



ANNO PRIMO & SECUNDO

GULIELMI IV. REGIS.

Cap. xxix.

An Act for more effectually repairing, amending,
and improving the Roads from *Liverpool* to
Prescot, *Ashton*, and *Warrington*, in the County
Palatine of *Lancaster*. [30th July 1831.]

WHEREAS an Act was passed in the First and Second Years
of the Reign of His late Majesty King *George* the Fourth,
intituled *An Act for more effectually repairing and amending* 1 & 2 G. 4.
the Roads from Liverpool to Prescot, Ashton, and Warrington, and c. 15.
other Roads therein mentioned, in the County Palatine of Lancaster :
And whereas considerable Sums of Money have been borrowed on
the Credit of the Tolls authorized to be collected upon the Roads
comprised in the said Act, which still remain due : And whereas the
Materials used in and about the Repairs of the said Roads can only
be procured at a great Distance from the said Roads, and in conse-
quence of the very high Price thereof, the Income arising from the
present Tolls, after setting apart a competent Portion thereof for the
Interest on the Debt, is insufficient for the due Maintenance of the said
Roads ; and the Money owing upon the Credit of the said Tolls cannot
be paid off, nor can the said Roads be well and effectually maintained
and kept in repair, unless the Term of the said Act is enlarged, and
more extensive Powers granted for those Purposes ; and it would be
more convenient to the said Trustees, and the said Roads might be
better and more effectually amended, repaired, and improved, if the
said recited Act was repealed, and if further, better, and more effec-
tual Powers were granted instead thereof, for executing the Purposes
[*Local.*] 5 C thereby

Recited Act
repealed.

Such Repeal
not to revive
former Acts.

Commence-
ment and
Purpose of
this Act.

thereby and hereby intended ; but the Purposes aforesaid cannot be effected without the Aid and Authority of Parliament : May it therefore please Your Majesty that it may be enacted ; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That on the Third *Tuesday* next after the passing of this Act, the said recited Act of the First and Second Years of the Reign of His said late Majesty King *George* the Fourth shall be and the same is hereby declared to be repealed, and null and void to all Intents and Purposes whatsoever, (save and except so much of the said Act as authorizes the Collection of the Tolls thereby granted, which Power to collect such Tolls shall be and the same is hereby continued and vested in the Trustees for executing this Act until Twelve of the Clock at Noon on the Fourth *Tuesday* next after the passing of this Act) : Provided always, that nothing herein contained shall extend or be construed to extend so as to revive or give any Force or Effect to any Act or Acts repealed by the said recited Act, but such Act or Acts shall be and continue repealed in such and the like Manner as if this Act had not been passed.

II. And be it further enacted, That this Act shall, on the said Third *Tuesday* next after the passing of this Act, commence and take effect and be put in execution, for and during the Term herein-after mentioned, for the Purpose of making, amending, diverting, varying, altering, widening, straightening, improving, and maintaining in repair the several Roads herein-after described ; (that is to say,) the Road leading from *Liverpool* to *Prescot* and *Ashton* aforesaid, commencing at the East End of the Street or Road in the Town of *Liverpool* aforesaid called *London Road*, at the Corner of *Moss Street*, and leading from thence through the several Townships of *West Derby*, *Huyton-cum-Roby*, *Knowsley*, *Prescot*, *Eccleston*, *Hardshaw within Windle*, *Parr*, and *Haydock*, to the Site of the *Townfield Gate* in *Ashton* aforesaid ; and also the Road leading from a certain Street in the Town of *Prescot* aforesaid called *Fazakerley Street*, and over a certain Road called the *New Road*, through the several Townships of *Whiston*, *Rainhill*, *Bold*, and *Sankéy*, to that Part of the Road which is opposite to the House of *John Wilson Patten* Esquire, called *Bank Hall*, in the Township of *Warrington* ; and also the Road leading from the *Old Swan* in *West Derby* aforesaid, through *Petticoat Lane*, the Hamlet of *Thingwall*, the Township of *Childwall*, the Township and Village of *Roby*, the Township and Village of *Huyton*, and the *School Lane* and *Carr Lane* in *Huyton* and *Knowsley* aforesaid, until the same unites with the said Road from *Liverpool* to *Prescot*, at the North End of *Carr Lane* aforesaid.

