ANNO NONO

GEORGII IV. REGIS.

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County, should be and was therein-after called the Second District of the said Roads thereby intended to be repaired and amended: And whereas an Act was passed in the Twenty-eighth Year of the
28 G. 3. c. 111. Reign of His said late Majesty King *George* the Third, intituled *An Act for enlarging the Term and Powers of so much of an Act made in the Ninth Year of the Reign of His present Majesty, intituled 'An Act 'for repealing so much of Two several Acts of Parliament made and 'passed in the Seventeenth and Twenty-eighth Years of the Reign of His 'late Majesty King* George *the Second, as relate to the Road from the 'End of the County of* Stafford, *in the Post Road towards the City of 'Chester, through* Woor *in the County of* Salop, *to* Nantwich *in the 'County of* Chester, *and from* Nantwich *to* Tarporley, *and from thence 'through* Tarvin *in the said County of* Chester *to the said City of* Chester, *'and for more effectually repairing, widening, and supporting the same 'Road; and also for repairing and widening the Road from* Northwich *'in the said County of* Chester *to the Cross in* Tarvin *aforesaid;' as relates to the Second and Third Districts of Road comprised in the said Act of the Ninth Year of the Reign of His present Majesty*: And whereas an Act was passed in the Forty-ninth Year of the Reign of
49 G. 3. c. 52. His said late Majesty King *George* the Third, intituled *An Act for continuing the Term and altering and enlarging the Powers of so much of Two Acts for repairing the Road from the End of the County of* Stafford, *in the Post Road towards the City of* Chester, *through* Woor *in the County of* Salop, *to* Nantwich *in the County of* Chester, *and from* Nantwich *to* Tarporley, *and from thence through* Tarvin *in the said County of* Chester *to the said City of* Chester, *and the Road from* Northwich *to the Cross in* Tarvin *aforesaid, as relates to the Second District of Road comprised in the said Acts:* And whereas the Trustees acting under or by virtue of the said Three several recited Acts, so far as relates to the Second District of Roads therein mentioned, and thereby directed or intended to be repaired and maintained, have borrowed several considerable Sums of Money on the Credit of the Tolls thereby authorized to be taken, which Money still remains due and owing, and cannot be paid off, nor can the Road comprising the said Second District be effectually amended, widened, altered, improved, and kept in repair, unless the Term granted and continued by the said recited Acts be further continued, so far as relates to the said Second District of Road therein mentioned, and the Tolls arising therefrom increased: And whereas an Act was passed in the Third Year of the Reign of His present Majesty King *George* the Fourth,
3 G. 4. c. 126. 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
4 G. 4. c. 95. 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,
5 G. 4. c. 69. 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 an Act was passed in the Seventh and Eighth Years of the Reign of His said present Majesty, intituled
7&8 G. 4. c. 24. *An Act to amend the Acts for regulating Turnpike Roads in* England:

And whereas it is expedient that the said first Three recited Acts should, so far as the same relate to the said Second District of the said Roads, be repealed, and further, better, and more effectual Powers and Provisions made for the amending, maintaining, and otherwise improving and keeping in repair the said Second District of the said Roads; but the Purposes aforesaid cannot be effected without the Aid and Authority of Parliament: 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 from and after the Fourth *Thursday* next after the passing of this Act the said several recited Acts of the Ninth, the Twenty-eighth, and the Forty-ninth Years of the Reign of His said late Majesty King *George* the Third, so far as the same relate to the Second District of the said Roads comprised in the said Acts, shall be and the same are hereby declared to be repealed, and null and void to all Intents and Purposes whatsoever.

Recited Acts of 9, 29, and 49 G. 3. so far as they relate to the Second District of Roads, repealed.

II. And be it further enacted, That this Act shall be put into Execution for and during the Term herein-after mentioned, for the Purpose of amending, widening, improving, maintaining, and keeping in repair so much and such Part of the Road leading from *Northwich* aforesaid to the Cross in *Tarvin* aforesaid, as lies between *Northwich* aforesaid and the Spot where the Guide Post upon *Delamere Forest* in the said County of *Chester*, near *Kelsall Hill* in the same County, formerly stood.

