



ANNO SEXTO

GEORGII IV. REGIS.

Cap. lxxxiii.

An Act for more effectually improving the Roads from *Manchester* in the County Palatine of *Lancaster*, through *Oldham*, to *Austerlands* in the Parish of *Saddleworth* in the County of *York*; and from *Oldham* to *Ashton-under-Lyne*, and from *Oldham* to *Rochdale*, in the said County Palatine of *Lancaster*. [20th May 1825.]

WHEREAS an Act was passed in the Forty-sixth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for more effectually improving the Roads* 46 G. 3. c. 68. from *Manchester* in the County Palatine of *Lancaster*, through *Oldham*, to *Austerlands* in the Parish of *Saddleworth* in the County of *York*; and from *Oldham* to *Ashton-under-Lyne*, and from *Oldham* to the Village of *Royton*, in the said County Palatine of *Lancaster*: And whereas the Trustees have borrowed and taken up at Interest several considerable Sums of Money upon the Credit of the Tolls thereby granted: And whereas it would be of great public Utility if the said Branch of Road from *Oldham* to the Village of *Royton* was diverted, at or near a Place called *Edge Lane*, to or into the said Village, and if the same was continued from thence to the Market Town of *Rochdale* in the said County of *Lancaster*; and also if a certain Piece of Road at *Hollinwood*, within *Oldham* aforesaid, leading from and out of the said Turnpike Road from *Manchester* to

[Local.]

24 F

Oldham

Oldham at or nearly opposite to a certain Public House there called *The Buck*, and passing near to the Chapel Yard, to the old Road leading from *Bradley Bent* in *Oldham* aforesaid, towards certain Collieries called *The Park Collieries*, was made Turnpike: And whereas the Sums due and owing on the Credit of the said Tolls cannot be repaid, nor can the Roads in the said Act mentioned be effectually amended, widened, altered, diverted, improved, and maintained in Repair, nor the said proposed new Lengths of Road be made or altered, unless the Powers and Provisions of the said recited Act be amended and enlarged, and the Tolls increased: And whereas an Act was passed in the Third Year of the Reign of His present Majesty, intituled *An Act to amend the general Laws now in being for regulating Turnpike Roads in that Part of Great Britain called England*: And whereas another Act was passed in the Fourth Year of the Reign of His said Majesty, 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*: And whereas another Act was passed in the Fifth Year of the Reign of His said Majesty, intituled *An Act to enable Justices of the Peace for Ridings, Divisions, or Sokes, to act as Trustees for repairing and maintaining Turnpike Roads*: And whereas it would be more convenient to the Trustees, and beneficial to the Roads in the said first Act mentioned, and to the Public, if the said first-recited Act was repealed, and further and other Provisions granted instead 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 Third *Friday* next after the passing of this Act, the said recited Act passed in the Forty-sixth Year of the Reign of His late Majesty King *George* the Third, shall be and the same is hereby declared to be repealed; and that this Act shall from thenceforth commence and take effect, and shall be put in Execution for and during the Term herein-after mentioned; for the Purpose of amending, widening, diverting, altering, repairing, improving, and keeping in repair the Roads leading from the Easterly End of *Newton Lane* in *Manchester* aforesaid, being the Boundary Line between the Townships of *Manchester* and *Newton*, to or near *Austerlands* aforesaid; and from the Town of *Oldham* aforesaid to *Ashton-under-Lyne* aforesaid; and from the Town of *Oldham* aforesaid to the Town of *Rochdale* aforesaid; and the Road leading from or near to the Public House called *The Buck*, at *Hollinwood* aforesaid, past the front Part of the Chapel Yard there, to the old Road leading from *Bradley Bent* to *Oldham*.

Former Act repealed.

Tolls granted by this Act made liable to the original Debt.

II. And be it further enacted, That the Term and Tolls by this Act granted shall be and are hereby charged with and made subject to the Payment of all Monies now due and owing upon the Credit or on Account of the said first-recited Act, and of the Interest due and to grow due thereon, as fully and effectually to all Intents and Purposes as if such Monies had been borrowed or become due on the Credit of this Act, or of the Tolls hereby authorized to be collected; and all and every Person and Persons owing any Sum or Sums of Money

Money to the Trustees of the said Roads for executing the said first-recited Act, shall be liable to the Payment thereof to the Trustees herein-after appointed or directed to be appointed for executing this Act.

III. And be it further enacted, That all Conveyances, Bonds, Covenants, Agreements, Contracts, and Securities, made to or by, or entered into by any Person or Persons to or with the Trustees of the said Roads for executing the said first-recited Act, shall remain in full Force and Effect, and be and continue available in all Courts of Law and in Equity, until the same be fully satisfied and performed; and all Bargains, Contracts, Agreements, or Notices made, entered into, or given by the Trustees of the said Roads for executing the said first-recited Act, with or to any Person or Persons, for any Purpose relating to the said Roads, or to the Execution of the said first-recited Act, shall remain in full Force and Effect, and be observed and kept by the Trustees under this Act, and by the other respective Parties to such Contracts, Agreements, or Notices, according to the Terms, Stipulations, and the true and equitable Intent and Meaning thereof, notwithstanding the Repeal of the said first-recited Act.

Securities,
&c. under
former Act
to continue in
force.

IV. And be it further enacted, That all Books kept for registering Mortgages and Assignments, and all Entries therein, and all Books of Proceedings of the Trustees of the said Roads, kept according to the Directions or Provisions of the said first-recited Act, or of any Act then in force and made Evidence thereby, shall be admitted in Evidence in all Courts, and by all Judges, Justices, and others; and all such Books, and also all Books of Accounts of Receipts and Disbursements made under the said first-recited Act, shall be preserved and kept by the Clerk for the Time being to the said Trustees, and shall at all seasonable Times be open to the Inspection of the said Trustees, and any Creditor or Creditors of the Tolls, without Fee or Reward; and the said Trustees and Creditors, or any of them, shall and may take Copies of or Extracts from the said Book or Books, or any Part or Parts thereof respectively, without paying any thing for the same; and in case the said Clerk shall refuse to permit or shall not permit the said Trustees, or such Creditors, or any of them, to inspect the said Book or Books, or to take such Copies or Extracts as aforesaid, such Clerk shall forfeit and pay any Sum of Money not exceeding Five Pounds.

