ANNO SEPTIMO

GEORGII IV. REGIS.

Cap. xix.

An Act for making and maintaining a Turnpike Road, commencing at or near a certain House called *The Shrewsbury Arms*, situate at *Hinderton* in the Township of *Little Neston*, by way of *Upton*, and terminating in the Township of *Hoose*, and from *Upton* aforesaid to the Township of *Birkenhead*, and also certain Branches of Road to communicate therewith, all in the County Palatine of *Chester*. [22d *March* 1826.]

WHEREAS the making and maintaining of a Turnpike Road from the present Turnpike Road between the City of *Chester* and *Parkgate* in the County Palatine of *Chester*, at or near a certain Dwelling House known by the Name or Sign of *The Shrewsbury Arms*, and now in the Occupation of *John Robinson*, situate at a Place called *Hinderton* in the Township of *Little Neston* in the said County Palatine of *Chester*, by way of *Upton*, to the Township of *Hoose* in the same County, at or near a certain Dwelling House there known by the Name or Sign of *The Punch Bowl*, and in the Occupation of *Robert Shaw*; and from *Upton* aforesaid, in the said County Palatine of *Chester*, to the present Turnpike Road between the said City of *Chester* and the *Woodside Ferry* in the said County Palatine of *Chester*, at or near the East End of *Woodside* or *Bridge-end Lane* in the Township of *Birkenhead* in the said County; and also the making and maintaining of Branch Roads from

from the said intended Main Road to *Hoose* aforesaid, at or near *Arrow House* in the Township of *Arrow*, Westward, by *Greasby* and *Frankby*, to or near to a certain Cottage in the Township of *Newton cum Larton*, in the said County Palatine of *Chester*, now in the Occupation of *Samuel Randall*, and so as from thence to join as well the present Road from the said City of *Chester* by way of *Thurstaston* to *Hoylake* in the said County Palatine of *Chester*, at or near a Dwelling House situate in the Township of *Caldy* in the said County Palatine, and now in the Occupation of *John Rainsford*, as the said intended Main Road to *Hoose* aforesaid, at or near the South End of *Grange Carr Lane* in the Township of *Grange* in the said County Palatine, and Eastward to or near to *Moss Hall* in the Township of *Prenton* in the said County Palatine of *Chester*, and from thence, by way of *Slush Lane* and *Grange Lane*, to the Turnpike Road bstween the said City of *Chester* and the *Woodside Ferry*, at or near the East End of the said *Grange Lane* in the Township of *Birkenhead* aforesaid, and also from *Moss Hall* aforesaid, through *Tranmere* and *Holt Hill*, to the said last-mentioned Turnpike Road at *Lower Tranmere* in the Township of *Tranmere* in the said County Palatine of *Chester*, and from *Tranmere* aforesaid, by the *Well Lane*, to the same Turnpike Road, near a certain Cottage in the said Township of *Tranmere* called *Kendrick's Cottage*, and now in the Occupation of *Martha Naylor* Widow, will be a great Advantage and Convenience to the Owners and Occupiers of Estates and Residents within the several Places and Districts through which the said Roads will pass, and other the Inhabitants of the adjacent Country, and will also be of great public Utility; but the same cannot be effected without the Aid and Authority of Parliament: And whereas an Act was passed in the Third Year of the Reign of His
3 G. 4. c. 126. present Majesty King *George* the Fourth, intituled *An Act to amend the general Laws now in being for regulating Turnpike Roads in that Part of* Great Britain *called* England: And whereas an Act was passed in the Fourth Year of the Reign of His said present Majesty, intituled *An Act*
4 G. 4. c. 95. *to explain and amend an Act passed in the Third Year of the Reign of His present Majesty, to amend the general Laws now in being for regulating Turnpike Roads in that Part of* Great Britain *called* England: And whereas an Act was passed in the Fifth Year of the Reign of His said
5 G. 4. c. 69. present Majesty, intituled *An Act to enable Justices of the Peace for Ridings, Divisions, or Sokes, to act as Trustees for repairing and maintaining Turnpike Roads*: 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,

