



ANNO QUADRAGESIMO QUARTO

# GEORGII III. REGIS.

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## *Cap. 10.*

An Act for continuing the Term, and enlarging and altering the Powers, of Two Acts, made in the Second and Twenty-second Years of His present Majesty, for repairing the Road from *Ashborne* in the County of *Derby*, to *Leek* in the County of *Stafford*, and from *Ryecroft Gate* upon *Rushton Common*, to *Congleton* in the County of *Chester*.  
[23d March 1804.]

**W**HEREAS an Act was made in the Second Year of the Reign of His present Majesty, intituled, *An Act for repairing and widening the High Road leading from Ashborne in the County of Derby, to the Town of Leek in the County of Stafford, and from Ryecroft Gate upon Rushton Common, to Congleton in the County of Chester; and also the Road leading from Blyth Marsh in the County of Stafford, through Cheadle, Oakamoor, and Blore, to the Turnpike Road from Ashborne to Buxton near Thorp, in the County of Derby*: And whereas another Act was made in the Twenty-second Year of the Reign of His present Majesty, intituled, *An Act for enlarging the Term and Powers of so much of an Act, made in 21. G. 3. [Loc. & Per.]*  
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*the Second Year of the Reign of His present Majesty, intituled, ' An Act for repairing and widening the High Road leading from Ashborne in the County of Derby, to the Town of Leek in the County of Stafford, and from Rycroft Gate upon Rushton Common, to Congleton in the County of Chester; and also the Road leading from Blyth Marsh in the County of Stafford, through Cheadle, Oakamoor, and Blore, to the Turnpike Road from Ashborne to Buxton near Thorp, in the County of Derby,' as relates to the District of Road between Ashborne and Congleton; and for repairing the Road from the End of Ashborne Church Yard, to the Top of the Dig Street in Ashborne aforesaid: And whereas by virtue and under the Authority of the said Acts, the Trustees have made great Progress in the Execution thereof, within that District of the said Road which leads from Ashborne in the County of Derby, to the Town of Leek in the County of Stafford, and from Rycroft Gate upon Rushton Common to Congleton in the County of Chester, and from Ashborne Church Yard to the Top of the Dig Street in Ashborne aforesaid, and have borrowed considerable Sums of Money upon the Credit of the Tolls arising within the said District, but find that the said Road cannot be effectually amended and kept in Repair, nor the Monies now owing repaid, unless the Term of the said Acts, and the Powers thereof in respect of the said District, be continued, altered, and enlarged: 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 said recited Acts and all the Clauses, Powers, Provisions, Orders, Regulations, Restrictions, Matters, and Things therein contained, so far as the same relate to the said District of Road leading from Ashborne in the County of Derby to the Town of Leek in the County of Stafford, and from Rycroft Gate upon Rushton Common to Congleton in the County of Chester, and from Ashborne Church Yard to the Top of the Dig Street in Ashborne aforesaid, (except such Parts thereof as are hereby varied, altered, or repealed, and except such Parts thereof as relate to Exemption from Stamp Duties), shall be and the same are hereby further continued for and during the Term hereinafter mentioned, in as full and ample a Manner to all Intents and Purposes as if the same were repeated and re-enacted in the Body of this Act; and this Act, and the additional Term and the Tolls hereby granted, shall be subject and liable to the Payment of all Sums of Money now due and owing upon the Credit of the Tolls arising within the said District of Road, and of such other Sum and Sums of Money as shall be borrowed or become due and owing on the Credit thereof respectively, and of this Act, and of the Interest due and to grow due upon the same.*

For appoint-  
ing additional  
Trustees.

II. And be it further enacted, That, from and after the passing of this Act, *William Ackroyd, Thomas Armelt, John Armelt, Edmund Antrobus, John Antrobus, Philip Antrobus, James Ackers, Joseph Alsop, Thomas Brownson, John Brownson, John Buxton of Ballidon, John Booth, Stephen Bond, William Booth, Jonathan Broadhurst, John Beresford, Joseph Bradley of Shaw Banks, Richard Buxton, Thomas Buxton, Samuel Buxton, the Reverend George Buckston, the Reverend Paul Belcher, John Butcher, Hugh Bateman, William Barnes, John Barnes, Edward Barnes, Philip Bainbrigge, John Bainbrigge, John Brown, the Reverend Thomas Bingham, Thomas Brownson,*