Books kept
of Accounts
of Receipts
and Dis-
bursements
under former
Act shall be
open to the
Inspection of
Trustees and
Creditors.

Penalty for
Refusal of In-
spection.

V. And be it further enacted, That the said recited Act passed in the Third Year of the Reign of His present Majesty, and all and every the Powers, Provisions, Exemptions, Penalties, Forfeitures, Payments, Remedies, Matters, and Things therein contained (save and except such Parts thereof as are expressly varied, altered, or repealed by the said recited Act of the Fourth Year of the Reign of His present Majesty, and also save and except such Parts thereof as are expressly varied, altered, or otherwise provided for by this Act), and also the said recited Act passed in the Fourth Year of the Reign of His present Majesty, and all and every the Powers, Provisions, Exemptions, Penalties, Forfeitures, Payments, Remedies, Matters, and Things therein contained, (save and except such Parts thereof as are expressly

Transferring
Powers of
General Acts
to this Act.

expressly varied, altered, or otherwise provided for by this Act), and also the said recited Act passed in the Fifth Year of the Reign of His present Majesty, and the Power or Provision therein contained, shall respectively be as good, valid, and effectual for carrying this Act and the several and respective Purposes thereof into Execution, as if the same had respectively been repeated and re-enacted in the Body of this Act.

Appointment
of Trustees.

VI. And be it further enacted, That all His Majesty's Justices of the Peace acting for the County Palatine of *Lancaster*, and all His Majesty's Justices of the Peace acting for the West Riding of the County of *York*, for the Time being, together with *Robert Andrew*, *John Ashton*, *Francis Dukinfield Astley*, *Jonathan Andrew*, *Edward Ainsworth*, *John Ashworth*, *John Andrew*, *Jesse Ainsworth*, *Charles Addy*, *John Allen*, *Thomas Barker*, *James Barker*, *Samuel Barker*, *Henry Barlow*, *William Beever*, *Abraham Bellott*, *John Blackbourne*, *Edward Brown*, *John Booth*, *William Buckley*, *Charles Barrett*, *George Booth*, *Thomas Brideoake*, *Hannibal Becker*, *John Boardman*, *Joseph Bradley*, *James Braddock*, *Hannibal Becker the younger*, *John Brideoake*, *Abraham Clegg*, *Arthur Clegg*, *John Clegg*, *James Cocks*, *Joseph Taylor Clegg*, *Richard Clegg*, *Joseph Clegg of Counthill*, *Assheton Clegg*, *James Clegg*, *John Crooke*, *James Cocker the younger*, *Robert Crossley*, *Thomas Cussons*, *George Chetwode Clerk*, *Joseph Cowper*, *James Collinge*, *John Clegg of Rochdale*, *Samuel Clegg*, *John Duncuft*, *Thomas Drinkwater*, *James Duncuft*, *William Dawson Clerk*, *James Dearden*, *John Evans*, *George Evans*, *Richard Entwisle*, *Edward Evans*, *John Entwisle*, *John Elliott*, *John Fallowfield Clerk*, *Edward Frere*, *Jonathan Fildes*, the Right Honourable *George Harry Gray*, the Honourable *William Booth Grey*, the Honourable and Reverend *Architel Grey*, *James Gleadhill*, *James Gee*, *John Grimshaw of Gorton*, *Thomas Gaskell Clerk*, *John Gee the younger*, *James Gleadhill the younger*, *James Greaves*, *John Holden*, *George Holden*, *James Holden*, *General Heron*, *George Hadfield*, *John Hilton*, *John Hague*, *John Harrop of Ashton-under-Lyne*, *John Harrop of Dobcross*, *Isaac Harrop*, *Frank Holt*, *Thomas Henshaw Hadfield*, *Booth Harrop*, *Samuel Horrocks*, *William Robert Hay Clerk*, *Joseph Harrop of Tamewater*, *William Hibbert*, *Samuel Cheetham Hilton*, *Robert Gregge Hopwood*, *Dauntesy Hulme*, *Joseph Hulme*, *Edward Hallcyard*, *Charles Harrop*, *James Hough*, *Joseph Harrop of Grasscroft*, *Jonah Harrop*, *John Hulme*, *John Holme Clerk*, *James Higginbottom*, *James Horder Clerk*, *John Hobson*, *John Harrop the younger of Dobcross*, *Abraham Hilton*, *Samuel Higginbottom*, *Peter Richard Hoare*, *William Hassal*, *John Hague the younger*, *Samuel Hague*, *Joseph Jones*, *Joseph Jones the younger*, *William Jones*, *William Jones the younger*, *Daniel Knott*, *Robert Keymer*, *Joseph Thompson Kirkbank*, *James Lees of Greenbank*, *Joseph Lees the younger*, *Edward Lees of Clarkesfield*, *Samuel Lees*, *George Lees*, *Robert Lees*, *John Leaf*, *James Lees of Ardwick*, *James Lees of Clarkesfield*, *Joseph Lees*, *Edward Lees*, *John Lees of Clarkesfield*, *Henry Lees*, *Samuel Lees of Soho*, *John Lever*, *James Milne of Burnedge*, *John Milne of Burnedge*, *Hyde Marriott*, *William Mann*, *Alexander Milne*, *Sir Oswald Mosley Baronet*, *John Mattison Clerk*, *Jonathan Marstrand*, *Jonathan Mellor*, *William Midgley*, *John Milne of Primrose Hill*, *James Mellor*, *James Midgley*, *Sebastian Nash*,
James

