



ANNO DECIMO

GEORGIIV. REGIS.

Cap. cxv.

An Act for more effectually repairing and improving the Road from the Bottom of *Church Lane*, in the Town of *Newcastle-under-Lyme* in the County of *Stafford*, to the Road leading from *Woore* to *Chester*, near *Nantwich*, in the County Palatine of *Chester*, and other Roads therein mentioned. [1st June 1829.]

WHEREAS an Act was passed in the Sixth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for repairing and widening the Road leading from the Bottom of Church Lane, in the Town of Newcastle-under-Lyme in the County of Stafford, to the Turnpike Road leading from Woore to Chester, near the Town of Nantwich, in the County of Chester, and from Chesterton, through Audley and Balterly, to Ghorsty Hill*: And whereas an Act was passed in the Twenty-sixth Year of the Reign of His said late Majesty King *George* the Third, intituled *An Act for enlarging the Terms and Powers of an Act made in the Sixth Year of the Reign of His present Majesty, for repairing and widening the Road leading from the Bottom of Church Lane, in the Town of Newcastle-under-Lyme in the County of Stafford, to the Turnpike Road leading from Woore to Chester, near the Town of Nantwich, in the County of Chester and from Chesterton, through Audley and Balterley, to Ghorsty Hill*: And whereas an Act was passed in

6 G. 3. c. 89.
26 G. 3. c. 153.

[Local.] 31 H the

48 G. 3. c. 90.

the Forty-eighth Year of the Reign of His late Majesty King George the Third, intituled *An Act to continue the Term and alter and enlarge the Powers of Two Acts of His present Majesty, for repairing the Road from the Bottom of Church Lane, in the Town of Newcastle-under-Lyme in the County of Stafford, to the Road from Woore to Chester, near Nantwich, in the County of Chester, and other Roads therein mentioned*: And whereas the Trustees acting under the said Three several Acts have proceeded to put the same in execution, and have borrowed considerable Sums of Money on the Credit of the Tolls thereby authorized to be taken, which Money still remains due and owing, together with some Arrear of Interest, and the same cannot be paid off, nor can the said Roads be effectually amended, widened, altered, improved, and kept in repair, unless the Term granted and continued by the said recited Acts be further continued; and it is expedient that the said Acts should be repealed, and further, better, and more effectual Provisions made for repairing, maintaining, and otherwise improving the said Roads; but the same cannot be effected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 several recited Acts shall be and the same are hereby declared to be repealed, and null and void to all Intents and Purposes whatsoever.

Recited Acts
repealed.

This Act to
be put in
force for re-
pairing the
Roads herein
mentioned.

II. And be it further enacted, That this Act shall from thenceforth commence and take effect and be put in execution for and during the Term herein-after mentioned, for the Purpose of repairing and otherwise improving the Roads herein-after mentioned and described; (that is to say,) the Road leading from the Bottom of *Church Lane*, in the Town of *Newcastle-under-Lyme* in the County of *Stafford*, to the Turnpike Road leading from *Woore to Chester*, near the Town of *Nantwich*, in the County Palatine of *Chester*, and from *Chesterton*, through *Audley* and *Balterley*, to *Ghorsty Hill*, and which said Roads pass from the Bottom of *Church Lane*, in the Town of *Newcastle-under-Lyme* aforesaid, through and into the several Parishes, Townships, or Places of *Newcastle-under-Lyme*, *Stoke-upon-Trent*, *Knutton*, *Clayton*, *Griffith*, *Seabridge*, *Keel*, *Madeley*, *Betley*, *Balterley*, *Knowl End*, *Audley*, *Bignall End*, and *Chesterton*, in the County of *Stafford*, and the several Townships of *Checkley-cum-Wrinehill*, *Weston*, *Chorlton*, *Hough*, *Shavington-cum-Gresty*, *Wybunbury*, *Willaston*, and *Stapeley* within the Parish of *Wybunbury*, in the said County Palatine of *Chester*.

Appointment
of Trustees.

III. And be it further enacted, That all His Majesty's Justices of the Peace for the Time being acting for the County of *Stafford* and for the County Palatine of *Chester* respectively, together with *Thomas Allen*, *Robert Ellis Aitkens* Clerk, *John Anderton* Clerk, *Lawrence Armitstead*, *John Armitstead* Clerk, *Henry Delves Broughton* Clerk, *James Burgess*, *Alexander Buchanan* Clerk, *Richard Bent* Doctor of Medicine, *Hugh Booth*, *Ralph Bagot* Clerk, *Sir Thomas Fletcher Fenton Boughey* Baronet, *John Bennett*, *Ralph Bourne*, *William Baker*,