Brownson, James Brundred, Benjamin Berrisford, Robert Blere the younger, Anthony Berresford, Francis Bagshaw, Anthony Bagshaw the younger, John Bagnall, William Badnall, Richard Badnall, Thomas Ball, ——— Castley, Thomas Chaddock, John Cooper, Toft Chorley, the Reverend William Carlisle, Thomas Carr, William Carr, Eli Cope, George Cope, Joseph Coudlyffe, George Clulow, John Cruso, John Douglas Cooper, Edward Corden, Robert Dale the younger, Thurstan Dale, Richard Dale, John Dean, John Downs, Samuel Dawson, John Smith Daintry, Charles Daintry, Peter Walball Davenport, Lewis Davies, John Dobson, Charles Dobson, William Egerton, William Etches of Ashborne, John Evans, William Fletcher, Sir Henry Fitzherbert Baronet, Isaac Faulkner, Joseph Frith the younger, John Fowler, Hugh Ford, John Fynney, Joseph Fletcher, Francis Goodwin, Robert Doxey Goodwin, William Gallimore, William Gallimore the younger, Thomas Gallimore, John Greensmith, Thomas Fenton Grosvenor, Samuel Goodwin, Richard Gaunt, Josiah Gaunt the younger, Arthur Goodwin, John Hayne, Josiah Harwar, the Reverend John Heptinstall, John Haworth, Richard Haud, Robert Hogg, Thomas Hemsworth, John Hemsworth, William Holyoak, Samuel Harlow, Francis Hurd, Thomas Hurd, Henry Heyward, James Hulme Doctor of Medicine, Samuel Hilditch, Edward Hordern, John Haywood, Charles Hall, William Jackson, George Jelley, John Johnson, Henry Jones, Richard Kenyon, George Ridgeway Killmister, Thomas Knight, Joseph Leason, John Langford, Thomas Lockett, William Lownds, Owen Lloyd, William Lownds of Sandbatch, John Lockett, James Lucas, Thomas Laugharn, Samuel Lucas, Joseph Lay, Edward Miller Munday, Thomas Maskery of Norbury, Thomas Maskery of Little Park, Samuel Mellor, William Malbon, Richard Myatt, Thomas Mottram, John Matchett, James Mayer, the Reverend Fairfax Norcliffe, Edward Nicolls, Edward Nicolls the younger, Houghton Farmer Okeover, Samuel Powell, John Foliot Powell, Nathaniel Maxey Pattison, John Plant, John Pidcock, Thomas Pidcock, Samuel Peader Parkes, William Peach, the Reverend Edward Powys, William Peak, Thomas Phillips, Thomas Phillips the younger, George Pratt, George Read, William Read, William Riddesden, James Riddesden, John Richardson, the Reverend George Roe, the Reverend John Rogers, the Reverend Samuel Shipley, Thomas Smith, John Shackerley, Thomas Slate, William Sleigh, John Smith, William Sutton, William Smith of Mathfield, David Shaw, William Smith of Tiffington, John Sutton, John Sneyd, William Sneyd, John Sleigh, Richard Sleigh, Nathan Sutton, Thomas Sutton of Leek, Humphry Thompson, John Thompson, Enoch Tompkinson, Richard Tomlinson, George Thompson, John Vandre, William Webster, Edward Cheney Winslow, Edward Walker the younger, Jervis Wood, John Wood, William White, Philip Waterfield, the Reverend John Webb, Charles Watkins, Randle Wilbraham, John Wilkinson, Jonathan Washington, Henry Whitfield, Thomas Whitfield, the Reverend Samuel Williamson, Henry West, Francis West, John Wooliscroft, Richard Whillock, Charles Weston, Barnett Young, and Samuel Young, shall be added to and joined with the Trustees appointed by or in pursuance of the said former Acts for putting the said former Acts, so far as relates to the said District of Road, and this present Act in Execution; and the Trustees herein nominated and their Successors, being qualified according to the Directions of the said first recited Act, are hereby empowered to act in the Execution of so much of the said former Acts as relates to the said District of Road and of this present Act, as fully and effectually



effectually to all Intents and Purposes as if they had been appointed Trustees by the said recited Acts or either of them.

No Trustee to  
act in appoint-  
ing Officers,  
unless he at-  
tended a  
Meeting with-  
in Two Years.

III. Provided always, and be it enacted, That after the Expiration of One Year from the Commencement of this Act no Trustee shall be capable of voting in the Appointment of any Clerk or other Officer in pursuance of this Act or the said recited Acts, unless he shall have been appointed at or shall have attended some Meeting of the said Trustees, within the Space of Two Years next preceding the Appointment of such Officer.

Present Tolls  
repealed.

