Anno quinto

Georgii III. Regis.

An Act to enlarge the Term and Powers of an Act made in the Twenty fourth Year of His late Majesty, for repairing the Road from *Crossford Bridge* to *Manchester*; and for amending the Road from *Crossford Bridge* aforesaid, to a certain Place in *Altrincham*, in the County Palatine of *Chester*.

WHEREAS by an Act passed in the Twenty fourth Year of the Reign of His late Majesty King George the Second, intituled, An Act for repairing the Road from *Crossford Bridge*, through the Townships of *Stretford* and *Hulme*, to the Town of *Manchester*, in the County Palatine of *Lancaster*, several Tolls, Duties, and Powers, were granted and given for repairing the said Road, to commence from the First Day of May, One thousand seven hundred and fifty one, and to continue and be in Force from thence for and during the Term of Twenty one Years, and from thence to the End of the then next Session of Parliament: And whereas the Trustees appointed in and by virtue of the said Act, have from time to time borrowed Money upon the Credit of the said Tolls; and thereby, and with the Tolls arising from the same, have repaired the said Turnpike Road from Crossford Bridge to Preamble.

Manchester aforesaid, and there is now a very considerable Sum of Money due and owing upon the said Tolls: And whereas the publick Highway leading from Crosford Bridge aforesaid to Altrincham aforesaid, is exceeding deep, ruinous, and dangerous, and cannot be amended and kept in Repair by the ordinary Course of Law: And whereas the said Turnpike Road cannot be kept in Repair, and the Money owing upon the Credit thereof repaid, unless the said Act, and the Tolls and Duties thereby granted, shall be continued and made more effectual: And whereas the making Provision for the amending and keeping in Repair the said Road from Crosford Bridge aforesaid, to a certain House in the Occupation of Aaron Brundrett, situate in Altrincham aforesaid, will be of great Utility to the Publick: 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 Act made in the Twenty fourth Year of the Reign of His said late Majesty, and all the Powers, Penalties, Forfeitures, Exemptions, Articles, Rules, Clauses, Matters, and Things, therein contained (except such Powers, Clauses, Matters, and Things, as are hereby varied or altered) shall be of full Force, and shall be and continue, and be executed and applied, as well to and for all and every the Ends, Intents, and Purposes, and Directions of this present Act, as for the Intents and Purposes of the said former Act (except as aforesaid) in as full, ample, and extensive Manner, as if the same were again repeated and re-enacted in the Body of this present Act; not only during the Residue of the Term granted in and by the said former Act, and during the additional Term granted by an Act made in the Twenty eighth Year of the Reign of His said late Majesty, intituled, An Act to amend an Act made in the Twenty sixth Year of the Reign of His present Majesty, intituled, *An Act for the Amendment and Preservation of the publick Highways and Turnpike Roads of this Kingdom, and for the more effectual Execution of the Laws relating thereto,* but also from and after the Expiration of the said additional Term, for and during the further Term of Twenty one Years, and from thence to the End of the then next Session of Parliament.

The recited Act further continued for 21 Years.

And be it further enacted by the Authority aforesaid, That from and after the passing of this Act, during the Continuance

Continuance of the ſaid former and this preſent Act, the ſaid Road from Croſsford Bridge, to the ſaid Houſe in the Occupation of Aaron Brundrett, in Altrincham aforeſaid, ſhall be repaired, widened, and amended, in ſuch Manner, and by ſuch Ways and Methods, as the ſaid other Road is, by the ſaid former Act and this preſent Act, directed to be repaired and amended. The Road from *Croſsford Bridge* to *Altrincham* how to be repaired.

And, for the more effectual putting in Execution the ſaid former Act and this preſent Act, be it further enacted by the Authority aforeſaid, That the Right Honourable George Harry Grey, commonly called Lord Grey; the Honourable Booth Grey, the Honourable John Grey, the Honourable James Cholmondeley, the Honourable Richard Barry, the Honourable John Smith Barry, the Honourable Arthur Barry, the Honourable Sir George Warren Knight of the Bath, Sir Lyſter Holt, Sir John Thomas Stanley, Sir Peter Warburton, Sir Henry Mainwaring, Sir Richard Brooke, Sir Lynch Saliſbury Cotton, Sir John Chetwode, Sir Peter Leiceſter, Sir William Meredith, Sir Ellis Cunliffe, Baronets; Thomas Aſhton, John Arderne, John Aſtley, Richard Wilbraham Bootle, Thomas Booth, Peter Brooke, Trafford Barnſton, Pewſey Brooke, John Byrne, John Crewe, Charles Crewe, Richard Crewe, Thomas Cholmondeley, Roger Comberbach, George Clarke, Richard Davenport, Thomas Davenport, Samuel Egerton, Philip Egerton, John Egerton, Philip Egerton the younger, Thomas Groſvenor, John Glegg, George Edward Gerrard, George Hunt, Thomas Hunt, Allen Holford, John Houghton, George Heron, Samuel Harriſon, Smith Kelſall, Charles Legh, Peter Legh of Lyme, George Legh, Henry Cornwall Legh, Ralph Leyceſter, George Leyceſter, Peter Legh of Booths, Thomas Legh, John Leigh, Robert Lawton, Roger Mainwaring, John Mainwaring, Thomas Pickering, John Page, Thomas Preſcott, Thomas Ravenſcroft, William Robinſon, Peter Shakerley, James Shuttleworth, Thomas Slaughter, Thomas Swettenham, Edmund Swettenham, Thomas Saliſbury, Peter Swettenham, William Tatton, Maſcie Taylor, Thomas Tatton, Randle Wilbraham, Hugh Warburton, William Wright, Eſquires; the Reverend Samuel Peploe Chancellor of Cheſter, the Reverend Joſeph Crewe Doctor of Divinity, the Reverend Randle Crewe Doctor of Laws, the Reverend John Boardman, Domvile Halſtead, Thomas Hopper, Timothy Loten, Aſhburnham Legh, Millington Maſſey, John Parker, Edward Poole, Legh Richmond, Samuel Sanders, Henry Offley Wright, Joſeph Ward, Thomas Whittaker, John Forſter, Clerks; Peter Mainwaring Doctor of Phyſick, Additional Truſtees Names.

John Antrobus, Edward Antrobus, John Barrow, Thomas Baxter, Jonathan Brayne, John Barlow, John Birch, Buckley Bower, Richard Brooke, George Cooke, Thomas Gorſt, James Greatrex, Richard Grantham, George Johnſon, Joſeph Jackſon, John Hollins, John Hobſon, Harry Langford, George Maſſey, James Maſſey, Richard Middleton Maſſey, Nathan Pearſon, Thomas Orrell, Robert Orrell, Charles Potts, William Rigby, George Robinſon, John Ridgway, John Stafford, John Skellorn, Edward Stelfox, Edmund Taylor, John Taylor, William Tomkinſon, Ralph Vernon, Charles White, Richard Wainman, Samuel Wright, William Williamſon, Thomas Walton, Thomas Warburton, Iſaac Worthington, and Iſaac Worthington junior, Gentlemen; ſhall, from and immediately after the paſſing of this Act, be added to, and joined with, the Truſtees appointed by, or in purſuance of, the ſaid former Act; and ſuch Truſtees, and the ſaid Truſtees herein before named and appointed, ſhall, and they are hereby, to all Intents and Purpoſes, authorized and impowered to put the ſaid former Act and this preſent Act in Execution.

Qualification of Truſtees.

Provided nevertheleſs, and be it further enacted by the Authority aforeſaid, That no Perſon ſhall be capable of acting as a Truſtee in the Execution of this Act, ſo far as the ſame relates to the ſaid Road leading from Croſford Bridge to Mancheſter aforeſaid, unleſs he ſhall be in his own Right, or in the Right of his Wife, in the actual Seiſin and Poſſeſſion, or Receipt, of the Rents and Profits of Lands, Tenements, or Hereditaments, of the yearly Value of One hundred Pounds, or ſhall be Heir Apparent to ſome Perſon or Perſons having an Eſtate of the yearly Value of Three hundred Pounds; and that no Perſon ſhall be capable of acting as a Truſtee in the Execution of this Act, ſo far as the ſame relates to the ſaid Road leading from Croſford Bridge to Altrincham aforeſaid, unleſs he ſhall be in his own Right, or in the Right of his Wife, in the actual Seiſin and Poſſeſſion, or Receipt, of the Rents and Profits of Lands, Tenements, or Hereditaments, ſituate within the ſaid County of Cheſter, of the yearly Value of One hundred Pounds, or ſhall be Heir Apparent to ſome Perſon or Perſons having an Eſtate of the yearly Value of Three hundred Pounds within the ſame County; any thing herein, or in the ſaid former Act, contained to the contrary in any wiſe notwithſtanding: And if any Perſon, not being ſo qualified, ſhall preſume to act, contrary to the Intent and Meaning hereof, every ſuch Perſon ſhall, for every ſuch Offence, forfeit and pay the Sum of Fifty Pounds to any Perſon

Penalty on acting if not qualified.

or Persons who shall sue for the same; to be recovered, in any of His Majesty's Courts of Record, by Action of Debt, or on the Case, or by Bill, Plaint, or Information, wherein no Essoin, Protection, or Wager of Law, or more than One Imparlance, shall be allowed; and the Person so prosecuted shall prove that he is qualified as aforesaid, or otherwise shall pay the said Penalty, upon Proof given of his having acted as a Trustee in the Execution of this Act.

