



ANNO QUADRAGESIMO SEXTO

GEORGI II. REGIS.

Cap. 2.

An Act for making and maintaining a Road from *Great Bridgewater Street*, in *Manchester*, across the *River Irwell*, through *Salford*, to *Eccles*, in the County Palatine of *Lancaster*; and several Branches of Road to communicate therewith.

[22d March 1806.]

WHEREAS the making and maintaining of a Turnpike Road, from or near to the Westerly End of a certain Street called *Great Bridgewater Street*, near the new Market Place, near *St. John's Church*, in *Manchester*, across the *River Irwell*, by means of a Bridge to be erected for that Purpose, across the said River, through or near to a certain Road, called *The Back Lane*, in *Salford*, to or near a Place called *The Cross*, near the Parish Church of *Eccles*, all in the County Palatine of *Lancaster*; and the making and maintaining of a Branch from and out of the said intended Road, through or near a certain Road in *Salford* aforesaid, called *Cross Lane*, into the present Turnpike Road from *Manchester* to *Pendleton*, in the said County; another Branch from the said intended Road, through or near a certain other Road in *Salford* aforesaid, called *Oldfield Lane*, into the same Turnpike Road from *Manchester* to *Pendleton*; and another Branch from the said intended Road, where the same is intended to join a certain Street in *Manchester* aforesaid, called *Water Street*, in a right Line across the *River Medlock*, and a certain Canal, late the Property of the

[*Loc. & Per.*]

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Most

Trustees.

Most Noble *Francis* Duke of *Bridgewater*, deceased, by means of Two Bridges across the same River and Canal, respectively, unto and into the present Turnpike Road leading through the Township of *Hulme*, in the said County, opposite to the northerly End of a certain Street, communicating with the same Road, and called *Lloyd Street*, would be of great Benefit and Advantage to the Inhabitants of the adjacent Country, and of great public Utility, but the same 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 *James Ackers*, *George Ackers*, *Richard Alsop*, *Henry Atherton*, *Joseph Atkinson*, *John Baldwin*, *Thomas Barrow*, *Henry Barton*, *John Barton*, *Henry Barton* the younger, *James Bateman*, *Daniel Bayley*, *David Bellhouse*, *James Birch*, *John Blackburne*, the Reverend *Thomas Blackburne*, *Isaac Blackburne*, *Robert Haldane Bradshaw*, *James Bradshaw*, *George Bramall*, *Thomas Brownbill*, *John Burges*, *John Bury*, *Thomas Bury*, *John Clegg* of *Manchester*, *John Clegg* of *Salford*, the Reverend *John Clowes* of *Manchester*, the Reverend *John Clowes* of *Eccles*, *Samuel Clowes*, *William Leigh Clowes*, *Thomas Cooper*, *Matthew Corbett*, *John Coupe*, *Richard Crombleholme*, *John Crompton*, *William Dinwiddie*, *George Duckworth*, *William Egerton*, *Wilbraham Egerton*, *Thomas William Egerton*, *Roger Farrand*, *Richard Atherton Farrington*, *Henry Farrington*, *Robert Feilden*, *Matthew Fletcher*, *John Fletcher*, *Ellis Fletcher*, *John Ford*, *William Fox*, *Sir Robert Gore* Baronet, *Edward Greaves*, *John Greaves*, *Benjamin Green*, *James Gregory*, *James Hall* of *Sunnyside*, *James Hall* the younger, *James Hall* of the *Grescent*, *William Hardman*, *John Hardman*, *Thomas Hardman*, *James Hardman*, *William Harrison*, *James Hibbert*, *Edward Hilton*, *James Hilton*, *James Holt*, *George Jackson*, the Reverend *Richard Popplewell Johnson*, *Samuel Jones*, *William Jones*, *Samuel Kay*, *John Kearsley*, *Richard Lansdale*, *Robert Lansdale*, *John Leaf*, *John Leaf* the younger, *William Leaf*, *James Leigh*, *Richard Leigh*, *George Leycester*, *Hugh Leycester*, *George Lloyd*, *John Gamaliel Lloyd*, *Thomas Lyon*, *Charles M'Niven*, *William Marriott*, *Thomas Marriott*, *John Marriott*, *Martin Marshall*, *Peter Marstrand*, *John Mayo*, *Nathaniel Milne*, *John Milne*, *Sir Oswald Mosley* Baronet, *Nicholas Ashton Mosley*, *John Nightingale*, *Peter Nightingale*, *John Osbaldeston*, *John Owen*, *Sir Robert Peel* Baronet, *Thomas Part*, *John Partington*, *Andrew Patten*, *Peter Patten*, *John Leigh Philips*, *George Philips*, *Thomas Falkner Phillips*, *Shakespear Phillips*, *John Pooley*, *John Chamberlaine Reeve*, *John Rothwell*, *Joseph Seddon*, *William Sergeant*, *Benjamin Sothern*, *Thomas Stanley*, *William Starkie*, *John Farnworth Strettill*, *Edmund Taylor*, *William Thompson*, *James Touchett*, *John Touchett*, *John Trafford*, *Thomas Trafford*, *John Varey*, *Christopher Walton*, *John Whitehead*, *John Whitehead* the younger, *Richard Willett*, *Richard Wood*, and *Joseph Yates*, and their Successors, to be elected in Manner hereinafter mentioned, shall be and they are hereby appointed Trustees for making, maintaining, altering, repairing, and improving the said Roads, and for otherwise carrying this Act into Execution.

On the Death
of Trustees,
or their Re-

II. And be it further enacted, That when and as often as any Trustee shall die, or refuse to act, it shall be lawful for the surviving or remaining

remaining Trustees, or any Five or more of them, by Writing under their Hands, to elect and appoint one other Person to be a Trustee in the Room and Stead of such Trustee so deceased, or refusing to act, but Notice of the Time and Place of Meeting for every such Election shall be given by the Clerk or Clerks to the said Trustees, by affixing the same in Writing upon all the Turnpike Gates then erected in or upon the said Roads, and also by inserting the same in some public Newspaper printed or circulated in the Neighbourhood through which the said Roads pass, at least Fourteen Days before every such Meeting, and all Persons who shall be so elected are hereby constituted and appointed Trustees for putting this Act in Execution, as fully and effectually as if they had been severally named Trustees in and by this Act. fusal to act,
others to be
chosen.

III. Provided nevertheless, and be it further enacted, That no Person hereby appointed, or hereafter to be elected and appointed a Trustee as aforesaid, shall be capable of acting as such in the Execution of this Act, (otherwise than in administering an Oath or Affirmation to the Effect following to the other Trustees,) unless at the Time of his acting therein he shall, in his own Right, or in the Right of his Wife, be in the actual Possession or Receipt of the Rents and Profits of Lands, Tenements, or Hereditaments, situate within the County Palatine of *Lancaster*, and within Six Miles of the Parish Church of *Eccles*, of the clear yearly Value of Fifty Pounds above Reprizes, or shall be Heir Apparent of a Person so in the Possession or Receipt of the Rents and Profits of such Lands, Tenements, or Hereditaments, situated as aforesaid, of the clear Yearly Value of One hundred Pounds, or shall reside within Six Miles of the said Parish Church of *Eccles*, and be possessed of a Personal Estate of the Value of Two thousand Pounds, nor before he shall have taken and subscribed the Oath or Affirmation hereafter mentioned before any Two or more of the said Trustees, who are hereby authorized and impowered to administer the same; (that is to say,) Qualifications
of Trustees.

‘ I *A. B.* do swear, [*or, being one of the People called Quakers, do solemnly affirm*] That I truly and *bonâ fide* am, in my own Right, [*or, in the Right of my Wife, as the Case may be*] in the actual Possession or Receipt of the Rents and Profits of Lands, Tenements, or Hereditaments, situated within the County Palatine of *Lancaster*, and within Six Miles of the Parish Church of *Eccles*, of the clear Yearly Value of Fifty Pounds, or am Heir Apparent of a Person so in the Possession or Receipt of the Rents and Profits of such Lands, Tenements, and Hereditaments situated as aforesaid, of the clear Yearly Value of One hundred Pounds, or possessed of a Personal Estate of the Value of Two thousand Pounds.

‘ So help me GOD.’

IV. And if any Person, not being so qualified, shall presume to act as such Trustee, contrary to the true Intent and Meaning of this Act, every such Person shall, for every such Offence, forfeit and pay the Sum of Fifty 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 Penalty on
Persons act-
ing, not be-
ing qualified.

of Record at *Westminster*, or in His Majesty's Court of Common Pleas held in and for the said County Palatine of *Lancaster*, by Action of Debt, or on the Case, or by Bill, Plaint, Suit, or Information, wherein no Effoign, Protection, or Wager of Law, or more than one Imparlance shall be allowed; and every Person so prosecuted shall prove that he is qualified as aforesaid, or otherwise shall pay the said Penalty, without any other Proof or Evidence on the Part of the Prosecution, than that such Person hath acted as a Trustee in the Execution of this Act; and that no Trustee shall be capable of acting in the Execution of any of the Powers hereby granted, during the Time he shall hold any Place of Profit under this Act.

Trustees holding Places of Profit, not to act.

Mortgagees may act.

V. Provided always, and be it further enacted, That any Mortgagee or Assignee of any Mortgage, or other Security, or any Lender of Money upon the Credit of the Tolls granted by this Act, or receiving Interest thereout for the same, shall not, on that Account, be deemed unqualified or be disabled from acting as a Trustee in the Execution of this Act.

Trustees being Justices, may act as such.

VI. Provided also, That all such Trustees as are Justices of the Peace for the said County Palatine of *Lancaster*, may act as Justices of the Peace in the Execution of this Act, notwithstanding their being Trustees, except only in such Cases where they shall be personally interested.

Trustees may sue and be sued in the Name of their Clerks.

VII. And be it further enacted, That the said Trustees may sue and be sued for or concerning any Thing to be done by virtue or in pursuance of this Act, in the Name or Names of their Clerk or Clerks for the Time being; and that no Action or Suit to be brought or commenced by the Direction of or against the said Trustees by virtue of this Act, in the Name or Names of their Clerk or Clerks, shall abate or be discontinued by the Death or Removal of any such Clerk or Clerks, nor by the Act of such Clerk or Clerks, without the Consent of the said Trustees, or any Five or more of them; but that the Clerk or Clerks for the Time being to the said Trustees, shall be deemed to be Plaintiff or Plaintiffs, Defendant or Defendants, as the Case may be, in every such Action.

Clerks to be reimbursed their Expences.

VIII. Provided always, That every such Clerk or Clerks, in whose Name or Names any Action or Suit shall be commenced, prosecuted, or defended in pursuance of this Act, shall be fully reimbursed, and paid out of the Money to arise by virtue of this Act, all such Costs, Charges, Damages, and Expences as by the Event, or in consequence of any such Action or Proceedings he or they shall pay, bear, expend, or be put unto or become chargeable with, by reason of his, her, or their being so made Plaintiff or Plaintiffs, Defendant or Defendants, as aforesaid.

Clerks competent Witnesses.

IX. And be it further enacted, That in all and every Action or Suit, touching or concerning the said Roads, the Clerk or Clerks to the Trustees of the said Roads, is, and are hereby declared not to be incompetent Witnesses, for and on Behalf of the said Trustees, by reason

reason of such Clerk or Clerks being the Plaintiff or Plaintiffs, or Defendant or Defendants upon Record in such Action or Suit.

X. And be it further enacted, That for putting this Act in Execution, the said Trustees, or any Five or more of them, shall and may, and they are hereby required to meet, at the *Coach and Horses* Inn, in *Manchester*, on the *Third Thursday* next after the Day on which this Act shall receive the Royal Assent, or as soon after as conveniently may be, between the Hours of Ten and Twelve of the Clock in the Forenoon, and then and there proceed to the Execution of this Act; and shall and may adjourn from Time to Time, and afterwards meet at the said House, or at any other Place in or near to the said Roads, as they the said Trustees, or any Five or more of them, attending the said Meetings, shall think proper; and if at any such Meeting, there shall not appear a sufficient Number of Trustees to act, or to adjourn, (Two Trustees being deemed sufficient for the Purpose of Adjournment only); or in case the Trustees, at any Time assembled, shall omit or neglect to adjourn themselves, the Clerk or Clerks to the said Trustees shall, from Time to Time, in either of such Cases, by Notice in Writing, to be affixed and inserted in Manner aforesaid, at least Fourteen Days before the next Meeting, appoint the Trustees to meet at the Place where the last Meeting was held, or was appointed to have been held; and in case the Clerk or Clerks to the said Trustees shall refuse or neglect to give Notice, or shall by any Means be prevented from giving Notice as aforesaid, it shall be lawful for any Two or more of the said Trustees, although not assembled at a Meeting, at any Time or Times, after the Space of Seven Days after such Refusal, Neglect, or Prevention of such Clerk or Clerks, by Notice in Writing, under their Hands, to be affixed and inserted in Manner aforesaid, to appoint the Trustees to meet at some House, near to the said Roads, upon the Day Fortnight next after the Date of such last mentioned Notice; but no Business shall be done or proceeded upon by the said Trustees, at any Meeting to be held under this Act, before the Hour of Eleven in the Forenoon, and no Adjournment shall be made to, nor any Meeting be appointed to be held, at any Hour later than Four of the Clock in the Afternoon of the Day on which such Meeting shall be appointed to be held; and the said Trustees, at all their Meetings, shall defray their own Expences.

Time of Meeting.

Clerks to call Meetings in case a sufficient Number of Trustees do not attend or omit to adjourn.

If Clerks omit to give Notice, Trustees may.

Hours of Meeting;

Trustees to bear their own Expences.

XI. And be it further enacted, That if after any Adjournment of the said Trustees, if it shall be found expedient to appoint an earlier Day of Meeting than that appointed by such Adjournment, then, and in every such Case, the Clerk or Clerks to the said Trustees, upon an Order in Writing, signed by Three or more of the Acting Trustees, although not assembled at a Meeting held in pursuance of this Act, mentioning the Time, Place, and Purposes of such Meeting, shall forthwith give Notice thereof, in the Manner before directed, in Cases where the Trustees shall have omitted to adjourn themselves and of the Time and Place, and Purposes which shall be mentioned in the Order of the said Trustees (such Time being not less than Six

Meetings on Emergencies.

[*Loc. & Per.*]

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Days

Days after such Notice), and such earlier Meeting shall and may be held accordingly; and all the Proceedings of the Trustees at such earlier Meetings relating to the Purposes mentioned in such Order and Notice respectively, but to no other Matter, shall be as valid and effectual as if the said Meetings had been held pursuant to Adjournment: Provided always, that no Orders or Proceedings of the said Trustees in the Execution of this Act, (except as is by this Act excepted,) shall be deemed to be valid, unless made, or had at a Meeting held in pursuance of this Act, nor unless a Majority of the Trustees present at a Meeting shall concur therein; nor shall any Order or Proceeding made or had at any Meeting of Five or more of the said Trustees be revoked or altered at any subsequent Meeting, unless Notice in Writing, specifying the Revocation or Alteration proposed to be made, be affixed upon the respective Turnpike or Turnpikes to be erected in pursuance of this Act, and also inserted in one of the Newspapers circulated in the Neighbourhood through which the said Roads pass. at least Twenty-one Days before such subsequent Meeting, nor unless a Majority of the said Trustees present at such Meeting, such Majority to consist of Seven at the least, shall concur in such Revocation or Alteration.

