



ANNO QUINQUAGESIMO OCTAVO

GEORGII III. REGIS.

Cap. iv.

An Act for continuing the Term and altering and enlarging the Powers of an Act of His present Majesty's Reign, for improving the Road from *Manchester* to *Rochdale*, and other Roads therein mentioned, in the County of *Lancaster*; so far as relates to the *Bury* and *Ratcliffe Bridge* District of Road therein mentioned; and for making Two new Branches of Road to communicate with the said District of Road. [17th March 1818.]

WHEREAS an Act was passed in the Thirty-eighth Year of the Reign of His present Majesty, intituled *An Act for more effectually repairing, widening, altering, and improving the Road from the Town of Manchester, by a Place called the White Smithy, in the Township of Crumpsall, to the Town of Rochdale; and also the Road from the said Place called the White Smithy, by a Place called Besses of the Barn, to the Town of Bury; and also the Road from the said Place called Besses of the Barn to Ratcliffe Bridge; and also the Lane called Sheepfoot Lane, in the Township of Prestwich, all in the County Palatine of Lancaster;* whereby the said Road was divided into Three several Districts, and a certain Part thereof, therein particularly described, was directed to be called the *Bury and Ratcliffe Bridge* District: And whereas the Trustees acting under and by virtue of the said recited Act for the said *Bury and Ratcliffe Bridge* District have proceeded to put the same into Execution,
[Local.] and

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and a considerable Progress hath been made in repairing, altering, diverting, widening, and improving the Roads within the said District; but a considerable Sum of Money heretofore borrowed still remains due and owing on the Credit of the Tolls arising within the said District, which cannot be paid off, nor can the said District of Road be effectually amended, widened, improved, and kept in Repair, unless the Term granted by the said recited Act, so far as the same relate to the said *Bury and Ratcliffe Bridge* District, be continued, and the Powers and Provisions of the said recited Act amended, altered, and enlarged; and it is expedient that the Tolls authorized to be taken on the said District of Road should be altered and increased: And whereas the extending the said District from the Town of *Bury* aforesaid to or near to an Inn in the Town of *Bury* aforesaid, called the *Eagle and Child*; and also for the making and maintaining Two new Branches of Road from and out of the said *Bury and Ratcliffe Bridge* District, the one commencing at or near to the new *Blackford Brow* Toll Bar, through *Unsworth*, in the Township of *Pilking-ton* in the said County, to and so as to communicate with the said *Bury and Ratcliffe Bridge* District of Road at or near to *Overhall Fold* in the Township of *Prestwich* aforesaid, and to set a Toll Gate thereupon, and a Gate or Gates on the Side or Sides thereof; and the other Branch to commence from and out of the said *Bury and Ratcliffe Bridge* District of the Turnpike Road at or near to the Village of *Whitefield*, within the Township of *Pilking-ton* aforesaid, to and to communicate with another Part of the said *Bury and Ratcliffe Bridge* District at or near *Ditch Ash*, within the Township of *Pilking-ton* aforesaid, all in the County Palatine of *Lancaster*, would be productive of great public Utility, and advantageous to the Country adjacent; but such beneficial Purposes cannot be effected without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Third *Wednesday* next after the passing of this Act, so much of the said recited Act as relates to the District of Road therein mentioned, called *The Bury and Ratcliffe Bridge District*, such District commencing at and from the Centre of a House called *Highfield House*, within *Prestwich* aforesaid, by the said Place called *Besses of the Barn*, by one Line to the Town of *Bury*, to wit, to a certain Dwelling House within the Township of *Bury* belonging to the Trustees of the Free Grammar School of *Bury*, and then in the Occupation of the Head Master of the same School, and from the said Place called *Besses of the Barn*, by another Line to the Extremity of the said Road near *Ratcliffe Bridge*, shall be and the same is hereby declared to be in full Force and Effect, and shall be executed for and during the Term herein-after mentioned, in like Manner and as fully and effectually to all Intents and Purposes, as if the same were repeated and re-enacted in the Body of this Act, for the Purpose as well of more effectually amending, widening, altering, improving, and keeping in Repair the Road comprising the said *Bury and Ratcliffe Bridge* District of Road, as also of extending the said Road from the Town of *Bury* aforesaid to or near to an Inn in the Town of *Bury* aforesaid, called the *Eagle and Child*; and also of making Two new Branches of Road to communicate with the said last-mentioned District, the one commencing from and out of the said *Bury and Ratcliffe Bridge* District of Road at or near to the new *Blackford*

The said Act further continued, so far as relates to the said *Bury and Ratcliffe Bridge* District.

Blackford Brow Toll Bar, through *Unsworth*, in the Township of *Pilkington*, in the said County, to and so as to communicate with the said *Bury* and *Ratcliffe Bridge* District at or near to *Overhall Fold*, in the Township of *Prestwich* aforesaid; and the other Branch commencing from and out of the said *Bury* and *Ratcliffe Bridge* District of the Turnpike Road at or near to the Village of *Whitefield*, within the Township of *Pilkington* aforesaid, to and to communicate with another Part of the said *Bury* and *Ratcliffe Bridge* District at or near *Ditch Ash*, within the Township of *Pilkington* aforesaid, all in the County Palatine of *Lancaster* aforesaid; and the Tolls by this Act granted shall be and are hereby declared to be charged with and made subject and liable to the Payment of all Monies which have been borrowed and are now due and owing on the Credit or on Account of the Tolls authorized to be taken and collected upon the said last-mentioned District of Road by virtue of the said recited Act, and of the Interest due and to grow due thereon respectively, as fully and effectually to all Intents and Purposes as if such Monies had been borrowed and become due and owing on the Credit or on Account of this Act, or of the Tolls hereby granted.

