ANNO SECUNDO

GULIELMI IV. REGIS.

Cap. xxviii.

An Act for more effectually repairing and improving the Roads leading from *Barton Bridge* into the *Manchester* and *Altrincham* Turnpike Road in the County of *Lancaster*. [3d *April* 1832.]

WHEREAS an Act was passed in the Fifty-first Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for amending the Road leading from* Barton Bridge *into the* Manchester *and* Altrincham *Turnpike Road, and also a Branch therefrom into the said Turnpike Road, all in the County of* Lancaster: 51 G. 3. c. 31.
And whereas the Trustees acting in execution of the said Act have proceeded therein, and have made various Improvements and Alterations of the said Roads thereby placed under their Care, for which Purpose, and for the Repair and Maintenance of the same Roads, they have borrowed considerable Sums of Money on the Credit of the Tolls thereby granted, which Sums still remain due and owing: And whereas it would greatly improve the said Roads, and it would be productive of public Utility, if the several Deviations of Road hereinafter mentioned were made and completed, but the same cannot be effected, nor can the same several Roads be effectually maintained, amended, and kept in repair, or the said Monies be repaid, unless the Term of the said Act is extended, and its several Powers and Provisions altered, varied, and enlarged, and the Tolls altered, varied, or increased: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty,

by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said recited Act of the Fifty-first Year of the Reign of His said late Majesty King *George* the Third shall, from and after the Third *Tuesday* next after the passing of this Act, be and the same is hereby repealed.

Recited Act repealed;

and this Act to take effect instead thereof.

II. And be it further enacted, That instead thereof this Act shall commence and take effect and shall be put into execution, for and during the Term herein-after mentioned, for the Purpose of more effectually amending, widening, diverting, altering, improving, maintaining, and repairing the said Road from the said Bridge over the River *Irwell*, called *Barton Bridge*, in the Township of *Barton-upon-Irwell* in the said County of *Lancaster*, through the several Hamlets or Divisions of *Dumplington*, *Bromyhurst*, *Croft's Bank*, *Davyhulme*, and *Lostock*, all in the said County of *Lancaster*, to the Guide Post situate in *Coal-pit Lane* within the Township of *Stretford* in the Parish of *Manchester* in the said County; and from the said Guide Post to the Junction of the said Road with the Turnpike Road from *Manchester* to *Altrincham* in the County of *Chester*, at or near *Oldfield's Smithy*; and from the said Guide Post, through *Derbyshire Lane*, to the Junction of the same Lane with the said Turnpike Road from *Manchester* to *Altrincham*; and also for making and maintaining the following Diversions of Road; (that is to say,) a Diversion of Road commencing at or near the Toll Bar House on the Side of the said Road in the Township of *Barton-upon-Irwell*, and terminating at or near *Dumplington Lane End* in the same Township; another Diversion of the same Road, from and out of the same Road northwardly of the said Guide Post in *Coal-pit Lane* into *Derbyshire Lane* aforesaid, both in the said Township of *Stretford*; and another Diversion of the same Road from and out of *Coal-pit Lane*, and terminating at or near *Butt Lane End* in the said Township of *Stretford*.

Trustees.

III. And be it further enacted, That all His Majesty's Justices of the Peace for the Time being acting for the County Palatine of *Lancaster*, together with *Robert Haldane Bradshaw*, *William Rigby Bradshaw*, *William Bradshaw*, *John Bradshaw*, *Theophilus Barlow*, *James Birch*, the Reverend *Thomas Blackburne*, *Henry Beever*, *Herbert Boyer*, *Richard Watson Barton*, *John Watson Barton*, *Amos Bannister*, *James Bradburn*, *William Bradburn*, *William Brundrit*, the Reverend *John Clowes*, the Reverend *Thomas Clowes*, *Charles Carrington*, *Charles Cooke*, *Henry Cooke*, *Jonathan Dawson*, *Wilbraham Egerton*, *Adam Faulkner*, *John Faulkner*, *William Fogg*, *Lawrence Fogg*, *Lawrence Fogg* junior, *John Gregory* senior, *John Greaves*, *John Hankinson*, *John Holcrot*, *Benjamin Heywood*, *Thomas Heywood*, *Peter Hulme*, *Peter Jackson*, *John Leaf*, *John Moss*, *William Morton*, *John Moore*, *Robert Josias Jackson Norreys*, *Henry Norreys*, *Robert Henry Norreys*, *Shakespear Phillips*, *Aldcroft Phillips*, *Richard Pearson*, *Samuel Renshaw*, *James Renshaw*, *John Rogers*, *William Rogers* of *Croft's Bank*, *William Rogers* senior, of *Davyhulme*, *William Rogers* junior, of *Davyhulme*, *Thomas Raingile*, *Parker Raingile*, *George Lewis Ridehalgh*, *William Sergeant*, *Edwin William Sergeant*, *Peter Shawcross*, *James Shawcross*, *William Stevenson*, *James Sothern*, *John Smith*, *John Sutcliffe*,

