



ANNO SEXTO

VICTORIÆ REGINÆ.

Cap. xxvi.

An Act for repairing and improving certain Roads in the Neighbourhood of *Trentham* and *Stone* in the County of *Stafford*, and for making and maintaining a new Road from *Trentham* Inn to the *Newcastle-under-Lyme* and *Market Drayton* Turnpike Road in the same County, and another new Piece of Road in the Parish of *Trentham* aforesaid.
[9th May 1843.]

WHEREAS an Act was passed in the Thirty-second Year of the Reign of King *George* the Third, intituled *An Act for* 32 G.3.c.157. *repealing an Act passed in the Eleventh Year of the Reign of His present Majesty, for repairing and widening the Roads from Stone to Lane End, and to the Road between Leek and Sandon on Meir Heath, and from Meir to Trentham, and from thence to Stableford in the County of Stafford, and for granting other Powers for those Purposes, and for repairing and improving the Road from a Place called Walton in Stone aforesaid to Eccleshall in the said County of Stafford:* And whereas the said several Roads were by the said recited Act divided into Two separate and distinct Districts, and separate Trustees appointed for the Management of the several Roads within each District respectively, with such Powers and Authorities for amending and keeping the said Roads in repair as
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54 G. 3. c. 61.

are in and by the said recited Act given and granted : And whereas another Act was passed in the Fifty-fourth Year of the Reign of King George the Third, intituled *An Act to continue the Term and alter and enlarge the Powers of an Act of His present Majesty, for repairing the Road from Stone to Lane End, and to the Road between Leek and Sandon on Meir Heath, and from thence to Blithe Bridge, and also from Meir to Trentham, and from thence to Stableford Bridge, and the Road from Walton to Eccleshall in the County of Stafford* : And whereas the Trustees acting under or by virtue of the said several recited Acts for the Two several Districts of Roads therein mentioned have borrowed considerable Sums of Money upon the Credit of the Tolls by the said Acts authorized to be taken and collected upon the Roads within their respective separate Districts, which Money still remains due and owing, and such Money cannot be paid off, and the Interest thereof discharged, nor can the said Roads be effectually improved and kept in repair, unless the Term granted and continued by the said recited Acts be further continued, and some additional Powers granted, and the Tolls increased : And whereas it would be of public Utility if the Trustees for executing this Act within the First District of Roads were empowered to make and maintain the new Lines and Piece of Road herein-after mentioned : And whereas it is expedient that so much of the present Turnpike Road within the First District of Roads as lies between the *Newcastle-under-Lyme* and *Eccleshall* Turnpike Road at *Hanchurch* in the Parish of *Trentham* aforesaid and *Stableford* otherwise *Stableford Bridge* aforesaid should no longer be a Turnpike Road : And whereas it is expedient that the said Two several recited Acts should be repealed, and that further and more effectual Powers should be granted, as well for repairing and improving the present Road comprised in the said Acts as also for making and maintaining the said proposed new Lines and Piece of Road ; but the Purposes aforesaid cannot be effected without the Authority of Parliament : May it therefore please Your Majesty that it may be enacted ; and be it enacted by the Queen'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 upon the first *Monday* next after the passing of this Act the said recited Acts of the Thirty-second and Fifty-fourth Years of the Reign of His late Majesty King George the Third shall be repealed, and that this Act shall thereafter be put in execution during the Term and for the Purposes herein-after mentioned.

Recited Acts repealed, and this Act to be put in force.

All Arrears of Tolls and Monies due under recited Acts vested in the Trustees under this Act.

II. And be it enacted, That all Monies due to and all Property and all Choses in Action vested in the respective Trustees of the said several and respective Districts of Roads under the Acts hereby repealed, or either of them, shall, immediately on the Commencement of this Act, be vested in the Trustees for executing this Act within the same Districts respectively, and such last-mentioned Trustees respectively may sue for and recover the Monies and other Property of their respective Districts, and act in respect thereof as effectually as if the same had been vested in them under the said recited Acts, and they respectively shall be liable to all Debts and Engagements

to which the Trustees of the said respective Districts under the said recited Acts or either of them were respectively liable at the Repeal thereof.

