



ANNO QUINQUAGESIMO QUINTO

GEORGI II. REGIS.

\*\*\*\*\*

Cap. xix.

An Act to continue the Term and alter and amend the Powers of Three Acts of His present Majesty, for repairing the Road from *Lawton*, in the County of *Chester*, to *Burslem* and *Newcastle-under-Lyme*, in the County of *Stafford*, and other Roads therein mentioned; and also to make a new Road from *Burslem* aforesaid to *Cobridge*, and a Branch therefrom to *Burslem Church*. [2d May 1815.]

WHEREAS an Act was passed in the Third Year of the Reign of His present Majesty, intituled *An Act for repairing and widening the Road from Lawton, in the County of Chester, to Burslem and Newcastle-under-Lyme, in the County of Stafford, and other Roads therein mentioned*: And whereas an Act was passed in the Twenty-third Year of the Reign of His said Majesty, intituled *An Act for continuing and enlarging the Term and Powers of an Act made in the Third Year of the Reign of His present Majesty, for repairing and widening the Road from Lawton, in the County of Chester, to Burslem and Newcastle-under-Lyme, in the County of Stafford, and other Roads therein mentioned*: And whereas another Act was passed in the Forty-fifth Year of the Reign of His said Majesty, intituled *An Act to continue the Term and alter and enlarge the Powers of Two Acts, passed in the Third and Twenty-third Years of His present Majesty, for repairing the Road from Lawton, in the County of Chester, to Burslem and Newcastle-under-Lyme, in the County of Stafford, and other Roads therein mentioned*: And whereas the Trustees appointed in or by virtue of the said Acts have proceeded in the Execution thereof,

3 G. 3. c. 45.  
23 G. 3. c. 101.  
45 G. 3. c. 80.  
Necessity of increasing the Tolls,

[Local.] 5 L



and enlarging  
the Terms  
and Powers.

Present Road  
from Burslem  
to Cobridge  
incommo-  
dious.

Roads to  
Burslem  
Church also  
incommo-  
dious.

Acts further  
continued.

thereof, and several considerable Sums of Money by them borrowed upon the Credit of the Tolls thereby granted still remain due and owing thereon, the Interest whereof, and the Repairs and Improvements of the said Roads, to such an Extent and on such a Scale as increasing local Exigencies render necessary, cannot be defrayed by and out of the present Produce of the said Tolls; and the Powers and Provisions of the said several Acts, and the now subsisting Term thereof, are not sufficiently ample and extensive for the Security of the Creditors on the said Roads, and for the necessary Repairs and Improvement thereof: And whereas the present Road leading from *Burslem* aforesaid through *Hot Lane* to *Cobridge*, in the Parish of *Burslem*, is not only circuitous, but being much used and worn, by the Carriage of Coals and heavy Burthens, is found incommodious for other Purposes: And whereas a more direct Line of Road, commencing at or near the Dwelling House of *Joseph Machin*, in *Burslem*, extending from thence in a right Line, as nearly as may be, to the West Side of a Garden belonging to the Dwelling House late of *Peter Warburton* deceased, and now of *Robert Blackwell*, from thence taking nearly the Course of the present Foot Road, and terminating in *Cobridge* as nearly opposite as may be found practicable to the Place where a newly-formed Road from *Cobridge* to *Hanley* and *Shelton* branches out, will tend to shorten and improve the Communication between *Burslem* and other Parts of the neighbouring Potteries, and be of public Utility: And whereas the present Carriage Roads leading to or towards the Parish Church of *Burslem* are very incommodious; and it may be expedient to make and open a Road from the said above-mentioned and new proposed Road, at a Point within about Two hundred Yards from the Commencement thereof in *Burslem*, to extend in a westwardly Direction to the Church Yard Gates nearest to the Chancel End of the said Church: 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 several recited Acts, and all the Clauses, Powers, Provisions, Orders, Regulations, Restrictions, Matters, and Things therein contained, (except as to the Tolls thereby granted, and such Parts of the said respective Acts as are varied, altered, or repealed, shall be and continue in full Force and Effect, and shall be executed and applied as well in respect of the Roads to which the said recited Acts extend, as also in respect of the other Roads to which this present Act is meant and intended to extend as hereinafter mentioned, in as full, ample, and beneficial a Manner, to all Intents and Purposes, as if the same were repeated and re-enacted in the Body of this Act; subject nevertheless to the Amendments, Alterations, Variations, and Additions herein contained, and which shall commence and take Effect upon the passing of this Act, unless provided otherwise herein, and shall continue in force during the Term hereby granted; and this Act, and the additional Term and Tolls hereby granted, shall be subject and liable to the Payment of all Sums of Money now due and owing in any Manner upon the Credit or on Account of the said former Acts, or any of them, 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 for and upon the same.