Times and Places of Trustees Meeting.

And be it further enacted by the Authority aforesaid, That the said Trustees, or any Five or more of them, qualified to act with respect to the said Road leading from Crosford Bridge to Manchester, shall meet at the House of John Dutton, known by the Name of the Old Coffee House, in Manchester aforesaid, on the Twenty first Day of May next after the passing of this Act, and proceed the Execution of this Act, so far as the same relates to to the said last-mentioned Road; and shall then, and from time to time, adjourn themselves, and meet at such House or Place near the same Road, as the same Trustees, or any Five or more of them, shall think most convenient for putting this Act in Execution, so far as the same relates to the said last-mentioned Road: And that the said Trustees, or any Five or more of them, qualified to act with respect to the said Road leading from Crosford Bridge to Altrincham aforesaid, shall meet together at the House of Ann Newall Widow, in Altrincham aforesaid, on the said Twenty first Day of May, and proceed to the Execution of this Act, so far as the same relates to the said last-mentioned Road; and shall then, and from time to time afterwards, adjourn themselves, and meet at such House or Place near the same Road, as the said Trustees, or any Five or more of them, shall think most convenient for putting this Act in Execution, so far as it relates to the said last-mentioned Road: And if at any Meeting appointed to be held by virtue of this Act, there shall not appear a sufficient Number of Trustees to act, and to adjourn to another Day; or in case the Trustees, at any Time so assembled, shall omit or neglect to adjourn themselves; it shall and may be lawful to and for any Five or more of the said Trustees, or to and for the Clerk or Clerks to the said Trustees respectively, by the Direction of any Five or more of them, from time to time, in either of such Cases, by Notice in Writing to be affixed upon all the Turnpikes which shall be erected upon or across the said Roads, at least Ten Days before the next Meeting, to appoint the Trustees to meet at the Place where the last Meeting was

In Default of a sufficient Number to act,

Clerk to give Notice of another Meeting.

was appointed to be held by such Trustees respectively, on such Day as such Five or more of the said Trustees shall direct or appoint; and the said Trustees, at all their Meetings, shall defray their own Expences: And that all Orders and Determinations of the said Trustees, in Execution of this Act, shall be at Meetings to be held in pursuance of this Act, and not otherwise: And that no such Order or Determination shall be good or valid, unless the Majority of the Trustees present shall concur therein, and shall consist of the Number of Trustees required by this Act to execute the respective Powers hereby granted; nor shall any Trustee be capable of acting in the Execution of any of the Powers granted, during the Time he shall hold any Place of Profit under this Act; but all such Trustees as are Justices of the Peace, may act as Justices in the Execution of this Act, notwithstanding their being Trustees, except only in such Cases where they shall be personally interested.

Trustees to defray their own Expences.

No Act valid unless made at a publick Meeting.

No Trustee to accept a Place of Profit arising from the Tolls.

Trustees in the Commission of the Peace may act as Justices; except where interested.

And be it further enacted by the Authority aforesaid, That when and as often as any Trustee shall die or refuse to act, it shall be lawful for the surviving and remaining Trustees, or any Seven or more of them, by Writing under their Hands and Seals, to elect One other Person qualified as aforesaid, to be a Trustee in the Room of such Trustee so deceased or refusing to act; but Notice in Writing of the Time and Place of Meeting for every such Election shall be given by the Clerk or Clerks to the said Trustees, by affixing the same in Writing upon all the Turnpikes in or upon the said Roads, at least Ten Days before every such Meeting; and all Persons who shall be so elected, are hereby vested with the same Powers, for putting this Act in Execution, as the Persons in whose Places they shall be respectively chosen were vested with.

On Death, &c. of Trustees, others to be chosen.

Notice of Election to be given.

And be it further enacted by the Authority aforesaid, That from and after the Twenty first Day of May, One thousand seven hundred and sixty five, the Trustees for putting this Act in Execution, so far as the same relates to the said Road, leading from Crossford Bridge to Altrincham, or any Five or more of them, or such Person or Persons as they, or any Five or more of them, shall appoint, shall and may erect, or cause to be erected, a Toll-gate or Turnpike across the same Road, at or near the northerly End of a certain Bride, called the Washway Bridge; and also a Toll-house at or near the said Toll-gate or Turnpike.

A Gate to be erected near *Washway Bridge*.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Trustees,

Trustees may erect Side-gates,

Truſtees, or ſuch Perſon or Perſons as they, or any Five or more of them, ſhall direct and appoint, within their reſpect Diſtricts, to erect, or cauſe to be erected, One or more Gate or Gates, Turnpike or Turnpikes, and Toll-houſe or Toll-houſes, on the Side or Sides of the ſeveral Roads, or either of them, and croſs any Lanes or Ways leading out of the ſame reſpectively; and to remove, alter, and ſet up, the ſame again, from time to time, at their Wills and Pleaſures; and to demand, receive, and take, at any ſuch Turnpike or Turnpikes to be erected on the Side of the ſaid Road leading from Croſsford Bridge to Mancheſter, ſuch Tolls as are herein after allowed and directed to be taken at the Turnpike near Longford Bridge aforeſaid, and at any ſuch Turnpike or Turnpikes to be erected on the Side of the ſaid Road leading from Croſsford Bridge to Altrincham, ſuch Tolls as are herein after allowed and directed to be taken at the ſaid Turnpike to be erected near Waſhway Bridge aforeſaid; ſo as the ſame do not extend to a Double Charge, within the Tenor and true Meaning of this Act, or ſubject any Perſon to the Payment of larger Tolls than are herein after appointed to be paid; and ſo as no ſuch Gate, Turnpike, or Toll-houſe, ſhall be ſet up or erected on the Side or Sides of that Part of the ſaid Road leading from Croſsford Bridge aforeſaid to Altrincham aforeſaid, which lies betweem a certain Place called Broadheath, and the ſaid Houſe in the Occupation of Aaron Brundrett in Altrincham aforeſaid, or on the Side or Sides of that Part of the ſame Road which lies between Croſsford Bridge aforeſaid, and a certain Moor commonly called Sale Moor.

and take Tolls thereat,

ſo as the ſame do not extend to a Double Charge.

And be it further enacted by the Authority aforeſaid, That the ſeveral Tolls next herein after mentioned, ſhall be demanded and taken by ſuch Perſon or Perſons as the Truſtees, qualified to act with reſpect to the ſaid Road leading from Croſsford Bridge to Mancheſter aforeſaid, or any Five or more of them, ſhall, from time to time, appoint for that Purpoſe, at the ſaid Turnpike near Longford Bridge aforeſaid, (in lieu of the Tolls granted by the ſaid Act paſſed in the Twenty fourth Year of the Reign of his ſaid late Majeſty) before any Cattle or Carriage ſhall be permitted to paſs through the ſame; that is to ſay,

The Tolls following to be taken at *Longford Bridge*.

For every Coach, Berlin, Landau, Chariot, Chaiſe, Chair, Calaſh, or Hearſe, drawn by Six Horſes, Mares, Geldings, or Mules, going towards Altrincham, the

The Tolls.

Sum of One Shilling and Six Pence; and going towards Manchester, and having paid Toll before on the same Day, at the said Turnpike to be erected near Washway Bridge, or at any other Turnpike to be erected in pursuance of this Act on the Side of the said Road leading from Crosford Bridge to Altrincham, the Sum of One Shilling; but not having paid Toll as aforesaid, the Sum of One Shilling and Six Pence.

For every Coach, Berlin, Landau, Chariot, Chaise, Chair, Calash, or Hearse, drawn by Four Horses, Mares, Geldings, or Mules, going towards Altrincham, the Sum of One Shilling; and going towards Manchester, and having paid Toll as aforesaid, the Sum of Eight Pence; but not having paid such Toll, then the said Sum of One Shilling.

