



ANNO TERTIO

# GULIELMI IV. REGIS.

\*\*\*\*\*

## Cap. xviii.

An Act for more effectually repairing and improving the Road from the End of *Ardwick Green* near *Manchester* in the County Palatine of *Lancaster* to *Mottram in Longdendale* in the County Palatine of *Chester*. [2d April 1833.]

**W**HEREAS an Act was passed in the Seventh and Eighth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for maintaining a Turnpike Road from near the Town of Manchester in the County of Lancaster to Hyde Lane Bridge in the County of Chester*: And whereas the Trustees appointed in or by virtue of the said recited Act have proceeded to put the same into execution, and have made and completed that Part of the Road comprised in the said recited Act which is situate in *Gorton* in the said County Palatine of *Lancaster*, at or near a Place called the *Hough*, within the Time prescribed by the said recited Act, and have made considerable Progress in repairing, widening, diverting, and improving the other Roads therein mentioned: And whereas the making and maintaining of an Extension of Road, commencing from or nearly from *Hyde Lane Bridge* aforesaid, and proceeding through *Hyde*, *Godley*, *Matley*, and *Hattersley*, to and ending at the Town of *Mottram in Longdendale*, all in the said County of *Chester*, would be productive of great public Utility: And whereas it would be convenient if the said recited Act were repealed, and further, [Local.] 3 M better, 7 & 8 G. 4. c. 60.



Recited Act  
repealed.

better, and more effectual Powers granted, as well for the making and maintaining of the said Extension, as for repairing, widening, diverting, and otherwise improving the said present Road; 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 passing of this Act the said recited Act passed in the Seventh and Eighth Year of the Reign of His said Majesty King George the Fourth shall be and the same is hereby declared to be repealed.

This Act to  
be put in exe-  
cution for  
the Purposes  
herein-men-  
tioned.

II. And be it further enacted, That from and after the passing of this Act this Act shall commence and take effect, and continue and be put in execution, for and during the Term herein-after mentioned, for the Purpose of more effectually repairing, widening, altering, and from Time to Time improving the Turnpike Road from the South-easterly End of *Ardwick Green* near *Manchester* in the County Palatine of *Lancaster* to the Town of *Mottram in Longdendale* in the said County Palatine of *Chester*; also for making and maintaining the said Extension of Road, commencing from or nearly from *Hyde Lane Bridge* aforesaid, and proceeding through *Hyde, Godley, Matley, and Hattersley* to and ending at the Town of *Mottram in Longdendale*, all in the said County of *Chester*.

Trustees.

III. And be it further enacted, That all His Majesty's Justices of the Peace for the Time being acting for the said several Counties Palatine of *Lancaster* and *Chester* respectively, together with *James Ashton of Werneth, Thomas Ashton, Samuel Ashton, James Ashton, John Andrew, Joseph Ashton, Benjamin Ashton, Robert Ashton, John Ashton the younger, Samuel Ashton the younger, Henry Andrew, Thomas Brown, John Bentley, William Bentley, Edmund Buckley, Samuel Barker, Ralph Booth, Thomas Beale, John Bosson, John Boardman, Hyde John Clarke, John Cheetham, Joseph Claye, William Clayton, David Shaw Clayton, Richard Durham, Thomas Duckworth, Thomas Dearnally, Thomas Drinkwater, Thomas Entwisle, Richard Entwisle, Thomas Ellison, Ellis Fletcher, John Grimshaw of Audenshaw, John Grimshaw of Gorton, William Parr Greswell, Samuel Green, Samuel Gregg the younger, George Grimshaw, Joseph Stansfield Grimshaw, Robert Hyde Greg, James Grimshaw, Peter Gaskell, Joseph Horsefield, Randal Hibbert, John Howard, Thomas Howard, Charles Howard, John Hyde, John Hilton, Thomas Hilton, James Hyde, John Hibbert, John Kennedy, Thomas Knight, Aaron Lees, William Harrison Lees, Gabriel Lupton, Edward Loyd, Thomas Markland, Richard Matley, James Meadows, Thomas Mottram, Thomas Pownall, William Percival, Charles Reddish, James Smith, Charles Howard Sidebotham, George Smith, George Sidebottom, Joe Sidebottom, Henry Sidebotham, John Sidebotham, John Shepley, William Sidebotham, Edward Lowe Sidebotham, Joseph Turner, Richard Titley, Edward Titley, John Turner, Edmund Taylor the younger, Hugo Worthington, John Wood of Glossop, John Kenyon Winterbottom, Joseph Winter, Gilbert Winter, and their Successors, being duly qualified to act as Trustees for repairing Turnpike Roads in *England*, shall be and they are hereby appointed the Trustees for carrying the General Turnpike Acts and this Act into full and complete execution.*

IV. And



IV. And be it further enacted, That it shall be lawful for the said Trustees, at their First or Second Meeting to be held under the Authority of this Act, to elect any Number of Persons not exceeding Five in the whole, being duly qualified, to be Trustees for the Purposes aforesaid; and such Persons, when so elected and appointed, shall have the same Powers and Authorities as if they had been hereby expressly nominated or appointed Trustees in or by this Act.

