ANNO QUADRAGESIMO SECUNDO

GEORGII III. REGIS.

Cap. 82.

An Act to enlarge the Term, and to amend, alter, and vary, the Powers of an Act paſſed in the Thirty-ſeventh Year of the Reign of His preſent Majeſty, intituled *An Act to continue the Term, and alter and enlarge the Powers, of an Act of the Eleventh Year of His preſent Majeſty, for more effectually repairing and amending the Roads from* Liverpool *to* Preſcot, Aſhton, *and* Warrington, *and other Roads therein mentioned, in the County Palatine of* Lancaſter, and to vary certain Parts of the Line of the ſaid Roads. [3d *June* 1802.]

WHEREAS an Act was paſſed in the Thirty-ſeventh Year of His preſent Majeſty, to continue the Term, and alter and enlarge the Powers, of an Act of the Eleventh Year of His preſent Majeſty, for more effectually repairing and amending the Roads from *Liverpool* to *Preſcot*, *Aſhton*, and *Warrington*, and other Roads therein mentioned, in the County Palatine of *Lancaſter*, whereby ſeveral Tolls and Duties were granted and made payable, and divers Powers given, and the Term in the ſaid Act of the Eleventh Year of His preſent Majeſty continued from the Firſt Day of *June* One Thouſand Eight Hundred, being the Expiration thereof, and of the additional Term of Five Years granted by an Act made in the Thirteenth Year of His preſent Majeſty, for and during the Term of Act 37 Geo. 3.

Eighteen Years thence next enſuing, and from thence to the End of the then next Seſſion of Parliament: And whereas great Progreſs has been made in amending the ſaid Roads, and ſeveral Sums of Money have been borrowed on the Credit of the ſaid Tolls, great Part of which ſtill remains due, but the ſaid Roads cannot be amended and kept in Repair for the future, and the Money ſo borrowed repaid, unleſs the Term of the ſaid laſt-mentioned Act be enlarged, the Tolls varied and altered, and further and other Powers given: And whereas the Road leading from the Turnpike Cauſeway at the South-weſt Corner of the Church-Yard in the Townſhip of *Huyton*, and running Eaſtwards over a Common Highway called *School Lane* up to the Boundary Line between *Huyton* and *Knowſley*, being in Length about Half a Mile; and alſo the Road or Highway from the *Old Legs of Man* Inn, in the Occupation of *Michael Whitehead* Innkeeper, in the Street called the *Back Street* in *Preſcot* aforeſaid, to the Houſe known by the Sign of the *Boot* in the Occupation of *Michael Beezley*, in the ſaid Town of *Preſcot*, and from thence continuing, on the Eaſt Side of the ſaid Town of *Preſcot*, through a Road lately opened by the late *John Fazakerley* Eſquire, deceaſed, and others called the *New Road*, until it communicates with *Hillock-Street*, in the ſaid Town of *Preſcot*, being Five Hundred and Fifty Yards or thereabouts in Length; and alſo the Highway or Road called the *Long Street*, leading from the Market-Place, in the ſaid Town of *Preſcot*, up to the ſaid *New Road*, are out of Repair, inconvenient, and narrow in ſome Parts, and cannot be effectually amended, widened, and improved by the ordinary Courſe of Law: And whereas the continuing the ſaid Turnpike Road from the Turnpike Cauſeway in the Village of *Huyton* Eaſtwardly through the ſaid Highway called the *School Lane*, into and through a Road lately diverted by Two of His Majeſty's Juſtices of the Peace, to join the Turnpike Road between *Liverpool* and *Preſcot*, would be of Public Convenience, in making a more direct Communication between the Townſhip of *Huyton* and other Townſhips with the ſaid Town of *Preſcot*: And whereas the diverting and altering Part of the ſaid Turnpike Roads leading from the Town of *Preſcot* to the Town of *Warrington*, for Three Hundred and Forty Yards or thereabouts, beginning at the South-Eaſt Corner of a Houſe inhabited by *William May*, in the Market Place of *Preſcot* aforeſaid, and running from thence through the ſaid Street, there called the *Long Street*, up to certain Lands and Buildings of *John Atherton* Eſquire, *James Lee*, and *John Barnes*, Clerk, by taking down the ſaid Buildings, and continuing the Road from the South-Eaſt End of the ſaid Street, for Eighty Yards, or thereabouts, through the Grounds and Premiſes of the ſaid late *John Fazakerley*, the ſaid *James Lee*, and the ſaid *John Barnes*, ſo as to unite with the ſaid New Road of the ſaid late *John Fazakerley*, which is now generally uſed as the Public Highway, by Carriages travelling on the ſaid Turnpike Roads to and from *Liverpool*, *Preſcot*, and *Warrington*, and other Places, would be of great Public Accommodation, the Old Road being of ſteep Deſcent, and dangerous to Travellers, eſpecially in the Winter Seaſon: 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