Orders of a former Meeting not to be revoked at a subsequent one, unless by a Majority of Seven at least present, and Notice given of the proposed Alteration.

Orders and Proceedings of Trustees to be entered in a Book or Books kept for that Purpose.

XII. And be it further enacted, That all Orders and Proceedings of the said Trustees shall be regularly entered in a Book or Books to be kept for that Purpose, and signed by the Trustees present at the Meetings or Meeting at which such Orders shall from Time to Time be made, or Proceedings had, or the major Part of such Trustees, and that such Book or Books shall be open at all seasonable Times to the Inspection of any of the Trustees appointed or to be appointed by virtue of this Act, without Fee or Reward, and such Entries, being signed by such Number of the said Trustees respectively as are empowered by this Act to make such Orders or carry on such Proceedings, shall be deemed Originals; and the same, and all Entries therein, or true Copies thereof, shall be admitted as Evidence in all Courts whatever.

Trustees to appoint Officers.

XIII. And be it further enacted, That the said Trustees, or any Five or more of them, at their first or any subsequent Meeting, when and as Occasion shall require, shall and may, by Writing under their Hands, elect and appoint a Clerk or Clerks, Treasurer or Treasurers, Receiver or Receivers, Collector or Collectors of the Tolls by this Act granted, Surveyor or Surveyors, and other Officers respectively as they shall think proper, and from Time to Time remove such Clerks, Treasurers, Collectors, Receivers, Surveyors, and other Officers, or any of them, as they the said Trustees, or any Five or more of them, shall see Occasion, and appoint others in the room of such of them as shall be so removed, or shall die, resign, or become incapable of performing their Duty; and the said Trustees, or any Five or more of them, shall and may, out of the Money to be raised and received by virtue of this Act, give such Salaries, or make such Allowances to the Clerks, Treasurers, Receivers, Collectors, Surveyors, or other Officers so appointed, and to such other Persons as shall be assisting in and about the Execution of this Act, as to them, the said Trustees, or any Five or more

more of them shall seem proper; and the said Clerks, Treasurers, Receivers, Collectors, Surveyors, and other Officers, and all other Persons who shall be employed in the Receipt or Expenditure of any of the Monies arising by virtue of this Act, shall, upon their respective Oaths, if thereunto required by the said Trustees, or any Five or more of them, (which Oaths the said Trustees, or any Five or more of them, are and is hereby empowered to administer), from Time to Time, and as often as they shall be called upon for that Purpose, produce and give up to such Trustees full, true, and perfect Accounts in Writing, under their respective Hands, of all Monies which shall have been by them respectively had, received, or collected, and how, to whom, and for what Purposes such Monies, and every Part thereof, shall have been paid, disposed of, or applied, together with proper Receipts and Vouchers for such Payments; and shall, and are hereby respectively required to pay all such Monies as shall remain in their respective Hands, to the said Trustees, or any Five or more of them, or to such Person or Persons, or for such Uses and Purposes as they shall direct and appoint; and if such Officer or Person, (being required so to do), shall refuse or neglect by the Space of Ten Days to render and give up, or verify upon Oath, such Account or Accounts as aforesaid, or to produce or deliver up to the said Trustees, or any Five or more of them, the Receipts and Vouchers relating to the same, or to pay as aforesaid any Sum or Sums of Money which shall remain in his or their Hands, or shall not deliver to the said Trustees, or any Five or more of them, within Ten Days after being thereunto required by any Five or more of such Trustees, all the Books, Papers, and Writings in his or their Custody or Power relating to the Execution of this Act, then, and in any of the Cases, any One or more of the Justices of the Peace for the County or Place wherein such Officer or Person shall be and reside, shall (upon Complaint of any Five or more of the said Trustees) make Enquiry concerning such Default, either by Confession of the Party, or by the Testimony of One or more credible Witnesses or Witnesses upon Oath, (which Oath such Justice or Justices is and are hereby empowered and required to administer without Fee or Reward); and if any such Officer or Person shall be convicted of any of the Offences aforesaid, such Justice or Justices shall and may commit such Officer or other Person so convicted, to the common Gaol for such County or Place, there to remain, without Bail or Mainprize, until such Officer or Person shall give and make a true and perfect Account, and verify the same as aforesaid, and make such Payment as aforesaid, or until he shall have compounded with the said Trustees, or any Five or more of them, for the same, and shall have paid such Composition Money to the said Trustees, or their Treasurer or Treasurers, (which Composition the said Trustees, or any Five or more of them, are hereby impowered to make), or until such Officer or Person shall have delivered up such Books, Papers, and Writings as aforesaid, or given Satisfaction in respect thereof to the said Trustees, or any Five or more of them; but no Person who shall be committed on account of his not having sufficient Goods and Chattels as aforesaid, shall be detained in Prison for any longer Time than Six Calendar Months.

Officers to
account.

Proceedings
against Offi-
cers refusing
to account
or deliver
Books, &c.

Trustees em-
powered to
compound
with Officers.

XIV. And

Officers to
give Security.

XIV. And be it further enacted, That the Clerk or Clerks, Treasurer or Treasurers, Receiver or Receivers, and other Officers to be elected and appointed as aforesaid, shall, before he or they enter upon their respective Offices, give such Security to the said Trustees, or any Five or more of them, for the due Execution thereof, as to the said Trustees, or any Five or more of them, shall seem meet; which Security the said Trustees, or any Five or more of them, are hereby required to take, and such Security shall be lodged in the Office of the Clerk of the Peace for the said County of *Lancaster*.

Trustees may
appoint tem-
porary Col-
lectors;

and remove
those dis-
charged.

XV. And be it further enacted, That when and as often as any Collector or Receiver of the Tolls shall die, or become incapable of performing his Duty, or shall abscond, or absent himself, or become Bankrupt, it shall be lawful for any Three or more of the said Trustees, although not assembled at a Meeting of the said Trustees, to be appointed by virtue of this Act, to discharge such Collector or Receiver so becoming incapable of performing his Duty, or absconding, or absenting himself, or becoming Bankrupt, and nominate and appoint a proper Person to be a Collector or Receiver of the said Tolls (to continue until the then next Meeting of the said Trustees) in the Stead of such Collector or Receiver as shall so die or be discharged; and such Person so nominated and appointed shall have the like Power and Authority, and be answerable and accountable in the same Manner, in all Respects, as the Person who shall so die or be discharged would have had or been subject to.

Collectors
refusing to
deliver up
Toll Houses.

Justice em-
powered to
grant War-
rant, and
Constable to
enter and re-
move such
Collectors.

XVI. And be it further enacted, That if any Collector or Receiver of the said Tolls, who shall be discharged from his Office by virtue of this Act, or the Wife, or Widow, or any of the Children, Family, or other Representatives of any Collector, or Receiver, who shall die or be discharged, or any other Person or Persons who shall refuse to deliver up the Possession of any Toll House or Building to be erected or set up on the said Roads for the Space of Four Days after Demand thereof made, and Notice in Writing given for that Purpose by any of the said Trustees, (although not assembled at any Meeting), or by their Clerk or Clerks, Treasurer or Treasurers, then, and in any of the said Cases, it shall be lawful for any Justice or Justices of the Peace for the County or Place in which such Toll House or Building shall be situated, by Warrant under his or their Hands and Seals, to order any Constable, or other Peace Officer for the same County or Place, with such Assistance as shall be necessary, to enter such House or Building in the Day-time, and to remove the Person or Persons who shall be found therein, together with his, her, or their Goods out of the same, and to put the said Trustees, or any Three or more of them, or such new appointed Collector or Receiver, into the Possession thereof.

Power to en-
ter Lands and
make Roads.

XVII. And be it further enacted, That it shall be lawful for the said Trustees, or any Five or more of them, and for their Surveyor or Surveyors and Workmen, with or without Carriages and Cattle, from Time to Time to enter upon the Lands and Grounds through which or whereupon the said Roads, hereby authorized to be made, or any
Part

Part thereof, are intended to pass, and to stake and mark out the same of such Width, not exceeding Sixty Feet, including the Ditches on each Side thereof, and in such Manner as the said Trustees, or any Five or more of them, shall think necessary or proper; and also to set out, level, erect, and make, and afterwards to repair and alter the said intended Bridges across the said Rivers *Irwell* and *Medlock*, and the said Canal, and to cart, convey, and lay down the necessary Materials and Implements for all or any of such Purposes, without being deemed a Trespasser or Trespassers, and without being subject or liable to any Fine, Penalty or Punishment for entering or continuing upon any Part or Parts of such Lands or Grounds respectively, for any of the Purposes of this Act, making Satisfaction to the Occupiers of such Lands and Grounds for the Damages that shall be done to the Land or Ground on the Sides of the said Roads whilst the same shall be making: Provided always, that in staking and marking out the said Branch of Road leading from *Water Street* in *Manchester* into the present Turnpike Road leading through the Township of *Hulme* as aforesaid, the said Trustees shall not deviate from the Line of the said intended Road as the same is now staked and marked out, without the Consent, in Writing, of the Owners of the Lands through which the said intended Branch of Road shall pass: Provided also, that the said Trustees shall, and they are hereby directed and required to erect and make the said Bridge across the said River *Irwell* at some convenient Place above its Junction with the River *Medlock*, and not exceeding the Distance of Three hundred Yards from such Junction: Provided also, that the Entrance of the said intended Road across the said River *Irwell* into *Water Street* aforesaid, shall be on the northerly Side of a certain House and Buildings now in the Occupation of *John Redford*, and not at a greater Distance than Seventy Yards from the same.

XVIII. And be it further enacted, That it shall be lawful for the said Trustees, or any Five or more of them, and they are hereby fully authorised and empowered to make and repair, and to continue, maintain, and support the said Roads so staked and marked out, and also from Time to Time to widen, divert, shorten, vary, and alter the Course or Path of any Part or Parts of the said Roads, (except so much of the said intended Road as extends from the said Bridge across the River *Irwell* unto and into the said Turnpike Road leading through the Township of *Hulme*) as Occasion shall require, through any Waste Grounds, Commons, or uncultivated Lands, without making Satisfaction for the same, and also through any private Grounds or Hereditaments, doing as little Damage as may be to the Owners thereof, and Persons interested therein, and making Satisfaction to the respective Owners and Persons interested in the said private Grounds and Hereditaments which shall be made use of for the Purposes aforesaid, or otherwise prejudiced or damaged by or in the Execution of any of the Powers hereby granted to the said Trustees; and for that Purpose it shall be lawful for the said Trustees, or any Five or more of them, to treat, contract, and agree with the Owners of and Persons interested in any Lands or Hereditaments for the Purchase thereof, or for the Loss or Damage such Owners or Persons may

Trustees may
make and
divert the
Road.

[*Loc. & Per.*]

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sustain

sustain by the making, widening, diverting, turning, or altering the Course or Path of any Part or Parts of the said Roads, through such Lands and Hereditaments; and it shall be lawful for all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Husbands, Guardians, Trustees or Feoffees in Trust, Committees, Executors, Administrators, and all other Trustees whatsoever, not only for and on Behalf of themselves, their Heirs and Successors, but also for and on Behalf of their *Cestuique* Trusts, whether Femes Covert, Infants, or Issue unborn, Lunatics, Idiots, or other Person or Persons whomsoever, and for all Femes Covert who are or shall be seised of or interested in their own Right, and to and for all and every Person and Persons whomsoever, who are or shall be possessed of and interested in any such Lands or Hereditaments, to contract with the said Trustees, or any Five or more of them, for the Satisfaction to be made for such Damages as aforesaid, or to sell and convey unto them, or any Five or more of them, all or any of such Lands or Hereditaments, or any Part thereof, for the Purposes aforesaid; and all Contracts, Sales, and Conveyances which shall be so made, shall be valid to all Intents and Purposes, any Law, Statute, Usage, or other Matter to the contrary in anywise notwithstanding; and all such Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Husbands, Guardians, Trustees, Feoffees, Committees, Executors, Administrators, and all other Persons, shall be and are hereby indemnified for what they shall do by virtue or in pursuance of this Act.

Where Persons interested neglect or refuse to treat.

The Damages and Recompence to be settled by a Jury.

XIX. And be it further enacted, That, if any such Body Politic, Corporate, or Collegiate, Corporation Aggregate or Sole, Husbands, Guardians, Trustees, Feoffees, Committees, Executors, Administrators, or any other Person or Persons interested in any such Lands, or Hereditaments, upon Notice to him, her, or them given, or left in Writing at the Dwelling House or Dwelling Houses, Place or Places of Abode of such Person or Persons, or of the principal Officer or Officers of any such Body Politic, Corporate, or Collegiate, Corporation Aggregate or Sole, or at the House of the Tenant in Possession of the Lands and Hereditaments, through which any Part of the said Roads is intended to be made, widened, diverted, turned, or altered, shall, for the Space of Thirty Days next after such Notice given or left as aforesaid, neglect or refuse to treat, or shall not agree in the Premises, or, by reason of Absence, shall be prevented from treating, then, and in every such Case, the said Trustees, or any Five or more of them, shall cause such Damage, Value, or Recompence to be inquired into and ascertained by a Jury of Twelve indifferent Men of the County or Place wherein such Lands or Hereditaments do lie; and, in order thereto, the said Trustees, or any Five or more of them, are hereby empowered and required from Time to Time, as Occasion shall require, to summon and call before such Jury, and examine upon Oath, all and every Person and Persons whomsoever, who shall be thought necessary and proper to be examined concerning the Premises, (which Oath any One or more of the said Trustees is and are hereby empowered to administer,) and such Trustees, or any Five or more of them, shall, by ordering a View or otherwise, use all lawful Ways and Means, as well

well for their own as for the said Jury's Information in the Premises; and, after the said Jury shall have enquired of and assessed such Damage and Recompence, they the said Trustees, or any Five or more of them, shall thereupon order, adjudge and determine the Sum or Sums of Money, so assessed by the said Jury, to be paid to the said Owners, and other Persons interested in the said Lands and Hereditaments, according to the Verdict or Inquisition of such Jury; which said Verdict or Inquisition, and Judgement, Order and Determination thereon shall be final, binding and conclusive to all Intents and Purposes, against all Parties and Persons whomsoever, claiming or to claim any Estate in Possession, Reversion, or otherwise, their Heirs and Successors, as well absent as present, Infants, Females Covert, Lunatics, Idiots, and Persons under any other Disability whatsoever, Bodies Politic, Corporate, and Collegiate, Corporations Aggregate or Sole, as well as all and every other Person and Persons whomsoever: And for summoning and returning such Juries the said Trustees, or any Five or more of them, are hereby empowered to issue their Warrant or Warrants to the Sheriff of the County wherein such Lands or Hereditaments do lie, commanding him to impanel, summon, and return an indifferent Jury of Twenty-four Persons qualified to serve upon Juries, to appear before such Trustees, or any Five or more of them, at such Time and Place as in such Warrant or Warrants shall be appointed; and such Sheriff, or his Deputy or Deputies, is and are hereby required to impanel, summon, and return such Number of Persons accordingly; and out of the Persons so impanelled, summoned and returned, or out of such of them as shall appear upon such Summons, the said Trustees, or any Five or more of them, shall, and they are hereby empowered and required to swear, or cause to be sworn, Twelve Men, who shall be a Jury for the Purposes aforesaid; and, in default of a sufficient Number of Jurymen, the said Sheriff, or his Deputy or Deputies, shall return other honest and indifferent Men of the Standers-by, or that can speedily be procured to attend that Service, to the Number of Twelve; and all Persons concerned shall have their lawful Challenges against any of the said Jurymen when they come to be sworn, but shall not challenge the Array; and the said Trustees, or any Five or more of them, acting in the Premises shall have Power, from Time to Time, to impose any reasonable Fine or Fines upon such Sheriff, or his Deputy or Deputies, making Default in the Premises; and on any of the said Persons that shall be summoned and returned on such Jury, and who shall not appear, or appearing, shall refuse to be sworn on the said Jury, or, being sworn, shall refuse to give, or shall not give their Verdict, or in any other Manner wilfully neglect their Duty therein, contrary to the true Intent and Meaning of this Act; and on any of the Persons, who being required to give Evidence before the said Jury, shall refuse or neglect to appear, or appearing, shall refuse to be sworn and examined, or to give Evidence, so that no Fine be more than Five Pounds on any Person for One Offence.