Power to  
appoint  
additional  
Trustees.

V. And be it further enacted, That the said Trustees shall meet at the *Navigation Inn* in *Hyde* aforesaid, or at some other convenient Inn, House, or Place near the said Road, on the Second *Wednesday* next after the passing thereof, or as soon after as conveniently may be, between the Hours of Ten of the Clock in the Forenoon and Two of the Clock in the Afternoon, and shall then and there proceed to put this and the General Turnpike Acts in execution, and shall then and there afterwards adjourn to and meet at such Time or Times, and such Place or Places on or near to the said Roads, as the said Trustees, or the major Part of them present at any such Meetings, shall think proper and appoint.

First Meet-  
ing of Trus-  
tees.

VI. And whereas a Map or Plan, describing the Line of the said intended Extension of Road, together with a Book of Reference containing the Names of the several Owners and Occupiers of the Lands, Tenements, and Hereditaments through which the same is intended to pass, hath been deposited at the respective Offices of the Clerks of the Peace for the said Counties Palatine of *Lancaster* and *Chester*; be it therefore further enacted, That the said Map or Plan and Book of Reference shall remain in the Custody of the respective Clerks of the Peace aforesaid, 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 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 Extension of Road described in the said Map or Plan shall not deviate more than One hundred Yards from the Line thereof without the Consent of the Person or Persons, Bodies Politic, Corporate, or Collegiate, through whose Lands or Grounds such Deviation shall be made.

Plan depo-  
sited with the  
Clerk of the  
Peace to re-  
main there,  
and be open  
to Inspec-  
tion.

Limiting De-  
viation from  
Plan.

VII. Provided always, and be it further enacted, That if any of the Lands, Houses, or Buildings to be taken or used for the Purposes of this Act shall happen not to be described in the said Map or Plan, or any of the Owners or Occupiers of the same or any of the Lands or Buildings described in the said Map or Plan, or any Part thereof, shall happen to be omitted, misnamed, or inaccurately described in the said Book of Reference, such Omission, Misnomer, or inaccurate Description shall not prevent or retard the Execution of this Act, but the several Lands, Houses, Buildings, and Premises, and every Part thereof, shall and may be taken and used for the Purposes of this Act as fully and effectually as if the Owners and Occupiers of the same had not been omitted, or were properly and accurately named, if it shall appear to any Two or more Justices of the Peace of the County wherein such Lands, Houses, Buildings, or Premises shall be situated, that such Omission, Misnomer, or inaccurate Description proceeded from Mistake, or that the real Owners

Misnomer  
not to pre-  
vent the Exe-  
cution of the  
Act.

or



or Occupiers of such Lands, Buildings, or Premises had Notice that such Lands, Buildings, or Premises would be wanted for the Purposes thereof.

Power to  
make the  
Extension  
of Road.

VIII. 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 the said Extension of Road herein-before described in such Manner and Form and of such Width as the said Trustees may think proper, not exceeding the Width of Forty-five Feet; and from and after the making and Execution thereof respectively the same shall be and be deemed to be a public Highway or Highways to all Intents and Purposes, and shall be deemed and taken to be a Part and Parts of the aforesaid Turnpike Roads in the County of *Chester* aforesaid, and for which Purpose the said Trustees are hereby authorized and empowered to make the same respectively in, upon, over, or along any Lands, Grounds, Tenements, or Hereditaments described in the Map or Plan and Book of Reference herein-before mentioned, together with such Bridges, Arches, Culverts, Embankments, Ditches, Drains, Fences, Foot-paths, Causeways, and other necessary Works as they shall think necessary or expedient, and to take or pull down or remove, and take and use, any Dwelling Houses, Outhouses, Edifices, Buildings, Curtilages, Courts, Yards, Gardens, Orchards, Paddocks, Lawns, Shrubberies, planted Walks, or Avenues to any House, Nurseries, or any inclosed Grounds planted and set apart as a Nursery for Trees, or any Lands, Tenements, or other Hereditaments mentioned and set forth in the Schedule to this Act annexed, upon making Satisfaction for the same to the Owners of the said Hereditaments and Premises, and other Persons interested therein, or 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 Surveyor or Surveyors and Workmen, from Time to Time to enter upon the said several Lands, Hereditaments, and Premises, and to stake out the same for the Purposes of this Act, at such Time or Times and in such Manner as the said Trustees shall think necessary or expedient, without such Trustees, Surveyor or Surveyors, or Workmen, being deemed Trespassers or a Trespasser for or by reason of such Entry, or being subject or liable to any Fine, Penalty, or Punishment for or by reason of such Entry; and if any Person shall displace, remove, or take away or destroy any Stake or Stakes used in such staking aforesaid, or any other Marks used for that Purpose, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Limiting the  
Period of  
purchasing  
the Property.