This Act to be put in execution for repairing the Road herein described.

III. And be it further enacted, That this Act, and the Tolls hereby granted and to be received upon the said Road herein-before mentioned and described, shall be and the same are hereby declared to be charged with and made subject and liable to the Payment of all Monies which at the Time of the passing of this Act shall be due and owing on the Credit of the Tolls authorized to be taken and collected upon the said Second District of the said Roads by virtue of the said Three recited Acts hereby repealed, 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 Second District of 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 on such Road; and all and every Person and Persons owing any Sum or Sums of Money on account of the said Second District of the said Roads to the Trustees for executing the first-recited Acts hereby repealed, shall be liable to the Payment thereof to the Trustees for executing this Act.

This Act and the Tolls hereby granted to be subject to Debts, &c. under former Acts.

IV. And be it further enacted, That all Conveyances, Mortgages, Deeds, Bonds, Covenants, Agreements, Contracts, and Securities made to or by or entered into on account of the said Second District of the said Roads by any Person or Persons to or with the Trustees for executing the said Acts hereby repealed, according to the Provisions

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

visions and Directions 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 Acts hereby repealed to or with any Person or Persons for any Purpose relating to the said Roads, or to the Execution of the said Acts, or any of them, so far as the same relate to the said Second District of the said Roads herein-before mentioned and described, 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 the said first Three recited Acts.

Books used under former Acts to be Evidence under this Act.

V. And be it further enacted, That all Books kept for the registering Mortgages and Assignments, and all Entries therein, and all Books of Proceedings of the Trustees of the said Second District of Road herein-before mentioned, kept according to the Directions or Provisions of the said first Three recited Acts hereby repealed, or of any Act heretofore passed relating to the said Road, and made Evidence thereby, shall 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 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 Acts hereby repealed, so far as the same respectively relate to the District of the said Road now included in this Act, or who shall have in their Custody or Possession any Books, Accounts, Papers, Writings, or Things relating to the said District of the said Road, shall account, pay, and deliver over in like Manner and under the like Penalties as are by the said recited Acts of the Third, Fourth, Fifth, Seventh and Eighth Years of the Reign of His present Majesty, or any 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.

Extending the Powers General Turnpike Acts to this Act.

VII. And be it further enacted, That the said recited Act passed in the Third Year of the Reign of His said 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 varied, altered, or repealed,) 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 varied, altered, or repealed,) and also the said recited Acts passed in the Fifth and Seventh and Eighth Years of the Reign of His said present Majesty, and the Powers and Provisions therein contained,

