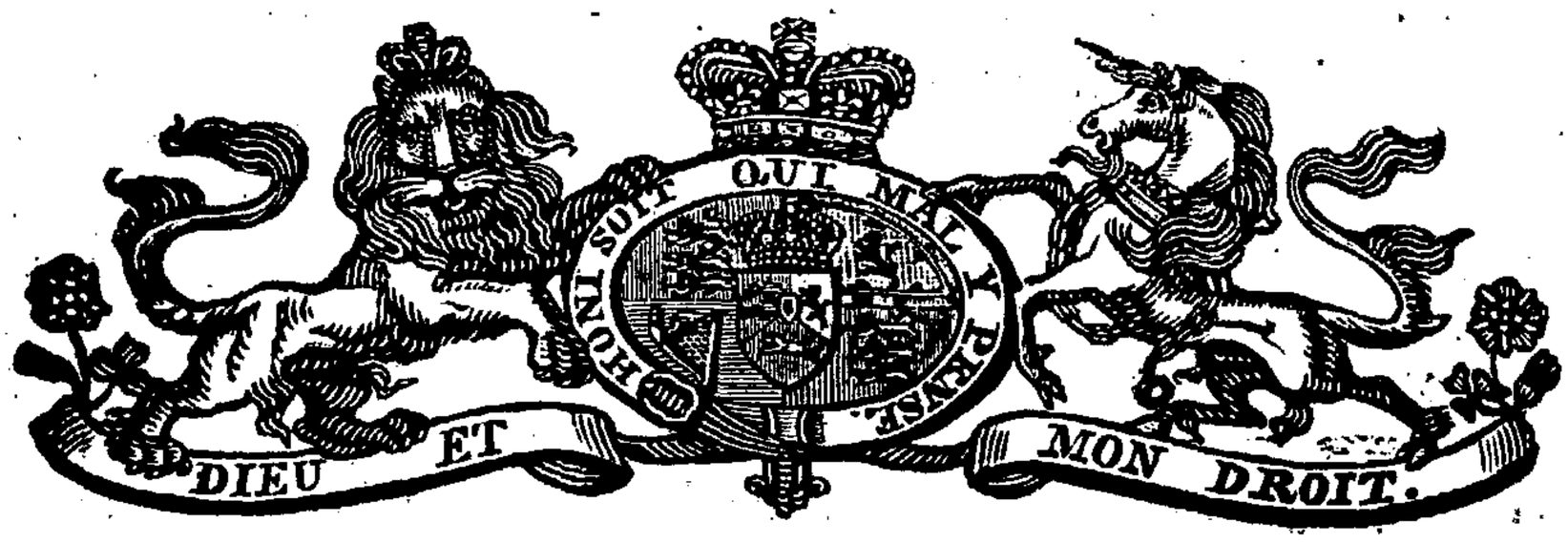


ANNO SEPTIMO & OCTAVO

GEORGII IV. REGIS.

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to the South End of Wilderspool Causeway, *and from* Frodsham *to* Ashton Lane End, *in the County of* Chester, *so far as relates to the* Frodsham *District of the same Road:* And whereas an Act was passed in the Third Year of the Reign of His 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 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 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:* And whereas the Trustees acting under or by virtue of the said recited Acts of the Twenty-sixth and Forty-seventh Years of the Reign of His said late Majesty (so far as relates to the said *Frodsham* District of the same Road therein and herein-after mentioned, comprising such Part of the said Roads as lies between the Market House in the Town of *Frodsham* and a certain Sign or Place called *The Saracen's Head*, near the South End of the Causeway called *Wilderspool Causeway* in the Township of *Appleton* in the said County of *Chester*,) have proceeded to put the same into Execution, and have made considerable Progress in repairing and improving the said *Frodsham* District of the same Road by the said recited Acts directed to be repaired and improved; and have also borrowed several large Sums of Money on the Credit of the several Tolls thereby authorized to be taken on the said *Frodsham* District of the said Road, which Sums of Money, or the greatest Part thereof, still remain due and owing on the Credit of the said Tolls, and the same cannot be paid off, nor can the said *Frodsham* District of the said Road be effectually amended, widened, improved, and kept in repair, unless the Term granted and continued by the said Act passed in the Forty-seventh Year of His said late Majesty be further continued: And whereas the making and maintaining of an Extension or new Branch of Road from the said Road at or near the Public House called *The Stag*, now occupied by *Amos Barnes*, situate in the Township of *Lower Walton* in the said County of *Chester*, to the Township of *Grappenhall* in the same County, at or near the Point where the new Turnpike Road to *Stockport* adjoins the present *Knutsford* Turnpike Road, would be of great public Utility: And whereas it would be more convenient if the said recited Acts of the Twenty-sixth and Forty-seventh Years of the Reign of His said late Majesty (so far as relates to the said *Frodsham* District or Division of the said Roads) were repealed, and further, better, and more effectual Powers and Provisions granted instead thereof, as well for repairing, widening, diverting, and improving the present Road included in the said *Frodsham* District or Division mentioned and comprised in the same recited Acts, as also for making and maintaining the said Extension or new Branch of Road herein-before mentioned; but the beneficial Purposes aforesaid cannot be effected without the Aid and Authority of Parliament: May it therefore

