



ANNO QUADRAGESIMO NONO

# GEORGI III. REGIS.

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## Cap. 93.

An Act for continuing the Term and enlarging the Powers of Two Acts of His present Majesty, for amending the Road from the End of the County of *Stafford* to the City of *Chester*, and from *Northwich* to *Tarvin*, in the County of *Chester*, and other Roads in the said Acts mentioned, so far as respects the Third District of the said Roads.

[20th May 1809.]

WHEREAS an Act was passed in the Ninth Year of the Reign of His present Majesty, intituled, *An Act for repealing so much of Two several Acts of Parliament, made and passed in the Seventeenth and Twenty-Eighth Years of the Reign of his late Majesty King George the Second, as relate to the Road from the End of the County of Stafford in the Post Road towards the City of Chester, through Woor in the County of Salop, to Nantwich in the County of Chester, and from Nantwich to Tarporley, and from thence through Tarvin, in the said County of Chester, to the said City of Chester, and for more effectually repairing, widening, and supporting the same Road; and also for more effectually repairing and widening the Road from Northwich, in the said County of Chester, to the Cross in Tarvin aforesaid; by which Act several Tolls, Duties, and Powers were granted for repairing and widening the respective Districts or Divisions of the Roads in the said Act mentioned; and it was by the said Act (amongst other Things) enacted, that so much and such Parts of the said Road leading from Northwich aforesaid, to the Cross in Tarvin aforesaid, as lies between Northwich aforesaid and the Guide Post upon Delamere Forest, in the*

[Loc. & Per.]

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9. G. 3. c. 94.  
said



28. G. 3.  
c. III.

The Trustees  
have pro-  
ceeded to put  
the Act of 28  
G. 3: into  
execution, so  
far as the  
same relates  
to the Third  
District of the  
said Road.

That the Dis-  
tricts should  
be separated,  
and the Road  
from Vic-  
ker's Cross to

said County of *Chester*, near *Kelfall Hill* in the same County, should be and was therein called the Second District of the said Roads thereby intended to be repaired and amended; and that so much and such respective Parts of the said several and respective Roads, leading from the End of the County of *Stafford* aforesaid to the said City of *Chester*, and from *Northwich* aforesaid to the Cross in *Tarvin* aforesaid, as respectively lie between the West End of the First District of the Roads in the said Act of the Ninth Year of the Reign of His said present Majesty mentioned, and the said City of *Chester*, and between the said Guide Post upon *Delamere Forest* aforesaid and the Cross in *Tarvin* aforesaid, should be and were therein called the Third District of the said several Roads thereby intended to be altered and repaired: And whereas an Act was passed in the Twenty-eighth year of the Reign of His said present Majesty, intituled, *An Act for enlarging the Terms and Powers of so much of an Act made in the Ninth Year of the Reign of His present Majesty, intituled, An Act for repealing so much of Two several Acts of Parliament, made and passed in the Seventeenth and Twenty-eighth Years of the Reign of his late Majesty King George the Second, as relate to the Road from the End of the County of Stafford in the Post Road towards the City of Chester, through Woor in the County of Salop, to Nantwich in the County of Chester, and from Nantwich to Tarporley, and from thence through Tarvin, in the said County of Chester to the said City of Chester, and for more effectually repairing, widening, and supporting the same Road; and also for repairing and widening the Road from Northwich, in the said County of Chester, to the Cross in Tarvin aforesaid, as relates to the Second and Third Districts of the Roads comprised in the said Act of the Ninth Year of the Reign of His present Majesty; and for including the Road from Vicker's Cross to the Turnpike Road leading from Flookersbrook Bridge to Frodsham, in the said Third District; by which said last mentioned Act, several Tolls, Duties, and Powers were granted for repairing and widening the Second and Third Districts or Divisions of the Roads in the said recited Act mentioned; and the said Road from *Vicker's Cross* to the said Road leading from *Flookersbrook Bridge* to *Frodsham* was declared to be Part of the Third District of the said Roads: And whereas the Trustees appointed to carry the said recited Acts into execution within the Third District of the Roads therein comprised have proceeded so to do, and have borrowed considerable Sums of Money upon the Credit of the Tolls or Duties arising upon the same District, which still remain due and unpaid; and by reason of the great Length of the Road within the said Third District, and the Expence of procuring Materials proper for the Repair thereof, and the great Increase which hath taken place in the Price of Labour since the passing of the said Act of the Twenty-eighth Year of the Reign of His present Majesty, the said several Sums and the Interest thereon cannot be repaid, and the Roads in the said Third District cannot be effectually amended, widened, and kept in Repair, unless the Term granted by the said Act of the Twenty-eighth Year of the Reign of His present Majesty, so far as the same relates to the said Third District of the said Roads, be further continued, and some of the Powers and Provisions in the same Act contained, so far as they relate to the same District of the said Roads, be altered, amended, and enlarged:*