II. And be it further enacted, That *Barton Allen*, *John Anderton*, *John Anderton* the younger, *James Anderton*, *Peter Astley*, *Jonathan Beever* the younger, *John Bowker*, the Rector of *Bury* for the Time being, *William Calrow*, *Thomas Calrow*, *James Clegg*, *William Clegg*, *John Cross*, *Thomas Cross* of *Whitefield*, *Ellis Cunliffe*, *Robert Ellis Cunliffe*, *William Goodlad*, *John Grant*, *John Grundy*, *Edmund Grundy*, *Thomas Grundy*, *Samuel Grundy*, *Richard Hamer*, *William Hardman* of *Chamber Hall*, *Thomas Haslam*, *Samuel Holker*, *George Holt*, *Thomas Hutchinson*, *William Heap Hutchinson*, *James Hutchinson*, *John Hutchinson*, *John Ingham*, *William Ingham*, *John Johnson*, *John Kay* of *Lark Hill*, *Richard Kay* of *Limefield*, *James Kay* of *Bass Lane*, *John Kay* of *Brookshaw*, *Thomas Kay* of *Bury*, *Richard Kay* of *Stand*, *Charles Kenyon*, *John Lomax*, *John Mason*, *Francis Mather*, *Thomas Norris* of *Stanley Street*, *Thomas Norris* of *Church Yard*, *James Openshaw*, *John Openshaw* of *Pimhole*, *George Openshaw* of *Brick House*, *Charles Openshaw*, *Robert Parker*, *Robert Philips*, *Nathaniel Philips*, *George Philips*, *George Philips*, *Mark Philips*, *Thomas Porter* the younger, the Rector of *Prestwich* for the Time being, *John Ramsbottom* of *Redvales*, *James Ramsbotham*, *John Ramsbotham* of *Old Hall*, the Rector of *Radcliffe* for the Time being, *William Richardson*, *James Richardson*, *John Roylance*, *John Scholes*, *Thomas Scholes*, *George Scholes*, *James Smethurst*, *William Taylor*, *Samuel Taylor*, *William Taylor* the younger, *William Walker*, *Richard Walker*, *Thomas Walker*, *James Walker*, *John Walker*, *Richard Walker* of *Whitefield*, *William Weston*, *Samuel Woodcock*, and their Successors, to be elected in Manner herein-after mentioned, shall be and are hereby appointed Trustees for amending, widening, improving, and keeping in Repair the said Road, and the Extension thereof, and the Two new Branches aforesaid, and for otherwise putting this Act into Execution.

III. And be it further enacted, That it shall be lawful for the Trustees named in or appointed under or by virtue of the said recited Act, or any Five or more of them, at their First Meeting to be held as herein-after mentioned, to elect, nominate, and appoint any Number of fit and proper Persons, not exceeding Ten, to be Trustees for the Purposes of the said Act and this Act, in addition to the Trustees by the said Act and this Act nominated

Power to elect additional Trustees.

nominated and appointed; and such Trustees so to be appointed shall have the same Powers as if they had been nominated and appointed in and by this or the said recited Act.

Meetings.

IV. And be it further enacted, That the said Trustees, or any Five or more of them, shall meet at some convenient Public House or Inn in the Village of *Whitefield* in the said County, on the Third *Wednesday* next after the passing of this Act, between the Hours of Eleven and Two, and proceed to the Execution of the said recited Act and this Act, notwithstanding any Adjournment may then have been made by the Trustees by virtue of the said recited Act; and that the said Trustees shall hold their future Meetings in Manner following, (that is to say), alternately at some convenient Public House or Inn in the Village of *Whitefield* aforesaid, and at some convenient Public House or Inn in the Town of *Bury* aforesaid; and that the said Trustees, or any Five or more of them, shall and may adjourn themselves from Time to Time (subject to the foregoing Regulations) to and at such Time and Place near the said Road as they shall think proper; provided that if at any Meeting there shall not appear a sufficient Number of Trustees to act, or to adjourn to another Day (Two Trustees being deemed sufficient for the Purpose of Adjournment only), or in case the Trustees at any Time assembled shall not adjourn themselves, then and in every such Case the Clerk to the said Trustees shall, by Notice in Writing to be affixed on all the Turnpikes which shall be then erected on the said District of Road, at least Seven Days before the then proposed Meeting, appoint the Trustees to meet at the House where their then last Meeting was held, or was appointed to have been held, or at the Place next in Rotation to the Place where such Adjournment should have been made, on that Day Three Weeks next after the Day for which such last Meeting was appointed, or was held; and in case the said Clerk shall by any Means omit giving Notice as aforesaid, then it shall be lawful for any Three or more of the Trustees (although not assembled at a Meeting) at any Time or Times after the Space of Seven Days from such Omission, by Notice in Writing under their Hands, to be affixed in Manner aforesaid, to appoint the said Trustees to meet at the Place next in Rotation to the Place where the last Meeting was held, or was appointed to have been held, upon that Day Week next after the Date of their said Notice; and that the said Trustees shall at all their Meetings defray their own Expences; and all Orders and Determinations of the said Trustees in the Execution of this and the said recited Act shall be made at the Meetings to be held in pursuance thereof, and not otherwise (except in Cases hereby or by the said recited Act particularly provided for); and that no Order or Determination shall be made, unless the major Part of the Trustees present shall concur therein; and that all Acts, Orders, and Proceedings relative to this or the said recited Act, which are directed to be done, made, or had by or before the said Trustees, shall and may be done, made, or had by or before any Five or more of the said Trustees, except where any other Number is herein or by the said recited Act directed; and that all Acts, Orders, and Proceedings done, made, or had by or before such Five Trustees, shall have the same Force and Effect as if the same were done, made, or had by or before the whole Number of Trustees; and in all Cases where the Trustees, or any Justice or Justices of the Peace, are authorized to examine any Person or Persons upon Oath, it shall and may be lawful for the said Trustees,

Trustees, or any Two or more of them, or such Justice or Justices of the Peace, to administer such Oath.

V. And be it further enacted, That no Order made by any Five or more of the said Trustees shall be revoked or altered unless at a Meeting to be held for that Purpose, of which intended Alteration Twenty-one Days Notice at the least shall be given at a previous Meeting of the said Trustees, and entered in their Book of Proceedings; and such Notice shall specify the Revocation or Alteration intended to be made, and shall be affixed on all the Turnpikes then erected on the said District of Road, Fourteen Days at least previous to such Meeting; nor shall any such Order be revoked or altered unless a Majority of the Trustees present at such Meeting shall concur therein, such Majority to consist of Nine at least.