III. And be it enacted, That all Her Majesty's Justices of the Peace for the Time being acting for the County of *Stafford*, together with the Right Honourable *George Granville William Sutherland Leveson Gower* commonly called Marquess of *Stafford*, the Honourable *Henry John Chetwynd Talbot* commonly called Viscount *Ingestre*, the Honourable *Dudley Ryder* commonly called Viscount *Sandon*, the Honourable *Swynfen Thomas Carnegie*, the Honourable *Carnegie Robert John Jervis Jervis*, the Honourable *Edward Swynfen Jervis*, the Honourable *Thomas George Anson*, Sir *William Pilkington* Baronet, Sir *John Chetwode* Baronet, Sir *John Yarde Buller* Baronet, Sir *Thomas Fletcher Fenton Boughy* Baronet, *Charles Bowyer Adderley*, *Ralph Adderley*, *Thomas Allen*, *John Aston*, *Isaac Aston*, *John Astbury* Doctor of Medicine, *William Bailey*, *William Baker*, *Ralph Bourne Baker* Clerk, *George Leeke Baker*, *Edward Barlow*, *James Beech*, *John Bill*, *John Bourne*, *Sampson Bridgwood*, *Joseph Brittain*, *Hugh Brittain*, *Philip Barnes Broade*, *Edward Buller*, *James Stamford Caldwell*, *Thomas Carey*, *John Carey*, *Thomas Cartwright*, *Henry Cartwright*, *Smith Child*, *Baddeley Child*, *William Clarke*, *William Taylor Copeland*, *Walter Hill Coyney*, *Charles Coyney*, *Richard Craddock*, *John Baddeley Dimmock*, *Edward James Justinian George Edwards* Clerk, *Liddle Elliot*, *Thomas Fenton*, *Robert Fenton*, *Thomas Fitzherbert*, *John Fitzherbert*, *George Fitzherbert*, *Francis Fitzherbert*, *Richard Sutton Ford*, *William Ford* Clerk, *James Glover*, *Thomas Goddard*, *John Goodwin*, *George Harding*, *Charles Harvey*, *John Harvey*, *Charles Harvey* the younger, *William Kenwright Harvey*, *Charles Stephen Hassells* Clerk, *Richard Edensor Heathcote*, *John Edensor Heathcote*, *Robert Hill*, *William Hill*, *Richard Clarke Hill*, *John Hutchinson* Clerk, *John Ford Hyatt*, *John Joule*, *Francis Joule*, *Swynfen Jervis*, *Thomas Kinnersly*, *Edward Kinnersly*, *Thomas Kirkham*, *John King Knight*, *William Lewis*, *Clement Leigh* Clerk, *John Lockett*, *Thomas Lockett*, *William Leman*, *James Loch*, *Gibson Lucas* Clerk, *Thomas M'Kenzie* Doctor of Medicine, *Thomas Marsh*, *Rowland Mainwaring*, *Edward Pellew Mainwaring*, *John Riley Marsh*, *Charles James Mason*, *James Meakin*, *Job Meigh*, *William Mellor Meigh*, *Henry Moore*, *William Moore*, *Herbert Minton*, *Charles Lee Minton*, *John Nickisson*, *Francis Hickin Northen* Doctor of Medicine, *Thomas Hawe Parker*, *Samuel Peake*, *Thomas Plant Edward Powys* Clerk, *Thomas Powys*, *John Lewis Ricardo*, *David Jesse Watts Russell*, *Thomas Bailey Rose*, *John Scott*, *John Smith*, *Charles John Smith*, *William Henry Smith*, *Frederick Jeremiah Smith* Clerk, *Robert Smith*, *Ralph Sneyd*, *Walter Sneyd* Clerk, *William Sneyd*, *Thomas Stanier*, *Francis Stanier*, *Jacob Stanley*, *George Tollet*, *William Bewley Taylor*, *Edward Moore Taylor*, *Thomas Taylor*, *Thomas Twemlow*, *Francis Twemlow*, *Charles John Kemeys Tynte*, *Benjamin Vale* Doctor of Laws, *Thomas Ward*, *John William Ward*, *John Wedgwood*, *John Allen Wedgwood* Clerk, *Josiah Wedgwood*, *Josiah Wedgwood* the younger, *Frederic Wilkinson*, *Charles Wicksted*, *Edward Wilson* Doctor of Medicine, *John Ayshford Wise*, *John Wood*, *George Young*, and their Successors, being

Appointment
of Trustees
for First
District;

for Second
District.

being duly qualified to act as Trustees of Turnpike Roads in *England*, shall be Trustees for putting this Act into execution within and so far as relates to the District of Roads in the said several recited Acts and herein-after described, and called the First District; and that all Her Majesty's Justices of the Peace for the Time being acting for the County of *Stafford*, together with the Right Honourable George Granville William Sutherland Leveson Gower commonly called Marquess of *Stafford*, the Honourable Henry John Talbot commonly called Viscount *Ingestre*, the Honourable Dudley Ryder commonly called Viscount *Sandon*, the Honourable Edward Swynfen Jervis, the Honourable Thomas William Anson commonly called Viscount *Anson*, the Honourable Thomas George Anson, Sir William Pilkington Baronet, Thomas Adderley, Ralph Adderley, Ralph Thomas Adderley, John Steedman Astbury, Thomas Astbury, Richard Beech, Edward Barlow, Thomas Higgins Burne, Abraham Barlow, John Bowyer, William Bowers, William Blest, Charles Bromley, William Butterson, James Beech, John Bourne, Ralph Bourne Baker Clerk, Thomas Cartwright, Henry Cartwright, Richard Craddock, Walter Hill Coyney, Charles Coyney, Henry Charles, William Cordwell, Addison Deakin, Francis Eld, Edward James Justinian George Edwards Clerk, Francis Eld the younger, Thomas Fitzherbert, John Fitzherbert, George Fitzherbert, Francis Fitzherbert, Thomas Fenton, Richard Sutton Ford, John Ford, Walter Giffard, Henry Barwell Greenwood Clerk, Charles Harvey, Richard Clarke Hill, John Harvey, Thomas Hartshorne, Richard Hodgetts, Carnegie Robert John Jervis Jervis, William Monck Jervis Jervis, Swynfen Jervis, Swynfen Jervis the younger, Joseph Jenkinson, John Joule, Francis Kitchen Clerk, John Kenderdine, Henry Killick, Charles Kenderdine, William Thomas Locker, Richard Locker, Gibson Lucas Clerk, William Henry Cynric Lloyd Clerk, James Loch, Thomas Marsh, John Marsh, William Moore, John Milner, William Milner, William Masefield, Henry Moore Clerk, Francis Hickin Northen Doctor of Medicine, John Nickisson, Thomas Plant, Thomas Hawe Parker, Lawrence Panting, John Robothan, Ralph Sneyd, Walter Sneyd Clerk, George Stubbs, Thomas Salt, William Salt Clerk, John Tunnecliffe, William Tunnecliffe, William Bewley Taylor, William Taylor, Edward Moore Taylor, William Taylor Clerk, William Vernon, John Ayshford Wise, John Woolrich, Thomas Woolrich, Harvey Wyatt, Edward Whitby Clerk, William Wenman, William Webb the younger, Weston Yonge, Vernon George Yonge, Norman Bond Yonge, and their Successors, being duly qualified to act as Trustees of Turnpike Roads in *England*, shall be Trustees for putting this Act into execution within and so far as relates to the District of Roads in the said several recited Acts, and herein-after described, and called the Second District.

Power to
appoint ad-
ditional
Trustees.

IV. And be it enacted, That it shall be lawful for the said Trustees of the said several Districts respectively, at any Meeting under this Act, to elect any Number of Persons duly qualified to act as Trustees of Turnpike Roads in *England*, not exceeding Five in the whole, to be Trustees of their respective District for the Purposes of this Act, in addition to the Trustees hereby nominated, and such Trustees so elected shall have all the same Powers and Authorities for

for executing this Act within the District for which they shall be so respectively elected as if they had been hereby appointed.