Preamble.

the Tolls and Duties granted by the said Act of the Thirty-seventh Year of His present Majesty, shall, from and after the First Day of *September* One Thousand Eight Hundred and Two, cease and determine, and be no longer payable; but that all Penalties, Forfeitures, Remedies, Powers, Authorities, Clauses, Rules, Directions and Provisions contained in the said Act of the Thirty-seventh Year of His present Majesty, for the repairing, widening, amending, maintaining and supporting the several Roads therein mentioned, subject to the Alterations and Variations hereby enacted, shall, from Time to Time, and at all Times during the Continuance of this Act, be in full Force and Effect, and shall be executed and applied, as well for the repairing, widening, amending, supporting and maintaining the same Roads, as for the making, repairing, widening, amending, supporting and maintaining the other Roads hereby provided for and intended to be made, repaired, amended and kept in Repair, and for other the Purposes of this present Act, as fully and effectually to all Intents and Purposes as if the same Penalties, Forfeitures, Remedies, Powers, Authorities, Clauses, Rules, Directions and Provisions, and every of them, had been inserted and re-enacted in the Body of this present Act: And whereas by the said former Act a certain Road or Highway leading from the House known by the Sign of the *Blue Bell* in *Huyton* to *Roby* Town is directed to be amended and kept in Repair, but it will be more for the Convenience and Accommodation of the Public to have the Road continued from *Roby* Town by the South-West Corner of the Church Yard at *Huyton* over the present Highway called *The School Lane*, as far as and through a Road lately diverted by the Order of Two of His Majesty's Justices of Peace, to join the Turnpike Causeway leading from *Liverpool* to *Prescot*, at or near the End of a certain Lane or Road called *Car Lane*: And whereas by the said former Act a Part of the Turnpike Road from the Toll Bars in *Hillock-Street* in *Prescot* aforesaid, near a House lately inhabited by *Ralph Banister*, but now by *James Scarisbrick*, to the South End of the said New Road of the said late *John Fazakerley* and others, in *Hillock-Street* aforesaid, being Five Hundred and Fifty-two Yards in Length or thereabouts, is directed to be amended and kept in Repair, but it will be of greater Advantage to the Public to exonerate the Trustees from such Repair, and instead thereof to repair the said Street or Highway called the *Long Street* in *Prescot* aforesaid, from the Market-Place there, and lengthen the same for Eighty Yards, or thereabouts, as far as and until it joins the Road of the Representatives of the said late *John Fazakerley*: Be it therefore enacted, That from and after the passing of this Act the said Road at *Huyton*, leading from the South-West Corner of the Church-Yard by the School Eastwards, as far as and through the Road lately diverted as aforesaid, until it joins the Turnpike Causeway from *Liverpool* to *Prescot*, at or near the End of *Car Lane*; and also that Part of the Road from the *Old Legs of Man* Inn, in the Occupation of *Michael Whitehead* Innkeeper, in the *Back-Street* in *Prescot* aforesaid, to the House of *Michael Beezley*, and from thence continuing along the East Side of the Town of *Prescot* up to and through the said New Road of the Representatives of the said late *John Fazakerley*, until it unites with *Hillock-Street* in *Prescot* aforesaid, at or near the House in Possession of *John Chorley*; and also the said Road or Highway in *Prescot* called *Long-Street*, from the Market-place there, as far as the Buildings hereinafter

Old Tolls to cease.

Powers of former Act to continue except where altered by this Act.

