



ANNO PRIMO

GULIELMI IV. REGIS.

Cap. vii.

An Act for more effectually maintaining the Road from *Crossford Bridge* to the Town of *Manchester* in the County Palatine of *Lancaster*, and for making a Branch Road to communicate therewith.

[11th *March* 1831.]

WHEREAS an Act was passed in the Fifty-ninth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for more effectually maintaining and amending the Road from Crossford Bridge to the Town of Manchester in the County Palatine of Lancaster*: And whereas the Trustees appointed in and by virtue of the said recited Act have proceeded to put the same into execution: And whereas it would greatly conduce to public Utility if a Branch Road were made and opened, to extend from the said Turnpike Road at or near a certain House or Place, in the Township of *Stretford* in the said County of *Lancaster*, called *Old Trafford*, and from thence through Part of the said Township of *Stretford*, and through the Township of *Hulme*, in the said County of *Lancaster*, into or through the Township of *Chorlton Row* in the said County, and to terminate at a certain public Road or Way called *Oxford Road*, in the Township of *Chorlton Row* aforesaid: And whereas it would be more convenient if the said recited Act were repealed, and further, better, and more effectual Powers granted, as well for repairing, widening, diverting, and improving the present Road included and comprised in the said Act,

[*Local.*] S 59 G. 3. c. 56. as

Recited Act
repealed.

as for making and maintaining the Branch Road herein-before mentioned; but the beneficial 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 from and after the Third *Friday* next after the passing of this Act the said recited Act shall be and the same is hereby repealed, and shall be null and void to all Intents and Purposes whatsoever.

This Act to
take effect
for the Pur-
poses herein
mentioned.

II. And be it further enacted, That this Act shall commence and take effect, and shall continue in force and be put in execution for and during the Term herein-after mentioned, for the Purpose of more effectually widening, repairing, improving, and maintaining the said Road from *Crossford Bridge*, through the Townships of *Stretford* and *Hulme*, to the Town of *Manchester* in the said County of *Lancaster*; and also for the Purpose of making, repairing, improving, and maintaining a Branch Road from at or near the said House or Place called *Old Trafford*, in the said Township of *Stretford*, to pass through Part of the said Township of *Stretford*, and through the said Township of *Hulme*, into or through the said Township of *Chorlton Row*, and to terminate at the said public Road or Way called *Oxford Road*, in the said Township of *Chorlton Row*.

Trustees.

III. And be it further enacted, That all His Majesty's Justices of the Peace for the Time being acting in and for the Counties Palatine of *Lancaster* and *Chester* respectively, together with the Right Honourable *Edward Smith Stanley* commonly called Lord *Stanley*, the Right Honourable *George Harry Grey* commonly called Lord *Grey*, the Honourable *William Booth Grey*, the Honourable *Anchitel Grey* Clerk, *Thomas Atkinson*, *John Barton*, *John Barton* the younger, *Richard Watson Barton*, *Thomas Bateman*, *Thomas Baxter*, *Hugh Hornby Birley*, *Thomas Blackburne Clerk*, *John Bradshaw*, *John Bradshaw* the younger, *James Bradshaw*, *Thomas Langford Brooke*, *Herbert Boyer*, *John Barratt*, *Henry Brooke*, *Joseph Birley*, *Charles Cholmondeley*, *Charles Cooke*, *John Chetwode*, *William Dodge Cooper Cooper*, *Peter Daine*, *William Duckworth*, *James Darbshire*, *George Eaton*, *William Tatton Egerton*, *Wilbraham Egerton* the younger, *Adam Faulkner*, *Charles Ford*, *William Fox*, *Edward Vigor Fox*, *Richard Irlam Grantham*, *Booth Grey*, *Harry Grey Clerk*, *Samuel Greg*, *Robert Hyde Greg*, *Samuel Grimshaw*, *William Garnett*, *Wilbraham Bootle Guest Clerk*, *Isaac Harrop*, *George Heron Clerk*, *George Heron* the younger, Clerk, *Peter Heron*, *John Hilt*, *George Hardy*, *Edmund Haworth*, *Edmund Haworth* the younger, *William Henry M.D.*, *William Charles Henry M.D.*, *John Hunter Clerk*, *Richard Popplewell Johnson Clerk*, *Bertie Entwisle Johnson Clerk*, *Oswald Leicester Clerk*, *Peter Leicester*, *Egerton Leigh* the younger, *George Cornwall Legh*, *Peter Legh*, *John Leaf*, *Ralph Leycester*, *George Lloyd*, *George Lloyd of Welcomb*, *Edward Lloyd*, *Edward Jeremia Lloyd*, *Thomas Markland*, *William Henry Galfridas Mann Clerk*, *John Moore*, *Henry Mainwaring Mainwaring*, *Samuel Marsland*, *William Marsland*, *Devereux Jones Nicholls*, *Robert Josias Jackson*