Trustees. That from and after the passing of this Act all His Majesty's Justices of the Peace for the Time being acting for the County Palatine of *Chester*, together with the Honourable *Edward Cust*, Sir *Philip Grey Egerton* Baronet, Clerk, Sir *John Thomas Stanley* Baronet, Sir *Thomas Stanley*, *Massey Stanley* Baronet, *Leonard Addison*, *Leonard Addison* the younger, *Richard Ashhurst*, *Francis Edge Barker*, *Samuel Brittain*, *William Walter Congreve*, *Richard Jones Congreve*, *George Congreve*, *Roger Collier*, *George Clauge Chamberlaine*, *Davies Davenport*, *Edward Davenport*, *Philip de Malpas Egerton*, *Rowland Errington*, *John Edwards*, *Thomas Foster*, *John Baskerville Glegg*, *John Baskerville Glegg* the younger, *William Baskerville Glegg*, *Birkenhead Glegg*, *Baskerville Glegg*, *Edward Glegg*, *Joseph Green*, *John Grindrod*, *Jonathan Grindrod*, *Peploe Hamilton* Clerk, *John Harrison*,

Harrison, William Hetherington, William Hetherington the younger, *William Hough, Philip Humberston, John Huddleston, George Jacson, Shallcross Jacson, Bertie Entwisle Johnson* Clerk, *George Johnson, Joshua King* Clerk, *George King, Vincent Ashfield King, Bryan King, James Thomas Law* Clerk, *William Laird, John Laird, Mac Gregor Laird, William Lawton, John Shaw Leigh, John Gerrard Leigh, Arthur Lowe, Joseph Hayes Lyon, Joseph Lyon, James Mainwaring, James Mainwaring* Clerk, *George Orred, George Orred* the younger, *John Orred, Thomas Wilson Patten, Samuel Peacock, Ralph Peters, Ralph Peters* the younger, *Thomas Peters, Henry Potts, Charles Potts, Francis Richard Price, Samuel Richardson, Thomas Webster Roberts, Thomas Ashbrook Roberts, John Robin, Bryan John Robin, Philip Rawlin Robin, Charles Robin, John Robin* the younger, *Edward John Stanley, William Owen Stanley, Edward Stanley* Clerk, *Owen Stanley, William Thomas Stanley, Massey Stanley, John Stanley, Charles Stanley* the younger, *Charles Stanley, John Shaw, George Loton Swainson, Charles Swainson* Clerk, *Thomas Trevor Trevor* Clerk, Doctor of Civil Law, *John Talbot, James Cavendish Talbot, George Taylor, Robert Vyner, Vyner, Rowland Warburton* Clerk, *Henry Walker, John Webster, William Webster, William Webster* the younger, *Thomas Webster, Joseph White, John Whitley, John Whitley* the younger, and their Successors, being duly qualified in manner directed by the said recited Acts, shall be and they are hereby appointed the Trustees for making, maintaining, amending, altering, widening, and from Time to Time diverting, turning, and otherwise improving and keeping in repair a Turnpike Road from the present Turnpike Road between the City of *Chester* and *Parkgate* in the County Palatine of *Chester*, at or near a certain Dwelling House known by the Name or Sign of *The Shrewsbury Arms*, and now in the Occupation of *John Robinson*, situate at a Place called *Hinderton* in the Township of *Little Neston* in the said County Palatine of *Chester*, by way of *Upton*, to the Township of *Hoose* in the same County, at or near a certain Dwelling House there, known by the Name or Sign of *The Punch Bowl*, and in the Occupation of *Robert Shaw*; and from *Upton* aforesaid in the said County Palatine of *Chester* to the present Turnpike Road between the said City of *Chester* and the *Woodside Ferry* in the said County Palatine of *Chester*, at or near the East End of *Woodside* or *Bridge-end Lane* in the Township of *Birkenhead* in the said County; and also for making, maintaining, amending, altering, widening, and from Time to Time diverting, turning, and otherwise improving and keeping in repair Branch Roads from the said intended Main Road to *Hoose* aforesaid, at or near *Arrow House* in the Township of *Arrow*, Westward, by *Greasby* and *Frankby*, to or near to a certain Cottage in the Township of *Newton cum Larton* in the said County Palatine of *Chester*, now in the Occupation of *Samuel Randall*, and so as from thence to join as well the present Road from the said City of *Chester* by way of *Thurstaston* to *Hoylake* in the said County Palatine of *Chester*, at or near a Dwelling House situate in the Township of *Caldy* in the said County Palatine, and now in the Occupation of *John Rainsford*, as the said intended Main Road to *Hoose* aforesaid, at or near the South End of *Grange Carr Lane* in the Township of *Grange* in the said County Palatine, and Eastward to or near to *Moss Hall* in the Township of *Prenton* in the said County Palatine of *Chester*, and from thence, by way of *Slush Lane* and *Grange Lane*, to the Turnpike Road between the said City of *Chester* and the *Woodside Ferry*, at or near the East End of the said *Grange Lane* in the Township of *Birkenhead* aforesaid,

aforesaid, and also from *Moss Hall* aforesaid, through *Tranmere* and *Holt Hill*, to the said last-mentioned Turnpike Road at *Lower Tranmere* in the Township of *Tranmere* in the said County Palatine of *Chester*, and from *Tranmere* aforesaid, by the *Well Lane*, to the same Turnpike Road, near a certain Cottage in the said Township of *Tranmere*, called *Kendrick's Cottage*, and now in the Occupation of *Martha Naylor* Widow, and for otherwise carrying the said recited Acts and this Act into Execution.