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 County Palatine of *Chester*, together with the Right Honourable *George Harry Grey* commonly called Lord *Grey*, the Right Honourable *Richard Grosvenor* commonly called Lord Viscount *Belgrave*, the Honourable *Hugh Cholmondeley*, Sir *Edmund Antrobus* Baronet, Sir *Richard Brooke* Baronet, Sir *Henry Bunbury* Baronet, Sir *John Delves Broughton* Baronet, Sir *John Chetwode* Baronet, Sir *Philip Grey Egerton* Baronet, Sir *Henry Mainwaring Mainwaring* Baronet, Sir *John Thomas Stanley* Baronet, Sir *Thomas Stanley Massey Stanley* Baronet, *Daniel Ashley*, *Nicholas Ashton*, *Herbert Ashton*, *Lawrence Armistead*, *John Blackburne*, *John Ireland Blackburne*, *Roger Barnston*, *Henry Barnston*, *John Smith Barry*, *Peter Langford Brooke*, *Thomas Langford Brooke*, *Henry Brooke*, *Thomas Barker*, *John Barker*, *Henry John Barker*, *Peter Barker*, *William Charles Booth*, *Charles Cholmondeley*, *Hugh Cholmondeley*, *Edwin Corbett*, *William Thompson Corbett*, *Henry Calveley Cotton*, *John Cheshire*, *Conrad Coulthurst*, *Davies Davenport*, *Edward Davies Davenport*, *John Smith Daintry*, *George Eaton*, *George Eaton* the younger, *Wilbraham Egerton*, *Philip de Malpas Egerton*, *Richard Egerton*, *James France France*, *John Ford*, *John Ingram Ford*, *William Fox*, *Thomas Firth*, *Booth Grey*, *John Baskervyle Glegg*, *Thomas Bayley Hall*, *Peter Heron*, *Robert Hibbert*, *Thomas Hibbert*, *John Hosken Harper*, *Robert Pownall Hadfield*, *John Brayne Hostage*, *Thomas Ives Brayne Hostage*, *Francis Jodrell*, *George John Legh*, *George Cornwall Legh*, *Egerton Leigh*, *Egerton Leigh* the younger, *Ralph Leycester*, *Willoughby Legh*, *John Legh*, *Peter Legh*, *Thomas Legh*, *Thomas Lyon*, *William Massey*, *John Marshall*, *Thomas Marshall*, *Thomas Marshall* the younger, *Thomas Parr*, *Thomas Parker*, *Dumville Halstead Cudworth Poole*, *Henry Potts*, *Charles Potts*, *John Royle*, *James Royds*, *Charles Watkin John Shakerly*, *Charles Peter Shakerly*, *James Stanton*, *Clement Swettenham*, *Trafford Trafford*, *Leigh Trafford*, *James Tomkinson*, *Robert Taylor*, *Edward Venables Townshend*, *Leigh Townshend*, *Rowland Eyles Egerton Warberton*, *Randle Wilbraham*, *Randle Wilbraham* the younger, *George Wilbraham*, *James Wilde*, *William Henry Worthington*, *William Worthington*, the Reverend *William Cotton* Clerk, *William Wickham Drake* Clerk, *George Heron* Clerk, *Peter Leigh* Clerk, *Richard Massie* Clerk, *Edward Stanley* Clerk, *James Tomkinson* Clerk, *Henry Tomkinson* Clerk, *George Okell* Clerk, *Rowland Egerton Warburton* Clerk, *Brocklebank* Clerk, *William Whitley* Clerk, *Robert Vanbrough Law* Clerk, *Thomas Ainsworth* Clerk, and their Successors, being duly qualified according to the Directions of the said recited Acts of the Third, Fourth, and Fifth Years of the Reign of His said present Majesty, shall be and they are hereby appointed the Trustees for putting this Act and the said recited Acts of the Third, Fourth, Fifth, and Seventh and Eighth Years of the Reign of His said present Majesty, into Execution.

Power to appoint additional Trustees at the First Meeting.

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, Fourth, Fifth, and Seventh and Eighth 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, when so elected and appointed, and being qualified according to the Directions of the said recited Acts of the Third, Fourth, Fifth, and Seventh and Eighth Years of the Reign of His said present Majesty, shall be 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 named and appointed Trustees in and by this Act.

First Meeting of Trustees.

X. And be it further enacted, That the said Trustees shall hold their First Meeting for the Purposes of the said Road comprised in this Act at the Navigation Office in *Castle Northwich* in the said County of *Chester*, or at some other House, Place or Places conveniently situated on or near the same Road, on or before the Fourth *Thursday* next after the passing of this Act, or as soon after as conveniently may be; and shall and may then and from Time to Time adjourn to and meet, for the Purposes of the said Road, at such Times, and at the same or at such Place or Places on or near to the Line of the said Road, as they shall respectively think proper.

Former Officers to continue.