And whereas it is expedient that the Third District of the Roads comprised in the said several Acts should be separated from the other Districts of the same Roads; and it would be of great public Advantage if the Road leading from *Vicker's Cross* to *Rowton Bridge* in *Christleton*, both

in



in the said County of *Chester*, were made a Part of such Third District, and included in the Powers and Provisions of the said Act and this Act; but the several 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 the said recited Acts passed in the Ninth and Twenty-eighth Years of His present Majesty's Reign, and all and every the Authorities, Powers, Privileges, Provisions, and Clauses therein contained (except such Parts thereof as relate to Exemptions from Stamp Duties, and except such of them as are hereinafter varied or repealed) shall, so far as the same relate to the said Third District of Roads, and subject to the Provisions, Alterations, and Amendments hereinafter contained, be and continue in full Force and Effect for and during the Term hereinafter mentioned; and that the said Two several recited Acts and this Act shall be executed, and shall extend, apply, and have relation as well to the making, widening, and repairing the Third District of the Roads in the said several Acts comprised, as also to the making, widening, amending, and keeping in Repair the said Road leading from *Vicker's Cross* aforesaid to *Rowton Bridge* in *Christleton* aforesaid, which shall from henceforth be deemed and taken to be Part of the said Third District of Roads, in as full and ample a Manner and as effectually to all Intents and Purposes as if the said several recited Acts of the Ninth and Twenty-eighth Years of His present Majesty's Reign were repeated and re-enacted in the Body of this Act; and that this Act and the additional Term and Tolls hereby granted shall be and are hereby declared to be subject and liable to the Payment of all the Money now due and owing, or hereafter to be borrowed and become due, on the Credit of the Tolls arising or to arise within the said District of Roads, or on the Credit of the said several recited Acts, so far as they relate to the same District, or of this Act or any of them.

Christleton  
made part of  
the Third  
District.

28 G. 3.  
continued, so  
far as relates  
to the Third  
District of the  
said Roads.

II. And be it further enacted, That the Mayor and Aldermen of the City of *Chester* for the Time being, the Dean and Prebendaries of the Cathedral Church of *Christ and the Blessed Virgin Mary* in *Chester*, for the Time being, *Samuel Aldersey*, *Daniel Aldersey*, *Robert Aldersey*, *William Aldersey*, the Honourable *Richard Grosvenor*, commonly called *Viscount Belgrave*, *Sir Richard Brooke*, Baronet, *Thomas Brooke*, *Henry Brooke*, *Charles Trelawney Brereton*, *John Buckley*, *George Bowen*, the younger, *Roger Harry Barnston*, *John Boydell*, *Richard Barker*, *Francis Edge Barker*, *James Bennett*, *Samuel Bennett*, *John Delves Broughton*, *Samuel Brodburst*, *Samuel Brittain*, of *Upton*, *Thomas Bradford*, *Thomas Brown Stapleton Cotton*, *Lynch Cotton*, *Lynch Cotton*, *Thomas Cotgreave*, of *Tarvin*, *John Cotgreave*, of *Chester*, the Honourable *John Crewe*, *Charles Cholmondely*, *Robert Foulkes-Currie*, Doctor of Physic, *William Currie*, the younger, *John Cotgreave*, the younger, *Edward Davenport*, *Walter Davenport*, *John Drake*, *John Egerton*, *Charles Egerton*, *Thomas Egerton*, *Richard Edwards*, *Thomas Edwards*, Banker, *John Edmondson*, *Leonard Fosbrooke*, *Thomas Fosbrooke*, *Thomas Fluitt*, the younger, *John Fielden*, *Robert Fielden*, *John Baskerville Glegg*, *John Baskerville Glegg*, of *Neston*, *Harry Grey*, *Booth Grey*, the Honourable *Thomas Grosvenor*, the Honourable *Robert Grosvenor*, *John Goulborne*, *William Haygarth*, *John Haygarth*, the younger, *Henry Hesketh*, the younger, *Peter Heron*, *John Hill*, *Hugh Robert Hughes*, *John Sorton Hughes*, *John Stewart Hughes*,  
Samuel

Additional  
Trustees.



Samuel Humphreys, Roger Jacson, the younger, George Jacson, Shallcross Jacson, of Bebbington, David Francis Jones, the younger, James Kelfall, Egerton Leigh, the younger, Henry Augustus Leicester, Samuel Lightfoot, John Lyon, Joseph Lyon, John Stanley Maffey, Charles Stanley Maffey, James Stanley Maffey, Henry Stanley Maffey, the Honourable Edward Maffy, Sir Thomas Mostyn, Baronet, Charles Morrall, the younger, Thomas Moulson, John Moulson, George Moulson, George Parker, Richard Gerrard Perryn, Sir George Beefton Prestcott, Baronet, Francis Richard Price, Domville Poole, Henry Potts, Charles Potts, the younger, John Reece, James Rider, William Richards, Thomas Roberts, William Roberts, Thomas Roberts, of Newton, Thomas Richards, William Richards, John Swarbreck Rogers, Sir Thomas Stanley Maffey Stanley, Baronet, Thomas Sudworth, Robert Taylor, Edward Venables Townshend, Edward Tomkinson, the younger, William Makepeace Thackeray, Doctor of Physic, Edward Vernon, Thomas Walker, Thomas Ward, the younger, George Wilbrabam, the younger, Robert Williams, Edward Williams, William Henry Worthington, Timothy Whitby, Timothy Whitby, the younger, John Yates, John Brock Yates, Edmund Yates, Yates of Ince, Esquires, Thomas Armitstead, Joseph Browne, Thomas Edwards, Rowland Egerton, Rowland Hill, Peter Leigh, Charles Mytton, James Tomkinson, Mascie Taylor, Clerks, and their Successors, to be hereafter elected and chosen under the Directions of and in the manner prescribed by the said several recited Acts, and who shall be qualified as hereinafter mentioned, shall from and after the passing of this Act be added to and joined with the Trustees appointed by or elected in pursuance of the said recited Acts or either of them; and the said Trustees hereby appointed, and their Successors so to be elected, chosen, and qualified as aforesaid, together with the Trustees appointed by or elected in pursuance of the said recited Acts, are hereby constituted and appointed Trustees for amending, widening, and keeping in Repair the several Roads comprised within the Third District or Division of the Roads in the said several recited Acts mentioned, and also for putting into execution the said several recited Acts and this Act, and the several Powers and Authorities therein and herein contained or referred to, so far as the same respectively relate to the said Third District or Division of the said Roads.