For every Coach, Berlin, Landau, Chariot, Chaise, Calash, or Hearse, drawn by Two Horses, Mares, Geldings, or Mules, the Sum of Six Pence.

For every Chair or Chaise, with Two Wheels, drawn by Two Horses, Mares, Geldings, or Mules, the Sum of Four Pence.

For every Chair or Chaise, with Two Wheels, drawn by One Horse, Mare, Gelding, or Mule, the Sum of Three Pence.

For every Waggon, or other Four Wheel Carriage, having the Fellies of the Wheels thereof of the Breadth or Gauge of Nine Inches, from Side to Side, at the Bottom or Sole thereof, drawn by Five or more Horses, Mares, Geldings, Mules, or Oxen, going towards Altrincham, the Sum of Two Shillings; and going towards Manchester, and having paid Toll on the same Day, at the said Turnpike to be erected near Washway Bridge aforesaid, or at any other Turnpike to be erected in pursuance of this Act on the Side of the said Road leading from Crosford Bridge to Altrincham, the Sum of One Shilling; but in case the same shall not have paid Toll as aforesaid, then the said Sum of Two Shillings.

For every Waggon or other Four Wheel Carriage, having the Fellies of the Wheels thereof of a less Breadth or Gauge than Nine Inches, from Side to Side, at the Bottom or Sole thereof, drawn by Five or more Horses, Mares, Geldings, Mules, or Oxen, going towards Altrincham, the Sum of Three Shillings; and going towards Manchester, and having paid Toll as aforesaid, the Sum of One Shilling and Six Pence; but not having paid such Toll, then the said Sum of Three Shillings.

For

For every Waggon or other Four Wheel Carriage, having the Fellies of the Wheels thereof of the Breadth or Gauge of Nine Inches as aforesaid, drawn by Four Horses, Mares, Geldings, Mules, or Oxen, going towards Altrincham, the Sum of One Shilling and Four Pence; and going towards Manchester, and having paid Toll as aforesaid, the Sum of Eight Pence; but not having paid such Toll, then the said Sum of One Shilling and Four Pence.

For every Waggon or other Four Wheel Carriage, having the Fellies of the Wheels thereof of a less Breadth than aforesaid, drawn by Four Horses, Mares, Geldings, Mules, or Oxen, going towards Altrincham, the Sum of Two Shillings; and going towards Manchester, and having paid Toll as aforesaid, the Sum of One Shilling; but not having paid such Toll, then the said Sum of Two Shillings.

For every Cart or other Two Wheel Carriage, having the Fellies of the Wheels of the Breadth of Nine Inches as aforesaid, drawn by Four or more Horses, Mares, Geldings, Mules, or Oxen, going towards Altrincham, the Sum of One Shilling and Four Pence; and going towards Manchester, and having paid Toll as aforesaid, the Sum of Eight Pence; but not having paid such Toll, then the said Sum of One Shilling and Four Pence.

For every Cart or other Two Wheel Carriage, having the Fellies of the Wheels of a less Breadth than aforesaid, drawn by Four or more Horses, Mares, Geldings, Mules, or Oxen, going towards Altrincham, the Sum of Two Shillings; and going towards Manchester, and having paid Toll as aforesaid, the Sum of One Shilling; but not having paid such Toll, then the said Sum of Two Shillings.

For every Cart or other Two Wheel Carriage, having the Fellies of the Wheels of the Breadth of Nine Inches as aforesaid, drawn by Three Horses, Mares, Geldings, Mules, or Oxen, going towards Altrincham, the Sum of Six Pence; and going towards Manchester, and having paid Toll as aforesaid, the Sum of Four Pence; but not having paid such Toll, then the said Sum of Six Pence.

For every Cart or other Two Wheel Carriage, having the Fellies of the Wheels of a less Breadth than aforesaid, drawn by Three Horses, Mares, Geldings, Mules, or Oxen, going towards Altrincham, the Sum of Nine Pence; and going towards Manchester, and having paid Toll as aforesaid, the Sum of Six Pence;

but not having paid such Toll, then the said Sum of Nine Pence.

For every Cart or other Two Wheel Carriage, having the Fellies of the Wheels of the Breadth or Gauge of Nine Inches as aforesaid, drawn by Two Horses, Mares, Geldings, Mules, or Oxen, going towards Altrincham, the Sum of Four Pence; and going towards Manchester, and having paid Tolls as aforesaid, the Sum of Three Pence; but not having paid such Toll, then the said Sum of Four Pence.

For every Cart or other Carriage, having the Fellies of the Wheels of a less Breadth or Gauge than aforesaid, drawn by Two Horses, Mares, Geldings, Mules, or Oxen, going towards Altrincham, the Sum of Six Pence; and going towards Manchester, and having paid Toll as aforesaid, the Sum of Four Pence; but not having paid such Toll, then the said Sum of Six Pence.

For every Cart or other Two Wheel Carriage, drawn by One Horse, Mare, Gelding, Mule, or Ox, the Sum of Three Pence.

For every Horse, Mare, Gelding, Mule, or Ass, laden or unladen, and not drawing, the Sum of a Halfpenny.

For every Drove of Oxen, or Neat Cattle, the Sum of Ten Pence per Score; and so in Proportion for any greater or less Number.

For every Drove of Calves, Swine, Sheep, or Lambs, the Sum of Five Pence per Score; and so in Proportion for any greater or less Number.

The Tolls following to be taken at *Washway Bridge*.

And be it further enacted by the Authority aforesaid, That the several Tolls herein after mentioned, shall be demanded and taken at the said Turnpike to be erected near Washway Bridge aforesaid, by such Person or Persons as the Trustees, qualified to act with respect to the said Road leading from Crossford Bridge to Altrincham aforesaid, or any Five or more of them, shall, from time to time, appoint for that Purpose, before any Cattle or Carriage shall be permitted to pass through the same; that is to say,

The Tolls.

For every Coach, Berlin, Landau, Chariot, Chaise, Chair, Calash, or Hearse, drawn by Six Horses, Mares, Geldings, or Mules, going towards Manchester, the Sum of One Shilling; and going towards Altrincham, and having paid Toll on the same Day at the said Turnpike near Longford Bridge aforesaid, or at any Turnpike to be erected in pursuance of this Act, on the

Side

Side of the said Road leading from Crossford Bridge to Manchester aforesaid, the Sum of Six Pence; but not having paid Toll as aforesaid, then the Sum of One Shilling.

For every Coach, Berlin, Landau, Chariot, Chair, Calash, or Hearse, drawn by Four Horses, Mares, Geldings, or Mules, going towards Manchester, the Sum of Eight Pence; and going towards Altrincham, and having paid Toll as aforesaid, the Sum of Four Pence; but not having paid such Toll, then the said Sum of Eight Pence.

For every Coach, Berlin, Landau, Chariot, Chair, Calash, or Hearse, drawn by Two Horses, Mares, Geldings, or Mules, the Sum of Six Pence.

For every Chair or Chaise, with Two Wheels, drawn by Two Horses, Mares, Geldings, or Mules, the Sum of Four Pence.

For every Chair or Chaise, with Two Wheels, drawn by One Horse, Mare, Gelding, or Mule, the Sum of Three Pence.

For every Waggon, or other Four Wheel Carriage, having the Fellies of the Wheels thereof of the Breadth or Gauge of Nine Inches, from Side to Side, at the Bottom or Sole thereof, drawn by Five, or more Horses, Mares, Geldings, Mules, or Oxen, going towards Manchester, the Sum of One Shilling; and going towards Altrincham, and not having paid Toll on the same Day, at any other Turnpike across or on the Side of the said Road leading from Crossford Bridge to Manchester, the like Sum of One Shilling.

For every Waggon or other Four Wheel Carriage, having the Fellies of the Wheels thereof of a less Breadth than aforesaid, drawn by Five or more Horses, Mares, Geldings, Mules, or Oxen, going towards Manchester, the Sum of One Shilling and Six Pence; and going towards Altrincham, and not having paid Toll on the same Day, as aforesaid, the like Sum of One Shilling and Six Pence.

For every Waggon or other Four Wheel Carriage, having the Fellies of the Wheels thereof of the Breadth or Gauge of Nine Inches as aforesaid, drawn by Four Horses, Mares, Geldings, Mules, or Oxen, going towards Manchester, the Sum of Eight Pence; and going towards Altrincham, and not having paid Toll as aforesaid, the like Sum of Eight Pence.

For every Waggon or other Four Wheel Carriage, having the Fellies of the Wheels thereof of a less Breath than aforesaid, drawn by Four Horses, Mares,

Geldings, Mules, or Oxen, going towards Manchester, the Sum of One Shilling; and going towards Altrincham, and not having paid Toll as aforesaid, the like Sum of One Shilling.