For varying Parts of the Line of the Road.

hereinafter mentioned, the Scite whereof, with other Grounds of the Repreſentatives of the ſaid late *John Fazakerley*, will unite the ſaid Street with the Road of the ſaid late *John Fazakerley*, and alſo the ſaid intended New Road to be made from the Scite of the ſaid Buildings, and the ſaid Ground ſhall be extended, amended, and kept in Repair in ſuch Manner and by ſuch Ways and Means as any of the Roads mentioned in the ſaid former Act are thereby directed to be repaired and amended, provided the Terms of the ſaid Order of Juſtices, ſo far as reſpects the ſaid diverted Road being made and completed to the Satisfaction of the ſaid Juſtices, as particularly mentioned in the ſaid Order, are complied with; and the Agreement between the ſaid Truſtees and the Inhabitants of the ſaid Townſhip of *Huyton*, with regard to the Repairs of *School Lane*, be performed; and that from and after the paſſing of this Act all the Powers and Authorities given in and by the ſaid former Act for repairing of the ſaid Road leading from *Huyton* Town to the *Blue Bell* in *Huyton*, and the ſaid Road from the Toll-Bar in *Hillock-Street* to the South End of the ſaid New Road of the ſaid late *John Fazakerley*, ſhall ceaſe and determine, and the Truſtees of the ſaid Roads ſhall be exonerated and diſcharged from all future Repairs thereof; any Thing in the former or this preſent Act contained to the contrary thereof in anywiſe notwithſtanding.

For the Purchaſe of Cottages and Barn in *Long Street*, in *Preſcot*.

II. And be it further enacted, That in order to continue, extend, and widen the ſaid Street or Highway called the *Long Street*, in the Town of *Preſcot*, with the ſaid New Road of the ſaid late *John Fazakerley*, it will be neceſſary to take down Two Cottages and a Barn, belonging to *John Atherton* Eſquire, *James Lee*, and *John Barnes*, Clerk, and to uſe the Scites thereof for the Extenſion of the ſaid Street or Highway, and for the Continuation of *Long Street* aforeſaid into the ſaid New Road of the ſaid late *John Fazakerley*, in ſuch Direction that the Church may be plainly ſeen from the New End of the ſaid Street; and which ſaid Cottages, Barn, and Ground it ſhall and may be lawful for the ſaid Truſtees, or any Five or more of them, and they are hereby authorized and empowered to treat for, contract, and agree with the Proprietors and Occupiers of, and all other Perſons entitled to, or intereſted in, ſuch Cottages, Barn, and Ground for the Purchaſe thereof, and to proceed in ſuch Manner and with the like Powers and Proviſions as are given and granted in and by the ſaid recited Act, for aſcertaining and ſettling the Value of any Ground to be taken or made Uſe of for the Purpoſe of widening the Highways mentioned and contained in the ſaid recited Act.

Application of Compenſation Money where not amounting to 200 l.

III. 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 Act and this Act, for the Purpoſes thereof, which ſhall belong to any Corporation, Feme Covert, Infant, Lunatic, or Perſon or Perſons under any Diſability or Incapacity, as in the ſaid recited Act particularly mentioned, ſuch Money 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 High Court of Chancery, to be placed to his Account *ex parte* the Truſtees for executing the ſaid Act and this Act,

to

to the Intent that such Money shall be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way, by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments, in the Purchase of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrance, or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments standing settled therewith to the same or the like Uses, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the same Court, in the Purchase of other Messuages, 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 Messuages, 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 mean Time, and until such Purchase shall be made, the said Money shall, by Order of the Court of Chancery, 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 mean Time, 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 Money is less than 200*l.* and exceeds 20*l.*

IV. Provided always, 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 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 Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank, in the Name and with the Privity of the said Accountant General of the High Court of Chancery, and be placed to his Account as aforesaid, in order to be applied in Manner hereinbefore directed; or otherwise the same shall be paid, at the like Option, to Two Trustees, to be nominated by the Person or Persons making such Option, and approved of by Five or more of 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 any Manner hereinbefore directed, so far as the Case be applicable,

without obtaining, or being required to obtain, the Direction or Approbation of the Court of Chancery.

Application where the Money is less than 20 l.

V. Provided also, and be it further enacted, That where such Money so agreed or awarded to be paid as next 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 Hereditaments so purchased, taken, or used for the Purposes of the said Act and this Act, in such Manner as the said Trustees, or any Five or more of them, shall think fit; or in case of Infancy or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

Present Gates not to be removed.