3 G. 4. c. 126.

4 G. 4. c. 95.

5 G. 4. c. 69.

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 from and after the passing of this Act the said recited Acts of the Twenty-sixth and Forty-seventh Years of the Reign of His said late Majesty King *George* the Third, so far as relates to the said *Frodsham* District or Division of the same Road, (which comprises the Road from the Market House in the Town of *Frodsham* to a certain Sign or Place called *The Saracen's Head*, near the South End of the Causeway called *Wilderspool Causeway*, in the Township of *Appleton* aforesaid,) shall be and the same are hereby declared to be repealed, and null and void to all Intents and Purposes whatsoever.

Recited Acts of 26 and 47 G. 3. repealed.

II. And be it further enacted, That this Act shall be put in execution for and during the Term herein-after mentioned, as well for the Purpose of more effectually amending, widening, diverting, altering, repairing, improving, and keeping in repair the said Road from the Market House in the Town of *Frodsham* aforesaid to a certain Sign or Place called *The Saracen's Head*, near the South End of the Causeway called *Wilderspool Causeway*, in the Township of *Appleton* aforesaid, as also for making and maintaining an Extension or new Branch of Road from the said Main Road at or near the said Public House called *The Stag*, now occupied by *Amos Barnes*, situate in the said Township of *Lower Walton*, to the said Township of *Grappenhall*, near the Point where the new Turnpike Road to *Stockport* adjoins the present *Knutsford* Turnpike Road, and for otherwise putting the said recited Acts of the Third, Fourth, and Fifth Years of the Reign of His said present Majesty and this Act in execution.

This Act to be put in execution.

III. And be it further enacted, That this Act, and the Tolls hereby granted and to be received and taken, shall be and the same are hereby made subject and liable to the Payment of all Monies which at the Time of the Commencement of this Act shall be due and owing on the Credit of the Tolls authorized to be taken and collected upon the said *Frodsham* District or Division of the said Roads by virtue of the said recited Acts of the Twenty-sixth and Forty-seventh Years of the Reign of His said late Majesty King *George* the Third, and of all Interest due and to grow due thereon respectively, and also to the Payment of all other Debts and Sum or Sums of Money which shall be due and owing to any Person or Persons whomsoever in respect of the same *Frodsham* District or Division of the said Road, as fully and effectually to all Intents and Purposes as if such Monies had been borrowed and become due and owing on the Credit of this Act, or of the Tolls hereby authorized to be collected.

Tolls granted by this Act made liable to the original Debt.

IV. And be it further enacted, That all Conveyances, Bonds, Covenants, Agreements, Contracts, and Securities made to or by or entered into on account of the said *Frodsham* District of the said

Securities, &c. under former Acts to continue in force.

said Roads, by any Person or Persons whomsoever, to or with the Trustees for executing the said recited Acts of the Twenty-sixth and Forty-seventh Years of the Reign of His said late Majesty King *George* the Third, according to the Directions and Provisions thereof respectively, shall remain in full Force and Effect, and shall be and continue available in all Courts of Law and Equity, until the same shall be fully satisfied and performed on account of the several Trusts under this Act; and all Bargains, Contracts, Agreements, or Notices, made, entered into, or given by the Trustees for executing the said last-mentioned Acts with or to any Person or Persons for any Purpose relating to the said *Frodsham* District or Division of the said Road, or to the Execution of the said last-mentioned Acts, so far as the same relate to the said *Frodsham* District or Division of the said Road, shall remain in full Force and Effect, and shall be observed and kept by the Trustees under this Act, and by the other respective Parties to such Contracts, Agreements, or Notices, according to the Terms, Stipulations, and the true and equitable Intent and Meaning thereof, notwithstanding the Repeal of such last-mentioned Acts.

Books under former Acts to be Evidence under this Act.

V. And be it further enacted, That all Books kept for registering Mortgages and Assignments, and all Entries made therein, and all Books of Proceedings of the Trustees of the said *Frodsham* District or Division of the said Roads, kept according to the Directions and Provisions of the said recited Acts of the Twenty-sixth and Forty-seventh Years of the Reign of His said late Majesty King *George* the Third, or of any Act heretofore passed relating to the said Roads, and made Evidence thereby, shall and may be given in Evidence in all Cases of Appeal, and in all Prosecutions, Suits, and Actions whatsoever, in such and the same Manner as if the said Acts of the Twenty-sixth and Forty-seventh Years of the Reign of His said late Majesty had not been repealed.

Officers under former Acts to account.