For every Cart or other Two Wheel Carriage, having the Fellies of the Wheels thereof of the Breadth or Gauge of Nine Inches as aforesaid, drawn by Four or more Horses, Mares, Geldings, Mules, or Oxen, going towards Manchester, the Sum of Eight Pence; and going towards Altrincham, and not having paid Toll as aforesaid, the like Sum of Eight Pence.

For every Cart or other Two Wheel Carriage, having the Fellies of the Wheels thereof of a less Breadth than aforesaid, drawn by Four or more Horses, Mares, Geldings, Mules, or Oxen, going towards Manchester, the Sum of One Shilling; and going towards Altrincham, and not having paid Toll as aforesaid, the like Sum of One Shilling.

For every Cart or other Two Wheel Carriage, having the Fellies of the Wheels of the Breadth or Gauge of Nine Inches as aforesaid, drawn by Three Horses, Mares, Geldings, Mules, or Oxen, going towards Manchester, the Sum of Four Pence; but going towards Altrincham, and having paid Toll as aforesaid, the Sum of Two Pence; but not having paid such Toll, then the said Sum of Four Pence.

For every Cart or other Two Wheel Carriage, having the Fellies of the Wheels of a less Breadth than as aforesaid, drawn by Three Horses, Mares, Geldings, Mules, or Oxen, going towards Manchester, the Sum of Six Pence; but going towards Altrincham, and having paid Toll as aforesaid, the Sum of Three Pence; but not having paid such Toll, then the said Sum of Six Pence.

For every Cart or other Two Wheel Carriage, having the Fellies of the Wheels of the Breadth or Gauge of Nine Inches as aforesaid, drawn by Two Horses, Mares, Geldings, Mules, or Oxen, going towards Manchester, the Sum of Three Pence; but going towards Altrincham, and having paid Toll as aforesaid, the Sum of Two Pence; but not having paid such Toll, then the said Sum of Three Pence.

For every Cart or other Two Wheel Carriage, having the Fellies of the Wheels of a less Breadth than aforesaid, drawn by Two Horses, Mares, Geldings, Mules, or Oxen, going towards Manchester, the Sum of Four Pence; but going towards Altrincham, and having paid Toll as aforesaid, the Sum of Two Pence;

but not having paid such Toll, then the said Sum of Four Pence,

For every Cart or other Two Wheel Carriage, drawn by One Horse, Mare, Gelding, Mule, or Ass, the Sum of Three Pence.

For every Horse, Mare, Gelding, Mule, or Ass, laden or unladen, and not drawing, the Sum of a Halfpenny.

For every Drove of Oxen, or Neat Cattle, the Sum of Ten Pence per Score; and so in Proportion for any greater or less Number.

For every Drove of Calves, Swine, Sheep, or Lambs, the Sum of Five Pence per Score; and so in Proportion for any greater or less Number.

Which said respective Sums of Money shall be demanded and taken at the said Turnpikes respectively, in the Name of, or as a Toll; and if any Person or Persons, subject to the Payment of any of the said Tolls, shall, after Demand thereof made, neglect or refuse to pay the same, or any Part thereof, it shall be lawful for the Person or Persons appointed, as aforesaid, to collect such Tolls, to distrain, detain, and keep, any Horse or Horses, or other Cattle, or any Goods or Carriages, upon which the said Toll is by this Act imposed, or any of the Goods and Chattles of such Person or Persons so neglecting or refusing to pay the same: And if such Tolls, and the reasonable Charges of such Distress, and Detainer, shall not be paid within the Space of Five Days after such Distress made; the Person or Persons so distraining shall and may sell and dispose of the Horse or Horses, Cattle, Carriages, Goods, or Chattles, so distrained, returning the Overplus (if any be) upon Demand, to the Owner thereof, after such Tolls, and the reasonable Charges occasioned by such Distress and Sale, shall be deducted: And that all the Tolls to be collected or received, by virtue of this Act, at the said Turnpike near Longford Bridge, or at any other Turnpike or Turnpikes to be erected by virtue of this Act, on the Side of the said Road leading from Crolsford Bridge to Manchester, from and after the passing of this Act, shall be, and are hereby vested in the Trustees qualified to act in respect of the same Road, and shall be applied in such Manner as is herein after-mentioned and directed concerning the same; and that all the Tolls to be collected or received by virtue of this Act, at the said Turnpike to be erected near Washway Bridge, or at any other Turnpike or Turnpikes to be erected by virtue or in pursuance of this Act, on the Side of the said Road leading

Tolls to be levied by Distress and Sale.

Distress may be sold in 5 Days.

Tolls vested in the Trustees.

ing

ing from Crolsford Bridge to Altrincham, shall be, and are hereby vested in the said Trustees qualified to act in respect of the same Road; and shall be applied in such Manner as is herein also after mentioned and directed concerning the same.

Collectors of the Tolls to give Tickets, &c.

And it is hereby further enacted, That the respective Collectors of the several Turnpikes aforesaid, shall give Notes or Tickets upon Payment of the respective Tolls, at their respective Turnpikes, to the Persons paying the same; and that every such Note or Ticket shall be Evidence of the Payment of Toll at that Turnpike where the same shall be received.

Carriages laden with Coals, &c. to pay only half the Toll.

Provided always, and it is hereby further enacted by the Authority aforesaid, That no Waggon, Cart, or other Carriage, going empty for, or returning loaden only with Coals or Kennel, shall pay, at either of the said Turnpikes hereby authorized to be continued or erected, more than One Half of the Toll which such Waggon, Cart, or other Carriage, would otherwise have been liable to pay there by virtue of this Act; any Thing herein contained to the contrary thereof in any wise notwithstanding.

Property of Turnpikes, &c. vested in the Trustees.

And be it further enacted by the Authority aforesaid, That the Right and Property of all the Turnpikes and Toll-houses already erected, or to be erected, by virtue of this Act, upon the said Roads respectively, and the Right and Property of the Materials provided for building or repairing the same, and of all Materials which shall be actually got or collected for repairing the said Roads, shall be, and are hereby vested in the said Trustees; and they, or any Five or more of them, are hereby impowered to bring, or cause to be brought, an Action or Actions, in the Name or Names of any Five or more of them, or of their Treasurer or Treasurers, Clerk or Clerks, or to prefer, or order the preferring of Indictments, against any Person or Persons who shall injure the same, or any Part thereof, or disturb them in the Possession thereof, or take, or retain, or hold Possession thereof, after being required by the Order of any Five or more of the said Trustees, to deliver up the same.

Application of the Tolls at *Longford Bridge*,

And it is hereby further enacted by the Authority aforesaid, That the said Trustees acting in respect of the said Road leading from Crolsford Bridge to Manchester aforesaid, or any Five or more of them, shall apply the Money arising from the Tolls and Duties, to be received at the said Turnpike or Toll-gate near Longford Bridge, or at any other Turnpike or Turnpikes to be erected on the

Side

Side of the said Road, leading from Crossford Bridge to Manchester aforesaid, in the first Place, in defraying One Moiety or equal half part of the Charges and Expences attending the passing of this Act; and afterwards in paying off all such Sum and Sums of Money as are due and owing upon the Credit of the said former Act, and the Interest to grow due and owing for or in respect thereof, until the same shall be fully paid and satisfied; and in repairing and amending, from time to time, the same Road, and erecting any such Turnpike or Turnpikes, and Toll-house or Toll-houses, as aforesaid, on the Side of the same Road, (if the same shall be thought necessary) and for other the Purposes herein after expressed and declared concerning the same; And that the said Trustees, acting in respect of the said Road leading from Crossford Bridge to Altrincham aforesaid, or any Five or more of them, shall apply the Money arising from the Tolls and Duties to be received at the said Turnpike or Toll-gate, to be erected near Wathway Bridge aforesaid; and at any other Turnpike or Turnpikes to be erected on the Side of the said Road, leading from Crossford Bridge to Altrincham, in the first Places in defraying the other Moiety or equal half part of the Charges and Expences attending the passing of this Act; and afterwards, in erecting such Turnpike or Turnpikes, Toll-house or Toll-houses, across and on the Side of the said last mentioned Road as aforesaid; and making, opening, repairing, widening, and amending the same Road; and defraying the necessary Costs, Charges, and Expences, attending the same; and for making Satisfaction to any Person or Persons who shall be prejudiced or damaged thereby; and for executing all other the necessary Purposes of this Act, so far as the same relate to the said Road leading from Crossford Bridge to Altrincham, and to no other Use or Purpose whatsoever.