V. And be it enacted, That the said Trustees of the First District of Roads shall hold their First Meeting at *Trentham* Inn in the County of *Stafford* on the Third *Friday* after the passing of this Act, and that the said Trustees of the Second District shall hold their First Meeting at the *Lamb* Inn in *Walton* in the Parish of *Stone* in the said County of *Stafford* on the Third *Thursday* after the passing of this Act, or at some other convenient Place or Places in the Neighbourhood of their respective Districts, and shall then, and from Time to Time hereafter, adjourn to and meet at such Times, and at such Places on or near to the Roads in their respective Districts, as they respectively shall think proper.

First Meeting of Trustees.

VI. And be it enacted, That the said Trustees for the said Districts respectively may appoint Committees out of their own Number to take the Care and Management of any particular Part of the Roads within their respective Districts, or to execute any of the other Purposes of this Act, according to such Instructions and Regulations as shall be laid down by the said Trustees at any General Meeting, and the said Committees and their Surveyors may proceed and act according to such Appointments, but shall always be accountable according to the Instructions and Regulations so to be made.

Power to appoint Committees.

VII. And be it enacted, That this Act shall be put in execution for the Purpose of more effectually improving, maintaining, and keeping in repair the present Turnpike Roads leading from the *Newcastle-under-Lyme* and *Darlaston* Turnpike Road in the Village of *Trentham* to the *Newcastle-under-Lyme* and *Blithe Marsh* Turnpike Road in *Meir* within the Township of *Normacott* and Parish of *Stone*, and from the House of Earl *Granville*, in the Occupation of *Job Astbury*, near the Town of *Stone*, by *Rough Close*, to the said *Newcastle-under-Lyme* and *Blithe Marsh* Turnpike Road at *Lane End* in the Parish of *Stoke-upon-Trent*, and from *Rough Close* aforesaid to the *Leek* and *Sandon* Turnpike Road in the said Township of *Normacott* and Parish of *Stone*, and from thence to the said *Newcastle-under-Lyme* and *Blithe Marsh* Turnpike Road near to *Blithe Bridge* across the River *Blithe*, being the whole of the First District of the Roads comprised in the said several recited Acts (except the present Turnpike Road from *Trentham* aforesaid to *Stableford* otherwise *Stableford Bridge*), and which Roads (except as aforesaid) shall be and are hereby declared to be the First District comprised in this Act; and also for making and maintaining as Turnpike a new Line of Road commencing near *Trentham* Inn in the Township and Parish of *Trentham* in the County of *Stafford*, and passing from thence to the Turnpike Road leading from *Newcastle-under-Lyme* in the County of *Stafford* to *Eccleshall* in the same County, at a Point in the Township of *Hanchurch* and Parish of *Trentham* nearly opposite the Cottage of *Barbara Stanway*, and to be continued from the said last-mentioned Turnpike Road in a Westerly Direction, and to terminate by a Junction with the present Turnpike Road leading

Roads to which this Act is applicable.

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from

from *Newcastle-under-Lyme* aforesaid to *Market Drayton* in the County of *Salop*, at or near a Point in the Township of *Acton* and Parish of *Swinnerton* in the said County of *Stafford* where the Highway or Parish Road leading to the Village of *Acton* diverges from the said last-mentioned Turnpike Road; and also for making and maintaining as Turnpike an Extension of the said intended new Line of Road to commence at its proposed Junction with the present Road leading from *Newcastle-under-Lyme* to *Market Drayton*, and to pass in a Westerly Direction wholly in or through Part of the Township of *Acton* and Parish of *Swinnerton* aforesaid, and to terminate by a Junction with a projected new Line of Road to lead from *Newcastle-under-Lyme* to *Market Drayton*, if and in case such last-mentioned projected Road shall be carried into effect; and also for making and maintaining as Turnpike a new Piece of Road of about Six hundred and eighty Yards in Length, to lead out of the before-mentioned Road from *Stone* to *Lane End* at or near the Dwelling House of Mrs. *Fanny Birks*, situate in the Township of *Blurton* in the Parish of *Trentham* aforesaid, and to terminate by a Junction with the before-mentioned Road from *Trentham* to *Meir* at or near the Bridge over the Brook at *Spratslade* otherwise *Pratt Slade* in the said Township of *Blurton* and Parish of *Trentham* aforesaid, which said several new Lines and Pieces of Road to be made and completed as Turnpike as aforesaid shall be attached to, and after the passing of this Act shall be incorporated with, and be considered, for all the Purposes of this Act, as Part of the said First District of Roads; and also for the Purpose of more effectually improving, maintaining, and keeping in repair the present Turnpike Road leading from a Place called *Walton*, in the Parish of *Stone* aforesaid, to the Town of *Eccleshall* in the said County of *Stafford*, being the Second District of the Roads directed by the said several recited Acts to be amended and repaired, and which Road shall be and is hereby declared to be the Second District of Roads comprised in this Act.

Certain
Portion of
old Road to
be abandon-
ed.

VIII. And be it enacted, That the said Trustees for executing this Act shall from and after the Commencement of this Act be discharged from the Care and Management of such Part of the present Turnpike Road leading from *Trentham* to *Stableford* otherwise *Stableford Bridge* as lies between its Junction with the *Newcastle-under-Lyme* and *Eccleshall* Turnpike Road and *Stableford Bridge* aforesaid.

Map or Plan
deposited at
the Office of
the Clerk of
the Peace to
remain there,
and be open
to Inspection.

IX. And whereas a Map or Plan, describing the said several new Lines and Piece of Road, and the Lands through which the same are intended to be made, together with a Book of Reference thereto, containing a List of the Names of the 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 said Clerk of the Peace, to the end that all Persons may at all reasonable Times inspect and peruse the same, and have Copies thereof or Extracts therefrom, paying such Clerk of the Peace the Sum of One Shilling for every such Inspection, and at the Rate of Sixpence

Sixpence for every One hundred Words of such Copies or Extracts respectively; and the said Maps or Plans and Books of Reference, or any Copy thereof respectively, or of any Part thereof respectively, certified by the said Clerk of the Peace or his Deputy for the Time being to be a true Copy thereof respectively, shall be good Evidence in all Courts of Law or elsewhere.