IX. And be it further enacted, That if the said Trustees shall not within the Space of Three Years from and after the passing of this Act agree for and cause to be valued and paid for the Lands, Tenements, and Hereditaments wanted for the Purpose of this Act, and mentioned in the Schedule to this Act annexed, then and from thenceforth the Powers to them granted for such Purpose only shall cease, determine, and be utterly void and of no Effect, (save and except with the Consent of the Owners and Occupiers of such Lands, Tenements, and Hereditaments,) any thing herein contained to the contrary thereof in anywise notwithstanding.

Trustees  
restrained  
from pulling

X. Provided always, and be it further enacted, That the Powers and Authorities given by this Act for making, maintaining, widening, divert-  
ing,



ing, altering, or improving the Roads comprised in this Act, and making the said Extension of Road, shall not extend or be construed to extend to authorize or empower the said Trustees to take or pull down, injure or damage, any Dwelling House or other Building, or to take or make use of any Curtilage, Orchard, Garden, Yard, Park, Paddock, Lawn, Shrubbery, planted Walk, or Avenue to a House, Plantation, or any Part thereof respectively, without the Consent in Writing of the Owner and Occupier thereof first had and obtained, except such as are mentioned and specified in the Schedule to this Act annexed.

down Dwell-  
ing Houses,  
&c. without  
Consent, ex-  
cept those  
specified in  
the Schedule.

XI. And be it further enacted, That it shall be lawful for the said Trustees from Time to Time, as and when they shall think proper, to continue or remove all or any of the Toll Gates and Toll Houses, Side Gates, Chains, and Weighing Machines now standing and being in, upon, or across or on the Side of the said present Road, called the *Ardwick* Bar and Weighing Machine, the *Gorton* Bar and *Reddish Lane* Side Gate, and the *Denton* Bar; and also to erect and set up, or cause to be erected and set up, on, in, or across the said Road and the said Extension thereof, or on the Sides thereof respectively, when, where, and as they shall judge necessary, any Turnpike, Side Gate, Chain, or Weighing Machine, and also Toll Houses and Conveniences suitable thereto, as they shall think necessary, and from Time to Time to take down and remove, and afterwards rebuild or reinstate, the same Toll Gates, Toll Houses, Side Gates, Chains, Machines, Houses, Outhouses, and Conveniences, or any of them, as they the said Trustees shall think proper to direct or appoint.

Power to  
erect Toll  
Gates.

XII. And be it further enacted, That the respective Tolls following shall be demanded and taken by such Person or Persons as the said Trustees shall from Time to Time appoint for that Purpose before any Horse or Beast, Cattle, Chaise, Waggon, Cart, or Carriage, shall be permitted to pass through any of the said Turnpikes, 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,)

For every Horse or other Beast drawing any Coach, Chaise, Chariot, Hearse, or other such Four-wheeled Carriage, when there is One such Horse or Beast, the Sum of Seven-pence; when there are Two such Horses or Beasts, the Sum of Five-pence; and when there are Three or more such Horses or Beasts, the Sum of Sixpence:

For every Horse or other Beast drawing any Curricule, Gig, or other such Two-wheeled Carriage, the Sum of Five-pence:

For every Horse or other Beast drawing any Caravan or other such Four-wheeled Carriage used for the Conveyance of Goods, and constructed with Springs, when there are Three or more such Horses or Beasts, the Sum of Sixpence; and when there is a less Number of such Horses or Beasts, the Sum of Seven-pence:

For every Horse or other Beast drawing any Caravan or other such Two-wheeled Carriage used for the Conveyance of Goods, and constructed with Springs, when there are Two or more such Horses or Beasts, the Sum of Sixpence; and when there is but One such Horse or Beast, the Sum of Eight-pence:

For every Horse or other Beast drawing any Waggon or other such Carriage with Three or Four Wheels of the Breadth of Six or more Inches at the Bottom or Soles thereof, as follows; (that is to say,) when there are Four or more such Horses or Beasts, the Sum of Sixpence; when there are Three such Horses or Beasts, the Sum of Eight-pence; and when there are or is a less Number of such Horses or Beasts, the Sum of One Shilling :

For every Horse or other Beast drawing any Waggon or other such Carriage with Wheels of a less Breadth than Six Inches and not less than Four and a Half Inches at the Bottom or Soles thereof, as follows; (that is to say,) when there are Six or more such Horses or Beasts, the Sum of Five-pence; when there are Five such Horses or Beasts, the Sum of Sixpence; when there are Four such Horses or Beasts, the Sum of Seven-pence Halfpenny; when there are Three such Horses or Beasts, the Sum of Ten-pence; and when there is a less Number of such Horses or Beasts, the Sum of One Shilling and Three-pence :

For every Horse or other Beast drawing any Waggon or other such Carriage with Four Wheels of a less Breadth than Four and a Half Inches at the Bottom or Soles thereof, as follows; (that is to say,) when there are Six or more such Horses or Beasts, the Sum of Sixpence; when there are Five such Horses or Beasts, the Sum of Sixpence Halfpenny; when there are Four such Horses or Beasts, the Sum of Nine-pence; when there are Three such Horses or Beasts, the Sum of One Shilling; and when there is a less Number of such Horses or Beasts, the Sum of One Shilling and Sixpence :

For every Horse or other Beast drawing any Cart or other such Carriage with Two Wheels of the Breadth of Six or more Inches at the Bottom or Soles thereof, as follows; (that is to say,) when there are Four or more such Horses or Beasts, the Sum of Four-pence; when there are Three such Horses or Beasts, the Sum of Four-pence Halfpenny; and when there is a less Number of such Horses or Beasts, the Sum of Sixpence :

For every Horse or other Beast drawing any Cart or other such Carriage with Two Wheels of a less Breadth than Six Inches and not less than Four and a Half Inches at the Bottom or Soles thereof, as follows; (that is to say,) when there are Three or more such Horses or Beasts, the Sum of Sixpence; when there are Two such Horses or Beasts, the Sum of Sixpence Farthing; and when there is but One such Horse or Beast, the Sum of Seven-pence Halfpenny :

For every Horse or other Beast drawing any Cart or other such Carriage with Two Wheels of a less Breadth than Four and a Half Inches at the Bottom or Soles thereof, as follows; (that is to say,) when there are Three or more such Horses or Beasts, the Sum of Sixpence; when there are Two such Horses or Beasts, the Sum of Seven-pence; and when there is but One such Horse or Beast, the Sum of Eight-pence :

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

For every Head of Oxen, Cows, or other Neat Cattle, the Sum of One Halfpenny :

And for every Calf, Pig, Sheep, or Lamb, the Sum of One Farthing.



XIII. Provided always, and be it further enacted, That in all Cases where there shall be a fractional Part of a Halfpenny in the Amount or Calculation of any of the Tolls hereby authorized to be taken, the Sum of One Halfpenny shall be demanded and taken in lieu of such fractional Part.

A Halfpenny to be taken in lieu of any fractional Part thereof.

XIV. Provided also, and be it further enacted, That no more than One Half of the Tolls herein-before authorized to be taken shall be demanded or taken at the *Ardwick* Bar from any Person in respect of any Horse or Beast of Draught for which full Toll shall have been paid 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) at the *Gorton* Bar, and also at the *Denton* Bar, or at the *Reddish Lane* Side Gate, and who shall produce a Ticket denoting such Payment.

Regulations as to the Tolls payable at the *Ardwick* Bar;

XV. Provided also, and be it further enacted, That no more than One Half of the said Tolls shall be demanded or taken at the *Reddish Lane* Side Gate from any Person in respect of any Horse or Beast of Draught for which full Toll shall have been paid on the same Day (such Day to be computed as aforesaid) at the *Ardwick* Bar or the *Denton* Bar, and who shall produce a Ticket denoting such Payment; and no Toll shall be demanded or taken at the said Side Gate from any Person in respect of any Horse or Beast for which full Toll shall have been paid on the same Day at the *Gorton* Bar, and who shall produce a Ticket denoting such Payment.

as to the Tolls payable at the *Reddish Lane* Side Gate;