VI. And be it further enacted, That all Persons who have been employed or who shall have received any Tolls or other Money by virtue or in pursuance of the said recited Acts hereby repealed, so far as the same relate to the said *Frodsham* District or Division of the said Roads, or who shall have in their Custody any Books, Accounts, Papers, or Writings relating to the same District or Division of the said Roads, shall account for, pay, and deliver over the same to the Trustees for executing this Act, in like Manner and under the like Penalties as are by the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty, or either of them, inflicted in respect to the several Persons receiving any Monies or having the Possession of any Books, Writings, or other Things by virtue of the said Acts and this Act.

Powers of General Turnpike Acts extended to this Act.

VII. 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

repealed by the said 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,) 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,) 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 and respective Purposes thereof into Execution, as if the same had respectively been repeated and re-enacted in the Body of this Act.

Trustees.

VIII. And be it further enacted, That all His Majesty's Justices of the Peace for the Time being acting for the said County Palatine of *Chester*, together with the Right Honourable *George Harry Grey* commonly called Lord *Grey*, the Right Honourable *Francis Leveson Gower* commonly called Earl *Gower*, the Right Honourable *Richard Grosvenor* commonly called Lord Viscount *Belgrave*, the Right Honourable *Francis Needham* commonly called Lord Viscount *Kilmorey*, the Right Honourable *Henry Cholmondeley* commonly called Lord *Henry Cholmondeley*, Sir *John Thomas Stanley* Baronet, Sir *Richard Brooke* Baronet, Sir *John Chetwode* Baronet, Sir *Foster Cunliffe* Baronet, Sir *Henry Mainwaring Mainwaring* Baronet, Sir *Philip Egerton* Baronet, *Nicholas Ashton*, *Daniel Ashley*, *Daniel Ashley* the younger, *William Antwis*, *William Antwis* the younger, *Arthur Ingram Aston*, *John Blackburne*, *John Ireland Blackburne*, *John Arthur Borron*, *Robert Haldane Bradshaw*, *James Bradshaw*, *William Rigby Bradshaw*, *Thomas Barker*, *John Barker*, *John Smith Barry*, *Peter Langford Brooke*, *Richard Brooke*, *Thomas Langford Brooke*, *Thomas Brooke*, *Henry Brooke*, *Thomas Bagnall*, *Samuel Bagnall* Clerk, *Thomas Banner*, *Allen Beckett*, *George Bover*, *William Byrom*, *John Bourne*, *Peter Bourne*, *Henry Chetwode* Clerk, *James Cawley* Clerk, *Charles Cholmondeley*, *Hugh Cholmondeley*, *Henry Calveley Cotton*, *James Cropper*, *John Ashton Case*, *John Chesshyre*, *Thomas Cooper*, *John Clare*, *Samuel Chadwick*, *John Collins* Clerk, *Thomas Caldwell*, *Davies Davenport*, *Edward Davies Davenport*, *William Dakin*, *Charles Dodgson* Clerk, *Wilbraham Egerton*, *George Eaton*, *William Tatton Egerton*, *Thomas Egerton*, *William Fox*, *William Fox* Clerk, *James France France*, *John Gaskell*, *Holbrook Gaskell*, *Samuel Gaskell*, *Edward Greenall*, *Thomas Greenall*, *John Greenall*, *Gilbert Greenall*, *Richard Greenall*, *John Gibson*, *William Greenwood*, *George Heron* Clerk, *Peter Heron*, *George Heron* the younger, *Harry Heron*, *Henry Bold Hoghton*, *William Hurst*, *Edward Hinchliffe* Clerk, *William Higson*, *John Hoskin Harper*, *Peter Hatton*, *Thomas Hazlehurst*, *William Heyes*, *William Hall*, *Richard Janion*, *Richard Janion* the younger, *Thomas Jackson*, *Shallcross Jaeson*, *Bertie Johnson* Clerk, *Peter Jackson*, *Robert Janion*, *Thomas Kidd*, *George John Legh*, *George Cornwall Legh*, *Thomas Legh*, *William Legh*, *Egerton Leigh*, *Joseph Leigh*, *Joseph Lee*, *Thomas Lee*, *George Leycester*, *Ralph Leycester*, *Hugh Leycester*,