Verdict of the Jury to be final.

Trustees to issue Warrants to the Sheriff to impanel a Jury.

Jury may be challenged.

Fines.

XX. And be it further enacted, That, in case any Jury or Juries to be summoned and sworn pursuant to the Authority of this Act, shall give and deliver a Verdict or Assessment for more Money as a Recompence or

How the Expences of the Jury and Witnesses are to be borne.

or Satisfaction for the Right, Interest, or Property of any Person or Persons in any such Lands or Hereditaments, or for any Loss or Damage to be by him, her or them sustained than what shall have been agreed to and offered by the said Trustees, or any Five or more of them, before the summoning and returning of the said Jury or Juries, as a Recompence or Satisfaction for any such Right, Interest, or Property, or for any Loss or Damage as aforesaid, then, and in such Case, the Costs and Expences of summoning and maintaining the Jury and Witnesses, and all other Expences attending the hearing and determining of such Difference shall be borne and paid by the Treasurer to the said Trustees, out of any Money which shall then be in his Hands, or out of the Monies to be received by virtue of this Act; but if any Jury or Juries, so summoned and sworn as aforesaid, shall give in and deliver a Verdict or Assessment for no more, or for less Money than shall have been agreed to and offered by the said Trustees, or any Five or more of them, before the summoning and returning the said Jury or Juries, as a Recompence and Satisfaction for any such Right, Interest, or Property in any such Lands or Hereditaments, or Losses or Damages as aforesaid, then the Costs and Expences of summoning and maintaining the said Jury and Witnesses, and all other Expences as aforesaid, shall be borne and paid by the Person or Persons with whom the said Trustees shall have such Controversy or Dispute; which said Costs and Expences, having been ascertained and settled by some Justice of the Peace for the County or Place wherein the cause of Dispute shall arise, not interested in the Matter in question, (who is hereby required to examine and settle the same,) shall and may be deducted out of the Money so assessed and adjudged, as so much Money advanced to and for the Use of such Person or Persons, and the Payment, or Tender of the Remainder of such Monies shall be deemed and taken, to all Intents and Purposes, to be a Payment or Tender of the whole Sum or Sums so assessed and adjudged, or otherwise such Costs and Expences, in case the same be not paid upon Demand, after being so ascertained and settled as aforesaid, may be recovered by the Clerk or Clerks to the said Trustees, by the Ways and Means hereinafter provided for Recovery of Penalties and Forfeitures: Provided always, that, in all Cases where any Person or Persons shall, by reason of Absence, have been prevented from treating, such Costs and Expences shall be borne and paid by the said Trustees, or any Five or more of them, in Manner aforesaid.

Money allowed for Lands, how to be charged and tendered.

XXI. And be it further enacted, That every Sum of Money to be agreed for or assessed as aforesaid, shall be paid out of the Tolls by this Act granted, or out of the Monies to be borrowed on the Credit thereof, to the Party or Parties respectively entitled thereto, or to their Agents; and upon Payment thereof, or in case of Refusal to accept the same, or the Parties not being to be met with, upon leaving the same in the Hands of the Treasurer or Treasurers to the said Trustees, for the Use of such Parties or Persons respectively, and after Ten Days Notice thereof given to such Parties or Persons, or their Agents, or left at their respective usual Place of Abode, or with the Tenant or Tenants in Possession of such Lands or Hereditaments, then such

Lands or Hereditaments shall be laid into and made Part of the said Roads, in such Manner as the said Trustees, or any Five or more of them shall direct, and shall be by them, or by such Person or Persons as they or any Five or more of them shall appoint, sufficiently drained, ditched, fenced, and set out for that Purpose, and shall to all Intents and Purposes whatsoever become, and be, and be deemed and taken to be, a Common Highway, and be from thenceforth Part of the said Roads for ever thereafter, and shall be repaired and kept in Repair in such Manner, and by the same Ways and Means, as the Roads hereby authorised to be made and repaired; and from thenceforth all Parties whomsoever shall be divested of all Right and Title to such Lands and Hereditaments; and in case of the turning or altering the Course of any Part or Parts of the said Roads, after such new Roads shall be completed, the Lands constituting such former Roads, or any Part thereof, unless leading over some Moor, Common, uncultivated Land or Waste Ground, or to some Village, Town, or Place, to which such new Road or Roads doth not or do not lead, shall be vested in, and shall and may be sold and conveyed by the said Trustees, or any Five or more of them, in the Manner herein-after mentioned, for the best Price that can be gotten for the same, and the Money arising by such Sale shall be applied to the Purpose of this Act; and all Conveyances, being executed by the said Trustees, or any Five or more of them, and inrolled in the Office of the Clerk of the Peace for the County wherein such Roads shall happen to be, shall be good and effectual to all Intents and Purposes whatsoever.

XXII. Provided always, and be it further enacted, That the Power and Authority by this Act given to the said Trustees shall not extend to the taking down of any Dwelling House or other Building, or the taking in the Scite of any Dwelling House or other Building, or any Garden, Orchard, Yard, Park, planted Walk or Avenue to a House, or Plantation or Nursery of Trees, without the Consent of the Owners and Occupiers thereof respectively (save and except the several Tenements, Hereditaments, and Premises particularly mentioned and described in the Schedule hereunto annexed).

Trustees not to take down Houses, &c. without Consent of Owners.

XXIII. And be it further enacted, That the said Trustees, or any Five or more of them, shall and may, from and immediately after their First Meeting as aforesaid, cause to be erected and set up, a Turnpike or Toll Gate, in, upon, or across any Part of the said Road, within Half a Mile of the Westerly Extremity of the same Road, near the Cross at *Eccles* aforesaid; and also another Turnpike, or Toll Gate, in, upon, or across any Part of the principal Line of the said Road, within a Quarter of a Mile on either Side of the Place where the Cross Lane Branch forms a Junction with the said principal Line of Road; which said Two Turnpikes, or Toll Gates, shall be called the Two Principal Gates; and also another Turnpike, or Toll Gate, in, upon, or across the said Road, at or upon the Bridge to be erected and built across the River *Irwell*, for the Purpose of the said Road, or within the Distance of Twenty Yards from one End of the said Bridge; which said last mentioned Turnpike or Toll Gate shall be called the

Trustees may erect Turnpike Gates and Toll Houses.

[*Loc. & Per.*]

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Bridge-

Bridge-Gate, and from Time to Time, to remove the said several Turnpikes or Toll Gates, or any of them, and to erect and set up in lieu thereof respectively, Turnpikes or Toll Gates, upon and across the said Roads, at any Place or Places within the respective Distances aforesaid, to supply the Place or Places of such of the said Turnpikes or Toll Gates, as shall be so removed; and from Time to Time, to erect and provide such Toll Houses, in, upon, or adjoining to the said Roads, at such Place or Places respectively, where the said Turnpikes or Toll Gates shall be erected or set up, as the said Trustees, or any Five or more of them, shall think proper; and for that Purpose, direct the Expences of setting up such Turnpikes and Toll Gates, and of building and erecting such Toll Houses, and keeping up and supporting the same, to be borne and paid by and out of the Monies to be raised, procured, and collected, by and under the Powers of this present Act, in the Manner herein-after mentioned and provided.

Tolls to be taken at the Two Principal Gates.

XXIV. And be it enacted, That the respective Tolls following shall be demanded and taken at each of the Two Turnpikes, or Toll Gates, to be erected as aforesaid, and to be called the Principal Gates, by such Person or Persons as the said Trustees, or any Five or more of them, shall from Time to Time appoint for that Purpose, before any Horse or other Cattle, Coach, Waggon, or other Carriage, shall be permitted to pass through the same on any Day, except *Sunday*; (that is to say),

For every Coach, Berlin, Landau, Chariot, Chaise, Chair, Calash, or Hearse, or other such like Carriage, drawn by Five or Six Horses, or Beasts of Draught, the Sum of Three Shillings; and drawn by Four Horses, or Beasts of Draught, the Sum of Two Shillings and Three-pence; and drawn by Three Horses, or Beasts of Draught, the Sum of One Shilling and Sixpence; and drawn by Two Horses, or Beasts of Draught, the Sum of Ninepence; and drawn by One Horse, or Beast of Draught, the Sum of Sixpence:

For every Waggon or other such like Four Wheel Carriage, with Wheels of the Breadth of Nine Inches on the Bottom or Sole thereof, drawn by Seven or Eight Horses, or Beasts of Draught, the Sum of Four Shillings and Sixpence; and drawn by Five or Six Horses, or Beasts of Draught, the Sum of Three Shillings; and drawn by Four or less than Four Horses, or Beasts of Draught, the Sum of One Shilling and Sixpence:

For every Waggon or other such like Four Wheel Carriage, with Wheels of the Breadth of Six Inches as aforesaid, drawn by Five or Six Horses, or Beasts of Draught, the Sum of Four Shillings; and drawn by Four or by less than Four Horses or Beasts of Draught, the Sum of Two Shillings and Threepence:

For every Waggon or other Four Wheel Carriage, with Wheels of less Breadth than Six Inches, the Sum of Four Shillings and Sixpence:

For every Cart or other such like Two Wheel Carriage, with Wheels of the Breadth of Six Inches, or more than Six Inches, drawn by Four Horses or Beasts of Draught, the Sum of One Shilling and Sixpence; and drawn by Three Horses or Beasts of Draught, the Sum

of One Shilling and One Penny Halfpenny; and drawn by Two Horses or Beasts of Draught, the Sum of Nine-pence:

For every Cart, or other such like Two Wheel Carriage, with Wheels of less Breadth than Six Inches as aforesaid, drawn by Three Horses or Beasts of Draught, the Sum of One Shilling and Ten-pence Halfpenny; and drawn by Two Horses or Beasts of Draught, the Sum of One Shilling and One Penny Halfpenny; and for every Cart or other Two Wheel Carriage, drawn by One Horse or Beast of Draught, the Sum of Sixpence:

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

For every Drove of Oxen, or Neat Cattle, the Sum of One Shilling and Three-pence *per* Score; and so in Proportion for any greater or less Number:

For every Drove of Calves, Swine, Sheep or Lambs, the Sum of Seven-pence Halfpenny *per* Score, and so in Proportion for any greater or less Number:

And that on each and every *Sunday* during the Continuance of this Act, there shall be demanded and taken at each of the said Two Principal Turnpikes or Toll Gates respectively, by such Person or Persons to be nominated and appointed as aforesaid, before any Horse, Cattle, or Carriage shall be permitted to pass through the same, Double the Tolls above mentioned, to be respectively demanded and taken, for every Horse or other Cattle, Coach, Waggon, Cart, or other Carriage passing through any of the said Turnpikes or Toll-Gates, on any other Day of the Week, which said respective Sums of Money shall be demanded and taken in the Name of or as a Toll. Sunday Tolls.

XXV. Provided always, and be it further enacted, That no Person who shall have paid Toll for passing through any Turnpike erected or to be erected by virtue of this Act, shall be subject to any Toll for returning through such Turnpike the same Day before Twelve of the Clock at Night, with the same Horses, Mares, Geldings, Mules, Asses, or other Cattle, or with the same Coach, Waggon or other Carriage, but shall return, Toll free, (except such Waggon, Cart, Caravan, Timber Carriage, or other Carriage, which shall pass or repass through any of the said Turnpikes, laden with any Loading of the Weight of Five Hundred Weight or upwards, of Six Score to the Hundred, and shall return the same Day, also laden with any Loading of the Weight of Five Hundred Weight or upwards as aforesaid, or any Coach, Berlin, Landau, Chariot, Calash with Four Wheels, Chaise Marine, Diligence, Chaise with Four Wheels or Caravan, or by what Name soever such Carriage or Carriages now is, or are, or hereafter may be called or known, that shall be kept or used, by or for any Person or Persons as a public Stage Coach or Stage Coaches, or Stage Carriages, employed carrying Passengers for Hire to and from different Places,) on delivering a Note or Ticket to the Collector of the Tolls at such respective Turnpikes, which Note or Ticket such Collector is hereby required to deliver *gratis* on the Receipt of the Toll. To be paid but once for passing and repassing, except, &c.

XXVI. And

Trustees may
erect Side-
Bars.

XXVI. And be it further enacted, That it shall and may be lawful for the said Trustees, or any Five or more of them, to cause to be erected and set up One or more Turnpike Gate or Gates, Toll House or Toll-Houses, on the Side or Sides of any Part or Parts of the said principal Line of Road betwixt the Westerly or *Eccles* Side of *Oldfield* Lane End, and the Cross at *Eccles* aforesaid, across any Highway or Lane leading into the same principal Line of Road, or across the Branch or Division of the same Road, at *Cross-Lane* End aforesaid, and to cause such Tolls to be collected and levied at such respective Turnpikes as are by this Act made payable at the Two Principal Gates.

Further Re-
gulation of
Tolls at the
Side-Bars.

XXVII. Provided always, and be it further enacted, That no Person who shall have paid the Toll hereby granted for the Passage of any Cattle, or Carriage, through the said Principal Gates, or either of them as aforesaid, shall be subject or liable, the same Day, to the Payment of any Toll at any of the said Side Bars to be erected as aforesaid, for the once passing and returning of the same Cattle or Carriage through such Side Bar, nor any Person who shall have paid the Toll at any of the said Side Bars, for the passing of any Cattle or Carriage through the same, be subject or liable, the same Day, to the Payment of any Toll at the Principal Gate immediately next to the Side Bar, at which he shall so have paid such Toll for the once passing and returning of the same Cattle or Carriage through such Principal Gate immediately next to the said Side Bar.

Tolls to be
taken at the
Bridge Gate.

XXVIII. And be it enacted, That the respective Tolls following shall be demanded and taken at the Turnpike or Toll-Gate to be erected as aforesaid, and to be called the *Bridge-Gate*, by such Person or Persons as the said Trustees, or any Five or more of them, shall from Time to Time appoint for that Purpose, before any Foot-Passenger, Horse, or other Cattle, Coach, Waggon, or other Carriage, shall be permitted to pass through the same; (that is to say),

Tolls at the
Bridge Gate.