VI. And be it also enacted, That the Trustees acting by virtue and in pursuance of the said former Act and of this Act, shall not, upon any Pretence whatsoever, remove any of the Toll Gates or Turnpikes already erected in pursuance of the said former Act, but the same shall remain and continue in the same Places where they now stand and are erected and not elsewhere.

For erecting a Turnpike near the *Old Swan*.

VII. And be it further enacted, That it shall and may be lawful to and for the Trustees acting in pursuance and by virtue of this Act, or any Five or more of them, if they shall think necessary and proper, to erect and set up, or cause to be erected and set up, a Turnpike or Turnpikes, Toll Gate or Toll Gates across the broad Part of the Highway or Road leading from *Prescot* to *Liverpool*, near a House called the *Old Swan*, and opposite or near to a Lane called *Edge Lane*, within the Township of *West Derby*, and continue the same during the said Term or any Part thereof; but no such Gate or Gates shall be erected or set up until Twenty Days' Notice at the least shall be given upon all the Turnpike Gates which shall be then standing across the said Roads, and also until such Notice shall have been inserted twice in two of the *Liverpool* Newspapers.

For erecting a new Gate between *Prescot* and *St. Helen's*.

VIII. And be it further enacted, That the said Trustees, if they shall think necessary and proper, shall in like Manner erect and set up, or cause to be erected and set up, a Turnpike or Turnpikes, Toll Gate or Toll Gates, across the broad Part of the Highway or Road from *Prescot* to *Saint Helen's*, so as the same be not erected or set up nearer the Town of *Prescot* than the Ninth Mile Stone standing between *Prescot* and *St. Helen's*, nor any Side Gate placed within the like Distance.

Exemptions.

IX. And be it further enacted, That no Person who shall pass through any Turnpikes or Gates to be erected at the *Old Swan*, or between the Town of *Prescot* and *Saint Helen's*, with any Horse or Beast, Coach, Cart, Waggon, or other Carriage not intending to go through the Turnpike or Toll Gate at *Huyton*, commonly called the *Huyton* Gate, or the Turnpikes or Toll Gates at *Roby* or *Haddock*, shall pay more than Half the Toll he or she would be liable to pay at either of the said Turnpikes or Gates at *Huyton*, *Roby*, or *Haddock* respectively, and in that Case shall not be entitled to have a Note or Ticket denoting such Payment, but that all Persons

Perſons who ſhall paſs through the ſaid Turnpikes or Toll Gates to be erected at the *Old Swan* or between *Preſcot* and *St. Helen's*, with a View to go through the *Huyton*, *Haddock*, or *Roby* Gates reſpectively, ſhall pay the Full Toll at the reſpective Gate or Gates, and have a Note or Ticket denoting that ſuch Toll has been paid, which Note or Ticket the Receiver or Receivers of ſuch Toll are required to give *gratis*; and no ſuch Perſon ſhall on the ſame Day, or before Twelve of the Clock at Night of that Day be liable or compellable to pay any other Toll or Duty at the ſaid laſt mentioned Gates or any of them, ſuch Perſon or Perſons producing and ſhewing ſuch Ticket as aforeſaid; and that in like Manner as laſt mentioned, any Perſon paſſing through the *Huyton* Gate ſhall, on producing ſuch Note or Ticket, be entitled to paſs free through the *Roby* Gate; and any Perſon paſſing through the *Roby* Gate ſhall, on producing ſuch Note or Ticket be entitled to paſs free through the *Huyton* Gate.

For erecting Gates for the preventing Evaſion of Tolls.