IV. And whereas the Tolls by the said recited Act of the Second Year of the Reign of His present Majesty authorized to be taken on the said District of Road, have been found insufficient effectually to maintain and repair the same, and pay the Interest of the Money borrowed; be it therefore enacted, That, from and after the Thirtieth Day of *June* One thousand eight hundred and four, all and every the Tolls granted by the said recited Act shall be and are hereby repealed, and that instead thereof there shall be demanded and taken by such Person or Persons as the said Trustees, or any Five or more of them, shall from Time to Time authorize or appoint for that Purpose, before any Horse or other Cattle, Coach, Chaise, Waggon, Cart, or other Carriage, shall be permitted to pass through any Turnpike or Turnpikes, Toll Gate or Toll Gates, now erected and set up, or hereafter to be erected and set up, by virtue of the said recited Acts or either of them, and of this Act on the said District of Road, such Tolls as the said Trustees, or any Five or more of them, shall think proper, not being less than the Tolls hereby repealed, and not exceeding the several and respective Sums of Money herein-after mentioned; that is to say,

New Tolls.

For every Coach, Berlin, Landau, Chariot, Calash, Chaise, or Chair, upon Four Wheels, drawn by Six or more Horses or Beasts of Draught, Two Shillings; and drawn by Four Horses or Beasts of Draught, One Shilling and Sixpence; and drawn by less than Four Horses or Beasts of Draught, One Shilling:

For every Curricule, Calash, Chaise, or Chair, upon Two Wheels drawn by Two or more Horses or Beasts of Draught, Eight-pence; and drawn by One Horse or Beast of Draught, Sixpence:

For every Waggon or other such Four-wheeled Carriage, with Wheels of the Breadth of Nine Inches on the Bottom or Sole thereof, Four Shillings; with Wheels of the Surface of Sixteen Inches, Two Shillings; or upon Rollers of the Breadth of Sixteen Inches, Two Shillings:

For every Cart, Wain, or other such Carriage, with Wheels of the Breadth of Nine Inches on the Sole thereof, drawn by Four or more than Four Horses or Beasts of Draught, One Shilling; and drawn by Three Horses or Beasts of Draught, Nine-pence; and drawn by Two Horses or Beasts of Draught, Sixpence; and drawn by One Horse or Beast of Draught, Three-pence; and for every Cart, Wain, or Carriage, upon Rollers of the Breadth of Sixteen Inches, Sixpence:

For every Waggon, or other such Four-wheeled Carriage, with Wheels of the Breadth of Six Inches as aforesaid, Four Shillings; and  
for



for every Waggon upon Wheels rolling a Surface of Eleven Inches on each Side, Two Shillings :

For every Cart, Wain, or other such Carriage, with Wheels of the Breadth of Six Inches as aforesaid, drawn by Three or Four Horses or Beasts of Draught, One Shilling; and drawn by Two Horses or Beasts of Draught, Eight-pence; and drawn by One Horse or Beast of Draught, Four-pence :

For every Waggon or other such Four-wheeled Carriage, with Wheels of less Breadth than Six Inches, and drawn by any Horse or Horses, or Beast or Beasts of Draught, Four Shillings; and for every Cart, Wain, or other such Carriage with Wheels of less Breadth than Six Inches, and drawn by Three Horses or Beasts of Draught, One Shilling and Six-pence; and drawn by Two Horses or Beasts of Draught, One Shilling; and drawn by One Horse or Beast of Draught, Sixpence :

For every Horse, Mare, Gelding, Mule, or Afs, laden or unladen and not drawing, One Penny :

For every Drove of Oxen or Neat Cattle, Ten-pence *per* Score, and so in Proportion for any greater or less Number :

And for every Drove of Calves, Hogs, Sheep or Lambs, Five-pence *per* Score, and so in Proportion for any greater or less Number :

V. And be it further enacted, That it shall and may be lawful to and for the said Trustees, or any Five or more of them, to cause to be levied and collected, at the several Turnpikes or Toll Gates now erected and set up, or hereafter to be erected and set up, upon the said District of Road, by such Person or Persons as the said Trustees, or any Five or more of them, shall authorize or appoint for that Purpose, such Tolls as the said Trustees, or any Five or more of them, shall think proper, not exceeding Double the Tolls by this Act granted, for every Horse, Beast, or other Cattle, Coach, Waggon, Cart, or other Carriage as aforesaid, passing on every *Sunday* through the said Turnpikes or Toll Gates, (except such Horses or other Beasts or Carriages as shall be used and employed in carrying or conveying Milk only); and from Time to Time to alter or vary the same in such Manner as they shall deem expedient, so as not to be less than the Tolls herein-before granted, nor more than the said Double Toll: Provided always, that no Alteration shall be made in the said *Sunday* Tolls, unless at a Meeting of the Trustees to be held for that Purpose, of which Meeting and the Time and Place of holding the same, Notice in Writing signed by the Clerk to the said Trustees, shall by Order of the said Trustees, or any Five or more of them, have been affixed on all the Turnpike Gates erected on the said Roads, and inserted in some Newspaper or Newspapers circulated in the said Counties, at least Ten Days before such Meeting shall be held.