XVI. Provided also, and be it further enacted, That no Tolls shall be demanded or taken at the *Gorton* Bar from any Person in respect of any Horse or Beast of Draught for which full Toll shall have been paid on the same Day (to be computed as aforesaid) at the *Reddish Lane* Side Gate, and who shall produce a Ticket denoting such Payment, nor from any Person who is proceeding through the said Side Gate in respect of any Horse or Beast of Draught for which full Toll shall have been paid on the same Day at the *Denton* Bar, and who shall produce a Ticket denoting such Payment.

as to the Tolls payable at the *Gorton* Bar;

XVII. Provided also, and be it further enacted, That no more than One Half of the said Tolls shall be demanded or taken at the *Denton* Bar from any Person in respect of any Horse or Beast of Draught for which full Toll shall have been paid on the same Day (to be computed as aforesaid) at the *Ardwick* Bar, and also at the *Gorton* Bar, or at the *Reddish Lane* Side Gate, and who shall produce a Ticket denoting such Payment.

and as to the Tolls payable at *Denton* Bar.

XVIII. Provided also, and be it further enacted, That the respective Regulations herein-before contained shall extend, not only to the present Toll Gates and Side Gates herein-before mentioned, but to all other Toll Gates that may be hereafter erected in lieu of the same Toll Gates respectively.

Regulations to extend to future Toll Gates.

XIX. And be it further enacted, That when full Toll shall have been paid in respect of any Horse or other Beast passing through any of the said Toll Gates the Person or Persons paying the same shall, on producing

Tolls to be paid only once for passing and repassing.



ducing a Ticket denoting such Payment, be permitted to return Toll-free before Twelve of the Clock at Night of the same Day with the same Horse or other Beast; but if any Person shall pass a Third Time, or oftener, on the same Day with any Horse or other Beast through any of the said Toll Gates, every such Person shall in respect of such Horse or Beast again pay the Tolls hereby granted, in the same Manner as if such Horse or Beast had not before passed through any of the said Toll Gates.

Limiting the  
Exemption  
from Toll.

XX. Provided always, and be it further enacted, That no Horse or Horses, Mule or Mules, Ass or Asses, or other Beast or Beasts, Animal or Animals, drawing any Waggon, Wain, Drug, Dray, Cart, Caravan, or other Carriage, shall be exempt from Toll on passing through any of the said Toll Gates, Turnpikes, Side Gates, Side Bars, or Chains, or any of them, by reason of any previous Payment of Toll during the same Day, unless such Horse or Horses, Mule or Mules, Ass or Asses, or other Beast or Beasts, shall at the Time of such previous Payment of Toll have been drawing the same Waggon, Wain, Cart, Caravan, or other Carriage as that which such Horse or Horses, Mule or Mules, Ass or Asses, or other Beast or Beasts, shall be drawing at the Time when such Exemption shall be claimed.

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

XXI. And be it further enacted, That the Tolls hereby made payable for and in respect of Horses or other Beasts drawing any Stage Coach, Diligence, Van, Caravan, or Stage Waggon, or other Stage Carriage conveying Passengers or Goods for Pay, Hire, or Reward, shall be payable and paid every Time of passing or repassing through any of the said Turnpikes along the said Road: Provided nevertheless, that no further or additional Tolls shall be payable in respect of the Horses or other Beasts drawing any such Stage Coach, Diligence, Van, Caravan, or Stage Waggon, or other Stage Carriage, on account only of the Horses drawing the same having been changed.

Post Chaises  
to be subject  
again to Toll  
on every new  
Hiring.

XXII. Provided always, and be it further enacted, That the Tolls hereby made payable for and in respect of Horses or other Beasts drawing any Post Chaise or other Carriage shall be payable and paid every Time of passing and repassing through any of the said Turnpikes along the said Road whenever any new or fresh Hiring thereof shall take place.

One Toll  
only on the  
additional  
Road, and  
Three Tolls  
on the whole  
Line.

XXIII. Provided also, and be it further enacted, That only One full Toll shall be demanded or taken for the passing of the same Horse or Beast of Draught through all the Turnpikes to be erected by virtue of this Act upon or across the said extended or new Road from *Hyde* to *Mottram* hereby authorized to be made: Provided also, that no more than Three full Tolls shall be demanded or taken for the passing of the same Horse or Beast of Draught through all the Turnpikes already erected or to be erected by virtue of this Act upon or across the Road comprised therein.

Persons car-  
rying Milk to  
pay Toll once  
a Day.