Qualification  
of Trustees in  
the Third  
District.

III. And be it further enacted, that all and every Person or Persons who shall hereafter be appointed a Trustee or Trustees under or by virtue of the said recited Acts or of this Act, and who shall or may in his or their own Right, or in the Right of his or their Wife or Wives, be respectively seized of or otherwise in Law or Equity well entitled to, or in the actual Receipt of, the Rents and Profits of Lands, Tenements, or Hereditaments, to be situate, lying, and being in the said County of Chester, and in the said City of Chester, or either or both of them, of the clear Yearly Value of One hundred Pounds above Reprises; or be Heir apparent of a Person possessed of an Estate in Lands, Tenements, or Hereditaments so situate as aforesaid, of the Yearly Value of Two hundred Pounds above Reprises; or possessed of a Personal Estate of the Value of Two thousand Pounds, shall and may act as a Trustee and Trustees for putting the said recited Acts and this Act into execution; such Person or Persons having first taken and subscribed the Oath in the Words or to the Effect following, before any Two or more of the said Trustees, who are hereby authorized and required to administer

administer



administer the same, before he or they shall take upon himself or themselves to act in the Trusts and Authorities of the said Acts or of this Act; which said Oath shall be in the Words or to the Effect following, (that is to say);

‘ I A. B. do swear, That I truly and *bonâ fide* am, in my own Right  
 ‘ [or, *in the Right of my Wife*] in the actual Possession or Enjoyment, Oath.  
 ‘ or in the Receipt of the Rents and Profits of Lands, Tenements, or  
 ‘ Hereditaments situate, lying, and being in the County of *Chester*,  
 ‘ or in the City of *Chester*, or one of them, or of the clear Yearly  
 ‘ Value of One hundred Pounds above Reprises, or possessed of or  
 ‘ entitled unto a personal Estate to the Amount or Value of Two thou-  
 ‘ sand Pounds. ‘ So help me GOD.’

And if any Person not qualified as herein before mentioned to act in the Execution of the Trusts aforesaid, shall nevertheless presume to act in the same, contrary to the true Intent and Meaning of this Act, every such Person shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person or Persons who shall sue for the same; to be recovered with full Costs of Suit in any of His Majesty's Courts of Record at *Westminster*, or in the Court of Session for the County Palatine of *Chester*, by Action of Debt or on the Case; or by Bill, Plaint, Suit, or Information, wherein no Effoign, Protection, or Wager of Law, or more than one Imparance shall be allowed; and every Person so prosecuted shall prove that he is so qualified as aforesaid, or otherwise shall pay the said Sum of One hundred Pounds, without any other Proof or Evidence, on the Part of the Prosecutor, than that such Person hath acted as a Trustee in the execution of this Act.

IV. And be it further enacted, That if after any Adjournment of the said Trustees it shall, upon any Emergency, be thought necessary that an earlier Day of Meeting should be appointed than the Day to which the last Meeting of the said Trustees shall have been adjourned, the Clerk to the said Trustees, by an Order in Writing signed by Five or more of the said Trustees (although not assembled at a Meeting), mentioning the Time, Place, and Purpose of such Meeting, shall forthwith give Notice thereof in manner in the said several recited Acts directed, and of the Time and Place which shall be mentioned in the Order of the said Trustees (such Time not being less than Ten Days after such Notice); and all Proceedings of the Trustees at such Meeting shall be as valid as they would have been in case the Trustees had met in pursuance of any Adjournment: Provided always, that no further or other Business shall be entered upon or taken into Consideration at any such Meeting, so to be called upon an Emergency as aforesaid, than such as shall have been signified and particularly set forth in the Order or Notice for calling such Meeting.

Meetings on  
Emergen-  
cies.

V. Provided always, and be it further enacted, That no Order made by the said Trustees at any of their General Annual Meetings, for or concerning the carrying the said recited Acts or this Act into execution, shall be revoked, repealed, or set aside by any subsequent Order of the said Trustees, unless such subsequent Order be also made at a General Annual Meeting.

Orders made  
at Annual  
Meetings not  
to be revok-  
ed but at an  
Annual  
Meeting.

[*Loc. & Per.*]

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VI. And



Trustees may erect a Turnpike between Tarvin and the Guide Post on Delamere Forest.

VI. And be it further enacted, That the said Trustees, or any Five or more of them, shall and may cause to be erected, set up, and provided one Toll Gate, Turnpike, or Toll House upon or across any Part of the said Third District of Roads lying between *Tarvin* aforesaid and the Guide Post upon *Delamere Forest* aforesaid, or the Scite thereof, or across any Lane or Ways leading into or out of the same, as the said Trustees or any Five or more of them shall think proper or convenient.

Vesting Turnpike and Toll House in the Trustees.

VII. And be it further enacted, That the Property of the said Toll Gate, Turnpike, or Toll House, so to be erected as aforesaid within the said Third District of Roads, and of the Materials for building the same, shall be vested in the said Trustees for the same District; and they or any Five or more of them are hereby empowered to bring Actions in the Name or Names of any one of them, or of their Clerk or Clerks, Treasurer or Treasurers, or to prefer Bills of Indictment against any Person or Persons who shall disturb them in the Possession thereof.

Repeal of old Tolls and Grant of new ones.