No Order to be revoked, unless by a greater Number of Trustees than were present when such Order made.

VI. And be it further enacted, That the said Trustees, or any Five or more of them, shall and they are hereby required to take such sufficient Security from their Treasurer or Treasurers, Receiver or Receivers, Collector or Collectors of the Tolls, or other Officers to be appointed for the Purposes of this Act, for the due and faithful Execution of their respective Offices, as they the said Trustees or any Five or more of them shall think proper.

Treasurer and other Officers to give Security for the faithful Execution of their Duty.

VII. And be it further enacted, That the said Trustees, or any Seven or more of them, shall and they are hereby empowered to continue the present Turnpikes and Turnpike Gates, Weighing Machine and Houses, and Office already erected, and which now stand across and on the Sides of the said *Bury and Ratcliffe Bridge* District of Road, in the Township of *Pilkington* aforesaid, and commonly called or known by the Name or Names of the *Besses oth' Barn Toll Bar*, and *Besses of the Barn Weighing Machine*, and the new *Blackford Brow Toll Bar*; and also, that the said Trustees, or any Seven or more of them, shall and may and are hereby fully authorized and empowered to erect and set up, and continue erected and set up, a Turnpike and Turnpike Gate upon and across the said *Bury and Ratcliffe Bridge* District of the Turnpike Road, at or within Twenty Yards of a certain Place within the Township of *Bury* aforesaid, called *Buckley Wells*; and also that the said Trustees, or any Seven or more of them, shall and may and are hereby fully empowered to erect and set up, and to continue erected and set up, a Turnpike and Turnpike Gate upon and across the new Branch of Road, betwixt the new *Blackford Brow Bar* and *Overhall Fold* aforesaid, at or within Twenty Yards of a Place called *The Common*, within the Township of *Pilkington* aforesaid; and also that the said Trustees, or any Seven or more of them, shall and may and are hereby fully authorized and empowered to erect and set up, and to continue erected and set up, Gates or Toll Bars upon the Sides of the said new Branch of Road, leading from the new *Blackford Brow* aforesaid to *Overhall Fold* aforesaid, at the following Places; (that is to say), one Side Gate or Side Bar at a Place called *The Common*; another Side Gate or Side Bar at or near to a Place called *Hannah Bridges*; another Side Gate or Side Bar at or near to a Place called *The Higher Part of Thatch Leach Lane*; and another Side Gate or Side Bar at or near to a Place called *Cuckoo Lane*, otherwise *Cuckoo Nest*, all within the Township of *Pilkington* aforesaid; and also that the said Trustees, or any

Power to continue and erect Turnpike Gates.

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Seven or more of them, shall and may and are hereby fully empowered to continue such Toll Gates and Side Bars so erected and to be erected, and to erect and build a Toll-house and Toll-houses, with convenient Buildings, at such new Gate or Toll Bar, upon the said *Bury and Ratcliffe Bridge* District of Road, and also at such new Gate or Toll Bar upon the said intended new Branch of Road, and at the Side Gate and Side Gates thereof respectively; the Expences of setting up and erecting of such Turnpikes and Turnpike Gates (as the Case may be), and of building, erecting, and providing Materials for all 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 within the said *Bury and Ratcliffe Bridge* District, by and under the Powers and Authorities in this present Act, in the Manner herein-after mentioned and provided.

Toll-houses,
Turnpikes,
&c. vested in
the Trustees.

VIII. And be it further enacted, That the Right and Property of the several Toll-houses and Turnpikes or Toll Gates, Weighing Engine or Weighing Engines, and other Erections and Buildings now and hereafter to be erected and provided by virtue of this Act, with the Materials, Grounds, Fences, and Appurtenances thereto belonging, and of all Arches, Bridges, Walls, and other Erections, Buildings and Premises, and of all Mile Stones and Posts to be erected, and also of all Materials, Tools, and Implements which shall be provided for the Use of, or for repairing or improving the Roads to be made and repaired by virtue hereof, and of the said recited Act, shall be and the same respectively are and is hereby vested in the said Trustees; and they or any Five or more of them are hereby empowered to cause any Action to be brought in the Name of their Clerk or Treasurer for the Time being, and any Bill or Bills of Indictment to be preferred, against any Person or Persons who shall steal, break down, take away, injure, spoil, or deface any such Toll-houses, Turnpikes, or Toll Gates, or other Buildings or Erections, Fences, Mile Stones, Posts, or any of them, or any such Materials, Tools, or Implements as aforesaid, or disturb them in the Possession thereof; but subject nevertheless to such and the like Estates, Rights, and Interests as the present Mortgagees of the Tolls respectively have or claim in the same, or they might respectively have had or claimed in or to the Turnpikes or Toll-houses already erected under and by virtue of the said recited Act, so far as relates to the said District of Road; in which Bill or Bills of Indictment it shall be sufficient to state generally, that any such Toll-houses, Turnpikes or Toll Gates, or other Buildings or Erections, Fences, Mile Stones, Posts, or any such Materials, Tools, or Implements, or other Matters or Things, to be the Property of the Treasurer or Clerk for the Time being to the said Trustees.

Power to
take Tolls on
the Bury and
Ratcliffe
Bridge Dis-
trict, at the
Gate called
Besses of the
Barn.