Appointment of additional Trustees.

II. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered, at their First or Second Meeting to be holden in pursuance of this Act, to elect and appoint any Number of Persons, not exceeding Three in the whole, to be Trustees for the Purposes of this Act and the said recited Acts, in addition to the Trustees hereby nominated and appointed; and such Trustees so elected and appointed, and being qualified according to the Directions of the said recited Acts, shall be and they are hereby invested with the same Powers and Authorities for executing this Act and the said recited Acts, as if they had been named and appointed in and by this Act.

Powers of recited Acts extended to this Act.

III. And be it further enacted, That the said recited Act passed in the Third Year of the Reign of His present Majesty, and all and every the Powers, Provisions, Exemptions, Penalties, Forfeitures, Payments, Remedies, Matters, and Things therein contained, (save and except such Parts thereof as are expressly varied, altered, or repealed by the said recited Act of the Fourth Year of the Reign of His present Majesty, and also save and except such Parts thereof as are expressly varied, altered, or otherwise provided for by this Act), and also the said recited Act passed in the Fourth Year of the Reign of His present Majesty, and all and every the Powers, Provisions, Exemptions, Penalties, Forfeitures, Payments, Remedies, Matters, and Things therein contained, (save and except such Parts thereof as are expressly varied, altered, or otherwise provided for by this Act), and also the said recited Act passed in the Fifth Year of the Reign of His present Majesty, and the Power or Provision therein contained, shall respectively be as good, valid, and effectual for carrying this Act and the several Purposes thereof into Execution, as if the same had respectively been repeated and re-enacted in the Body of this Act.

Meetings of Trustees.

IV. And be it further enacted, That the First Meeting of the said Trustees shall be held at the *Birkenhead Hotel*, in the said Township of *Birkenhead*, or at some other convenient Place within the Lower Division of the Hundred of *Wirral* in the said County Palatine of *Chester*, on the Third *Wednesday* next after the passing of this Act, between the Hours of Eleven of the Clock in the Forenoon and Two of the Clock in the Afternoon; and the said Trustees shall then and there proceed to carry this Act and the said recited Acts into Execution, and shall then, and from Time to Time afterwards, adjourn to and meet at such Times and Places in the Neighbourhood of the said Roads as they may think proper.

V. And

Appointment of Officers.

V. And be it further enacted, That the said Trustees shall and may, by Writing under their Hands, appoint a Clerk or Clerks, Treasurer or Treasurers, Collector or Collectors of the Tolls, and a Surveyor or Surveyors of the said Roads, and such other Officers as they the said Trustees shall think proper; and the said Trustees shall and may, from Time to Time, remove all such Clerks, Treasurers, Collectors, Surveyors, and other Officers, or any of them, and on such Removal, or on Death or Resignation, appoint others in their Stead; and it shall be lawful for the said Trustees, out of any of the Monies arising by virtue of this Act, to pay such Salaries, and to make such Allowances to such Clerks, Treasurers, Collectors, Surveyors, and other Officers, and to such other Person or Persons as shall be assisting in the Execution of this Act, or any of them, as the said Trustees shall think reasonable: Provided always, that no Removal of any Clerk or Treasurer shall take place, unless Ten Days Notice of the Intention of proposing such Removal shall have been given in some Newspaper printed or circulated in the said County Palatine of *Chester*, and affixed upon all the Turnpike Gates on the said Roads.

Treasurer and Clerk not to be the same Person.