II. And be it further enacted, That it shall and may be lawful for the Trustees appointed in or by virtue of the said recited Acts or this Act or any Five or more of them, and they are hereby authorized and empowered to make and open a Public Carriage Road of such Width as they shall deem necessary, not exceeding Forty Feet between the Fences, to extend from *Burslem* to *Cobridge*, in the Course and Direction herein-before particularly mentioned and described, and which shall be called the *Cobridge* Branch of Road; and also another Public Carriage Road, not exceeding such Width as before mentioned, to lead from and out of the said *Cobridge* Branch to or towards *Burslem* Church, in the Direction herein-before mentioned; and that the Lands and Hereditaments which shall be taken by the said Trustees for the Purpose of making the said new intended Roads (Satisfaction being first made to the respective Owners of such Lands and Hereditaments, and Persons interested therein, in Manner herein-after mentioned), shall be for ever thereafter deemed Common Highways, to all Intents and Purposes, and be repaired and kept in Repair by the Parishes, Townships, or Districts, through which the same shall pass, in like Manner as the Highways in general within such Parishes, Townships, or Districts respectively are required by Law or legal Prescription to be repaired and amended, and as in the said recited Acts or this Act is further provided in that Behalf; and that from the Time when such Lands or Hereditaments shall be taken by the said Trustees for the Purposes aforesaid, all other Parties or Persons whosoever shall be divested of all Right or Title to such Lands and Hereditaments, except nevertheless and hereby reserving to the respective Owners and Proprietors of such Lands and Hereditaments, all Mines and Minerals lying and being within and under the same.

New Road to be made from Burslem to Cobridge.

New Road to Burslem Church.

III. And whereas a Map or Plan describing the Line of the said new Roads, and the Lands through which the same are to be carried, together with a Book of Reference, containing Lists of the Names of the Owners or reputed Owners and Occupiers of such Lands, have been deposited at the Office of the Clerk of the Peace for the County of *Stafford*; be it therefore enacted, That the said Map or Plan and Book of Reference shall remain in the Custody of the Clerk of the Peace for the said County, to the End that all Persons may, at any reasonable Times, have Liberty to inspect and peruse the same, and to take Copies or Extracts thereof at their Will and Pleasure, paying to the said Clerk of the Peace the Sum of Five Shillings for every such Inspection, and at the Rate of Sixpence for every Seventy-two Words of such Copies or Extracts of the said Map or Plan and Book of Reference; and that the said Trustees, in making, widening, or repairing the said Roads, shall not deviate more than One Hundred Yards from the Line described in the said Map or Plan without the Consent and Approbation in Writing of the Person or Persons, Body Politic, Corporate, or Collegiate, through whose Lands or Grounds such Deviations shall be made.

Roads to be made according to Plan and Book of Reference.

IV. And be it further enacted, That *Benjamin Adams*, *George Allcock*, *Thomas Austin*, *Sir John Fenton Boughy* Baronet, *John Biddulph* Esquire, *Richard Bent* Doctor of Medicine, *John Bent*, *Daniel Bird Baddeley*, *James Bulkeley*, *William Bathwell*, *William Bathwell Junior*, *Thomas Bathwell*, *Robert Bentley*, *John Brettell*, *Thomas Baggaley*, *Jacob Baggaley*, *John Bennett*, *William Bourne*, *John Blackband*, *Joseph Brindley* of *Longport*, *Joseph Brindley* of *Chell*,

Additional Trustees.



## 55° GEORGII III. Cap. xix.

*Chell, William Brindley, Robert Bucknall, William Barker, John Blackwell, Robert Blackwell, John Boden, Joseph Bloor, Edward Carless Clerk, John Henry Clive, John Clews, Ralph Clews, James Clews, John Cormie, John Cole, Junior, John Daniel, George Daniel, John Dicken, Thomas Edwards, Solomon Eardley, John Faulkner, John Tilstone Ford, Edmund Gould, Thomas Griffin Junior, Benjamin Endon Godwin, Stephen Godwin, Thomas Godwin, Benjamin Godwin, Thomas Goodfellow, Robert Hall, James Hall, Robert Hill, Caleb Hill, William Hill, Thomas Heath, Robert Heath, Thomas Hulme, John Haywood, Charles Hulse Junior, Samuel Henshall, Ralph Johnson, Edward Kinnerly, Thomas Knight, Joseph Knight, James Knight, Randle Keay, Charles Bourne Lawton, John Lawton Clerk, Thomas Lindop, Joseph Locke, George Meakin, Samuel Marsh, Jacob Marsh, Thomas Mayer Junior, Joseph Mellard, John Mayer, John Meir, Thomas Machin, Francis Hicken Northen Doctor of Medicine, Joseph Nixon, Henry Powys, Charles Powys, John Phillips, James Preston, Thomas Poole, Michael Peake, William Rhead, John Sparrow, Thomas Sparrow, John Salt Clerk, John Sherwin Junior, Joseph Sherwin, Aaron Sant, William Stanley, Daniel Shaw, Ralph Stevenson, James Smith, John Swinerton, Richard Speakman, Thomas Slade, George Tollett, William Thacker, John Tregortha, John Richards Tilstone, Thomas Tunstall, Samuel Tomkinson, John Turner Junior, John Taylor, Thomas Simpson, Charles Simpson, William Taylor, William Twigg, Joseph Twigg, Thomas Thompson, Lancaster Wethenhall Clerk, Edward Whieldon Clerk, Peter Walthall, Peter Walthall Junior, Thomas Ward, John Ward, George Walker, George Wood, Enoch Wood Junior, Joseph Wood, John Warburton, and William Walsh,* shall be and they are hereby nominated and appointed Trustees for executing the said recited Acts and this Act, together with the several other Persons appointed Trustees in and by virtue of the said recited Acts respectively, or such of them as are now surviving and qualified to act as Trustees, according to the Directions of the said first recited Act; and they and their Successors (being duly qualified as aforesaid), are hereby empowered and authorized to act in the Execution of the said recited Acts and this Act, as fully and effectually, to all Intents and Purposes, as if they had been named in or appointed by virtue or in pursuance of the said recited Acts, or any of them.