*Jackson Norreys, Robert Devereux Nicholls, William Devereux Nicholls, Thomas Orrell, James Occleston, John Paton, Shakespear Phillips, Harry Shakespear Phillips, Thomas Joddrell Phillips, Frederick Phillips, Thomas Pickford, Richard Poole, John Pooley, John Pooley the younger, Charles Poole, William Pass, Edward Pearson, Richard Potter of Smedley, Charles Prescott Clerk, John Potter, Samuel Ryle, John Renshaw, Parker Raingill, William Sergeant, Edwin Sergeant, John Shaw, Thomas Assheton Smith, William Henry Assheton Smith, John Smith, Richard Smith, James Sothern, William Stevenson, Peter Shawcross the younger, Edward Stanley Clerk, Thomas William Tatton, Robert Taylor, Mascie Taylor Clerk, Joseph Taylor, Peter Taylor, Thomas Joseph Trafford, Humphrey Trafford, Thomas Trafford, John Touchet, Richard Leigh Trafford, William Wainman, Thomas Walker, John White, William Whitelegg of Northen, James Whitelegg, Gilbert Winter, James Wilde, James Wood, Thomas Worthington, Hugo Worthington, Robert Worthington, George Withington, Charles Walker, William Acton Okell Whitelegg, Charles Wood, Thomas Worthington the younger, Lawrence Wright, Thomas Wright Clerk, and William Henry Wright Clerk, and their Successors, being duly qualified, according to the Provisions of the several Acts in force for regulating Turnpike Roads in *England*, shall be and they are hereby appointed the Trustees for carrying into execution this Act, and the several Acts in force for regulating Turnpike Roads in *England*.*

IV. And be it further enacted, That it shall be lawful for the said Trustees, at the First Meeting to be held under the Authority of this Act, to elect or appoint any additional Number of Persons duly qualified, not exceeding Three in the Whole, to be Trustees for executing this Act; and the Persons so elected or appointed, being duly qualified as aforesaid, are hereby invested with the same Powers and Authorities for executing this Act as if they had been hereby expressly named and appointed.

Power to
appoint ad-
ditional
Trustees.

V. And be it further enacted, That, for the Purpose of putting this Act into execution, the said Trustees shall meet at the *Angel Inn* in *Stretford* aforesaid, or at some other convenient House or Place near to the said Road, in the said Townships of *Stretford* and *Hulme*, or either of them, on the Fourth *Friday* next after the passing of this Act, or as soon after as conveniently may be.

First Meet-
ing of the
Trustees.

VI. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby fully authorized and empowered, to set out, make, and complete, and from to Time to Time to repair, widen, divert, and improve the said Branch Road herein-before mentioned, and make the same of such Width as the said Trustees may think proper, not exceeding the Width of Twenty Yards; and from and after the making thereof the same shall be and be deemed to be, to all Intents and Purposes, Part of the Road included in this Act, and shall be deemed and taken to be and shall be a public Highway to all Intents and Purposes.

Power to
make new
Branch
Road.

VII. And

Map or Plan deposited at the Office of the Clerk of the Peace to remain there for Inspection, and the Road not to deviate therefrom.

VII. And whereas a Map or Plan, describing the Line of the said Branch Road, together with a Book of Reference, containing Lists of the Names of the several Owners and Occupiers of the Lands, Buildings, Tenements, and Hereditaments through which the said Branch Road is intended to pass, have been deposited at the Office of the Clerk of the Peace for the said County Palatine of Lancaster; be it therefore further 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 seasonable 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 for the Time being the Sum of One Shilling for every such Inspection, and at the Rate of Sixpence for every One hundred Words of such Copies or Extracts; and the said Trustees, in making the said Branch Road, 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, Bodies Politic, Corporate, or Collegiate, through whose Lands and Premises the said Branch Road shall be made.

Lands marked in the Plan may be used notwithstanding Errors in the Book of Reference.

VIII. Provided always, and be it further enacted, That it shall be lawful for the said Trustees to make the said Branch Road into, through, across, or over the several Lands, Buildings, Tenements, and Hereditaments described in the said Map or Plan and Book of Reference, or in the Schedule hereunto annexed, although the Name or Names of the Owner or Owners, Occupier or Occupiers thereof, may happen to be omitted or mis-stated in the said Book of Reference, or in the Schedule to this Act annexed, in case it shall appear to any Two or more Justices of the Peace for the said County Palatine of Lancaster, and be certified by Writing under their Hands, that such Error or Omission proceeded from Mistake only, or that the real Owners or Occupiers of such Lands, Houses, Buildings, or Premises had Notice that the same would be wanted for the Purposes thereof.

Trustees restrained from pulling down Dwelling Houses, &c. without Consent.