Trustees to have a Power to take further Toll on *Sundays*.

VI. And be it further enacted, That the said several and respective Tolls hereby granted shall be, and the same are hereby vested in the said Trustees, and the same and every Part thereof shall be collected, recovered, levied, paid, applied, assigned, varied, and disposed of in such and the same Manner, and by such and the same Ways and Means, and with such Remedies for Non-payment or Evasion thereof, and with such Powers as are contained in the said recited Acts, or either of them, with respect to the

Tolls vested in Trustees.

[Loc. & Per.]

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Tolls



Tolls thereby authorized to be taken, but subject nevertheless to this Act, and the Provisions, Regulations, and Restrictions herein contained.

Tolls to be  
taken equally.

VII. Provided always, and be it enacted, That the said Trustees shall and they are hereby directed and required, in fixing, and also from Time to Time in altering or varying the said Tolls hereby granted, to fix, alter, and vary the same, so as that such Tolls shall be fixed and at all Times demanded and taken in an equal Degree, at each of the Turnpikes or Toll Gates erected or to be erected on the said Roads, whereat Tolls shall be ordered or authorized to be collected and taken, and so as that no higher Toll shall be demanded or taken at any One or more of the said Turnpikes or Toll Gates, whereat Tolls shall be so demanded and taken, than at the others or other of them; any Thing herein contained to the contrary notwithstanding.

General  
Exemptions.

VIII. And be it further enacted, That no Toll shall be demanded or taken for any Waggons, Wains, Carts, Carriages, or Horses, employed in carrying or conveying, or going to carry or convey, or returning from carrying or conveying, having been employed only in carrying or conveying on the same Day any Stones, Bricks, Timber, Wood, Gravel, or other Materials, for repairing of the said Roads, or any of the Roads in the Townships or Parishes in which any Part of such Roads doth lie; or Hay, Straw, or Corn in the Straw only, not sold or disposed of, but passing to be laid up or placed in the Outhouses or on the Lands of the Owners thereof; or for any Waggons, Wains, Carts, Carriages, or Horses, employed in carrying or conveying, or going empty to carry or convey, or returning from carrying or conveying, having been employed only in carrying or conveying any Ploughs, Harrows, or Implements of Husbandry, or any Mould, Dung, Sullage, Compost, or Manures, employed in Husbandry for manuring or improving Lands, or for any other Thing employed in the Management of any Farm or Lands; or for any Horses or Cattle going to or returning from Pasture or Watering Places, or going to be or returning from being shod; or from any Person going to or returning from his or her proper parochial Church, Chapel, or other Place of religious Worship tolerated by Law, on a *Sunday*, or on any other Day on which Divine Service is ordered by Authority to be celebrated, or attending the Funeral of any Person that shall die and be buried in any of the said Parishes; or from any Clergyman going to or returning from visiting any sick Person, or upon other his Parochial or Ministerial Duty on a *Sunday*, or on any other Day on which Divine Service is ordered by Authority to be celebrated; or for any Horses, Cattle, or Carriages, of whatever Description, employed or to be employed in conveying the Mails of Letters and Expresses under the Authority of His Majesty's Postmaster General, either when employed in conveying, fetching, or guarding such Mails or Expresses, or in returning back from conveying the same; or for any Horses, Carts, or Waggons attending any Soldiers upon their March or on Duty, or drawing any Carriage attending them with their Arms or Baggage; or for any Horses, Carts, or Waggons employed in the Conveyance of Vagrants sent by legal Passes; or for any Horse, Cattle, or Beast drawing any Coach, Landau, Berlin, Chariot, Calash, Chair, or Passenger on Horseback, going to or returning from any Election of a Knight or Knights of the Shire to serve in Parliament for the



the Counties of *Derby*, *Stafford*, and *Chester*, on the Day or Days of such Election; or on the Day before or Day after such Election shall begin or be concluded; and if any Person or Persons shall, in any fraudulent or collusive Manner whatsoever, claim and take the Benefit of any of the Exemptions by this Act granted, not being entitled to the same, every such Person shall forfeit and pay for every such Offence any Sum not exceeding Forty Shillings, One Moiety whereof shall go to the Informer, and the other Moiety shall be applied to the Purposes of this Act: Provided always, that nothing herein contained shall extend or be construed to extend to repeal any Exemptions from or Abatements of Toll granted by the said recited Acts or either of them, except as herein specially directed.