Power to  
appoint  
additional  
Trustees.

V. And be it further enacted, That it shall be lawful for the Trustees hereby nominated, or any Five or more of them, and they are hereby authorized and empowered, at any of their Meetings to be holden in pursuance of this Act, to elect any Number of Persons, not exceeding Ten in the Whole, to be Trustees for the Purposes of this Act, in Addition to the Trustees hereby appointed; and such Trustees, so elected, and being duly qualified, shall be and are hereby invested with the same Powers and Authority for executing this and the said recited Acts, as if they had been hereby nominated and appointed.

In what  
Cases Trust-  
tees are not  
at liberty to  
act.

VI. Provided always, and be it further enacted, That no Person shall be capable of voting as a Trustee under the said recited Acts or this Act, in regard to the Removal or Appointment of any Clerk, Treasurer, or other Officer whom the said Trustees are authorized to appoint by the said first recited Act, unless such Trustee shall have attended some Meeting of the said Trustees within the Space of One Year next preceding the Meeting at which the Removal or Appointment of such  
Officer



Officer shall be taken into Consideration: And provided also, that no Trustee shall be capable of acting in the Execution of the said recited Acts or this Act, in any Case where he shall be concerned in Interest: Provided nevertheless, that any Mortgagee or Assignee of any Mortgage or other Security, or any Lender of Money on the Credit of the Tolls, granted by the said first recited Act or this Act, or receiving Interest thereout for the same, shall not on that Account be deemed disqualified from acting as a Trustee.

VII. And be it further enacted, That the said Trustees, or any Five or more of them, shall meet together at the House of *Charles Cotton*, the *Legs of Man Inn*, in *Burslem* aforesaid, on the second *Tuesday* next after the passing of this Act, and proceed to the Execution of the said recited Acts and this Act, and shall then adjourn themselves, and hold their future Meetings as directed by the said recited Acts; and that no Order or Resolution of the said Trustees, made at any such Meetings, shall be revoked or altered at any future Meetings unless by an Order or Resolution, to be made and signed by a greater Number of Trustees than made the original Order or Resolution so revoked or altered, nor unless Notice in Writing be given of such future Meeting, and the Objects thereof, by affixing the same on all the Toll Gates then erected on the Roads to which this Act extends, Fourteen Days at least before such future Meeting shall be had; and that no Meeting of the said Trustees shall be adjourned or appointed to be held at an earlier Hour than Ten of the Clock in the Forenoon, or at a later Hour than Four of the Clock in the Afternoon, except for the Purpose of letting the Tolls to be payable by virtue of this Act, the Meetings for which Purpose shall and may be held at a later Hour, in case the said Trustees or any Five or more of them shall so order or appoint.

Time and  
Place of first  
Meeting, &c.

VIII. And whereas the Course and Extent of the Roads to which the said recited Acts extend, having been in some Degree varied from the Description thereof contained in the said first recited Act, it is expedient that such Roads, as they at present exist, and are repaired under the Authority of the said Acts, should be more accurately described; be it therefore enacted, That the Road leading from the *Red Bull Inn*, in the Township of *Lawton*, in the County of *Chester*, through *Kids Grove*, *Golden Hill*, *Tunstall*, and by the Market House in the Town of *Burslem*, to a Place near to *Burslem*, parallel with the Dwelling House of *Jonathan Adams*, (where *Isaac Cartlich's* House formerly stood,) the Road leading out of the last-mentioned Road at *Brownhill's Turnpike*, through *Longport* (formerly *Trubshaw Cross*), *Wolstanton*, and over a Common Field called *The Brampton*, and a Place called *The Marsh*, in *Newcastle-under-Lyme*, to the House in *Marsh Street* there, formerly occupied by *Mr. Lovatt* but now in the Occupation of *John Mayer*, and the Road leading from *Burslem* aforesaid to *Longport* aforesaid, are and shall from henceforth be deemed and considered as the Roads to be ordered and repaired under the Authority of the said several recited Acts, and to which the said Acts, as well as this Act, shall from henceforth extend and apply.

For remov-  
ing Doubts  
as to the  
Extent of  
the Roads.

IX. And be it further enacted, That no Gate or Turnpike shall be erected, nor shall any Chain or Bar be put upon, across, or on the Side of

No Turnpike  
to be erected  
of between the

[Local.]

5 M



Town of  
Burslem and  
Jonathan  
Adams's  
House.

For repealing  
former Tolls,  
and granting  
new ones.

of the said first-mentioned Road between any Part of the Town of *Burslem*, and the Termination of such Road at *Jonathan Adams's* House aforesaid.