VIII. And whereas the several Tolls granted by the said recited Act of the Twenty-eighth Year of the Reign of His present Majesty, and to arise within the said Third District of the said Roads, are insufficient for the Purpose of paying the Annual Interest of the several Sums of Money borrowed on the Credit of the several Acts within the same District, and for repairing, widening, and amending the Roads therein comprised, and it is expedient that the same should be repealed and other Tolls granted instead thereof; be it therefore enacted, That all and singular the said several Tolls shall, from and after the Third *Monday* next after the passing of this Act, cease, determine, and be no longer paid or payable, and that instead thereof the respective Tolls following shall from thenceforth be taken, collected, and paid at all and every of the several and respective Toll Gates, Toll Bars, and Turnpikes which have been or shall be placed, set up, and erected, in or upon the said Third District of the said Roads, under or by virtue of the said two several recited Acts or of this Act or any of them, or in or upon the Side or Sides thereof, or across any Lane or Way leading into or out of the same, (that is to say);

Tolls.

For every Horse, Mare, Gelding, Mule, or other Beast drawing any Coach, Berlin, Landau, Chariot, Chaise, Caravan, Chair, Calash, Hearse, or Litter, or other such like Carriage, the Sum of Sixpence:

For every Horse, Mare, Gelding, Mule, or other Beast drawing any Waggon, Cart, Wain, Tumbril, or other such like Carriage, the Sum of Sixpence:

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

For every Drove of Oxen, Cows, or other Neat Cattle (Calves excepted), and Hogs, the Sum of One Shilling and Three-pence *per* Score, and so in proportion for any greater or less Number:

For every Drove of Calves, Sheep, or Lambs, the Sum of Ten-pence *per* Score, and so in proportion for any greater or less Number: And,

For



For every Horse, Mare, Gelding, Mule, or other Beast drawing in any Waggon, Cart, Wain, or other Carriage laden with Timber, or other Trees or Balk, One Shilling and no more.

Which said respective Tolls, by this Act authorized to be taken, shall be and the same are hereby respectively vested in the Trustees for carrying into execution this and the said recited Acts within the Third District of the Roads therein and herein comprised; and the same and every Part thereof shall be collected, recovered, levied, paid, applied, varied, reduced, assigned, and disposed of in such and the same Manner, and by such and the same Ways and Means, and with such Remedies for securing and enforcing the due Payment thereof, and with such Penalties for the Non-payment or Evasion of the same, and with such Provisoes, Powers, Provisions, Regulations, and Exemptions as are contained in the said recited Acts, with respect to the Tolls thereby authorized and required to be taken, collected, and paid within the Third District of the Roads therein comprised; except so far as the same Provisions, Regulations, Remedies, Penalties, and Exemptions are by this Act varied and altered, and with such additional Powers, Provisions, Regulations, and Exemptions as are hereinafter contained.

Tolls vested  
in the  
Trustees.

IX. Provided always, and be it further enacted, That no Person or Persons shall be liable to or charged with the Payment of the Tolls by this Act granted more than once at any Time or Times in one and the same Day, (to be computed from Twelve of the Clock at Night to Twelve of the Clock in the next succeeding Night), for passing and repassing any Number of Times with the same Horses, Mares, Geldings, Mules, Beasts, Cattle, or Carriages, through all or any of the Toll Gates or Turnpikes already erected, or which by virtue of the said recited Acts or of this Act may hereafter be erected upon or across any Part of the Roads lying within the said Third District of the Roads in the said Acts comprised, or across any Lane or Way leading out of the same; and that all and every Person and Persons after having paid Toll once at any one of the Toll Gates or Turnpikes already erected, or hereafter to be erected, upon or across any Part of the Roads lying within the same District, or across any Lane or Way leading into or out of the same Roads, and producing a Note or Ticket, Notes or Tickets, denoting such Payment or Payments, which Notes or Tickets the Collectors of the Tolls at the several Toll Gates or Turnpikes in the said Third District of Roads are hereby directed to deliver *gratis* to the Person or Persons requiring the same, shall afterwards pass with the same Horse or Horses, Mares, Geldings, Mules, Beasts, Cattle, or Carriages, Toll Free during such Day, to be computed as aforesaid, through such Toll Gate or Turnpike where the same Toll shall have been so paid, or through all or any other of the Toll Gates or Turnpikes already erected, or hereafter to be erected, upon or across any Part of the Roads in the said Third District of Roads, or across any Lane or Way leading into or out of the same.

How often  
Toll shall be  
paid in one  
Day.

X. And be it further enacted, That none of the Tolls granted by this Act shall be demanded or taken at any Gate within the Limits of the said Third District of Roads for any Horse, Cattle, or Beast employed

General  
Exemptions.



employed only in drawing any Cart or Carriage laden with any Dung, Soil, or Compost of any Kind, or Lime or other Manure to be used for the manuring of any Garden or other Land or Ground; nor shall any Toll 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, Brick, 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, Potatoes, Turnips, Parsnips, and Carrots not sold or disposed of, but passing to be laid up or placed in the Outhouses or on the Lands of the Owners thereof; nor for any Waggon, Wain, Cart, Carriage, or Horse 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 Thing employed in the Management of any Farm or Lands; nor for any Horses or Cattle going to or returning from Pasture or Watering Places, or going to or returning from being shod or farried; nor 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 who shall die and be buried in any of the said Parishes; nor 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; nor for any Horses, Cattle, or Carriages of whatsoever Description employed or to be employed in conveying the Mails or 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; nor 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; nor for any Waggon, Wain, Cart, or other Carriage whatsoever, or the Horse or Horses or other Cattle drawing the same, which shall be employed in conveying any Ordnance, Barrack, or Commissariat, or other public Stores of or belonging to His Majesty, or for the Use of His Majesty's Forces, or for any Horse, Mare, or Gelding furnished by or for any Persons belonging to any Corps of Yeomanry or Volunteer Cavalry, and rode by them in going to or returning from the Place appointed for and on the Days of Exercise, provided that such Persons are in the Uniform of their respective Corps, and have their Arms, Furniture, and Accoutrements, according to the Regulations provided by such Corps respectively at the Time of claiming such Exemptions as aforesaid; nor for any Horses, Carts, or Waggons employed in the conveyance of Vagrants sent by legal Passes; nor for any Horse, Cattle, or Beast drawing any Coach, Landau, Berlin, 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 said County of *Chester*, or a Citizen or Citizens to serve in Parliament for the City of *Chester*, on the Day or Days of such respective Elections, or on the Day before or Day after such respective Election shall begin or be concluded; and if any Person