Provided always, and it is hereby further enacted and declared by the Authority aforesaid, That in case the Tolls and Duties to be collected at the said Turnpike near Longford Bridge aforesaid, or at any other Turnpike or Turnpikes to be erected on the Side of the said Road, leading from Crossford Bridge to Manchester, in pursuance of this Act, shall at any Time hereafter be more than sufficient to answer the Purposes to or for which the same are in and by this Act directed to be applied; that then, and in such Case, it shall and may be lawful to and for the said Trustees acting in respect of the same Road (with the Consent of the Person or Per-

and at *Wathway Bridge.*

sons to whom any Sum or Sums of Money shall be then due and owing, in respect of any Money advanced and lent on the Security of the Tolls and Duties of such Turnpike or Turnpikes, on the Credit of this or of the said former Act) to apply such Surplus of the same Tolls and Duties, from time to time, towards repairing and amending the said Road leading from Crossford Bridge to Altrincham, or any other of the Purposes mentioned in this Act: And in like Manner, that in case the Tolls and Duties to be collected at the said Turnpike to be erected near Walkway Bridge aforesaid, or at any other Turnpike or Turnpikes to be erected on the Side of the said Road leading from Crossford Bridge to Altrincham aforesaid, in pursuance of this Act, shall at any Time hereafter be more than sufficient to answer the Purposes for which the same are in and by this Act directed to be applied; that then, and in such Case, it shall and may be lawful to and for the said Trustees acting in respect of the same Road (with the Consent of the Person or Persons to whom any Sum or Sums of Money shall be then due and owing, in respect of any Money advanced and lent on the Security of the Tolls and Duties of such Turnpike or Turnpikes, on the Credit of this Act) to apply such Surplus of the same Tolls and Duties, from time to time, towards repairing and amending the said Road leading from Crossford Bridge to Manchester, or any other of the Purposes mentioned in this Act; any thing herein contained to the contrary thereof in any wise notwithstanding.

Trustees may vary the Tolls.

Provided always, and it is hereby further enacted and declared by the Authority aforesaid, That the said Trustees, or any Nine or more of them, within their respective Districts, are hereby authorized and impowered, from time to time, if they shall think proper, to lessen, vary, or alter, all or any Part or Parts of the several Tolls hereby granted, and to raise the same again, so as the same do not exceed the Tolls by this Act granted, so as such Reduction be with the Consent of the several Persons who shall have advanced any Money on the Credit of the said former Act, or this Act; and who, at the Time of such Reduction, shall have Money secured on the Tolls intended to be reduced; but such Reduction shall not be made, unless Notice in Writing be given for that Purpose, by affixing the same upon the Turnpikes then erected upon the said respective Roads, at least Twenty Days before making such Reduction; and such Tolls, so lessened or altered, shall be collected, levied, and applied, respectively, in the same Manner as the

Tolls

Tolls hereby granted are directed to be collected, levied, and applied, respectively.

Tolls to be paid but Once a Day.

Provided always, and it is hereby enacted and declared by the Authority aforesaid, That no Person having paid the Toll or Duty at any of the Turnpikes erected or to be erected, across or on the Side of the said respective Roads, and producing a Note or Ticket, that the said Toll or Duty was paid, and who shall return the same Day, or before Twelve of the Clock at Night, with the same Coach, Berlin, Landau, Chariot, Calash, Hearse, Chaise, or Chair, laden or unladen, or with the same Waggon, Wain, Cart, or other Carriage, so as the same shall not pass laden both going and returning; or with the same Horse, Mare, Gelding, Mule, or Ass, or any Sort of Cattle, laden or unladen, for which the said Toll or Duty was paid, shall be liable and compelled upon such Return, to pay the said Toll at the Gate where the same was paid before, on the same Day, or at any other Gate erected or to be erected, on that particular Road where the same was to paid.

Exemptions from Tolls.

Provided also, and it is hereby enacted and declared, That no Person or Persons shall be charged with any of the Tolls or Duties aforesaid, for passing through any of the Turnpikes erected or to be erected, by virtue of this or the said former Act, who shall carry any Stones, Gravel, or other Materials for repairing the said Roads, or either of them; or for carrying through any of the said Turnpikes, any Dung, Mould, Soil, or Compost of any Nature or Kind whatsoever, for manuring of Gardens or Lands; nor for carrying any Hay or Corn in the Straw, being the Product of the Lands lying in the Township or Townships in which the said Roads, or either of them, or any Part or Parts thereof, lie or lies, and in the Holding and Occupation of some Inhabitant thereof, to be laid up in the respective Houses, Outhouses, or Backsides, of the respective Inhabitants, Landowners or Land-holders in the Township or Townships aforesaid (but any Cart or Carriage laden with any Hay or Straw for Sale, shall not be exempted from Toll) nor shall any Toll or Duty be demanded for any Ploughs, Harrows, or other Implements of Husbandry, in order to the using or repairing the same, or any other Thing whatsoever employed in Husbandry, or for manuring or stocking of Land in the several Townships in which the said Roads, or either of them, lie; nor shall any Toll or Duty be demanded or taken of or from any Person or Persons residing in the Townships of Stretford, Hulme, Sale, Ashton, Dunham, Altrincham, or Timperley, or

any

any of them, who shall pass through any of the said Turnpikes to Church, Chapel, or other Places of religious Worship on Sundays, or who shall attend the Funeral of any Person or Persons who shall die or be buried in any of the said Townships; nor for any Post-horse carrying the Mail or Packet; nor for any Horse or Cattle going to or returning from Water or Pasture; or for the Horses of any Soldiers passing who are upon their March; or for Carts, Waggons, or Carriages, at the same Time attending them; or for Horses, Carts, Waggons, and Carriages, travelling with Vagrants sent by Passes.

Proviso. Provided always, and be it further enacted by the Authority aforesaid, That none of the Exemptions from Tolls aforesaid shall extend, or be construed to extend, to any Waggon, Wain, or Cart not having the Fellies of the Wheels thereof of the Breadth or Gage of Nine Inches from Side to Side at the Bottom or Sole thereof; but that all such Carriages shall pay Toll in all and every the Case and Cases herein before mentioned; any thing herein before contained to the contrary in any wise notwithstanding.

Penalty on forcibly passing through the Gates, &c. And be it further enacted by the Authority aforesaid, That if any Person or Persons shall forcibly or wilfully go or pass with any Horse, Beast, or Carriage through any or either of the Turnpikes, by virtue of this or the said former Act erected, or to be erected or set up, without paying the Toll or Tolls by this Act directed to be paid for the same; or shall take off, or cause to be taken off, any Horse, or other Beast, from any Carriage; or shall unload any Carriage in Part or in all, or shall conceal or secrete any Goods or other Things chargeable with any the Tolls aforesaid; or shall put or leave in any House, or other Place, any Carriage, Beast or Cattle, liable to pay Tolls or Duties, in Part or intirely; or having passed through any of the said Turnpikes, shall afterwards add or put any Horse, or other Beast, to any Carriage, and draw therewith upon any Part of the said Roads, or either of them, so as to increase the Number of Horses, or other Beasts, drawing the said Carriage, after the same shall have passed through any of the said Turnpikes, with Intent to evade or lessen, or having thereby evaded or lessened, the Payment of any of the said Tolls, or any Part thereof; or if any Person or Persons shall go or pass with any Horse, Beast, Cattle, or Carriage, through or over any Land, Ground, or Place, lying by the Side of, or near to either of the said Roads, the same not being a publick Highway;

Highway; or if any Person or Persons owning or occupying any Land, Ground, or other Place, or private Way, shall knowingly and willingly permit or suffer any other Person or Persons to go or pass with any Horse, Beast, Cattle, or Carriage, 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 avoided; or in case any Person or Persons shall go or pass with any Horse, Beast, Cattle, or Carriage, along or over the Towing Path or Paths on the Side of a certain navigable Cut or Canal, made, or intended to be made, by the most Noble Francis Duke of Bridgewater, near the said Roads, or on any Part or Parts thereof (other than and except the said Francis Duke of Bridgewater, his Heirs and Assigns, and his and their Agents, Servants, and Workmen employed upon the Business of or relating to the said Canal; and also every Person and Persons, Cattle and Carriages, to be used and employed in or upon account of the drawing, towing, or haling any Boat, or other Vessel, or any Matters or Things upon or along the said Canal) whereby the Payment of any of the said Tolls hereby granted, shall or may be avoided; every such Person so offending in every such Case (except as aforesaid) shall, for every such Offence, forfeit and pay the Sum of Twenty Shillings, to be levied and recovered in such Manner as the Penalties and Forfeitures mentioned in the said former Act, or any of them, are thereby directed to be levied and recovered.

and on going thro' or permitting private Passage, &c.

to avoid paying the Tolls.