IX. And whereas in and by the said Act made in the Twenty-second Year of the Reign of His present Majesty, it is among other Things enacted, that no Toll should be demanded or taken at any Gate, erected or to be erected, between the Middle of *Dane Henshaw Bridge* and the Town of *Congleton*, for any Coal, Lime, Peat, or Turf, provided the Road leading from the said Town of *Congleton* to the Middle of the said Bridge should be repaired and kept in Repair by and at the Expence of the Inhabitants of the Township of *Congleton*: And whereas the said Exemptions were intended only to extend to the Inhabitants of the said Township, in Consideration of the Expence they would incur in repairing and maintaining the said Road; be it therefore enacted, That, from and after the passing of this Act, the said Exemptions shall be and are hereby repealed, and that from thenceforth none of the Inhabitants of the Township of *Congleton* shall be subject or liable to the Payment of Toll at any Gate or Turnpike, erected or to be erected, between the said Town of *Congleton* and the Middle of *Dane Henshaw Bridge*, for any Horse or Carriage laden with Coal, Lime, Peat or Turf, provided the said Road shall at all Times be effectually repaired and kept in Repair by and at the Expence of the Inhabitants of the said Township, in such Manner as the same shall be directed by any Two Justices of the Peace for the County of *Chester*, in case any Complaint shall be made to them of the State and Condition of the said Road, by or on the Part of the said Trustees, or any Five or more of them.

Repeal of Exemptions of Toll on Coals, &c. between *Dane Henshaw Bridge* and *Congleton*,

and granting others in lieu thereof.

X. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to charge or make payable, any Tolls or Rates at any Turnpike Gate or Gates now erected or hereafter to be erected by virtue of this Act, for any Horses, Carts, or Carriages, going to or returning loaded or conveying Lime from the Works of *John Egerton Esquire*, in *Newbold Astbeny*, in the County of *Chester*, to or from *Dane Henshaw Bridge*, or to or from the Town of *Congleton*, or going to or returning loaded with Coals from the Collieries of Master *John Johnson* in the Hamlet of *Stadmoreflow*, in the County of *Stafford*, late the Property of *John Ford Esquire*, to and from *Dane Henshaw Bridge*, or to or from the Town of *Congleton*; any Thing contained in this Act or the said recited Acts to the contrary notwithstanding.

Exempting Coals and Lime from Toll on certain Parts of the Road.

XI. And be it further enacted, That in case any Dispute, Suit, or Litigation shall arise, touching or in anywise concerning the said Tolls, or the

Collectors competent Witnesses.



the Recovery thereof, the Person or Persons appointed to collect the same, or any other Person or Persons acting by or under the Authority of the said Trustees, shall be, and they and each of them are and is hereby declared not to be incompetent to give Evidence in any such Dispute, Suit, or Litigation, by reason of their being a Collector or Collectors of the said Tolls.

Enabling Trustees to set out Gardens to Toll Houses, and take Possession of Toll Gates when let to Farm.

XII. And be it further enacted, That the said Trustees, or any Five or more of them, shall and may, if they think proper, cause a convenient Piece of Ground for a Garden to be set out to every Toll House erected or to be erected on the said District of Road, by virtue of the said recited Acts or either of them, and this Act; and that in case the Tolls arising from all or any of the Turnpikes or Toll Gates erected or to be erected on the said District of Road, shall at any Time or Times during the Continuance of this Act, be demised or let to Farm to any Person or Persons whomsoever, and the Lessee or Lessees, Farmer or Farmers to whom the said Tolls shall be respectively demised or let, shall neglect or refuse to perform the Terms and Conditions on which the same shall be so demised or let, or in case the Rent or Rents agreed to be paid by such Lessee or Lessees, Farmer or Farmers, shall be in Arrear for the Space of Ten Days next after any of the Days on which the same ought to be paid pursuant to the Agreement for letting the same, then and in either of the said Cases, the said Trustees or any Five or more of them, or their Clerk or Treasurer, or other Person authorized by Writing under the Hands of any Five or more of them, shall be at Liberty, and they and he are and is hereby authorized to enter into and upon the Possession of the Toll House and Toll Houses, with the Buildings and Appurtenances thereunto belonging, so letten as aforesaid, and to remove and put out such Lessee and Lessees, Farmer and Farmers, from the Possession thereof, and from the Collection of the Tolls there payable, and that thereupon it shall be lawful for the said Trustees, or any Five or more of them, if they shall think fit, to vacate and determine the Contract or Agreement for leasing or letting the said Tolls to such Lessee or Lessees, Farmer or Farmers, and the same shall accordingly be utterly void to all Intents and Purposes, (save as to the Covenants and Agreements for Payment of the Rent or Rents thereby reserved), as if such Demise or Agreement had never been made; and it shall be lawful for the said Trustees, or any Five or more of them, in every such Case to demise or let to farm the said Tolls again to any other Person or Persons in the same Manner as if no former Contract or Agreement had been entered into relative to the same.