or



or Persons shall in any fraudulent or collusive manner whatsoever claim and take the Benefit of any of the Exemptions aforesaid, 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 for the Purposes of the said Acts and this Act.

XI. And be it further enacted, That no Person owning or driving or causing to be driven any Waggon, Wain, Cart, or other Carriage provided for the Service of His Majesty's Forces, or conveying any Ordnance, Barrack, or Commissariat, or other public Stores of or belonging to His Majesty, or for the Use of His Majesty's Forces, shall be subject to any Penalty or Forfeiture for Overweight, nor shall any such Waggon, Wain, Cart, or other Carriage be stopped or detained by reason of any Weight in any such Waggon, Wain, Cart, or other Carriage, or of being drawn by any Number of Horses or Oxen; but it shall be lawful for any Owner or Driver of any such Waggon, Wain, Cart, or other Carriage to put any Number of Horses or Oxen to such Waggon, Wain, Cart, or other Carriage, any Thing in any Act or Acts of Parliament relating to Highways or Turnpike Roads, or in this or the said recited Acts contained to the contrary notwithstanding.

Carriages employed in the public Service not to be subject to Penalties for Overweight, or for an additional Number of Horses.

XII. Provided always, and be it further enacted, That no Exemption from Toll shall be claimed for or in respect of any Waggon, Cart, or other such Carriage having the Wheels of Six Inches in Breadth on the Sole or Bottom of the Fellies thereof, if the Tire doth not lie flat, or so flat as not to deviate more than Half an Inch from a flat Surface, or which shall not have the Nails countersunk so as not to rise above the Surface; or for or in respect of any Cart or other Carriage which, together with the Loading thereof, shall be of greater Weight than is allowed by the Act passed in the Thirteenth Year of His present Majesty's Reign, intituled, "*An Act to explain, amend, and reduce into One Act of Parliament the general Laws now in being for regulating the Turnpike Roads in that Part of Great Britain called England, and for other Purposes,*" to Waggons, Carts, or Carriages of the same Kind respectively, and laden with such Goods, Matters, and Things as do not exempt the same from the Tolls hereby or by the said several hereinbefore mentioned Acts imposed; and it shall be lawful for the said Trustees, or any Five or more of them, to order all such Waggons, Carts, or other Carriages to be weighed in like Manner and with the same Powers and Authorities as are directed for weighing Carriages by the said Act of the Thirteenth Year of His present Majesty.

No Exemptions to be taken for Narrow Wheeled Carriages.

XIII. Provided always, and be it further enacted, That as often as any Collector of the said Tolls, or other Officers, shall die, or misbehave himself or herself, or become incapable of performing his or her Duty, it shall be lawful for any Five or more of the said Trustees, though not assembled at a public Meeting in pursuance of this Act, by any Writing under their Hands, to displace such Collector or other Officers so misbehaving or becoming incapable of performing their Duty, and appoint others in their stead, and also in the stead of such of them as shall so die; and all such Collectors and other Officers so appointed shall

For appointing Collectors occasionally.



have the same Authority to act in the Execution of their respective Offices as the Person or Persons whom they shall so succeed was or were vested with, until the said Trustees or any Five or more of them shall, at a Meeting to be held by virtue of this Act, appoint a Collector or other Officer as aforesaid.

Collectors of  
Tolls not in-  
competent  
Witnesses.

XIV. And be it further enacted, That in case any Dispute, Suit, or Litigation shall arise, touching or in anywise relating to the said Tolls or 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 not be incompetent to give Evidence in any such Dispute, Suit, or Litigation, by reason of his, her, or their renting, or being appointed to collect such Tolls, or by reason of his, her, or their acting under the Authority of the said Trustees.

Trustees may  
compound  
for Tolls.

XV. And be it further enacted, That it shall be lawful for the said Trustees, or any Fifteen or more of them, from Time to Time at their General Annual Meeting, to compound for any Term, not exceeding one Year at any one Time, with any Person or Persons for any Carriages, Horses, Beast, or Cattle travelling on the said Road, for all or any of the said Tolls to be paid in respect of such Carriages, Horses, Beasts, or Cattle; and such Composition Money shall be paid in advance Quarterly, or otherwise as the said Trustees shall think fit, and in Default thereof the Composition to be void.

Penalty on  
Cattle being  
found wan-  
dering or de-  
pasturing in  
the High-  
ways.