And be it further enacted by the Authority aforesaid, That the said Trustees, or any Seven or more of them, within their respective Districts, at their respective public Meetings, shall and may, and they are hereby respectively impowered, from time to time, by any Writing or Instrument under their Hands and Seals, to assign over or mortgage the said respective Tolls or Duties arising by virtue of this Act, or any Part thereof, within their said respective Districts (the Costs and Charges of which Assignments and Mortgages shall be borne and paid out of such Tolls and Duties so assigned or mortgaged respectively) for the Term of Time for which the same are hereby made payable respectively, or for any Part thereof, to such Person or Persons, or to his, her, or their Trustee or Trustees, who shall advance and lend any Sum or Sums of Money to the said Trustees respectively, in order to secure the Repayment thereof, with

Tolls may be assigned for Money borrowed.

such Interest as shall be agreed upon, not exceeding Five Pounds per Centum per Annum; which said Money, so to be borrowed, shall be applied and disposed of, in the First Place, to pay off the Charges and Expences of obtaining this Act of Parliament, in the Proportions aforesaid; and the Residue shall be applied in such Manner, and for such Purposes, as the Tolls and Duties so mortgaged are by this Act directed to be applied and disposed of, and to no other Use or Purpose whatsoever.

Assignments to be entered in a Book.

And it is hereby further enacted by the Authority aforesaid, That all and every Mortgage and Mortgages, Assignment and Assignments, so to be made by the said respective Trustees of the said several Roads, shall be copied and entered at Length, in Books to be kept for that Purpose, by each of the Clerk or Clerks, Treasurer or Treasurers, of the said respective Roads; which said Books shall and may be seen and perused at all seasonable Times, by any Person or Persons whomsoever, without Fee or Reward.

Notice to be given of borrowing of Money.

Provided always, and it is hereby declared, That no Money shall be borrowed by the said respective Trustees of the said several Roads respectively, on the Credit of the Tolls or Duties to be collected within their respective Districts, after their first Meeting, unless Notice for that Purpose be given in Writing, under the Hand of the Clerk to such Trustees respectively, upon all the Turnpike Gates to be continued or erected by virtue of this Act, at least Twenty Days before the borrowing of such Money.

Assignments may be transferred.

And it is also further enacted by the Authority aforesaid, That all and every Person and Persons to whom any Mortgage or Mortgages, Assignment or Assignments, shall be made by the said respective Trustees of the said several Roads respectively, or any Seven or more of them, as a Security for any Sum or Sums of Money by any Person or Persons lent and advanced on the Credit, and for the Purposes mentioned in this Act, or who shall be intitled to the Money thereby secured, shall and may, from time to time, by proper Words of Assignment, to be indorsed on the Back of his, her, or their Security, or by any other Writing or Writings under his, her, or their Hands and Seals, to be duly executed in the Presence of Two or more credible Witnesses, assign or transfer the same Security or Securities, and all Benefit and Advantage thereof, and all his, her, or their Right, Title, and Interest, to the Principal and Interest Money thereby secured, or any Part thereof, to any Person or Persons whomsoever;

which said Transfer or Assignment shall be produced or notified to the Clerk or Clerks, Treasurer or Treasurers, appointed or to be appointed by the said Trustees for the said several Roads respectively, or any Five or more of them, within Twenty eight Days next after the Date thereof; who shall cause an Entry or Memorial to be made of such Assignment or Transfer, containing the Dates, Parties, and Sum of Money therein mentioned to be transferred, in the said Book to be kept for entering the said original Mortgage and Mortgages, Assignment and Assignments, made by the Trustees for each of the said Roads; and for which such Clerk or Clerks, Treasurer or Treasurers, shall be paid Two Shillings and Six Pence, and no more: And after such Entry made, such Assignment shall intitle such Assignee, or any subsequent Assignee, his, her, and their Executors, Administrators, and Assigns, to the Benefit thereof, and Payment thereon; and such Assignee may, in like Manner, assign the same again, and so toties quoties; and it shall not be in the Power of any Person or Persons who shall make such Assignment to make void, release, or discharge, the same, or any Money thereby due, or any Part thereof.

Entries of all Assignments to be made.

Assignments to be entered in a Book.

Notice to be given of Payment of Money.

And be it further enacted by the Authority aforesaid, That the Surveyor or Surveyors for the said Roads respectively, or any of them, and such other Person and Persons as shall be employed by such Surveyor or Surveyors, or by the said Trustees, or any Five or more of them, is and are hereby impowered to cut, dig, gather, take, and carry away any Furze, Heath, Gravel, Sand, Stones, or other Materials proper for the repairing of the said Roads, or either of them, out of and from any Waste Ground or Common, River or Brook, in any Township or Place, without paying any thing for the same; such Surveyors or other Persons filling up the Pits, and levelling the Grounds from whence such Materials shall be taken, or railing or fencing off such Pits, so that the same may not be dangerous to Passengers or Cattle; And if such Quantities of Materials, proper and sufficient for that Purpose, cannot be had or found in or upon such Waste Grounds or Commons, Rivers or Brooks, contiguous to that Part of the said Roads intended therewith to be repaired, then, and in such Case, the said Surveyor or Surveyors, or other Persons, as aforesaid, may, by Order of the said Trustees or any Five or more of them, dig, gather, take and carry away any such Materials as aforesaid, in, upon or out of, from, and over the Lands of any Person or Persons

Surveyors may dig Gravel, &c.

Assignments may be transferred.

without paying for the same;

levelling the Pits, &c.

If sufficient Materials cannot be had there, the same may be taken from private Grounds;

(not

(not being a Yard, Garden, Park, Paddock, planted Walk, or Avenue to any House, or any inclosed Ground, planted and set apart as a Nursery for Trees) paying, or tendering Payment, of such Rates for such Materials, and for the Damage done to such private Lands, over which any Materials gotten in any Waste Ground, Common, River, or Brook, or private Ground, shall be conveyed, as the said Trustees, or any Five or more of them, shall adjudge reasonable: And in case of any Difference between the said Trustees, Surveyor or Surveyors, or other Person or Persons appointed and employed as aforesaid, and the said Owners or Occupiers, or any or either of them, concerning such Damages as aforesaid, the Justices of the Peace at their next General Quarter Sessions to be holden in and for the County wherein such Difference shall arise, on Twenty Days Notice thereof, to be given in Writing by the said Surveyor or Surveyors, to the said Owner or Occupier, Owners or Occupiers, or by the said Owner or Occupier, Owners or Occupiers, to the said Surveyor or Surveyors, or to be left at their respective Places of Abode, with some or One of their respective Families, shall hear, settle, and determine the Matter of such Damages; and the Judgement or Order of the said Justices therein shall be final and conclusive to all Parties.

making Satisfaction to the Owners.

Justices to determine Differences.

Bodies Politick, &c. liable to do Statute-work, to continue so.

And be it further enacted by the Authority aforesaid, That all Bodies Politick and Corporate, Corporations Aggregate and Sole, and other Persons whatsoever, who, by reason of the Tenure of their Lands, or any Charge thereon, or by any Law, Custom, Usage, or otherwise, are or shall be liable to the Repair of any Part or Parts of the Roads by this Act intended to be repaired, or either of them, or to pay any Sum or Sums of Money for or towards the Repairs thereof, shall, notwithstanding this Act, remain liable to repair the same, or to pay such Monies for or towards the Repairs thereof, as they respectively before were or was liable to do or pay, except so far as is herein or hereby otherwise directed.

Inhabitants to do Statute-work.

