



ANNO DECIMO

# GEORGIIV. REGIS.

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## Cap. cxiv.

An Act for more effectually repairing and otherwise improving the Roads from *Hurdlow House* in the County of *Derby* to *Manchester* in the County Palatine of *Lancaster*, and other Roads therein mentioned, in the said Counties and in the County Palatine of *Chester*. [1st June 1829.]

**W**HEREAS an Act was passed in the Fifth Year of the Reign of His present Majesty King *George* the Fourth, intituled *An Act for more effectually repairing and improving the Roads from Hurdlow House in the County of Derby to Manchester in the County Palatine of Lancaster, and other Roads in the said Counties and in the County Palatine of Chester*: And whereas the Trustees appointed in or or by virtue of the said recited Act have proceeded to put the same into execution: And whereas it would be beneficial if the said recited Act were repealed, and further and more effectual Powers granted for repairing, widening, diverting, and improving the Roads comprised in the said Act; but the beneficial 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same, That from and after the passing of this Act the said recited Act shall be and the same is hereby declared to be repealed, and null and void to all Intents and Purposes whatsoever.

5 G. 4. c. 10.

Recited Act repealed.

[Local.]

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II. And

This Act to take effect for repairing the Roads herein mentioned.

II. And be it further enacted, That instead thereof this Act shall commence and take effect and shall be put in execution for and during the Term herein-after mentioned, for the Purpose from Time to Time of repairing, widening, altering, diverting, and otherwise improving the Roads from *Hurdlow House* in the County of *Derby*, through *Buxton*, *Whaley*, *Disley*, *Bullocksmithy*, and *Stockport*, to *Manchester* in the County Palatine of *Lancaster*; and from *Herne-stone Lane Head* and *Sparrow Pit Gate*, through *Chapel-en-le-Frith*, all in the said County of *Derby*, to *Whaley* in the said County Palatine of *Chester*, and from or near *Barmoor Clough*, near the Town of *Chapel-en-le-Frith* aforesaid, to *Fairfield*, near *Buxton* aforesaid.

Trustees.

III. And be it further enacted, That all His Majesty's Justices of the Peace for the Time being acting for the said Counties Palatine of *Lancaster* and *Chester* and for the County of *Derby* respectively, together with the Honourable *James Abercrombie*, *William Ashby Ashby*, *Ralph Bower*, *John Bowker*, *William Bagshaw Clerk*, *Thomas Brown*, *John Bennett*, *Joseph Bellott*, *Thomas Bowden*, *Sir William Bagshaw Baronet*, *William John Bagshaw*, *Thomas Bateman*, *William Barker*, *Samuel Barker*, *George Bancroft*, *Thomas Boothman*, *John Bostock*, *Henry Barlow*, *Joshua Bruckshaw*, *John Bentley*, *John Barnes*, the Right Honourable *George Augustus Henry Cavendish* commonly called *Lord George Cavendish*, *Isaac Crewdson*, *John Champion*, *James Carrington*, *Anthony Carrington*, *Thomas Cloughton*, *William Crowther*, *William Clayton*, *David Shaw Clayton*, *William Coppock*, *Thomas Cardwell*, *John Clayton*, *Robert Davies*, *Thomas Drinkwater*, *John Dickenson*, *John Dixon*, *Sir Francis Darwin*, *Jonathan Dawson*, *Wilbraham Egerton*, *Matthew Ellison*, *Richard Entwisle*, *Thomas Entwisle*, *Robert Feilden*, *John Ford*, *Joseph Fletcher*, *John Frith*, *Richard Fletcher*, *Adam Fox*, *Joseph Firth*, *William Fox*, the Honourable *Henry Grey*, *John Gaskell*, *Joseph Gould*, *Samuel Grundy Clerk*, *Thomas Goodman*, *James Gee*, *Thomas Gaskell*, *Thomas Gisborne*, *Walter Joseph Gisborne*, *Samuel Green*, *Samuel Gaskell*, *Charles Greenway*, *John Grimshaw*, *James Grimshaw*, *George Grimshaw*, *John Grimshaw (of Audenshaw)*, *William Henry Doctor of Medicine*, *Thomas Cheek Hewes*, *George Hadfield*, *Samuel Harding*, *Philip Heacock*, *Henry Harrison*, *Salisbury Pryce Humphreys*, *Jesse Howard*, *John Howard*, *Apelles Howard*, *George Hole*, *James Hardie*, *Robert Hibberson*, *George Heron Clerk*, *Shallcross Jacson*, *John Isherwood*, *Samuel Jowett*, *Thomas Knight*, *John Kennedy*, *Henry Kirk*, *John Egerton Killer*, *Thomas Legh*, *John Lingard*, *James Longson*, *Joseph Lane*, *Aaron Lees*, *William Harrison Lees*, *Roger Rowson Lingard*, *Edward Loyd*, *Thomas Markland*, *Thomas Marchington*, *Thomas Marriott*, *William Marriott Clerk*, *Peter Marsland*, *Thomas Marsland*, *John Marsland*, *Samuel Marsland*, *James Meadows the younger*, *Marmaduke Middleton Middleton*, *George Mouncey Clerk*, *Joseph Mayer*, *Horatio Mason*, *James Meadows*, *Robert Needham*, *Robert Needham the younger*, *William Needham*, *Ellis Needham*, *Jasper Needham*, *George William Newton*, *John Orford*, *Richard Orford*, *Thomas Orford*, *Sir George Phillips Baronet*, *George Richard Phillips*, *Francis Philips*, *Shakespeare Philips*, *Francis Aspinal Philips*, *Thomas Pickford*, *Charles Kenrick Prescott Clerk*, *Charles Rider*, *Thomas Robinson*, *Sir John Thomas Stanley Baronet*,