VI. 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 or Clerks in the Execution of this Act, or the Partner or Partners of any such Clerk or Clerks, or the Clerk or Clerks, or other Person or Persons in the Service or Employ of any such Clerk or Clerks, or the Clerk or Clerks or other Person or Persons in the Service or Employ of the Partner or Partners of such Clerk or Clerks, the Treasurer or Treasurers for the Purposes of this Act; or to appoint any Person or Persons who may be appointed Treasurer or Treasurers, or the Partner or Partners of any such Treasurer or Treasurers, or the Clerk or Clerks or other Person or Persons in the Service or Employ of any such Treasurer or Treasurers, the Clerk or Clerks 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 or Persons being the Partner or Partners of any such Clerk or Clerks, or the Clerk or Clerks or other Person or Persons in the Service or Employ of any such Clerk or Clerks, shall act as Treasurer, or being the Partner or Partners of any such Treasurer or Treasurers, or the Clerk or Clerks or other Person or Persons in the Service or Employ of any such Treasurer or Treasurers, or the Clerk or Clerks or other Person or Persons in the Service or Employ of the Partner or Partners of such Treasurer or Treasurers, shall act as Clerk in the Execution of this Act, or if any such Treasurer shall hold or accept any Place or Office of Profit or Trust under the said Trustees other than that of Treasurer, every Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person who shall sue for the same, to be recovered, with full Costs of Suit, 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 Imparlance, shall be allowed.

Trustees to set out and make Roads.

VII. And be it further enacted, That it shall be lawful for the said Trustees to set out and make the several Roads herein-before described, and for that Purpose to enter upon, take, and use any Lands, Tenements,

and Hereditaments, first making Satisfaction to the Owners and Occupiers of such Lands, Tenements, and Hereditaments, to be settled and ascertained in manner directed by the said recited Acts.

Roads to be made according to the Map or Plan deposited at the Office of the Clerk of the Peace.

VIII. And whereas a Map or Plan, describing the Lines of the said Roads, and the Lands through or over which the same are to be made or carried, together with a Book of Reference containing a List 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 or therefrom at their Will and Pleasure, paying the Clerk of the Peace 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 the said Trustees in making the said Roads shall not deviate more than One hundred Yards from the Lines described in the said Map or Plan, without the Consent, testified in Writing, of the Person or Persons, Bodies Politic, Corporate, or Collegiate, through whose Lands such Deviation shall be made.

Misnomers not to prevent the Execution of this Act.

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

Trustees restrained from pulling down Houses, &c. without Consent, except those mentioned in the Schedule.

X. Provided always, and be it further enacted, That the Powers and Authorities given by this Act for making the said Roads shall not extend or be construed to extend to empower or authorize the said Trustees to take or pull down any Dwelling House or other Building, or to take in or make use of any Curtilage, Orchard, Garden, Yard, Park, Paddock, Lawn, Shrubbery, planted Walk, or Avenue to a House, or any inclosed Ground planted and set apart as a Nursery for Trees, or any Part thereof respectively, without the Consent in Writing of the Owner or Proprietor thereof, or other Person interested therein, first had and obtained, except such as are mentioned or specified in the Schedule to this Act annexed.

Limiting the Time within which the Trustees may purchase Buildings, &c.

XI. Provided always, and be it further enacted, That if the said Trustees shall not within the Space of Five Years (to be computed from the passing of this Act) agree for or cause to be valued and paid for in manner directed by the said recited Acts, the several Messuages, Cottages, and other Buildings, Gardens, Yards, Plantations, Hereditaments, and Premises in the Schedule to this Act annexed, which they are hereby empowered to purchase, take, and use, or so much thereof as they shall deem necessary or proper for the Purposes of this Act, then and from thenceforth the Powers which are hereby given them for such Purpose shall cease, determine, and be utterly void, save and except with the Consent of the Owners or Proprietors thereof.

Trustees may erect Toll Gates, &c.

XII. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized to erect and set up, or cause to be erected and set up, such and so many Turnpikes, Toll Gates, and Toll Bars, in, upon, or across the said Roads by this Act authorized to be made and maintained, or in, upon, or across any Part or Parts thereof, or upon or near the Side or Sides thereof, as they shall think proper, and from Time to Time to remove the same or any of them, and to erect another or others in the Room or Stead thereof, or to discontinue the same, as the said Trustees shall deem expedient; and also to erect and provide so many Toll Houses with suitable Outhouses and other Conveniences, and to take in and inclose from the Sides of the said Roads such suitable Garden Spots for the same respectively (not exceeding One Eighth Part of a Statute Acre to each Toll House), and to erect and set up so many Weighing Machines at or near each and every or any of such Toll Houses, as to the said Trustees shall seem proper or expedient; provided that none of the said Turnpikes, Toll Gates, or Toll Bars, or Weighing Machines, shall be removed or discontinued as aforesaid, unless Fourteen Days previous Notice of the Intention to remove or discontinue the same shall have been given by Advertisement, to be inserted Twice in some Newspaper or Newspapers printed or circulated in the said County Palatine of *Chester*, and affixed in Writing to or upon all the Turnpikes, Toll Gates, and Toll Bars then standing on the said Roads.