XI. And be it further enacted, That the Treasurer, if appointed consistently with the Provisions of the said recited Act passed in the Seventh and Eighth Years of the Reign of His present Majesty, and not contrary to the Provisions and Directions of this Act, and every Clerk, Receiver, Collector, Surveyor, and other Officer appointed under and by virtue of the said recited Acts hereby repealed, so far as the same relate to the said Second District of the said Road now included in this Act, shall hold and enjoy their several and respective Offices and Employments until removed therefrom by the Trustees for executing this Act; and each and every such Treasurer, Clerk, Receiver, 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, Fourth, Fifth, and Seventh and Eighth Years of the Reign of His present Majesty, for carrying the same into Execution, and shall be subject 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 nominated or appointed in and by this Act.

Power to continue or remove the present Gates, &c. and to erect others.

XII. And be it further enacted, That the said Trustees shall and may, as they shall think proper, continue, remove, take away, or change the Situation of all or any of the Toll Gates or Turnpikes, and any Toll Houses and Weighing Machines erected by virtue of the said recited Acts hereby repealed, so far as the same relate to

the said Second District of Road now included in this Act, or which shall or may be erected by virtue thereof and of this Act, or any or either of them, and may erect and set up, or cause to be made, erected, and set up, any other Toll Gate or Toll Gates, Bar or Bars, Chain or Chains, Weighing Machine or Weighing Machines, in, upon, or across any Part or Parts of the said Road, or upon the Sides thereof, and may also continue, erect, or provide a Toll House, with suitable Outbuildings and Conveniences, at or near each Toll Gate, and may from Time to Time afterwards remove, alter, or discontinue such Toll Gates or Toll Houses, Weighing Machines, or any of them, as they the said Trustees shall think expedient, and also make, take in, and inclose from the said Road, convenient Garden Spots for the said Toll Houses respectively, not exceeding One Eighth Part of a Statute Acre to each Toll House: Provided always, that no Toll Gate or Toll Gates, Turnpike or Turnpikes, Side Gate or Side Gates, Side Bar or Side Bars, Chain or Chains, Weighing Machine or Weighing Machines, shall be taken down or removed by Order of the said Trustees, unless such Order be made by a Majority of the Trustees present at a Meeting, at which Five Trustees at the least shall be present, and unless Notice of such Meeting, and of the Intention of taking down or removing such Toll Gate or Toll Gates, Turnpike or Turnpikes, Side Gate or Side Gates, Side Bar or Side Bars, Chain or Chains, Weighing Machine or Weighing Machines, signed by the Clerk or Clerks to the said Trustees, be affixed on all the Toll Gates or Turnpikes then erected on the said Road, and inserted in One of the Newspapers circulating in the said County Palatine of *Chester* Ten Days at least before the Day of the holding the Meeting at which such Order shall be made.

Trustees not to repair Pavements in Towns or Streets.

XIII. And be it further enacted, That no Part of the Money arising from the said Tolls, or any Money to be borrowed on the Credit thereof, shall be laid out in or applied to the paving or repairing any Highways, Streets, or Lanes in any Town or Street through which any Part of the Road included in this Act shall or may lead, any thing herein contained to the contrary notwithstanding.

Power to take Toll.

XIV. And be it further enacted, That it shall be lawful for the said Trustees, or any Person or Persons appointed or continued or to be appointed Collector or Collectors of the said Tolls, or the Lessee or Lessees thereof respectively for the Time being, or any Person or Persons by such Lessee or Lessees to be appointed, to demand and take the Tolls herein-after mentioned at each and every of the several and respective Toll Gates or Turnpikes or Toll Houses, or Side Gates or Side Bars or Chains, which are or shall be standing and being or continued, or which shall be erected by virtue of this Act or the said recited Acts of the Third, Fourth, and Seventh and Eighth Years of the Reign of His present Majesty, in, upon, across, or on the Side or Sides of the Road included in this Act, or any Part or Parts thereof, and on every Day, such Day to be computed from Twelve of the Clock at Night to Twelve of the Clock on the next succeeding Night; (that is to say,)

For

Tolls.