Sutcliffe, Joseph Sutcliffe, Thomas Joseph Trafford, Humphrey Trafford, Thomas William Trafford, Rhandolphus John Trafford, Samuel Taylor, Edmund Taylor senior, *Edmund Taylor* junior, *William Tetlow, Samuel Walker, John Walker, John Wilkinson, Matthias Webb,* and their Successors, being duly qualified to act as Trustees of Turnpike Roads in *England* according to the Laws respecting Trustees of Turnpike Roads in *England,* shall be, and they and their Successors, to be duly elected according to the Laws respecting Turnpike Roads in *England,* are hereby appointed Trustees for putting this Act and the several Acts relating to Turnpike Roads in *England* into execution.

Power to appoint additional Trustees.

IV. And be it further enacted, That it shall be lawful for the said Trustees from Time to Time, at any Meeting to be holden for that Purpose, to nominate and appoint any Number of Persons duly qualified to act as Trustees of Turnpike Roads in *England,* not exceeding Three in the whole, to be Trustees for the Purposes of this Act, in addition to the Trustees hereby nominated; and such Trustees so to be appointed, being duly qualified, shall be and they are hereby invested with the same Powers and Authorities for executing this Act as if they had been hereby expressly and by Name nominated and appointed.

First Meeting of Trustees.

V. And be it further enacted, That the Trustees for executing this Act shall meet at the *Nag's Head* Inn at *Croft's Bank* aforesaid, or at some other convenient House or Place near to the said Roads by this Act authorized to be maintained, improved, and kept in repair, in the said Township of *Barton-upon-Irwell* or in the said Township of *Stretford,* on the Third *Wednesday* next after the passing of this Act, or as soon after as conveniently may be, between the Hours of Eleven of the Clock in the Forenoon and Two of the Clock in the Afternoon, and shall then and there proceed to the Execution of this Act; and the said Trustees shall and may then and from Time to Time afterwards adjourn to and meet at such Place or Places on or near the said Roads by this Act authorized to be maintained, improved, and kept in repair, as may be found convenient.

Trustees may make Diversions of Road.

VI. And be it further enacted, That it shall be lawful for the said Trustees from Time to Time to make, improve, and keep in repair the several Diversions of Road herein-after mentioned; (that is to say,) a Diversion of Road commencing at or near the Toll Bar House on the Side of the said Road in the Township of *Barton-upon-Irwell,* and terminating at or near *Dumplington Lane End* in the same Township; another Diversion of the same Road, from and out of the same Road northwardly of the said Guide Post in *Coal-pit Lane,* into *Derbyshire Lane* aforesaid, both in the said Township of *Stretford;* and another Diversion of the same Road from and out of *Coal-pit Lane,* and terminating at or near *Butt Lane End* in the said Township of *Stretford;* and also to widen, alter, and improve the said Roads by this Act authorized to be maintained, improved, and kept in repair.