IX. And be it further enacted, That the respective Tolls following shall be demanded and taken 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 or Beast, or any Carriage whatsoever, shall be permitted to pass through the same, (except as herein-after is excepted and provided); that is to say, at the Turnpike now erected and to be continued within the said *Bury and Ratcliffe Bridge* District, at the said Place called *Besses of the Barn* within the Township of *Pilkington* aforesaid:

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

For every Waggon or other such Four-wheeled Carriage, with Wheels of the Breadth of Nine Inches or upwards on the Bottom or Sole thereof, drawn by Seven or Eight Horses or Beasts of Draught, the Sum of Two Shillings and Sixpence; and drawn by Five or Six Horses or Beasts of Draught, the Sum of Two Shillings; and drawn by Four, or a less Number of Horses or Beasts of Draught, the Sum of One Shilling and Three-pence:

For every Waggon or other such Four-wheeled Carriage, with Wheels of the Breadth of Six Inches as aforesaid and upwards, and under Nine Inches, drawn by Five or Six Horses or Beasts of Draught, the Sum of Two Shillings and Three-pence; and drawn by Four or a less Number of Horses or Beasts of Draught, the Sum of One Shilling and Sixpence:

For every Waggon, or other such Four-wheeled Carriage, with Wheels of less Breadth than Six Inches, the Sum of Three Shillings:

For every Cart or Two-wheeled Carriage, with Wheels of the Breadth of Nine Inches as aforesaid, and drawn by Five Horses or Beasts of Draught, the Sum of One Shilling and Three-pence; and drawn by Four Horses or Beasts of Draught, the Sum of Ten-pence; and drawn by Three Horses or Beasts of Draught, the Sum of Eight-pence; and drawn by One Horse or Beast of Draught, or Two Horses or Beasts of Draught, the Sum of Five-pence:

For every Cart or other Two-wheeled Carriage, with Wheels of the Breadth of Six Inches as aforesaid, drawn by Four Horses or Beasts of Draught, the Sum of Ten-pence; and drawn by Three Horses or Beasts of Draught, the Sum of Eight-pence; and drawn by Two Horses or Beasts of Draught, the Sum of Five-pence; and drawn by One Horse or Beast of Draught, the Sum of Three-pence:

For every Cart or other Two-wheeled 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 Three-pence; and drawn by Two Horses or Beasts of Draught, the Sum of Ten-pence; and drawn by One Horse or Beast of Draught, the Sum of Five-pence:

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

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

For every Horse or other Beast of Draught, laden or unladen, and not drawing, the Sum of One Penny.

And at the Turnpike already erected and to be continued under this Act within the said *Bury and Ratcliffe Bridge* District, called *The new Blackford Brow Bar*, within the Township of *Pilkington* aforesaid, and at the Toll-bar or Turnpike to be erected and continued within the said *Bury and Ratcliffe Bridge* District, at or near to the said Place called *Buckley Wells*, within the Township of *Bury* aforesaid, the Tolls next herein-after mentioned:

At the Blackford Brow Bar, and at the Buckley Wells.

For

Tolls.

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

For every Waggon or other Four-wheeled 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 One Shilling and Three-pence; and drawn by Five or Six Horses or Beasts of Draught, the Sum of One Shilling; and drawn by Four, or by fewer than Four Horses or Beasts of Draught, the Sum of Seven-pence Halfpenny:

For every Waggon or other Four-wheeled Carriage, with Wheels of the Breadth of Six Inches as aforesaid, drawn by Five or Six Horses or Beasts of Draught, the Sum of One Shilling and a Penny Halfpenny; and drawn by Four, or by fewer than Four Horses or Beasts of Draught, the Sum of Nine-pence:

For every Waggon or other Four-wheeled Carriage, with Wheels of less Breadth than Six Inches, the Sum of One Shilling and Sixpence:

For every Cart or other Two-wheeled Carriage, with Wheels of the Breadth of Nine Inches as aforesaid, drawn by Five Horses or Beasts of Draught, the Sum of Seven-pence Halfpenny; and drawn by Four Horses or Beasts of Draught, the Sum of Five-pence; and drawn by Three Horses or Beasts of Draught, the Sum of Four-pence; and drawn by Two Horses or Beasts of Draught, the Sum of Two-pence Halfpenny:

For every Cart, or other Two-wheeled Carriage, with Wheels of the Breadth of Six Inches, and drawn by Four Horses or Beasts of Draught, the Sum of Five-pence; and drawn by Three Horses or Beasts of Draught, the Sum of Four-pence; and drawn by Two Horses or Beasts of Draught, the Sum of Two-pence Halfpenny; and drawn by One Horse or Beast of Draught, the Sum of One Penny Halfpenny:

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

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, the Sum of Five-pence *per* Score, and so in proportion for any greater or less Number: And,

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

Tolls to be taken upon the new Branch of Road from Blackford Brow Bar to Overhall Ford.

And at the Turnpike or Toll-bar to be erected and continued upon the said intended new Branch of Road, leading from the new *Blackford Brow Bar* aforesaid to *Overhall Fold* aforesaid, at or near to a Place called *The Common* upon the said intended new Branch of Road; and also at the Side Bar or Side Gate to be erected and continued at or near to the said Place called *The Common*; and also at the Side Bar or Side Gate to be erected

erected and continued at or near to a Place called *Hannah Bridges*; and also at the Side Bar or Side Gate to be erected and continued at or near to the said Place called *The Higher Part of Thatch Leach Lane*; and also at the Side Bar or Side Gate to be erected and continued at or near to the said Place called *Cuckoo Lane*, otherwise *Cuckoo Nest*, all upon or near to the said last-mentioned new intended Branch of Road, the Tolls next herein-after mentioned:

For every Coach, Berlin, Landau, Chariot, Chaise, Chair, Calash, Hearse, or other such like Carriage, drawn by 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 Nine-pence; and drawn by One Horse or Beast of Draught, the Sum of Four-pence Halfpenny: Tolls.