Sir *Edward Stracey* Baronet, *Ashton Ashton Shuttleworth*, *Joseph Storer*, *George Smith*, *Olive Sims*, *Daniel Shaw*, *William Smith*, *Edward Smyth*, *William Swann*, *Edmund Sykes*, *John Richard Delap Tollemache*, *William Thomason*, *John Taylor*, *John Thomason*, *William Turner*, *James Tomlinson*, *Richard Titley*, *John Vaughan*, Sir *Robert Wilmot* Baronet, *Holland Watson*, *Lawrence Wright*, *John White*, *Thomas Caril Worsley*, *William Wright*, *Henry Wright* Clerk, *John Wright*, *William Whitelegg*, *Joseph Winter*, *Gilbert Winter*, *William Barlow Worthington*, and *John Kenyon Winterbottom*, and their Successors, being duly qualified, shall be and they are hereby appointed the Trustees for carrying into execution this Act.

IV. And be it further enacted, That for the Purpose of putting this Act in execution the said Trustees shall meet at the *Warren Bulkeley Arms* in the Town of *Stockport* aforesaid, or at some other convenient Place near the said Roads, on the Third *Wednesday* next after the passing of this Act, at Eleven of the Clock in the Forenoon. First Meeting of Trustees.

V. And be it further enacted, That it shall be lawful for the said Trustees, at the First or Second Meeting to be held under the Authority of this Act, to elect or appoint any Number of Persons duly qualified, not exceeding Ten in the whole, to be Trustees for executing this Act; and the Persons so elected or appointed are hereby invested with the same Powers and Authorities for executing this Act as if they had been hereby expressly named and appointed. Power to appoint additional Trustees.

VI. And whereas an Act was passed in the Eighth Year of the Reign of His present Majesty, intituled *An Act for more effectually repairing and otherwise improving the Road from the End of Ardwick Green, near Manchester in the County Palatine of Lancaster, to Hyde Lane Bridge in the County Palatine of Chester*, which Road unites with the Roads included in this Act at the End of *Ardwick Green* aforesaid, and Persons travelling thereon to the Town of *Manchester* are obliged to go about Half a Mile on the Roads included in this Act, and it would be a Hardship and Injury to such Persons to be liable to the Tolls granted by this Act; be it therefore further enacted, That for preventing such Hardship or Injury nothing herein contained shall empower the said Trustees to erect any Toll Gate between the Commencement of the said Road leading to *Hyde Lane Bridge* and the said Town of *Manchester*. No Turnpike to be erected between Ardwick Green and Manchester.