James Newton, George Nelson, Sebastian Nash the younger, Joseph Robson Nelson, Robert Ogden, John Ogden of King Street, James Ogden of Hollinwood, William Parry, Thomas Porter, Sir Joseph Radcliffe Baronet, Robert Radclyffe, John Radcliffe, Edward Stringfellow Radclyffe, Thomas Samuel Rawson, Charles Rees, John Radley, John Robinson, Thomas Robinson, Charles Ryder, John Roberts, Joseph Rowland, James Rowland, James Radley, John Riggs, Brierley Rowland, Joseph Rowland the younger, Samuel Radcliffe, Joshua Kay Robinson, James Starky, Robert Say, Richard Stansfield, the Right Honourable Edward commonly called Lord Stanley, Edward Geoffrey Smith Stanley, Joseph Saxon, Andrew Schofield, Peter Seville, James Seville, Samuel Taylor of Moston, John Thorpe, Joseph Travis, John Twemlow, Joseph Todd, Thomas Travis, John Taylor of Hargreaves, William Taylor of Manchester, James Mayers Taylor, Robert Thorpe of Manchester, John Travis of Bottom of Moor, Christopher Todd, Ralph Taylor, Samuel Taylor of Greenacres, Thomas Taylor of Rhodes Hill, Samuel Taylor of Rochdale, James Taylor of Rochdale, Thomas Whittaker, William Winter Clerk, John Winterbottom, William Wood, John Wood, John Wright, John Whittaker, Charles Walmsley, Thomas Wroe, John Worthington, John Wrigley of Dobcross, Henry Whitehead, John Wrigley, Thomas Walmsley, John Whitaker, Robert Wright, Hugo Worthington, Robert Bolton Wylde, Edmund Wilde, Miles Wrigley, James Wilde, William Wrigley, John Vavasour, and their Successors, being duly qualified according to the Directions of the said recited Acts of the Third, Fourth, and Fifth Years of the Reign of His present Majesty, shall be and they are hereby appointed Trustees for amending, widening, altering, repairing, improving, and keeping in repair the said Roads, and for otherwise putting this Act into Execution.

VII. And be it further enacted, That the Trustees for executing this Act shall meet together at the *Angel Inn* in *Oldham* aforesaid, or some other convenient Place near to the said Roads, upon the *Third Friday* next after the passing of this Act, or so soon after as conveniently may be; and shall and may then, and from Time to Time after, adjourn to and meet at such Times, and at such Place or Places in the Neighbourhood of the said Roads, as they shall think proper.

First Meeting
of Trustees.

Adjourn-
ment.

VIII. Provided always, and be it further enacted; That each and every Treasurer who shall have been appointed consistently with the Provisions of the said recited Acts passed in the Third and Fourth Years of the Reign of His present Majesty, and not contrary to the Provisions or Directions of this Act, and each and every Clerk, Receiver, Collector, Surveyor, and other Officer appointed under and by virtue of the said first-recited Act, shall hold and enjoy such their several and respective Offices and Employments until removed therefrom by the Trustees for executing this Act; and each and every such Clerk, Receiver, Collector, Surveyor, and other Officer shall have the like Power and Authority for the Purposes of this Act, and for carrying the same into Execution, and shall be subject to the like Pains and Penalties, and to the like Power of Removal, and to the like Rules and Regulations in all respects whatsoever, as if he had been appointed by virtue of this Act.

Old Officers
to continue
until new
ones elected.

Clerk not to
act as Treas-
urer, and
vice versâ.

IX. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees to continue or appoint the Person who hath been or who may be appointed to act as their Clerk in the Execution of this Act, or the Partner of any such Clerk, or the Clerk or any Person in the Service or Employ of any such Clerk, or the Clerk or any Person in the Service or Employ of the Partner of any such Clerk, to be the Treasurer for the Purposes of this Act, or to continue or appoint the Person who hath been or who may be appointed Treasurer, or the Partner of any such Treasurer, or the Clerk or any Person in the Service or Employ of any such Treasurer, or the Clerk or any Person in the Service or Employ of the Partner of any such Treasurer, to be the Clerk to the said Trustees; and if any Person shall act in both the Capacities of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of any such Clerk, or the Clerk or any Person in the Service or Employ of any such Clerk, or the Clerk or any Person in the Service or Employ of the Partner of any such Clerk, shall act as Treasurer, or being the Partner of any such Treasurer, or the Clerk or any Person in the Service or Employ of any such Treasurer, or the Clerk or any Person in the Service or Employ of the Partner of any such Treasurer, shall act as Clerk in the Execution of this Act, or if any such Treasurer shall hold any Place or Office of Profit or Trust under the said Trustees other than that of Treasurer, every such Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person or Persons who shall sue for the same, to be recovered, with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Plaint, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance, shall be allowed.

Treasurer to
give Security.

X. And be it further enacted, That the said Trustees shall and they are hereby authorized, directed, and required to take sufficient Security from the Treasurer or Treasurers acting by virtue of this Act, for the due and faithful Execution of his or their Office.

Power to
erect Toll
Gates, Turn-
pikes, Side
Gates, &c.

XI. And be it further enacted, That it shall be lawful for the said Trustees, if they think proper, to continue or remove all and every or any of the Toll Gates or Turnpikes and Toll Houses now standing and being in or upon or across the said Roads, or on the Sides thereof; and also to erect and set up or build, or cause to be erected, set up, and built, upon, in, or across the said Roads by this Act directed or authorized to be repaired and amended or made, or on the Sides thereof, or any Part 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 One or more Toll House or Toll Houses, with Outhouses and Conveniences suitable thereto, at or near each Gate, Bar, or Chain, and to take in and inclose on the Sides of the said Roads suitable Garden Spots for the same respectively, not exceeding One-eighth Part of a Statute Acre each, as they shall think necessary, and from Time to Time to take down and remove, or alter or discontinue the same, or any of them, as they the said Trustees shall think proper and direct or appoint.

XII. And

XII. And be it further enacted, That it shall and may be lawful Power to take Tolls. for the said Trustees, or any Person or Persons appointed or 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 by virtue of this Act, in, upon, across, or on the Side or Sides of the said Roads by this Act directed or authorized to be repaired and amended or made, or any of them, or on the Sides thereof, 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,

For every Horse or Beast drawing any Stage Coach, Chariot, or other such Carriage, the Sum of Two-pence: Tolls.

For every Horse or Beast drawing any Hearse, Post Chaise, Coach, Curricule, Gig, Caravan, or other such Carriage, built and constructed with Springs, the Sum of Three-pence:

For every Horse or other Beast drawing any Waggon, Dray, or other such Carriage, having the Sole or Bottom of the Fellies of the Wheels thereof of less Breadth than Four Inches and a Half, the Sum of Three-pence:

For every Horse or other Beast drawing any Waggon, Dray, or other such Carriage, having the Sole or Bottom of the Fellies of the Wheels thereof of the Breadth of Four Inches and a Half and under Six Inches, the Sum of Two-pence Halfpenny:

For every Horse or other Beast drawing any Waggon, Dray, or other such Carriage, having the Sole or Bottom of the Fellies of the Wheels thereof of the Breadth of Six Inches or upwards, the Sum of One Penny Halfpenny:

For One Horse or Beast drawing any Cart, Wain, or other such Carriage with Two Wheels, of the Breadth of Six Inches or upwards at the Bottom or Soles thereof, the Sum of Two-pence; and for every additional Horse, the Sum of One Penny:

For One Horse or Beast drawing any Cart, Wain, or other such Carriage with Two Wheels, of less Breadth than Six Inches at the Bottom or Soles thereof, the Sum of Three-pence; and for every additional Horse, the Sum of One Penny Halfpenny:

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

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

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

Every Horse, Ox, or Neat Cattle, Calf, Sheep, Lamb, or Swine, going to or returning from any Market, Mart, or Fair, to be bought or sold, or having been bought or sold there, shall pay the Tolls aforesaid.