George Litton, *John Litton*, *Thomas Greenall Litton*, *William Litton*, *Thomas Lowten*, *Robert Lansdale*, *Dennis Milner*, *Dennis Milner* the younger, *Nathaniel Milner*, *John Marshall*, *Thomas Marshall*, *Thomas Marshall* the younger, *Thomas Mainwaring*, *Frederick Master* Clerk, *Richard Orford*, *John Orred*, *George Orred*, *William Green Orrett* Clerk, *Robert Okell*, *John Okell*, *Joseph Okell*, *Thomas Parr*, *Thomas Wilson Patten*, *John Wilson Patten*, *John Pickmere*, *Henry Potts*, *Charles Potts*, *William Penington*, *Robert Atherton Rawstone* Clerk, *Richard Rowden*, *William Rathbone*, *William Rowson*, *John Stanton*, *James Stanton*, *James Stanton* the younger, *James Starkey*, *William Smith*, *Alexander Smith*, *John Sowden*, *John Burnett Stuart* Clerk, *James Sothern*, *Richard Leigh Trafford*, *Edward Turner*, *Thomas Turner*, *Richard Turner*, *Robert Taylor*, *James Tomkinson*, *Massey Domville Taylor* Clerk, *Thomas Urmson*, *George Wilbraham*, *Randle Wilbraham*, *Rowland Eyles Egerton Warburton*, *James Wylde*, *John Whitley*, *Joseph Wagstaff*, *James Woodward*, *Josiah Varey*, *William Whitley* Clerk, *George Henry Webber* Clerk, *William Wright*, *Thomas Brock Yates*, and their Successors, being duly qualified according to the Provisions of the said recited Acts of the Third, Fourth, and Fifth Years of the Reign of His present Majesty, shall be and they are hereby appointed the Trustees for putting this Act and the said recited Acts of the Third, Fourth, and Fifth Years of the Reign of His said present Majesty into Execution.

Power to appoint additional Trustees.

IX. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered, at their First Meeting to be holden in pursuance of this Act, to elect and appoint any Number of Persons, being qualified according to the Directions and Provisions of the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty, (not exceeding Three in the whole, in addition to the Number of Trustees herein named and appointed,) to be Trustees for the Purposes of this Act and the said last-mentioned Acts; and such Persons so elected and appointed shall be Trustees for the Purposes of this Act and the said last-mentioned Acts, and are hereby invested with the same Powers and Authorities for executing this Act and the said last-mentioned Acts, as if they had been herein named and appointed.

First Meeting of the Trustees.

X. And be it further enacted, That the said Trustees shall hold their First Meeting at the *Ring of Bells Inn* in *Daresbury* in the said County Palatine of *Chester*, or at some other convenient House or Place on or near to the Line of the said Road, on the Second *Tuesday* next after the passing of this Act, or as soon as conveniently may be after that Day; and shall and may then and from Time to Time adjourn to and meet at such Times, and at the said Inn, or such other convenient Place or Places on or near to the Line of the said Road, as they shall think proper, for the Purpose of carrying this Act and the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty into Execution.

Old Officers (except the Treasurer) to continue.

XI. And be it further enacted, That every Clerk, Receiver, Collector, Surveyor, and other Officer (except the Treasurer appointed under and by virtue of the said recited Acts hereby repealed or either of them,) shall hold and enjoy such their several and respective Offices and Employments until he or they shall be removed therefrom by the said Trustees; and each and every such Clerk, Collector, Surveyor, and other Officer shall have the like Powers and Authorities for the Purposes of this Act and the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty, and for carrying the same into Execution, and shall be subject and liable to the like Pains and Penalties, and to the like Power of Removal, and to the like Rules and Regulations in all respects whatsoever, as if he or they had been appointed under and by virtue of the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty or this Act.

Treasurer and Clerk not to be the same Person.

XII. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees to continue or appoint the Person who hath been or who may be appointed to act as their Clerk in the Execution of this Act, or the Partner of any such Clerk, or the Clerk or any Person in the Employ or Service of any such Clerk, or the Clerk or any Person in the Employ or Service of the Partner of any such Clerk, to be the Treasurer for the Purposes of this Act, or to continue or appoint the Person who hath been or who may be appointed Treasurer, or the Partner of such Treasurer, or the Clerk or any Person in the Employ or Service of any such Treasurer, or the Clerk or any Person in the Service or Employ of the Partner of any such Treasurer, to be the Clerk to the said Trustees; and if any Person shall act in both the Capacities of Clerk and Treasurer for the Purposes of this Act, or if any Person, being the Partner of any such Clerk, or the Clerk or any Person in the Service or Employ of any such Clerk, or the Clerk or any Person in the Service or Employ of the Partner of any such Clerk, shall act as Treasurer, or shall act as Deputy of the Treasurer, or in any Manner officiate for the Treasurer, or being the Partner of any such Treasurer, or the Clerk or any Person in the Service and Employ of any such Treasurer, or the Clerk or any Person in the Service or Employ of the Partner of any such Treasurer, shall act as Clerk to the Trustees in execution of this Act, or shall act as Deputy of such Clerk, or in any Manner officiate for such Clerk, or if any such Treasurer shall hold any Place or Office of Profit or Trust under the said Trustees other than that of Treasurer, every such Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person or Persons 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, Plaint, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance, shall be allowed.

Power to make the Extension and new Branch.

XIII. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby fully authorized and empowered, to set out, make, and complete, and from Time to Time to repair, widen, divert,

divert, and otherwise improve the said Extension or new Branch of Road herein-before mentioned, and every Part thereof, and make the same of such Width as the said Trustees may think proper, not exceeding the Width of Twenty Yards; and from and after the making thereof the same shall be and be deemed to be, to all Intents and Purposes, Part of the Road included in this Act, and shall be deemed and taken to be and shall be a Public Highway to all Intents and Purposes.