VII. And be it further enacted, That there shall be demanded and taken, by such Person or Persons as the said Trustees shall appoint for that Purpose, before any Horse or Beast, Coach, Chaise, Waggon, Cart, or Carriage, shall be permitted to pass through any of the Toll Bars now erected upon the said Roads, or any other to be erected in lieu of all or any of them, or in addition thereto, from the Person or Persons, or any of them, for the Time being driving, using, or having the Care of such Horse or Beast, Coach or Carriage, the respective Tolls following; (that is to say,) Tolls to be taken.

For every Horse or Beast drawing any Coach, Chariot, Hearse, or other such Carriage with more than Two Wheels, when there are Tolls.

Two

Two or more such Horses or Beasts, the Sum of Sixpence ; and when there is only One such Horse or Beast, the Sum of Eightpence :

For every Horse or Beast drawing any Curriclè, Gig, or other such Two-wheeled Carriage, when there are Two or more such Horses or Beasts, the Sum of Four-pence Halfpenny ; and when there is only One such Horse or Beast, the Sum of Sixpence :

For every Horse or Beast drawing any Waggon or other such Carriage with Four Wheels of the Breadth of Four Inches and a Half or upwards at the Bottom or Sole thereof, as follows ; (that is to say,) when there is only One such Horse or Beast, the Sum of One Shilling ; and when there is a greater Number of Horses or Beasts (not exceeding Four), the Sum of One Shilling for the First, and the further Sum of Three-pence for every additional Horse or Beast ; and when the Number of such Horses or Beasts shall exceed Four, the Sum of One Shilling each :

And for every Horse or Beast drawing any Waggon or other such Carriage with Wheels of less Breadth than Four Inches and a Half at the Bottom or Sole thereof, as follows ; that is to say, when there is only One such Horse or Beast, the Sum of One Shilling and Sixpence ; and when there is a greater Number of Horses or Beasts, the Sum of One Shilling and Sixpence for the First, and the further Sum of Sixpence for every additional Horse or Beast :

For every Horse or Beast drawing any Carriage commonly known by the Name of a Van or Caravan or other such Carriage, used for the Conveyance of Goods and constructed with Springs, as follows ; that is to say, when there are Four such Horses or Beasts, the Sum of Nine-pence ; when there are Three such Horses or Beasts, the Sum of Ten-pence ; and when there is a less Number, the Sum of One Shilling :

For every Horse or Beast drawing any Cart or other such Carriage with Two Wheels, as follows ; that is to say, when there is only One such Horse or Beast, the Sum of Sixpence ; and when there is a greater Number of Horses or Beasts, the Sum of Sixpence for the First, and the further Sum of Three-pence for every additional Horse or Beast :

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

For every Ox or Neat Cattle the Sum of One Penny :

And for every Calf, Pig, Sheep, or Lamb, the Sum of One Halfpenny.

Fractional Part of a Halfpenny in Tolls.

VIII. And be it further enacted, That in every Case where there shall be a fractional Part of a Halfpenny in the Amount of the Tolls hereby granted, the Sum of One Halfpenny shall be demanded and taken in lieu of such fractional Part.

One Half Toll between Manchester and Stockport and at Wellington Bridge Bar,

IX. And be it further enacted, That One Half only of the Tolls hereby granted shall be demanded and taken at the several Toll Bars called the *Longsight Bar*, the *Rushford Bar*, the *Heaton Chapel Bar*, and the *Wellington Bridge Bar*, or at any other Toll Bars which shall by virtue of this Act be erected in lieu thereof or of any of them, or in addition thereto, in the said County of *Lancaster* ; and that

that Two Third Parts only of such Tolls shall be demanded and taken in respect of Carts drawn by One Horse or Beast only, at the several Bars called the *Sandiway Head Bar*, the *Cock Yard Bar*, the *Buxton Bar*, and the *Fernilee Bar*, or at any other Bars which shall be erected by virtue of this Act in lieu thereof or in addition thereto, in the County of *Derby*.

and Two Third Parts only in Derbyshire, for One Horse Carts.