Lamps to be lighted at Toll Houses.

XIII. And be it further enacted, That it shall be lawful for the said Trustees from Time to Time to order and direct one or more Lamp or Lamps to be placed and erected on or against or in front of each and every of the Toll Houses to be erected by virtue of this Act, as they the said Trustees shall think proper; and also to order and direct at what Times of the Year and during what Hours such Lamp or Lamps or any of them shall be kept lighted; and all and every the Collectors and Collector of the Tolls authorized by this Act to be taken and collected, appointed by the said Trustees, and also all and every the Lessees or Lessee thereof, and all and every Persons and Person appointed by any such Lessees or Lessee, who shall neglect or omit to observe and fulfil the Orders of the said Trustees, in respect to the keeping and lighting of such Lamp or Lamps, shall forfeit and pay any Sum not exceeding Forty Shillings for every such Neglect or Omission; and in case any Person or Persons shall damage or injure any Lamp or Lamps to be placed and set up as aforesaid, or extinguish the Lights therein, such Person or Persons shall forfeit and pay any Sum not exceeding Forty Shillings for every such Offence, to be recovered and applied in such and the same Manner as

Penalties

Penalties incurred for Offences against the said recited Acts are by such Acts directed to be recovered and applied.

Power to take Tolls.

XIV. And be it further enacted, That it shall be lawful for the said Trustees, or any Collector or Collectors, or other Person or Persons acting under the Authority of the said Trustees, to demand and take at each and every of the Turnpikes, Toll Gates, and Toll Bars which shall be erected or set up, in, upon, or across the said Roads, or any Part or Parts thereof, or upon or near the Side or Sides thereof, the several and respective Tolls following; (that is to say),

Tolls.

For every Horse or other Beast drawing any Coach, Landau, Berlin, Barouche, Phaeton, Sociable, Chaise, Chariot, Calash, Hearse, Litter, Vis-a-vis, Curricle, Gig, Whiskey, Caravan, Chair, Taxed Cart, or other Carriage of the like Kind, the Sum of Seven-pence:

For every Horse or other Beast drawing any Waggon, Wain, Dray, Cart, or other Carriage of the like Kind, the Sum of Three-pence:

For every Four-wheeled Carriage, fixed in any Manner to any Waggon, Wain, Dray, Cart, or other Carriage, the Sum of One Shilling, and for every Two-wheeled Carriage so fixed, the Sum of Sixpence:

For every Horse, Mule, Ass, or other Beast, laden or unladen, and not drawing, the Sum of Two-pence:

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

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

Tolls vested in Trustees.

Which said respective Tolls or Sums of Money shall be demanded and taken before any Horse or other Beast, Cattle, or Carriage whatsoever, shall be permitted to pass through any such Turnpike, Toll Gate, or Toll Bar; and such respective Tolls or Sums of Money shall be and are hereby vested in the said Trustees, and shall be applied for the Purposes of this Act and the said recited Acts, in manner herein-after directed.

When the Toll amounts to the fractional Part of a Halfpenny.

XV. Provided always, and be it further enacted, That in all Cases where there shall be a fractional Part of a Halfpenny in the Calculation or Amount of the Tolls by this Act granted or authorized to be collected, or any of them, the Sum of One Halfpenny shall be demanded and taken in lieu of such fractional Part.

Number of Tolls limited.

XVI. Provided always, and be it further enacted, That no more than Two full Tolls shall be demanded or taken for the Passage of the same Horse, Beast, Cattle, Carriage, or Thing, 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), through all the Turnpikes, Toll Gates, or Toll Bars maintained and supported by virtue of this Act and the said recited Acts, (except as herein-after mentioned).

Tolls to be paid but Once a Day.

XVII. Provided also, and be it further enacted, That if any Person or Persons shall have paid the Toll hereby authorized to be taken for the passing of any Horse, Cattle, Beast, or Carriage, through any of the Turnpikes,

Turnpikes, Toll Gates, or Toll Bars maintained and supported by virtue of this Act and the said recited Acts, such Horse, Cattle, Beast, or Carriage (except Horses or other Beasts drawing any Stage Coach, Van, Caravan, or Stage Waggon, or other Stage Carriage, or any Post Chaise, or other such like Carriage let out to Hire, when any new Hiring thereof shall be made), shall, upon a Ticket denoting the Payment thereof for that Day being produced (which Ticket the Collector or Collectors of such Tolls is and are hereby required to deliver *gratis* to the Person paying the same, and on which Ticket shall be named and specified the Gate and Gates at which the same shall have been paid, and also the Gate and Gates (if any) freed by the Payment of such Toll), be permitted to pass Toll-free through the same Turnpike, Toll Gate, or Toll Bar, and also through such other Gate or Gates as the Ticket for such Payment shall free, at any Time or Times during the same Day (to be computed as aforesaid); any thing herein contained to the contrary thereof in anywise notwithstanding.