IX. Provided also, and be it further enacted, That the Powers and Authorities given by this Act for making, maintaining, widening, diverting, improving, or altering the said Road and Branch Road shall not extend or be construed to extend to empower or authorize the said Trustees to take or pull down, injure, or damage any Dwelling House or other Building, or to take in or make use of 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, without the Consent in Writing of the Owner or Proprietor thereof, or other Person interested therein, first had and obtained, except such as are mentioned or specified in the Schedule to this Act annexed: Provided always, that if the said Trustees shall not, within the Space of Three Years, (to be computed from the passing of this Act,) agree for, or cause to be valued and paid for, in manner directed by an Act passed in the Third Year of the Reign of His late Majesty King George the Fourth, intituled *An Act to amend the General Laws now in being for regulating Turnpike Roads in that Part of Great Britain* called

called England ; and also by another Act passed in the Fourth Year of the Reign of His said late Majesty King George the Fourth, intituled *An Act to explain and amend an Act passed in the Third Year of the Reign of His present Majesty, to amend the General Laws now in being for regulating Turnpike Roads in that Part of Great Britain called England*, the several Messuages and other Buildings, Tenements, Gardens, Yards, Paddocks, and Plantations which they are hereby empowered to purchase, take, and use, or so much thereof as they shall deem necessary or proper for the Purposes of this Act, then and from thenceforth the Powers which are hereby given them for such Purpose only shall cease, determine, and be utterly void, save and except with the Consent of the Owners or Proprietors and Occupiers thereof respectively.

X. And whereas *Wilbraham Egerton* Esquire, and *George Lloyd* of *Welcomb* Esquire, have agreed to give unto the said Trustees so much of their respective Lands in the said Township of *Hulme* as will be required for making or setting out the said Branch Road, without receiving any Consideration for the same ; be it further enacted, That if the said Trustees shall not, within the Space of Five Years (to be computed from the Time of passing this Act) make, set out, and complete the said Branch Road, and open the same for public Passage with Horses, Carts, and other Carriages, then and from thenceforth the Powers which are hereby given for making the said Branch Road over their respective Lands shall cease, determine, and be utterly void, save and except with the Consent of the said *Wilbraham Egerton* and *George Lloyd*, or their respective Heirs and Assigns.

If Branch Road be not made in Five Years, the Powers hereby given for the same to cease.

XI. And be it further enacted, That there shall be demanded and taken, by such Person or Persons as the said Trustees shall appoint for that Purpose, before any Horse or Beast, Coach, Chaise, Waggon, Cart, or Carriage shall be permitted to pass through the Toll Bar now erected upon the said Road, or any Toll Bar to be erected on the said Road, or the Side thereof, or on the said Branch Road or the Side thereof, from the Person or Persons, or any of them, for the Time being driving, using, or having the Care of such Horse or Beast, Coach or Carriage, the respective Tolls following ; (that is to say,)

Power to take Tolls.

For every Horse or Beast of Draught drawing any Coach, Berlin, Landau, Chaise, Hearse, Curricule, Calash, or other such Carriage, the Sum of Sixpence :

Tolls.

For every Horse or Beast of Draught drawing any Waggon, Cart, Wain, or other such Carriage, the Fellies of the Wheels being of the Breadth of Six Inches or upwards from Side to Side at the Bottom or Sole thereof, the Sum of Sixpence :

For every Horse or Beast of Draught drawing any Waggon, Cart, Wain, or other such Carriage, the Fellies of the Wheels being of a less Breadth than Six Inches and not less than Four and a Half Inches from Side to Side at the Bottom or Sole thereof, the Sum of Seven-pence Halfpenny :

For every Horse or Beast of Draught drawing any Waggon, Cart, Wain, or other such Carriage, the Fellies of the Wheels being of a less Breadth than Four and a Half Inches from Side to Side at the Bottom or Sole thereof, the Sum of Nine-pence :

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For

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

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

Fractional Part of a Halfpenny in Tolls.

XII. And be it further enacted, That in every Case where there shall be a fractional Part of a Halfpenny in the Calculation or Amount of the Tolls hereby granted, the Sum of One Halfpenny shall be demanded and taken in lieu of such fractional Part.

Half Toll only to be taken from the Inhabitants and Occupiers of certain Messuages and Lands of Thomas Joseph Trafford Esq.