For every Foot Passenger, and for every Person in a Waggon or Cart or other such like Carriage, (other than the Driver thereof) One Halfpenny :

For every Coach, Berlin, Landau, Chaise, Chair, Calash, Hearse, or other such like Carriage, with the Driver or Drivers thereof, drawn by Five or Six Horses or Beasts of Draught, the Sum of Sixpence ; and drawn by Four or Three Horses or Beasts of Draught, the Sum of Three-pence ; and drawn by Two Horses or Beasts of Draught, the Sum of Two-pence ; and drawn by One Horse or Beast of Draught, the Sum of One Penny :

For every Waggon or other such like Four Wheel Carriage (with the Driver thereof) drawn by Seven or Eight Horses or Beasts of Draught, the Sum of Eight-pence ; and drawn by Five or Six Horses or Beasts of Draught, the Sum of Sixpence ; and drawn by Four or less than Four Horses or Beasts of Draught, the Sum of Four-pence :

For every Cart or other such like Two Wheel Carriage (with the Driver thereof) drawn by Four or Five Horses or Beasts of Draught, the Sum of Four-pence ; and drawn by Three Horses or Beasts of Draught,

Draught, the Sum of Three-pence; and drawn by Two Horses or Beasts of Draught, the Sum of Two-pence; and drawn by One Horse or Beast of Draught, the Sum of One Penny:

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

For every Drove of Oxen or Neat Cattle, Calves, Swine, Sheep, or Lambs, the Sum of Five-pence *per* Score; and so in Proportion for a greater or less Number:

Which same respective Sums of Money shall be demanded and taken in the Name of or as a Toll; and that the same Tolls, and all other the Tolls to be collected or levied by virtue of this Act shall be, and the same are hereby vested in the said Trustees, and shall be applied, and may be assigned in such Manner as herein-after mentioned.

XXIX. Provided always, and be it further enacted, That no Foot Passenger, or Person in a Waggon or Cart, or other such like Carriage (other than the Driver thereof) who shall have paid Toll for passing through the said Turnpike or Toll Gate to be erected as aforesaid, and to be called the *Bridge Gate*, shall be liable to any Toll for passing again through such Turnpike or Toll Gate, at any Time or Times, and as often as he or she shall think proper, on the same Day before Twelve of the Clock at Night, (except on *Sundays*, when such Foot Passengers and Persons so in Waggon or Carts, or other such like Carriages as aforesaid, shall be liable to the Payment of Toll for each Time of passing,) but shall pass Toll-free; on producing a Note or Ticket to the Collector of the Tolls at such Turnpike or Toll Gate, which Note or Ticket such Collector of the Tolls is hereby required to deliver *gratis* on Receipt of the Toll.

Foot Passengers only to pay once a Day, except on *Sundays*.

XXX. Provided also, and be it further enacted, That no Person who shall have paid Toll for passing through the same Turnpike or Toll Gate to be erected as aforesaid, and to be called the *Bridge Gate*, (except Foot Passengers on *Sundays*, or Persons in Waggon or Carts, or other such like Carriages, other than the Driver thereof, on *Sundays* as aforesaid,) shall be liable to any Toll for returning through such Turnpike or Toll Gate the same Day before Twelve of the Clock at Night, with the same Horses, Mares, Geldings, Mules, Asses, or other Cattle, or with the same Coach, Waggon, Cart, or other Carriage, but shall return Toll-free, on delivering a Note or Ticket to the Collector of the Tolls at such Turnpike or Toll Gate, which Note or Ticket such Collector of the Tolls is hereby required to deliver *gratis* on Receipt of the Toll.

Other Tolls to be paid once for passing and re-passing.

XXXI. And be it further enacted, That if any Person or Persons, subject to the Payment of any of the said Tolls respectively, shall, after Demand thereof made, neglect or refuse to pay the same, or any Part thereof, it shall be lawful for the Person or Persons, appointed as aforesaid, to collect such Tolls by himself, herself, or themselves, or taking such Assistance as he, she, or they shall think necessary, to seize and distrain any Horse, Beast, or other Cattle upon which any such Toll is by this Act imposed, or any Carriage which such Horse, Beast, or other

[*Loc. & Per.*] L Cattle

Powers of Distress for Non-payment of Tolls.

Cattle may be drawing, or the Loading, Harness, or Accoutrements of any such Horse, Beast, or Cattle, or any of the Goods or Chattels of such Person or Persons so neglecting or refusing to pay the same; and if such Tolls, and the reasonable Charges of such Seizure and Distress shall not be paid within the Space of Four Days, next after such Seizure and Distress made, the Person or Persons so seizing and distraining shall and may sell the Horse, Beast, Cattle, or Carriage, or other Goods and Chattels so seized and distrained, or a sufficient Part thereof, returning the Overplus (if any), and what shall remain unfold, upon Demand, to the Owner thereof, after such Tolls and all reasonable Charges shall be deducted and paid.

For settling
Disputes
concerning
Tolls.

XXXII. And be it further enacted, That if any Dispute shall happen about the Amount of the Tolls due, or the Charges of keeping any Distress, it shall be lawful for the Collector, or Person so distraining, to retain such Distress, or the Money arising from the Sale thereof, (as the Case may happen,) till the Amount of the Tolls due, and the Charges of the Distress and Sale, and of keeping the Distress, (as the Case may happen,) be ascertained by some Justice of the Peace for the County or District in which the Cause of Dispute shall arise, who, upon Application made to him for that Purpose, shall examine the Matter, on the Oath of the Parties, or other Witnesses or Witnessess, and shall determine the Amount of the Tolls due, and also assess the Charges of such Distress and Sale, and of the Collector's Attendance for that Purpose, upon the said Justice; all which Sums so determined or assessed shall be paid to the said Collector before he shall be obliged to return the said Distress, or the Overplus, after the Sale thereof, or any Part thereof.

Toll Bar
Keepers com-
petent Wit-
nesses.

XXXIII. And be it further enacted, That in case any Dispute, Suit, or Litigation, shall arise, touching or in anywise relating to the said Tolls, the Person or Persons, acting by or under the Authority of the said Trustees, is and are hereby declared not to be incompetent to give Evidence in any such Dispute, Suit, or Litigation, by reason of his, her; or their being so appointed to collect the said Tolls, or acting under the Authority of the said Trustees.

Toll Houses
vested in
Trustees.

XXXIV. And be it further enacted, That the Right and Property of all the Turnpikes and Toll Houses, and other Buildings, Bridges, Posts and Rails, to be erected or provided in or upon the said Roads, and of the Stone and Materials for building or repairing the same; and also of all Stone and Materials got or collected for repairing the said Roads, shall be, and the same are hereby vested in the said Trustees, and they, or any Five or more of them, are hereby empowered to bring, or cause to be brought, any Action or Actions, in the Name or Names of their Clerk or Clerks for the Time being, or to prefer, or order the preferring of any Indictment or Indictments, at the Expence of the Revenues of the Trust, against any Person or Persons who shall injure the same, or disturb them in the Possession thereof; and in all such Indictments the several Matters and Things wherein the said Trustees are so injured or disturbed may be laid, to be the Property of the said Clerk or Clerks.

XXXV. And

XXXV. And be it further enacted, That if any Person or Persons shall, with any Horse, Cattle, Beast, or Carriage, pass through any Lands, Grounds, or Hereditaments, lying near any Turnpike or Toll Gate which shall be erected by virtue of this Act, (the same not being a Public Highway), or if any Owner or Occupier of any such Lands, Grounds, or Hereditaments, shall knowingly permit or suffer any Person or Persons with any Horse, Cattle, Beast, or Carriage whatsoever, to pass through the same, or if any Person or Persons shall give to, or receive from any Person or Persons, or forge or counterfeit, any Note or Ticket, Notes or Tickets, by this Act directed to be given, whereby the Payment of any of the said Tolls, or any Part thereof, shall be avoided; or if any Person or Persons shall forcibly pass through any such Turnpike or Toll Gate with any Horse, Beast, or other Cattle, without Payment of Toll, or shall take off, or cause to be taken off, any Horse, Beast, or other Cattle from any Carriage, or having passed through any Turnpike or Toll Gate, to be erected by virtue of this Act, shall afterwards add or put an additional Horse or Beast to such Carriage, with an Intent to evade the Payment of the said Tolls, or shall leave, or cause to be left, upon or near any Part of the said Roads, any Carriage, Horse, Cattle, or other Beast, with Intent to avoid the Payment of any of the said Tolls, or any Part thereof, or shall, with such Intent, unload any Goods from or out of any Carriage, or in any other Manner whatsoever evade, or attempt to evade, the Payment of any of the Tolls hereby authorized to be taken, every Person so offending shall, for every such Offence, forfeit and pay any Sum not exceeding Five Pounds nor less than Forty Shillings.

Penalty on permitting private Passages, or evading Tolls.

XXXVI. Provided always, and it is hereby enacted and declared, That the said Trustees, or any Five or more of them, are hereby authorized and empowered from Time to Time, if they shall think proper, to reduce or lower all or any Part or Parts of the several Tolls hereby granted, (except the Tolls payable at the said Bridge Gate,) and to raise the same again, so as that the same do not exceed the Tolls by this Act granted, and so as such Reduction be with the Consent of the several Persons who shall be entitled to Four-fifth Parts of the Money then due on the Credit of the said Road, and who, at the Time of such Reduction, shall have Money secured on the Tolls intended to be reduced; but such Reduction shall not be made, unless Notice in Writing of the Meeting to be holden for that Purpose be given, by affixing the same upon all the Turnpike Gates which shall be then erected upon the said Road and Bridge, and also by inserting the same in some Newspaper circulated in the Neighbourhood through which the said Roads pass Twenty-one Days at least previous to such Meeting, nor unless a Majority of the Trustees present at such Meeting, such Majority to consist of Seven Trustees at the least, shall concur in such Reduction; and such Tolls so reduced or lowered shall be collected, levied, and applied respectively, in the same Manner as the Tolls hereby granted are directed to be collected, levied, and applied respectively.

Power of reducing the Tolls.

XXXVII. And be it further enacted, That the said Trustees, or any Five or more of them may, and they are hereby authorized and empowered, from Time to Time as they shall see convenient, to compound and agree for

Trustees empowered to compound for the Tolls.

for any Term not exceeding One Year at any one Time, with any Person or Persons for any Horses, Cattle, Beasts, or Carriages passing through any of the said Turnpikes or Toll Gates, so that no Composition be made for any Cattle or Carriages travelling for Hire; and all such Composition Money shall be paid One Year in Advance, otherwise such Composition shall be void.

General
Exemptions.

XXXVIII. And be it further enacted, That no Toll shall be demanded or taken for any Waggons, Wains, Carts, Carriages, or Horses, employed in carrying or conveying only, or going empty to carry or convey only, or returning empty from carrying or conveying, having been employed only in carrying or conveying on the same Day, any Stones, Bricks, Timber, Wood, Gravel, or other Materials for repairing the said Roads; or any of the Roads in the Townships in which any Part of the said Roads do lie, or any Hay, Straw, or Corn in the Straw only; not sold or disposed of, but passing to be laid up or placed in the Out-houses, or on the Lands of the Owners thereof, situated within the same Township from which such Hay, Straw, or Corn in the Straw, shall be removed, or for any Waggons, Wains, Carts, Carriages, or Horses employed in carrying or conveying only, or going empty to carry or convey only, or returning empty from carrying or conveying, having been employed only in carrying or conveying any Ploughs, Harrows, or Implements of Husbandry; for the Purpose only of using or repairing the same; or in carrying or conveying from Place to Place any Mould, Dung, Lime, Marl, Soil, Compost, or other Manure employed in Husbandry for manuring or improving Land, or any Stone, Bricks, or other Materials for draining Land, or for any other Thing employed in the Management of any Farm or Land, or for any Waggons, Wains, Carts, Carriages, or Horses employed in carrying or conveying only or going empty to carry or convey only, or returning empty from carrying or conveying, having been employed only in carrying or conveying any Bricks, Lime, Stone, Plaster, Timber, or other Materials to be used for building or repairing any Church, Chapel, House, Out-house, Barn, Stable, or Hovel within the same Township where such Bricks, Lime, Stone, Plaster, Timber, or other Materials, shall be made, got, or cut down; or for any Horses or Cattle going to or returning from Pasture or Watering Places; or for any Horses going to be or returning from being shod, or from any Person going to or returning from his or her proper Parochial Church; Chapel, or other Place of religious Worship tolerated by Law; on a *Sunday*, or on any other Day on which Divine Service is ordered by Authority to be celebrated; or attending the Funeral of any Person that shall die and be buried in any of the said Parishes; or from any Clergyman going to or returning from visiting any sick Person, or upon other his Parochial or Ministerial Duty; on a *Sunday*, or on any other Day on which Divine Service is ordered by Authority to be celebrated, or for any Horses, Cattle, or Carriages of whatever Description, employed or to be employed in conveying the Mails of Letters and Expresses under the Authority of His Majesty's Postmaster General, either when employed in conveying; fetching, or guarding such Mails or Expresses, or in re-

turning back from conveying the same, or for any Horses, Carts, or Waggon's attending any Soldiers upon their March, or on Duty, or drawing any Carriage attending them with their Arms or Baggage, nor for any Horses furnished by or for any Persons belonging to any Corps of Yeomanry, or Volunteer Cavalry, and rode by them in going to or returning from the Place appointed for, and on the Days of Exercise, provided that such Persons be dressed in the Uniform of their respective Corps, and have their Arms, Furniture, and Accoutrements, according to the Regulations provided for such Corps respectively at the Time of claiming such Exemption; or for any Horses, Carts, Waggon's, or other Carriages employed in the Conveyance of Vagrants sent by legal Passes, or for any Coach, Landau, Berlin, Chariot, Calash, Chair, or other Carriage, or any Horse or other Beast conveying any Person or Persons to or from any Election of a Knight or Knights of the Shire to serve in Parliament for the County of *Lancaster* on the Day or Days of such Election, or on the Day before or Day after such Elections shall begin or be concluded; and if any Person or Persons shall, in any fraudulent or collusive Manner whatsoever, claim and take the Benefit of any of the Exemptions by this Act granted, not being entitled to the same, every such Person shall forfeit and pay for every such Offence any Sum not exceeding Forty Shillings, One Moiety whereof shall go to the Informer, and the other Moiety shall be applied to the Purposes of this Act.

XXXIX. And be it further enacted, That no Toll shall be demanded or taken at any Toll Gate or Turnpike, to be erected by virtue of this Act, on the Side or Sides of any Part of the said Roads, for any Horse, Cattle, or Carriage, which shall only cross the said Roads, and shall not pass above One hundred Yards thereon, unless such crossing shall be with Intent to avoid the Payment of Toll at any of the said Turnpikes or Toll Gates; and the Payment of such Toll shall be thereby evaded.