Penalty on assaulting Persons in the Execution of this Act.

XIII. And be it further enacted, That if any Person or Persons shall assault, interrupt, hinder, or disturb, or cause, promote, or encourage to be assaulted, interrupted, hindered, or disturbed the Collectors of the Tolls or any of them, or the Turnpike Surveyor or Surveyors, or any Person or Persons employed by them, or either of them respectively, or by the said Trustees or any of them, in the Execution of any Part of the said recited Acts or this Act, every such Person shall for every such Offence forfeit and pay a Sum not exceeding Ten Pounds nor less than Forty Shillings; which Penalties shall be applied towards the Repairs of the said Road, and shall be recovered in such Manner as the other Penalties are by the



the said recited Acts and this Act, or any of them directed to be recovered.

XIV. And be it further enacted, That if any Monies shall be agreed or awarded to be paid for any Lands, Grounds, or other Hereditaments, purchased, taken, or used by virtue of the Powers of the said recited Acts and this Act, for the Purposes thereof, which shall belong to any Corporation, Feme Covert, Infant, Lunatick, or Person or Persons under any Disability or Incapacity, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed, be paid into the Bank of *England*, in the Name and with the Privy of the Accountant General of the High Court of Chancery, to be placed to his Account, *ex parte* the Trustees for executing the said Acts and this Act, to the Intent that such Monies 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, Grounds, or other Hereditaments, in the Purchase of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrances or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands, Grounds, or other Hereditaments, or affecting other Lands, Grounds, or Hereditaments, standing settled therewith to the same or the like Uses, Intents, or Purposes; or where such Monies shall not be so applied, then the same shall be laid out and invested under the like Direction and Approbation of the said Court, in the Purchase of other Lands, Grounds, or Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Lands, Grounds, or other 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 Monies shall, by Order of the said 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, Grounds, or other Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made.

Directing the Application of Compensation Money, when 200 l.

XV. Provided always, and be it further enacted, That if any Money so awarded to be paid for any Lands, Grounds, 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

Where less than 200 l. and not exceeding 20 l.

[*Loc. & Per.*]

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the Rents and Profits of the Lands, Grounds, or 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 the Manner herein-before 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 therefrom, may be applied in any Manner herein-before directed, so far as the Case may be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court of Chancery.

Where less  
than 20<sup>l</sup>.

XVI. Provided also, and be it further enacted, That when 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 Lands, Grounds, or other Hereditaments, so purchased, taken, or used for the Purposes of the said Acts 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.

Where any  
Question shall  
arise touching  
the Title to  
Money to be  
paid, the Per-  
son who shall  
be in Posses-  
sion of the  
Lands, *etc.*  
at the Time  
of such Pur-  
chase, shall  
be deemed  
entitled  
thereto ac-  
cording to  
such Posses-  
sion.

XVII. And be it further enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Chancery, in pursuance of the said recited Act or this Act, for the Purchase of any Lands, Tenements, or Hereditaments, or of any Estate, Right, or Interest in any Lands, Tenements, or Hereditaments, to be purchased in pursuance thereof, or to any Bank Annuities to be purchased with any such Money, or to the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in Possession of such Lands, Tenements, or Hereditaments, at the Time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, or Hereditaments, according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court of Chancery; and the Dividends or Interest of the Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied, and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession; and that some other Person or Persons was or were lawfully entitled to such Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

The Court  
may order  
reasonable  
Expences of

XVIII. Provided always, and be it further enacted, That where by reason of any Disability or Incapacity of the Person or Persons, or Corporation, entitled



entitled to any Lands, Tenements, or Hereditaments to be purchased under the Authority of the said Acts or this Act, the Purchase Money for the same shall be required to be paid into the said Court, and to be applied in the Purchase of other Lands, Tenements, or Hereditaments to be settled to the like Uses, in pursuance of this Act, it shall be lawful for the said Court to order the Expences of all Purchases from Time to Time to be made in pursuance of this or the said Acts, or so much of the Expences as the Court shall deem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Trustees who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

Purchases to be paid by the Trustees.