For every Horse, Mule, or other Beast drawing any Coach, Stage Coach, Diligence, Van, Caravan, Sociable, Landau, Berlin, Chariot, Vis-a-vis, Barouche, Phaeton, Chaise Marine, Calash, Curricle, Chair, Gig, Whisky, Hearse, Litter, Chaise, Taxed Cart, or other such like Carriage, any Sum not exceeding Sixpence:

For every Horse, Mule, Ass, Ox, or Bullock drawing any Waggon, Wain, Dray, or other such like Four-wheeled Carriage, having the Fellies of the Wheels thereof of less Breadth than Four Inches and a Half at the Bottom or Soles thereof, any Sum not exceeding One Shilling:

For every Horse, Mule, Ass, Ox, or Bullock drawing any Waggon, Wain, Dray, or other such like Four-wheeled Carriage, having the Fellies of the Wheels thereof of the Breadth of Four Inches and a Half or upwards, and less than Six Inches, at the Bottom or Soles thereof, any Sum not exceeding Nine-pence:

For every Horse, Mule, Ass, Ox, or Bullock drawing any Waggon, Wain, Dray, or other such like Four-wheeled Carriage, having the Fellies of the Wheels thereof of the Breadth of Six Inches or upwards at the Bottom or Soles thereof, any Sum not exceeding Sixpence:

For every Horse, Mule, Ass, Ox, or Bullock drawing any Cart, Dray, or other such like Two-wheeled Carriage, having the Fellies of the Wheels thereof of less Breadth than Four Inches and a Half at the Bottom or Soles thereof, any Sum not exceeding Nine-pence:

For every Horse, Mule, Ass, Ox, or Bullock drawing any Cart, Dray, or other such like Two-wheeled Carriage, having the Fellies of the Wheels thereof of the Breadth of Four Inches and a Half, and less than Six Inches, at the Bottom or Soles thereof, any Sum not exceeding Seven-pence Halfpenny:

For every Horse, Mule, Ass, Ox, or Bullock drawing any Cart, Dray, or other such like Two-wheeled Carriage, having the Fellies of the Wheels thereof of the Breadth of Six Inches or upwards at the Bottom or Soles thereof, any Sum not exceeding Sixpence:

For every Horse or other Beast drawing any Stone or Timber Carriage, the Sum of Nine-pence:

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

For every Ox, Cow, or other Neat Cattle, any Sum not exceeding One Penny:

For every Drove of Calves, Swine, Sheep, or Lambs, any Sum not exceeding Eight-pence *per* Score, and so in proportion for any greater or less Number:

For every Coach, Chariot, Chaise, Waggon, or any other Carriage with Four Wheels, and being empty, and fixed to any Waggon, Wain, Cart, or other Carriage, any Sum not exceeding One Shilling:

For every Coach, Chariot, Chaise, Waggon, or any other Carriage with Four Wheels, and being laden, and fixed as aforesaid, any Sum not exceeding Two Shillings:

For every Chair, Gig, Cart, or other Carriage with Two Wheels only, being empty, and fixed as aforesaid, any Sum not exceeding Sixpence:

And

And for every Chair, Gig, Cart, or other Carriage with Two Wheels only, and being laden, and fixed as aforesaid, any Sum not exceeding One Shilling:

Which said respective Tolls or Sums of Money shall be demanded and taken in the Name of or as Toll, before any Horse, Mule, Ass, or other Beast or Cattle, Coach, Waggon, Cart, or any other Carriage whatsoever, shall be permitted to pass through any Toll Gate or Turnpike, or Side Gate or Side Bar or Chain, to be continued or erected upon the Road included in this Act; 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 manner herein-after directed.

Tolls vested in Trustees.

XV. Provided always, and be it further enacted, That in all Cases where there shall be a fractional Part of One Halfpenny in the gross or aggregate Amount of any Tolls by this Act, and the said recited Acts of the Third, Fourth, and Seventh and Eighth Years of the Reign of His present Majesty, or any or either of them, granted or authorized to be collected, the Sum of One Halfpenny shall be demanded and taken in lieu of such fractional Part.