Names of
Trustees.

III. And be it further enacted, That all His Majesty's Justices of the Peace acting for the said County Palatine of *Lancaster* for the Time being, together with the Right Honourable *Edward Smith Stanley* commonly called Lord *Stanley*, the Right Honourable *Edward Geoffrey Stanley*, the Honourable *Henry Thomas Stanley*, the Honourable *Charles James Fox Stanley*, Sir *John Gerard* Baronet, *John Wilson Patten*, *Nicholas Ashton*, *William Ackers*, *John Ashton*, *James Atherton*, *William Barton*, *Joseph Birch*, *Thomas Bernard Birch*, *John Birchall*,

Birchall, John Ireland Blackburne, James Bourne, Bartholemew Bretherton, Thomas Caldwell, John Ashton Case, Thomas Case, John Clare, Joseph Churton, Adam Dugdale, Anthony Tyrer Ducker, Richard Edwards, Edward Deane Falkner, John Banastre Falkner, William Gerard, Michael Gibson, Edward Greenall, Peter Greenall, James Heyworth, Lawrence Heyworth, Henry Bold Hoghton, Charles Horsfall, William Jameson, Thomas Kidd, Thomas Langsdale, William Lees, John Shaw Leigh, James Manifold, John Myers, Charles Orrell, Thomas Parr, John Pickmere, John Rylands, Thomas Molyneux Seel, Robert Sherbourne, Robert Statter, Samuel Taylor, John Webb, James Underhill West, Richard Weston, George Williams, Richard Willis the younger, John Worrall, and their Successors, being duly qualified to act as Trustees of Turnpike Roads in England, shall be and they are hereby appointed Trustees for putting this Act into execution.

IV. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered, at any of their General Meetings to be holden in pursuance of this Act, to elect any Number of Persons, not exceeding Three 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 to act as Trustees of Turnpike Roads in *England*, shall be and they are hereby invested with the same Powers and Authorities for executing this Act as if they had been herein named and appointed.

Trustees may appoint additional Trustees.

V. And be it further enacted, That the said Trustees shall hold their First Meeting at the Town Hall in *Prescot* in the said County Palatine of *Lancaster*, on the said Third *Tuesday* next after the passing of this Act, or as soon after as conveniently may be, between the Hours of Eleven of the Clock in the Forenoon and Three of the Clock in the Afternoon; and the said Trustees shall then and there proceed to carry this Act into execution, and shall and may then and from Time to Time afterwards adjourn to and meet at such Time and Times, and at such Place and Places in the Neighbourhood of the said Roads, as they shall think proper, and especially to the Third *Tuesday* of every Calendar Month, within the Town Hall of *Prescot* aforesaid, during the Continuance of this Act; and if at the First or any subsequent Meeting the Trustees present shall neglect or omit to adjourn, or if at any of the said Meetings there shall not attend a sufficient Number of Trustees to adjourn, (Two Trustees being sufficient for that Purpose,) then and in every such Case such Meeting shall stand and is hereby declared to be adjourned to the Third *Tuesday* in the following Month at the Town Hall in *Prescot* aforesaid, and so from Time to Time until a sufficient Number of the said Trustees do or shall meet and adjourn themselves as aforesaid.

Meetings of Trustees.

