



ANNO PRIMO

GULIELMI IV. REGIS.

Cap. xv.

An Act for repairing the Road from the *Broken Cross* in *Macclesfield* to *Nether Tabley* in the County of *Chester*. [11th March 1831.]

WHEREAS an Act was passed in the Ninth Year of the 9 G. 3. c. 65.
Reign of King George the Third, intituled *An Act to repair and widen the Road from the Broken Cross in Macclesfield in the County of Chester, over the Long Moss and Monk's Heath, to the Turnpike Road in Nether Tabley in the said County, and for turning and exchanging Part of the said Road*: And whereas another Act was passed in the Thirty-first Year of the Reign of King George the Third, intituled *An Act for enlarging the Term and Powers of an Act passed in the Ninth Year of the Reign of His present Majesty, for repairing and widening the Road from the Broken Cross in Macclesfield in the County of Chester, over the Long Moss and Monk's Heath, to the Turnpike Road in Nether Tabley in the said County, and for turning and exchanging Part of the said Road*: And whereas another Act was passed in the Forty-eighth Year of the Reign of King George the Third, intituled *An Act for enlarging the Term and Powers of Two Acts of His present Majesty, for repairing the Road from Macclesfield to Nether Tabley in the County of Chester, and for making a new Road from Birtles to Macclesfield aforesaid*: And whereas the Trustees acting under or by virtue of the said recited Acts have proceeded in the Execution thereof, and have borrowed considerable Sums of Money upon the Credit of the Tolls authorized to be taken on the said Road, which Money still remains
[Local.] O o due

Recited Acts
repealed;

due and cannot be repaid, nor can the said Road be effectually repaired, improved, and maintained in repair, unless the Term and Powers of the said Acts be enlarged, and the Tolls varied or equalized: And whereas it is expedient that the said recited Acts should be repealed, and that further and other Provisions should be granted in lieu thereof: May it therefore please Your Majesty that it may be enacted; and be it enacted by the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 upon the Day of the Commencement of this Act the said several recited Acts shall be and the same are hereby declared to be repealed.

and this Act
to be put in
execution.

II. And be it further enacted, That this Act shall be put in execution, for and during the Term herein-after mentioned, for the Purpose of repairing, improving, and keeping in repair the Road leading from *Broken Cross* in the Township of *Macclesfield* to the Turnpike Road in *Nether Tabley* in the County of *Chester*.

Trustees
appointed.

III. And be it further enacted, That all His Majesty's Justices of the Peace for the Time being acting for the County of *Chester*, together with the Right Honourable *Henry Grey* commonly called Lord Grey, *Gibbs Crawford Antrobus*, *Lawrence Armistead*, *John Brocklehurst*, *Charles Cholmondeley*, *John Daintry*, *W B Dickenson*, *William Tatton Egerton*, *George Eaton*, *Thomas Hibbert*, *John Holland*, *William Hopes*, *John Hill*, *John William Jodrell*, *Peter Legh*, *George Cornwall Legh*, *Egerton Leigh junior*, *Ralph Leycester*, *Harry Mainwaring*, *John Norbury*, *Charles Watkin*, *John Shakerley*, *Charles Peter Shakerley*, *Jeffrey Shakerley*, *Edward John Stanley*, *William Owen Stanley*, *James Stanton*, *William Turner*, *Thomas Tipping*, *Robert Taylor*, *Legh Trafford*, *Rowland Eyles Egerton Warburton*, *William Whitaker*, and *James Wilde*, Esquires, and *Walter Bromley*, *Robert Clowes*, *William Fox*, *Bertie Entwistle Johnson*, *Thomas Mawdesley*, *George Pitt*, and *Edward Stanley*, Clerks, and their Successors, being duly qualified to act as Trustees of Turnpike Roads in *England*, shall be and they are hereby appointed Trustees for repairing, improving, and keeping in repair the said Road, and for otherwise putting this Act into execution.

Power to ap-
point addi-
tional Trus-
tees.

IV. And be it further enacted, That it shall and may be lawful for the said Trustees, and they are hereby authorized and empowered, from Time to Time, at any of their Meetings, to elect and appoint any Number of Persons, being duly qualified to act as Trustees of Turnpike Roads in *England*, (not exceeding Three in the whole in addition to the Number of Trustees herein named and appointed,) to be Trustees for the Purposes of this Act; and such Persons so elected and appointed shall be Trustees for the Purposes of this Act, and are hereby invested with the same Powers and Authorities for executing this Act as if they had been herein named.