XXIV. And be it further enacted, That no more than One full Toll shall be paid in one and the same Day for or in respect of any Horse, Mule, Ass, or other Beast laden only with or drawing any Cart or other Carriage laden only with Milk, Butter, Whey, Buttermilk, or Curds,  
and



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; or with Brewers Draff or Grains only; provided that such Cart or Carriage with the Loading thereof shall be drawn by One Horse, Mule, Ass, or other Beast only and not weighing more than Sixteen Hundred Weight of One hundred and twelve Pounds to the Hundred Weight.

XXV. And whereas it frequently happens that Carts and other Carriages drawn by One Horse passing along the said Roads carry a greater Weight than is by Law allowed for Carts drawn by Two or more Horses, be it therefore further enacted, That all Carts and Carriages passing along the said Roads drawn by One Horse only shall and may be weighed at any Weighing Machine now erected or to be erected on the said Roads, and the like additional Tolls demanded, received, and recoverable for the Overweight thereof as are by Law payable in respect of the Overweight of Carts and Carriages drawn by Two or more Horses or Beasts, and all the Powers, Regulations, and Penalties now in force relating to the weighing of Carts and Carriages drawn by more than One Horse or Beast shall be applicable to Carts passing on the said Roads drawn by One Horse or Beast only, and to the Drivers, Masters, and Owners thereof; any Statute, Law, Usage, or Custom to the contrary in anywise notwithstanding.

One-horse  
Carts may be  
weighed.

XXVI. And whereas it frequently happens that Timber and other Carriages are drawn upon the said Roads laden with excessive Weights, which, by reason of their Construction, cannot be accurately weighed at the Weighing Machines commonly used on Turnpike Roads, and the said Roads receive considerable Damage thereby, for which the Tolls herein-before authorized are not a sufficient Compensation; be it therefore further enacted, That in all Cases where Carriages are used upon the said Roads, constructed so that by the ordinary Weighing Machines 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.

Carriages  
which cannot  
be weighed  
to pay Toll.

XXVII. And whereas it also frequently happens that Persons are put to Hardship by being charged the full Tolls at Side Gates erected on the Sides of the Roads after travelling a short Distance thereon, which it is expedient to remedy and prevent; be it further enacted, That it shall be lawful for the said Trustees, in all Cases where they shall find it reasonable, to reduce the Tolls payable at all or any of the Side Gates erected or to be erected adjoining the said Roads, to any Sum or Sums of Money not less than One Half of the full Tolls by this Act granted and made payable: Provided always, that in case the said Trustees shall make any such Reduction, all Persons having the Benefit thereof shall pay or make up the same Amount of Tolls on afterwards proceeding through any of the Gates erected across the said Roads as would have been payable at such Side Gates in case no such Reduction had taken place.

Tolls may be  
reduced at  
Side Gates.

XXVIII. And be it further enacted, That from and after the First Day of *January* One thousand eight hundred and thirty-five the Sum of One

Sinking  
Fund.

[Local.]

3 0

Pound



Pound Sterling *per Centum per Annum* on the Amount of all Principal Monies now due, and of every further Sum to be borrowed upon the Credit of the said Tolls, shall be paid out of the said Tolls in order to form a Sinking Fund for the gradual Payment of the said Monies; and as often as the said Sinking Fund shall amount to the Sum of One hundred Pounds, that Sum shall be applied in Payment of an equal Amount of the Principal Monies remaining due to one of the Creditors by Lot.

Application  
of Money.

XXIX. And be it further enacted, That all the Monies and other Effects which the said Trustees or any of them, or any Treasurer on their Behalf, are or is or shall be possessed of or entitled to by virtue of the said recited Act and this Act; shall be by the said Trustees applied, in the first place, in paying the Costs, Charges, and Expences attending the preparing, obtaining, and passing, and incidental to the Execution of this Act; in the second place, in making, completing, and finishing the Extension of the Road hereby authorized to be made, and necessary Turnpikes, Toll Houses, Buildings, and Conveniences for the same; in the third place, in repairing the said Roads, and then in paying the Interest to accrue upon the several Sums of Money already or which shall from Time to Time be and remain secured upon the Credit of the Tolls to arise on the said Roads, and otherwise carrying this Act into complete Execution; and lastly, in reducing and paying off the same several Principal Sums; and it shall be lawful for the said Trustees from Time to Time, if they shall think fit, to ascertain the Order and Priority in which the said Principal Sums shall be reduced and paid off and discharged by Ballot.

No Money  
to be laid out  
in repairing  
of Streets,  
&c.