Map or Plan of Branch deposited at the Office of the Clerk of the Peace to remain there.

XIV. And whereas a Map or Plan describing the Line of the said Extension or new Branch of Road, together with a Book of Reference containing Lists of the Names of the several Owners and Occupiers of the Lands, Tenements, and Hereditaments through which the said Extension or new Branch of Road is intended to pass, hath been deposited at the Office of the Clerk of the Peace for the said County Palatine of *Chester*; 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 or Extracts thereof 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 the said Extension or new Branch of Road shall not deviate more than One hundred Yards from the Lines described in the said Map or Plan, without the Consent in Writing of the Person or Persons, Bodies Politic, Corporate, or Collegiate, through whose Lands and Premises the said Extension or new Branch of Road shall be made.

New Branch of Road not to deviate therefrom.

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

XV. Provided always, and be it further enacted, That it shall be lawful for the said Trustees to make the said Extension or new Branch of Road into, through, across, or over the several Lands, Tenements, and Hereditaments described in the said Map or Plan and Schedule to this Act annexed, although the Name or Names of the Owner or Owners, Occupier or Occupiers thereof, may happen to be omitted or mis-stated 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 County in which the same Lands, Tenements, and Hereditaments shall be situate, and be certified by Writing under their Hands, that such Error or Omission proceeded from Mistake only, or that the real Owners or Occupiers of such Lands, Hereditaments, or Premises, had Notice that the same would be wanted for the Purposes thereof.

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

XVI. Provided also, and be it further enacted, That the Powers and Authorities given by this Act for making, maintaining, widening, diverting, improving, or altering the said Roads comprised in this Act, shall not extend or be construed to extend to empower or authorize the said Trustees to take or pull down, injure or damage, any Dwelling House or other Building, or to take in or make use of any Curtilage, Orchard, Garden, Yard, Park, Paddock, Lawn, Shrubbery,

bery, 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: Provided always, that if the said Trustees shall not within the Space of Five Years (to be computed from the Day of passing of this Act) agree for, or cause to be valued and paid for, in manner directed by the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty, the several Messuages and other Buildings, Tenements, Gardens, Yards, Paddocks, and Plantations 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 to them for such Purpose only shall cease, determine, and be utterly void, save and except with the Consent of the Owners or Proprietors and Occupiers thereof respectively.

Power to Trustees to erect Toll Gates, Turnpikes, Side Gates, &c.

XVII. And be it further enacted, That it shall be lawful for the said Trustees, as they shall think proper, to continue or remove, take away or change the Situation of all or any of the Toll Gates or Turnpikes and Toll Houses now standing and being in or upon or across the said Road or on the Sides thereof, or which shall or may be erected by virtue of this Act, and to erect and set up or build, or cause to be erected, set up, and built, upon, in, or across the said Road and Extension or Branch Road by this Act directed or authorized to be made, repaired, and amended, or on any Part thereof respectively, or on the Sides thereof respectively, when, where, and as they shall judge necessary, any Toll Gate or Toll Gates, Turnpike or Turnpikes, Side Gate or Side Gates, Bar or Bars, Chain or Chains, Weighing Machine or Weighing Machines, and also one or more Toll House or Toll Houses, with Outbuildings and suitable Conveniences, Bar, Chain, or Weighing Machine, at or near each Toll Gate, and to take in and inclose on the Sides of the said Road and Extension or Branch Road suitable Garden Spots for the same Toll Houses respectively, not exceeding One Eighth Part of a Statute Acre for each such Garden, as they the said Trustees shall think necessary; and from Time to Time to take down, discontinue, or remove, and afterwards rebuild or reinstate, such Toll Houses, Gates, Turnpikes, Side Gates, Side Bars, Chains, or Weighing Machines, or any of them, as they the said Trustees shall think proper, and direct or appoint.

Lamps to be provided and lighted at Toll Houses.

XVIII. 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 continued or 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 Collectors and Collector of the Tolls authorized by this Act to be taken and collected, who may be

appointed by the said Trustees, and also all and every Lessees or Lessee thereof, and all and every Persons and Person appointed by the said Trustees, who shall neglect or omit to observe and fulfil the Orders of the said Trustees as 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 to be set up as aforesaid, or extinguish the Light therein, such Person or Persons shall forfeit and pay any Sum not exceeding Forty Shillings, to be levied, recovered, and applied in such and the same Manner as Penalties incurred for Offences against the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty or this Act are by such Acts directed to be levied, recovered, and applied.

Power to take Tolls.

XIX. And be it further enacted, That it shall be lawful for the said Trustees, or for any Collector or Collectors, Lessee or Lessees of the said Tolls for the Time being, or other Person or Persons acting under the Authority of the said Trustees, to demand and take, at each and every of the said Toll Gates or Turnpikes or Toll Houses, Side Gates or Side Bars or Chains, which are, shall, or may be standing and being or continued or erected by virtue of this Act in, upon, across, or on the Side or Sides of the said Road and Extension or Branch Road by this Act authorized to be made, repaired, and amended, or any Part or Parts thereof respectively, or on the Sides thereof respectively, the several Tolls following; (that is to say,)

Tolls.