For every Waggon, or other Four-wheeled 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 Three Shillings and Nine-pence; and drawn by Five or Six Horses or Beasts of Draught, the Sum of Three Shillings; and drawn by Four, or by fewer than Four Horses or Beasts of Draught, the Sum of One Shilling and Ten-pence Halfpenny:

For every Waggon, or other Four-wheeled Carriage, with Wheels of the Breadth of Six Inches as aforesaid, drawn by Five or Six Horses or Beasts of Draught, the Sum of Three Shillings and Four-pence Halfpenny; and drawn by Four, or by fewer than Four Horses or Beasts of Draught, the Sum of Two Shillings and Three-pence:

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

For every Cart or other Two-wheeled Carriage, with Wheels of the Breadth of Nine Inches as aforesaid, drawn by Five Horses or Beasts of Draught, the Sum of One Shilling and Ten-pence Halfpenny; and drawn by Four Horses or Beasts of Draught, the Sum of One Shilling and Three-pence; and drawn by Three Horses or Beasts of Draught, the Sum of One Shilling; and drawn by Two Horses or Beasts of Draught, the Sum of Seven-pence Halfpenny:

For every Cart, or other such like Two-wheeled Carriage, with Wheels of the Breadth of Six Inches as aforesaid, drawn by Four Horses or Beasts of Draught, the Sum of One Shilling and Three-pence; and drawn by Three Horses or Beasts of Draught, the Sum of One Shilling; and drawn by Two Horses or Beasts of Draught, the Sum of Seven-pence Halfpenny; and drawn by One Horse or Beast of Draught, the Sum of Four-pence Halfpenny:

For every Cart, or other such like Two-wheeled 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 Three-pence; and drawn by One Horse or Beast of Draught, the Sum of Seven-pence Halfpenny:

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

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For

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

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:

Which respective Sums of Money shall be demanded and taken as and for or in the Name of Toll: And if any Person or Persons, subject to the Payment of any of the said Tolls, shall, after Demand thereof made, neglect or refuse to pay the same, it shall be lawful for such Collectors or Collector to levy the same by Distress of any Horse or Horses, or other Cattle, with their Bridles, Saddles, Harness, or other Accoutrements, or of any Carriage with its Lading, or the Horses drawing the same, in respect of which such Toll is by this Act imposed; and if any such Tolls, and the reasonable Charges of taking and keeping such Distress, shall not be paid within Four Days after such Distress made, such Collectors or Collector may sell the Horses, Cattle, and Carriages, and other Things so distrained, for the best Price that can be gotten for the same, for Satisfaction of the said Tolls so neglected or refused to be paid as aforesaid, and Charges of the Distress and Sale, returning the Overplus (if any) on Demand to the Owner thereof; and that all Monies so to be collected or levied shall be and are hereby vested in the said Trustees, and shall be applied for the Purposes of this Act.

Tolls to be paid but Once at Buckley Wells and Blackford Brow Bar.

X. Provided always, and be it further enacted, That no Person who shall have paid the Toll for passing through the Turnpike Gate or Bar to be erected and continued at or near to the said Place called *Buckley Wells*, within the Township of *Bury* aforesaid, shall be liable to the Payment of another Toll for afterwards passing Once on the same Day with the same Horses, Cattle, or Carriage, through the Turnpike Gate or Bar called *The new Blackford Brow Bar*, within the Township of *Pilkington* aforesaid, both upon the said *Bury* and *Ratcliffe Bridge* District; and that no Person who shall have paid the Toll for passing Once on the same Day through the said new *Blackford Bar*, shall be liable to the Payment of another Toll for afterwards passing only Once on the same Day with the same Horses, Cattle, or Carriage, through the said Turnpike Gate or Bar to be erected and continued at or near the said Place called *Buckley Wells* aforesaid.

Tickets denoting Payment of Toll to be provided.

XI. And be it further enacted, That upon Payment of the said Tolls at either of the said last-mentioned Turnpikes or Gates, the Collector or Receiver thereof respectively shall and he is hereby required to deliver, *gratis*, to the Person paying such Toll, a Note or Ticket denoting such Payment, and which Note or Ticket shall be provided by the said Trustees; and there shall be printed and specified thereon the Name of the respective Gates freed by such Payment.

Tolls to be paid but Once a Day.

XII. Provided always, and be it further enacted, That no Person who shall have paid the Toll for passing through any Turnpike Gate or Toll Bar, Side Gate or Side Bar, now or hereafter to be erected and continued by virtue of this Act, shall be subject or liable to pay any Toll for returning

turning through such Turnpike Gate or Toll Bar, Side Gate or Side Bar, before Twelve of the Clock of the Night of the same Day, with the same Carriage, Horses, or Beasts, in respect of which such Toll shall have been paid at such Gate or Bar that Day, or with the same Horses or Cattle which shall have drawn any Carriage for which the Toll hath been paid at such Gate that Day, if returning with another Carriage of the same Description as that for which the Toll hath been paid, but shall return Toll-free on producing a Note or Ticket to the Collector of the Tolls at such respective Turnpike, denoting Payment of such Toll, which Note or Ticket the Collector of the said Toll is hereby required, upon Demand, to deliver *gratis* on Receipt of such Toll; but nothing in this Act contained shall extend or be construed to extend to exempt any Horse, Cattle, or Carriage for passing a Third Time through such Turnpike the same Day, but the Toll shall be demanded and paid for such Third and every subsequent Time of passing through such Gate or Turnpike in the same Day which such Horse, Cattle, or Carriage went the First Time that Day.

XIII. Provided always, and be it further enacted and declared, That none of the Tolls by this Act granted shall be demanded or taken for or in respect of any Carriage, Horse, Cattle, or Beast employed in carrying or conveying, or going to carry or convey, or returning from carrying or conveying, having been employed only in carrying or conveying on the same Day, Stones, Bricks, Lime, Timber, Wood, Gravel, or other Materials for repairing of the said District of Road or Branches, or any of the Roads in the Townships or Precincts in which any Part of the said District of Road and Branches are situate, or for the building or repairing any Toll House or Toll Houses erected or to be erected upon the said District of Road or Branches, or the Side or Sides thereof, or any Part thereof; or Hay, Grass, Turnips, Potatoes, or other Fodder, Straw or Corn, not sold or disposed of, or passing for that Purpose, but passing to be placed or laid up in the Buildings or on the Premises of the Owners thereof; or for or in respect of any Carriage, Horse, Cattle, or Beast employed only in carrying or conveying, or going empty or unladen to carry or convey, or returning empty or unladen from carrying or conveying, having been employed only in carrying or conveying, any Ploughs, Harrows, or Implements of Husbandry, or any Mould, Dung, Lime, Compost, or Manure, to be employed only in Husbandry, for manuring or improving Lands (and not for printing, dying, or other Purposes of Trade), or for any other Thing employed in the managing of any Farms or Lands; or for any Horses or Cattle going to or returning from Pasture, or Watering Place, or going to be or returning from being shod or farried; 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; nor 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 Hearse or Carriage conveying the Corpse, or attending the Funeral of any Person who shall die and be buried in any of the Parishes of *Bury or Prestwich*,
in