XXX. Provided always, and be it further enacted, That nothing herein contained shall empower the said Trustees to apply any of the said Tolls in repairing, widening, altering, or improving any Part of the Roads comprised in this Act which does or may hereafter form a Street by having Buildings erected, or Building Plots, Pleasure Grounds, Gardens, or Plantations, inclosed on each Side thereof, nor shall any Tolls be collected therein by virtue of this Act.

Liability to  
repair the  
Extension of  
Road.

XXXI. And be it further enacted, That when and so soon as the said Extension of Road shall be made and completed to the Satisfaction of and to be certified by any Two or more Justices of the Peace for the said County of *Chester*, of which Certificate Notice shall be given by the Clerk for the Time being of the said Trustees to the Surveyors of the Highways for the Time being of the several Townships or Places through which it passes, the same shall and is hereby declared to be a common Highway to all Intents and Purposes, and shall be thenceforward repaired and maintained by the Inhabitants of the respective Parishes, Townships, Hamlets, or Places in which the same shall be situate, by such Means as the common Highways of this Kingdom are by Law to be repaired and maintained by the Inhabitants of the Parishes, Townships, or Places in which they are situate.

Public Act.

XXXII. 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.

XXXIII. And



XXXIII. And be it further enacted, That this Act shall commence and Term of Act.  
take effect from the passing thereof, and shall 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.



## The SCHEDULE referred to by the foregoing Act.

No. on the Plan.	Names of Owners.	Names of Occupiers.	Description of Property.	Situation.		
				Township.	Parish.	County.
4	William Leicester	William Leicester -	Building Land -	Hyde -	Stockport -	Chester.
5	James Mockam -	William Shuttleworth	Yard and Garden -	Hyde -	Stockport -	Chester.
6	Mary Mockam -	Dorothy Halliwell -	Yard and Garden -	Hyde -	Stockport -	Chester.
7	- - -	Highway, called -	Ferneley Street -	Hyde -	Stockport -	Chester.
7a	George Clarke -	Ralph Booth, lessee -	A Garden -	Hyde -	Stockport -	Chester.
		Joseph Barber, Under- tenant.				
8	Joseph Shepley -	John Shepley -	Five Fields -	Hyde -	Stockport -	Chester.
9	Randle Hibbert -	Randle Hibbert -	Two Fields -	Hyde -	Stockport -	Chester.
10	John Lowood and William Lowood, the Executors of the late John Lilley.	Samuel Bowker, Les- see and Occupier.	Six Fields and Two Gardens.	Hyde -	Stockport -	Chester.
11	John Andrew -	Randle Hibbert Esquire	One Garden, Three Fields, and a Wood.	Godley	Mottram in Longdendale.	Chester.
12	John Turner -	John Turner -	Two Fields -	Godley	Mottram in Longdendale.	Chester.
13	Samuel Gaskell -	John Palin, Lessee and Occupier.	Six Fields, Three Plantations, and Two Occupation Roads.	Godley	Mottram in Longdendale.	Chester.
14	- - -	Highway from Newton	Through Godley -	Godley	Mottram in Longdendale.	Chester.
17	Joseph Hibbert -	Joseph Hibbert -	A Field - - -	Godley	Mottram in Longdendale.	Chester.
36	The Earl of Stam- ford.	John Turner, Lessee ; Robert Chadderton, Occupier.	Four Fields and an Occupation Road.	Hatters- ley -	Mottram in Longdendale.	Chester.
37	The Earl of Stam- ford.	James Woolley, Lessee ; Samuel Oldham, Oc- cupier.	Two Fields -	Hatters- ley.	Mottram in Longdendale.	Chester.
38	The Earl of Stam- ford.	Robert Smith, Lessee and Occupier.	A Field - - -	Hatters- ley.	Mottram in Longdendale.	Chester.
39	The Earl of Stam- ford.	Philip Buckley, Lessee and Occupier.	A Field and Occu- pation Road.	Mottram	Mottram in Longdendale.	Chester.
40	The Earl of Stam- ford.	John Turner, Lessee ; Thomas Shaw, Occu- pier.	Four Fields -	Mottram	Mottram in Longdendale.	Chester.
41	The Earl of Stam- ford.	The Executors of George Kinder Les- sees: videlicet, Samuel Kinder, and James Kinder; William Ash- ton, Occupier.	Three Fields -	Mottram	Mottram in Longdendale.	Chester.
42 }	Admiral Tollemache	Richard Matley, Les- see and Occupier.	Four Fields -	Mottram	Mottram in Longdendale.	Chester.
43 }	Admiral Tollemache	William Ashton, Les- see and Occupier.	Two Fields and an Occupation Road.	Mottram	Mottram in Longdendale.	Chester.
44	Admiral Tollemache	The Executors of George Hadfield, Les- sees: videlicet, Samuel Hadfield and Moses Hadfield ; Daniel Whitehead, Occupier.	A Field - - -	Mottram	Mottram in Longdendale.	Chester.
45	Admiral Tollemache					