For every Horse or other Beast drawing any Coach, Barouche, Berlin, Landau, Chariot, Chaise, Curricle, Chair, Calash, Gig, Whiskey, or other Carriage, Hearse or Litter, the Sum of Sixpence:

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

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

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

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

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

For every Horse or other Beast (except an Ass) drawing any Cart, Wain, Tumbril, or other such Carriage, with Two Wheels of less Breadth than Four and a Half Inches, and not built or constructed with Springs, the Sum of Seven-pence; and for every Ass drawing any such Carriage, the Sum of Three-pence:

For every Horse, Mule, or other Beast (except an Ass), laden or unladen, and not drawing, the Sum of One Penny Halfpenny; and for every Ass, laden or unladen, and not drawing, the Sum of One Penny:

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

And for every Drove of Calves, Sheep, or Lambs, the Sum of Ten-pence *per* Score; and for every Drove of Swine, the Sum of One Shilling and Two-pence *per* Score, and so in proportion for any greater or less Number of each:

Tolls vested in Trustees.

Which said respective Tolls or Sums of Money shall be demanded and taken in the Name of or as Toll, before any Horse or other Beast or Cattle whatsoever shall be permitted to pass through any such Toll Gate or Turnpike, or Side Gate or Side Bar or Chain, to be continued or erected upon the said Road or Extension or Branch Road, or on the Sides thereof respectively; and such several and 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 in the Manner herein-after mentioned.

Fractional Part of a Halfpenny in Tolls.

XX. 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 any of the Tolls by this Act granted or authorized to be collected, the Sum of One Halfpenny shall be demanded and taken in lieu of such Fractional Part.

Number of Tolls limited.

XXI. Provided also, and be it further enacted, That no more than One full Toll shall be demanded or taken in the same Day, to be computed from Twelve of the Clock in one Night to Twelve of the Clock in the next succeeding Night, for or in respect of the passing or repassing of the same Horse or Horses, Beasts, Cattle, and Carriages, through all the several Toll Gates on the said Line of Road called the *Frodsham* District, (comprising the Road between the Market House in the Town of *Frodsham* aforesaid, and the said Sign or Place called *The Saracen's Head*, near the South End of the Causeway called *Widerspool Causeway*, within *Appleton* aforesaid,) or any intermediate Place or Places, save and except as next herein-after mentioned; and no more than One full Toll shall be demanded or taken in the same Day, to be computed as aforesaid, for or in respect of the passing and repassing of the same Horse or Horses, Beasts, Cattle, or Carriages, along the Line of the said Extension or Branch Road, from and out of the said Turnpike Road leading from the said Public House called *The Stag*, now occupied by *Amos Barnes*, situate in the Township of *Lower Walton* aforesaid, to the Township of *Grappenhall* aforesaid, at or

near

near the Point where the new Turnpike Road to *Stockport* adjoins the present *Knutsford* Turnpike Road, or any intermediate Place or Places, save and except as next herein-after mentioned.

Carriages, &c. for which Tolls have been paid to return Toll-free, if not laden.

XXII. And be it further enacted, That when the full Toll hereby authorized to be taken shall have been paid for or in respect of any Horse or other Beast, Cattle, or Carriage, passing through any One of such Toll Gates, Turnpikes, or Side Gates, the same Horse or other Beast, Cattle, or Carriage shall, during the same Day, to be computed as aforesaid, on which Toll has been so paid, (upon Production of a Ticket denoting such Payment,) be permitted to repass Toll-free through the same Toll Gate, Turnpike, or Side Gate, and also through any other Gate or Gates freed by such Payment and Ticket; but if any Horse or other Beast shall pass or go a Third Time or oftener in the same Day, drawing any Waggon, Cart, or Carriage, or not drawing, through all or any of such Toll Gates, Turnpikes, or Side Gates, the Tolls hereby made payable shall be again paid in the same Manner as if such Horse or other Beast had not before on the same Day, to be computed as aforesaid, passed through any of the same Toll Gates, Turnpikes, or Side Gates.

Stage Coaches, &c. to pay every Time of passing.

XXIII. And be it further enacted, That the Tolls hereby made payable for or in respect of Horses or Beasts drawing any Stage Coach, Diligence, Van, or Caravan, or other Stage Carriage conveying Passengers or Goods for Pay or Reward, shall be payable and paid every Time of passing or repassing along the said Roads; and for or in respect of every Horse or Beast let out to Hire, and drawing any Post Chaise or other Carriage, shall be payable and paid every Time of passing and repassing along the said Roads, whenever any new Hiring thereof shall take place.

Horses, &c. conveying Milk to pay only once a Day.