Map or Plan deposited at the Office of

VII. And whereas a Map or Plan describing the Lands, Buildings, and Hereditaments in, upon, through, over, and along which the

the Clerk of the Peace, to remain there, and be open to Inspection.

the several Diversions, Widenings, Alterations, and Improvements of the said Roads by this Act authorized to be maintained, improved, and kept in repair are intended to be made, together with a Book of Reference to such Map or Plan, containing Lists of the Names of the several Owners or reputed Owners and Occupiers of such Lands, Buildings, and Hereditaments, hath been deposited at the Office of the Clerk of the Peace for the said County of *Lancaster*; be it therefore further enacted, That the said Map or Plan and Book of Reference shall remain in the Custody of the said Clerk of the Peace, to the end that all Persons may at all seasonable Times have Liberty to inspect and peruse the same, and to take Copies thereof or Extracts therefrom, at their Will and Pleasure, paying to the said Clerk of the Peace for the Time being 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; and the said Trustees, in making such Diversions, Widenings, Alterations, and Improvements, shall not deviate more than One hundred Yards from the Lines described in the said Map or Plan, without the Consent and Approbation in Writing of the Person or Persons, Bodies Politic, Corporate, or Collegiate, through, over, or along whose Lands or Grounds the said intended Diversions, Widenings, Alterations, and Improvements respectively shall be made.

Lands marked in the Plan may be used notwithstanding Errors in the Book of Reference.

VIII. Provided always, and be it further enacted, That it shall be lawful for the said Trustees to take and use the several Lands, Buildings, and Hereditaments described in the said Map or Plan for making the said intended Diversions, Widenings, Alterations, and Improvements hereby authorized to be made, although the Name or Names of the Person or Persons being the Owner or Owners, Occupier or Occupiers thereof may happen to be erroneously described or to be admitted in the said Book of Reference or in the Schedule to this Act annexed, in case it shall appear to any Two or more Justices of the Peace for the said County Palatine of *Lancaster*, and shall be certified by Writing under their Hands, that such Error or Omission proceeded only from Mistake.

Trustees restrained from pulling down Houses, &c. without Consent.

IX. Provided always, and be it further enacted, That the Powers and Authorities hereby given 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 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.

Power of purchasing limited to Five Years.

X. Provided also, and be it further enacted, That if the several Houses and other Premises hereby authorized to be purchased, and specified in the Schedule to this Act annexed, shall not be so purchased or agreed to be purchased, or the Value thereof assessed or ascertained by a Jury in the Manner directed by any Act or Acts for regulating Turnpike Roads in *England*, within Five Years next after the

the passing of this Act, it shall not be lawful for the said Trustees to take or use any of the same Houses and other Premises without the Consent in Writing of the Owners or Proprietors thereof respectively first had and obtained.

Power to take Tolls.

XI. And be it further enacted, That it shall be lawful for the said Trustees to demand and take, or cause to be demanded and taken, the several Tolls following at each and every Turnpike, Toll Gate, Side Gate, Bar, and Chain, which now is or shall hereafter be set up or continued upon, across, or by the Side of the said Roads by this Act authorized to be maintained, improved, and kept in repair, before any Horse or other Beast, and before any such Carriage as herein-after mentioned, shall be permitted to pass through the same; (that is to say,)

Tolls.

For every Horse or other Beast of Draught drawing any Coach, Sociable, Chariot, Berlin, Landau, Vis-a-vis, Barouche, Phaeton, Curricle, Calash, Chaise, Chair, Gig, Whiskey, Tax Cart, Caravan, Hearse, Litter, or other such Carriage, the Sum of Sixpence:

For every Horse or other Beast of Draught drawing any Waggon or other such Carriage, with Wheels of the Breadth of Six Inches or upwards at the Bottom or Soles thereof, the Sum of Eight-pence:

For every Horse or other Beast of Draught drawing any Waggon or other such Carriage, with Wheels of the Breadth of Four and a Half Inches and of less Breadth than Six Inches at the Bottom or Soles thereof, the Sum of Ten-pence:

For every Horse or other Beast of Draught drawing any Waggon or other such Carriage, with Wheels of less Breadth than Four and a Half Inches at the Bottom or Soles thereof, the Sum of One Shilling:

For every Horse or other Beast of Draught drawing any Cart or other such Carriage, with Wheels of the Breadth of Six Inches or upwards at the Bottom or Soles thereof, the Sum of Four-pence:

For every Horse or other Beast of Draught drawing any Cart or other such Carriage, with Wheels of the Breadth of Four and a Half Inches and of less Breadth than Six Inches at the Bottom or Soles thereof, the Sum of Five-pence:

For every Horse or other Beast of Draught drawing any Cart or other such Carriage, with Wheels of less Breadth than Four and a Half Inches at the Bottom or Soles thereof, the Sum of Sixpence:

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

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

And for every Carriage, of whatever Description and for whatever Purpose, which shall be drawn or impelled or set or kept in Motion by Steam, or by any other Power or Agency than being drawn by any Horse or Horses or other Beast or Beasts of Draught, the Sum of Four Shillings.