X. And be it further enacted, That the ſaid Truſtees, or any Five or more of them, (being a Majority of the Truſtees then aſſembled,) or ſuch Perſon or Perſons as they or any Five or more of them ſhall appoint, ſhall and may, and they are hereby reſpectively authorized and empowered to continue and erect, or cauſe to be continued and erected, the ſame or ſuch Turnpikes or Toll Gates in, upon, or on the Sides of the ſaid Highways or Roads ſo intended to be repaired and kept in Repair, and in and near to ſuch convenient Place or Places of the ſaid Highways or Roads, as they the ſaid Truſtees, or any Five or more of them, ſhall think neceſſary for preventing the evading of Payment of the Tolls hereinafter granted; ſave as aforeſaid, but no additional Turnpike ſhall be hereafter erected upon the Sides of the ſaid Roads until Twenty Days' Notice at the leaſt of the Intention to erect ſuch additional Turnpike ſhall be given upon all the Turnpikes or Toll Gates which ſhall be then ſtanding acroſs the ſaid Roads, and alſo until Notice thereof ſhall have been given twice in Two of the *Liverpool* Newſpapers; and the ſaid Truſtees, or any Five or more of them, (being ſuch Majority as aforeſaid,) may alſo cauſe Toll Houſes to be erected at or near any of the Turnpikes ſo to be continued or erected as aforeſaid, and the reſpective Tolls following ſhall, from and after the Firſt Day of *September* One Thouſand Eight Hundred and Two, and during the Continuance of this Act, be demanded and taken at the ſeveral Turnpikes or Toll Gates, now or hereinafter to be erected acroſs or on the Sides of the ſaid Roads, before any Cattle or Carriage ſhall be permitted to paſs through the ſame; that is to ſay,

Tolls.

For every long or Boat Coach uſually carrying or built to carry more than Six Paſſengers, drawn by Five, Six, or more Horſes or Beaſts of Draught, the Sum of Three Shillings; by Four or Three Horſes or Beaſts of Draught, the Sum of Two Shillings:

For every other Coach, Berlin, Landau, Chaiſe, Hearſe, Calaſh, Phaeton, Sociable, or ſuch like Carriage with Four Wheels, drawn by Five or Six Horſes or Beaſts of Draught, the Sum of Two Shillings; by Four Horſes or Beaſts of Draught, the Sum of One Shilling and Six-pence; by Three Horſes or Beaſts of Draught, the Sum of One Shilling and Three-pence; by Two Horſes or Beaſts of Draught, the Sum of Nine-pence:

For

For every Curricle, Gig, Whiſkey, Chair, Car, Caravan, or covered Carriage, or other Carriage with Two Wheels, drawn by Two Horſes or Beaſts of Draught, the Sum of Six-pence; and by One Horſe or Beaſt of Draught, the Sum of Four-pence:

For every Waggon or other ſuch like Carriage, or Timber Carriage, or other ſuch like Carriage, having the Soles or Bottoms of the Fellies of the Wheels of the Breadth or Gauge of Nine Inches and upwards, and drawn by not more than Four Horſes, or other Beaſts of Draught, the Sum of Two Shillings; and if drawn by more Horſes or other Beaſts of Draught, the Sum of Three-pence additional for every other Horſe or other Beaſt of Draught above that Number:

And having the Soles or Bottoms of the Fellies of the Wheels thereof of leſs Breadth or Gauge than Nine Inches, and not leſs than Six Inches, and drawn by not more than Four Horſes or other Beaſts of Draught, the Sum of Three Shillings; and drawn by a greater Number of Horſes or other Beaſts of Draught, the Sum of Four-pence additional for every other Horſe or Beaſt of Draught above that Number; and for every Waggon or other ſuch Four Wheel Carriage or Timber Carriage, with the Soles or Bottoms of the Fellies of the Wheels thereof of leſs Breadth or Gauge than Six Inches, and drawn by Four Horſes or other Beaſts of Draught, the Sum of Five Shillings, and the Sum of Six-pence additional for every other Horſe or Beaſt of Draught above that Number:

For every Wain, Cart, or other ſuch like Carriage of Burthen, with two Wheels, having the Soles or Bottoms of the Fellies of the Breadth or Gauge of Nine Inches, laden with Goods, Wares, or Merchandize, and drawn by One Horſe or Beaſt of Draught, the Sum of Two-pence; by Two Horſes or Beaſts of Draught the Sum of Four-pence; by Three Horſes or Beaſts of Draught, the Sum of Six-pence; and by Four or more Horſes or Beaſts of Draught the Sum of One Shilling:

For every Wain, Cart, or other ſuch like Carriage of Burthen with Two Wheels, having the Soles or Bottoms of the Fellies of the Breadth or Gauge of Six Inches or upwards, and under Nine Inches, loaded as laſt mentioned, and drawn by One Horſe or Beaſt of Draught, the Sum of Three-pence; by Two Horſes or Beaſts of Draught, the Sum of Six-pence; and by three Horſes or Beaſts of Draught, the Sum of Ten-pence; and having the Soles or Bottoms of the Fellies of the Wheels of leſs Breadth or Gauge than Six Inches, and drawn by One Horſe or Beaſt of Draught, the Sum of Four-pence; and drawn by Two Horſes or Beaſts of Draught, the Sum of One Shilling; and by Three or more Horſes or Beaſts of Draught, the Sum of Two Shillings:

For every Wain, Cart, or other ſuch like Carriage of Burthen, with Two Wheels, having the Soles or Bottoms of the Fellies of the Breadth or Gauge of Nine Inches, and laden with Coal, Slate, Turf, or Clay only, and drawn by One Horſe or Beaſt of Draught, the Sum of Two-pence; by Two Horſes or Beaſts of Draught the Sum of Three-pence; by Three Horſes or Beaſts of Draught the Sum of Four-pence; and by Four or more Horſes or Beaſts of Draught, the Sum of Nine-pence:

For

For every Wain, Cart, or other uch like Carriage of Burthen with Two Wheels, having the Soles or Bottoms of the Fellies of the Breadth or Gauge of Six Inches or upwards and not exceeding Nine Inches, loaded as laſt mentioned, and drawn by One Horſe or Beaſt of Draught, the Sum of Two-pence; by Two Horſes or Beaſts or Draught, the Sum of Four-pence; by Three or more Horſes or Beaſts of Draught the Sum of Eight-pence; and having the Soles or Bottoms of the Fellies of the Wheels of leſs Breadth or Gauge than Six Inches, and drawn by One Horſe or Beaſt of Draught the Sum of Three-pence; by Two Horſes or Beaſts of Draught, the Sum of Eight-pence; and by Three Horſes or Beaſts of Draught, the Sum of One Shilling and Six-pence:

For every Cart carrying Milk and Butter only to Market, and drawn by One Horſe only, the Sum of One Penny:

For every Horſe, Gelding, Mare, Aſs, or Mule carrying or loaden with Coal, Slate, Turf, or Clay only, the Sum of One Penny:

For every other Horſe, Gelding, Mare, Aſs, or Mule laden or unladen, and not drawing, the Sum of Three-half-pence:

For every Score of Oxen, Cows, or other Neat Cattle and Swine, the Sum of Ten-pence; and ſo in Proportion for any greater or leſs Number:

For every Score of Calves, Goats, Sheep, or Lambs, the Sum of Five-pence; and ſo in Proportion for any greater or leſs Number:

XI. Provided nevertheleſs, That if the Monies to be collected under the Authority of this Act ſhall hereafter be found inſufficient to anſwer the Ends and Purpoſes thereof, it ſhall and may be lawful for, and Power is hereby given to, the ſaid Truſtees for the Time being, or any Nine of them, ſo as ſuch Nine or more of the ſaid Truſtees be a Majority of the Truſtees then aſſembled, by an Order to be made at any Meeting to be holden in purſuance of this Act, upon One Calendar Month's Notice being given by the Clerk to the ſaid Truſtees, and affixed on all the Turnpike Gates ſtanding acroſs the ſaid Roads, and alſo inſerted twice in Two of the *Liverpool* Newſpapers (ſuch Notice ſpecifying the Buſineſs to be done at ſuch Meeting) from Time to Time and at any Time or Times during the Continuance of this Act, to raiſe all or any of the Tolls hereby granted, ſo as not to exceed double the ſaid Tolls herein before mentioned, or any of them, and again to leſſen or reduce the ſaid Tolls ſo raiſed, and by the Ways and Means hereinbefore directed, to demand, levy, and take ſuch advanced or reduced Tolls or Duties in lieu of the Tolls hereinbefore granted; but no ſuch Reduction ſhall be made without the Conſent of the Perſon or Perſons to whom ſuch Tolls ſhall or may be then leaſed, nor unleſs the Perſon or Perſons who ſhall then be entitled to Three-fourths of the Money which ſhall be then owing on the Credit of the ſaid Tolls ſhall be conſenting thereto.

