisions, Orders, Regulations, Restrictions, Matters and Things therein contained, shall be, and the same is and are hereby further continued from the Expiration of the said Act, for and during the further Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament, in as full and ample a Manner to all Intents and Purposes as if the same were repeated and re-enacted in this Act; but subject nevertheless to the Amendments, Alterations, Variations and Additions herein contained, and which shall commence and take Effect upon the First Day of May One thousand seven hundred and seventy, and continue during the full Term hereby continued and granted; and the said additional Term hereby granted shall be subjected to the Payment of all Sums of Money now due and owing upon the Credit of the said former Act, and of such other Sum and Sums of Money as shall be borrowed for the Purposes of the said former Act, or of this Act, and the Interest due and to grow due upon the same.

Powers, &c. of former Acts,

where not altered by this Act, continued for 21 Years;

subject to the Payment of Debts.

And be it further enacted by the Authority aforesaid, That the Tolls by the said former Act granted, shall, from and immediately after the Thirtieth Day of April One thousand seven hundred and seventy, cease, and be no longer paid; and that instead thereof the Tolls following shall from thenceforth be demanded and taken before any Horse, Cattle, Beast, or Carriage, be permitted to pass through any Gate or Turnpike upon the Roads in the said former Act mentioned; that is to say,

New Tolls.

For every Horse, Mare, Gelding, Mule or other Beast, drawing in any Carriage having the Sole or Bottom of the Fellies of the Wheels thereof of the Breadth or Gage of Nine Inches, loaden with, or going unloaden for, or returning unloaden, having been loaden on the same Day with Coal, Slack or Kennel, and no other Lading, the Sum of One Penny Halfpenny.

For

For every Horse, Mare, Gelding, Mule or other Beast, drawing in any Carriage having the Sole or Bottom of the Fellies of the Wheels thereof of the Breadth or Gage of Six Inches, loaden with or going unloaden for, or returning unloaden, having been loaden on the same Day with Coal, Slack or Kennel, and no other Lading, the Sum of Two-pence.

For every Carriage with Narrow Wheels, loaden with Coal, Kennel or Slack only, and drawn by One Horse, Mare, Gelding, Mule, or other Beast only, the Sum of Sixpence; and drawn by Two or more Horses, Mares, Geldings, Mules or other Beasts, the Sum of Four-pence for each Horse, Mare, Gelding, Mule or other Beast so drawing.

For every Horse, Mare, Gelding, Mule or other Beast, drawing in any Carriage not loaden with, or going unloaden for, or returning unloaden having been loaden on the same Day with Coal, Slack or Kennel only, the Sum of Three-pence.

For every Horse, Mare, Gelding, Mule or other Beast, laden or unladen, and not drawing, the Sum of One Penny.

For every Drove of Oxen, Cows or Neat Cattle the Sum of Ten-pence per Score, and so in proportion for any greater or lesser Number.

For every Drove of Calves, Hogs, Sheep or Lambs, the Sum of Five-pence per Score, and so in proportion for any greater or lesser Number.

Which said Tolls are or shall be vested in the Trustees named in and appointed by the said former Act; and they, or any Seven or more of them, or such Person or Persons as they, or any Seven or more of them, shall authorise and appoint, shall and they are hereby declared to have the same Powers, Authorities and Remedies for demanding, collecting, recovering, and levying the Tolls hereby made payable, as are in and by the said recited Act given and prescribed; and the Tolls hereby granted and made payable, and every Part thereof, shall be vested in the said Trustees; and shall be paid, applied, managed and disposed of, and may be assigned in the same Manner, and to and for the Uses, Intents, and Purposes in and by the said recited Act, and this Act, directed and appointed, and to and for no other Use or Purpose whatsoever. Tolls vested in the Trustees.

And be it further enacted by the Authority aforesaid, That the Charges and Expences in and about procuring and passing this Act, shall be paid out of the Money already raised by virtue of the said former Act, or out of the first Charges of passing this Act to be first paid.

Monies that shall be raised by virtue of the said former Act, or of this Act.

Exemptions, with respect to Coal, Slack, and Kennel, repealed.

And whereas the Exemptions, from the Payment of Toll by the said Act granted, to Horses, Cattle, and Carriages, employed in carrying Coal, Slack and Kennel, are detrimental to the said Roads; be it therefore further enacted by the Authority aforesaid, That the said Exemptions shall, from and after the said Thirtieth Day of April One thousand seven hundred and seventy, be, and the same are hereby declared to be, repealed, annulled and extinguished; any Thing in the said former Act or this Act to the contrary in any wise notwithstanding.

Limitation of Actions.

And be it further enacted by the Authority aforesaid, That no Action or Suit shall be commenced against any Person or Persons for any Thing done in pursuance of this Act, until Twenty Days Notice shall be thereof given to the Clerk or Clerks of the said Trustees; or after sufficient Satisfaction, or Tender thereof, shall have been made to the Party or Parties aggrieved; or after Six Calendar Months next after the Fact committed; and every such Action or Suit shall be laid in the County or Place where the Cause of Action shall arise, and not elsewhere; and the Defendant or Defendants in any such Action or Suit shall and may, at his or their Election, plead specially, or

General Issue.

the General Issue Not Guilty, and give this and the said former Act and the special Matter in Evidence at any Trial to be had thereupon; and that the same was done in Pursuance of and by the Authority thereof; and if it shall appear so to be done, or that such Action or Suit shall be brought before Twenty Days Notice shall be given thereof as aforesaid, or after sufficient Satisfaction made or tendered as aforesaid, or after the Time limited for bringing the same as aforesaid, or shall be brought in any other County or Place than as aforesaid, then the Jury shall find for the Defendant or Defendants: And upon such Verdict, or if the Plaintiff or Plaintiffs shall be nonsuited, or discontinue his, her, or their Action, after the Defendant or Defendants shall have appeared; or if upon Demurrer, Judgement shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall and may recover

Treble Costs.

Treble Costs, and have the like Remedy for the same, as any Defendant or Defendants have or hath, or may have, in any other Cases in Law.

And

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

FINIS.