And be it enacted by the Authority aforesaid, That all and every the Inhabitants of the several Townships, Hamlets, and Places, through which the said Roads, or either of them, do or doth lead, who, by the Laws and Statutes of this Realm, are or shall be liable to do Work in the Highways, for the repairing thereof, commonly called Statute-work, from and after the said Twenty first Day of May, One thousand seven hundred and sixty five, shall, and are hereby required to do and perform such and so many Days Work, in the Propor-

Proportions for each respective Township, Hamlet or Place, as herein after mentioned; that is to say, not exceeding Two Days Work for any One Person or Team, in any One Year, for the Township of Stratford; and not exceeding Three Days Work for any One Person or Team, in One Year, for any other Township, Hamlet, or Place, through which the said Roads, or either of them, do or doth lead, in such Part or Parts of the said Roads as doth or do lie in such Townships, Hamlets, and Places respectively, and in such Places thereof, and at such Times (the same not being in Hay-time or Harvest) and in such Manner as the said Trustees, or any Five or more of them, within their respective Districts, or the Surveyor or Surveyors by virtue of this Act to be appointed, or either of them, shall, for those Purposes, direct or appoint; and shall, with their Teams and Servants, or otherwise, as the Case shall be, do Eight Hours Work in every Day: And the Surveyor or Surveyors of the Highways of such Townships, Hamlets, and Places respectively, and where there shall be no Surveyor, then the Churchwardens or Overseers of the Poor, and if no Churchwardens or Overseers, then some or One of the principal Inhabitants of the said Townships, Hamlets, and Places respectively, shall yearly, within the Space of Ten Days next after Notice in Writing to him or them for that Purpose respectively given by the said Trustees, or any Five or more of them, or by any or either of the said Turnpike Surveyors, under his or their respective Hands, deliver to such Trustees or Surveyors, from whom such Surveyor, Churchwarden, Overseer, or Inhabitant, shall receive such Notice, or to One of them, a true List in Writing, of the Names of all the Inhabitants of such Townships, Hamlets, and Places respectively; and shall therein distinguish and set forth which of such Inhabitants keep Teams, or occupy Plough Lands, and are liable to Teams Duty; and which of them are Labourers, and liable only to do Labourers, or any and what other Duties to the Highways: And if any of either of the Inhabitants of the said Parishes, Hamlets or Places, shall refuse or neglect to do their respective Statute-work or Duty on the said Roads, at such Times and Places, and in such Manner, as, according to the Powers by this Act given, he shall be directed to do, or shall not work full Eight Hours in each of the said Days; every such Person, for every such Offence, shall forfeit the several and respective Sums herein after mentioned;

Surveyors to deliver in Lists of Persons liable to do Statute-work.

Penalty on Persons not performing Statute-work.

or that by so say, Every Person liable to do a Team's Duty, the Sum of Five Shillings; and every Person liable to do a Labourer's Duty only, the Sum of One Shilling; and if any or either of the said Parish Surveyors, Churchwardens, Overseers, or principal Inhabitants of the said Townships, Hamlets, or Places respectively, having such Notice to deliver such List or Lists as aforesaid, shall refuse or neglect so to do within the Time, or in the Manner herein before for that Purpose mentioned, every such Surveyor, Churchwarden, Overseer, and Inhabitant, shall, for every such Neglect or Offence, forfeit the Sum of Twenty Shillings.

Penalty on Surveyors neglecting to deliver in such Lists.

Provided always, and be it further enacted by the Authority aforesaid, That the said Trustees, or any Five or more of them, within their respective Districts, may, and are hereby impowered to compound with the several Inhabitants of the several Townships, Parishes, Hamlets, and Places, through which the Roads, by this Act intended to be repaired, do lead, for the Statute-work and Labour by them respectively, by virtue of this Act, to be done in the said respective Roads in every Year; the several Sums of Money at and for which such Work and Labour shall be so compounded, being paid down at the respective Times of making such Compositions.

Trustees may compound with Parishes, &c.

And be it further enacted by the Authority aforesaid, That if the said Trustees, or any Five or more of them, within their respective Districts, shall think it necessary to widen or alter any Part or Parts of the Roads by this Act directed to be repaired, or either of them; then it shall and may be lawful for the said Trustees, or any Five or more of them, within their respective Districts, from time to time, to contract with any Person or Persons for the Purchase of any Lands or Hereditaments, lying by the Side or Sides of any Part or Parts of the said Roads, or either of them, or that shall be proper or convenient for widening any Part or Parts of the said Roads (provided that such Part or Parts of the said Roads, as shall be so widened, be not thereby made wider than the Breadth of Forty five Feet, including the Ditches) and to pay for the same Lands and Hereditaments by and out of the Tolls, and other Monies to be raised by virtue of this Act: And all Bodies Politick and Corporate, Ecclesiastical or Civil, Corporations Aggregate or Sole, Feoffees in Trust, Executors, Administrators, Guardians, and other Trustees, for or on Behalf of Infants, Femes-covert, or Cestuique Trusts; and all

Trustees may contract for the Purchase of Lands to be taken into the Road.

Trustees may contract with Persons for the Purchase of Lands, &c. to be laid into the Road, &c.

other

other Persons whomsoever, may and shall contract and agree with the said Trustees by this and the said former Act appointed, or to be appointed, or any five or more of them, within their respective Districts, for the absolute Sale of such Lands and Hereditaments, and of their respective Estates and Interests therein; and may and shall convey such Lands and Hereditaments to the same Trustees, or any Five or more of them, for the Purposes aforesaid; and all Contracts, Sales, and Conveyances, that shall be so made as aforesaid, shall be valid and binding against and to all Persons, and to all Intents and Purposes whatsoever.

Persons neglecting to treat with Trustees.

And be it further enacted by the Authority aforesaid, That if any Body Politick or Corporate, Ecclesiastical or Civil, Corporation Aggregate or Sole, Trustees or other Person or Persons whatsoever, entitled to or interested in any Lands or Hereditaments, which the Trustees appointed or to be appointed by virtue of this or the said former Act, or any Five or more of them, within their respective Districts, shall think necessary to be purchased, for the widening any Part of the Roads by this Act directed to be repaired, shall, upon Application to them, or any or either of them, for that Purpose, made, refuse or neglect to treat with such Trustees for the Sale of such Lands or Hereditaments; or if by reason of their, or any of their Absence or distant Residence from the Lands or Hereditaments intended to be purchased, he or they cannot conveniently be applied to or treated with for that Purpose; or if treating, he or they shall not agree with the said Trustees, for the Prices of such Lands or Hereditaments; then, and in either of such Cases, the said Trustees, or any Five or more of them, may, and are hereby impowered, by Warrant or Warrants, Precept or Precepts, under their Hands and Seals, to command the Sheriff of the County wherein such Lands or Hereditaments do lie, or his Deputy, to impanel, summon, and return, a Jury of Twelve honest and disinterested Men of the said County, to be and appear before the said Trustees, at such certain Time and Place to be specified in the said Warrant or Warrants, Precept or Precepts, the said Time being at least Twenty Days next after the Date and Delivery of the said Warrant or Warrants, Precept or Precepts, respectively, to the said Sheriff or his Deputy; then and there to assess and ascertain the Price and Value of the Lands and Hereditaments intended or necessary to be purchased; and the said Sheriff, or his Deputy, is hereby required to impanel, summon, and return

Trustees may issue their Warrant to summon and impanel a Jury.

return the said Jury accordingly, giving to each Juryman at least Ten Days Notice of the Time and Place of his Attendance; and the said Jurymen are hereby required to attend accordingly; and the said Trustees, or any Five or more of them, having caused Twenty Days Notice in Writing, under their Hands, to be given to the Person or Persons intitled to the said Lands or Hereditaments intended to be purchased, or to be left at their last or usual Place or Places of Abode, or at the Place or Places of Abode of the respective Tenant or Tenants in Possession of such Lands or Hereditaments, thereby setting forth the Nature, Situation, and Quantities of such Lands or Hereditaments, and the Time when, and the Places where the said Jury are to meet to assess and ascertain the Values thereof; they the said Trustees, or any Five or more of them, within their respective Districts, may proceed to enquire by the Verdict of the said Jurors, or their Oaths (which Oaths the said Trustees, or any Five or more of them, are hereby impowered and required to administer) of the Value of such Lands and Hereditaments; and in Default of a sufficient Number of Jurors, the Sheriff, or his Deputy, shall return other like Persons of the By-standers, or that may be conveniently had, for the Service; and to which Jurors all Parties interested shall have their lawful Challenges; and the said Trustees, or any Five or more of them, having given the Nature of the Inquiry in Charge to the said Jury, that shall be sworn, may, and are hereby impowered to send for, summon, and examine, all proper Persons on their Oaths, (which Oaths the said Trustees, or any Five or more of them, are hereby impowered and required to administer) concerning the Natures and Values of the said Lands and Hereditaments; and, if needful or required, to cause the Jury sworn to view the said Lands or Hereditaments; and to take such other Measures to inform themselves, and the Jury sworn, concerning the Natures and Values of the said Lands and Hereditaments, as they shall think proper; and the said Jury, being so informed, shall, by their Verdict, assess and ascertain the Values of the respective Lands and Hereditaments, that shall have been given them in Charge to inquire of; and the said Trustees, or such Five or more of them, as shall be present at the taking of such Inquests, shall thereupon adjudge the Sums of Money assessed by the said Juries, as the Values of the said Lands or Hereditaments, to be paid to the Person or Persons intitled to the same Lands or Hereditaments; and such Findings

Jury to settle the Recompence.

Jurors may be challenged.