X. And be it enacted, That it shall be lawful for the said Trustees of the First District of Roads to set out, make, and complete the several new Lines of Road herein-before described in the Course and Line and through the Lands delineated in the Map or Plan and described in the Book of Reference herein-before mentioned, of such Width as they may think proper, not exceeding Thirty Feet, together with such Footpaths, Bridges, Embankments, Ditches, Drains, Fences, and other necessary Works upon or near thereto as they may think requisite; and for the Purposes aforesaid to take possession of the Lands and Premises described in the said Map or Plan and Book of Reference, making satisfaction for the same to the Owners thereof and other Persons interested therein, for the Damage which such Owners or other Persons may respectively sustain thereby; and it shall be lawful for the said Trustees, and for their Surveyors and Workmen, from Time to Time to enter upon the said several Lands, and to stake out the same for the Purposes of this Act, at such Times and in such Manner as the said Trustees or Surveyors shall think necessary or expedient.

Power to
make new
Lines of Road
according to
the Plan.

XI. And be it enacted, That it shall not be lawful for the said Trustees to deviate from the Lines delineated upon the said Maps or Plans without the Consent in Writing of the Party in or through whose Lands any such Deviation shall be proposed to be made.

No Devia-
tions from
Lines laid
down.

XII. And be it enacted, That it shall be lawful for the said Trustees to make the said new Lines of Road in the Course and Line and in or through the Lands delineated upon the said Map or Plan, although such Lands, or the Situation thereof, or the Names of the Owners or Occupiers thereof, may happen to be omitted, mis-stated, or erroneously described in this Act or the Schedule thereto, or in the said Map or Plan, or in the said Book of Reference, in case it shall appear to any Two or more Justices of the Peace for the said County of *Stafford* in Petty Sessions assembled, and be certified by Writing under their Hands, that such Omission or Mis-statement proceeded from Mistake; and the Certificate of the said Justices shall be deposited with and remain in the Custody of the said Clerk of the Peace for the Time being.

Lands mark-
ed on the
Plan may be
used not-
withstanding
Errors in the
Book of
Reference or
Schedule.

XIII. And be it enacted, That in case any Lands shall be hereafter purchased by the said Trustees for the Purpose of making or improving any Road mentioned in this Act, the Freehold and Inheritance of the Lands so purchased, in case the same shall be of Freehold Tenure, and in case the same shall be of any other Tenure the Estate and Interest therein, shall not (notwithstanding any Provisions in any of the Acts in force for regulating Turnpike Roads in *England*) by means of any such Purchase, or any Conveyance

The Freehold
and Inherit-
ance of Lands
to remain
and be vested
in the Per-
sons of whom
they are pur-
chased.

veyance or Assurance made in pursuance thereof, be vested in the said Trustees, but such Freehold and Inheritance or the Estate and Interest in such Lands shall, notwithstanding such Purchase and Conveyance or Assurance, remain and be vested in the Persons in whom the same was vested immediately prior to such Purchase by the said Trustees; and the said Trustees shall, by means of such Purchase and Conveyance or Assurance, be entitled to a perpetual Right of Way in, over, or upon the Lands so purchased by them.

Right of Way
to cease when
Lands are not
wanted.

XIV. Provided also, and be it enacted, That if at any Time any Land purchased by the said Trustees under the Authority of this Act shall not be wanted for the Purposes thereof, and the Road for which the same was purchased shall cease to be a Highway, then the Right of Way in or over the said Lands shall cease and be extinguished; and the Freehold and Inheritance in the said Lands, in case the same shall be of Freehold Tenure, and the Estate and Interest in such Lands in case the same shall be of any other Tenure, shall be and remain in the Persons then entitled to the same, freed and discharged from such Right of Way.

Trustees to
have the
Power of
cutting and
digging.

XV. Provided also, and be it enacted, That the said Trustees shall have the same Power and Authority of cutting and digging, and using the Lands taken by them for the Purposes of this Act, as the said Trustees would have had in case they had purchased the Fee Simple or the whole Estate and Interest in the said Lands.

Trustees
restrained
from pulling
down Houses
not in Sche-
dule.

XVI. Provided always, and be it enacted, That the Powers and Authorities given by this Act shall not authorize the said Trustees to take or pull down or to use or injure any Dwelling House or other Building, or to take, use, or injure any Curtilage, Orchard, Garden, Yard, Park, Paddock, Lawn, Shrubbery, planted Walk or Avenue to a House, or any inclosed Ground planted and set apart as a Nursery for Trees, or any Part thereof respectively, except such as are mentioned in the Schedule to this Act annexed, without the previous Consent in Writing of the Owner or Proprietor thereof and of all other Persons interested therein.

Trustees to
be obliged to
make Lines of
Road upon
certain Con-
ditions.

XVII. And be it enacted, That the said Trustees shall and they are hereby required to commence the making of all, any, or either of the Lines of Road hereby authorized to be made upon any Person requiring the same, and undertaking to advance and lend to the said Trustees, upon the Credit of the said Tolls, the Sum of Money which according to the Estimate of the Surveyor of the said Trustees will be requisite for the Purpose of making and completing all, any, or either of such Lines of Road.

Limiting the
Time for pur-
chasing Pro-
perty.

XVIII. Provided also, and be it enacted, That in case the said Trustees shall not within the Space of Three Years from the Commencement of this Act pay for the Lands which they are by this Act authorized to take, then and from thenceforth all the Powers by this Act or by any other Act granted in relation to the taking of Lands for the Purposes of Turnpike Roads shall, so far as relate to the Lands herein-before authorized to be taken for the Purposes of this

this Act, cease and be utterly void, unless with the Consent of the Owners and Occupiers of such Lands respectively.

XIX. And be it enacted, That notwithstanding the Repeal of the said several recited Acts the several Tolls thereby respectively granted and continued and made payable shall continue to be paid at the Toll Gates or Toll Bars to be continued or erected on or on the Sides of the said Roads until the First Day of *August* One thousand eight hundred and forty-three.

Present Tolls continued until 1st August 1843.

XX. And be it enacted, That upon and after the said First Day of *August* One thousand eight hundred and forty-three it shall be lawful for the said Trustees of the First District of Roads to demand and take, at the several and respective Toll Gates or Toll Bars which shall by virtue of this Act be upon or on the Sides of the said First District of Roads, such Tolls as the said Trustees of the First District at any of their Meetings shall direct, not exceeding the Sums following; that is to say,

Power to take Tolls.