Tolls to be paid but once on passing and returning, except when laden with Five Hundred Weight.

XII. Provided always, and be it further enacted, That in case the full Toll hereby authorized to be taken for the passing of any Horse or other Beast or Carriage through any One of the said Turnpikes, Toll Gates, Side Gates, Bars, or Chains shall have been paid at such one Turnpike, Toll Gate, Side Gate, Bar, or Chain, such Horse or other Beast or Carriage shall (on a Ticket denoting such Payment on that Day being produced) be permitted to pass once, and to return Toll-free (except as herein-after particularly mentioned), through all other Turnpikes, Toll Gates, Side Gates, Bars, and Chains (if any) which now are or hereafter shall be set up or continued upon, across, or by the Side of the said Roads by this Act authorized to be maintained, improved, and kept in repair, and also to return once through the Turnpike, Toll Gate, Side Gate, Bar, or Chain at which such Toll shall have been paid as aforesaid Toll-free (except as herein-after particularly mentioned), at any Time during the same Day (the Day for the Purposes of this Act generally to be computed from Twelve of the Clock in the one Night to Twelve of the Clock in the next following Night), unless in the Cases of any Horse or Beast or Horses or Beasts drawing any Waggon, Cart, or other such Carriage laden, both on passing and returning, with the Weight of Five Hundred Weight or upwards, of One hundred and twelve Pounds to the Hundred Weight, in which Cases full Toll shall be paid each Time both when passing and returning.

Tolls to be paid each Time of passing or returning with a different Loading.

XIII. Provided also, and be it further enacted, That no Horse or Horses or other Beast or Beasts of Draught for which Toll shall have been paid at any of the said Turnpikes, Toll Gates, Side Gates, Bars, or Chains, and which shall return or pass on the same Day through any of the same Turnpikes, Toll Gates, Side Gates, Bars, or Chains, or any other Turnpike, Toll Gate, Side Gate, Bar, or Chain, upon, across, or by the Side of the said Roads by this Act authorized to be maintained, improved, and kept in repair, drawing another or different Waggon, Cart, or any other Carriage whatsoever, shall return or pass through the same or any such other Turnpike, Toll Gate, Side Gate, Bar, or Chain, on the same Day, without paying Toll again, and in the same Manner as on a first Time of passing; any thing herein contained to the contrary thereof notwithstanding.

Tolls payable again after passing and returning.

XIV. Provided also, and be it further enacted, That if any Horse or other Beast, drawing or not drawing, shall pass more than once on the same Day through any of the said Turnpikes, Toll Gates, Side Gates, Bars, or Chains, the same Toll shall and may be again demanded and taken for every such Horse or other Beast for each Time of such passing as may be demanded and taken for the same respectively upon first passing, and as if no Toll had been before paid for the same on the same Day, but with the same Privilege of returning on the same Day Toll-free after each such passing as herein-before is mentioned respecting the returning after the first Time of passing.

Stage Coaches, &c. to pay Toll every Time

XV. Provided also, and be it further enacted, That for and in respect of all Horses or Beasts of Draught drawing any Stage Coach, Waggon, Van, Caravan, Cart, or Stage Carriage whatsoever carrying