A Halfpenny to be taken when the Toll amounts to the fractional Part of a Halfpenny.

XVI. And be it further enacted, That when the full Toll shall have been paid for or in respect of any Horse, Beast, or Cattle passing through any of the Turnpikes or Toll Gates, Side Gate or Side Gates, Side Bar or Side Bars, Chain or Chains, erected or to be erected on the said Road comprised in this Act, or the Sides thereof, the same Horse, Beast, or Cattle shall (except in the Cases herein-after mentioned), on a Ticket being produced denoting such Payment, be permitted to return Toll-free through the same Toll Gate, Turnpike, or Side Gate, Side Bar or Chain, and also through such other Gate and Gates, if any, as the Ticket for such Payment shall free, at any Time or Times during the same Day, to be computed as aforesaid.

Tolls to be paid but Once for passing and repassing on the same Day.

XVII. Provided always, and be it further enacted, That no more than Two full Tolls shall be demanded or taken in the same Day, to be computed as aforesaid (except as herein-after mentioned), for or in respect of the passing or repassing of the same Horse or Horses, Beasts, Cattle, and Carriages, upon the whole Line of Road comprised in this Act.

Limiting the Number of Tolls upon the whole Line of Road.

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

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

Post Chaises, &c. on every new Hiring.

Carts drawn by One Horse to be weighed, and additional Tolls charged for Overweight.

XIX. And whereas it frequently happens that Carts drawn by One Horse only, passing upon and along the said Road, carry a greater Weight than is allowed by Law for Carts drawn by Two or more Horses; be it therefore further enacted, That from and after the Expiration of Two Calendar Months from the passing of this Act, all Carts passing upon the said Road, or any Part or Parts thereof, drawn by One Horse only, shall and may be weighed at all and every the Weighing Machine or Weighing Machines now or hereafter to be erected in or near to the said Road, and the like additional Sums or Tolls as are payable under or by virtue of the said recited Acts of the Third, Fourth, and Seventh and Eighth Years of the Reign of His present Majesty, for the Overweight of Carts or Carriages, and the Loading thereof, shall and may be demanded and taken for and in respect of all Carts drawn by One Horse only, which, with the Loading thereof, shall exceed the Weights thereby allowed for Waggons, Carts, and other Carriages drawn by Two Horses; and all the Powers, Regulations, and Penalties thereby provided, 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 Law, Statute, or Usage to the contrary in anywise notwithstanding.

Manure to be exempted from Toll.

XX. Provided always, and be it further enacted, That none of the Tolls hereby authorized to be taken shall be demanded, taken, or received at any of the Turnpikes, Toll Gates, or Side Gates erected and continued upon, across, or by the Sides of the said Road comprised in this Act, for any Horse, Beast, or other Cattle or Carriage used or employed in carrying or conveying, or going empty to fetch or carry or convey, or returning empty from carrying or conveying, or having been used or employed only in carrying or conveying, on the same Day, any Lime, Bones, Rape Dust, Dung, Soil, Compost, or Manure, Soap Waste, or other Material, for the *bonâ fide* Purpose of manuring or improving Lands, nor for any Horse, Ass, or other Beast carrying or conveying or going for the Purpose of carrying or conveying any Milk, or returning empty from carrying or conveying such Milk.

Application of Tolls and other Monies.