First Meet-
ing of the
Trustees.

V. And be it further enacted, That the Trustees for executing this Act shall meet at the *George Inn*, in the Town of *Knutsford*, or at some other convenient Place near to the said Road, on the
Day

Day of the Commencement of this Act, or as soon after as conveniently may be, and proceed in the Execution of this Act, and shall and may then, and from Time to Time after, adjourn to and meet at such Time and Times, and at the same Place or such other Place or Places in the Neighbourhood of the said Road, as they shall from Time to Time think proper.

VI. And be it further enacted, That the several Gates, Turnpikes, Weighing Machines, and Toll Houses erected and now standing across and on the Sides of the said Road shall remain and be continued until removed by any Order or Orders of the said Trustees; and it shall be lawful for the said Trustees to order and cause to be erected and built or set up and placed upon, in, or across the said Road by this Act directed or authorized to be repaired, or any Part thereof, or by the Sides thereof, when, where, and as they shall judge necessary, any Gate or Gates, Turnpike or Turnpikes, Side Gate or Side Gates, Side Bar or Side Bars, Chain or Chains, and also from Time to Time to order and cause to be taken down and removed or altered or discontinued the same present Gates and Turnpikes, and such future Gates, Turnpikes, Side Gates, Side Bars, and Chains, as they shall think proper.

The present Gates may be continued and new ones and Weighing Machines erected.

VII. And be it further enacted, That it shall and may be lawful to and for the said Trustees, or any Person or Persons continued or to be appointed Collector or Collectors of the Tolls to be taken by virtue of this Act, to demand and take the Tolls or Sums of Money herein-after mentioned, at the several and respective Toll Gates or Turnpikes or Toll Houses, or Side Gates or Side Bars or Chains, which are or shall be standing and being or continued or erected in, upon, across, or at the Side or Sides of the said Road, or any Part or Parts thereof, and on every Day, such Day to be computed from Twelve of the Clock at Night to Twelve of the Clock in the next succeeding Night; (that is to say,)

Power to take Tolls.

For every Horse or Beast drawing any Coach, Stage Coach, Chariot, Landau, Berlin, Chaise, Curricule, Calash, Sociable, Car, Chair, Gig, Whiskey, Caravan, Van, Hearse, or other such like Carriage, the Sum of Sixpence :

Tolls.

For every Horse or other Beast drawing any Waggon, Wain, Cart, or other such Carriage, (except Carriages laden wholly or in part with Timber,) the Sum of Sixpence :

For every Horse or other Beast drawing any Waggon, Wain, Cart, or other such Carriage, laden wholly or in part with Timber, the Sum of Eight-pence :

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

For every Score of Oxen or Neat Cattle, and so in proportion for any less Number, the Sum of One Shilling and Four-pence :

For every Score of Swine, Calves, Sheep or Lambs, and so in proportion for any less Number, the Sum of Eight-pence :

For every Carriage propelled by Steam or Machinery, without Horses or Beasts, for each Wheel on which the same shall run, the Sum of Nine-pence :

Which

Which said respective Tolls or Sums of Money shall or may be demanded and taken as aforesaid for every Time of passing through each and every of such Gates, Bars, and Chains, (subject to the Provisions herein-after contained,) before any Horse, Mule, Ass, or other Beast or Cattle, or Carriage whatsoever, shall be permitted to pass through any such Toll Gate or Turnpike, or Side Gate or Side Bar or Chain; and such several and respective Tolls or Sums of Money shall be and are hereby vested in the said Trustees, and shall be applied for the Purposes of this Act in manner herein-after directed.

Limiting the
Number of
Payments at
each Gate.

VIII. Provided always, and be it further enacted, That when the full Toll shall have been paid for or in respect of any Horse or Horses, or other Beast or Cattle, or Carriage, passing through any Toll Gate or Turnpike, Side Gate or Side Bar or Chain, erected or to be erected on the said Road, such Horse or other Beast (except Horses or other Beasts drawing any Stage Coach, Diligence, Van, or Caravan, or other Carriage carrying Passengers or Goods for Payment, Hire, or Reward,) shall (on a Ticket being produced denoting such Payment) be permitted to return and again to pass and return once through the same Toll Gate or Turnpike, Side Gate or Side Bar or Chain, Toll-free, the same Day, in respect of each Payment of Toll.

Fraction of
a Halfpenny
in Tolls.