XIII. And whereas Part of the said Branch Road is intended to be made over Lands of and belonging to the said *Thomas Joseph Trafford*, and the said *Thomas Joseph Trafford* having proposed and agreed to forego all Claim for the Value of his Lands to be taken and used for such Branch Road, conditionally that an Abatement of the Tolls payable under or by virtue of this Act, during the Continuance thereof, shall be made to the Inhabitants and Occupiers of the Messuages and Lands herein-after mentioned, of and belonging to the said *Thomas Joseph Trafford*; be it therefore enacted, That One Half only of the Tolls payable under or by virtue of this Act shall be demanded and taken for or in respect of any Horse or Beast of Draught, or Horses or Beasts of Draught, drawing any Waggon or Cart, or Waggon or Carts, of or belonging to any of the Inhabitants or Occupiers of the Mansion House of the said *Thomas Joseph Trafford*, called *Trafford*, or of the Demesne Lands thereunto belonging; or of a Messuage and Tenement in *Stretford* aforesaid, called *Crown Point*, or the Lands thereunto belonging; or of *Old Trafford*, or the Demesne Lands thereunto belonging; or of *Stretford Moss*, adjoining the Demesne Lands of *Old Trafford* aforesaid, for passing through any Toll Bar now or hereafter to be erected upon the said Road or Branch.

Tolls to be paid but once for passing and repassing, except when returning laden.

XIV. Provided always, and be it further enacted, That in case the Toll hereby made payable shall have been paid for or in respect of any Horse or other Beast, such Horse or other Beast shall (on a Ticket denoting such Payment being produced) be permitted to return Toll-free before Twelve of the Clock at Night of the same Day, unless in the Cases of Horses or Beasts drawing any Waggon, Cart, or Carriage laden, both on passing and returning, with the Weight of Five Hundred Weight or upwards, of One Hundred and twelve Pounds to the Hundred Weight, in which Cases full Toll shall be also paid when returning.

Tolls payable again after passing and returning.

XV. And be it further enacted, That if any Horse or other Beast, drawing or not drawing, shall pass or go a Third Time or oftener on the same Day (such Day to be computed from Twelve of the Clock in one Night to Twelve of the Clock in the next succeeding Night) through any of the said Toll Bars, every such Horse or other Beast shall for each Time of such passing be liable again to pay the Tolls

Tolls hereby imposed, in the same Manner as such Horse or other Beast would have been liable to pay in case no Toll had been before paid on the same Day, but with the same Privilege of returning on the same Day Toll-free, after each such passing, as herein-before is mentioned respecting the returning after the First Time of passing.

XVI. And be it further enacted, That for and in respect of all Horses or Beasts drawing any Stage Coach or Caravan, and also in respect of all Horses or Beasts drawing any Carriage whatever employed in carrying Passengers or Goods, for more than One Person, for Hire or Reward, the Tolls by this Act granted shall be paid as well for returning as passing through the Bar now erected, or any Bar to be erected by virtue of this Act: Provided also, that no further or additional Toll shall be payable in respect of any Stage Coach or Caravan or other Carriage carrying Passengers or Goods for Hire or Reward, on account only of the Horses drawing the same having been changed.

Stage Coaches, Caravans, &c. to pay every Time of passing.

XVII. And be it further enacted, That the Tolls hereby made payable shall be paid for or in respect of all other Horses or Beasts of Draught travelling for Hire, drawing any Post Chaise or other Carriage, for every Time of passing and repassing along the said Road as often as a fresh Hiring thereof shall take place.

Post Chaises to pay on every fresh Hiring.

XVIII. And be it further enacted, That if any Waggon, Coach, or Carriage of any Description whatever, which shall be drawn or propelled by Steam, or be moved by any other Power or Agency than being drawn by any Horse or Horses or other Beast or Beasts of Draught, shall be drawn or passed on the said Road or Branch Road, or any Part thereof, for the Distance of more than One hundred Yards thereupon, every such Waggon, Coach, or Carriage shall be liable to such and the same Toll as if drawn by Four Horses.

Carriages propelled by Steam.

XIX. Provided also, and be it enacted, That no Person shall be subject or liable to the Payment of any Toll more than once in the same Day, for any Horse, Mule, or Ass laden only with, or drawing any Cart or other Carriage laden only with Milk, Butter, Whey, Buttermilk, or Curds, and the Cans or Vessels containing the same, or returning laden only with, or drawing any Cart or other Carriage laden only with the empty Cans or Vessels in which such Milk, Butter, Whey, Buttermilk, or Curds, shall have been conveyed; any thing herein contained to the contrary notwithstanding: Provided also, that no Toll shall be demanded or taken for any Horse, Cattle, or Carriage passing laden only with, or going empty or unladen for, or returning empty or unladen after having been laden only with Marl, Muck, Dung, Compost, Lime, or other Manure for the Improvement of Land.

Persons carrying Milk, &c. to pay Toll only once a Day.

Exemption from Tolls.

XX. And whereas it frequently may happen that Carriages conveying Timber may be drawn upon the said Road or Branch Road, laden with excessive Weights, which, by reason of their Construction, cannot be weighed at the Weighing Machines commonly used on Turnpike Roads, and the said Road and Branch Road may receive considerable

Timber Carriages which cannot be weighed to pay double Tolls.

considerable Damage thereby, for which the Tolls herein-before authorized will not be a sufficient Compensation; be it therefore enacted, That in all Cases where such Carriages are used upon the said Road or Branch Road, constructed so that by the ordinary Weighing Machines erected thereon they cannot be accurately weighed, there shall be paid, in respect of every Horse or other Beast drawing such Carriage, double the Amount of the Tolls herein-before authorized to be taken.