Exemptions
from Toll.

in the County Palatine of *Lancaster* aforesaid; or for any Horse, Beast, Cattle, or Carriage, 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 or returning back from conveying the same; or for any Horse, Beast, Cattle, or Carriage attending any Soldiers on their March, or on Duty, or attending them with their Arms or Baggage, or for any Waggon, Wain, Cart, or other Carriage whatsoever, or the Horse or Horses or other Cattle drawing the same, which shall be employed in conveying any Ordnance, Barrack, Commissariat, or other Public Stores of, for, or belonging to His Majesty, or for the Use of His Majesty's Forces, or returning from attending them on such Occasions; or for any Horse, Mare, or Gelding furnished by or for any Person belonging to any Corps of Yeomanry or Volunteer Cavalry, and rode by him in going to or returning from the Place appointed for and on the Days of Exercise or Review, provided that such Persons are in the Uniforms 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 Exemptions as aforesaid; or for any Horse, Cart, Waggon, or other Carriage employed in the Conveyance of Vagrants sent by legal Passes, or returning from such Employment; or for any Horse, Cattle, Beast, or Carriage carrying or conveying any Person or Persons going to or returning from any Election of a Knight or Knights of the Shire to serve in Parliament for the said County Palatine of *Lancaster*, on the Day or Days of such Election, or on the Day before or Day after such Election 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 Five Pounds, One Moiety whereof shall go to the Informer, and the other Moiety shall be applied to the Purposes of this and the said recited Act.

Owners or Drivers of Waggon in the Service of His Majesty not subject to a Penalty for Overweight.

XIV. And be it further enacted, That no Person owning or driving or causing to be driven any Waggon, Wain, Cart, or other Carriage provided for the Service of His Majesty's Forces, or conveying any Ordnance, Barrack, or Commissariat, or other Public Stores of or belonging to His Majesty, or for the Use of His Majesty's Forces, shall be subject to any Penalty or Forfeiture for Overweight in any such Waggon, Wain, Cart, or other Carriage, or for being drawn by any Number of Horses or Oxen; but it shall be lawful for any Owner or Driver of any such Waggon, Wain, Cart, or other Carriage, to put any Number of Horses or Oxen to such Waggon, Wain, Cart, or other Carriage; any Thing in any Act or Acts of Parliament relating to Highways or Turnpike Roads, or in this Act contained, to the contrary notwithstanding

One-Horse Carts to be weighed.

XV. And whereas it frequently happens that Carts drawn by One Horse, passing upon and along the said Roads, carry a greater Weight than is by Law allowed for Carts drawn by Two or more Horses; be it therefore further enacted, That all Carts passing upon the said Roads or any Part thereof, drawn by One Horse only, from and after the passing of this Act, shall and may, in case the said Trustees or any Five or more of them

them shall so order and direct, be weighed at any Machine now or hereafter to be erected on the said Roads; and that in such Case the like additional Sums or Tolls as are payable by virtue of any Law or Laws now in force for the Overweight of any Waggon, Cart, or other Carriage, and the Loading thereon, shall and may be demanded and taken by the said Trustees, or any Five or more of them, or their Collector or Collectors, in respect of Carts drawn by One Horse only, and which with the Loading thereon shall exceed the Weights herein-after mentioned; (that is to say), Carts having the Sole or Bottom of the Fellies of the Wheels of the Breadth or Gauge of Six Inches, Two Tons and Twelve hundred Pounds Weight, of One hundred and twenty Pounds to the Hundred, in Summer, and Two Tons and Seven hundred Pounds Weight, of One hundred and twenty Pounds to the Hundred, in Winter; and Carts having the Sole or Bottom of the Fellies of the Wheels of less Breadth or Gauge than Six Inches, One Ton and Ten hundred Pounds Weight in Summer, and One Ton and Seven hundred Pounds Weight in Winter; and that all the Powers, Regulations, and Penalties now in force, relating to the weighing of Waggons, Carts, and other Carriages drawn by more than One Horse, shall be applicable to Carts passing on the said Roads drawn by One Horse only, and to the Drivers, Masters, and Owners thereof; any Law, Statute, or Usage to the contrary in anywise notwithstanding.

XVI. And be it further enacted, That it shall be lawful for the said Trustees, or any Seven or more of them, from Time to Time assembled at any Meeting to be held for that Purpose, to lessen or reduce all or any of the Tolls hereby granted, and to take and collect such Tolls so lessened or reduced, for such Time or Times and in such Manner as the said Trustees or any Seven or more of them shall think proper; and afterwards from Time to Time to advance all or any of the Tolls so reduced, to any Sum or Sums of Money not exceeding the respective Rates herein-before granted, and to order and direct such Tolls so lessened and reduced, or advanced again, to be collected, received, taken, laid out, and applied for the Purposes of the said recited Act and this Act, in such Manner as the Tolls are by this Act directed to be collected, levied, and applied; but no such Reduction shall be made, except at the First Meeting of the said Trustees, unless the Person or Persons who shall be entitled to Two Third Parts of the Money which shall be then owing on the Credit of the Tolls intended to be reduced shall be consenting thereto; nor shall any such Reduction or Advancement be made, unless Twenty Days Notice at the least shall be given in Writing, to be affixed on all the Turnpikes or Toll Gates then erected on the said District and Branches of Road, and inserted in one of the *Manchester Newspapers*, expressing the Intention, Time, and Place of the Meeting for making such Reduction or Advancement: Provided always, that when and as often as any Reduction or Advancement shall take place or be made in the Tolls to be collected or received at any one of the said Gates or Turnpikes upon the said District of Road, (except upon the said Branches of Road,) the same Reduction or Advancement shall be made and take place at the same Time in the said Tolls to be collected and received at every other Gate on the said District of Road, so that similar or proportionate Tolls shall be collected at each Gate thereon.