XL. And be it further enacted, That it shall be lawful for the said Trustees, or any Five or more of them, if they shall think proper, to order and cause to be built or erected at any Gate or Gates, Bar or Bars, erected or to be erected upon any Part of the said Roads, between the Westerly Extremity of the said Road, near the Cross at *Eccles* aforesaid, and the Place where the *Cross Lane* Branch forms a Junction with the said principal Line of Road, and at such Distance from any such Gate or Bar as they shall think requisite and expedient, a Crane, Machine or Engine, with a suitable House or other Building thereto, proper for the weighing of Carts, Waggon's or Carriages, conveying any Goods or Merchandise whatsoever, and to each such Crane, Machine or Engine, to order and cause to be erected a Turnpike Gate or Toll Gate across the said Roads, if they shall think it necessary or proper so to do, and by Writing, signed by them, or any Five or more of them, to order all and every, or any such Carriage or Carriages which shall pass loaded through any such Gate or Bar, to be weighed, together with the Loading thereof, it shall be lawful for the said Trustees, or any Five or more of them, to order any Person or Persons to receive and take, over and above the

[*Loc. & Per.*]

M

Tolls

No Toll for crossing the Road only. Trustees may at public Meetings order Engines to be erected for weighing Carriages, and may take additional Tolls for Overweight.

Tolls hereby granted, such additional Tolls for Overweight or Overweights, which any Waggon, Cart or Carriage, together with the Loading thereof, shall weigh at any Weighing Machine, erected or to be erected by virtue of this Act, over and above the Weights allowed to each of them respectively by the said Act, passed in the Thirteenth Year of the Reign of His present Majesty, for regulating the Turnpike Roads of this Kingdom, as are granted and made payable by the same Act; which said additional Tolls shall and may be levied and recovered in any of the Cases aforesaid from any Person liable thereto, or upon his or her Goods or Chattels, who shall, after Demand made thereof, refuse or neglect to pay the same in such Manner as any other Toll or Duty is hereby directed to be levied and recovered; and the Money arising from such additional Toll or Duty shall be applied in such and the like Manner as other the Tolls hereby made payable are herein directed to be applied; and the said Weighing Engine or Engines shall be deemed, to all Intents and Purposes, a Weighing Engine or Engines, within the Scope and Meaning of the said General Turnpike Act, passed in the Thirteenth Year of the Reign of His present Majesty.

No Toll but for Overweight at Turnpike erected for Use of Weighing Engine only.

Penalty on Gatekeepers, &c. permitting Carriages to pass with Overweight; and on Owners or Drivers refusing Carriages to be weighed.

XLI. Provided always, and be it enacted, That no Toll or Duty shall be collected or payable at any Turnpike Gate or Toll Gate to be erected at any such Crane, Machine or Engine, for the Use of any such Crane, Machine, or Engine only, for any Carriage passing through the same and being weighed, except for Overweight as aforesaid.

XLII. And be it further enacted, That the Keeper of every such Turnpike Gate or Toll Gate, where any such Weighing Engine shall be erected, or any other Person appointed or to be appointed by the said Trustees, or any Five or more of them, to the Care of such Crane, Machine or Engine, shall and is hereby required to weigh all such Waggons and Carts, liable to be weighed by virtue of this or the said recited Act, which shall pass laden through any such Gate, and which he shall have Reason to believe carry greater Weights than are allowed to pass without paying such additional Toll; and if any Gate Keeper, or Person so appointed shall permit any such Waggon or Cart to pass through any such Gate with greater Weight than is allowed as aforesaid, without weighing the same, and receiving such additional Tolls as aforesaid; and every Owner or Driver of any such Waggon or Cart, which shall pass loaded through any such Gates respectively, or shall come upon any Part of the said Turnpike Road, within the Distance of Eighty Yards from any such Crane, Machine, or Engine, who shall refuse to suffer his Carriage to be weighed, upon being required so to do by the Collector or Receiver of such additional Tolls, although such Waggon or Cart shall have passed beyond the Distance of One hundred Yards from any such Gate, or beyond any such Crane or Engine as aforesaid, every such Gate Keeper or Person so appointed as aforesaid, shall for every such Offence forfeit any Sum not exceeding Five Pounds, nor less than Forty Shillings; and the Owner, or Driver being the Owner of every such Waggon or Cart, shall for every such Offence forfeit any Sum not exceeding Ten Pounds nor less than Five Pounds; and the Driver of every such Waggon or Cart,

not

not being the Owner, shall for every such Offence forfeit any Sum not exceeding Five Pounds, nor less than Forty Shillings.

XLIII. And be it further enacted, That the said Trustees, or any Seven or more of them, at any Meeting or Meetings to be holden for that Purpose, whereof Fourteen Days' Notice in Writing shall be given by the Clerk or Clerks, Treasurer or Treasurers, to be affixed on all the Turnpikes or Toll Gates then erected and set up by virtue of this Act, and inserted in some public Newspaper circulating in the Neighbourhood through which the said Roads are intended to pass, may, and they are hereby empowered, from Time to Time, by any Writing or Instrument under their Hands and Seals, to assign over or mortgage all or any of the Tolls to be collected and arising by virtue of this Act, and also the Toll Houses, Turnpike Gates, and Appurtenances thereunto belonging (the Charges of assigning or mortgaging the same to be paid out of such Tolls), for any Term during the Continuance of this Act, as a Security for any Sum or Sums of Money to be borrowed by the said Trustees upon the Credit of such Tolls, to such Person or Persons, his, her, or their Executors, Administrators, or Assigns, or his, her, or their Trustee or Trustees who shall advance or lend the same, to secure the Re-payment thereof, with such legal Interest as the said Trustees, or any Seven or more of them, shall think proper; which said Money so to be borrowed, shall be applied and disposed of in such Manner as the Tolls to arise or to be collected at the said Turnpikes are hereby directed to be applied and disposed of, and to no other Use or Purpose whatsoever; and that such Mortgage or Mortgages, Assignment or Assignments, may be in the Form following, or such other Form as the Trustees making the same shall think proper; (that is to say),

Trustees
may borrow
Money.

BY virtue and in pursuance of an Act passed in the Forty-fifth Year of the Reign of His Majesty King George the Third, intituled *[here set forth the Title of the Act]* in consideration of the Sum of *A. B.* the Treasurer appointed by the Trustees for putting the said Act in Execution, having been this Day paid by *C. D.* of *we* whose Names are hereunto subscribed and Seals affixed, being Seven of the said Trustees, do grant and assign unto the said *C. D.* his Executors, Administrators and Assigns, such Proportion of the Tolls arising upon the Roads in the said Act mentioned, and of the Turnpikes and Toll Houses for collecting the same Tolls as the said Sum of *doth or shall bear to the* whole Sum due and owing on the Credit of the same Tolls, or charged thereupon for the Term of the said Act, to have, hold, receive, and take such Proportion of the said Tolls, Toll Houses and Premises, with the Appurtenances, unto the said *C. D.* his Executors, Administrators and Assigns, for the Residue and Remainder now to come of the Term for which the said Tolls are granted by the said Act, subject to the Proviso following; (that is to say), provided always, that if the said Sum of *shall be* repaid to the said *C. D.* his Executors, Administrators, or Assigns, together

Form of
Mortgage.

together with Interest for the same, after the Rate of
per Centum per Annum, without any Deduction whatsoever, on or before
 the Day of now next ensuing,
 then this Assignment shall be void, or else shall remain in full force.
 In Witness whereof we have hereunto set our Hands and Seals, this
 Day of in the Year of our Lord One thousand
 eight hundred and

Copies to be delivered.

XLIV. Copies of all which Mortgages or Assignments shall be entered in a Book or Books, to be kept for that Purpose by the Clerk or Clerks, Treasurer or Treasurers to the said Trustees; and all and every Person or Persons, to whom any such Mortgage or Assignment shall be made as aforesaid, or who shall be entitled to the same, or the Money thereby secured, is and are hereby empowered, from Time to Time, by Assignment under his, her, or their Hand and Seal, or Hands and Seals, to be indorsed upon the Back of his, her, or their Security, or by any other Writing or Writings under his, her, or their Hand and Seal, or Hands and Seals, before one credible Witness, to assign over or transfer his, her, or their Right to the Principal and Interest Money thereby secured to any Person or Persons whomsoever, in the following Words, or Words to the like Effect; (that is to say),

Form of Transfer.

I Do hereby transfer and assign this Mortgage (or, a certain Mortgage, *et cetera, as the Case may be*) with all my Right and Title to the principal Money thereby secured, and all Interest now due on the same unto Executors, Administrators, and Assigns. In witness whereof I have hereunto set and put my Hand and Seal, the Day of in the Year of our Lord One thousand eight hundred and

All which Assignments and Transfers shall be produced and notified to the Clerk or Clerks, Treasurer or Treasurers to the said Trustees, within Sixty Days after the Date thereof, who shall cause an Entry to be made of such Assignments or Transfers, containing the Dates, Names, and Additions of the Parties and Sums of Money therein mentioned to be assigned or transferred in the said Book or Books, to be kept for entering the said original Mortgages and Assignments, for which the Clerk or Clerks, Treasurer or Treasurers, shall be paid the Sum of Five Shillings, and no more; and which said Book or Books shall and may, at all reasonable Times, be perused and inspected without any Fee or Reward; and after such Entry made, and not otherwise, such Assignment or Transfer shall entitle such Assignee or Assignees, his, her, and their Executors, Administrators and Assigns, to such Mortgage or Assignment, and the Monies thereby secured and so assigned and transferred, and to the Benefit thereof and Payment thereon, and such Assignee or Assignees, and his, her, or their Executors or Administrators, shall and may, in like Manner, assign or transfer the same again, and so *toties quoties*; and it shall not be in the Power of any Person or Persons, who shall have made any such Assignment or Transfer, to make void, release, or discharge the same, or any Monies due thereon.

XLV. Provided nevertheless, and be it further enacted, That no Preference shall be given to any Person or Persons, advancing any Sum or Sums of Money upon the Credit of the said Tolls, in respect of the Priority of advancing any such Sum or Sums of Money, but that all Persons to whom such Mortgages or Assignments shall be made as aforesaid, shall be in Proportion to the Sum or Sums of Money therein mentioned, Creditors on the said Tolls in equal Degree one with another.

No Priority
of Mort-
gages.

XLVI. And be it further enacted, That out of the first Money arising by virtue of this Act, the said Trustees, or any Five or more of them, 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 erecting Turnpikes and Toll Houses, and in making, repairing, widening, diverting, and amending the said Roads, and erecting and supporting the said Bridges, and paying the Principal and Interests of the Monies to be borrowed on the Credit of the Tolls hereby granted, and in defraying the necessary Expences attending the Execution of this Act, and to no other Use or Purpose whatsoever.

Application
of the Tolls,
and Money
borrowed.

XLVII. And be it further enacted, That the Surveyor or Surveyors to be appointed by virtue of this Act, and such other Person or Persons as shall be employed by such Surveyor or Surveyors, or by the said Trustees, or any Five of them, is and are hereby empowered to cut, dig, gather, take, and carry away any Furze, Heath, Stone, Gravel, Sand, or other Materials proper for the making and repairing of the said Road, and the Bridges, Culverts, Walls, and Fences, in or upon the same, in, upon, out of, or from any Waste Ground, Commons, or uncultivated Lands, Rivers, or Brooks (except as herein-after mentioned), in any Parish, Township, or Place, in which any Part of the said Road lies, or in any neighbouring Parish, Township, or Place, to be used in the making and repairing the said Roads, without paying any Thing for the same; and to cart and carry the same over the Lands and Grounds of any Person or Persons, making Satisfaction as herein-after mentioned; such Surveyor or Surveyors, or other Person or Persons, filling up the Pits and levelling the Ground from which such Materials shall be taken, or railing or fencing off such Pits, so that the same may not be dangerous to Passengers or Cattle; and if such Quantities of Furze, Heath, Stone, Gravel, Sand, or other Materials, proper and sufficient for that Purpose cannot be had, or found in or upon such Waste Grounds, Commons, or uncultivated Lands, Rivers, or Brooks, contiguous to that Part of the said Roads therewith to be made and repaired, then and in such Case the said Surveyor or Surveyors, or other Person or Persons as aforesaid, may, by Order of the said Trustees, or any Five or more of them, cut, dig, and make Pits, and get, gather, take, and carry away any such Stone and Materials as aforesaid, in, upon, or out of, from and over the Lands or Grounds of any Person or Persons, (not being a Yard, Garden, Orchard, Park, Paddock, planted Walk or Avenue to a House, or any inclosed Ground, planted and set apart as a Nursery for Trees,) paying or tendering Payment to the respective Owners or Occupiers of such Lands or Grounds for such Damages, for the cutting, digging, gathering, taking, and carrying away the said Furze, Heath, Stone,

Surveyor to
get Gravel,
&c.

[*Loc. & Per.*]

N

Justices to
determine
Differences.

Not to take
Gravel, &c.
within Two
hundred
Yards of the
Locks on the
Rivers Mer-
sey and Ir-
well.

Notice to be
given to Oc-
cupiers of
Lands before
Materials are
taken for re-
pairing
Roads.

Stone, Gravel, Sand, and Materials, and for carrying the same or the Materials gotten in any Waste Ground, Commons, or uncultivated Lands, Rivers, or Brooks as aforesaid, over their Lands or Grounds, as the said Trustees, or any Five or more of them, shall think reasonable; and in case of any Difference between the said Trustees, or any of them, or their Surveyor or Surveyors, or other Person or Persons by them appointed or employed as aforesaid, and the said Owners or Occupiers, or any or either of them, concerning the said Damages, the Justices of the Peace for the County or Place wherein such Lands or Grounds shall lie, at their General Quarter Sessions of the Peace, to be held in and for the same County or Place, next after such Difference shall arise, and on Six clear Days' Notice thereof, to be given by the said Surveyor or Surveyors, to such Owner or Owners, Occupier or Occupiers, or to be left at his, her, or their respective Places of Abode, shall hear, settle, and determine the Matter of the said Damages, and the Costs attending the hearing and determining of the same, whose Judgment and Order therein shall be final and conclusive to all Parties: Provided always, that nothing herein contained shall extend to authorise or empower the said Surveyor or Surveyors, or any other Person or Persons to be employed in the Execution of this Act, to dig or gather any Gravel or other Materials out of the River *Medlock*, or out of any Lands lying in the several Townships of *Manchester* and *Hulme*, or any of them, without the Consent in Writing of the Owner or Owners thereof, or out of the Rivers *Mersey* and *Irwell*, so far as the same are made navigable by Law, unless with the Consent of the Company of Proprietors of the said Rivers, or to take or remove any Stones which are or shall be placed or fixed for preserving or supporting the Banks of either of the said Rivers, or of any other River or Brook whatsoever, or within the Distance of Thirty Yards of any Bridge, Lock, Mill, Mill Weir or Dam, on any Account or Pretence whatsoever.