XVI. And be it further enacted, That if any Horse or Horses, Asses or Cattle or Swine, shall be found wandering or depasturing upon or on the Sides of any Part of the said Road, the Owner or Owners of such Horse or Horses, Asses or Swine shall respectively forfeit and pay for every such Offence any Sum not exceeding Ten Shillings, to be recovered in such Manner as the other Penalties are by the said recited Act directed to be recovered and levied; and the Surveyor and Surveyors of the said Roads, and all and every other Person and Persons, is and are hereby authorized to cause all such Horse or Horses, Asses or Swine as shall be found wandering or depasturing upon the said Road, or on the Sides thereof, to be impounded until the Complaint against the Owner or Owners can be heard before some one of His Majesty's Justices of the Peace acting for the County, City, or Place wherein such Offence shall happen to be committed, or until the Owner or Owners of such Horse or Horses, Asses or Swine shall pay the said Penalty, without having such Complaint heard before such Justice of the Peace; and in case such Complaint shall be heard before such Justice of the Peace, and such Justice shall convict such Owner or Owners, and order such Penalty or Penalties to be paid, then such Horse or Horses, Asses or Swine shall remain impounded until the Penalty or Penalties shall be paid, over and above the usual Fee to the Proprietor or Keeper of the Pound where such Horse or Horses, Asses or Swine shall be so impounded; and if any Proprietor or Keeper of any such Pound shall release any such Horse or Horses, Asses or Swine, which shall be so impounded as aforesaid, without the Consent of such Surveyor or Surveyors, or other Person or Persons so impounding, or until such Penalty or Penalties shall be paid, every such Proprietor or Keeper shall for every such Offence forfeit and pay any Sum not exceeding

Twenty



Twenty Shillings; and in case any Person or Persons shall disturb or molest the said Surveyor or Surveyors, or any Person or Persons, leading or driving such Horse or Horses, Asses or Affes, Cattle or Swine to Pound as aforesaid, he or they shall for every such Offence forfeit and pay any Sum not exceeding Twenty Shillings; which said several Penalties before mentioned shall be applied towards the repairing of the said Roads, and to or for no other Purpose whatsoever.

XVII. And be it further enacted, That the said Trustees, or any Five or more of them, may cause the said Roads to be measured, and Stones, or Posts to be set up in, upon, or on the Side of the said Road or on any Lands near thereto, at the Distance of one Mile from each other, with Inscriptions thereon, denoting the Distance of every such Stone or Post from any Town or Place, as they shall think fit; and also to erect Guide or Direction Posts, with Inscriptions thereon, as such Trustees or any Five or more of them shall think proper; and if any Person or Persons shall pull down, break, or damage any such Stone or Post, or any Stone or Post of the like Nature, and for the like Purpose already set up, and now standing and being upon any Part of the said Roads respectively, or obliterate any Inscription which shall be made or have been made thereon, or shall cause or procure the same to be done, and be thereof convicted by or upon the Oath of one or more credible Witness or Witnesses, or by his, her, or their own Confession, before any One Justice of the Peace for the County or Place wherein such Offence shall be committed, (which Oath such Justice is hereby empowered to administer without Fee or Reward), every such Person so offending, shall forfeit the Sum of Forty Shillings for every such Stone or Post so pulled down, broke, or damaged, or Inscription so obliterated, whereof one Moiety shall be paid to the Informer, and the other Moiety shall be applied in such Manner as the Penalties are hereinafter directed to be applied, and in case such Penalty shall not be forthwith paid, such Justice of the Peace shall commit such Person or Persons to the Common Gaol or House of Correction, there to remain without Bail or Mainprize for any Time not exceeding Two Calendar Months, unless such Forfeiture and all reasonable Charges shall be sooner paid; and every such Offender in either of the said Cases shall and may, by the Authority of this Act and without any other Warrant be apprehended by any Person or Persons who shall see such Offence committed, and shall immediately be delivered to a Constable or other Peace Officer, who shall convey such Offender to be dealt with according to the Directions of this Act.

Roads to be measured and Mile Stones erected.

XVIII. And be it further enacted, That if any Person shall ride upon any Footway adjoining to the said Roads, or shall wilfully drive any Horse, or other Cattle, or any Swine, or any Cart or other Carriage thereon, or shall wilfully or carelessly cause any Damage to be done to such Footways; or if the Driver of any Waggon, Wain, Cart, or other such Carriage, shall wilfully or carelessly pull up, break, or damage any Posts or Stones erected for the Security of the said Footways or any Horse Causeways, or drive the Wheel of any Carriage against the same; or shall wilfully or carelessly drive the Wheel of any Carriage upon any Horse Causeway made or to be made in any Part of the said Roads, or against the Side thereof; every such Person shall forfeit a Sum not less than

Penalty on Persons riding upon Footways, driving Cattle, &c. and damaging Horse Causeways.



than Forty Shillings, nor more than Ten Pounds, for every such Offence, one Moiety or Half Part whereof shall be allowed to the Informer.

For securing  
transient  
Offenders.

XIX. And whereas Offences may be committed against this Act by Persons unknown to the Collectors, Surveyors, or other Officers appointed to put this Act into execution; be it therefore enacted, that it shall be lawful for any of the said Collectors, Surveyors, or other Officers respectively, and such other Person or Persons as he or they shall call to his or their Assistance, without any other Warrant or Authority than this Act, to seize and detain any unknown Person or Persons who shall commit any such Offence or Offences, and take him, her, or them before any Justice of the Peace for the County, City, or Place, or near to the Place where the Offence or Offences shall be committed; and such Justice is hereby empowered and directed to proceed immediately to the hearing and determining of the Complaint; and upon Conviction of the Offender or Offenders by the Justice before whom he, she, or they shall be taken, it shall be lawful for the said Justice to commit him, her, or them to the Common Gaol or House of Correction of the same County, City, or Riding, or District, there to remain for any Time not exceeding Twenty-one Days, unless he, she, or they shall sooner pay the respective Penalties by him, her, or them incurred for such Offence or Offences, together with the Costs and Charges attending the Conviction and Commitment.