VI. And be it further enacted, That it shall not be lawful for the said Trustees to lay out or expend any Money received by or vested in them by virtue of this Act in the Repair or Improvement of any Part of the Roads included in this Act that pass or may hereafter pass through any Part of any Town or Village as may have Houses on

Streets, &c. in Towns not to be repaired.

on both Sides thereof for the Length of Fifty Yards, save and except so much of the said Road as is situate between the *King's Arms* and the *Red Lion* Public Houses in the Town of *Prescot*, and which is called the *New Road*, nor shall any Toll be collected on any Part of such Roads.

Power to take
Tolls.

VII. And be it further enacted, That from and after Twelve of the Clock at Noon on the said Fourth *Tuesday* next after the passing of this Act, it shall be lawful for the said Trustees and they are hereby empowered to demand and take, at every or any Gate, Turnpike, or Side Bar now or hereafter to be erected or continued upon, across, or on the Sides of the said Roads or any of them, before any Horse, Mule, Ass, Cattle, or Carriage shall be permitted to pass through the same, such Tolls or Sums of Money as they shall from Time to Time order and direct to be collected thereat, but not exceeding the several Sums herein-after mentioned ; (that is to say,)

Tolls.

For every Horse or other Beast drawing any Stage Coach, Van, Caravan, or other Carriage with Four Wheels, used for the Conveyance of Passengers, Goods, or Luggage, if drawn by Two Horses or other Beasts, any Sum not exceeding the Sum of One Shilling and Sixpence ; and if drawn by more than Two Horses or other Beasts, any Sum not exceeding the Sum of One Shilling :

For every Horse or other Beast drawing any other Coach, Berlin, Landau, Chaise, Hearse, Calash, Phaeton, Sociable, or such like Carriage with Four Wheels, if drawn by One Horse or other Beast, any Sum not exceeding the Sum of One Shilling and Sixpence ; and if drawn by more than One Horse or other Beast, any Sum not exceeding the Sum of One Shilling :

For every Horse or other Beast drawing any Curricule, Gig, Whiskey, Chair, Car, Caravan, covered Carriage, or other Carriage with Two Wheels, if drawn by Two Horses or other Beasts, any Sum not exceeding the Sum of Eight-pence ; and if drawn by One Horse or other Beast, any Sum not exceeding the Sum of One Shilling :

For every Horse or other Beast drawing any Waggon or other Four-wheeled Carriage, or Timber Carriage, having the Soles or Bottoms of the Fellies of the Wheels of the Breadth or Gauge of Six Inches and upwards, if drawn by Two Horses or other Beasts, any Sum not exceeding the Sum of Eight-pence ; if drawn by more than Two Horses or other Beasts, then for every Horse or other Beast beyond the Number of Two an additional Sum not exceeding the Sum of Sixpence :

For every Horse or other Beast drawing any such Four-wheeled Carriage or Timber Carriage, having the Soles or Bottoms of the Fellies of the Wheels thereof of less Breadth or Gauge than Six Inches and not less than Four Inches and a Half, if drawn by Two Horses or other Beasts, any Sum not exceeding the Sum of Ten-pence ; and if by more than Two Horses or other Beasts, then for every Horse or other Beast beyond the Number of Two, an additional Sum not exceeding the Sum of Eight-pence :

For every Horse or other Beast drawing any such Four-wheeled Carriage or Timber Carriage, having the Soles or Bottoms of the Fellies of the Wheels thereof of less Breadth or Gauge than Four Inches and a Half, if drawn by Two Horses or other Beasts, any Sum

Sum not exceeding the Sum of One Shilling; and if drawn by more than Two Horses or other Beasts, then for every Horse or other Beast beyond the Number of Two, an additional Sum not exceeding the Sum of Nine-pence :

For every Horse or other Beast drawing any Wain, Cart, or other such like Carriage with Two Wheels, having the Soles or Bottoms of the Fellies of the Wheels thereof of the Breadth or Gauge of Six Inches and upwards, any Sum not exceeding the Sum of Sixpence ; and if less than Six Inches, any Sum not exceeding the Sum of Eight-pence ; and if drawn by more than Two Horses or other Beasts, then for every Horse or other Beast beyond the Number of Two, an additional Sum not exceeding the Sum of Sixpence :