Power to
reduce the
Tolls.

[*Local.*]

T

XVII. And

Toll Collectors to put up their Names on some conspicuous Place, and continue the same while on Duty.

XVII. And be it further enacted, That all and every Toll Collector appointed, either by the said Trustees or by any Lessee or Lessees under them, to collect the Tolls payable at any Turnpike or Toll Gate to be continued or erected by virtue of the said recited Act and this Act, or either of them, upon the said District of Road, or intended Branches thereof, shall and he is hereby required to place his Christian and Surname, painted on a Board in legible Characters, in the Front, or on some other conspicuous Part of the Toll House or Toll Gate immediately upon his coming on Duty, each of the Letters of such Name to be at least One Inch in Length, and of a Breadth in proportion, and painted either in White Letters on a Black Ground, or Black Letters on a White Ground, and shall continue the same so placed during the whole Time he shall be upon such Duty; and if any Collector of the said Tolls shall not place such Board as aforesaid, and keep the same there during the Time aforesaid, or shall demand or take a greater or less Toll from any Person or Persons than he shall be authorized to do by virtue of the Powers of the said recited Act and this Act, or any or either of them, or shall demand and take a Toll from any Person or Persons who shall be exempt from the Payment thereof, and claim such Exemption, or shall refuse to permit or suffer, or shall in anywise hinder any Person or Persons from reading such Christian or Surnames, or shall refuse to tell his Christian or Surname to any Person or Persons who shall demand the same, on having been paid the said Tolls, or any of them, or shall give a false Name or Names on such Demand, or shall refuse or neglect to deliver a Ticket, *gratis*, denoting the Payment of the Toll, and naming and specifying the several Gates freed by such Payment, or shall make use of any scurrilous or blasphemous Language to any Person or Persons travelling upon the said District of Road, or shall, without sufficient Cause, detain or delay any Person or Persons travelling thereon, then and in every such Case every such Collector shall forfeit and pay any Sum not exceeding Five Pounds for every such Offence, as the Justice or Justices before whom the Information shall be laid shall adjudge; and such Penalty shall be levied, recovered, and applied in such and the same Manner as other Penalties are by the said recited Act or this Act, or either of them, directed to be levied, recovered, and applied.

Accounts of Receipts and Disbursements to be kept, which shall be open to the Inspection of the Trustees and Creditors.

XVIII. And be it further enacted, That the said Trustees shall and they are hereby required from Time to Time, and at all Times during the Continuance of this Act, to order and direct a Book or Books to be provided and kept by their Clerk for the Time being, in which Book or Books such Clerk shall enter or cause to be entered true and regular Accounts of all Sums of Money received, paid, laid out, and expended for or on account of the said District of Road, and of the several Articles, Matters, and Things for which such Sums of Money shall have been disbursed, laid out, and paid; which Book or Books shall at all seasonable Times be open to the Inspection of the said Trustees, or any Creditor or Creditors on the Tolls hereby granted, without Fee or Reward; and the said Trustees and Creditors, or any of them, shall or may take Copies of or Extracts from the said Book or Books, or any Part or Parts thereof, without paying any Thing for the same; and in case the said Clerk shall refuse to permit the said Trustees or such Creditors to inspect the same, or to take such Copies or Extracts as aforesaid, such Clerk shall forfeit and

pay any Sum of Money not exceeding Five Pounds, to be levied and recovered in Manner herein-after mentioned.

XIX. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees to continue or appoint the Person who has been or may be appointed to act as their Clerk in the Execution of this Act and the said recited Act, or the Partner of any such Clerk, the Treasurer for the Purposes of the said Act and this Act; or to continue or appoint the Person who has been or may be appointed Treasurer, or the Partner of any such Treasurer, the Clerk to the said Trustees for executing the said Act and this Act; and if any Person shall act in both the Capacities of Clerk and Treasurer for the Purposes of the said Act and this Act, or if any Person being the Partner of any such Clerk shall act as Treasurer, or being the Partner of such Treasurer shall act as Clerk, in the Execution of the said Act and this Act, every Person so offending 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 in any of His Majesty's Courts at *Westminster*, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, or more than One Imparlance, shall be allowed.

Clerk restrained from acting as Treasurer, and vice versa.

XX. And be it further enacted, That in case all or any of the Tolls arising by virtue of this Act at the said Turnpike Gates, or any of them, shall be demised or let to farm to any Person or Persons in pursuance of the said recited Act or this Act, and such Person or Persons shall neglect or refuse to perform the Conditions of the Demise or Contract by which the same are let to him, her, or them, either by taking a greater or less Toll in respect of any Kind of Carriage, Waggon, Cart, Horse, Beast, or Cattle, than those demised or let to him, her, or them, or in any other way or manner; or in case the Rent for which such Tolls shall be demised or let, or any Instalment thereof, shall be in arrear and unpaid for the Space of Fourteen Days next after any of the Days or Times whereon the same shall become due and ought to be paid, pursuant to such Demise or Contract, and the Toll House or Toll Houses appertaining to such Turnpike Gate or Gates shall be in Possession of any such Lessee or Lessees, Farmer or Farmers, or any Person or Persons by him, her, or them appointed to collect the Tolls thereat; then and in any of the said Cases it shall be lawful for the said Trustees or any Five or more of them (if they shall think proper) to vacate and determine such Demise or Contract, giving a Notice in Writing of such their Determination to such Lessee or Lessees, Farmer or Farmers, by leaving the same at the Toll House or Toll Houses, Side Gate or Side Gates, at such respective Turnpike or Turnpikes; and such Lease or Contract shall from that Time be utterly void to all Intents and Purposes (save as to the Covenants for Payment of the Rent to the Day of such Notice being delivered), as if the same had not been made; and in case any such Lessee or Lessees, Farmer or Farmers, shall not on Service of such Notice as aforesaid deliver the Possession of the Toll House or Toll Houses, Turnpike Gate or Gates, with the Appurtenances so demised or let to him, her, or them, it shall be lawful for any Justice of the Peace for the County in which such Toll House or Toll Houses, Side Gate or Side Gates, Turnpike Gate or Gates, with the Appurtenances, shall be situate, by Warrant under

Enabling Trustees to take Possession of Toll Houses.

under his Hand and Seal, to order any Constable or other Peace Officer, with such Assistance as shall be necessary, to enter such Toll House or Toll Houses and Premises, in the Day-time, and to remove the Person or Persons who shall be found therein, together with their Goods, out of such House or Houses, and to put such Person or Persons into Possession thereof as the said Trustees or any Five or more of them shall appoint.