And in all Cases where there shall be a fractional Part of a Halfpenny in the Calculation or Amount of the Tolls hereby granted, or any of them, the Sum of One Halfpenny shall be demanded and taken in lieu of such fractional Part.

Which

Which said respective Sums of Money or Tolls shall be demanded and taken before any Horse, Beast, or other Cattle whatsoever shall be permitted to pass through any Toll Gate or Turnpike, or Side Gate, or Side Bar or Chain, which shall be continued or erected or placed by virtue of this Act in, upon, or across the said Roads, or on the Sides thereof, or any Part thereof; and which said respective Tolls 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.

Double Tolls
at certain
Gates.

XIII. Provided always, and be it further enacted, That it shall and may be lawful to and for the said Trustees, and they are hereby authorized and empowered to demand, receive, and take, levy and recover Double the several and respective Tolls before mentioned at the Toll Gate and Toll House now erected and set up in the Township of *Failsworth* aforesaid, for and during so long Time as there shall only be Two such Toll Gates upon that Part of the said Roads leading from *Manchester* aforesaid to *Austerlands* aforesaid; and also the like Double Tolls at any Toll Gate to be erected and set up between the Village of *Royton* and the Town of *Rochdale* aforesaid, for and during so long Time as there shall only be One Toll Gate between such Two last-mentioned Places.

Persons
having paid
the Toll to
return Toll-
free, if not
laden.

XIV. Provided always, and be it further enacted, That all and every the Horses and other Cattle drawing any Waggon, Wain, Cart, or other Carriage, in respect whereof the Toll hereby authorized to be taken shall have been paid at any Turnpike or Turnpikes, Toll Gate or Toll Gates, on any Part of the said Roads, shall upon a Note or Ticket, Notes or Tickets, denoting such Payment, being produced, be permitted to return with the same Waggon, Wain, Cart, or other Carriage, Toll-free the same Day, to be computed as aforesaid, through the same Turnpike or Turnpikes, Toll Gate or Toll Gates, through which such Horses and other Cattle shall have passed Toll-free by virtue of such Note or Ticket, Notes or Tickets; except such Waggon, Wain, Cart, or other such Carriage, so drawn by such Horse or other Cattle, so returning the same Day through all or any of the said Turnpikes or Toll Gates, shall be carrying or conveying any Lading of the Weight of Two hundred and forty Pounds Avoirdupois, in which Case One-half of the said respective Tolls shall be paid for the same Carriage when returning through the same Turnpike or Turnpikes, Toll Gate or Toll Gates.

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

XV. Provided also, and be it further enacted, That the Tolls hereby made payable for and in respect of Horses or Beasts drawing any Stage Coach, Diligence, Van or Caravan, or other Stage Carriage conveying Passengers or Goods for Pay or Reward, shall be payable and paid every Time of passing or repassing along the said Roads, or any or either of them.

Post Chaises,
&c. to be
subject again

XVI. Provided also, and be it further enacted, That the Tolls hereby made payable for and in respect of Horses or Beasts let out to Hire, and drawing any Post Chaise or other Carriage, shall be payable

and paid every Time of passing along the said Roads, or any or either of them, whenever any new Hiring thereof shall take place.

Toll on every new Hiring.

XVII. Provided also, and be it further enacted, That no more than the Tolls following shall be demanded or taken for or in respect of the same Horses, Beasts, or Cattle, for passing or repassing at any Time or Times in any one Day (to be computed as aforesaid), through all or any of the Toll Gates, Turnpikes, Side Gates, or Chains, along the whole Line of the said Roads; (that is to say), no more than Three Tolls between *Manchester* and *Austerlands*, nor more than Three Tolls between *Oldham* and *Rochdale*, nor more than Two Tolls between *Oldham* and *Ashton-under-Lyne*, unless when returning laden as aforesaid.

Limiting the Number of Tolls on the whole Line of Roads.

XVIII. And be it further enacted, That no Toll shall be demanded or taken for any Horse, Cattle, Beast, or Carriage, passing laden with, or passing empty or unladen for, or returning the same Day empty or unladen after having been laden with any Stone, Gravel, Sand, or other Materials only for repairing the said Roads, or any of the Roads in the Parishes and Townships in which the said Roads lie; nor for any Carriage laden with, or passing empty or unladen for, or returning on the same Day empty or unladen after having been laden only with Dung, Mould, Soil, or Compost of any Nature or Kind whatsoever (other than and except Lime), for manuring Lands; nor shall any Toll be demanded for any Ploughs, Harrows, or Implements of Husbandry, taken through any of the said Turnpikes or Toll Gates for the Purpose of using or repairing the same, nor for any other thing whatsoever employed in Husbandry in any of the several Parishes or Townships through which the said Roads lead; nor for any Horse, or any other Cattle or Sheep going to or from Water, Pasture, or Plough, or other Tillage or Work in Husbandry, upon or within any of the Lands in any such Parish or Township; and if any Person shall, by any fraudulent or collusive Means whatsoever, claim or take the Benefit of any of the Exemptions aforesaid, not being entitled to the same, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, and in all Cases the Proof of Exemption shall lie upon the Person claiming the same.

Exemptions from Tolls.