For every Horse, Mule, or other Beast drawing any Coach, Landau, Berlin, Vis-à-vis, Barouche, Phaeton, Curricule, Calash, Gig, Hearse, Litter, or other such Carriage, the Sum of Sixpence:

Tolls on First District.

For every Horse, Mule, or other Beast drawing any Waggon, Wain, Cart, or other such Carriage having upright cylindrical Wheels of equal Diameter in the whole Breadth of the Fellies or Sole of the Breadth of Nine Inches, the Sum of Three-pence:

For every Horse, Mule, or other Beast drawing any Waggon, Wain, Cart, or other such Carriage having Wheels of the Breadth of Six Inches and less than Nine Inches, or which shall not be upright and cylindrical Wheels of equal Diameter in the whole Breadth of the Fellies or Soles thereof, the Sum of Four-pence Halfpenny:

For every Horse, Mule, or other Beast drawing any Waggon, Wain, Caravan, Van, Cart, or other such Carriage, with or without Springs, having Wheels of less Breadth than Six Inches in the Fellies or Soles thereof, the Sum of Sixpence:

For every Horse, Mule, or Ass not drawing, the Sum of One Penny Halfpenny:

For every Drove of Oxen or other Neat Cattle, the Sum of One Shilling and Eight-pence *per* Score, and so in proportion for any greater or less Number:

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

For every Carriage of whatever Description, and for whatever Purpose used, not drawn by any Horse or other Beast, but impelled or set and kept in motion by or by means of Steam or Mechanism, the Sum of Two Shillings and Sixpence:

For every Carriage, of whatever Description, and for whatever Purpose used, linked or fastened to any Carriage whatever, not drawn by any Horse or other Beast, but impelled or set and kept in motion by or by means of Steam or Mechanism, and drawn by means of its being so linked or fastened thereto, the Sum of One Shilling and Sixpence:

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For

Tolls on
Second
District.

For every Dog drawing any Cart, Carriage, or other Vehicle, the Sum of One Penny :

And also to demand and take, at the several and respective Toll Gates or Toll Bars which shall by virtue of this Act be upon or on the Sides of the Second District of Roads, such Tolls as the said Trustees of the said Second District shall direct, not exceeding the Sums following ; that is to say,

For every Horse, Mule, or other Beast drawing any Coach, Landau, Berlin, Vis-à-vis, Barouche, Phaeton, Curricule, Calash, Gig, Hearse, Litter, or other such Carriage, the Sum of Six-pence :

For every Horse, Mule, or other Beast drawing any Waggon, Wain, Cart, or other such Carriage having upright cylindrical Wheels of equal Diameter in the whole Breadth of the Fellies or Sole, of the Breadth of Nine Inches, the Sum of Three-pence :

For every Horse, Mule, or other Beast drawing any Waggon, Wain, Cart, or other such Carriage having Wheels of the Breadth of Six Inches and less than Nine Inches, or which shall not be upright and cylindrical Wheels of equal Diameter in the whole Breadth of the Fellies or Soles thereof, the Sum of Four-pence Halfpenny :

For every Horse, Mule, or other Beast drawing any Waggon, Wain, Caravan, Van, Cart, or other such Carriage, with or without Springs, having Wheels of less Breadth than Six Inches in the Fellies or Soles thereof, the Sum of Sixpence :

For every Horse, Mule, or Ass not drawing, the Sum of One Penny Halfpenny :

For every Drove of Oxen or other Neat Cattle the Sum of One Shilling and Eight-pence *per* Score, and so in proportion for any greater or less Number :

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

For every Carriage, of whatever Description, and for whatever Purpose used, not drawn by any Horse or other Beast, but impelled or set and kept in motion by or by means of Steam or Mechanism, the Sum of Two Shillings and Sixpence :

For every Carriage, of whatever Description, and for whatever Purpose used, linked or fastened to any Carriage not drawn by any Horse or other Beast, but impelled or set and kept in motion by or by means of Steam or Mechanism, and drawn by means of its being so linked or fastened thereto, the Sum of One Shilling and Sixpence :

For every Dog drawing any Cart, Carriage, or other Vehicle, the Sum of One Penny :

Which said Tolls shall be taken before any Horse, Mule, Ass, Beast, or other Cattle or Carriage whatsoever, shall be permitted to pass through any Toll Gate or Bar which shall be by virtue of this Act upon or across the said Roads or on the Sides thereof.

Fraction of a
Halfpenny in
Tolls.

XXI. And be it enacted, That in all Cases in which there shall be a fractional Part of a Halfpenny in the Amount of the Tolls by this Act

Act authorized to be collected the Sum of One Halfpenny shall be payable in lieu of such fractional Part.

XXII. And be it enacted, That no more than Two full Tolls Limitation of Tolls. shall be taken for passing and repassing in the same Day (to be computed from Twelve of the Clock at Night to Twelve of the Clock in the next succeeding Night), with the same Horses, Beasts, Cattle, or other Animal or Thing liable to Toll or Duty, through all the Toll Gates erected or to be erected or continued on the said First District of Roads; and that no more than One full Toll shall be taken for passing and repassing in the same Day (to be computed as aforesaid) with the same Horses, Beasts, Cattle, or other Animal or Thing liable to Toll or Duty, through all the Toll Gates erected or to be erected or continued on the said Second District of Roads.

XXIII. And be it enacted, That all Horses and Cattle (except Persons having paid Toll to return Toll-free. Horses or Cattle drawing any Stage Coach, Waggon, or other Stage Carriage as herein-after mentioned) in respect whereof the Toll hereby authorized to be taken shall have been paid at any Toll Gate or Bar on any of the said Roads or on the Sides thereof, shall, upon a Ticket denoting such Payment being produced, be permitted, in returning through the same Toll Gate or Toll Bar, and in going and returning through such other Gate or Bar (if any) as the Ticket for such Payment shall free, to pass Toll-free the same Day.

XXIV. Provided always, and be it enacted, That the Tolls hereby made payable shall be paid for all Horses or Cattle drawing any Post Chaises to pay every Time of passing with a fresh Hiring. Post Chaise or other Carriage travelling for Hire, as often as a new Hiring shall take place, in the same Manner as if no previous Payment of Toll in respect of such Horses or Cattle had been made on the same Day.