XIX. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be awarded for the Purchase of any Lands, Tenements, or Hereditaments, to be purchased by virtue of the said recited Acts or this Act, shall refuse to accept the same, or shall not be able to make a good Title to the Premises, to the Satisfaction of the said Trustees; or in case the Person or Persons, to whom any such Sum or Sums of Money shall be so awarded as aforesaid, cannot be found; or if the Person or Persons entitled to such Lands, Tenements, or Hereditaments, be not known or discovered; then and in every such Case it shall and may be lawful to and for the said Trustees, or any Five or more of them, to order the Sum or Sums of Money, so awarded as aforesaid, to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to his Account, to the Credit of the Parties interested in the said Lands, Tenements, or Hereditaments (describing them); subject to the Order, Controul, and Disposition of the said Court of Chancery; which said Court of Chancery, on the Application of any Person or Persons making Claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall be and is hereby empowered in a summary way of Proceeding, or otherwise, as to the same Court shall seem meet, to order the same to be laid out and invested in the Publick Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest, of the Person or Persons making Claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England*, who shall receive such Sum or Sums of Money, is and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying for what and for whose Use the same is or are received, to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank as aforesaid.

In case of not making out Titles :

or if Persons cannot be found, Purchase Money to be paid into the Bank;

subject to the Order of the Court of Chancery, on Motion or Petition.

XX. And whereas by an Act made in the Sixth Year of His present Majesty's Reign, intituled, *An Act for repairing and widening the Road from High Bridges in the County of Stafford, to Uttoxeter, and from Spath to Hanging Bridge, and from Tewnall's Lane to Yoxall Bridge in the said County*, the Trustees for executing the said Act, made in the Second Year of His present Majesty's Reign, were authorized and required to amend, widen, divert, and repair, so much of the Road leading from *Hanging Bridge* in the Parish of *Mathfield*, in the County of *Stafford*, towards the *Royal Oak* at *Spath* in the County of *Stafford*, as would make One Half thereof

For adding the Road from *Hanging Bridge* to the Half Way to the *Royal Oak* at *Spath*, to the District between *Asborne* and *Congleton*, &c.



thereof in Length, and certain Powers were inserted in the said Act, made in the Sixth Year of His present Majesty's Reign, with respect to the said Road between *Hanging Bridge* and the Half Way from thence to the *Royal Oak* at *Spath*, in the County of *Stafford* aforesaid: And whereas the Trustees for executing the said Acts, so far as relate to the District of Road between *Ashborne* and *Congleton*, have in pursuance of the Powers given to them by the said Act, made in the Sixth Year of His present Majesty's Reign, constantly amended and kept in Repair the said Road between *Hanging Bridge* and the Half Way from thence to the *Royal Oak* at *Spath* aforesaid; be it further enacted, That the said Road from *Hanging Bridge* to the Half Way from thence to the *Royal Oak* at *Spath* aforesaid shall, during the Continuance of the Term granted by the said recited Acts of the Second and Twenty-second Years of the Reign of His present Majesty, and during the Term by this Act granted, continue under the Controul and Jurisdiction of the said Trustees, and continue united to and made Part of the said District of Road from *Ashborne* to *Congleton*, under the same Provisions and Regulations as are prescribed in and by the said Act of the Sixth Year of His present Majesty's Reign, for and concerning the said Road from *Hanging Bridge* to the Half Way from thence to the *Royal Oak* in *Spath* aforesaid.

Recites *Sandon*  
Road Act  
2 G. 3. and di-  
rects the Con-  
tinuance of  
the Payment  
of the Propor-  
tion of Tolls  
in the said Act  
mentioned.

XXI. And whereas by an Act made in the Second Year of His present Majesty's Reign, intituled, *An Act for repairing, widening, and altering the Road from Sandon in the County of Stafford, to Bullock Smithy in the County of Chester, and from Hilderstone to Draycott in the Moors, and from Wetley Rocks to Tean, in the County of Stafford*, the Trustees for executing the said Act were directed, in case any Gate or Turnpike should be erected by virtue thereof, upon any Part of the Road between *Leek* and the Turning off from the *Macclesfield* Road towards *Congleton*, upon *Rushton Common*, to pay yearly to the Trustees of the said District of Road from *Ashborne* to *Congleton*, One-fourth Part of the Tolls to be collected at such Gate, after deducting the Charges of erecting such Turnpike and collecting such Tolls, to be by them laid out in the Repair of the Road from *Rushton Common* to *Congleton* aforesaid: And whereas the said Act has been continued by two Acts made in the Twenty-third and Forty-third Years of the Reign of His present Majesty; be it enacted, That the Trustees for executing the said recited Acts shall, during the Continuance of the Term thereof, pay or cause to be paid to the Trustees of the said District of Road from *Ashborne* to *Congleton*, the said Fourth Part of the Tolls so to be collected at such Gate, in such Manner as is directed in and by the said recited Act of the Second Year of the Reign of His present Majesty; any Thing in any Act or Acts to the contrary thereof notwithstanding.