For every Horse or other Beast drawing any Waggon, Wain, Cart, or other Carriage, which from its Length, Construction, or other Circumstance cannot be weighed at the Weighing Machines in and upon the said Roads, any Sum not exceeding the Sum of Nine-pence :

For every Carriage fixed in any Manner to any Waggon, Wain, Dray, Cart, or other Carriage, any Sum not exceeding the Sum of Six-pence :

For every Horse or other Beast drawing any Cart carrying Milk, Butter, Fruit, and Poultry only to Market, and drawn by only One Horse or other Beast, any Sum not exceeding the Sum of Sixpence :

For every Horse, Ass, or Mule, laden or unladen, and not drawing, any Sum not exceeding the Sum of Three-pence :

For every Score of Oxen, Cows, or other Neat Cattle, and Swine, any Sum not exceeding the Sum of One Shilling and Eight-pence, and so in proportion for any less Number :

For every Score of Calves, Goats, Sheep, or Lambs, any Sum not exceeding the Sum of Ten-pence, and so in proportion for any less Number :

And for every Carriage not drawn by any Horse or other Beast, but propelled or moved by Machinery, any Sum not exceeding the Sum of One Shilling and Sixpence for every Horse Power.

VIII. And be it further enacted, That in all Cases where there shall be a fractional Part of a Halfpenny in the Calculation or Amount of the Tolls by this Act granted or authorized to be collected, or any of them, the Sum of a Halfpenny shall be demanded and taken in lieu of such fractional Part.

Fractional
Part of a
Halfpenny
in Tolls.

IX. And be it further enacted, That in case the Toll hereby authorized to be taken shall have been paid for the passing of any Horse or Beast or Carriage through any Gate, Turnpike, or Side Bar erected or to be erected upon the said Roads, such Horse or Beast or Carriage shall (on a Ticket denoting such Payment on that Day being produced) be permitted to pass and repass through the same Gate, Turnpike, or Side Bar Toll-free on the same Day, such Day to be computed from Twelve of the Clock in one Night to Twelve of the Clock in the succeeding Night (except as herein-after mentioned).

Toll to be
paid but once
a Day.

Stage
Coaches, &c.
to pay each
Time of pass-
ing.

X. Provided always, and be it further enacted, That the Tolls hereby made payable for or in respect of Horses or Beasts drawing any Stage Coach, Diligence, Van, or Caravan, or other Carriage, carrying Passengers or Goods for Pay, Hire, or Reward, or any Stage Coach, Diligence, Van, or Caravan, or other Carriage, propelled or moved by Machinery, carrying Passengers or Goods for Pay, Hire, or Reward, shall be payable and paid each Time of passing or re-passing through the said Gates, Turnpikes, or Side Bars, or any of them: Provided nevertheless, that no further or additional Toll shall be payable in respect of any Stage Coach, Diligence, Van, or Caravan, on account only of the Horses drawing the same having been changed.

Post Chaises
to pay each
Time of pass-
ing with a
fresh Hiring.

XI. Provided also, and be it further enacted, That the Tolls hereby made payable for or in respect of any Horses or Beasts which shall be let out to Hire, or any Horses or Beasts drawing any Post Chaise or other Carriage which shall be let out to Hire, or any Carriage propelled or moved by Machinery which shall be let out to Hire, shall be payable and paid every Time of passing or re-passing through the said Gates, Turnpikes, or Side Bars, or any of them, whenever any new or fresh Hiring thereof shall take place.

Waggons
returning
laden to be
liable to a
Second Toll.