Stage Coaches, &c: to pay each Time of passing;

Post Chaises, &c. on every new Hiring.

XVIII. Provided always, and be it further enacted, That for and in respect of all Horses or other Beasts drawing any Stage Coach, or any Stage Waggon, Van, Caravan, Cart, or other Stage Carriage carrying or conveying Passengers or Goods for Pay, Hire, or Reward, for which Toll shall have been paid, and which shall return on the same Day (to be computed as aforesaid) through the same Turnpike, Toll Gate, or Toll Bar, the Tolls hereby made payable shall be paid for every Time of passing and repassing through such Turnpike, Toll Gate, or Toll Bar, in like Manner as if no Toll had been before paid thereat; and the Tolls hereby made payable shall be paid for and in respect of all Horses or other Beasts drawing any Post Chaise or other Carriage travelling for Hire, for every Time of passing and repassing along the said Roads on the same Day (to be computed as aforesaid), as often as a fresh Hiring thereof shall take place.

No Person to exercise Three Horses at once.

XIX. And be it further enacted, That any Person who shall exercise Three Horses at the same Time upon any Part of the said Roads, by riding one of them and leading the others, shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

One Horse Carts may be weighed.

XX. And be it further enacted, That all Carts passing along the said Roads or any of them, drawn by One Horse only, shall and may be weighed at any Weighing Machine to be erected on the said Roads or any of them, and the like additional Tolls demanded, received, and recovered for the Overweight thereof, as are by Law payable in respect of the Overweight of Carts drawn by Two or more Horses; and all 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 Roads or any of them, drawn by One Horse only, and to the Drivers, Masters, and Owners thereof.

Application of Monies borrowed, and of the Tolls.

XXI. And be it further enacted, That out of the Monies already subscribed or advanced for the Purpose of making the said Roads, or which shall be borrowed on the Credit of this Act, the said Trustees shall in the first Place pay and discharge all the Costs and Expences relative to the obtaining

obtaining and passing this Act, with Interest on any Sum or Sums of Money which shall be advanced for that Purpose; and the Remainder of all such Monies shall be applied in defraying the Expences of making the said Roads, and in purchasing Lands, Hereditaments, and Materials for that Purpose, and in erecting, making, or providing Turnpikes, Toll Gates, Toll Bars, Weighing Machines, and Toll Houses, with Outhouses and Conveniences thereto as aforesaid, and all other Matters and Things necessary or requisite for carrying the Purposes of this Act and the said recited Acts into Execution; and after Payment of all such Expences, the Residue (if any) of such Monies, and all Monies which shall arise or be received from the Tolls by this Act granted, and all other Monies which shall come to the Hands of the said Trustees, shall from Time to Time be applied, first in paying and keeping down the Interest of the Monies borrowed on the Credit of this Act, and in the next place in maintaining, amending, and keeping in repair the said Roads, and the Turnpikes, Toll Gates, Toll Bars, Weighing Machines, Toll Houses, Outhouses, and Conveniences aforesaid, and in otherwise putting this Act and the said recited Acts into Execution, and in repaying the Principal Monies borrowed by virtue thereof, and to or for no other Use or Purpose whatsoever.

No Priority of Mortgages.

XXII. 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 on the Credit of the Tolls granted by this Act and the said recited Acts, or to his, her, or their Assignee or Assignees, in respect to the Priority of the Mortgage or Assignment, or Mortgages or Assignments, or other Security or Securities for the same, or of advancing such Sum or Sums of Money; but all and every Person and Persons to whom any such Mortgage or Assignment shall be made or given, his, her, or their Assignee or Assignees, shall (in proportion to the Sum or Sums therein mentioned) be Creditors under this Act, and in equal Degree one with another, without any Preference or Priority.

Power to make Footpaths, and Penalty for damaging them.