Passengers or Goods for Payment, Hire, or Reward, and for and in respect of all Waggons, Coaches, and Carriages whatsoever drawn, impelled, or set or kept in Motion by Steam, or by any other Power or Agency than being drawn by any Horse or Horses or Beast or Beasts of Draught, for which Toll shall have been paid for passing through any of the said Turnpikes, Toll Gates, Side Gates, Bars, or Chains, and which shall return on the same Day through the same Turnpike, Toll Gate, Side Gate, Bar, or Chain, the Tolls hereby made payable shall be paid for every Time of passing or returning through the same Turnpike, Toll Gate, Side Gate, Bar, or Chain, in like Manner as if no Toll had before been paid thereat on the same Day: Provided always, that no further or additional Toll shall be payable in respect of any such Stage Coach, Waggon, Van, Caravan, Cart, or Stage Carriage, on account only of the Horses drawing the same having been changed.

of passing or repassing;

XVI. Provided also, and be it further enacted, That the Tolls hereby made payable shall be paid for or in respect of all Horses or Beasts of Draught drawing any Post Chaise or other Carriage for Hire for every Time of passing or returning through any of the said Turnpikes, Toll Gates, Side Gates, Bars, or Chains, as often as any new or fresh Hiring thereof shall be made or take place.

Post Chaises on every fresh Hiring.

XVII. Provided also, and be it further enacted, That no Person shall be subject or liable to the Payment of any Toll more than once in the same Day for any Horse, Mule, Ass, or Beast of Burthen laden only with, or drawing any Cart or other Carriage laden only with, Milk, Butter, Whey, Butter-milk, or Curds, and the Cans or Vessels containing the same, besides the Rider or Driver, or returning laden only with, or drawing any Cart or other Carriage laden only with, the empty Cans or Vessels in which such Milk, Butter, Whey, Butter-milk, or Curds shall have been conveyed, besides the Rider or Driver; any thing herein contained to the contrary notwithstanding.

Tolls to be paid for Milk only once a Day.

XVIII. And whereas by the Laws for regulating Turnpike Roads in *England* no Toll can be demanded or taken on any Turnpike Road for any Horse or Beast or other Cattle or Carriage employed in carrying or conveying, having been employed only in carrying or conveying on the same Day, any Dung, Soil, Compost, or Manure (save and except Lime) for improving Lands: And whereas Horses, Beasts, or other Cattle, or Carriages, carrying or conveying Hay, Straw, Fodder for Cattle, and Corn in the Straw, Potatoes, or other Agricultural Produce to the Town of *Manchester*, and for which Toll has been paid at the Toll Gates or Bars on the said Roads, frequently return on the same Day laden with Muck, Dung, Marl, Soil, Lime, Compost, or other Manure, but in consequence of having been employed for another Purpose on the same Day than in the Carriage of Muck, Dung, Soil, Compost, or other Manure, Toll again becomes payable for the same upon returning through the same Toll Gates or Bars at which Toll was before paid: And whereas the Payment of such further Toll has been found burthensome; be it therefore enacted,

Exemption from Tolls on Manure.

enacted, That in case the full Toll payable under the Authority of this Act shall have been paid for the passing of any Horse, Beast, or Carriage through the said Turnpikes, Toll Gates, Side Gates, Bars, or Chains, and a Ticket denoting such Payment on that Day shall be produced, no Toll shall be demanded or taken for any such Horse, Beast, or Carriage on returning the same Day through such Turnpikes, Toll Gates, Side Gates, Bars, or Chains, laden only with Muck, Dung, Marl, Soil, Lime, Compost, or Manure for the Improvement of Land, nor for any empty Basket or Sack, nor for any Spade, Shovel, or Fork, necessary for loading or unloading such Muck, Dung, Marl, Soil, Lime, Compost, or Manure, being in or upon such Carriage, notwithstanding such Carriage shall have been laden both on going and returning with the Weight of Five Hundred Weight or upwards.

Double Tolls to be paid for Carriages which cannot be weighed.

XIX. And whereas it frequently may happen that Carriages may be drawn upon the said Roads laden with excessive Weights, which Carriages by reason of their Construction cannot be weighed at the Weighing Machines commonly used on Turnpike Roads, and the said Roads by this Act authorized to be maintained, improved, and kept in repair may receive considerable Damage thereby, for which the Tolls herein-before authorized will not be a sufficient Compensation; be it therefore enacted, That in all Cases where any such Carriage shall be used upon the said Roads hereby authorized to be maintained, improved, and kept in repair, constructed so that by the ordinary Weighing Machines erected thereon it cannot be accurately weighed, there shall be paid in respect of every Horse or Beast of Draught drawing such Carriage Double the Amount of the Tolls herein-before authorized to be taken.