One-horse
Carts to be
weighed.

XXI. And whereas it frequently happens that Carts drawn by One Horse passing upon and 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 upon the said Road or Branch Road, or any Part thereof respectively, drawn by One Horse or Beast only, shall and may be weighed at any Machine now or hereafter to be erected on the said Road or Branch Road.

Regulating
the Weights
of Waggon,
&c.

XXII. And be it further enacted, That it shall be lawful for the said Trustees or any Three or more of them to order any Person or Persons to receive and take the several Sums of Money herein-after mentioned as Tolls for the excessive Weight which any Waggon, Cart, or other Carriage carrying any Goods, Wares, Merchandize, or other Matter or Thing whatsoever, (except Carts carrying Marl, Muck, Dung, Compost, Lime, or other Manure for the Improvement of Land,) together with the Loading thereof, shall weigh at any Crane, Machine, or Engine now erected or to be erected by virtue of this Act, over and above the Weights herein-after mentioned to be allowed to each of them respectively; (that is to say,)

To every Waggon, or every Four-wheel Carriage, having the Soles or Bottoms of the Fellies of the Wheels of the Breadth of Nine Inches, Six Tons Ten Hundred Weight in Summer and Six Tons in Winter:

To every Cart drawn by Two or more Horses or other Beasts of Draught, having the Soles or Bottoms of the Fellies of the Wheels of the Breadth of Nine Inches, Three Tons Ten Hundred Weight in Summer and Three Tons in Winter:

To every Waggon having the Soles or Bottoms of the Fellies of the Wheels of the Breadth of Six Inches, Four Tons Fifteen Hundred Weight in Summer and Four Tons Five Hundred Weight in Winter:

To every Cart drawn by Two or more Horses or other Beasts of Draught, having the Soles or Bottoms of the Fellies of the Wheels of the Breadth of Six Inches, Three Tons in Summer and Two Tons Fifteen Hundred Weight in Winter:

To every Waggon having the Soles or Bottoms of the Fellies of the Wheels of the Breadth of Four and a Half Inches, Four Tons Five Hundred Weight in Summer and Three Tons Fifteen Hundred Weight in Winter:

To every Cart drawn by Two or more Horses or other Beasts of Draught, having the Soles or Bottoms of the Fellies of the Wheels of the Breadth of Four and a Half Inches, Two Tons Twelve Hundred Weight in Summer and Two Tons Seven Hundred Weight in Winter:

To

To every Cart drawn by only One Horse or other Beast of Draught, having the Soles or Bottoms of the Fellies of the Wheels of the Breadth of Four and a Half Inches or upwards, One Ton Fifteen Hundred Weight in Summer and One Ton Ten Hundred Weight in Winter :

To every Waggon having the Soles or Bottoms of the Fellies of the Wheels of less Breadth than Four and a Half Inches, Three Tons Fifteen Hundred Weight in Summer and Three Tons Five Hundred Weight in Winter :

To every Cart having the Soles or Bottoms of the Fellies of the Wheels of less Breadth than Four and a Half Inches, One Ton Fifteen Hundred Weight in Summer and One Ton Ten Hundred Weight in Winter :

And that for the several Purposes aforesaid it shall be deemed Summer from the First Day of *May* to the Thirty-first Day of *October*, both Days inclusive ; and Winter from the First Day of *November* to the Thirtieth Day of *April*, both Days inclusive ; and that there shall be demanded and taken for such Overweights the several Sums of Money following ; (that is to say,)

For the First and Second Hundred (after the Rate of One hundred and twelve Pounds to the Hundred) of such Overweight as aforesaid, the Sum of Three-pence each Hundred :

For every Hundred of such Overweight above Two Hundred and not exceeding Five Hundred, the Sum of Sixpence :

For every Hundred above Five Hundred and not exceeding Ten Hundred, the Sum of Two Shillings and Sixpence :

And for every Hundred above Ten Hundred, the Sum of Five Shillings.

XXIII. And be it further enacted, That it shall be lawful for the said Trustees or any Three or more of them to order any Person or Persons to receive and take, over and above the Tolls hereby granted, the several Sums of Money herein-after mentioned as Tolls for the Excess of Weight which any Cart or Carriage laden only with Marl, Muck, Dung, Compost, Lime, or other Manure for the Improvement of Land, together with the Loading thereof, shall weigh at any Crane, Machine, or Engine now erected or to be erected by virtue of this Act, over and above the Weights herein-after mentioned to be allowed to each of them respectively ; (that is to say,)

Carriages laden with Manure may be weighed, and Tolls taken for Overweight.