Trustees em-  
powered to  
take down  
several  
Buildings, in  
order to  
widen the  
said Road.

XX. Provided always, and be it further enacted, That it shall and may be lawful to and for the Trustees of the said Third District of Roads comprised in the said several hereinbefore recited Acts, or any Five or more of them, or any Person or Persons by their Order or Appointment acting in the Execution of the same Acts or of this Act or any of them, to take down, remove, and vary or lay into the said Road all or any Part of the following Orchards and Gardens hereinafter mentioned, (that is to say); a small Garden near *Stamford Bridge*, in the Township of *Barrow*, in the County of *Chester*, in the Occupation of *Hannah Harrison*; a small Garden in the Township of *Duddon*, in the said County of *Chester*, in the Occupation of *Samuel Snelfson*; another Garden in the Township of *Duddon* aforesaid, in the Occupation of *Almond, Widow*; another Garden in the Township of *Duddon* aforesaid, in the Occupation of *Samuel Muskett*; a small Garden in the Township of *Tarvin*, in the said County of *Chester*, in the Occupation of *James Hope*; another small Garden in the Township of *Kelfall*, in the said County of *Chester*, in the Occupation of *Sarah Lightfoot*; for the Purchase of which said Orchards, Gardens, Lands, and Premises hereinbefore mentioned and described, or of such Part or Parts thereof respectively as the said Trustees, or any Five or more of them, shall think necessary to be made use of for the Purposes of the said recited Acts and this Act, or any of them, it shall and may be lawful for the said Trustees, or any Five or more of them, or any Person authorized by them, or any Five or more of them, to treat, contract, and agree with the Owners and Occupiers thereof and Persons entitled thereto and interested therein respectively, in such Manner and under the same Powers and Provisions as are given and granted in and by the said recited Acts for the ascertaining and settling the Value of any Lands

or



or Hereditaments, not being Common or Waste Land, which may be taken or made use of for the Purposes thereof, and as are hereinafter mentioned.

XXI. And be it enacted, That it shall be lawful for Two or more Justices of the Peace for the said County Palatine of *Chester*, or for the said City of *Chester*, and they are hereby empowered and required, upon Application made to them by the said Trustees, or by their Clerk or Surveyor, by their Order yearly to adjudge and determine what Part or Proportion of the Statute Work shall every Year be done upon the said Roads by the Inhabitants of the respective Parishes or Places within the respective Jurisdictions of such Justices in which the said Roads do lie, and also what Proportion of the Money received by the Surveyor or Surveyors of the Highways of every such Parish or Place, in lieu of or as a Composition for such Statute Work as aforesaid, shall be by him, her, or them paid to the said Trustees or their Treasurer; and in order thereunto it shall and may be lawful to and for such Justices from Time to Time to summon the Surveyor or Surveyors of the Highways for every such Parish or Place to bring in Lists before such Justices, at some Place to be expressed in such Summons (within Ten Days after the serving of such Summons), of the Names of the several Persons who, within such Parish or Place, are by Law subject and liable to do Statute Work for that Year, or to the Payment of any Money in lieu of or as a Composition for such Statute Work, distinguishing the Nature of the Work to be done, whether with Teams or Draughts or otherwise, and also the Amount of the respective Sums to be paid; which Lists of Names shall be made in such Manner and under such Regulations and Restrictions as is, are, or may be directed by any Law or Statute in force and effect for the Repairs of the public Highways; and out of such Lists the said Justices shall and may allot, appoint, and order such and so many of the Persons, who shall appear to be subject and liable to Statute Work as aforesaid, to do such Number of Days Statute Work in every Year upon the said Roads as the said Justices shall think reasonable, and the same shall be done on such Days and at such Times (not being Hay-time or Harvest), and in such Parts of the said Roads as the said Trustees, or their Surveyor or Surveyors, shall from Time to Time order, direct, and appoint; and the said Justices shall and may also order and direct the Persons, who by such Lists shall appear to be subject and liable to the Payment of any Money in lieu of or as a Composition for Statute Work as aforesaid, to pay such Proportion thereof as the said Justices shall think proper to the said Trustees or their Treasurer, at such Time or Times as they the said Justices shall direct; and in Default of Payment thereof the same shall and may be recovered by Distress and Sale of the Goods and Chattels of the respective Persons liable to the Payment thereof, in like Manner as any Penalty is by the said several recited Acts authorized or directed to be recovered; and each and every Person who shall neglect or refuse to do such Statute Work as aforesaid, after Notice in Writing given to or left for him, her, or them at his, her, or their last or usual Place or Places of Abode for that Purpose, by any Surveyor of the said Trustees, shall for every Day of his, her, or their Default, or the Default of any Labourer or Labourers; Team or Teams, Draught or Draughts, Horse or Horses, Beast or Beasts to be provided by him, her or them, be subject and liable to such Pains, Penalties, and Forfeitures as such Person or Persons

Justices to determine Differences touching the Statute Duty.



may be subject or liable to by any Law or Statute in force and effect for the Repair of the public Highways, and if any Person who shall come to work as a Labourer, or shall be sent with any Team or Draught to work on the said Roads, shall be found idle or negligent by any Surveyor to the said Trustees, such Surveyor is hereby empowered to remove and turn off the Person who shall be found idle or negligent as aforesaid, and in that Case every such Person shall be subject and liable to the respective Forfeitures and Payments aforesaid as if he had neglected or refused to come, or such Team or Draught had not been sent to work on any Part of the said Roads; all which Forfeitures shall be paid to the Treasurer to the said Trustees, and applied towards the amending of the said Roads; and in case the said Surveyor or Surveyors of the Highways for any of the said Parishes or Places, shall refuse or wilfully neglect to give in such Lists as aforesaid, or shall knowingly or wilfully give in false or imperfect Lists, every such Surveyor so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Application  
of Compen-  
sation Money  
when ex-  
ceeding  
200l.