X. And whereas the Tolls granted by the said first-recited Act being inadequate to the keeping the said Roads in Repair, it is expedient that such Tolls should be repealed, and other Tolls granted in lieu thereof; be it therefore enacted, That from and after the Twenty-fifth Day of *March* One thousand eight hundred and fifteen, the Tolls granted by the said first-recited Act shall be and the same are hereby declared to be repealed, and that instead thereof the following Tolls shall and may be demanded, received, and taken at the several Turnpikes or Toll Gates now erected and set up, or hereafter to be erected and set up under the Authority of the said recited Acts or this Act, before any Horse, Beast, Cattle, or Carriage shall be permitted to pass through any such Turnpike or Toll Gate; (that is to say),

For every Horse, Mare, Gelding, Mule, or other Beast, drawing in any Carriage having Wheels of the Breadth or Gauge of Six Inches or upwards on the Bottom or Sole thereof, the Sum of Four-pence:

For every Horse, Mare, Gelding, Mule, or other Beast, drawing in any Carriage having Wheels of less Breadth or Gauge than Six Inches on the Bottom or Sole thereof, the Sum of Sixpence:

For every Horse, Mare, Gelding, Mule, or other Beast, laden or unladen, and not drawing, the Sum of One Penny Halfpenny:

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

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

Which said respective Sums of Money shall be demanded and taken in the Name of or as Toll, and shall be vested in the said Trustees; and shall and may be levied, recovered, and paid, applied and assigned, in the same Manner as the Tolls granted by the said first-recited Act are thereby directed to be levied, recovered, and paid, applied and assigned; but subject nevertheless to the Exemptions from Toll in and by the said Acts respectively mentioned and particularized, or such of them as now remain in force and are not hereby repealed, and subject also to the Provisions and Enactments herein-after contained.

Power to  
erect a Gate  
and take  
Tolls on the  
Cobridge  
Branch.

XI. And be it further enacted, That it shall be lawful for the said Trustees, or any Five or more of them, to erect, set up, and build, or cause to be erected, set up, and built, upon and across any Part of the said new intended *Cobridge* Branch of Road (except as herein-after is otherwise provided in that Behalf), a Gate or Turnpike, with a Toll House thereto, and also any Side Gate or Gates across any Lane or Lanes, Way or Ways, leading into such intended new Road, and from Time to Time to remove or alter the same, as the said Trustees, or any Five or more of them, shall think proper; and that it shall be lawful for the said Trustees to take or cause to be taken such and the like Tolls at the Gate or Turnpike so to be erected, and at the said Side Gate or Gates, as are herein-before granted or authorized to be taken at any Turnpike or Gate already erected or hereafter to be erected on the Roads to which  
the



the said recited Acts relate, and over and above the Tolls to be taken on the said last-mentioned Roads; and the same shall and may be levied and recovered in the same Manner as the Tolls granted by the said first-recited Act are thereby directed to be levied and recovered, but subject to the like Exemptions from Toll as are mentioned and particularized in the said several recited Acts, or such of them as now remain in force and are not in and by this Act repealed.

XII. 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, or 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, or the Horse or Horses drawing the same, while so employed, 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 the 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.

Exempting  
Carriages  
conveying  
King's  
Stores for  
Overweight.

XIII. And be it further enacted, That the said Trustees, or any Five or more of them, shall be and they are hereby authorized and empowered from Time to Time to lessen or reduce all or any of the several Tolls hereby granted, and either through the Whole or any Part of the Line of the said Roads, and to raise the same again, so as the same do not exceed the Tolls by this Act granted, and so as the Reduction now authorized be made with the Consent of at least as many of the Creditors or Money Lenders on the said Roads as for the Time being shall be entitled to Five-sixth Parts of the Whole of the Money owing thereon; but such Reduction shall not be made, unless Notice in Writing be given for that Purpose, by affixing the same on all the Gates or Turnpikes which shall then be standing on the said Roads, and by inserting such Notice in some Newspaper published and circulated in the County of *Stafford*, at least Twenty-one Days before making such Reduction; and such Tolls so lessened or reduced shall be collected, recovered, and applied in the same Manner as the Tolls hereby granted are directed to be collected, recovered, and applied.

Power to  
reduce the  
Tolls.

XIV. And be it further enacted, That all and every Person and Persons having paid the respective Tolls, by this Act granted and made payable for the passing of any Horses, Cattle, or Carriage whatsoever at any Gate or Turnpike that now is or shall hereafter be set up, or erected upon or on the Side of the Roads mentioned and described in the said recited Acts, and producing a Note or Ticket of the Day denoting such Payment, (which Note or Ticket shall specify the several Gates through which such Person or Persons may pass Toll-free on Production thereof,) shall be permitted to pass, return, and repass, with the same Horses, Cattle, or Carriage, at any Time or Times during the same Day, to be computed and reckoned from Twelve of the Clock in one Night

Limitation  
of the Tolls  
payable on  
each Line of  
Road in  
one Day.



to Twelve of the Clock in the next Night, through all the Gates or Turnpikes to be erected upon or on the Sides of the Roads described in the said recited Acts or any of them, without paying any further Toll; and that all and every Person and Persons, having paid the respective Tolls by this Act granted and made payable, for the passing of any Horses, Cattle, or Carriage whatsoever, at any Gate or Turnpike that shall by virtue of this Act be set up or erected upon or on the Side of the said new Road from *Burslem* to *Cobridge*, and producing a Note or Ticket of the Day as aforesaid, denoting such Payment, shall be permitted to pass, return, and repass with the same Horses, Cattle, or Carriage, at any Time or Times during the same Day, to be computed as aforesaid, through all the Gates or Turnpikes to be erected upon or on the Sides of the said new Road.