One-horse Carts to be weighed.

XX. And whereas it frequently happens that Carts drawn by One Horse or Beast of Draught passing upon and along the said Roads carry a greater Weight than is by Law allowed for Carts drawn by Two or more Horses; be it therefore enacted, That any Cart or other such Carriage passing along the said Roads repairable by virtue of this Act, though drawn by One Horse or Beast of Draught only, shall and may be weighed at any Weighing Machine now or hereafter to be erected on or by the Side of the same Roads, and the like additional Tolls or Sums of Money shall and may be demanded, received, and recoverable for the Overweight thereof as are by Law payable in respect of the Overweight of Carts or such like Carriages drawn by Two or more Horses; and every Waggon, Wain, Cart, or other such Carriage drawn or impelled or set or kept in Motion by Steam, or by any other Power or Agency than being drawn by any Horse or Horses or other Beast or Beasts of Draught, shall and may also be weighed at any such Weighing Machine; and all and every the Clauses and Provisions contained in any Act or Acts now or hereafter to be in force for regulating the Weights of Waggons, Wains, Carts, or other Carriages in *England*, and imposing additional Tolls or Sum of Money for Overweight, shall, from and after the Commencement of this Act, apply and be deemed to apply to Waggons, Wains, Carts, and other such Carriages drawn or impelled or set or kept in Motion by Steam, or by any other Power or Agency than

than being drawn by any Horse or Horses or other Beast or Beasts of Draught passing along the said Roads repairable by virtue of this Act; and all the Powers, Regulations, and Penalties in force relating to the weighing of Waggons, Carts, or other such Carriages drawn by more than One Horse, and to the Drivers, Masters, and Owners thereof, shall be applicable to Carts or such like Carriages drawn by One Horse or Beast of Draught only, and also to Waggons, Wains, Carts, or such like Carriages drawn or impelled or set or kept in Motion by Steam, or by any other Power or Agency than being drawn by a Horse or Horses or Beast or Beasts of Draught passing along the same Roads, and to the Drivers, Masters, and Owners thereof respectively.

Application of Tolls.

XXI. And be it further enacted, That all Monies, Tolls, Penalties, and Effects which shall have been raised and produced by virtue of the said recited Act hereby repealed, and which shall remain undisposed of at the Time of passing this Act, and also all the Monies which shall arise and be produced by or from the Tolls made payable by this Act, together with the Monies which shall be borrowed on the Credit thereof, and all other Monies which shall arise by virtue thereof, shall be applied to and for the several Uses, Intents, and Purposes, and in the Order and Manner following; (that is to say,) in the first place, in the Payment of all the Costs, Charges, and Expences which shall have been incurred in applying for, preparing, obtaining, and passing this Act, and otherwise relative thereto respectively, with Interest for the same; secondly, in Payment of the Expences of erecting and providing, altering and repairing, Turnpikes, Toll Houses, Side Gates, Side Bars, Chains, and Weighing Machines, with suitable Out-buildings, upon, across, and by the Sides of the said Roads by this Act authorized to be maintained, improved, and kept in repair, and of Books, Advertisements, Salaries of Officers, and other Expences incidental to the Execution of this Act; thirdly, in paying and keeping down the Interest of all Principal Monies which at the Commencement of this Act shall be due and owing to any Mortgagee or Mortgagees of the Tolls arising by virtue of the said recited Act hereby repealed, in preference to the Interest of any Monies to be borrowed on the Credit of the Tolls which shall be payable by virtue of this Act; fourthly, in paying and keeping down the Interest of the Principal Monies which shall be borrowed on Security of the Tolls which shall be payable by virtue of this Act; fifthly, in amending, altering, diverting, turning, widening, improving, and keeping in repair the said Roads by this Act directed to be maintained, improved, and kept in repair, and in making, providing, and keeping in repair proper and sufficient Footpaths, Causeways, Bridges, Ditches, Sewers, Soughs, Fences, Rails, Posts, Boards, and other necessary Matters and Things thereon, and in repaying the Principal Monies which at the Commencement of this Act shall be due and owing on Security of the Tolls arising by virtue of the said recited Act hereby repealed; and lastly, in repaying the Principal Monies hereafter to be borrowed on Credit of the Tolls arising by virtue of this Act.