XXIII. And be it further enacted, That it shall be lawful for the said Trustees to make or cause to be made such Causeways or Footpaths on the Side or Sides of the said Roads or any of them, or any Part or Parts thereof, as they shall deem proper, and to place Posts, Rails, and Stones upon or by the Side or Sides thereof; and if any Person or Persons shall ride upon any such Causeway or Footpath, or shall suffer any Horse or other Beast or Cattle to graze upon the said Roads or any of them, or on the Footpaths on the Side or Sides thereof respectively, or shall drive any Horse or other Cattle, or any Swine, or any Cart or other Carriage, or any Wheelbarrow or Truck thereon, or shall cause any Damage whatsoever to be done thereto, or to the Posts, Rails, or Stones laid upon or by the Side or Sides thereof, every Person for every such Offence shall forfeit and pay any Sum not exceeding Forty Shillings, to be levied and recovered by Distress and Sale of his, her, or their Goods and Chattels, in such and the same Manner as is directed for the Recovery of Penalties and Forfeitures in and by the said recited Acts.

Persons liable to the Repair of the present Roads to continue so.

XXIV. And be it further enacted, That all Owners, Occupiers, Grantees, Trustees, Feoffees, and Committees of any Lands, Tenements, and Hereditaments, and all and every other Person and Persons liable by reason

reason of any Tenure, Inclosure, Prescription, Custom, or other lawful Cause of Obligation, to the amending, maintaining, or repairing, or to contribute to the amending, maintaining, or repairing of any Part or Parts of the said Roads, or any Bridge, Causeway, Drain, Arch, or Sewer therein, shall, notwithstanding any thing herein contained, still remain liable and chargeable, in such Manner as they respectively were before the passing of this Act.

Application of Compensation Money whenamounting to 200*l.*

XXV. 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 the said recited Acts and this Act, for the Purposes thereof respectively, which shall belong to any Corporation, Feme Covert, Infant, Lunatic, or Person or Persons under any Disability or Incapacity, as in the said recited Acts particularly mentioned, such Money shall, in case the same shall amount to or exceed 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 Court of Exchequer, to be placed to his Account, *ex parte* the Trustees for executing this Act, pursuant to the Method prescribed by an Act of the First Year of the Reign of His present Majesty King *George* the Fourth, intituled *An Act for the better securing Monies and Effects paid into the Court of Exchequer at* Westminster *on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes,* and the General Orders of the said Court, and without Fee or Reward; 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 in or towards the Discharge of any Debt or Debts, or other Incumbrances, or any Part thereof, as the said Court shall authorize to be paid, affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, and Hereditaments standing settled therewith, or to the same or the like Uses, Trusts, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Lands, 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, or 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 or Settlement shall be existing undetermined and capable of taking effect; and in the meantime and until such Purchase can be made, the said Money shall, by Order of the said Court of Exchequer 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 said Lands, Tenements,

1 G. 4. c. 35.

Tenements, or Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made.

When less than 200*l.* and amounting to 20*l.*

XXVI. And be it further enacted, That if any 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 or exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Lands, Tenements, or 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 Court of Exchequer, and be placed to his Account as aforesaid, in order to be applied in manner before directed; or otherwise the same shall be paid at the like Option to Two Trustees, to be nominated by the Person or Persons making such Option, and approved of by the Trustees for executing this Act (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 therefrom, may be applied in manner herein-before directed, so far as the Case may be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court.

When less than 20*l.*

XXVII. And be it further enacted, That when such Money so agreed or awarded to be paid as last 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, or Hereditaments so purchased, taken, or used for the Purposes of this Act, in such Manner as the said Trustees shall think fit; and 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.

Directions in Cases of not making out Titles, &c.

XXVIII. And be it further enacted, That in case any 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 the said recited Acts and this Act, shall refuse to accept the same, or shall not be able to make a good Title to the Premises to the Satisfaction of the said Trustees, 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 for the said Trustees 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 said Court of Exchequer, to be placed to his Account to the Credit of the Parties interested in the said Lands, Tenements, or Hereditaments (describing them), subject to the Order, Controul, or Disposition of the said Court; which said Court, on the Application of any Person or Persons

making claim to such Sum or 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 said 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 Interests 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 the same, mentioning and specifying for what and for whose Use the same is or are received, to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank as aforesaid.

Respecting disputed Titles.

XXIX. 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 said Court of Exchequer, in pursuance of the said recited Acts and this Act, for the Purchase of any Lands, Tenements, or Hereditaments to be purchased in pursuance of the said Acts and this Act, or to any Bank Annuities to be purchased with any such Money, or to the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in the 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 shewn to the Satisfaction of the said Court; and the Dividends or Interest of the Bank Annuities to be purchased with such Monies, 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.

Court of Exchequer may order Trustees to pay Expences.