XXV. And be it enacted, That all Horses and Cattle drawing Regulations as to Stage Coaches, &c. any Stage Coach, Waggon, or other Stage Carriage conveying Passengers or Goods for Hire or Reward, and any Carriage propelled or drawn by Steam or any other Power than Animal Power, in respect whereof the Toll hereby authorized to be taken shall have been paid at any Toll Gate or Bar, shall, upon a Ticket denoting such Payment being produced, be permitted to pass once Toll-free on the same Day through any other Gate or Bar which such Ticket would free in the Case of Horses or Cattle drawing any other Carriage, and no further or additional Toll shall be payable in respect of any Stage Coach or other such Carriage as aforesaid at any Toll Gate or Bar the Payment at which shall be freed by such Ticket as aforesaid, on account only of their conveying other Passengers, or of the Horses or Cattle drawing the same having been changed.

XXVI. And whereas it frequently happens that Carts drawn with One Horse Carts may be weighed. One Horse passing along the said Road carry a greater Weight than is by Law allowed for Carts drawn by Two or more Horses, be it therefore enacted, That all Carts passing along the said Roads drawn by One Horse only may be weighed at any Weighing Machine now erected or to be erected on the said Road, and the like additional

tional Toll demanded, received, and recovered for the Overweight thereof as is by Law payable in respect of the Overweight of Carts drawn by Two or more Horses, and all Powers, Regulations, and Penalties now in force relating to the weighing of Waggons, Carts, and other Carriages drawn by more than One Horse shall be applicable to Carts passing on the said Roads drawn by One Horse only, and to the Drivers, Masters, and Owners thereof.

Trustees may
reduce the
Tolls for
Lime or
Chalk for
Manure.

XXVII. And be it enacted, That it shall be lawful for the said Trustees of the said Districts respectively, at any Meeting to be specially called for the Purpose, to make an Order from Time to Time that the Tolls payable upon the said Districts respectively or either of them, by virtue of this Act, for any Horse or Beast drawing any Waggon, Cart, or other Carriage laden only with Lime or Chalk for the Improvement of Land, or returning unladen or empty from having been so employed, shall be reduced to such other Tolls as the said Trustees shall at any such Meeting agree or determine; and after the making of any such Order such reduced Tolls only shall in respect of the Matters last mentioned be payable upon the District for which any such Order shall be made.

Present Lia-
bilities to
Tolls not
to be sus-
pended by
the Powers
granted to
make the
new Roads.

XXVIII. Provided always, and be it enacted, That the Tolls by this Act granted shall be payable in respect of the passing of any such Horse, Beast, Cattle, or Carriage as aforesaid through any Turnpike or Toll Gate, Side Bar or Chain, erected or to be erected on such Part and Parts of the Roads by this Act authorized to be repaired, made, or maintained, or on the Side or Sides thereof, as now is or are or as from Time to Time at any Time hereafter shall be open for the Use of the Public, although the whole of the Roads by this Act authorized to be made is not or shall not be at any Time hereafter made and completed.

Respecting
Toll Gates.

XXIX. And be it enacted, That the several Toll Gates, Bars, and Toll Houses now standing or being on the present Turnpike Roads comprised in the said Districts respectively, or on the Sides thereof, shall be continued until removed by any Order of the said Trustees; and it shall be lawful for the said Trustees of the said Districts respectively to order and cause to be set up in or across the said present Turnpike Roads, and also upon any Road to be made or repaired by virtue of this Act, within their respective Districts, or on the Sides thereof respectively, any Toll Gate or Bar, and to remove the present Toll Gate or Bar as they shall think proper.

Application
of Monies on
the old Line
of the First
District of
Roads.

XXX. And be it enacted, That all Monies which shall be received by the said Trustees by virtue of this Act upon or in respect of such of the Roads comprised in the said First District as are included in the recited Acts hereby repealed shall be applied as follows; (that is to say,)

Firstly, in paying and discharging One Moiety or Half Part of the Expences of obtaining and passing this Act, or incident thereto, except those attending the Surveys of the new Lines of Road, and in reference thereto:

Secondly,

Secondly, in paying and discharging any Interest which may from Time to Time be owing in respect of any Money which may have been borrowed on the Credit of the Tolls of the said First District of Roads authorized to be taken by the said several recited Acts hereby repealed or either of them :

Thirdly, in paying the Expences of improving, maintaining, and keeping in repair such Roads, and putting this Act into execution with reference thereto :

Fourthly, in paying and discharging any Interest which may from Time to Time be owing in respect of any Money which may hereafter be borrowed on the Credit of the Tolls authorized to be taken by this Act on such of the Roads comprised in the said First District as are included in the recited Acts hereby repealed :

Fifthly, in reducing, paying off, and discharging the several Principal Sums which have been borrowed on the Credit of the Tolls of the said First District of Roads authorized to be taken by the said several recited Acts hereby repealed or either of them, or which shall or may hereafter be borrowed on the Credit of the Tolls authorized to be taken by this Act on such of the Roads comprised in the said First District as are included in the recited Acts hereby repealed.

XXXI. And be it enacted, That all Monies which shall be received by the said Trustees by virtue of this Act upon or in respect of the new Lines of Road authorized by this Act to be made shall be applied as follows ; (that is to say,) Application of Monies on the new Line of Road.

Firstly, in discharging the Costs and Charges attending the Surveys of the said new Lines of Road, and in reference thereto :

Secondly, in making, improving, maintaining, and keeping in repair the said new Lines of Road, and putting this Act into execution with reference thereto :

Thirdly, in paying and discharging any Interest which may from Time to Time become due and be owing in respect of any Money which may hereafter be borrowed on the Credit of the Tolls to be collected on the said new Lines of Road :

Fourthly, in reducing, paying off, and discharging any Principal Sums of Money which may be due on the Credit of the Tolls to be taken on the said new Lines of Road by this Act authorized to be made.

XXXII. And be it enacted, That all Monies which shall be received by the said Trustees by virtue of this Act upon or in respect of the said Second District of Roads shall be applied as follows ; (that is to say,) Application of Monies on Second District of Roads.