XXIV. Provided always, and be it further enacted, That no more than One full Toll shall be taken for or in respect of any Horse or other Beast carrying or conveying Milk, Whey, Buttermilk, or Curds, or returning after having been so employed, for passing along the said Roads on the same Day (such Day to be computed as aforesaid), any thing herein-before contained to the contrary notwithstanding.

One Horse Carts to be weighed.

XXV. And whereas it frequently happens that Carts drawn by One Horse, passing upon and along the said Road, carry a greater Weight than is by Law allowed for Carts drawn by Two or more Horses; be it therefore further enacted, That all Carts passing upon the said Road or Extension or Branch Road, or any Part thereof, drawn by One Horse only, shall and may, in case the said Trustees shall so order and direct, be weighed at any Machine now or hereafter to be erected on the said Road or Extension or Branch Road; and in such Case the like additional Sums or Tolls as are payable by virtue of any Law or Laws now in force for the Overweight of any Waggon, Cart, or other Carriage, and the Loading thereon, shall and may be demanded and taken by the said Trustees,

tees, or their Collector or Collectors, in respect of Carts drawn by One Horse only, and which, with the Loading thereon, shall exceed Twenty-five Hundred Weight; and all the Powers, Regulations, and Penalties now in force relating to the weighing of Waggons, Carts, and other Carriages drawn by more than One Horse, shall be applicable to Carts passing on the said Road drawn by One Horse only, and to the Drivers, Masters, and Owners thereof; any thing in the said recited Acts or any of them contained to the contrary notwithstanding.

Application of Tolls.

XXVI. And be it further enacted, That all the Tolls and other Monies and Effects which the said Trustees or any of them, or any Clerk, Treasurer, or other Person on their Behalf, are or is possessed of or entitled to by virtue of the said recited Act of the Forty-seventh Year of the Reign of His said late Majesty King *George* the Third, or otherwise, and all Monies which shall arise or be received from the Tolls by the said recited Acts of the Third and Fourth Years of His present Majesty's Reign and this Act granted, or which shall come to the Hands of the said Trustees, shall be applied first in paying the Expences of procuring and passing this Act; then in paying the Principal and Interest of all Monies now due and owing on the Credit of the Tolls granted by the said recited Acts of the Twenty-sixth and Forty-seventh Years of the Reign of His said late Majesty, hereby repealed, and which may hereafter become due and owing on the Credit of this Act, or the Tolls hereby granted; and afterwards in repairing, widening, altering, diverting, and otherwise improving the said Line of Road called the *Frodsham* District herein-before mentioned, and in making, repairing, altering, widening, diverting, and improving the said Extension or new Branch of Road herein-before mentioned, and in otherwise defraying the Expences attending the Execution of this Act and the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty, and to and for no other Use or Purpose whatsoever.

Proviso as to the Repair of the new Branch of Road.

XXVII. Provided always, and be it further enacted, That none of the Tolls authorized to be taken by virtue of this Act, or any of the Money to be borrowed on the Credit thereof, shall be laid out or expended in the Amendment, Repair, or Improvement of the said Extension or new Branch of Road included in this Act, if there shall be no Toll Gate erected thereon and Tolls taken thereat.

Application of Compensation Money when amounting to 200*l.*

XXVIII. 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 of the Third and Fourth Years of the Reign of His present Majesty or of this Act, for the Purposes thereof respectively, which shall belong to any Corporation, Feme Covert, Infant, Lunatic, Person or Persons under any other Disability or Incapacity, as in the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty particularly mentioned, such Money shall,

shall, in case the same shall amount to the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Exchequer, to be placed to his Account *ex parte* the Trustees for executing this Act, pursuant to the Directions of an Act passed in the First Year of the Reign of His present Majesty King
1 G. 4. c. 35. *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 Directions and with the Approbation of the said Court, to be signified by an Order made upon Petition to be preferred in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, and Hereditaments, in the Purchase of the Land Tax, or Discharge of any Debt or Debts, or such other Incumbrances, or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, and Hereditaments standing settled therewith to the same or the like Uses, Intents, and 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, and Hereditaments which shall be so purchased, taken, or used as aforesaid stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking effect; and in the meantime, and until such Purchase shall be made, the said Money shall, by Order of the Court of 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 Lands, Tenements, and Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made.

Application where the Compensation is under 200*l.* and amounting to 20*l.*

XXIX. 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, and Hereditaments so purchased, taken, or used as aforesaid, 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 said Court of Exchequer, and be placed to his Account as aforesaid, in order to be applied in manner herein-before directed; or otherwise the same shall be paid, at the like Option of the said Persons, to Two Trustees to be nominated by the Person or Persons making such Option, and approved of by the said Trustees, (such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties,) in order that such Principal Money, and the Dividends arising thereon, may be applied in manner 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.

Application where the Money is less than 20*l.*

XXX. And be it further enacted, That where such Money so agreed or awarded to be paid as before mentioned shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, and Hereditaments so purchased, taken, or used for the Purposes of this Act, in such Manner as the said Trustees shall think fit; or in case of Infancy or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, for the Use and Benefit of such Person or Persons so entitled respectively.