To every Cart drawn by Two or more Horses or other Beasts of Draught, having the Soles or Bottoms of the Fellies of the Wheels of the Breadth of Nine Inches, Four Tons Five Hundred Weight in Summer and Four Tons in Winter :

To every Cart drawn by Two or more Horses or other Beasts of Draught, having the Soles or Bottoms of the Fellies of the Wheels of the Breadth of Six Inches, Four Tons in Summer and Three Tons Fifteen Hundred Weight in Winter :

To every Cart drawn by Two or more Horses or other Beasts of Draught, having the Soles or Bottoms of the Fellies of the Wheels of the Breadth of Four and a Half Inches, Two Tons Seventeen Hundred Weight in Summer and Two Tons Twelve Hundred Weight in Winter :

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To

To every Cart drawn by only One Horse or other Beast of Draught, having the Soles or Bottoms of the Fellies of the Wheels of the Breadth of Four and a Half Inches or upwards, Two Tons Five Hundred Weight in Summer and Two Tons in Winter :

To every Cart having the Soles or Bottoms of the Fellies of the Wheels of less Breadth than Four and a Half Inches, Two Tons in Summer and One Ton Fifteen Hundred Weight in Winter :

And that for the several Purposes aforesaid it shall be deemed Summer from the First Day of *May* to the Thirty-first Day of *October*, both Days inclusive ; and Winter from the First Day of *November* to the Thirtieth Day of *April*, both Days inclusive ; and that there shall be demanded and taken for such Overweights the several Sums of Money following ; (that is to say,)

For the First and Second Hundred (after the Rate of One hundred and twelve Pounds to the Hundred) of such Overweight of any Manure or Lime for the Improvement of Land as aforesaid, the Sum of Three-pence each Hundred :

For every Hundred of such Overweight above Two Hundred and under Five Hundred, the Sum of Sixpence :

For every Hundred of such Overweight above Five Hundred and under Ten Hundred, the Sum of Two Shillings and Sixpence :

And for every Hundred of such Overweight above Ten Hundred, the Sum of Five Shillings.

Tolls for
Overweight
may be reco-
vered as
other Tolls
under this
Act.

XXIV. Provided always, and be it further enacted, That the said Tolls and Duties hereby granted and made payable in Cases of such Overweights as aforesaid shall and may be levied and recovered in any of the Cases aforesaid upon any Person liable thereto, or upon his or her Goods or Chattels, who shall, after Demand made thereof, refuse or neglect to pay the same, in such Manner as any other Toll or Duty payable in respect of the said Road or Branch Road is by Law to be levied and recovered.

Application
of Tolls.

XXV. And be it further enacted, That all Monies, Tolls, Penalties, and Effects which the said Trustees or any of them, or any Treasurer or other Person on their Behalf, are or is possessed of or entitled to by virtue of the said recited Act hereby repealed, or shall become possessed of or entitled to by virtue of this Act, shall be and the same are hereby vested in the said Trustees, and shall be by them applied, first, in paying the Costs, Charges, and Expences of procuring and passing this Act, then in paying the Rent of Eighty Pounds herein-after directed to be paid to *Thomas Joseph Trafford* Esquire, his Heirs and Assigns, and the Interest of all Monies now due and owing on the Credit of the said recited Act hereby repealed, or which may hereafter become due and owing on the Credit of this Act, and afterwards in making the said Branch Road, and in repairing, widening, altering, diverting, and otherwise improving the same and the said Road mentioned in the said recited Act, and in Payment of the Principal Money owing on the Credit of the said recited Act, or which may become due and owing on the Credit of this Act.

XXVI. And

XXVI. And whereas *Thomas Joseph Trafford* of *Trafford* in the said County of *Lancaster*, Esquire, and his Ancestors, have for Time immemorial been entitled to and have constantly had, collected, and received, as a Toll or Duty for every loaded Waggon passing on the said Road between the Town of *Stretford* and *Crossford Bridge*, Four-pence, and for every loaded Cart passing between the said Two Places, Two-pence, (except Waggon and Carts laden with Coals only); it is hereby further enacted and declared, That the Treasurer or Receiver of the Tolls and Duties to be collected and received on the said Road by virtue and in pursuance of this Act shall yearly and every Year during the Continuance of this Act pay or cause to be paid unto the said *Thomas Joseph Trafford*, his Heirs and Assigns, at the Mansion House of the said *Thomas Joseph Trafford* called *Trafford*, in the Township of *Barton* in the said County of *Lancaster*, the yearly Sum of Eighty Pounds, by half-yearly Payments, free from all Deductions for Taxes or otherwise howsoever, the same to be paid at *Christmas Day* and the Nativity of *Saint John* in every Year, by equal Portions, the first half-yearly Payment thereof to begin and be made at or upon the Nativity of *Saint John*, in lieu of and as a Recompence for such Tolls and Duties, payable to the said *Thomas Joseph Trafford*, his Heirs and Assigns as aforesaid, for and during the Continuance of this Act, and which shall accordingly be superseded during the Continuance thereof: Provided always, that immediately after the Expiration of this present Act the said several Tolls and Duties so received and taken by the said *Thomas Joseph Trafford* and his Ancestors as aforesaid shall revert to, be had, received, and taken by the said *Thomas Joseph Trafford*, his Heirs and Assigns, in such Manner as they were or could be taken and received before the passing of this Act, or as if this Act had never been made.