Firstly, in discharging the remaining Part of the Expences of obtaining and passing this Act, or incident thereto :

Secondly, in paying and discharging any Interest which may from Time to Time be owing in respect of any Money which may have been borrowed on the Credit of the Tolls of the said Second District of Roads authorized to be taken by the said several recited Acts hereby repealed or either of them :

[Local.]

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Thirdly,

Thirdly, in paying the Expences of improving, maintaining, and keeping in repair the said Second District of Roads, and putting this Act into execution with reference thereto :

Fourthly, in paying and discharging any Interest which may from Time to Time be owing in respect of any Money which may be hereafter borrowed on the Credit of the Tolls of the said Second District of Roads authorized to be taken by this Act :

Fifthly, in reducing, paying off, and discharging the several Principal Sums which have been borrowed on the Credit of the Tolls of the said Second District of Roads authorized to be taken by the said several recited Acts hereby repealed or either of them, or which shall or may be hereafter borrowed on the Credit of the Tolls of the same Roads authorized to be taken by this Act.

No more Money to be laid out than taken on any Road.

XXXIII. And be it enacted, That no more Money shall be expended in the Repair of any Road comprised in this Act than shall be collected on such Road, or borrowed on the Credit of the Tolls collected thereon.

No Money to be laid out or Toll taken in Towns.

XXXIV. And be it enacted, That no Money shall be laid out on any Road comprised in this Act in any Town or Place which is or shall be paved or repaired under the Authority of any Act of Parliament passed for the Improvement of such Town or Place, nor shall any Toll be collected thereon.

Trustees may compound with the Trustees of the Newcastle and Market Drayton Road for Tolls to be levied on a Part of their Road.
2 & 3 W. 4. c. 55.

XXXV. And whereas it is expedient that Power should be given to the Trustees for executing this Act for the First District of Roads to contract and agree with the Trustees for putting in execution an Act passed in the Second Year of the Reign of King *William* the Fourth, intituled *An Act for more effectually repairing and improving the Road from Newcastle-under-Lyme in the County of Stafford to Drayton-in-Hales otherwise Market Drayton in the County of Salop, and for making new Branches and Deviations of Roads to communicate therewith*, in respect of Tolls to be levied or taken upon such Portion of the Turnpike Road from *Newcastle-under-Lyme* to *Market Drayton* as extends or may extend from the Western Terminus of the said intended new Line of Road in the Township of *Acton* to the Railway Station in the Township and Parish of *Whitmore* in the said County of *Stafford* ; be it therefore enacted, That it shall be lawful for the Trustees acting in the Execution of this Act for the First District of Roads to enter into any Agreement or Agreements with the Trustees acting in the Execution of the said Act of the Second Year of the Reign of King *William* the Fourth, either for Payment of a certain annual Sum in lieu of all Tolls to be levied on the said Portion of Turnpike Road, or for contributing towards the Expences of keeping the same in repair, or otherwise to compound for the said Tolls in such Manner and upon such Terms as may be mutually agreed upon ; and every such Agreement to be so made shall be valid and effectual and binding upon the said Trustees respectively.

Trustees competent Witnesses in Actions.

XXXVI. And be it enacted, That no Trustee acting under the Authority of this Act, if not otherwise interested, shall be deemed incompetent

incompetent to give Evidence, or shall be disqualified from giving Evidence, in any Action, Suit, or other Proceeding brought by or against him in such his Capacity of Trustee, by reason of his being Plaintiff or Defendant in such Action, Suit, or Proceeding.

XXXVII. And be it enacted, That nothing herein contained shall be deemed to exempt the Roads comprised in this Act from the Provisions of any general Act relating to the Consolidation or other improved Arrangement of Turnpike Roads which may pass during the present or any future Session of Parliament.

Roads not to be exempt from any general Act.

XXXVIII. And be it enacted, That this Act shall commence on the First *Monday* next after the passing thereof, and shall continue in force for the Term of Twenty-one Years, and from thence to the End of the Session of Parliament which shall then next follow.

Term of Act.

XXXIX. And be it enacted, That in this Act the following Words and Expressions shall have the several Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction; (that is to say,)

Interpretation of Act.

Words importing the Singular Number shall include the Plural Number, and Words importing the Plural Number shall include the Singular Number:

The Word "Person" shall be understood to include Corporation:

Words importing the Masculine Gender shall include Females:

The Word "Lands" shall be understood to include Messuages, Tenements, and Hereditaments.

XL. And be it enacted, That this Act shall be a Public Act, and shall be judicially taken notice of as such.

Public Act.

SCHEDULE to which this Act refers.

No. on Plan.	Owner or reputed Owner.	Lessee or reputed Lessee.	Tenant or Occupier.	Description of Property.
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Parish of Trentham, Township of Trentham.

1	The Duke and Earl of Sutherland.	- - -	The Duke and Earl of Sutherland.	Field.
2	Ditto - - -	- - -	Ditto - - -	River Trent.
3	Ditto - - -	- - -	Ditto - - -	Field.
4	The Surveyors of the Highways of the Township of Trentham.	- - -	- - -	Existing Highway.
5	The Duke and Earl of Sutherland.	- - -	The Duke and Earl of Sutherland.	Field.
6	Ditto - - -	- - -	Ditto - - -	Highgreaves Wood.
7	Ditto - - -	- - -	Ditto - - -	Field.
8	Ditto - - -	- - -	Ditto - - -	Brook.

Parish of Trentham, Township of Hanchurch.

1	The Duke and Earl of Sutherland.	- - -	The Duke and Earl of Sutherland.	Brook.
2	Ditto - - -	- - -	Joseph Stanley -	Field.
3	Ditto - - -	- - -	Ditto - - -	Ditto.
4	The Trustees of the Turnpike Road from Newcastle-under-Lyme to Eccleshall.	- - -	- - -	Turnpike Road.
5	The Duke and Earl of Sutherland.	- - -	Barbara Stanway -	Cottage and Gardens.
6	Ditto - - -	- - -	Samuel Bloore -	Field.
7	Ditto - - -	- - -	Ditto - - -	Ditto.
8	Ditto - - -	- - -	Ditto - - -	Ditto.
9	Ditto - - -	- - -	Ditto - - -	Ditto.
10	Ditto - - -	- - -	The Duke and Earl of Sutherland.	Cliffs Wood.
11	Ditto - - -	- - -	Samuel Bloore -	Field.
12	Ditto - - -	- - -	Ditto - - -	Ditto.
13	The Surveyors of the Highways of the Township of Hanchurch and Dame Mary Milborne Swinnerton Pilkington, or the Trustees of the Will of the late Thomas Swinnerton, Esquire.	- - -	- - -	Footway.
14	Dame Mary Milborne Swinnerton Pilkington, or the Trustees of the Will of the late Thomas Swinnerton, Esquire.	- - -	John Breeze -	Field.