XXII. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Messuages, Cottages, Gardens, Lands, Tenements, or 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, Lunatic, or Person or Persons under any Disability or Incapacity, as in the said several recited Acts 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 Acts and this Act, 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 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 Messuages, Cottages, Gardens, Lands, Tenements, or Hereditaments, or affecting other Messuages, Cottages, Gardens, 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 Direction and Approbation of the said Court, in the Purchase of other Messuages, Cottages, Gardens, Lands, Tenements, and 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, Cottages, Gardens, 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



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, Issues, and Profits of the Lands, Tenements, or Hereditaments so hereby or by the said recited Acts directed to be purchased, in case such Purchase or Settlement were made.

XXIII. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Messuages, Cottages, Gardens, Lands, Tenements, 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 any such Case 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 manner as herein before directed, so far as the Case be applicable, without obtaining or being required to obtain the Direction or Approbation of the Court of Chancery.

XXIV. Provided also, and be it further enacted, That where such Money so agreed or awarded to be paid as last 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 recited 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.

XXV. 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 Messuages, Cottages, Gardens, Lands, Tenements, or Hereditaments to be purchased by virtue of the said recited Acts and this Act, shall refuse to accept the same, or shall not be able to make



make a good Title to the Premises to the Satisfaction of the said Trustees, or any Five or more of them, or in case such Person or Persons to whom such Sum or Sums of Money shall be so awarded as aforesaid cannot be found, or if the Person or Persons entitled to such Messuages, Cottages, Gardens, Lands, Tenements, and 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 said 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 Messuages, Cottages, Gardens, Lands, Tenements, and 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 said Court shall seem meet, to order the same to be laid out and invested in the Public 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.

Where any Question shall arise touching any Title to the Money to be paid, the Person in Possession shall be entitled.

XXVI. Provided always, 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 this Act, for the Purchase of any Messuages, Cottages, Gardens, Lands, Tenements, and Hereditaments, or of any Estate, Right, or Interest in any Messuages, Cottages, Gardens, Lands, Tenements, and Hereditaments to be purchased in pursuance of the said recited Acts and this Act, or to any Bank Annuities to be purchased with any such Money, or the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in Possession of such Messuages, Cottages, Gardens, Lands, Tenements, and 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 Messuages, Cottages, Gardens, Lands, Tenements, and 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 Per-



son or Persons was or were lawfully entitled to such Messuages, Cottages, Gardens, Lands, Tenements, and Hereditaments, or to some other Estate or Interest therein.

XXVII. Provided also, and be it further enacted, That where by reason of any Disability or Incapacity of the Person or Persons or Corporation entitled to any Messuages, Cottages, Gardens, Lands, Tenements, and Hereditaments to be purchased under the Authority of the said recited Acts and this Act, the Purchase Money of the same shall be required to be paid into the Court of Chancery; and to be applied to the Purchase of other Messuages, Cottages, Gardens, Lands, Tenements, and Hereditaments to be settled to the like Uses, in pursuance of the said recited Acts and this Act, it shall and may be lawful to and for the said Court of Chancery to order the Expences of all Purchases from Time to Time to be made in pursuance of the said Acts and this Act, or so much of such Expences as the said Court shall deem reasonable, to be paid by the said Trustees out of the Monies to be received by virtue of the said Acts and this Act, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

The Court of Chancery may order reasonable Expences to be paid by the Trustees.

XXVIII. And be it further enacted, That all the Costs, Charges, and Expences incident to and attending the obtaining and passing this Act, shall immediately after the passing thereof be paid and discharged by the Trustees for putting the said recited Acts and this Act into execution, or any Five or more of them, out of any Money which hath arisen by virtue of the said recited Act or out of the first Monies which shall arise by virtue thereof and of this Act, upon the said Third District of the said Roads, or out of any Money borrowed or to be borrowed on the Credit thereof respectively, and in preference to all other Payments whatsoever.

Expences of the Act.

XXIX. Provided always, and be it further enacted, That the several and respective Persons, who have subscribed or shall or may subscribe any Money for or towards the making or repairing the said new or additional Road by this Act authorized to be made, shall and they are hereby required to pay the respective Sums of Money so subscribed, or to be subscribed, within such Time or Times and in such Parts and Proportions as the said Trustees, or any Five or more of them, shall order or direct, and the same shall be paid to the Treasurer to the said Trustees for the Time being; and if any Person or Persons shall neglect or refuse to pay the same or any Part thereof as aforesaid, it shall be lawful for the said Trustees, or any Five or more of them, to sue for and recover the same in the Name of the said Trustees, or any Five or more of them, or in the Name of their Clerk or Treasurer, in any of His Majesty's Courts of Record by Action of Debt or on the Case, or by Bill, Suit, Plaint, or Information, wherein no Essoign, Protection, or Wager of Law, or more than one Impar lance shall be allowed.

Compelling Subscribers to pay their Subscriptions.

XXX. 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.

[Loc. & Per.]

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And



1846

49° GEORGII III. Cap. 93.

Term of the  
Act.

XXXI. And be it further enacted, That the Term granted by the said last hereinbefore recited Act shall, upon the passing hereof, 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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