No Gate to be erected within a Quarter of a Mile of *Burslem*, and the Owners, &c. of certain Estates exempt from Toll.

XV. Provided always, and it is hereby further enacted and declared, That no Gate or Turnpike shall be erected upon, across, or on the Side of the said *Cobridge* Branch of Road, nearer to the Town of *Burslem* than a Quarter of a Mile, to be measured from the Commencement of such Branch of Road, at *Joseph Machin's* Dwelling House, before mentioned; and that the Tenants or Occupiers, for the Time being, of any Part of the Charity Estates of the Poor of *Sandbach*, over, through, or adjoining to which the said *Cobridge* Branch of Road shall pass, shall, in respect of the Occupation of such Estates only, be exempt from the Payment of all Manner of Toll at any Gate or Turnpike which shall be erected upon or adjoining such Charity Estates.

Power for the Trustees, in conjunction with the Trustees of the New castle and Leek Road, to moderate the Tolls between *Burslem* and *Hanley* or *Shelton*.

XVI. Provided also, and it is hereby enacted and declared, That it shall be lawful for the said Trustees, in conjunction with the Trustees of the first District of Roads, contained in an Act made in the Thirty-third Year of the Reign of His present Majesty, intituled "An Act to enlarge the Terms and Powers of two Acts of Parliament, the one passed in the Fifth Year of the Reign of His present Majesty, for repairing and widening the Road from *Newcastle-under-Lyme* to *Hassop*, and from *Middle Hills* to the *Macclesfield* Turnpike Road, near *Buxton*, and also the Road branching out of the said first mentioned Road at *Cobridge* to *Burslem*, and to the *Uttoxeter* Turnpike Road at *Shelton* in the County of *Stafford*; and the other, passed in the Nineteenth Year of the Reign of His said Majesty, to enlarge the Term and Powers of the said Act, and for mending several other Roads therein described;" and such Trustees are hereby respectively empowered to enter into such mutual Orders, Resolutions, or Agreements, from Time to Time, as they shall think proper, for dividing and apportioning between them, the Tolls and Duties to be taken at any Turnpike or Turnpikes, Toll Gate or Toll Gates, which is, are, or shall be erected on such Part or Parts of their respective Roads as may lie between the Limits of the Town of *Burslem* on the one Side, and any Part or Parts of the Villages of *Hanley* and *Shelton* on the other Side; and with the Consent of Four-fifths in Value of the Creditors on the Roads, comprized in the said first recited Acts, to lower and moderate such Tolls and Duties, as the said Trustees respectively shall deem reasonable, or so and in such Manner, as that a single Toll only may be collected and taken for any Horses, Beasts, Cattle, or Carriages, passing within the Limits hereinbefore-mentioned.

XVII. And



XVII. And be it further enacted, That no Turnpike, or Toll Gate, here-  
 tofore erected, under the Authority of the said recited Acts, or which  
 shall be erected on the said *Cobridge* Branch of Road, under the Authority  
 of this Act, shall be removed to any other Situation; nor shall any new  
 Turnpike, or Toll Gate (except the Gate or Turnpike, and Side Gate  
 or Gates; to be first erected on the said *Cobridge* Branch,) be hereafter  
 erected or set up on any of the said Roads, unless the same shall be or-  
 dered at a Public Meeting of the said Trustees, nor unless Notice in  
 Writing, specifying the Alteration intended to be made, and the Place  
 where any new Gate is intended to be erected, shall be given of the said  
 Meeting, by affixing such Notice on all the Toll Gates then erected  
 on the said Roads, and also inserting the same in some Newspaper pub-  
 lished or circulated within the County of *Stafford*, Twenty-one Days at  
 least previous to such Meeting.

Toll Gates  
 not to be re-  
 moved, or  
 new ones  
 erected, but  
 after Notice  
 given.

XVIII. And be it further enacted, That if any Dispute shall happen  
 about the Amount of the Tolls due, or the Charges of making, keeping, or  
 selling any Distress, it shall be lawful for the Collector or Person distrain-  
 ing to retain such Distress, or the Money arising from the Sale thereof  
 (as the Case may happen), until the Amount of the Tolls due, and of the  
 Charges of the Distress and Sale of keeping the Distress (as the Case shall  
 happen) shall be ascertained by some Justice of the Peace for the County,  
 Liberty, or Place where such Dispute shall arise, who, on Application  
 made to him for that Purpose, shall examine the Matter on the Oath of  
 the Parties, or other Witness or Witnesses, and shall determine the  
 Amount of the Tolls due, and shall also assess the Charges of such Dis-  
 tress and Keeping and Sale, and of the Collector's Attendance for that  
 Purpose on the said Justice, all which said Sums so determined or assessed  
 shall be paid to the said Collector before he shall be obliged to return the  
 Distress, or the Overplus after the Sale thereof, or of any Part thereof.

Disputes  
 concerning  
 the Tolls to  
 be settled by  
 a Justice.