No. on the Plan.	Names of Owners.	Names of Occupiers.	Description of Property.	Situation.		
				Township.	Parish.	County.
46	Admiral Tollemache	William Ashton, Lessee; John Pinder, Occupier.	A Garden - -	Mottram	Mottram in Longdendale.	Chester.
47	Admiral Tollemache	William Ashton, Lessee; James Bancroft, Occupier.	A Garden - -	Mottram	Mottram in Longdendale.	Chester.
48	Admiral Tollemache	James Bancroft, Lessee and Occupier.	House and Shop -	Mottram	Mottram in Longdendale.	Chester.
49	Admiral Tollemache	James Bradley, Lessee and Occupier.	A Cottage, Shop, Shippon, and Yard	Mottram	Mottram in Longdendale.	Chester.
50	Admiral Tollemache	Richard Bennett, Lessee; George Cooper, Occupier.	A Cottage - -	Mottram	Mottram in Longdendale.	Chester.
51	Admiral Tollemache	Robert Wagstaff -	Two Fields -	Mottram	Mottram in Longdendale.	Chester.
18	James Wood -	James Wood -	Nine Fields, a Dwelling House, Barn, Shippon, Lumberhouse, Two Gardens, an Occupation Road, and Waste Land.	Godley	Mottram in Longdendale.	Chester.
19	John Ashton -	John Wrigley -	A Field - -	Godley	Mottram in Longdendale.	Chester.
20	Martha Harrison	Betty Bradley - -	Cottage, Garden, and Stack-yard.	Godley	Mottram in Longdendale.	Chester.
21	Hugo Worthington	Martha, the Widow of John Leigh.	A Wood - -	Godley	Mottram in Longdendale.	Chester.
22	The Trustees of Dukinfield Chapel; vizt. John Harrop senior, John Harrop junior, Abel Bayley, John Leech, John Lees, Abel Harrison, and David Cheetham.	John Bradley - -	A Wood - -	Godley	Mottram in Longdendale.	Chester.
23	William Brocklehurst.	William Hartley, Lessee and Occupier.	An Occupation Road	Godley	Mottram in Longdendale.	Chester.
24	John Boardman -	John Wood - -	Six Fields and a Wood.	Godley	Mottram in Longdendale.	Chester.
28	Joseph Stringer -	Nathan Charlesworth	Two Fields.	Godley	Mottram in Longdendale.	Chester.
25	William Bardsley	Sarah Moss - -	Three Fields, One Wood, and an Occupation Road.	Matley	Mottram in Longdendale.	Chester.
26	James Kershaw, Executor of the late William Turner.	John Marsland -	Two Fields -	Matley	Mottram in Longdendale.	Chester.
27	Henry Andrew -	George Hibbert -	Five Fields, Two Occupation Roads, and One Wood	Matley	Mottram in Longdendale.	Chester.
29	Hugh Kinder -	Samuel Smith - -	Three Fields and a Garden.	Matley	Mottram in Longdendale.	Chester.
30	Henry Andrew -	Henry Andrew -	Two Fields and an Occupation Road.	Matley	Mottram in Longdendale.	Chester.
31	Thomas Bibby -	Thomas Howard -	Two Fields.	Matley	Mottram in Longdendale.	Chester.

[Local.]

3 P



No. on the Plan.	Names of Owners.	Names of Occupiers.	Description of Property.	Situation.		
				Township.	Parish.	County.
32	The Earl of Stamford.	James Hardy, Lessee, and Occupier.	Six Fields - -	Hattersley.	Mottram in Longdendale.	Chester.
33	The Earl of Stamford.	Thomas Andrew, Lessee ; William Burgess, Occupier.	A Field - -	Hattersley.	Mottram in Longdendale.	Chester.
34	The Earl of Stamford.	John Garlick, Lessee ; James Smith, Occupier.	A Field - -	Hattersley.	Mottram in Longdendale.	Chester.
35	The Earl of Stamford.	Samuel Wood, Lessee and Occupier.	Two Fields -	Hattersley.	Mottram in Longdendale.	Chester.

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