John Bourne, John Gill, Richard Bent, Lieutenant General Sir John Delves Broughton Baronet, James Bayley the elder, James Bayley the younger, Michael Bott, Foster Cunliffe, Baddeley Child, William Child, James Caldwell, James Stamford Caldwell, John Stevenson Cattlow Clerk, the Honourable John Crewe, Henry Calvely Cotton, William Cotton Clerk, George Cappur, William Cooke, Robert Cooke, Willoughby Crewe Clerk, John Davenport, John Downes, Edward Davies Davenport, Thomas Ellison, Thomas Fenton, Robert Fenton, Thomas Furbar, Richard Sutton Ford, John Gardner, Richard Henry Gretton Clerk, John Hales, Richard Edensor, Robert Harrison, Robert Green Hill, Robert Hill, Charles Stephen Hassall, William Hill, Samuel Harding, John Harding, Thomas Hodgson, James Walthall Hammond, John Hallam, William Henshall, William Jervis, Thomas Kinnersley, Edward Kinnersley, Edward Kent, Thomas Kirkham, Edward John Littleton, Clement Leigh, Charles Bourne Lawton, Thomas Leech, Thomas Minton, Samuel Mayer, Thomas Mayer, Francis Mare, Charles Mare, Matthew Mare, Thomas Mayer the younger, Charles Mainwaring, James Mainwaring, Thomas William Smith Meek, Thomas Mackenzie Doctor of Medicine, Herbert Minton, William Massey, Job Meigh, Charles Meigh, Francis Hitchin Northam. Doctor of Medicine, John Nickisson, John Phillips, John Eldershaw Phillips, Thomas Phillips, John Rowley, John Rowley the younger, John Richardson, Benjamin Rodenhurst, John Smith, Walter Sneyd, Ralph Sneyd, Walter Sneyd the younger, Josiah Spode, George Tollet, Thomas Twemlow, Francis Twemlow, James Tomkinson Clerk, Henry Tomkinson Clerk, William Tomkinson, Henry James Tomkinson, Thomas Turner, Henry Turton, John Wedgwood, Josiah Wedgwood, Josiah Wedgwood the younger, Francis Wedgwood, Hugh Henshall Williamson, Thomas Ward, John Wood, Enoch Wood, George Wood, Randle Wilbraham, Randle Wilbraham the younger, Charles Wicksted, Samuel Wilkinson, Thomas Wilson, and their Successors, being duly qualified, shall be the Trustees for the Purpose of putting this Act into execution.

IV. And be it further enacted, That it shall be lawful for the said Trustees, at their First or Second Meeting to be holden in pursuance of this Act, to elect and appoint any Number of Persons, not exceeding Five in the whole, being duly qualified, to be Trustees for the Purposes aforesaid; and such Persons when so elected and appointed shall have the same Powers and Authorities as if they had been nominated or appointed Trustees in or by this Act.

Power to appoint additional Trustees.

V. And be it further enacted, That the said Trustees shall hold their First Meeting at the *Black Horse Inn* in *Betley* in the said County of *Stafford*, or at some other convenient House or Place on the Line of the said Roads, on the Third *Friday* next after the passing of this Act, between the Hours of Ten of the Clock in the Forenoon and Three in the Afternoon, or as soon after as conveniently may be, and shall and may then and from Time to Time after adjourn to and meet at such Times and at such Place or Places in the Neighbourhood of the said Roads as they shall think proper.

First Meeting of Trustees.

VI. And

Power to
take Tolls.

VI. And be it further enacted, That it shall be lawful for the said Trustees, or for the Collectors or Lessees of Tolls, to demand and take at each Toll Gate, Turnpike, Side Bar, and Chain which now is or hereafter shall be standing across or at the Side of the said Roads, on every Day, (such Day to be computed from Twelve of the Clock in one Night to Twelve of the Clock on the next succeeding Night,) the Tolls following; (that is to say,)

Tolls.

For every Horse, Mule, Ass, or other Beast drawing any Coach, Stage Coach, Landau, Barouche, Chariot, Chaise, Landulet, Phaeton, Hearse, Curricule, Chair, Gig, Caravan, Van, or other Carriage of the like Description, by whatsoever Name called or known, any Sum not exceeding Sixpence :

For every Horse, Mule, Ass, or other Beast drawing any Waggon, Wain, Cart, or other such like 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 Four-pence ; and having the Fellies of the Wheels thereof of the Breadth of Four and a Half Inches or upwards, and less than Six Inches, at the Bottom or Soles thereof, any Sum not exceeding Five-pence ; and having the Fellies of the Wheels thereof of the Breadth of Three Inches or upwards, and less than Four and a Half Inches, at the Bottom or Soles thereof, any Sum not exceeding Sixpence ; and having the Fellies of the Wheels thereof of less Breadth than Three Inches at the Bottom or Soles thereof, any Sum not exceeding Seven-pence :

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

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

And for every Drove of Calves, Swine, Sheep, or Lambs, the Sum of Eight-pence *per* Score, and so in proportion for any less Number than a Score :

Tolls vested
in the Trus-
tees.

Which said respective Tolls or Sums of Money shall be demanded and taken as aforesaid before any Horse, Mule, Ass, or any Cattle or Carriage whatsoever shall be permitted to pass through any such Toll Gate or Turnpike or Side Bar or Chain ; 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 to be
paid but
Once a Day
at same Gate.