Treasurer of the Tolls to pay to *Thomas Joseph Trafford* Esquire 80*l.* during the Term of this Act, by half-yearly Payments.

XXVII. Provided also, and it is hereby enacted and declared, That when and so often as the said yearly Sum of Eighty Pounds, or any Part thereof, shall be behind and unpaid by the Space of Twenty Days after any of the said Days herein-before appointed for Payment thereof, then and so often as it shall so happen it shall be lawful for the said *Thomas Joseph Trafford*, his Heirs and Assigns, to take Possession of the Toll Gate now erected on the said Road, or to be erected on the said Road or Branch Road by virtue of this Act, and to receive and take the Tolls and Duties hereby granted and made payable, to and for his and their own Use and Benefit, until thereby or otherwise all Arrears of the said yearly Sum of Eighty Pounds then due, or which during such Possession shall grow due, and all Costs and Charges attending such Entry upon and Perception of the said Tolls and Duties, and all Damages which he or they shall then have had or sustained by reason of the Nonpayment of the said yearly Sum, shall be fully satisfied and paid.

If the said Sum shall be unpaid for Twenty Days, Mr. Trafford may take Possession of the Tolls.

XXVIII. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees, or for their Surveyor or Surveyors, or any other Person or Persons, by their Direction, to turn a certain Watercourse, Sink, or Drain running across the said Turnpike Road in *Hulme* aforesaid, by, from, under, or near unto a Mesuage

Trustees not to turn a certain Watercourse in *Hulme*;

nor to take Gravel, &c. within 200 Yards of the Locks on the Rivers Mersey and Irwell, nor within Four Yards of the Banks thereof.

Penalty on Persons getting Gravel, &c., or drawing up or letting down the Clows in the Weirs, contrary to the Restrictions before made.

No Troughs for Water to be placed on the Road.

Penalty for exposing Swine to Sale on the Road or Branch Road.

To prevent Accidents from furious driving, &c.

surge or Dwelling House, with the Appurtenances, situate in *Hulme* aforesaid, and now or late belonging to and in the Possession of *Samuel Bradshaw*, into certain Lands or Grounds belonging to the Trustees of the late Duke of *Bridgewater*, on the opposite Side of the said Road: Provided always, that it shall not be lawful for the said Trustees, or their Surveyor or Surveyors, or any other Person or Persons to be employed in the Execution of this Act, to dig or gather any Gravel or other Materials out of the Rivers *Mersey* or *Irwell*, so far as the same are made navigable by Law, within the Distance of Two hundred Yards of any Lock or Weir erected on either of the said Rivers, or within Four Yards of the Banks or Sides of the said Rivers or either of them, unless with the Consent of the Proprietors of the Lands adjoining the said Rivers or either of them; or to undermine, take, or remove any Stones or other Materials which are or shall be placed for preserving or supporting the Banks of either of the said Rivers, or any other River whatsoever.

XXIX. And it is hereby enacted, That if any Person or Persons who shall be employed by the said Trustees or their Agents shall be guilty of the Offence of digging or gathering any Gravel, Sand, or other Materials out of the said Rivers *Mersey* and *Irwell* or either of them, within the Distance of Two hundred Yards from any Lock erected on the said Rivers or either of them, or within the Distance of Four Yards of the Banks or Sides of the said Rivers or either of them, unless with the Consent of the Committee of Managers elected or appointed by the Undertakers of the Navigation of the said Rivers for the Time being, or shall obstruct the Passage of any Boat or Vessel that is liable to pay Tonnage, or shall draw up or let down any Clow upon or in any Weir erected on the said Rivers, and shall be convicted thereof upon Oath before any One of the Justices of the Peace for the said County of *Lancaster*, (which Oath the said Justices are hereby empowered to administer,) every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings, to be recovered, paid, and applied to the Use of the Proprietors of the said Navigation.

XXX. And be it further enacted, That no Person shall erect or place, or continue if heretofore erected or placed, any Trough or other Vessel for the Purpose of watering Horses or other Cattle on any Part of the said Road or Branch Road; and every Person so offending shall forfeit and pay any Sum not exceeding Five Pounds.