Altering the Days of Meeting of the Truſtees at *Preſcot*.

XII. And whereas the Days of Meeting of the ſaid Truſtees at the Town of *Preſcot*, mentioned in the ſaid former Act, to put into Execution the ſaid Act, has been found inconvenient to many of the Truſtees

tees who are acting Magiſtrates for the ſaid County, and who hold a Petty Seſſions, or attend ſome other Meeting of Juſtices on the Firſt *Tueſday* in every Month at the Town Hall in *Preſcot*; and it would be for the Benefit of this Truſt if the Proviſion in the ſaid former Act, authorizing ſuch Meetings to be holden on the Days therein mentioned was repealed, and other Days and Times fixed to hold the Meetings which would not interfere with the Public Buſineſs of the ſaid Juſtices: Be it therefore further enacted, That the ſaid Truſtees or any Five or more of them ſhall meet within the Exchange of *Liverpool* on the Seventh Day of *Auguſt* One Thouſand Eight Hundred and Two, between the Hours of Eleven in the Forenoon and Two in the Afternoon, and proceed to the Execution of the ſaid recited Act and of this Act, and ſhall then and from Time to Time afterwards adjourn themſelves and meet at the ſame Place or at ſuch other convenient Place near to ſome Part of the ſaid Turnpike Roads as they ſhall judge proper for putting this Act into Execution, and eſpecially on the firſt *Saturday* in every Month within the Exchange of *Liverpool* aforeſaid, except in ſuch Months as the Meetings are hereinafter directed to be held at *Preſcot*, and that Six Monthly Meetings of the ſaid Truſtees ſhall be held yearly in the Town Hall of *Preſcot* aforeſaid on the Third *Tueſday* in the Months of *January*, *March*, *May*, *July*, *September*, and *November* in each and every Year during the Continuance of this Act, and if at the firſt or any ſubſequent Meeting, the Truſtees preſent ſhall neglect or omit to adjourn, or if at any of the ſaid Meetings there ſhall not attend a ſufficient Number of Truſtees to adjourn, (Two Truſtees being ſufficient for that Purpoſe,) then and in every ſuch Caſe ſuch Meeting ſhall ſtand and is hereby adjourned to the Firſt *Saturday* or Third *Tueſday* in the following Month, which ſhall then next follow ſuch Meeting or Adjournment to the Town Hall of *Preſcot* or Exchange of *Liverpool*, as the Caſe may happen, and ſo from Time to Time till a ſufficient Number of the ſaid Truſtees do or ſhall meet and adjourn themſelves as aforeſaid.

For preventing Neglect of Duty in the Keepers of Toll-Houſes or Weighing Machines.

XIII. And be it further enacted, That in order to detect any Connivance or Neglect of Duty in the Keeper of any Turnpike or Toll Gate now or hereafter to be erected upon the ſaid Roads, or in the Perſon appointed by the Truſtees to weigh Waggons or Carts, it ſhall be lawful for any Truſtee, Creditor, Clerk, Treaſurer, or Surveyor of the ſaid Turnpike Roads, if he ſuſpects ſuch Connivance or Neglect, to cauſe any Waggon, Cart, or Carriage liable to be weighed, which ſhall have paſſed through any Toll Gate or Turnpike now erected or hereafter to be erected upon the ſaid Roads, where ſuch Weighing Engine ſhall be erected, and ſhall not have paſſed Three Hundred Yards beyond ſuch Toll Gate, to return to ſuch Weighing Engine, and upon paying or tendering to him One Shilling for ſo doing (which One Shilling ſhall be returned the Perſon ſo paying, if, when weighed, the ſame be found above the Weight allowed): And in caſe the Driver of any ſuch Waggon, Cart, or Carriage liable to be weighed ſhall not then return to ſuch Weighing Machine, and ſubmit to be weighed, every ſuch Perſon ſo offending, ſhall forfeit any Sum not exceeding Forty Shillings, nor leſs than Twenty Shillings.

XIV. And

Punishing Persons unknown to the Collectors guilty of Offences.