Footpaths to be deemed Part of Road.

XXII. And be it further enacted, That all and every the Footpaths on the Sides of and adjoining the said Roads by this Act directed to be maintained, improved, and kept in repair, shall be and the same are hereby declared to be subject to the Regulations of this Act, and to be Part of the same Roads, and shall be repaired and amended by the said Trustees by such Ways and Means and in such Manner as such Roads are and shall be repaired and amended.

Trustees not to take Gravel, &c. within 200 Yards of the Locks on the Rivers Mersey and Irwell, nor within Four Yards of the Banks thereof.

XXIII. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees, or their Surveyor or Surveyors, or any other Person or Persons to be employed in the Execution of this Act, to dig or gather any Gravel, Sand, or other Materials out of the Rivers *Mersey* and *Irwell*, or either of them, so far as the same are made navigable by Law, within the Distance of Two hundred Yards of any Lock or Wier erected on either of the said Rivers, or within the Distance of Four Yards of the Banks or Sides of the said Rivers, or either of them, unless with the Consent of the Proprietors of the Lands adjoining the said Rivers, or either of them, or to undermine, take, or remove any Stones or other Materials which are or shall be placed for preserving or supporting the Banks of either of the said Rivers, or any other River whatsoever.

Penalties for such Offence.

XXIV. And be it further enacted, That if any Person or Persons who shall be employed by the said Trustees or their Agents shall be guilty of the Offence of digging or gathering any Gravel, Sand, or other Materials out of the said Rivers *Mersey* and *Irwell*, or either of them, so far as the same are made navigable as aforesaid, or within the Distance of Two hundred Yards from any Lock or Weir erected on either of the said Rivers, or within the Distance of Four Yards of the Banks or Sides of the said Rivers, or either of them, unless with the Consent of the Committee of Managers elected or appointed by the Undertakers of the Navigation of the said Rivers for the Time being, or shall obstruct the Passage of any Boat or Vessel that is liable to pay Tonnage, or shall draw up or let down any Clow upon or in any Weir erected on either of the said Rivers, and shall be convicted thereof upon Oath, or Affirmation of a Quaker, before any One of the Justices of the Peace for the said County of *Lancaster* (which Oath or Affirmation the said Justices are hereby empowered to administer), every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings, to be recovered, paid, and applied to the Use of the Proprietors of the said Navigation.

No Troughs for Water to be placed on the Road.

XXV. And be it further enacted, That no Person shall erect or place, or continue if heretofore erected or placed, any Trough or other Vessel for the Purpose of watering Horses or other Cattle on any Part of the said Roads repairable by virtue of this Act, and every Person so offending shall forfeit and pay any Sum not exceeding Five Pounds.

Penalty for exposing Swine to Sale on the Roads.

XXVI. And be it further enacted, That if any Person or Persons shall, after the Commencement of this Act, expose for Sale any Pigs,

Swine, Beast, or Sheep upon the said Roads repairable by virtue of this Act, or any Part thereof respectively, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

To prevent Accidents from furious driving.

XXVII. And whereas many Accidents happen and great Mischiefs are frequently done by the furious driving of Carts, Carriages, and Horses upon the said Roads by the Persons having the Care of the same; be it therefore enacted, That if any Person having the Care of or driving any Waggon, Cart, or other such Carriage upon the said Roads by this Act authorized to be maintained, improved, and kept in repair, (except light Carts upon Springs, and drawn by One Horse or other Beast of Draught only, and conducted by some Person upon the same holding the Reins of the Horse or Beast drawing the same,) shall wilfully suffer the Horse or Horses or Beast or Beasts drawing the same to go faster than a Walk; or if any Person having the Care of or driving upon the same Roads any light Cart upon Springs, and drawn by One Horse or other Beast of Draught only, and driven by Reins, shall wilfully suffer the Horse or Beast drawing the same to go faster than a Trot; or if any Person driving or riding upon any Horse or other Beast carrying Milk Cans, Crates, Cans, or Panniers on the same Roads, shall not keep the said Horse or Beast on the Left-hand Side of the Centre of the said Roads, or shall permit or suffer the same to go faster than a Trot, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Public Act.