XLVIII. Provided nevertheless, and be it further enacted, That it shall not be lawful for any Surveyor or Surveyors, or any other Person or Persons under the Authority of this Act, to dig, gather, take, and carry away Stone or other Materials for making or repairing the said Roads, Bridges, Culverts, Walls, and Fences, out of or from any inclosed Lands or Grounds, until Notice in Writing shall have been given to the Occupier of the Premises from which such Materials are intended to be taken, or left for such Occupier at his usual Place of Residence, to appear before the said Trustees, or any Five or more of them, or any Five or more Justices of the Peace acting for the County or Place wherein such Premises shall lie, to shew Cause why such Materials shall not be had from such Lands or Grounds; and in case such Occupier shall attend pursuant to such Notice, the said Trustees, or any Five or more of them, or such Justices shall, if they think proper, authorise such Surveyor, or other Person or Persons, to dig, gather, take, and carry away such Stone and Materials, at such Time or Times as to such Trustees, or any Five or more of them, or to such Justices shall seem proper; and if such Occupier shall neglect or refuse to appear by himself or his Agent before the said Trustees, or such Justices as aforesaid, then and in such Case the said Trustees, or any Five or more of them, or such Justices shall and may make such Order therein

therein as they shall think fit, as fully and effectually to all Intents and Purposes, as if such Occupier or his Agent had attended.

XLIX. And be it further enacted, That it shall be lawful for the said Surveyor or Surveyors, or such other Person or Persons as he or they shall appoint (such Surveyor or Surveyors having an Order for that Purpose from the said Trustees, or any Five or more of them) to make Causeways in and upon the said Roads, and also to make any Ditches or Drains in and upon the said Roads, and in, upon, and through any Grounds lying contiguous thereto, in order to conduct the Water from and off the said Roads, not being the Ground whereon any House or Out-building stands, or a Yard, Garden, Orchard, Park, Paddock, planted Walk or Avenue to a House, or any inclosed Ground planted and set apart as a Nursery for Trees; and also, by Order of any Five or more of the said Trustees, to build, erect, or repair or keep in repair, any Bridge or Bridges, Arch or Arches, upon any Part or Parts of the said Roads across any Canal, Stream, River, Brook, Water, Ditch, or Drain therein or contiguous thereto, making such Recompence to the Owners and Occupiers of the private Grounds respectively, for the Damages they shall or may thereby sustain, as shall be adjudged reasonable by the said Trustees, or any Five or more of them; and in case of any Difference concerning such Damages, the Justices of the Peace for the County or Place wherein such Grounds shall lie, at the General Quarter Sessions of the Peace next after such Difference shall arise, and on such Notice to be given as last-mentioned, shall hear, settle, and determine the Matter of the said Damages, and the Costs attending the hearing and determining the same, whose Judgment and Order therein shall be final and conclusive to all Parties; but no Satisfaction shall be made for doing and performing of the Works aforesaid, upon or through any Waste Ground, Common or uncultivated Land: Provided always, that nothing herein contained shall authorize the said Trustees, or their Surveyor or Surveyors, or such other Person or Persons as aforesaid, to make any Ditches or Drains whereby the Water from and off the said Roads may be conducted into the said Canal, late belonging to the said Duke of *Bridgewater* deceased, without the Consent in Writing of the Owner or Owners of the said Canal for the Time being, or to erect or build any Bridge or Bridges, Arch or Arches, across the said Canal, or the said Rivers *Medlock* and *Irwell*, except as herein mentioned.

Surveyor may
make Cause-
ways,
Bridges, &c.

L. And be it further enacted, That if any Person whomsoever shall take or carry away any Stone or other Materials which shall have been dug, gotten, or gathered for the Purpose of making, completing, altering, or amending the said Roads, or shall get or take away any Materials out of any Pit or Quarry, which shall have been made or opened for the Purpose of getting Materials for the said Roads, before the said Surveyors or their Workmen shall have discontinued working therein, for the Space of Thirty Days (except the Owner or Occupier of any private Ground, wherein such Pit or Quarry shall have been so made or opened, and Persons authorized by such Owner or Occupier to get Materials for his own private Use only, and not for Sale), every Per-
son

Penalty on
taking away
Materials got
by Surveyors.

son so offending shall forfeit, for every such Offence, any Sum not exceeding Five Pounds, nor less than Forty Shillings.

Surveyors
may remove
Annoyances.

LI. And be it further enacted, That it shall be lawful for the said Trustees, or any Five or more of them, or their Surveyor or Surveyors, and such Person or Persons as they or he shall appoint, from Time to Time, (such Surveyor or Surveyors having an Order for that Purpose from the said Trustees, or any Five or more of them,) to remove and prevent all Annoyances on any Part of the said Roads, by Filth, Dung, Ashes, Rubbish, Straw, or otherwise, and to fence off and guard against any Water, Pits, Precipices, or other Places that may be dangerous to Persons travelling upon the said Road, and to turn any Watercourses, Sinks, or Drains running along, into, or out of the said Roads to the Prejudice thereof, and to open, scour, cleanse, widen, or make deeper any Watercourses or Ditches adjoining thereto, and to make the same as deep and large as shall be convenient and necessary, and at proper Seasons of the Year to cut down, lop, or top any Trees, Shrubs, or Bushes growing, or to grow on the said Roads, or in the Hedges or Banks adjacent thereto respectively (not being a Garden, Orchard, Plantation, Walk, or Avenue to a House), and to take and carry away the same, in case the Owner or Occupiers of the Premises shall, for the Space of Fourteen Days next after such Notice in Writing given for that Purpose, by such Surveyor or Surveyors, neglect to lop, top, cut down, or remove such Trees, Shrubs, or Bushes, or to open, scour, cleanse, widen, or deepen such Watercourses or Ditches, or remove such other Annoyances in such Manner as the said Trustees, or any Five or more of them, or the said Surveyor or Surveyors shall require, the Charges whereof (to be settled by the said Trustees, or any Five or more of them) shall be reimbursed to such Surveyor or Surveyors by such Owners or Occupiers, and be recovered and applied in such Manner as the Penalties and Forfeitures imposed by this Act are herein directed to be recovered and applied; and if after Removal of any of the said Annoyances, any Person shall again offend in like Manner, every such Person shall for every such Offence forfeit any Sum not exceeding Five Pounds nor less than Forty Shillings.

Penalty for
obstructing
Collectors or
Surveyors.

LII. And be it further enacted, That if any Person or Persons shall assault, interrupt, or hinder, or cause or promote to be assaulted, interrupted, or hindered, any Collector of the Tolls, or any Turnpike Surveyor, or any other Person or Persons by them, or any of them, or by the said Trustees, or any Five or more of them, employed in the Execution of this Act, every such Person shall for every such Offence forfeit any Sum not exceeding Five Pounds nor less than Twenty Shillings.

The intended
Bridge not to
obstruct the
Navigation
of the River.

LIII. Provided always and be it further enacted, That in and during the Erection of the said intended Bridges, across the said Rivers *Irwell* and *Medlock*, and the said Canal late belonging to the said Duke of *Bridgewater* deceased, and in all subsequent Repairs and Alterations of the same, the said Trustees, and the several Persons by them employed therein, shall cause as little Impediment or Obstruction to the free Navigation of the said River and Canal, as the Nature of the Case will admit.

LIV. Provided

LIV. Provided also, and be it further enacted, That it shall not be lawful for the said Trustees, or any of them, to erect or cause to be erected, across the said River *Irwell* any Bridge, to consist of more than Three Arches; and that the Arch adjoining to the *Salford* Side of the said River shall measure in the Inside thereof Fifty Feet at least in the Span, and Twenty-six Feet at least in the Elevation, such Elevation to be measured from the Surface of the Water in the said River, when the same flows Two Inches deep at the least over the Weir, immediately below the intended Situation for the said Bridge called *Throstle Nest Weir*.

Dimensions of the Bridge.

LV. Provided also, and be it further enacted, That the said Trustees shall, and they are hereby required with and out of the Money to arise and be collected, under the Authority of this Act, with all convenient Speed to make, and afterwards during the Continuance of this Act, to maintain and keep in good Repair and Condition a substantial and sufficient Towing Path of Five Feet wide at the least, under the said Arch adjoining to the *Salford* Side of the said River *Irwell*, and also (if thereto required by the Company of Proprietors of the *Mersey* and *Irwell* Navigation) Two substantial Cranes or Teagles in proper Situations, One on each Side of the same Bridge, with the necessary Ropes and Tackles thereto, for the Convenience of raising the Masts of the Vessels which have been lowered in passing under the same Bridge.

Trustees to make a sufficient Towing Path.

LVI. Provided also, and be it further enacted, That it shall be lawful for the Horses, or other Cattle, employed in hauling or drawing of Boats and Vessels upon the said River *Irwell*, with their Drivers, as well during the Time of such Employ as in going to and returning from the same, from Time to Time, to pass and repass not only along the Towing Path to be made under the said Bridge, but also over the said Bridge, and through the said Turnpike or Toll Gate, to be erected at or upon the same Bridge, or near thereto, without being liable to the Payment of any Toll in respect thereof.

Hauling Horses pass the Bridge Toll-free.

LVII. Provided also, and be it further enacted, That the Dimensions of the said intended Bridge across the said Canal, late belonging to the said Duke of *Bridgewater* deceased, shall be in the Width of its Span and Height of its Arch and Breadth of the Towing Path not less than the corresponding Dimensions of the Bridge now erected across the said Canal at or near *Hulme Hall*.

Ascertaining the Dimensions of the Bridge across the Canal.

LVIII. Provided also, and be it further enacted, That the Width of the said Three several intended Bridges across the said Rivers *Irwell* and *Medlock*, and the said Canal, shall not be less than Twelve Yards between the Parapet Walls thereof.

Width of the other Bridges.

LIX. And be it further enacted, That at any Time or Times, after the Expiration of Seven Years from the Day when Tolls shall begin to be demanded and taken at the said Bridge Gate, it shall and may be lawful for the said Trustees, or any Seven or more of them, at any Meeting to be held for that Purpose, of which Fourteen Day's Notice shall be given in Manner before directed, to direct that the Payment of the Tolls hereby granted for passing over the said Bridge, shall be sus-

Trustees may, after a certain Term, suspend the Payment of Tolls for passing over the Bridge.

[Loc. & Per.]

O

pended

pended for such Time as they may think proper, and from Time to Time to continue such Suspension, or to direct that the Tolls granted by this Act shall again be taken for passing over the said Bridge, for such Period as they, or any Seven or more of them, shall think necessary and expedient.

Trustees may
re-sell Land
not wanted
for the Road.

LX. And whereas by reason of the Purchases which the said Trustees are empowered and required to make by virtue of this Act, or by reason of the diverting of some Part or Parts of the said Roads, they may happen to be seised of some Piece or Pieces of Ground, and of some Piece or Parcel of old Roads, over and above what shall be necessary for effecting the Purpose of this Act; be it therefore further enacted, That it shall be lawful for the said Trustees, or any Five or more of them, to sell and dispose of such Piece or Pieces of Ground, or Piece or Pieces of old Roads, either together or in Parcels, as they shall find most convenient and advantageous to such Person or Persons as shall be willing to contract for or purchase the same.

First offering
it to the ad-
joining Land
Owner or
Persons hav-
ing sold.

LXI. Provided always, and be it further enacted, That the said Trustees, or any Five or more of them, before they shall sell and dispose of any Piece or Pieces of old Roads, shall first offer the same to the Person or Persons whose Lands shall adjoin thereto; and that the said Trustees, or any Five or more of them, before they shall sell or dispose of the said Piece or Pieces of overplus Ground, shall first offer to resell the same to the Person or Persons from whom they shall have purchased such Piece or Pieces of Ground; and in case such Person or Persons respectively shall not then and thereupon agree, or shall refuse to purchase or repurchase the same respectively, any Affidavit to be made and sworn before a Master Extraordinary in the High Court of Chancery, or before one of His Majesty's Justices of the Peace for the County where such Piece or Pieces of old Road or Ground shall be, by some Person or Persons noways interested in the said Piece or Pieces of old Road or Ground, stating that such Offer was made by or on the Behalf of the said Trustees, or any Five or more of them, and that such Offer was not then and thereupon agreed to, or was refused by the Person or Persons to whom the same was offered, shall, in all Courts whatsoever, be sufficient Evidence and Proof that such Offer was made and was not agreed to, or was refused by the Person or Persons to whom such Offer was made (as the Case may be); and in case such Person or Persons shall be desirous of purchasing or repurchasing the same, and he, she, or they, and the said Trustees, or any Five or more of them, shall not agree with respect to the Price thereof, in such Case the Price or Prices thereof shall be ascertained by a Jury, in Manner herein-before directed, with respect to disputed Value of Premises to be purchased by the said Trustees, in pursuance of this Act; and the Expence of hearing and determining such Difference shall be borne and paid in like Manner as herein-before directed with respect to such Purchase made by the said Trustees, *mutatis mutandis*; and the Money to arise by the Sale or Sales which may be made by the said Trustees of such Piece or Parcel of old Road or Ground as aforesaid, shall be applied to the Purpose of this Act; but the Purchaser or Purchasers thereof shall not be answerable or accountable for any Misapplication or Non-application of Money.

LXII. And

LXII. And be it further enacted, That the Principal Money to arise from the Sale of any Lands, Tenements, or Hereditaments, which shall be purchased for the Purposes of this Act, of any Body Corporate, Ecclesiastical or Civil, Corporation Aggregate or Sole, Feoffees in Trust, Guardians, Committees, or other Trustees, or from any Femes or Feme Covert, or other incapacitated Person or Persons, 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 Privity of the Accountant General of the High Court of Chancery, to be placed to his Account there, *ex parte* the Trustees for executing this Act, or any Five or more of them, to the Intent that such Money shall be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Person or Persons who would have been entitled to the Rents or Profits of the said Lands or Hereditaments, in the Purchase of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrances, or any Part thereof, as the said Court shall authorize to be paid, affecting the same Lands or Hereditaments, or affecting other Lands or Hereditaments standing settled therewith to the same or the like Uses, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Lands or Hereditaments, which shall be conveyed to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Lands and 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 and capable of taking Effect; and in the mean Time and until such Purchase shall be made, the said Money shall, by Order of the Court of Chancery, 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; and in the mean Time, and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and Annual Produce of the said Consolidated or Reduced Bank Annuities 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 or Profits of the Lands and Hereditaments so to be purchased, in case such Purchase or Settlement were made.

Application
of Money
arising from
the Sale of
Lands.

LXIII. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands or Hereditaments, purchased, taken, or used for the Purposes aforesaid, 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 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 or Hereditaments so purchased, taken, or used, for his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank in the Name

Application
when Money
does not
amount to
200l. and
shall exceed
20l.

and with the Privity of the said Accountant General of the High Court of Chancery, and be placed to his Account as aforesaid, in order to be applied in Manner herein-before directed; or otherwise the same shall be paid, at the like Option, to Two Trustees, to be nominated by the Person or Persons making such Option, and approved of by the said Trustees, or any Five or more of them, (such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties,) in order that such Principal Money, and the Dividends arising thereon, may be applied in Manner herein-before directed, so far as the Case be applicable, without obtaining or being required to obtain the Direction or Approbation of the Court of Chancery.

When less
than 20l.

LXIV. Provided also, and be it further enacted, That where such Money so agreed or awarded to be paid as next beforementioned shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands and Hereditaments so purchased, taken, or used as aforesaid, in such Manner as the said Trustees, or any Five or more of them, shall think fit; and in case of Infancy or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

In case of
Refusal to
accept Pur-
chase Monies,
the same to
be paid into
the Bank,
subject to the
Order of the
Court of
Chancery,
on Motion
or Petition.