XIX. And be it further enacted, That out of the Money already received by virtue of the said first-recited Act, or out of the first Monies arising by virtue of this Act, the said Trustees shall, in the first Place, pay all the Costs, Charges, and Expences of obtaining and passing this Act, or in anywise relating thereto, and the Remainder of such Monies shall from Time to Time be applied in amending, widening, altering, diverting, repairing, and keeping in repair the said Roads, and in making, amending, and keeping in repair the said Extension of Road from *Royton* to *Rochdale*, and the said Cross Road at *Hollinwood*, and in repairing or erecting Turnpikes and Toll Houses thereon; and in repairing, amending, and keeping in repair the old Turnpike Road leading from a Place called *Bradley Bent*, in the Township of *Oldham* aforesaid, towards certain Collieries in the Parish of *Ashton-under-Lyne* aforesaid, called *Park Collieries*, and to the Place where the said old Turnpike Road leads into and communicates

Application of Monies.

nicates with the said Turnpike Road from *Oldham* aforesaid to *Ashton-under-Lyne* aforesaid, which said old Turnpike Road is not now used as a Turnpike Road, but as a common Highway, the present Road having been diverted from *Bradley Bent* aforesaid to the Town of *Oldham* aforesaid northwardly of the said old Turnpike Road; and also in repairing, amending, and keeping in repair the old Turnpike Road leading from a Place called *The Bottom of Greenacres Moor*, by a Place called *Greenacres*, to a Place called *Waterhead Mill*, all in the Township of *Oldham* aforesaid, which last-mentioned old Turnpike Road is not now used as a Turnpike Road, but as a common Highway, the present Turnpike Road having been diverted from the Bottom of *Greenacres Moor* aforesaid to *Waterhead Mill* aforesaid, made northwardly of the same old Turnpike Roads; and also in making and extending such Highways and Bridleways, as at present lead into and communicate with the said Roads, but which may not hereafter lead into and communicate therewith, by reason of the diverting, turning, varying, or altering the Course or Path of the said Roads as aforesaid, and in repairing, amending, and keeping in repair such Parts of the said Highways and Bridleways as shall be so made and extended as aforesaid; and lastly, in repaying the Principal Money borrowed on the Credit of the said first-recited Act and of this Act, and the Interest due thereon, and paying and defraying the necessary Expences attending the Execution of this Act, and to no other Use or Purpose whatsoever.

Leases, &c.
under former
Act to remain
in force.

XX. And be it further enacted, That all and every Lease, and Leases, or Letting of the Tolls arising on the said Roads, granted and made or agreed upon by the Trustees for executing the said first-recited Act, and the several Covenants thereof, shall, notwithstanding the Repeal of the said Act, remain and continue in full Force and Effect until the Expiration of the Term or Terms thereby respectively granted or agreed for, or until any legal Determination of any such Lease or Letting; and the same, and the respective Grantees, shall be subject to the Powers and Provisions of this Act, in the same Manner as if such Leases or Lease, or Letting, had been granted, or made or agreed upon by the Trustees for executing this Act, and as if the Trustees granting, making, or agreeing upon the same had been Trustees for executing this Act.

Trustees em-
powered to
make Roads,
&c.

XXI. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered to make the said new Road from *Edge Lane* to *Rochdale*, and the said Cross Road at *Hollinwood*, and also to complete the Widenings and Improvements herein-before mentioned, upon, in, over, or through any private Lands, Grounds, or Hereditaments, first making or tendering Satisfaction to the Owners thereof and Persons interested therein for the same, or for any Damage they may sustain thereby, and also in, upon, over, or through any Commons or Waste Lands, without making any Satisfaction for such Commons or Waste Lands, of such Width or Dimensions as they shall think proper, not exceeding Forty-two Feet, together with such Footpaths, Causeways, Bridges, Arches, Culverts, Ditches, Drains, and Fences, on the Line of the said Roads, as they shall think necessary or expedient, and for such

such Purpose or Purposes to pull down or take and use any Houses, Buildings, Tenements, or Hereditaments mentioned in the Schedule to this Act annexed, marked (A.), making Satisfaction to the Owners thereof and Persons interested therein for the same, or for the Damage they may sustain thereby; and it shall also be lawful for the said Trustees, and for their Surveyors or Surveyor, and Workmen, from Time to Time to enter upon the Lands and Premises or Hereditaments through which or whereupon such Road, Footpaths, Causeways, Bridges, Arches, Culverts, Ditches, Drains, and Fences is or are intended to be made or pass, and also upon any adjoining Lands or Grounds, and to stake out the same in such Manner as the said Trustees shall think necessary or expedient, without being deemed a Trespasser or Trespassers, and without being subject or liable to any Fine, Penalty, or Punishment for entering or continuing upon such Lands or Premises respectively for any of the Purposes of this Act; and if any Person shall pull up, remove, or destroy any of such Stakes or other Marks used for the Purposes aforesaid, every Person so offending shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds.

XXII. And whereas a Map or Plan describing the Line of the new Pieces of Road, and the Lands, Hereditaments, and Premises through or over which the same are to be made or carried, together with a Book of Reference containing a List of the Names of the Owners and Occupiers of such Lands, Hereditaments, and Premises, have been deposited at the Office of the Clerk of the Peace for the said County Palatine of Lancaster, be it therefore enacted, That the said Map or Plan and the Book of Reference shall remain in the Custody of the Clerk of the Peace for the said County, 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 the Clerk of the Peace 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 of such Map or Plan and Book of Reference; and the said Trustees in making the said new Pieces of Road shall not deviate more than One hundred Yards of Three Feet each from the Line described in such Map or Plan, without the Consent and Approbation in Writing of the Person or Persons, Bodies Politic, Corporate, or Collegiate, through whose Lands or Premises such Deviation shall be made.

Road to be made according to the Map or Plan deposited at the Office of the Clerk of the Peace.

XXIII. Provided always, and be it further enacted, That it shall be lawful for the said Trustees to make the said new Pieces of Road into, through, across, or over the several Lands, Hereditaments, or Premises of any Person or Persons who is or are or may be Owner or Owners of Lands or Premises over which the same is or are set out and described in the said Map or Plan as aforesaid, and Schedule hereunto annexed, although the Name or Names of such Person or Persons may happen to be omitted or mis-stated in the Book of Reference, or in the Schedule to this Act marked (A.), in case it shall appear to any Two or more Justices of the Peace for the said County, and be certified by Writing under their Hands, that such Error or Omission proceeded from Mistake.

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

XXIV. Pro-

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

XXIV. Provided always, and be it further enacted, That the Powers and Authorities given by this Act, for making the said new Pieces of Road shall not extend or be construed to extend to empower or authorize the said Trustees to take or pull down any Dwelling House or other Building, or to take in or make use of any Curtilage, 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 in the Schedule to this Act annexed marked (A.)