XIX. And be it further enacted, That if any Person or Persons whosoever  
 owning, renting, or occupying any Tenements, Lands, or Grounds near  
 to the said Roads, shall knowingly and willingly permit or suffer any Per-  
 son or Persons, (except the Owner or Occupier thereof, and his Servants,  
 Carriages, Horses, and Cattle,) to pass through any Ground, Gate, Pas-  
 sage, or Way, with any Carriage, Horse, Mare, Gelding, Ass, Mule, or  
 any Sort of Cattle on which a Toll is by this Act imposed, with an Intent  
 to evade the Payment of the Tolls by this Act granted; or if any Person  
 or Persons owning, going in, or driving any such Carriage, or owning,  
 riding, or driving any such Horse, Mare, Gelding, Ass, Mule, or other  
 Cattle, shall therewith pass through any such Ground, Gate, Passage, or  
 Private Way, with an Intent to evade the Payment of the said Tolls or  
 Duty; or if any Person or Persons shall take off, or cause to be taken off,  
 any Horse, Mare, Gelding, Ass, Mule, or other Cattle from any Chariot,  
 Chaise, or other Carriage, at or before the same shall be brought or come  
 to any of the Gates or Turnpikes now erected or hereafter to be erected  
 by virtue of this Act, with an Intent to evade the Payment of any of the  
 Tolls hereby imposed; or if any Person or Persons liable to the Payment  
 of any of the said Tolls shall forcibly pass or attempt to pass any of the  
 said Gates or Turnpikes without Payment thereof at such Gate or Gates;  
 or if any Person or Persons shall give to or receive from any other Person  
 or Persons, except the Person or Persons appointed to receive the Tolls

Penalty for  
 Persons per-  
 mitting or  
 using private  
 Passages, &c.

[Local.]

5 N

hereby



hereby made payable,) any Note or Ticket of the Day by this Act directed to be given by the Collector or Receiver of the said Tolls, whereby or by reason whereof the Payment of any or either of the said Tolls may be evaded or lessened; or shall forge, counterfeit, or alter any such Note or Ticket, or make use of any such forged, counterfeited, or altered Note or Ticket, knowing the same to have been forged, counterfeited, or altered, whereby the Payment of the said Tolls or any Part thereof shall be evaded, every Person offending in any or either of the Cases aforesaid shall for every such Offence forfeit and pay such Sum, not exceeding Ten Shillings, as the Justice or Justices before whom the Information shall be laid shall adjudge; One Moiety whereof shall go to the Informer, and the other Moiety shall be applied for the Purposes of this Act.

Toll Collec-  
tors to put up  
their Names.

XX. And be it further enacted, That all and every Toll Collector appointed either by the said Trustees or any Five or more of them, or by any Lessee or Lessees under them, to collect the Tolls payable at any Turnpike or Toll Gate to be continued or erected by virtue of this Act, shall and he is hereby required to place his Christian and Surname painted on a Board in legible Characters, in the Front or on some other conspicuous Part of the Toll House or Toll Gate, immediately upon his coming on Duty, and shall continue the same so placed during the whole Time he shall be upon such Duty; and if any Collector of the said Tolls shall not place such Board as aforesaid, and keep the same there during the Time aforesaid, or shall demand or take a greater or less Toll from any Person or Persons than he shall be authorized to do by virtue of the Powers of this Act, or shall demand and take a Toll from any Person or Persons who shall be exempt from the Payment thereof and claim such Exemption, or shall refuse to permit or suffer, or shall in anywise hinder any Person or Persons from reading such Christian or Surname, or shall refuse to tell his Christian or Surname to any Person or Persons who shall demand the same, on having paid the said Tolls or any of them; or shall give a false Name or Names on such Demand, or shall refuse or neglect to give a Ticket to denote the Payment of the Toll when demanded; or shall make use of any scurrilous or blasphemous Language to any Person or Persons travelling upon the said Road; or shall, without sufficient Cause, detain or delay any Person or Persons travelling thereon; then, and in every such Case, every such Collector shall forfeit and pay any Sum not exceeding Five Pounds for every such Offence, as the Justice or Justices before whom the Information shall be laid shall adjudge, and such Penalty shall be recovered and applied as other Penalties are by this Act directed to be recovered and applied.

Trustees  
enabled to  
take Posses-  
sion of Toll  
Gates, when  
let to farm,  
if the Rent  
be in Arrear.

XXI. And be it further enacted, That in case the Tolls arising from all or any of the Turnpikes or Toll Gates erected or to be erected on the said Roads 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 any other Person authorized by Writing under the Hands of any Five or more of the said Trustees, shall have Power, 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 Toll Gates, Buildings, and Appurtenances thereunto belonging, so let as aforesaid, and to remove and put out such Lessee or Lessees, Farmer or Farmers, from the Possession thereof, and from the Collection of the Tolls there payable; and thereupon it shall be lawful for the said Trustees, by an Order in Writing under the Hands of them, 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 which shall then be in Arrear) as if such Contract 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 prior Contract or Agreement had been entered into relative to the same.