XIV. And whereas Persons guilty of Offences against the said recited Act or this Act, may be Persons unknown to the Collectors, Surveyors, or other Officers under this Act: Be it therefore enacted, That it shall be lawful for the said Collectors, Surveyors, or other Officers respectively, to seize and detain any such unknown Person or Persons guilty of any such Offence, and to convey him, her, or them before the Mayor or any One or more Justice or Justices of the Peace for the Borough of *Liverpool* for the Time being, or before any One or more Justice or Justices of the Peace for the County of *Lancaster*, within their respective Jurisdictions as the Case may happen, without any other Warrant or Authority than this Act for so doing; and such Mayor or Justice or Justices of the Peace respectively, is and are hereby empowered and directed to hear and determine all or any of the Offences which are made subject to and punishable by any pecuniary Penalty or Penalties by this Act or the said recited Act, and for which no other Remedy is provided, and such Mayor, Justice, and Justices of the Peace are hereby respectively authorized and required to proceed to the Conviction or Acquittal of such Offender or Offenders, and on such Conviction to commit the Person or Persons offending to the House of Correction for the said Borough or County where the Offence shall be committed, as the Case may happen, until he, she, or they shall pay the respective Penalty or Penalties by him, her, or them incurred for such respective Offence or Offences.

Authorizing Trustees to compound for Tolls.

XV. And be it further enacted, That the said Trustees, or any Five or more of them, shall and may, and they are hereby authorized, from Time to Time, and as often as they shall think fit, to compound and agree for any Time not exceeding One Year at any one Time, with any Person or Persons (except Persons carrying Goods or other Things for Hire), for passing through all or any of the said Turnpikes with any Carriages, Horses, Cattle, or Beasts travelling upon the said Roads, for all or any of the Tolls to be paid for or in respect of such Carriages, Horses, Cattle, or Beasts; which Composition Money shall always be paid One Month or more in Advance, to the Treasurer of the said Roads, or Person or Persons to whom such Toll or Tolls shall or may be then leased; or in Default thereof, every such Composition to be void; and all such Composition Money shall be applied in such Manner as the Tolls hereby granted are directed to be applied, any Thing in the said recited Act to the contrary notwithstanding.

Application of Tolls.

XVI. And be it further enacted, That out of the First Money arising by the Tolls that shall be collected by virtue of this Act, or out of the First Money that shall be borrowed upon the Credit thereof, the said Trustees, or any Five or more of them, shall, in the first Place, pay and discharge all the Charges and Expences incident to and attending the obtaining and passing this Act, (the same having been first settled and allowed at a Meeting of the said Trustees,) and after Payment, Satisfaction and Discharge thereof, the Tolls and other Monies to arise by virtue of this Act, are hereby declared to be a Security for the Repayment of all Money now due and owing as aforesaid, and which shall be borrowed on the Credit of this Act, and all Interest due and to become due and owing for the same respectively, and

and ſubject and liable to the Payment and Diſcharge thereof, and that all the Monies which ſhall come to the Hands, Cuſtody, or Power of the ſaid Truſtees by virtue of this Act, or any Perſon acting under their Authority, ſhall, from Time to Time, be applied in erecting and maintaining the ſaid Turnpikes and Toll Houſes, and in improving, making, amending, widening, and repairing the ſaid Highways and Roads, and in defraying the neceſſary Charges and Expences attending the ſame, and the Execution of this Act, and to no other Uſe or Purpoſe whatſoever.

Horſes and Carriages laden with Milk, &c. not to pay Toll more than once.

XVII. Provided alſo and be it further enacted, That no Perſon ſhall be ſubject to the Payment of Toll more than once on the ſame Day for any Horſe, Beaſt, or Carriage laden only with Milk, Whey, Buttermilk, or Curds, or for the Return of any ſuch Horſe, Beaſt, or Carriage, with the empty Veſſels in which ſuch Milk, Whey, Buttermilk, or Curds ſhall have been carried, or with Grains or Draff for the Uſe of the Milch Cows of the Perſon or Perſons to whom the Milk, Whey, Buttermilk, or Curds ſo carried belonged, any Thing herein contained to the contrary notwithſtanding.

Public Act.

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

Commencement and Term of the Act.

XIX. And be it further enacted, That the Term granted by the ſaid recited Act ſhall, upon the Firſt Day of *September* One Thouſand Eight Hundred and Two ceaſe and determine, and that the ſaid Act (ſubject to the Alterations hereinbefore mentioned) and this Act 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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