No. on Plan.	Owner or reputed Owner.	Lessee or reputed Lessee.	Tenant or Occupier.	Description of Property.
15	Dame Mary Milborne Swinnerton Pilkington, or the Trustees of the Will of the late Thomas Swinnerton, Esquire.	- - -	John Breeze -	Field.
16	Ditto - -	- - -	Ditto - -	Ditto.
18	Ditto - -	- - -	Ditto - -	Occupation Road.
19	Surveyors of the Highways of the Township of Hanchurch.	- - -	- - -	Existing Highway.
20	Dame Mary Milborne Swinnerton Pilkington, or the Trustees of the Will of the late Thomas Swinnerton, Esquire.	- - -	John Breeze -	Field.
21	Ditto - -	- - -	Ditto - -	Ditto.
22	Ditto - -	- - -	Ditto - -	Occupation Road.
23	Ditto - -	- - -	Ditto - -	Field.
24	Ditto - -	- - -	Ditto - -	Ditto.
25	Ditto - -	- - -	Ditto - -	Ditto.
26	Ditto - -	- - -	Ditto - -	Ditto.
27	Ditto - -	- - -	Ditto - -	Ditto.
28	Ditto - -	- - -	Ditto - -	Ditto.
29	Ditto - -	- - -	Ditto - -	Ditto.
30	Ditto - -	- - -	Ditto - -	Ditto.

Parish of Trentham, Township of Butterson, otherwise Whitgreave, otherwise Whitgreave and Butterson.

1	Dame Mary Milborne Swinnerton Pilkington, or the Trustees of the Will of the late Thomas Swinnerton, Esquire.	- - -	John Breeze -	Field.
3	Ditto - -	- - -	Ditto - -	Ditto.
4	Ditto - -	- - -	Ditto - -	Ditto.
5	Ditto - -	- - -	George Tilstone -	Ditto.
6	Surveyors of the Highways of the Township of Butterson, otherwise Whitgreave, otherwise Whitgreave and Butterson, and Dame Mary Milborne Swinnerton Pilkington, or the Trustees of the Will of the late Thomas Swinnerton, Esquire.	- - -	- - -	Old Highway, now Waste.
7	Ditto - -	- - -	- - -	Footway.

Parish of Swinnerton, Township of Acton.

1	Surveyors of the Highways of the Township of Acton, and Dame Mary Milborne Swinnerton Pilkington, or the Trustees of the Will of the late Thomas Swinnerton, Esquire, and Rowland Mainwaring, Esquire.	- - -	- - -	Old Highway, now Waste.
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[Local.]

No. on Plan.	Owner or reputed Owner.	Lessee or reputed Lessee.	Tenant or Occupier.	Description of Property.
3	Rowland Mainwaring, Esquire.	- - -	Isaac Dale - -	Field.
4	Dame Mary Milborne Swinnerton Pilkington, or the Trustees of the Will of the late Thomas Swinnerton, Esquire.	- - -	George Tilstone -	Field.
5	Rowland Mainwaring, Esquire.	- - -	Isaac Dale - -	Ditto.
6	Ditto - -	- - -	Ditto - -	Ditto.
7	Ditto - -	- - -	Ditto - -	Ditto.
8	Ditto - -	- - -	Ditto - -	Ditto.
9	Dame Mary Milborne Swinnerton Pilkington, or the Trustees of the Will of the late Thomas Swinnerton, Esquire.	- - -	Samuel Myatt -	Ditto.
10	The Trustees of the Turnpike Road from Newcastle-under-Lyme to Market Drayton.	- - -	- - -	Turnpike Road.
11	The Surveyors of the Highways of the Town- ship of Acton.	- - -	- - -	Existing Highway.
12	Rowland Mainwaring, Esquire.	- - -	Isaac Dale - -	Field.

Parish of Trentham, Township of Blurton.

1	The Duke and Earl of Sutherland.	- - -	Thomas Elkin -	Garden.
2	Ditto - -	- - -	Sarah Ann Egerton	Ditto.
3	Ditto - -	- - -	Thomas Blair -	Field.
4	Ditto - -	- - -	Ralph Shelley -	Garden.
5	Ditto - -	- - -	Thomas Povey -	Garden.
6	Ditto - -	- - -	Thomas Blair -	Field.
7	Ditto - -	- - -	William Emony -	Ditto.
8	Ditto - -	- - -	Ditto - -	Ditto.
9	Surveyors of the High- ways of the Township of Blurton.	- - -	- - -	Existing Highway.
10	The Duke and Earl of Sutherland.	- - -	John Carey - -	Field.
11	Ditto - -	- - -	John Barker -	Part of Cottage, Coal- shed, and Privy.
12	Ditto - -	- - -	James Hurdas -	Field.
13	The Surveyors of the Highways of the Town- ship of Blurton.	- - -	- - -	Existing Highway.
14	The Duke and Earl of Sutherland.	- - -	Fanny Birks -	Cottage and Garden.
15	Ditto - -	- - -	George Bakewell -	Field.

No. on Plan.	Owner or reputed Owner.	Lessee or reputed Lessee.	Tenant or Oocupier.	Description of Property.
<i>Parish of Stoke-upon-Trent, Township of Longton.</i>				
1	Surveyors of the High- ways of the Township of Longton.	- - -	- - -	Existing Highway.
2	John Hawley - -	- - -	John Hawley -	Field.
3	Alice Watkin - -	- - -	Thomas Tomlinson	Cottage.
4	Ditto - -	- - -	John Barker -	Part of Cottage.

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