XXVIII. 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.

Term of Act.

XXIX. And be it further enacted, That this Act shall commence and take effect upon the Third *Wednesday* next after the passing thereof, and shall continue and be in force and be executed for and during the Term of Thirty-one Years, and from thence to the End of the then next Session of Parliament.

The

The SCHEDULE referred to by the foregoing Act.

The Township of Barton-upon-Irwell in the Parish of Eccles.

No. on Plan deposited with the Clerk of the Peace.	Owners.	Lessees.	Occupiers.	Description of Property.
1	Trustees of Barton Bridge and Stretford Road - -	- - -	- - -	Toll House.
2	Thomas Joseph Trafford Esquire -	- - -	Mary Rogerson -	Stable, Pigstye, and Garden.
3	Ditto - -	- - -	Ditto - -	Arable Land.
4	Ditto - -	- - -	Adam Stott - -	Pasture Land.
5	Ditto - -	John Hankinson -	Thomas Siddall -	Arable Land.
6	Ditto - -	- - -	John Holcroft - -	Ditto.
7	Thomas Royle - -	- - -	Betty Rogerson -	Ditto.
8	Ditto - -	- - -	Ditto - -	Ditto.
9	Thomas Joseph Trafford Esquire -	- - -	Adam Stott - -	Ditto.
10	William Rogers -	- - -	Betty Rogerson -	Ditto.
11	Thomas Joseph Trafford Esquire -	William Rogers -	Ditto - -	Ditto.
12	Ditto - -	Ditto - -	William Thornton -	Garden.
13	Ditto - -	- - -	William Burghell -	Arable Land.
14	Ditto - -	John Bithell -	Ann Bithell - -	Garden.
15	Ditto - -	Ditto - -	John Bithell - -	Ditto.
16	James Claney Esquire	- - -	Samuel Renshaw -	Garden and Fold.
17	Ditto - -	- - -	Ditto - -	Pasture Land and Wood Shed.

The Township of Stretford in the Parish of Manchester.

18	Thomas Joseph Trafford Esquire -	Samuel Renshaw -	Thomas Harrop -	Garden.
19	Ditto - -	John Booth - -	Samuel Hatton - -	Ditto.
20	Ditto - -	John Whitehead -	John Heald - -	Ditto.
21	Ditto - -	John Moss - -	Ditto - -	Ditto.
22	Ditto - -	Ditto - -	John Moss - -	Arable Land.
23	Ditto - -	- - -	William Bancroft -	Ditto.
24	Ditto - -	Peter Coupe -	James Hale junior -	Garden.
25	Ditto - -	Ditto - -	James Hale senior -	Arable Land.
26	Ditto - -	- - -	John Owen - -	Garden.
27	Ditto - -	Thomas Raingill -	Joseph Baker - -	Ditto.
28	Ditto - -	- - -	William Bancroft -	Arable Land.
29	Ditto - -	John Brownhill -	John Hampson -	Ditto.
30	Ditto - -	Ditto - -	John Gibbon - -	Garden.
31	Ditto - -	Ditto - -	John Owen - -	Ditto.
32	Ditto - -	Ditto - -	Samuel Gibbon -	Ditto.
33	Ditto - -	William Fallows -	George Hill - -	Stable.
34	Ditto - -	Ditto - -	William Fallows -	House and Shed.
35	Ditto - -	Henry Knight -	Thomas Woodhall -	Garden.
36	Ditto - -	Ditto - -	James Rogerson -	Ditto.
37	Ditto - -	Ditto - -	Alexander Valentine -	Ditto.
38	Ditto - - -	Ditto - -	Mary Hollinsworth -	Ditto.
39	Ditto - -	James Pearson -	George Lewis - -	Ditto.
40	Ditto - -	Frances Sellers -	William Taylor - -	Arable Land.
41	Ditto - -	John Chadwick -	John Chadwick -	Garden.

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