Trustees restrained from using Dwelling Houses, &c. mentioned in the Schedule, unless purchased within Five Years.

XXV. Provided also, and be it further enacted, That in case the said Trustees shall not purchase the Lands, Buildings, Tenements, and Hereditaments mentioned in the Schedule to this Act annexed, within the Space of Five Years from the passing of this Act, all the Powers granted by this Act, or the said recited Acts, for purchasing, taking, or using the same, or such of them as shall not then have been purchased, shall cease and determine, save and except with the Consent of the Owners or Proprietors thereof for the Time being.

Trustees may contract for the Purchase of Land.

XXVI. And be it further enacted, That it shall be lawful for the said Trustees from Time to Time to treat, contract, and agree with the Parties or Persons who shall be Owners of or interested in any Lands, Buildings, Tenements, Hereditaments, or Premises to be taken or made use of in the Execution of this Act, or who shall sustain any Loss or Damage by Means thereof, or by the making of the said Road, for the Purchase of such Lands, Buildings, Tenements, Hereditaments, or Premises, and for the Value, Consideration, Compensation, or Satisfaction to be made for the same, or for such Loss or Damage as aforesaid; and it shall be lawful for all Bodies Politic, Corporate or Collegiate, Ecclesiastical or Civil, Corporations, Aggregate or Sole, Tenants for Life or in Tail, Husbands, Guardians, Trustees, Feoffees in Trust, Committees, Executors, Administrators, and all other Persons whomsoever, not only for and on behalf of themselves, their Heirs and Successors, but also for and on behalf of the Person or Persons entitled in Reversion, Remainder, or Expectancy after them, and for and on behalf of their Cestuique Trusts, whether Femes Covert, Wards, Infants, or Issue unborn, Lunatics, Idiots, Persons of unsound Memory and Understanding, or other Person or Persons whomsoever, and to and for all Femes Covert who are or shall be seised or interested in their own Right, or entitled to Dower, and to and for all and every Person and Persons whomsoever, who are or shall be seised or possessed of or interested in, as aforesaid, any such Lands, Buildings, Tenements, Hereditaments, or Premises, to give their Consent in Writing to the said Trustees for the taking and using any such Lands, Tenements, Hereditaments, and Premises, and the pulling down of any Dwelling House, or any other Building, and to treat, contract, and agree with the Trustees for executing this Act, for the Value, Consideration, Compensation, or Satisfaction to be made for such Property or Interest, or for any Loss or Damages as aforesaid, and by Conveyance, Lease and Release, or Bargain and Sale, to sell and convey unto the said Trustees any

any such Lands, Buildings, Tenements, Hereditaments, or Premises, or any Part thereof, for any of the Purposes of this Act; and all Contracts, Agreements, Sales, and Conveyances which shall be so made, shall be good, valid, and effectual to all Intents and Purposes, without Fine or Recovery, and shall be a complete Bar to all Estates Tail and other Estates, Rights, Titles, Trusts, and Interests whatsoever, any Law, Statute, Usage, or other Matter whatsoever to the contrary notwithstanding; and all such Bodies Politic, Corporate or Collegiate, Ecclesiastical or Civil, Corporations Aggregate or Sole, Tenants for Life or in Tail, Husbands, Guardians, Trustees, Feoffees, Committees, Executors, and Administrators, and all other Persons, shall be and are hereby indemnified for what they shall do by virtue or in pursuance of this Act; and if any such Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Civil, Corporations Aggregate or Sole, Tenants for Life or in Tail, Husbands, Guardians, Trustees, Feoffees, Committees, Executors, or Administrators, or any other Person or Persons as aforesaid, upon Notice to him, her, or them given, or left in Writing at the Dwelling House or Houses or other Place or Places of Abode of such Person or Persons, or of the Principal Officer or Officers of such Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Civil, or at the House of the Tenant in Possession of the Premises, shall for the Space of Thirty Days next after such Notice given or left, neglect or refuse to treat, or shall not agree, or by reason of Absence shall be prevented from treating, then and in every or any such Case the said Trustees shall cause such Value, Consideration, Compensation, Satisfaction, or Damages to be inquired into and ascertained by a Jury, in the Manner prescribed by the said recited Act passed in the Third Year of the Reign of His present Majesty, in Cases where any Damages, Value, or Recompence for Premises thereby authorized to be taken and used, for widening, diverting, altering, and improving any Turnpike Road, are directed to be inquired into and ascertained, subject to all the Regulations and Provisions of the said Act relative to the summoning and impannelling the Jury, the summoning of Witnesses, the fining of the Sheriff, his Deputy, Bailiff, or Agent, and fining the Witnesses, and to the Payment of the Expences of summoning and maintaining the Jury and Witnesses.

XXVII. And be it further enacted, That if any Money shall be paid, or agreed or awarded to be paid, for the Purchase of any Lands, Tenements, or Hereditaments to be purchased, taken, or used for the Purposes of the said Roads, which shall belong to any Body Politic, Corporate, or Collegiate, Ecclesiastical or Civil, Corporation Aggregate or Sole, Tenant for Life or in Tail, or to any Feoffee in Trust, Executor, Administrator, Husband, Guardian, Committee, or other Trustee for or on behalf of any Infant, Idiot, Lunatic, Feme Covert, or other Cestuique Trust, or to any Person or Persons whose Lands, Tenements, or Hereditaments are limited in strict or other Settlement, or to any Person under any other Disability or Incapacity whatsoever, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privy of the Accountant General of the Court of Exchequer, to be placed

Application
of Compensation
Money if
amounting
to 200*l*.

[Local.]