Witnesses may be summoned, and examined upon Oath.

of

of the Juries, and Judgements of the said Trustees, shall be finally binding and conclusive to all Bodies Politick or Corporate, Ecclesiastical or Civil, Corporations Aggregate and Sole, Infants, Femes-covert, and other Persons whomsoever, any wise interested, or to be interested, in the said Lands and Hereditaments, or any Part thereof: And if any such Sheriff or his Deputy shall refuse or neglect duly to obey any Warrant or Precept of the said Trustees, or to do any Act or Matter of his Office, relating to the Premisses; or if any Juryman, so summoned as aforesaid, shall not appear, or appearing shall refuse to be sworn, or if sworn shall not find his Verdict concerning the Matters that shall be given him in Charge; or if any Witness being sent for or summoned to appear, or give Evidence to the said Trustees and Juries, shall not appear, or if appearing shall refuse to be sworn, and thereupon to give his Evidence, concerning the Matters aforesaid; every such Sheriff, Deputy, Juryman, and Witness, shall, for every such Refusal, Neglect, or Offence, forfeit the Sum of Five Pounds.

Verdict of the Jury to be binding and conclusive.

Trustees may impose a Fine on Sheriff, &c. making Default in the Premisses.

Fine not to exceed 5*l.*

And be it further enacted by the Authority aforesaid, That all Conveyances of Lands and Hereditaments that shall be purchased by virtue of this Act, and Memorials of all the Verdicts of Juries, and Judgements of the Trustees, concerning the Value of Lands and Hereditaments that shall be ascertained by Juries, shall be entered in some Book or Books of the said Trustees, and shall be enrolled with the Clerk of the Peace of the County where the same shall lie; and that after the Execution of such Conveyances, and giving such Judgements of the said Trustees, and after Payment or Tender of the Consideration Monies mentioned in such Conveyances, or of the Monies assessed and adjudged to be the Values of any Lands or Hereditaments, the Values whereof shall be assessed or ascertained by any Jury or Juries, to the Person or Persons intitled to the same; or in case of Want of Opportunity to tender, or of Refusal to accept the said Monies when tendered, then or leaving the same with the said Clerk of the Peace, or his Deputy, for the Use or Uses of the Person or Persons intitled thereto, it shall be lawful for the said Trustees, within their respective Districts, to enter upon the said Lands and Hereditaments, and the same to add to the said Highway.

Conveyances, &c. of Lands to be entered in a Book.

Lands, &c. when purchased, to be made Part of the Road.

Provided, and it is hereby further enacted and declared by the Authority aforesaid, That the Powers and Authorities given to the said Trustees as aforesaid, shall

Buildings not to be injured.

not extend to the pulling down any Dwelling-house, or other Building, or taking in the Site of any House or other Building, or to take in any or any Part of any Garden, Orchard, Yard, Park, Paddock, planted Walk, or Avenue to a House; any thing herein contained to the contrary notwithstanding.

Penalties and Forfeitures how to be recovered and applied.

And be it further enacted by the Authority aforesaid, That all the Penalties and Forfeitures by this Act imposed, other than and except such, or such Parts thereof, as are by this Act otherwise directed to be paid, shall be paid to the said Trustees, and shall be by them applied in the Repair of such Part of the said Roads, in respect whereof such Penalties or Forfeitures respectively shall be incurred, in like Manner as other the Monies to be raised by virtue of this Act are hereby directed to be applied.

Treasurer to give Security.

And be it further enacted by the Authority aforesaid, That the said Trustees, or any Five or more of them, shall take such Security from their Treasurer or Treasurers, Receiver and Receivers, for the due Execution of his or their Office or Offices, as the said Trustees, or any Five or more of them, shall think proper.

Victuallers not to have a Place of Profit.

Provided also, and be it enacted, That no Victualler, or Retailer of Ale, Beer, or Spirituous Liquors, or any menial Servant to any Trustee, shall be capable of holding any Place of Profit under this Act.

Powers, &c. of the former Act extended to this.

And be it further enacted by the Authority aforesaid, That all Proceedings, and other Acts, Matters, and Things, authorized or directed by the said first mentioned Act to be commenced, determined, done, or performed, by the Justices of the Peace, or Clerk of the Peace, for or any other Person or Persons within the said County of Lancaster, shall, in respect of such or the like Acts, Matters, and Things, within the said County of Chester, be, and are hereby authorized and required to be commenced, determined, done, and performed, by the Justices of the Peace for, and other Persons respectively within, the said County of Chester, who shall respectively, for Non-performance thereof, be subject to the like Fines, Penalties, and Forfeitures, as are by the said Act inflicted, or authorized to be imposed, for Offences of the like Nature, within the said County of Lancaster.

Proceedings not to be quashed for want of Form,

Provided always, and be it further enacted by the Authority aforesaid, That no Act, Order, Conviction, Judgement, Determination, or other Proceeding, that shall be done, made, or had, by the said Trustees, or by any Justice or Justices of the Peace, or by the Sessions, by virtue of this Act, shall be quashed, vacated, or discharged, for want of Form only; or shall be removed by

not removeable by *Certiorari*.

Certiorari, or by any other Writ or Process whatsoever, into any Court of Record at Westminster, Lancaster, or Chester.

And whereas Humphry Trafford of Trafford, in the said County of Lancaster, Esquire, and his Ancestors have, for Time immemorial, been intitled to, and have constantly, till the passing of the said former Act, made in the Twenty fourth Year of His late Majesty King George the Second, had, collected, and received, as a Toll or Duty, for every loaded Waggon passing on the said Road, between the Town of Stretford and Crossford Bridge, Four Pence; and for every loaded Cart, passing between the said Two Places, Two Pence (except Waggons and Carts loaded with Coals only); It is hereby further enacted and declared, That the Treasurer or Receiver of the Tolls and Duties to be collected and received on the said Road, leading from Crossford Bridge to Manchester, by virtue and in pursuance of this Act, shall yearly and every Year, during the Continuance of this Act, pay, or cause to be paid, unto the said Humphry Trafford, his Heirs, and Assigns, at the Mansion-house of the said Humphry Trafford, in the Township of Stretford aforesaid, the yearly Sum of Twenty Pounds, by Half-yearly Payments, free from all Deductions for Taxes, or any other Matters and Things whatsoever; the said annual Rent, or yearly Sum of Twenty Pounds, to be payable and paid at the Feasts of the Birth of our Lord Christ, and the Nativity of Saint John the Baptist, in every Year, by equal Portions; the First Half-yearly Payment thereof to begin and be made on the Feast Day of Saint John the Baptist, One thousand seven hundred and sixty five, in lieu of, and as a Recompence for, such Tolls and Duties, payable to the said Humphry Trafford, his Heirs, and Assigns, as aforesaid, for and during the Continuance of this Act, and which same Tolls and Duties shall accordingly be suspended during the Continuance of this Act.

Mr. Trafford to be paid 20l. annually in lieu of certain Tolls.

Provided always, That immediately after the Expiration of this present Act, the said several Tolls and Duties so received and taken by the said Humphry Trafford, and his Ancestors as aforesaid, shall revert to, and be had, received, and taken, by the said Humphry Trafford, and his Heirs and Assigns, in such Manner as they were taken and received before the passing of the said former Act, or as if the same Act and this present Act had never been made. *Proviso.*

Provided always, and it is hereby enacted and declared, That when and so often as the annual Sum or yearly

If the Money remains unpaid 20 Days, Mr. *Trafford* may take Poſſion, &c.

yearly Rent of Twenty Pounds, or any Part thereof, ſhall happen to be behind for Twenty Days after either of the ſaid Feaſts, or Days herein before limited and appointed for Payment thereof; then, and ſo often, and from time to time, as it ſhall ſo happen, it ſhall and may be lawful to and for the ſaid Humphry Trafford, his Heirs and Aſſigns, to take Poſſeſſion of the Toll-gate near Longford Bridge aforeſaid, and of every other Toll-gate to be ſet up on the Side of the ſaid Road leading from Croſsford Bridge to Manchester aforeſaid, by virtue and in purſuance of this Act as aforeſaid; and to receive and take the Tolls and Duties hereby granted and made payable at the ſame, to and for his and their own Uſe and Benefit, until thereby, or therewith, or otherwiſe, all Arrears of the ſaid yearly Sum of Twenty Pounds then grown due, and that during ſuch Poſſeſſion ſhall grow due, and all Coſts and Charges attending the taking of ſuch Poſſeſſion, and the Perception of the ſaid Tolls and Duties, and all Damages that he or they ſhall then have had or ſuſtained, by reaſon of the Nonpayment of the ſaid yearly Sum, or any Part thereof, ſhall be fully ſatisfied and paid.

Publick Act.

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

FINIS.