LXV. 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 by virtue 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 any Five or more of them; or in case such 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 and may be lawful for the said Trustees, or any Five or more of them, 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 Court of Chancery, to be placed to his Account, 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 of Chancery; which said Court, on the Application of any Person or Persons making claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall be, and is hereby empowered, in a summary Way of Proceeding, or otherwise, as to the same 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 thereto, 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 for what and for whose Use the same is or are received, to such Person or
Persons

Persons as shall pay any such Sum or Sums of Money into the Bank as
aforefaid.

LXVI. 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 Court of Chancery, in pursuance of this Act, for
the Purchase of any Lands or Hereditaments, or of any Estate, Right, or
Interest in any Lands or Hereditaments to be purchased in pursuance there-
of, or to any Bank Annuities to be purchased with any such Money, or to the
Dividends or Interest of any such Bank Annuities, the Person or Persons
who shall have been in Possession of such Lands 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 or He-
reditaments, according to such Possession, until the contrary shall be
shewn to the Satisfaction of the said Court of Chancery; and the Di-
vidends or Interest of the Bank Annuities to be purchased with such
Money, and also the Capital of such Bank Annuities shall be paid, ap-
plied, 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 or
Hereditaments, or to some Estate or Interest therein.

Where any
Question shall
arise touch-
ing the Title
to Money to
be paid, the
Person in
Possession of
the Lands,
&c. shall be
entitled
thereto.

LXVII. Provided also, and be it further enacted, That when by reason
of any Disability or Incapacity of the Person or Persons, or Corporation,
entitled to any Lands or Hereditaments to be purchased, under the Authority
of this Act, the Purchase Money for the same shall be required to be paid
into the said Court, and to be applied in the Purchase of other Lands 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 the Court shall deem reasonable, together with the ne-
cessary Costs and Charges of obtaining such Order, to be paid by such
Trustees, or any Five or more of them, who shall from Time to
Time pay such Sums of Money for such Purposes as the said Court shall
direct.

The Court
may order
reasonable
Expences of
Purchases to
be paid by the
Trustees.

LXVIII. And be it further enacted, That all Bodies Politic and Cor-
porate, whether Sole or Aggregate, and all other Persons, who by reason of
the Tenure of their Lands, or any Charge thereon, or by any Law, Cus-
tom, Usage, or otherwise, are or shall be liable to the Repair, or to contri-
bute to the Repair, of any Part or Parts of the said Roads, or any Bridge,
Causeway, Drain, Arch, or Sewer therein, or to pay any Sum or Sums of
Money toward the Repair thereof, shall, notwithstanding this Act, still
remain liable and chargeable to the Repair of the same, in such Manner as
they were before the passing of this Act, and the Inhabitants of the sever-
al Townships through which the said intended Roads will pass, shall from
and after the passing of this Act be and remain liable to the Repair of such
Parts of the said intended Roads as are within their said respective Town-
ships, in such and the same Manner as they are liable to the Repair of any
other Highway within the same.

Persons liable
to repair
Roads, to
continue so.

[*Loc. & Per.*]

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LXIX. And

Statute
Work.

LXIX. And be it further enacted, That it shall and may be lawful to and for any Two or more Justices of the Peace for the said County of *Lancaster*, and they are hereby required and empowered, upon Application made to them by the said Trustees, or by their Clerk or Surveyor, or by their Order, yearly to adjudge and determine what Part or Proportion of the Statute Work shall every Year be done upon the said Roads by the Inhabitants of the respective Parishes or Places in which the said Roads do lie, and also what Proportion of the Money received by the Surveyor or Surveyors of the Highways of every such Parish or Place, in lieu of, or as a Composition for such Statute Work as aforesaid, shall be by him, her, or them, paid to the said Trustees, or their Treasurer or Treasurers; and in order thereunto, it shall and may be lawful to and for such Justices from Time to Time, to summon the Surveyor or Surveyors of the Highways for every such Parish or Place to bring in Lists before such Justices at some Place to be expressed in such Summons (within Fourteen Days after the serving such Summons) of the Names of the several Persons who, within such Parish or Place are by Law subject and liable to do Statute Work for that Year, or to the Payment of any Money in lieu of, or as a Composition for such Statute Work, distinguishing the Nature of the Work to be done, whether with Teams, or Draughts, or otherwise, and also the Amount of the respective Sums to be paid, which Lists of Names shall be made in such Manner, and under such Regulations and Restrictions, as are or may be directed by any Law or Statute in force and effect for the Repairs of the Public Highways; and out of such Lists the said Justices shall and may allot, appoint, and order such and so many of the Persons who shall appear to be subject and liable to Statute Work as aforesaid, to do such Number of Days' Statute Work in every Year upon the said Roads as the said Justices shall think reasonable, and the same shall be done at such Days, and at such Times, (not being Hay Time or Harvest,) and in such Parts of the said Roads, as the said Trustees or their Surveyor or Surveyors shall from Time to Time order, direct, and appoint; and the said Justices shall and may also order and direct the Persons who by such Lists shall appear to be subject and liable to the Payment of any Money in lieu of or as a Composition for Statute Work as aforesaid, to pay such Proportion thereof as the said Justices shall think proper, to the said Trustees or their Treasurer, at such Time or Times as they the said Justices shall direct, and in default of Payment thereof the same shall and may be recovered by Distress and Sale of the Goods and Chattels of the respective Persons liable to the Payment thereof, in like Manner as any Penalties by this Act are authorised or directed to be recovered; and each and every Person who shall neglect or refuse to do such Statute Work as aforesaid, after Notice in Writing given to or left for him, her, or them, at his, her, or their usual Place or Places of Abode for that Purpose, by any Surveyor of the said Trustees, shall, for every Day of his, her, or their Default, or the Default of any Labourer or Labourers, Team or Teams, Draught or Draughts, Horse or Horses, Beast or Beasts to be provided by him, her, or them, be subject and liable to such Pains, Penalties, and Forfeitures as such Person or Persons may be subject or liable to by any Law or Statute in force or effect for the Repair of the Public Highways; and if any Person who shall come to work as a Labourer, or shall be sent with any Team or Draught to work on the

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said

faid Roads, shall be found idle or negligent by any Surveyor to the faid Trustees, such Surveyor is hereby empowered to remove and turn off the Person who shall be found idle or negligent as aforesaid, and in that Case every such Person shall be subject and liable to the respective Forfeitures and Payments aforesaid as if he had neglected or refused to come, or such Team or Draught had not been sent to work on any Part of the faid Roads; all which Forfeitures shall be paid to the Treasurer to the faid Trustees, and applied towards amending the faid Roads; and in case the faid Surveyor or Surveyors of the Highways for any of the faid Parishes or Places shall refuse, or wilfully neglect to give in such Lists as aforesaid, or shall knowingly and wilfully give in false or imperfect Lists, every such Surveyor, so offending, shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

LXX. Provided always, and be it further enacted, That it shall be lawful for the faid Trustees, or any Five or more of them, to compound and agree, by the Year or otherwise, with the Possessors, Occupiers, Grantees, Trustees, Feoffees, and Committees of Lands, Tenements, or Hereditaments, which are or shall be liable to, or chargeable with the Repair of any Part of the faid Roads, within their respective Districts, or of any Bridge, Arch, or Sewer, or with any Person or Persons, for the Performance of his, her, or their Statute Work therein; and also that it shall be lawful for the Surveyor or Surveyors of the Highways of any of the faid Parishes, Townships, Hamlets, Districts, or Places, by and with the Consent and Approbation of a Majority of the Inhabitants of such Parishes, Townships, Hamlets, Districts, or Places, first had at any Vestry or other Public Meeting of such Inhabitants, to compound and agree by the Year or otherwise with the faid Trustees, or any Five or more of them, for and in lieu of the Statute Work to be performed by such Inhabitants, upon any Part or Parts of the faid Roads, all which Composition Monies shall be, from Time to Time, paid in Advance, and shall be applied in the Repair of the faid Roads; and all such Surveyors shall be reimbursed the Money so by them paid, in such Manner as Surveyors of the Highways are by Law to be reimbursed the Money by them expended in buying Materials for repairing Highways.

Trustees may compound for Statute Work.

LXXI. And be it further enacted, That the faid Trustees, or any Five or more of them, or such Person or Persons as they shall for that Purpose authorize, or appoint, are hereby empowered to contract with any Person or Persons for making, altering, widening, or repairing the faid Roads, or any Part thereof, and for erecting Mile and Direction Stones or other Posts thereon, or for doing any other Work to be performed in the Execution of this Act, in such Manner, and for such Sum or Sums of Money as the faid Trustees, or any Five or more of them, shall think proper; and that all Contracts and Agreements in Writing, entered into in pursuance of any Order of the faid Trustees, or any Five or more of them, by their Clerk or Clerks, Treasurer or Treasurers, Surveyor or Surveyors, or other Officer, with any Workmen, or other Person or Persons, relating to any Matter or Thing to be done by virtue of this Act, shall be binding upon all such Parties and Persons as shall sign the same, his, her, and their Executors and Administrators, and that Actions

Trustees may contract for Repairs.

Contracts to be binding.

and

and Suits shall and may be maintained thereon by the said Trustees, or any One or more of them, or by their Clerk or Clerks, Treasurer or Treasurers, and in his or their Name or Names respectively, and Damages and Costs recovered against the Party or Person, Parties or Persons, failing in the Performance of such Contracts or Agreements respectively; and such Sum of Money as shall or may be requisite for making or repairing the said Roads, or any other Matter or Thing to be done by virtue of this Act, and which by such Contracts or Agreements respectively the Parties ought to have done, shall be the Measure of the Damages to be recovered in any Action or Suit against any such Party or Person, Parties or Persons, so as aforesaid making Default in fulfilling his, her, or their Contract or Agreement, any Law or Usage to the contrary in anywise notwithstanding.

Trustees may order Indictment to be preferred.

LXXII. And be it further enacted, That the said Trustees, or any Five or more of them, at a Public Meeting to be held pursuant to this Act, whereof Fourteen Days' Notice shall be given, in Manner before directed, may, and they are hereby authorized and empowered, when, and as often as they shall think fit and necessary, to direct Indictments to be preferred and prosecuted at the Expence of the Revenues arising from the said Turnpike Gates, against the Inhabitants of all, or any of the Townships, through which the said Roads pass, and against every Person or Persons liable, by reason of his, her, or their Tenure, or otherwise, to repair and make any Part of the said Turnpike Road, who shall have neglected, or refused to repair, or make the same; and in case the Defendant or Defendants in any such Indictment, shall happen to be convicted, the whole of the Fine to be imposed shall be paid by such Defendant or Defendants, and not apportioned between such Defendant or Defendants, and the Trustees under this Act.

Persons who may be prosecuted, indemnified.

LXXIII. And be it further enacted, That in case any Action or Prosecution shall be commenced or prosecuted in pursuance of this Act, under the Authority, or by the Direction of the said Trustees, or any Five or more of them, in every such Case the said Trustees, or any Five or more of them, shall, out of the Monies arising by virtue of this Act, allow and pay to the Prosecutor, or such Person or Persons in whose Name or Names such Action or Prosecution shall be commenced and prosecuted, all such reasonable Costs and Charges, as such Person or Persons shall really and *bonâ fide* have incurred for, or by reason of such Action or Prosecution, or any Judgment or Determination therein, and likewise indemnify all such Persons as shall be prosecuted, or have any Action or Actions brought against them, for or by reason of any Thing done in pursuance of this Act, under the Authority and by the Direction of the said Trustees.

Mile-Stones to be set up.

LXXIV. And be it further enacted, That the said Trustees, or any Five or more of them, shall cause the said Roads to be measured, and Stones or Posts to be set up, in or near the Sides of the said Roads, at the Distance of One Mile from each other, denoting the Distance of such Stone or Post from any Town or Place, and also such and so many Direction Posts as to the said Trustees, or any Five or more of them, shall seem meet; and if any Person shall wilfully pull up, or damage any of such

such Stones or Posts, or shall obliterate or deface any of the Letters, Figures or Marks, which shall be inscribed thereon, or if any Person shall ride upon any Footway adjoining to the said Roads, or shall drive any Horse, or other Cattle, or any Swine, or any Cart or other Carriage thereon, or shall cause any Damage to be done to such Footway; or if any Person shall haul or draw, or cause to be hauled or drawn, upon any Part of the said Roads, any Tree, or Piece of Timber, or any Stone, otherwise than upon Wheel Carriages, or shall suffer any Part of any Tree, or Piece of Timber or Stone, which shall be carried on Wheel Carriages, to drag upon any Part of the said Roads, to the Prejudice thereof respectively; or if any Person driving any Pigs or Swine upon the said Roads, shall suffer the same to stop on the said Roads, or to root up and damage the same, or any Part thereof, or the Fences, Hedge-Backings, or Copsle, on either Side thereof; or if any Person driving any Coach, Chaise, Waggon, Cart, or other Carriage, upon the said Roads, and meeting another Coach, Chaise, Waggon, Cart, or other Carriage, shall not keep his Carriage on the left Side of the said Roads; or if any Person shall in any Manner wilfully prevent any other Person or Persons from passing him or them, upon the said Roads, or the Coach, Chaise, Waggon, Cart, or other Carriage under his Care; or if any Person shall make or assist in making any Fire or Fires, commonly called Bonfires, or shall set fire to, or let off, or throw any Squib, Rocket, Serpent, or Fire-work whatsoever, on any Part or Parts of the said Roads, or within Forty Yards of the same; or if any Person or Persons shall leave any such Coach, Chaise, Waggon, Wain, Cart, or other Carriage, longer than may be necessary for loading or unloading the same, in, upon, or on the Side of any Part of the said Roads, either with or without any Horse or Beast of Draught harnessed or yoked thereto, except in case of Accident, or shall lay any Piece of Timber, or any Stones, Hay, Straw, Dung, Manure, Soil, Rubbish, or other Matter or Thing whatsoever, on any Part of the said Roads, or on the Side or Sides thereof, to the Prejudice thereof, or to the Prejudice, Annoyance, or Inconvenience of Persons travelling thereon; every Person so offending, shall, for every Offence, forfeit and pay any Sum not exceeding Forty Shillings, nor less than Ten Shillings.

Penalty on Persons defacing them.

Riding upon Foot Paths.

Dragging Timber or Stone.

Suffering Pigs to stop or root up the Roads.

Drivers of Carriages not keeping on the left Side the Roads, when meeting other Carriages.

Persons preventing others from passing.

Making Bonfires, or letting off Fire-Works.

Leaving Carriages or Timber on the Roads.

For securing transient Offenders.

LXXV. And whereas Offences may be committed against this Act by Persons unknown to the Collectors, Surveyors, or other Officers appointed to put this Act in Execution: Be it therefore enacted, That it shall be lawful for any of the said Trustees, or their Clerk or Clerks; or the Collectors, Surveyors, or other Officers respectively, and such other Person or Persons as he or they shall call to his or their Assistance, without any Warrant or other Authority than this Act, to seize and detain any such unknown Person or Persons who shall commit any such Offence or Offences, and take him, her or them, before any Justice of the Peace for the County or District, near to the District or Place where the Offence or Offences shall be committed; and such Justice is hereby empowered and directed to proceed immediately to the hearing and determining of the Complaint, or to oblige such Person or Persons so offending to give Security for his, her, or their Appearance, at the next Petty Session, to be holden within and for the County or District in which such Offence or Offences shall have been committed, to answer the said Complaint, and the Justices present, at such Petty Session, or

[Loc. & Per.]