XII. Provided also, and be it further enacted, That the Tolls hereby granted shall be demanded and paid for and in respect of every Horse or other Beast drawing any Waggon, Cart, or other such like Carriage as shall return the same Day with any fresh Loading of more than Five Hundred Weight (of One hundred and twelve Pounds to the Hundred Weight), in which Case the Tolls and Duties hereby granted shall be paid and payable on such Return in like Manner and on the like Terms and Conditions as they are originally liable to pay Toll.

One-horse
Carts may be
weighed.

XIII. And be it further enacted, That all Carts passing along the said Roads drawn by One Horse only shall and may, whether the same shall or shall not have passed through any of the Gates, Turnpikes, or Side Bars now or hereafter to be erected upon, across, or on the Sides of the said Roads, be weighed at any Weighing Machine now erected or to be erected on the said Roads, and the like additional Tolls demanded, received, and recovered for the Overweight thereof as are by Law payable in respect of the Overweight of Carts drawn by Two or more Horses; and all the Powers, Regulations, Matters, and Things now in force relating to the weighing of Carts drawn by more than One Horse, and to the Recovery of Tolls payable in respect thereof, shall be applicable to Carts passing on the said Roads drawn by One Horse only, and to the Drivers, Masters, and Owners thereof.

Certain
Rents to
continue
payable.

XIV. And whereas Part of the said Turnpike Road situate in the Town of *Prescot* aforesaid extends over Lands belonging unto the Devises of the late *Henry Makin*, and also over Land belonging unto *Edward Ball*, and it was agreed at the Time of making the said Turnpike Road that the said Devises should receive the yearly Rent of Four Pounds and Four Shillings, and the Owners of the Lands now belonging unto the said *Edward Ball* the yearly Rent or

Sum of Two Pounds, as a Compensation for the Lands so taken in the said Turnpike Road; be it therefore enacted, That the said respective yearly Rents or Sums of Four Pounds and Four Shillings and Two Pounds shall be paid to the several Persons entitled thereto from and out of the Tolls hereby granted during the Continuance of this Act.

XV. And be it further enacted, That all the Monies which shall have been raised and produced by virtue of the said recited Act hereby repealed, which shall be remaining undisposed of on the Day of the Commencement of this Act, and also all the Monies which shall arise and be produced by and from the Tolls by this Act granted and made payable, together with the Monies which shall have been or shall be borrowed upon the Credit thereof, and all other Monies which shall arise and be produced by virtue thereof, shall be and the same are hereby vested in the said Trustees, and shall be applied to and for the several Uses, Intents, and Purposes, and in the Order and Manner following; (that is to say,) in the first place, in the Payment of all the Costs, Charges, and Expences which shall have been incurred in applying for, preparing, obtaining, and passing this Act, and otherwise relative thereto respectively, with lawful Interest for the same from the Time of advancing or disbursing the same; secondly, in Payment of the said yearly Sums of Four Pounds and Four Shillings and Two Pounds before mentioned, and in paying and keeping down the Interest of all such Sums of Money as are or shall be borrowed and taken up at Interest upon the Credit of the Tolls of the said Roads; thirdly, in defraying the Expences of maintaining, diverting, altering, widening, improving, repairing, and keeping in repair the same Roads, and of erecting and providing, altering and repairing, Turnpikes, Toll Gates, Toll Bars, and Toll Houses, with suitable Outbuildings, upon, across, and by the Sides of the said Roads, and otherwise in executing the Powers of this Act; and lastly, in reducing, paying off, and discharging the several Principal Sums of Money already borrowed or raised under and by virtue of the said recited Act hereby repealed, or to be by them the said Trustees hereafter borrowed or raised under or by virtue of this Act, and all other Debts and Sums of Money now owing and which may hereafter become due and owing by or on account of the said Roads.

Application
of the Tolls
and other
Monies.

XVI. 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.

Public Act.

XVII. And be it further enacted, That this Act shall commence on the Third *Tuesday* next after the passing thereof, and shall continue and be in force for Thirty-one Years, and from thence to the End of the then next Session of Parliament.

Term of Act.