IX. 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 herein mentioned, or any of them, the Sum of One Halfpenny shall be demanded and taken in lieu of such fractional Part.

Limiting the
Number of
Payments on
the whole
Line.

X. And be it further enacted, That it shall not be lawful for the said Trustees, or any Person appointed or continued Collector of the Tolls mentioned in this Act, to demand or take more than Three full Tolls in any One Day for or in respect of the same Horse, Beast, or Cattle, or Carriage, passing or repassing along the whole Line of the said Road, any thing contained in this Act to the contrary notwithstanding.

Horses draw-
ing different
Carriages
to pay each
Time of pass-
ing.

XI. Provided always, and be it further enacted, That in case the Toll in this Act mentioned shall have been paid in respect of any Horse or Horses or other Beast or Beasts drawing any Waggon, Wain, Cart, or other such Carriage, for passing through any Turnpike, Toll Gate, or Side Gate on the said Road, and any such Horse or other Beast shall afterwards be employed on the said Road, during the same Day, in drawing a different Waggon, Wain, Cart, or other such Carriage from that which they were employed in drawing when such Payment was made, every such Horse or other Beast so drawing shall again be liable to Toll in respect of being employed in drawing such different Waggon, Wain, Cart, or other such Carriage.

Stage
Coaches, &c.
travelling for
Hire to pay

XII. Provided always, and be it further enacted, That the Tolls payable for and in respect of all Carriages carrying Passengers or Goods for Payment, Hire, or Reward, or for or in respect of any Horse

Horse or other Beast drawing any Stage Coach, Diligence, Van, Caravan, Stage Waggon, Cart, or other Carriage carrying or conveying any Passengers or Goods for Payment, Hire, or Reward, shall be payable and paid for every Time of passing or repassing along the said Road: Provided also nevertheless, that no further or additional Toll shall be payable in respect of Horses or Beasts drawing any such Stage Coach, Diligence, Van, Caravan, Stage Waggon, Cart, or other Carriage, on account only of the Horses or Beasts drawing the same having been changed. every Time of passing.

XIII. Provided also, and be it further enacted, That the Tolls payable for and in respect of Horses or Beasts let out to Hire and employed in drawing any Post Chaise or other Carriage, or let out to Hire and used for riding or any other Purpose, shall be payable and paid every Time of passing or repassing along the said Road, whenever any new Hiring thereof shall take place. Post Chaises, &c. on every new Hiring.

XIV. And be it further enacted, That all the Monies which shall have been raised and produced by virtue of the said recited Acts hereby repealed, and which shall be remaining undisposed of on the Day of the Commencement of this Act, and also the Monies which shall arise and be produced by and from the Tolls in this Act mentioned, together with the Monies which shall be borrowed upon the Credit thereof, and all other Monies which shall arise and be produced by virtue thereof, 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 incurred in, about, and relating to the applying for, preparing, obtaining, and passing of this Act; and in the next place, (after Payment of the necessary Expences from Time to Time for Books, Advertisements, Salaries of Officers, and other necessary current Expences incidental to the Execution of this Act,) in paying and discharging the Interest now due or hereafter to accrue and become due upon or by virtue of any Mortgages or Securities which have been already made and granted of the Tolls and Duties heretofore payable on the said Road, and of any Mortgages or Securities which shall hereafter be made and granted of the Tolls or Duties hereafter to be payable on the said Road; and in the next place, in defraying the Expences of altering, widening, improving, repairing, diverting, and keeping in repair the said Road, and of erecting, maintaining, providing, altering, and repairing Turnpikes, Toll Gates, Toll Bars, and Toll Houses, with suitable Outbuildings, upon, across, and by the Sides of the said Road, and otherwise in executing the Purposes of this Act; and lastly, in reducing, paying off, and discharging the several Principal Sums of Money which have been borrowed and secured on the Credit of the Tolls heretofore arising on the said Road, and also the several Principal Sums of Money which may hereafter be borrowed and secured on the Credit of the Tolls mentioned in this Act, and all other Debts and Sums of Money now owing and which may hereafter become due and owing on account of the said Road. Application of Tolls and Money borrowed.

Not to repair
Streets in
Knutsford.

XV. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to empower the said Trustees to lay out or apply any Money in paving or repairing any Highway or Street in the Town of *Knutsford*, or to collect any Tolls by virtue of this Act therein.

Public Act.

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.

Commence-
ment and
Continuance
of this Act.

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

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