XXII. And be it further enacted, That the said Trustees, or any Five or more of them, shall and may, if they shall see fit, cause a convenient Piece of Land, not exceeding One-eighth Part of an Acre in Quantity, to be set out as a Garden-spot, and for needful Accommodations to each and every or any of the Toll Houses erected or to be erected by virtue of the said recited Acts or this Act; and also shall and may take and enclose such a Quantity of Ground from any Field or Land adjoining the said Road, as they shall deem convenient and necessary for the Purpose of erecting a Weighing Machine, with a House or Lodge annexed thereto, for the Use of the said Roads, making Satisfaction for the same in Manner directed by the said first recited Act.

Garden Spots, &c. may be set out.

XXIII. And be it further enacted, That all and every the Turnpikes, Toll Gates, Toll Houses, Weighing Machines, and other Buildings and Erections, already erected or hereafter to be erected by virtue of the said several recited Acts or this Act, and the Materials belonging thereto, and also all Posts, Rails, Stiles, Walls, Bridges, and Fences belonging to the said Roads, or any of them, and all Tools, Implements, Carriages, Boats, Stones, Gravel, and other Effects and Materials, purchased or provided for any Use or Purpose relating to the said Roads, shall be and are hereby legally vested in the said Trustees; and they, or any Five or more of them, are hereby authorized and empowered, in their own Names, or in the Name or Names of their Clerk or Clerks, Treasurer or Treasurers, for the Time being, to commence, prefer, and prosecute any Action or Actions, Bill or Bills of Indictment, or other legal Proceeding, against any Person or Persons who shall destroy, pull down, trespass upon, steal, take away, or otherwise damage or injure any of the Buildings, Erections, Effects, Materials, Matters and Things so vested in them the said Trustees.

Property of Toll Houses, &c. vested in Trustees.

XXIV. And







Persons to whom any such Assignment or Assignments shall be made as aforesaid; and his, her, or their Executors or Administrators, Assignee or Assigns, may and are hereby empowered from Time to Time, by proper Words of Assignment, to be indorsed on his, her, or their Security or Securities, or by any Deed or Deeds, Writing or Writings, under his, her, or their Hand and Seal, or Hands and Seals, to be duly executed in the Presence of one or more credible Witness or Witnesses, to assign and transfer such Security or Securities, and all the Money that shall be due thereon, to any other Person or Persons whomsoever, and that every such secondary Transfer or Assignment of any Security of the said Tolls, shall, from Time to Time, be produced, and notified to the Clerk or Treasurer to the said Trustees for the Time being, who shall make, or cause to be made, a Memorial or Entry of every such Transfer or Assignment, containing the Date thereof, and the Names, Additions, and Places of Abode of the several Parties thereto, and the Sum or Sums of Money therein mentioned, and other the material Contents thereof, together with the Name or Names of the Witness or Witnesses to the Execution thereof, in the Book or Books to be kept for entering the said original Mortgages or Assignments; and for every such Entry the said Clerk or Treasurer shall be paid the Sum of Five Shillings and no more, by the Person or Persons to whom such Assignment shall be made; and after such Entry made, but not otherwise, such Assignment shall entitle the Assignee or Assignees therein named, and his, her, or their Executors or Administrators, to the Benefit thereof, and Payment of the Money thereby secured; and it shall not be in the Power of the Person or Persons making such Assignment afterwards to make void, release, or discharge the same, or the Money thereby secured, or any Part thereof.

Mortgages may be assigned.

XXVI. Provided always, and be it further enacted, That the Trustees executing such Mortgages or Securities of the said Tolls as aforesaid, shall not be thereby deemed to be personally subject or liable to the Payment of the Monies thereby secured, or the Interest accruing due thereon; nor shall their or any of their Persons, Property, or Effects, be affected thereby.

Trustees not liable by executing Mortgages.

XXVII. And be it further enacted, That the several Persons who have subscribed or agreed in Writing to subscribe and advance, or shall hereafter agree in Writing to advance any Sum or Sums of Money, on the Credit of the Tolls of the said Roads, for or towards the Expences of making the New Roads by this Act authorized to be made, and for carrying such Work or the Provisions of the said recited Acts or this Act into Execution, shall pay, and they are hereby directed and required to pay the respective Sums by them subscribed or agreed to be advanced at such Time or Times and to such Person or Persons as the said Trustees or any Five or more of them shall, by Writing under their Hands, order or direct, and in Default of Payment of such respective Sums, or any Part thereof, the same shall be recovered by Action at Law, to be brought in any of His Majesty's Courts of Law at *Westminster* in the Name of the Clerk or Treasurer to the said Trustees.

Subscribers to the new Roads, &c. to pay their Subscriptions.

XXVIII. And be it further enacted, That out of the Monies which shall be borrowed, raised, or received by the said Trustees upon the Credit of

Application of Monies borrowed, the

[Local.]



and of the  
Tolls.

the said Tolls as aforesaid, and out of the Tolls payable under the said recited Acts and this Act, the said Trustees, or their Treasurer or Treasurers, shall, in the first Place, pay and discharge all the Expences and Charges of procuring and passing this Act, or anywise relating thereto, and the Remainder of the Monies so raised shall be from Time to Time employed in forming, making, repairing, and improving the said Roads in the Purchase of Lands and Hereditaments necessary for that Purpose, and in defraying the Costs, Charges, and Expences attending the Execution of the said recited Acts and this Act, in such Manner as the said Trustees or any Five or more of them shall from Time to Time direct, and also in paying the Interest on the several Sums of Money borrowed and owing on the Credit of the said Tolls, and in paying off any Part of the Principal Sums so borrowed or owing, in case the said Trustees or any Five or more of them shall so order or direct, but not otherwise.