VII. Provided always, and be it further enacted, That in case the Toll hereby authorized to be taken shall have been paid for the passing of any Horse, Mule, Ass, Beast, or other Cattle through any one of such Toll Gates, Turnpikes, or Side Gates or Chains; such Horse, Mule, Ass, Beast, or other Cattle shall, upon a Ticket denoting the Payment thereof on that Day being produced, be permitted to pass Toll-free during the same Day (to be computed from Twelve of the Clock in one Night to Twelve of the Clock in the next succeeding Night) through the same Toll Gate, Turnpike, or Side Gate or Chain, and also through the next Toll Gate, Turnpike, or Side Gate or Chain, or through such other Gate or Gates, Side Gate

Gate or Chains (if any), erected on the said Roads or the Sides thereof, as the Ticket for such Payment shall denote to be free; any thing in this Act contained to the contrary thereof in anywise notwithstanding.

VIII. Provided also, and be it further enacted, That nothing herein contained shall extend or be construed to extend to empower the said Trustees to demand or take more than Two full Tolls for or in respect of the same Horse, Beast, or other Cattle, for passing or repassing at any Time or Times in any one Day (to be computed as aforesaid) through all or any of the Toll Gates, Turnpikes, or Side Gates along the whole Line of the said Roads; and no more than One full Toll shall be demanded or taken on such Part of the said Roads as is situate between the Bottom of *Church Lane* in the Town of *Newcastle-under-Lyme* aforesaid and *Betley* aforesaid, for or in respect of the same Horses or other Beasts or Cattle, at any Gate or Gates continued or erected by virtue of this Act, on the same Day (to be computed as aforesaid); and no more than One full Toll shall be demanded or taken on such Part of the said Roads as is situate between *Betley* aforesaid and the Termination thereof at the Road from *Woore* to *Chester* near *Nantwich* aforesaid, for or in respect of the same Horses or other Beasts or Cattle, at any Gate or Gates continued or erected by virtue of this Act, on the same Day (to be computed as aforesaid); and no more than One full Toll shall be demanded or taken on such Part of the said Roads as is situate between *Chesterton* and the Village of *Audley*, for or in respect of the same Horses or other Beasts or Cattle, at any Gate or Gates continued or erected by virtue of this Act, on the same Day (to be computed as aforesaid); and no more than One full Toll shall be demanded or taken on such Parts of the said Roads as are situate between the Village of *Audley* aforesaid and the Termination thereof at the Road from *Woore* to *Chester* near *Nantwich* aforesaid, for or in respect of the same Horses or Beasts or Cattle, at any Gate or Gates continued or erected by virtue of this Act, on the same Day (to be computed as aforesaid).

Limiting the Number of Tolls to be taken on the whole Line.

IX. Provided also, and be it further enacted, That the Tolls hereby made payable for or in respect of all Horses or other Beasts drawing any Stage Coach, Diligence, Van, Caravan, Stage Waggon, or other Stage Carriage conveying any Passengers or Goods for Pay or Reward, shall be payable and paid every Time of passing along the said Roads, or any of them.

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

X. Provided also, and be it further enacted, That the Tolls hereby made payable for or in respect of Horses or Beasts let out to Hire, or drawing any Post Chaise or other Carriage, shall be payable and paid every Time of passing along the said Roads, or any of them, whenever any new Hiring thereof shall take place.

Post Chaises, &c. on every new Hiring.

XI. And be it further enacted, That the Monies already received by virtue of the said recited Acts hereby repealed on account of the said Roads, and the Monies which shall be raised or received by virtue of this Act, shall be applied and disposed of by the said Trustees in manner following; (that is to say,) in the first place, in paying and

Application of Tolls and Money borrowed.

[Local.]

31 I

discharging

discharging all the Costs and Expences relative to the procuring and passing of this Act, together with lawful Interest for any Money which shall be raised or borrowed for that Purpose; in the next place, in paying and discharging the Interest now in arrear and accruing and becoming due upon the several Mortgages and Securities which have been already made and granted or which shall be at any Time made and granted upon the said Tolls in pursuance of this Act; and in the next place, in defraying the Expences of providing and erecting Toll Houses and Turnpike Gates upon the said Roads, and in repairing and otherwise improving the said Roads, and in putting this Act in execution in all other respects; and lastly, in reducing, paying off, and discharging the Principal Sums for the Time being due or to become due on Security of the Tolls and Duties by this Act granted.

Tolls not to be laid out in repairing, &c. Streets.

XII. Provided always, and be it further enacted, That none of the Tolls authorized by this Act to be taken upon the said Roads, nor any of the Monies raised by virtue of the said recited Acts, or any of them, or to be raised by virtue of this Act, shall be paid, laid out, or expended in the Repair or Improvement of any Street, Highway, or Place within the Town of *Newcastle-under-Lyme*, or any other Town through which the said Road shall pass.

Public Act.

XIII. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others, without being specially pleaded.

Term of Act.

XIV. And be it further enacted, That this Act shall commence and take effect upon the passing thereof, and shall continue and be in full Force and Effect and be executed for and during the Term of Thirty-one Years, and from thence to the End of the then next Session of Parliament.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN,
Printers to the King's most Excellent Majesty. 1829.