XXX. And be it further 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 the said recited Acts or this Act, the Purchase Money for the same shall be required to be paid into the Court of Exchequer, and to be applied in the Purchase of other Lands, Tenements, and Hereditaments, to be settled to the like Uses in pursuance of the said recited Acts or this Act, it shall be lawful for the said Court to order the Expences of all Purchases from Time to Time to be made in pursuance of the said recited Acts or this Act, or so much of such Expences as the said Court shall deem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Trustees, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

Public Act.

XXXI. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others, without being specially pleaded.

Commencement and Continuance of this Act.

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

The

The SCHEDULE to which the foregoing Act refers.

Main Road.

No. on Plan.	TOWNSHIPS.	OWNERS.	OCCUPIERS.	DESCRIPTION.
4	Gayton - -	John Glegg, Esquire -	John Glegg, Esquire	Plantation.
13	Saughall Massie	Thomas Amery - -	Nicholas Peers - -	Garden.
47	Upton - -	John Ellison - -	Thomas Ledsham -	Garden.
48	Upton - -	Thomas Horton, Esquire	Thomas Much - -	Garden.
53	Bidston - -	George Much - -	Sarah Much - -	Garden.
54	Bidston - -	William Joynson - -	William Joynson -	Garden.

Branch Road from Arrow House, Westward, by Greasby and Frankby, to Samuel Randall's Cottage, and from thence to John Rainsford's Cottage, and the South End of Grange Carr Lane respectively.

3	Greasby - -	John Barker - -	John Barker - -	Garden.
4	Greasby - -	Edward Bithell - -	Edward Bithell -	Garden.
5	Greasby - -	Edward Parkinson -	Henry Rowland - -	Garden.
6	Greasby - -	Edward Parkinson -	John Peers - -	Smithy.
7	Greasby - -	Edward Parkinson -	Henry Rowland - -	Garden.
8, 9	Greasby - -	William Roberts -	William Roberts -	Yard and Garden.
10	Greasby - -	Elizabeth Parkinson -	George Rowland - -	Garden.
13	Frankby - -	Peter Phillips - -	Peter Phillips - -	Garden.
14	Frankby - -	John Robin, Esquire -	John Robin, Esquire	Yard.
15	Frankby - -	Peter Phillips - -	Peter Phillips - -	Garden.
16	Frankby - -	Thomas Bloor - -	Thomas Bloor - -	Garden.

Branch Road from Arrow House, Eastward, to Moss Hall, and from thence by way of Slush Lane and Grange Lane to the present Turnpike Road between the City of Chester and the Woodside Ferry, at or near the East End of Grange Lane, in the Township of Birkenhead.

29	Landican - -	Colonel Thomas Wilson Patten - - -	John Thrilford - -	Garden.
43	Tranmere - -	George King, Esquire -	George King, Esquire	Plantation.
45	Tranmere -	Richard Bennett -	Richard Bennett -	Garden.
54	Birkenhead -	George Highton - -	Mrs. Mary Hall -	Gardens.
		Thomas Francis -	John Barrow - -	
		Thomas Francis - -	John Smith - -	
		Alice Gwynn - -	Thomas Hughes - -	
		William Kay - -	William Kay - -	
		Thomas Martin - -	Joseph Nicholls -	

Branch Road from Moss Hall through Tranmere and Holt Hill to Lower Tranmere.

58	Tranmere -	Joseph Bennett - -	Edward Bennett -	Cottage and Garden.
59	Tranmere - -	Thomas Sarratt - -	Thomas Lloyd - -	Garden.
60	Tranmere -	Daniel Orred, Esquire -	John Sidley - -	Garden.
61	Tranmere - -	John Johnson - -	Thomas Lunt - -	Garden.

No. on Plan.	TOWNSHIPS.	OWNERS.	OCCUPIERS.	DESCRIPTION.
62	Tranmere - -	John Johnson - -	Thomas Hughes -	Garden.
63	Tranmere - -	John Pinnington -	William Garner -	Garden.
64	Tranmere -	Esther Foulkes - -	Esther Foulkes - -	Cottage.
65	Tranmere - -	Daniel Orred, Esquire -	Robert Foulkes -	Yard.
67	Tranmere -	John Carter - -	John Carter - -	Garden.
68	Tranmere - -	Anne Bennett - -	William Houghton -	Garden.
69	Tranmere -	Anne Bennett - -	Samuel Peers - -	House.
70	Tranmere - -	John Price - -	John Price - -	Garden.
71	Tranmere -	Captain Richard Parry -	Captain Richard Parry	House, Garden, and Outbuilding.
	Branch Road from Tranmere by the Well Lane to Kendrick's Cottage.			
73	Tranmere -	John Pinnington - -	Edward Goodacre -	House.

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