Present  
Roads may  
be made of  
the Width  
of Forty  
Feet.

XXIX. And be it further enacted, That in all cases where the said Trustees shall deem it necessary to widen any Part or Parts of the Roads described in the said recited Acts, they shall be empowered to make the same of such Width as shall appear to them requisite, not exceeding Forty Feet between the Fences or Sides thereof, unless to avoid dangerous or inconvenient Corners, and that in widening or altering the said Roads under the Authority of the said recited Acts or this Act, and in making the New Roads by this Act directed or authorized to be made upon, over, or through any private Lands or Grounds, the said Trustees shall make or cause to be made proper Walls or Quickset Fences, as the Case may require, upon and along each Side of the said Roads, so as effectually to guard and fence off the Lands adjoining to such Roads, and also proper Gates, Bridges, and Arches, where necessary to be made, out of or connected with the said Roads, and shall keep the Quickset Fences which shall be so made in proper Order and Repair for and during the Term of Seven Years from the Time of their being planted or made.

Proper  
Fences to be  
made

Buildings,  
Gardens, &c.  
not to be  
laid to the  
Road.

XXX. Provided always, and it is hereby enacted and declared, That nothing herein contained shall extend, or be construed to extend, to authorize the said Trustees to take down any Dwelling-House or other Building, or to take in any Garden, Orchard, Yard, Park, Planted Walk, or Avenue to a House, or any Land used as a Wharf, without the Consent of the Owners or Proprietors thereof, for the Purpose of making, widening, or altering the said Roads, or any of them, or for any other Use or Purpose hereinbefore authorized; save and except such Buildings belonging to a certain Potwork in *Cobridge* aforesaid, Part of the Charity Estates of the Poor of *Sandbach*, and now in the Holding of *William Adams*, as the said Trustees or any Five or more of them shall deem necessary for the Purpose of taking the said *Cobridge* Branch of Road, through and across the said Potwork, in a direct or nearly direct Course to or towards the before mentioned New Road from *Cobridge* to *Hanley* and *Shelton*, they the said Trustees, before the taking down of any such Buildings, either paying or tendering unto the Proprietors and Lessee or Occupier of the said Potwork respectively, such Satisfaction and Recompence for the Buildings proposed to be removed and the Land to be taken into the Road as hereinafter is directed in like Cases, or otherwise at the Option of the Proprietors and Lessee, or Occupier  
of

Exception  
as to Build-  
ings belong-  
ing to a  
Potwork in  
*Cobridge*.



of the Buildings so to be removed, and under their Directions, other Buildings calculated for the same Uses and Purposes, and of equal Value and Goodness, shall within Two Months from the Time of taking down the original Buildings be built and completed by the said Trustees, the Expences whereof shall be paid and defrayed by their Treasurer or Treasurers out of the Funds of the said Roads.

XXXI. And be it further enacted, That before the said Trustees shall begin to make or form the said new intended Roads hereinbefore authorized and directed to be made, upon or over the Lands and Hereditaments through which the same are intended to pass, or shall take any Lands or Hereditaments for any of the other Purposes by this Act authorized, they shall make Satisfaction and Recompence to the respective Owners thereof, and other Persons interested therein, for the Value of such Lands and Hereditaments, and for the Loss or Damage which such Owners and Persons may sustain by making such Roads, and by fencing, ditching off, embanking, raising, or otherwise securing the same; and in case any Difference shall arise concerning the Satisfaction to be made for any Land or Hereditaments to be taken, or Damages which shall be sustained by the Owners or Proprietors of or Persons interested in such Lands or Hereditaments, the same shall be ascertained by a Jury, in Manner directed by the said first recited Act, with respect to the Valuation of Lands thereby authorized to be purchased by the said Trustees.

How Satisfaction shall be made for Lands, &c. taken.

XXXII. 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, 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; which Penalty shall be applied towards the Repairs of the said Roads, and shall be recovered in such Manner as the other Penalties are by the said recited Acts or this Act, or any of them, directed to be recovered.

Penalty on assaulting Persons in the Execution of this Act.

XXXIII. 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 any 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 Way of convicting.

‘ 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], contrary to the Provisions of some or one of the several Acts  
 ‘ of Parliament passed in the Third, Twenty-third, Forty-fifth, and  
 ‘ Fifty-fifth Years of the Reign of His Majesty King George the Third,  
 ‘ for repairing the Road from Lawton, in the County of Chester, to  
 ‘ Burslem and Newcastle-under-Lyme, in the County of Stafford, and other  
 ‘ Roads therein mentioned; and for the said Offence the said A. B. is

Form of Conviction.



‘ fined in the Sum of  
 ‘ the Day and Year first above written.

Given under my Hand,

‘ C. D.’

Public Act.

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

Term and  
 Continuance  
 of the Act.

XXXV. And be it further enacted, That upon the passing of this Act the Term granted and continued by the said recited Acts shall cease and determine; and that the said recited Acts (subject as herein-before 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.

---

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN,  
 Printers to the King's most Excellent Majesty. 1815.