XXI. And be it further enacted, That all the Tolls and other Monies which before the passing of this Act shall have been raised and produced by virtue of the said Three first-recited Acts hereby repealed, so far as regard the said Second District of the said Roads, and which shall be remaining undisposed of on the Day of the passing of this Act, and also all the Monies which shall arise and be produced by and from the Tolls by this Act granted and made payable in or upon the same District of the said Roads, together with all Monies which have been or shall be borrowed upon the Credit thereof, and all other Monies which shall arise and be produced by virtue thereof, and not otherwise appropriated or directed to be applied, shall be applied, in the first place, in paying and defraying all the Costs, Charges, and Expences incident to, or which shall have been incurred in applying for, preparing, obtaining, and passing this Act, or 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, Drains, and Weighing Machines, with suitable Outbuildings upon, across, and by the Sides of the same Road, and of Books, Advertisements, Salaries of Officers, and other such Expences incidental to the Execution of this Act; thirdly, in paying and keeping down the Interest of all Principal Monies which at the Time of the passing of this Act shall have been borrowed or which shall hereafter be borrowed on Security of the Tolls arising on the same District of Road; fourthly, in amending, altering, diverting, turning, widening, improving, and keeping in repair the same Road, and in otherwise putting this Act, and also the said recited Acts of the Third, Fourth, Fifth, and Seventh and Eighth Years of the Reign of His said present Majesty, into Execution; and lastly, in repaying the Principal Monies already borrowed by virtue of the said Three first-recited Acts, hereby repealed, or to be borrowed on the Credit of the Tolls arising on the same District of Road by virtue of this Act or the said recited Acts of the Third, Fourth, Fifth, and Seventh and Eighth Years of the Reign of His said present Majesty, and to or for no other Use or Purpose whatsoever.

For preventing Nuisances, &c.

XXII. And be it further enacted, That if any Person or Persons driving or riding upon any Horse carrying any Milk Can or Cans, Crate or Crates, Pannier or Panniers, shall permit the same to go faster than a Walk, to the Annoyance of any Person or Persons travelling the said Road comprised in this Act, every Person so offending in any of the Cases aforesaid shall forfeit and pay a 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 said present Majesty directed to be recovered, levied, and applied.

Entrances to Fields, &c. to be made of hard Materials, &c.

XXIII. And be it further enacted, That in all Places throughout the said Road included in this Act, where any Entrance shall be from the said Road to any Field, Garden, Yard, or other Land or Ground, or to any Buildings, from the said Road or any Part thereof, such Entrance shall be properly covered with Stone, Gravel, or other hard Materials, and a proper Culvert or Drain made by or at the Expence of the Proprietor or Occupier of such Field, Garden, Yard, Land, Ground, or Building, so that such Road may not be injured by Carriages or Horses passing to or from the same by such Entrance; and in case such Proprietor or Occupier shall neglect to cover with proper Materials such Entrance, or to make such Culvert or Drain, or to keep the same respectively in proper Order, for the Space of One Calendar Month next after Notice in Writing given to such Proprietor or Occupier, or left for him or her at his or her usual Place of Residence by the Surveyor to the said Trustees, or other Person appointed by them, requiring such Proprietor or Occupier so to make or repair the same, then it shall be lawful for the said Trustees, or their Surveyor, or any other Person acting by or under their Authority, to cover such Entrance with Stone, Gravel, or other hard

hard Material, and to make such Culvert or Drain, or to repair the same respectively, as the Case may be, and the Expences thereof shall be reimbursed and paid to the said Trustees by such Proprietor or Occupier (as the Case may be); and in case of Nonpayment of such Expences within Fourteen Days next after the same shall have been demanded by or on behalf of the said Trustees, then such Expences shall and may be recovered, together with the Costs and Charges attending the same, by Distress and Sale of the Goods and Chattels of such Proprietor or Occupier, by Warrant under the Hand and Seal or Hands and Seals of any Justice or Justices of the Peace for the County Palatine of *Chester*, and which Warrant of Distress any such Justice or Justices is or are hereby authorized and empowered to grant, on Proof made before him or them, on Oath, of such Expence having been incurred, and of such Notice having been given as aforesaid; and any Overplus (if any) shall be returned, on Demand, to the Person or Persons whose Goods and Chattels shall have been so distrained and sold.

Public Act.

XXIV. 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 the Act.

XXV. And be it further enacted, That this Act shall commence and take effect upon the said Fourth *Thursday* next after 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.

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