XXXI. And whereas great Numbers of Pigs or Swine are weekly brought for Sale into the Township of *Stretford* aforesaid; be it enacted, That if any Person or Persons shall, after the passing of this Act, expose for Sale or suffer to remain any Pigs, Swine, Beast, or Sheep upon the said Road or Branch Road, or any Part thereof respectively, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

XXXII. And whereas many Accidents happen, and great Mischiefs are frequently done, by the furious driving of Carts, Carriages, and Horses upon the said Roads by the Persons having the Care of the same;

same ; be it therefore enacted, That if any Person having the Care of or driving any Waggon, Cart, or other such Carriage upon the said Road or Branch Road (except light Carts upon Springs, and drawn by only One Horse or other Beast of Draught, and conducted by some Person upon the same holding the Reins of the Horse or Beast drawing the same,) shall wilfully suffer the Horse or Horses or Beast or Beasts drawing the same to go faster than a Walk ; or if any Person having the Care of or driving upon the said Road or Branch Road any light Cart upon Springs, and drawn by only One Horse or other Beast of Draught, and driven by Reins, shall wilfully suffer the Horse or Beast drawing the same to go faster than a Trot ; or if any Person driving or riding upon any Horse or other Beast carrying Milk Cans, Crates, Cans, or Panniers on the said Road or Branch Road, shall not keep the said Horse or Beast on the Left-hand Side of the Centre of the said Road or Branch Road, or shall permit or suffer the same to go faster than a Trot ; every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

XXXIII. And be it further enacted, That nothing contained in an Act passed in the Third Year of the Reign of His late Majesty, for regulating Turnpike Roads in *England*, shall extend or be construed to extend to prevent the Driver of any Waggon, Wain, Cart, or other such Carriage on the said Road or Branch Road from riding upon the front Part, or upon a Box on the front Part of any such Waggon, Wain, Cart, or other Carriage, such Driver having and using good and sufficient Reins to the Horse or Horses drawing the same, and provided that if there shall be Two Horses the same shall be abreast.

Not to prevent Drivers of Waggon, &c. from riding, if they have proper Reins.

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.

Public Act.

XXXV. And be it further enacted, That this Act shall commence and take effect upon the Third *Friday* next after the passing thereof, and shall continue and be in force and be executed for and during the Term of Thirty-one Years, and from thence to the End of the then next Session of Parliament.

Term of Act.

The SCHEDULE to which this Act refers.

- A Messuage or Dwelling House in the Occupation of James Hulme.
- A Messuage or Dwelling House in the Occupation of George Cookson.
- A Messuage or Dwelling House in the Occupation of Hannah Ashton.
- A Messuage or Dwelling House in the Occupation of Daniel Cookson.
- A Messuage or Dwelling House in the Occupation of Ann Robinson.
- A Garden, Fold, Barn, and Outbuildings, in the Occupation of Richard Pearson.
- A Messuage or Dwelling House in the Occupation of Mary Brownhill.
- A Barn in the Occupation of John Moss.
- A Messuage or Dwelling House in the Occupation of Martha Siddall.
- A Messuage or Dwelling House in the Occupation of James Bayley.
- A Barn in the Occupation of Samuel Mellor.
- A Messuage or Dwelling House and Garden in the Occupation of Charles Akers.
- A Barn with Sheep Pens, Stables, and Garden, in the Occupation of George Savage.
- A Messuage or Dwelling House and Garden, in the Occupation of Samuel Horrox.
- A Messuage or Dwelling House, Stables, Yard, and Garden, in the Occupation of Edward Taylor.
- A Messuage or Dwelling House and Garden, in the Occupation of Ann otherwise Nancy Knight.
- A Messuage or Dwelling House in the Occupation of John Bennett.
- A Messuage or Dwelling House, Barn, and Outbuildings, in the Occupation of Thomas Raingill.
- A Garden, Smithy, and Shed, in the Occupation of Samuel Dean.
- A Garden in the Occupation of Thomas Morral.
- A Garden in the Occupation of George Bannister.
- A Messuage or Dwelling House in the Occupation of Barnett Holdbrooke.
- A Messuage or Dwelling House, Hatter's Shop, and Orchard, in the Occupation of Stephen Massey.
- A Garden in the Occupation of Stephen Massey.
- Two Messuages or Dwelling Houses in the Occupation of William Hancock.
- A Messuage or Dwelling House in the Occupation of Anne Hampson.
- A Messuage or Dwelling House and Barn in the Occupation of John Robinson.
- A Plantation in the Occupation of Thomas Joseph Trafford Esquire.
- A Garden, Cottage, and Outbuildings, in the Occupation of Nathaniel Hulton.
- A Plantation in the Occupation of John Pooley Esquire.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN,
Printers to the King's most Excellent Majesty. 1831.