24 I

to

1 G. 4. c.35.

to his Account there; *ex parte* the Trustees for executing this Act, pursuant to the Method prescribed by an Act passed in the First Year of the Reign of His present Majesty King George the Fourth, intituled *An Act for the better securing Monies and Effects paid into the Court of Exchequer at Westminster on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes*, and the General Orders of the said Court, and without Fee or Reward; and shall, when so paid in, there remain until the same shall, by Order of the said Court, made upon a Petition to be preferred to the said Court in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments, be applied either in the Purchase or Redemption of the Land Tax, or in or towards the Payment or Discharge of any Debt or Debts, or other Incumbrances, affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments standing settled therewith, or to the same or the like Uses, Trusts, Intents, or Purposes, as the said Court of Exchequer shall authorize to be purchased, redeemed, paid, or discharged, or such Part thereof as shall be necessary; or until the same shall, upon the like Application, be laid out in a summary Way, by Order of the said Court, in the Purchase of other Lands, Tenements, or Hereditaments, which shall be conveyed, limited, and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Lands, Tenements, or Hereditaments, which shall be so purchased, taken, or used as aforesaid, stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing, undetermined, or capable of taking Effect; and in the meantime, and until such Order can be made, the said Money may, by Order of the said Court, upon Application thereto, be invested by the said Accountant General, in his Name, in the Purchase of Three Pounds *per Centum* Consolidated, or Three Pounds *per Centum* Reduced Bank Annuities, or in Government or Real Securities; and in the meantime and until the said Bank Annuities or Government or Real Securities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends or Interest and annual Produce of the said Consolidated or Reduced Bank Annuities, or Government or Real Securities, shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of such Lands, Tenements, or Hereditaments so to be purchased, conveyed, and settled.

Where less than 200*l.* and amounting to 20*l.*

XXVIII. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands, Tenements, or Hereditaments to be purchased, taken, or used for the Purposes of the said Roads, and belonging to any Corporation, or to any Person or Persons under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed or amount to the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken, or used, or of his, her, or their

Guardian or Guardians, Committee or Committees, in case of Infancy, Idiocy, Lunacy, or other Incapacity, with the Approbation of the said Trustees, or any Three or more of them, to be signified in Writing under their respective Hands, be paid into the Bank of *England*, in the Name and with the Privity of the said Accountant General of the Court of Exchequer, and be placed to his Account as aforesaid, in order to be applied in manner herein-before directed; or otherwise the same may be paid, at the like Option and with the like Approbation, to Two Trustees, to be nominated by the Person or Persons who for the Time being would be entitled to the Rents and Profits of the Lands, Tenements, and Hereditaments so to be purchased and settled, such Nomination to be approved of by Three or more of the Trustees for executing this Act, and such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties; and the Money so paid to such Trustees, and the Dividends and Produce arising thereon and therefrom, shall be by them applied in like Manner as is herein-before directed with respect to the Money so to be paid into the Bank in the Name of the Accountant General of the Court of Exchequer, but without obtaining or being required to obtain any Order of the said Court touching the Application thereof.

XXIX. Provided also, and be it further enacted, That where such Money so agreed or awarded to be paid as next herein-before mentioned shall be less than Twenty Pounds, then and in all such Cases the same shall be paid to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken, or used for the Purposes of this Act, for his, her, or their own Use and Benefit; or in case of Infancy, Idiocy, Lunacy, or other Incapacity, then such Money shall be paid to his, her, or their Guardian or Guardians, Committee or Committees, Trustee or Trustees, to and for the Use and Benefit of such Person or Persons respectively entitled thereto:

Where under
20l.

XXX. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be awarded for the Purchase of any Lands, Tenements, or Hereditaments to be purchased, taken, or used under or by virtue of the Powers of this Act, shall refuse to accept the same, or shall not be able to make a good Title to the Premises, to the Satisfaction of the said Trustees, or in case the Person or Persons to whom such Sum or Sums of Money shall be so awarded as aforesaid cannot be found, or if the Person or Persons entitled to such Lands, Tenements, or Hereditaments be not known or discovered, then and in every such Case it shall be lawful for the said Trustees to order the said Sum or Sums of Money so awarded as aforesaid to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the said Court of Exchequer, to be placed to his Account there to the Credit of the Parties interested in the said Lands, Tenements, or Hereditaments (describing them), subject to the Order, Controul, and Disposition of the said Court; which said Court, on the Application of any Person or Persons making claim to such Sum or Sums of Money, or any Part thereof,

In case of
not making
out a good
Title, or if
Persons cannot
be found,
the Purchase
Money to be
paid into the
Bank, subject
to the Order
of the Court
of Exchequer
on Motion or
Petition.

by

by Motion or Petition, shall be and is hereby empowered, in a summary way of Proceeding, or otherwise, as to the said Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest of the Person or Persons making claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England*, who shall receive such Sum or Sums of Money, is and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying therein for what and for whose Use the same is or are received, to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank of *England* as aforesaid.

In case of
disputed
Titles.

XXXI. Provided always, and be it further enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the said Court of Exchequer, in pursuance of this Act, for the Purchase of any Lands, Tenements, or Hereditaments, or of any Estate, Right, Title, or Interest in any Lands, Tenements, or Hereditaments to be purchased in pursuance of this Act for the Purposes aforesaid, or to any Bank Annuities or Government or Real Securities to be purchased with any such Money, or the Dividends or Interest of any such Bank Annuities or Government or Real Securities, the Person or Persons who shall have been in Possession of such Lands, Tenements, or Hereditaments at the Time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, or Hereditaments, according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court; and the Dividends or Interest of the Bank Annuities or Government or Real Securities to be purchased with such Money, and also the Capital of such Bank Annuities or Government or Real Securities, shall be paid, applied, and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

Court may
order rea-
sonable
Expences to
be paid by
Trustees.

XXXII. Provided also, and be it further enacted, That where by reason of any Disability or Incapacity of the Person or Persons, or Corporation, entitled to any Lands, Tenements, or Hereditaments to be purchased, taken, or used under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the said Court of Exchequer, or to be applied in the Purchase of other Lands, Tenements, or Hereditaments, to be settled to the like Uses in pursuance of this Act, it shall be lawful for the said Court to order the Expences of all Purchases from Time to Time to be made in pursuance of this Act, or so much of such Expences as to the said Court shall seem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Trustees out of the
Monies

Monies to be received by virtue of this Act, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

XXXIII. And be it further enacted, That it shall be lawful for the said Trustees, and their Surveyor or Surveyors, or other Person or Persons by them appointed, and they are hereby authorized and empowered to make such Ditches, Drains, or Watercourses of a sufficient Depth and Breadth for keeping the said Roads dry, and conveying the Water from the same, and also, where necessary, into or through any Fields, Lands, or Grounds adjoining to or lying near the said Roads (not being a Yard, Garden, Orchard, Park, Paddock, planted Walk, or Avenue to a House), at the Expence of the said Trustees, out of the Monies to be received by virtue of this Act; and also such sufficient Bridges, Arches, Culverts, Trunks, Tunnels, or Plats as shall be necessary, also at the Expence of the said Trustees, out of the Monies aforesaid, any Law or Statute to the contrary notwithstanding; and all such Ditches, Drains, and Watercourses, Bridges, Arches, Culverts, Trunks, Tunnels, or Plats, when so made and completed, shall for ever afterwards be scoured, cleansed, and kept open, repaired and maintained by the Occupiers of the adjoining Fields, Lands, or Grounds; but all such new Bridges, Arches, Culverts, Trunks, Tunnels, and Plats as shall cross or pass in or under the said Roads, shall be scoured, cleansed, and kept open, repaired and maintained by the said Trustees, subject to the Provisions of the said Act of the Third Year of the Reign of His present Majesty.