X. Provided always, and be it further enacted, That no Person who shall have paid the Tolls hereby granted at either of the Toll Bars called the *Cock Yard Bar* and the *Sandiway Head Bars* shall be liable on the same Day to the Payment of Toll at the other of them; or at any other or others to be erected in lieu thereof, upon producing a Note or Ticket denoting such Payment.

As to the Cock Yard and Sandiway Head Bars.

XI. Provided also, and be it further enacted, That every Person who shall have paid full Toll on passing through any of the Toll Bars now erected, or which may be hereafter erected by virtue of this Act, shall (on producing a Ticket denoting such Payment) be permitted to return Toll-free before Twelve of the Clock at Night of the same Day, with the same Horse or Beast, unless in the Cases of Horses or Beasts drawing any Waggon, Cart, or Carriage laden both on passing and returning with the Weight of Five Hundred Weight or upwards, of One hundred and twelve Pounds to the Hundred Weight, in which Cases full Toll shall be also paid when returning; but nothing herein contained shall empower the said Trustees to demand or take the Tolls hereby granted at more than Eight of the Toll Bars now erected or to be erected by virtue of this Act, on one and the same Day, in respect of the same Horses or Beasts.

Tolls to be paid but once for passing and re-passing.

XII. And be it further enacted, That if any Person shall pass or go a Third Time or oftener on the same Day (such Day to be computed from Twelve of the Clock in one Night to Twelve of the Clock in the next succeeding Night) with any Horse or Beast, drawing or not drawing, through all or any of the said Toll Bars, every such Person shall be liable and compellable again to pay the Tolls hereby imposed in the same Manner as such Person would have been liable in case he had not before on the same Day paid Toll or passed through any of the said Toll Bars.

Tolls payable every Third Time of passing.

XIII. Provided always, and be it further enacted, That for and in respect of all Horses or Beasts drawing any Stage Coach or Caravan, and also in respect of all Horses or Beasts drawing any Carriage whatever, employed in carrying Passengers or Goods for more than One Person for Hire or Reward, and also in respect of all Horses or Beasts drawing any Post Chaise or other such Carriage travelling for Hire (if hired afresh), the Tolls by this Act granted shall be paid as well for returning as passing through all or any of the Bars now erected or to be erected by virtue of this Act.

Tolls on Stage Coaches, Post Chaises, &c.

XIV. And whereas it frequently happens that Carts drawn by One Horse passing along the said Roads carry a greater Weight than is by Law allowed for Carts drawn by Two or more Horses; be it

One Horse Carts may be weighed.

therefore further enacted, That all Carts passing along the said Roads drawn by One Horse only shall and may be weighed at any Weighing Machine now erected or to be erected on the said Roads, and the like additional Tolls demanded, received, and recovered for the Overweight thereof as are by Law payable in respect of the Overweight of Carts drawn by Two or more Horses or Beasts; and all the Powers, Regulations, and Penalties now in force relating to the weighing of Carts drawn by more than One Horse or Beast shall be applicable to Carts passing on the said Roads drawn by One Horse or Beast only, and to the Drivers, Masters, and Owners thereof.

For weigh-  
ing Timber  
and other  
such Car-  
riages.

XV. And whereas Difficulties arise in the weighing of Carriages with Four Wheels used for the Conveyance of Timber and other Purposes, which it is desirable to obviate; be it therefore further enacted, That all such Carriages passing along the said Roads which are or may be so constructed as that all the Wheels thereof cannot be placed at one Time upon any Weighing Machine erected or to be erected upon the said Roads, the same shall and may be weighed at Twice, that is to say, the Two Fore Wheels thereof and the Loading thereon shall be first drawn upon such Weighing Machines and weighed, and afterwards the Hind Wheels and the Loading thereon; and the Aggregate of the Weights so ascertained shall be deemed the actual Weight of such Carriage and the Loading thereof, and the Persons using or driving the same shall be liable to the same Tolls or Penalties for Overweight as other Persons are liable to by Law.