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any

“ before me C. D. One of His Majesty’s Justices of the Peace for the
 “ County of [where the Offence was committed, or the
 “ Offender is found or resides, as the Case may be, specifying the Offence
 “ and the Time and Place when and where the same was committed, as the
 “ Case may be.] Given under my Hand and Seal the Day and Year
 “ first before written.”

LXXVIII. And be it further enacted, That no Proceedings of the said Trustees, or of any Justice or Justices of the Peace, or of any of them respectively, touching or concerning, or in Execution of any Power or Authority vested in such Trustees, or Justice or Justices respectively by this Act, shall be quashed or vacated for Want of Form, or be removed by *Certiorari*, or any Writ or Process whatsoever, into any of His Majesty’s Courts of Record at *Westminster*, or elsewhere, any Law or Statute to the contrary notwithstanding. Proceedings not to be quashed for want of Form.

LXXIX. Provided always, and be it further enacted, That where any Distress shall be made for any Sum or Sums of Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers, on account of any Defect or Want of Form in the Summons, Conviction, Warrant of Distress, or other Proceedings relating thereto, nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers *ab initio*, on Account of any Irregularity which shall be afterwards done by the Party or Parties distraining; but the Person or Persons aggrieved by such Irregularity, shall and may recover Satisfaction for the special Damage in an Action upon the Case. Distress not to be deemed unlawful for want of Form, nor the Party distraining to be deemed a Trespasser, ab initio.

LXXX. And be it further enacted, That no Action or Suit shall be commenced against any Person or Persons for any Thing done in pursuance of this Act, until Fourteen Days’ Notice thereof shall have been given in Writing to the Clerk or Clerks, Treasurer or Treasurers to the said Trustees, or after a sufficient Satisfaction, or a Tender thereof, hath been made to the Party or Parties aggrieved, or after Three Calendar Months next after the Fact was committed; and every such Action shall be laid in the County of *Lancaster*, and not elsewhere; and the Defendant or Defendants, in every such Action or Suit, shall and may plead at his, her, or their Election specially, or the General Issue, and give this Act and the special Matter in Evidence at any Trial to be had thereupon; and that the same was done in pursuance and by the Authority of this Act; and if the same shall appear to have been so done, or if such Action or Suit shall be brought before Fourteen Days’ Notice shall have been thereof given as aforesaid, or after a sufficient Satisfaction made or tendered as aforesaid, or after the Time limited for bringing the same as aforesaid, or shall be brought elsewhere than in the said County of *Lancaster*, then the Jury shall find a Verdict for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall be nonsuited, or discontinue his, her, or their Action or Actions, after the Defendant or Defendants shall have appeared, or if upon Demurrer Judgement shall be given against the Plaintiff or Plaintiffs, then the Defendant or Defendants shall and may recover Treble Costs, and have such Limitation of Actions.
General Issue.
Treble Costs.

such Remedy for the same as any Defendant or Defendants hath or have in other Cases by Law.

Persons ag-
grieved may
appeal to the
Quarter Ses-
sions.

LXXXI. Provided always and be it further enacted, That if any Person shall think himself or herself aggrieved by any Thing done in pursuance of this Act, and for which no particular Method of Relief hath been already appointed, such Person may appeal to the Justices of the Peace at the next General Quarter Sessions of the Peace, to be holden by Adjournment in and for the Hundred of *Salford*, in the said County of *Lancaster*; or in case the said Cause of Complaint shall have arisen within Fourteen Days next before such General Quarter Sessions to be holden as aforesaid, then such Appeal may be made to such Justices at the Second General Quarter Sessions of the Peace, to be holden as aforesaid, which said Justices respectively may hear and determine the Matter of such Appeal, and give such Relief to the respective Parties thereto, and also such Costs as they think just; but the Person so appealing shall give Notice in Writing to the Clerk or Clerks of the Trustees of the said Roads of such his, or her Intention so to appeal, at least Ten Days before the Day in which such Adjournment of the said Quarter Sessions shall be held, at which the said Appeal is to be made, and shall also, within Four Days after such Notice enter into a Recognizance before some Justice of the Peace for the said County of *Lancaster*, with Two sufficient Sureties conditioned to prosecute such Appeal with Effect, and abide the Order of, and to pay such Costs as shall be awarded by the Justices at such Quarter Session, and the said Justices at such Session, upon due Proof of such Notice being given as aforesaid, and of the entering into such Recognizance, shall hear and finally determine the Cause and Matter of such Appeal in a summary Way, and award such Costs to the Parties appealing or appealed against, as they the said Justices shall think proper; and the Determination of such Quarter Session shall be final, binding, and conclusive to all Intents and Purposes; and the said Justices at such Session may also, by their Order or Warrant, cause as well such Penalties and Forfeitures, as the other Matters and Things and Costs so awarded, to be levied by Distress and Sale of the Goods and Chattels of the Person or Persons who shall refuse to abide by and obey the Order of such Justices, and for Want of sufficient Distress, commit such Person or Persons to the Common Gaol or House of Correction of and for the County or Place wherein such Quarter Session shall be held, (as the Case may be), for any Time not exceeding Three Calendar Months, or until Payment of such Costs.

For compel-
ling Subscri-
bers to pay
their Sub-
scriptions.

LXXXII. And be it further enacted, That the several and respective Persons who have subscribed Money for and towards the making of the said Roads, shall and they are hereby required to pay the Sum or Sums of Money so subscribed within such Time and Times, and in such Parts and Proportions as the said Trustees, or any Five or more of them, shall from Time to Time order and direct, and the same shall be paid to such Person or Persons as the said Trustees, or any Five or more of them, shall, by any Writing under their Hands, authorize to receive the same; and if any Person or Persons shall neglect or refuse to pay the same, or any Part thereof as aforesaid, it shall be lawful for the said Trustees, or any Five or more of them, to sue for and recover the same in the Name of the said Trustees, or any Five or more of them, or in the Name or Names
of

of their Clerk or Clerks, Treasurer or Treasurers, in any of His Majesty's Courts of Record, by Action of Debt, or on the Case, or by Bill, Plaint, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, or more than one Imparlance shall be allowed.

LXXXIII. And whereas by an Act made in the Thirty-third Year of ^{Act 33 G. 3.} the Reign of His present Majesty, intituled *An Act for more effectually re-* ^{c. 181.} *pairing, widening, and improving certain Roads leading to and from the Towns of Salford, Warrington, Bolton, and Wigan, and to certain Places called The Broad Oak, in Worsley and Duxbury Stocks; and also the Road from a Place called South Sea in Pendlebury, to Agecroft Bridge, and from thence through Hilton Lane to Dawson Lane End; and also from Agecroft Bridge over Kerfal Moor to Singleton Brook, all in the County Palatine of Lancaster, it was, among other Things, enacted, that it should be lawful for the Trustees thereby appointed to erect and set up Turnpikes or Turnpike Gates on the Side or Sides of any of the said Roads across any Highway leading into the same, and to cause the like Tolls to be collected and taken as are payable upon the said Roads: And whereas the Roads hereby directed to be made will run nearly parallel and communicate with one of the Districts of Road described in the said Act, as lying between the House of *Thomas Worrall*, being the Sign of the *Wool-pack* in *Pendleton*, to the Division of the Townships of *Lower Irlam* and *Cadishead*, whereby the Tolls payable thereon will be diminished: And whereas the Trustees for the said District of Road have agreed not to erect any Turnpike or Gate across the End of the said intended Roads, under the Authority of the said Act, on being indemnified for any Loss they may sustain by making the said intended Roads: Be it therefore enacted, That from and after the Period when the Road hereby directed to be made shall be completed, there shall be paid by and out of the Tolls to arise and be collected at the said Turnpike or Toll Gate to be erected across the said intended Roads, near the Westerly Extremity thereof, at or near the Town of *Eccles* aforesaid, to the Treasurer of the Trustees of the said District of Road herein-before described, or such other Person or Persons as they shall authorize to receive the same, One Half Part or Proportion of the Tolls arising at the said Turnpike or Toll Gate, as a Compensation for such Diminution of Toll; such Part or Proportion to be paid within Twenty-one Days after the same shall be from Time to Time received by the said Trustees or their Treasurer, during the Continuance of this Act; and in Default of any such Payment within the Period hereby limited, the same or any Part thereof, shall and may be recovered from the Trustees appointed by or in pursuance of this Act, or from their Treasurer, by Action of Debt, or on the Case, in any of His Majesty's Court of Record at *Westminster*, in the Name of the Treasurer of the said District of Road, which Money, when so paid or recovered, shall be applied in the Repair and Maintenance of the said District of Road, and to no other Purpose whatsoever: Provided always, that the Treasurer of the Trustees of the said District of Road shall and may have free Access, at all reasonable Times, to the Books of Accounts to be kept by the Trustees hereby appointed, or their Clerk or Treasurer, and be at Liberty to take Extracts therefrom, at his Will or Pleasure: Provided also, that, in Consideration of the Compensation hereby directed to be made as aforesaid, it shall not be lawful*

Compensation to Trustees of one of the Districts.

[*Loc. & Per.*]

R.

for

for the Trustees of the said District of Road to erect, or cause to be erected, any Turnpike or Toll Gate across the End of the said intended Roads near the Cross at *Eccles* aforesaid, any Thing in the said recited Act contained to the contrary notwithstanding.

Further
Compensa-
tion to the
said Truf-
tees.

LXXXIV. And be it further enacted, That a Sum of Money equal in Value to such Part of the Statute Labour as the Justices of the Peace shall yearly direct to be performed on the said intended Road within the Township of *Pendleton*, or to the Composition Money to be paid in lieu of such Statute Labour, shall also be yearly and every Year paid to the Trustees of the said District of Road out of the Tolls hereby granted as a Compensation for any Loss the said Trustees may sustain by such Part of the said Statute Labour as shall be performed on the said Road within the said Township of *Pendleton*, or the Composition to be paid in lieu thereof; and such Sum shall be paid, recovered, and applied in like Manner as the Compensation for the Diminution of Toll on the said District of Road is directed to be paid, recovered, and applied; and in case any Difference shall arise in ascertaining the Amount of the Money so to be paid, any Two or more Justices of the Peace for the said County shall and may hear and finally determine the same.

Mines re-
served to the
Owners of
Lands.

LXXXV. And be it further enacted, That all Mines of Coal and other Minerals whatsoever now open, or which shall hereafter be opened or found in or under any Lands to be appropriated for the said Roads by virtue of this Act, shall be, and the same are hereby reserved for the Person or Persons, Bodies Politic, Corporate, or Collegiate, who is, are, or shall be entitled to such Coal or other Minerals, with Liberty for him or them, or his or their respective Agents or Servants, to dig for, mine, and work the same in such Manner as is usual for carrying on Works of that Kind in the County or Place where such Mine or other Mineral shall be found, and in as full and ample a Manner as if the said Land had not been taken and appropriated for the Purposes aforesaid by virtue of this Act, so that in working of such Mines no Damage shall be done to the said Roads.

Public Act.

LXXXVI. 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.

LXXXVII. And be it further enacted, That this Act shall commence and have Continuance from the Day on which the same shall receive the Royal Assent, and shall continue in force for and during the Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament.

The

The SCHEDULE referred to in the foregoing Act.

PREMISES.	OWNER.	LESSEE.	OCCUPIER.
In MANCHESTER.			
Garden - - -	Sir Oswald Mosley, Bart.	Wm. Humphreys	Wm. Humphreys
Garden - - -	Henry Atherton, Esq.	- - -	John Redford
	Ann his Wife		
	Eleanora Byrom, Spinster		
In SALFORD.			
Garden - - -	Wm. Egerton, Esq.	Joseph Seddon	George Walker
Ditto - - -	Ditto - - -	Ditto - - -	Samuel Emery
Ditto and Cottage - - -	Ditto - - -	Ditto - - -	Wm. Woods
Garden - - -	George Fenteem	- - -	Untenanted
Garden - - -	George Downes	- - -	John Taylor
Ditto - - -	Ditto - - -	- - -	John Bull
BACK-LANE, SALFORD.			
Garden - - -	Thomas Brownbill	- - -	John Probate
Ditto - - -	Ditto - - -	- - -	William Lomas
Garden and Pleasure Ground	Wm. Egerton, Esq.	Richard Willet	Richard Willet
Garden - - -	Ditto - - -	Samuel Sidebottom	Samuel Sidebottom
Garden and Necessary House	John Chamberlain Reeve	Ditto - - -	Ditto
Garden - - -	W. Egerton, Esq.	Richard Crompton	Richard Crompton
CROSS-LANE, SALFORD.			
Garden - - -	Jas. Holt Heron	- - -	Untenanted
Ditto - - -	John Burgefs	- - -	William Burgefs
Ditto - - -	Ditto - - -	- - -	Ralph Howarth
Ditto - - -	Ditto - - -	- - -	James Rawfon
Ditto - - -	Ditto - - -	- - -	Henry Leater
Ditto - - -	Ditto - - -	- - -	John Yates
Ditto - - -	Ditto - - -	- - -	William Blackshaw
Ditto - - -	James Kinder	- - -	John Read
Ditto - - -	Ditto - - -	- - -	James Johnson
Ditto - - -	Ditto - - -	- - -	Mary Hutton
Ditto - - -	Ditto - - -	- - -	James Hartley
Ditto - - -	John Peers	- - -	John Peers
Ditto - - -	James Gregory	- - -	Ditto
Ditto - - -	James Gorton	- - -	James Gorton
Ditto - - -	James Gregory	- - -	Thomas Peers
Ditto - - -	Thomas Partington	- - -	Charles Davenport
Ditto - - -	Ditto - - -	- - -	John Ainfworth
Ditto - - -	Ditto - - -	- - -	Henry Smith

PREMISES.	OWNER.	LESSEE.	OCCUPIER.
OLDFIELD-LANE, SALFORD.			
Garden - - -	James and John Blomeley	- - -	John Cox
Ditto - - -	Ditto - - -	- - -	John Williamson
Ditto - - -	Le Gendre Pierce Star- kie, Esq. - - -	- - -	William Webster
Ditto - - -	Ditto - - -	- - -	Margery O'Brien
Area or Yard and Brick Wall	James Bateman	- - -	Joseph and Thomas Bedale
Area or Yard - - -	Joseph Oakell	- - -	Untenanted
ECCLES.			
Orchard - - -	John Farnworth Strettell	- - -	John Farnworth Strettell
Orchards & Pleasure Ground	Thomas Part	- - -	Thomas Part
Barn, Outbuilding & Plea- sure Ground - - -	John Partington	- - -	John Partington
Cottage, Gardens, Passage, and Outbuilding - - -	Michael Holt	- - -	Sarah Bradbury
Ditto, Ditto - - -	Richard Lonfdale	- - -	George Ashcroft
Orchard or Croft - - -	Matthew Corbett	- - -	Joseph Webb
Orchard and Garden - - -	John Partington	- - -	Alice Erlam

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN,
Printers to the King's most Excellent Majesty. 1816.