Ditches,
Drains,
Bridges, &c.
by whom to
be made and
cleansed.

XXXIV. And be it further enacted, That no Diversions or Alterations to be made in the said Roads, or any Part thereof (except such as are authorized and directed by this Act), shall be commenced or begun, unless Notice of the Intention of proposing such Diversion or Alteration, specifying the particular Alteration intended to be proposed, shall be given and entered in the Books of Proceedings of the Trustees, at some Meeting of the Trustees to be held under this Act, previous to the Meeting at which such Diversion or Alteration is intended to be proposed, nor unless a like Notice, signed by Two or more Trustees, shall be affixed on all the Turnpike Gates then erected upon the said Roads, Twenty-one Days at least before the Meeting at which any such Diversion or Alteration shall be ordered or directed to be made.

Notice to be
given of any
intended
Diversion or
Alteration.

XXXV. And be it further enacted, That it shall and may be lawful to and for the said Trustees, and they are hereby authorized and empowered, at any Meeting or Meetings to be holden under this Act, of which Meeting or Meetings Twenty-one Days Notice at the least shall have been given by the Clerk to the said Trustees in Manner directed by this Act, specifying the Purpose for which such Meeting is intended to be held, to contract and agree with any Person or Persons, Bodies Politic or Corporate, for the lighting with Gas such Part or Parts of the said Roads, or any of them, and for such Length of Time, not exceeding the Duration of this Act, as a Majority of the Trustees, to be assembled at such Meeting or Meetings, shall think proper.

Power to
light with
Gas, &c.

[Local.]

24 K

XXXVI. And

Public Act.

XXXVI. 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.

XXXVII. And be it further enacted, That this Act shall commence upon the Third *Friday* next after the passing of this Act, and shall continue and be in force for Twenty-one Years, and from thence to the End of the then next Session of Parliament.

SCHEDULE (A.) referred to by the Act.

Description of Property.	Owners.	Occupiers.
<i>Newton Township.</i>		
Garden	Ashton Shepley	Ashton Shepley.
Garden	Elizabeth Berry	Elizabeth Berry.
Garden	Joshua Tetlow	James Wilson and others.
Garden	Ashton Shepley	Joseph Williamson.
Housing	Ditto	Nicholas Sinnister and Ann Walmsley.
Garden	William Barrett	William Chalk.
<i>Failsworth Township.</i>		
Housing	James Barrow, Edward Frere, Esquire, and Mary Ann his Wife, Peter Richard Hoare, Esquire, and Arabella Penelope Eliza his Wife, George Matthew Hoare, Esquire, and Angelina Frances his Wife, and Ann Sophia Green, Spinster	James Barrow, Sarah Brad- shaw, and John Belfield.
Housing	Ditto	Samuel Chadderton.
Back Land	Ditto	Edmund Whitehead.
Housing	Ditto	Nelson Hilton.
Garden	Ditto	John Travis.
Housing	Ditto	Thomas Aldred and Ed- mund Whitehead.
Garden	Henry Booth	Henry Booth.
Garden	Thomas Worthington	Thornley and Tetlow.
Garden	James Booth	James Hilton.
Housing	Ditto	Ditto.
Garden	James Hilton	James Hilton.
Garden	Thomas Clough	Thomas Clough.
Garden	Joseph Lancashire	John Travis.
Garden	Thomas Wilson	Thomas Wilson.
Garden	Thomas Ogden	Thomas Ogden.
Garden	Joseph Lancashire	Allen and Echells.
Garden	Robert Bennett	William Brown.
Croft	Thomas Walmsley	George Clough.
Garden	Ditto	Ditto.
Garden	Widow Ogden	Joseph Ogden.
Housing	William Hibbert	William Taylor.
Garden	Ditto	John Brassgirdle.
Housing	William Thorley	Joseph Thornley.
Garden	John Ogden	James Whitehead and Jo- seph Cheetham.
<i>Oldham Township.</i>		
Common Right House, &c.	Joseph Jones	Joseph Jones.
Housing	John Goodier	Samuel Renshaw.
Reservoir	Ditto	Timothy Wood.
Part of a Bridge	Canal Company	Canal Company.
	Ditto	Ditto.

Description of Property.	Owners.	Occupiers.
<i>Branch from Edge Lane to Rochdale.</i>		
Plantation	William Midgley	William Midgley.
Cottage, Gardens, and Meadows	James Howard	James Howard, Robert Shaw, and others.
Gardens to Cottages	Frank Holt	John Sutcliffe and James Taylor.
Cherry Hall and Gardens	Robert Crossley	Richard Whitworth.
Cottage	Ditto	Abraham Holt.
Nursery	John Vavasour	Robert Roberts.
Ditto	Ditto	Ditto.
Well and Yard	The Rochdale Canal Company	The Rochdale Canal Company.
Foundry Field	Entwisle, Burdett, and others	Brown and Ellen, Holt.
Cottages in Royton	Widow Saville	Bentley.
Ditto	Robert Harrison of Nantwich	James Franklin and Henry Whittaker.
Old Well and Yard to Royton Hall	Sir Joseph Radcliffe	Edmund Wilde.
Enclosed Area in Front of Building	Widow Saville	Widow Saville.
Cottage	Ditto	Friend Bentley.
Cottage	Thomas Kay	—
Part of the Stabling to the Unicorn Inn	James Berry	William Ogden.
Part of the Spread Eagle Inn	Executors of Daniel Lees	John Hall.
Part of House	William Taylor	William Taylor.
The old Slaughter-house	Sir Joseph Radcliffe	John Hall.
The old Wall and vacant Ground	Ditto	—
Cottage	Widow Saville	John Smith.
Part of Cottage	Edmund Taylor	John Jackson.

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