In case of not making out Titles, or Persons entitled not being found.

XXXI. And be it further enacted, That in case the Person or Persons to whom any Sum of Money shall be awarded for the Purchase of any Lands, Tenements, or Hereditaments to be purchased by virtue of the said Acts and of 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 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 Persons interested in the said Lands, Tenements, and Hereditaments (describing them), subject to the Order, Controul, and Disposition of the said Court; which said Court, on the Application of any Person or Persons making claim to such Sum and Sums of Money, or any Part thereof, by Motion or Petition, shall be and is hereby empowered, in a summary Way of Proceeding or otherwise, as to the same Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order the Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates,

Title

Title or Interest of the Person or Persons making claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England* who shall receive such Sum and Sums of Money is and are hereby required to give a Receipt for such Sum or Sums of Money, mentioning and specifying for what and for whose Use the same is or are received, to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank of *England* as aforesaid.

Persons in Possession to be deemed entitled until the contrary shall appear.

XXXII. And be it further enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Exchequer, in pursuance of the said Acts and of this Act, for the Purchase of any Lands, Tenements, or Hereditaments to be purchased in pursuance of the said Acts and of this Act, or to any Bank Annuities to be purchased with any such Money, or the Dividends or Interest of any Bank Annuities, the Person or Persons who shall have been in Possession of such Lands, Tenements, and Hereditaments at the Time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, or Hereditaments, according to such Possession, until the contrary shall be shown to the Satisfaction of the said Court; and the Dividends or Interest of the said Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid and applied 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 reasonable Expences of Purchases to be paid by the Trustees.

XXXIII. 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, and Hereditaments to be purchased, taken, or used under the Authority of this Act or the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty, 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 this Act, it shall be lawful for the said Court of Exchequer to order the Expence of such last-mentioned Purchases from Time to Time to be made in pursuance of this Act or the said last-mentioned Acts, or so much thereof as to the said Court shall seem reasonable, to be paid by the said Trustees out of the Monies to be received by virtue of this Act, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

To prevent Nuisances.

XXXIV. And be it further enacted, That if any Person or Persons driving or riding upon any Horse or other Beast carrying any Milk

Milk Can or Cans, Crate or Crates, Pannier or Panniers, shall not keep such Horse or other Beast to the Left Hand Side of the Middle of the said Road, or shall permit the same to go faster than a Trot, to the Annoyance of any Person or Persons, every Person so offending shall forfeit and pay any Sum not exceeding Forty Shillings, to be recovered, levied, and applied in such and the same Manner as other Penalties are by the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty directed to be recovered, levied, and applied.

Public Act.

XXXV. 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.

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

The SCHEDULE to which the aforegoing Act refers.

No on Plan.	Names of Owners.	Names of Occupiers.	Townships.
1	Peter Langford Brooke, Esq.	Joseph Peacock	Lower Walton.
2	Miss Sarah Louisa Rawlinson	William Bradford	Ditto.
3	Peter Langford Brooke, Esq.	Joseph Peacock	Ditto.
4	Miss Sarah Louisa Rawlinson	William Bradford	Ditto.
5	Ditto	William Bradford	Ditto.
6	Ditto	William Bradford	Ditto.
7	Mr. William Arnold	William Arnold	Ditto.
8	Mr. James Edgerley	Richard Redyett	Appleton.
9	Thomas Lyon, Esq.	James Beswick	Ditto.
10	John Smith Barry, Esq.	Joseph Blinston	Latchford.
11	Mr. James Percival	Himself	Ditto.
12	Trustees of Warrington Blue-coat School	James Taylor	Ditto.
13	John Smith Barry, Esq.	Joseph Blinston	Ditto.
14	Robert Haldane Bradshaw, Esq.	Himself	Ditto.
15	Thomas Heath, Esq.	Thomas Lawton	Ditto.
16	Joseph Lee	Joseph Howard	Latchford and Grappenhall.
17	John Smith Barry, Esq.	Joseph Tonge	Grappenhall.
18	Thomas Legh, Esq.	Thomas Lawton	Ditto.
19	Jane Harper	Joseph Yarwood	Ditto.
20	John Smith Barry, Esq.	Richard Rowson	Ditto.
21	Thomas Legh, Esq.	John Daintith	Ditto.
22	Ditto	John Wilson	Ditto.
23	Ditto	Thomas Lawton	Ditto.
24	John Smith Barry, Esq.	John Stockton	Ditto.
25	Jane Harper	Herself	Ditto.
26	John Smith Barry, Esq.	Betty Longshaw	Ditto.
27	Ditto	William Barber	Ditto.
28	Thomas Legh, Esq.	John Naylor	Ditto.
29	Ditto	Martha Myers	Ditto.
30	John Smith Barry, Esq.	Samuel Shakeshaft	Ditto.
31	Thomas Legh, Esq.	Peter Miller	Ditto.

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