Penalty on  
Persons injur-  
ing said Roads.

XXII. And be it further enacted, That if any Person or Persons driving any Pigs or Swine upon the said District of Road, or any Part thereof, shall suffer the same to stop upon the said Road, or any Part thereof, or to root up and damage the same, or any Part thereof, or the Fences, Hedges, Backings, or Copse on either Side thereof; or if any Person driving or riding upon any Horse, Mare, Gelding, Mule or Afs, carrying Cans, Crates, or Panniers, shall not keep the said Horse, Mare, Gelding, Mule or Afs, on the Left Hand Side of the said Road; or if any Person shall



shall make or assist in making any Fire or Fires, commonly called Bonfires, or shall set fire to or let off or throw any Squib, Rocket, or Fireworks whatsoever, on any Part or Parts of the said Road, or within Forty Yards from the same; or shall wheel any Wheel-barrow or Wheel-barrows upon any Footway adjoining the said Road, or any Part thereof; or shall lay any Hay, Straw, or other Matter or Thing, upon any Part or Parts of the said Road, to be made into Manure, or shall scrape off the same any Mud, Soil, Matter, or Thing, which shall be or lie upon any Parts of the said Road, with an Iron Rake or other Instrument with sharp Points, or shall pull or force up any Stones or other Parts of the Pavement on the said Road, to the Damage thereof; or shall lay down any Timber, Hay, Straw, Dung, or any other Matter or Thing whatsoever, upon the said Road or any Part thereof; or shall otherwise obstruct or impede the Passage upon the said Road or any Part thereof; or shall turn out any Horses, Cows, or other Cattle, Mules, Asses, or Swine, upon the said Road or any Part thereof, or into the Lanes or Ditches adjoining the same (except where the said Road or any Part thereof passes over any open Common), every Person shall for every such Offence, forfeit and pay any Sum not exceeding Forty Shillings nor less than Ten Shillings, to be recovered, levied, and applied in such Manner as other Penalties, Forfeitures, and Fines are, by the said recited Acts or either of them, or this Act, directed to be recovered, levied, and applied.

XXIII. And, for the more easy and speedy Conviction of Offenders against the said recited Acts and this Act, or any of them, be it further enacted, That every Justice of the Peace before whom any Person or Persons shall be convicted of any Offence against the said recited Acts or either of them, or this Act, shall and may cause the Conviction to be drawn up in the following Form of Words, or in any other Form of Words to the same Effect, as the Case may happen; (that is to say),

Summary  
Form of Con-  
viction.

To wit. } **BE** it remembered, That on the Day of  
in the Year of our Lord A. B. is  
convicted before me C. D. One of His Majesty's Justices of the Peace  
for the County of [here specify the Offence, and the Time and  
Place when and where the same was committed, as the Case may be].  
Given under my Hand and Seal, the Day and Year first above men-  
tioned. C. D.

Form of Con-  
viction.

XXIV. And be it further enacted, That the Costs, Charges, and Expences, incident to and attending the obtaining and passing of this Act, shall be paid by the said Trustees, or any Five or more of them, out of the Monies arisen or to arise by virtue of the said recited Acts or this Act, within the said District of Road between *Ashborne* and *Congleton* aforelaid, in Preference to all other Payments whatsoever; and in case any Person or Persons shall advance and pay any Money for the Expences of obtaining and passing this Act, such Person or Persons shall be repaid the same, together with lawful Interest from the Time of advancing the same.

Expences of  
Act how to be  
paid.

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

Publick Act.

[Loc. & Per.]

I i

XXVI. And



Commence-  
ment and  
Continuation  
of the Term.

XXVI. And be it further enacted, That the Term granted and continued by the said recited Acts, so far as relate to the said District of Road, shall, upon the Thirtieth Day of *June* One thousand eight hundred and four, cease and determine; and that the said Acts, so far as relates to the said District of Road, and this Act (subject to the Alterations, Variations, and Additions herein-before mentioned), shall from thenceforth commence, 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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