For pre-  
venting Eva-  
sion of Tolls.

XVI. And whereas the Provisions and Regulations allowing specified Weights to be carried in Waggon and Carts according to the Width of the Wheels thereof are evaded by the Tires of such Wheels being so constructed as not to run or press upon a Surface equal to the actual Width thereof; be it therefore further enacted, That from and after the passing of this Act every Waggon, Cart, or other such Carriage passing along the said Roads, having Wheels of the Breadth of Nine Inches or more, the Tires of which do not press the Breadth of Nine Inches upon a level Surface, or the Tires of which deviate Three Quarters of an Inch from a flat Surface, shall be allowed the same Weight only and be subject to the same Toll as Waggon, Carts, and other such Carriages having Wheels of the Breadth of Six Inches; and every Waggon, Cart, or other such Carriage having Wheels of the Breadth of Six Inches and less than Nine Inches, the Tires of which do not press the Breadth of Six Inches upon a level Surface, or the Tires of which deviate Half an Inch from a flat Surface, shall be allowed the same Weight only and be subject to the same Toll as Waggon, Carts, and other such Carriages having Wheels of the Breadth of Four and a Half Inches; and every Waggon, Cart, or other such Carriage having Wheels of the Breadth of Four and a Half and less than Six Inches, the Tires of which do not press the Breadth of Four and a Half Inches upon a level Surface, or the Tires of which deviate a Quarter of an Inch from a flat Surface, shall be allowed the same Weight only and be subject to the same Toll

Toll as Waggon, Carts, and other such Carriages having Wheels of the Breadth of Three Inches.

XVII. And be it further enacted, That no Exemption from Toll for Overweight in respect of any Horse or Beast drawing any Waggon, Cart, or Carriage laden with Manure shall be claimed or allowed unless the Tires of the Wheels of such Waggon, Cart, or Carriage shall actually press the Breadth of Six Inches upon a flat Surface; and no Exemption from the Tolls hereby granted shall be allowed or claimed in respect of any Horse or Beast drawing any Waggon or Cart laden with Materials for making or repairing any Roads not included in this Act; any thing contained in any Act of Parliament relating to Turnpike Roads in *England* to the contrary notwithstanding.

Manure and Road Materials not exempted from Toll.

XVIII. And be it further enacted, That all the Monies, Tolls, and Effects which the said Trustees or any of them, or any Treasurer or other Person on their Behalf, are or is possessed of or entitled to by virtue of the said recited Act hereby repealed, or shall become possessed of or entitled to by virtue of this Act, shall be and the same are hereby vested in the said Trustees, and shall be by them applied, first in paying the Fees and 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 said recited Act hereby repealed, or which may hereafter become due and owing on the Credit of this Act, and in aid of the Sinking Fund herein-after mentioned, and afterwards in repairing, widening, altering, diverting, and otherwise improving the said Roads, and otherwise defraying the Expences attending the Execution of this Act, and to and for no other Use or Purpose whatsoever.

Application of Tolls.

XIX. And be it further enacted, That from and after the passing of this Act the Sum of One Pound Sterling *per Centum per Annum* on the Amount of all Principal Monies now due on the Tolls of the said Roads, and on the Amount of every further Sum of Money hereafter to be borrowed at Interest upon the Credit of the Tolls thereof, shall be charged on and paid out of the said Tolls, in order to form a Sinking Fund for the gradual Payment of the said Monies; and after Payment thereby of any Part of such Principal Monies the full Interest which would have been otherwise payable in respect of the same shall still be charged on and paid out of the said Tolls, in aid of the said Sinking Fund; and as often as the said Sinking Fund shall amount to the Sum of One thousand Pounds, that Sum shall be applied in Payment of an equal Amount of the Principal Monies already owing or hereafter to be borrowed and then remaining due on Security of the said Tolls; such Payment to be made to One of the Creditors by Lot.

Sinking Fund.

XX. 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.

Public Act.

XXI. And

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

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