For settling
Disputes
concerning
Tolls.

XXI. And be it further enacted, That if any Dispute shall happen about the Amount of the Tolls, or the Charges of making, keeping, or selling any Distress, it shall and may be lawful for the Collector, or the Person so distraining, to retain such Distress, or the Money arising from the Sale thereof (as the Case may happen), until the Amount of the Tolls due, and the Charges of the Distress and Sale, and of keeping the Distress, be ascertained by some Justice of the Peace for the County or Place wherein such Dispute shall happen to arise, who, upon Application made to him for that Purpose, shall examine the Matter on the Oath of the Parties or other Witness or Witnesses (which Oath such Justice is hereby authorized to administer), and shall determine the Amount of the Tolls due, and shall award such Costs and Charges to either Party as to the said Justice shall appear right and proper; all which Costs and Charges shall and may be levied and recovered, in case of Non-payment thereof forthwith, by Warrant under the Hand and Seal of such Justice, rendering the Overplus (if any) upon Demand, after deducting the Costs and Charges of making such Distress and Sale, to the Person or Persons whose Goods and Chattels shall have been so distrained and sold.

Application
of the Tolls.

XXII. And be it further enacted, That out of the Tolls to be collected and levied by virtue of this Act, or out of the first Monies to be borrowed on the Credit thereof, the said Trustees or any Five or more of them shall and they are hereby required, in the first Place, to pay Interest after the Rate of Five Pounds *per Centum per Annum* for the Sum of Money borrowed for the Purpose of defraying the Expence of obtaining this Act; and afterwards all the said Tolls and Monies shall be applied in defraying the Costs and Expences relating to the obtaining and passing of this Act, and in paying the principal Money and Interest borrowed for the Purpose of the said recited Act on the Bonds of any of the said Trustees, and now due and owing, and in defraying the Costs of continuing, erecting, and providing Turnpikes, Toll-houses, and other Buildings, and making, repairing, widening, turning, and altering the said District of Road, and in making and maintaining the said Two Branches of Road; and, in the next Place, in paying the Interest and Principal of the Money due and owing on the Credit of the said former Tolls, or to be borrowed for the Purposes of the said recited Act or this Act, and defraying all other necessary Costs, Charges, and Expences attending the same, and carrying the Purposes of the said recited Act and this Act into Execution, in such Manner as the said Trustees or any Five or more of them shall from Time to Time appoint.

Trustees, in
altering the
old Road, not
to deviate
more than

XXIII. And be it further enacted, That it shall not be lawful for the said Trustees, in diverting, turning, varying, or altering the Course or Path of any Part of the said District of Road comprised in the said recited Act, to deviate more than One hundred Yards from the present Line or Course

Course thereof, without the Consent in Writing of the Owners or reputed Owners and Occupiers for the Time being, of the Lands and Grounds which may be affected by any such Diversion or Alteration; any Thing in the said recited Act contained to the contrary thereof in anywise notwithstanding.

100 Yards
without Con-
sent.

XXIV. And whereas Maps or Plans, describing the Line of the said intended Branches of Road, and the Lands, Hereditaments, and Premises through which the same are to be made or carried, together with a List of the Names of the Owners and Occupiers of such Lands and Premises, have been deposited at the Office of the Clerk of the Peace for the said County Palatine of *Lancaster*; be it therefore enacted, That the said Maps or Plans, and List of Owners and Occupiers, shall remain in the Custody of the Clerk of the Peace for the said County, to the end that all Persons may at any reasonable Times have Liberty to inspect and peruse the same, and to take Copies or Extracts thereof at their Will and Pleasure, paying the Clerk of the Peace a reasonable Compensation for making such Copies or Extracts; and that the said Trustees, in making the said Branches of Road, shall not deviate more than One hundred Yards from the Line described in the said Maps or Plans, without the Consent and Approbation in Writing of the Person or Persons, Bodies Politic, Corporate or Collegiate, through whose Lands or Premises such Deviation shall be made.

Plans, &c.
deposited at
the Office of
the Clerk of
the Peace,
to remain
there for In-
spection, &c.

XXV. Provided always, and it is hereby enacted and declared, That the Power and Authority given to the said Trustees as aforesaid, shall not extend to the taking down of any Dwelling House or other Building, or taking in the Site of any House or other Buildings, or to take in, cut through, or otherwise damage any Garden, Orchard, Yard, Court, Park, Paddock, inclosed Shrubbery, planted Walk, or Avenue to a House, without the Consent in Writing of the Owners and Proprietors thereof respectively first had and obtained, other than and except so much of a Garden and Road situate, lying, and being in or near *Manchester Street* in *Bury* aforesaid, belonging to the Right Honourable *Edward Earl of Derby*, and in Lease to *Hornby Roughsedge*, and now in the Occupation of *William Goodlad*; and also of a Poultry-yard and Walls, with Liberty to remove a Pump near thereto, and Pleasure Ground, Walls, and Pales in *Manchester Street* in *Bury* aforesaid, belonging to the Earl of *Derby*, and in Lease to and in the Occupation of *Thomas Hutchinson Esquire*; and also of the Court, Walls, Pales, Pleasure Ground, Surgery, Gates and Road in *Manchester Street* belonging to the Earl of *Derby*, and in Lease to the said *Hornby Roughsedge*, and in the Occupation of the said *William Goodlad*; and also of Four several Cottages or Dwelling Houses in *Manchester Street* in *Bury* aforesaid, Two whereof are in Lease to the said *Thomas Hutchinson*, One to *Richard Hamer*, Two to *Samuel Hamer*, and One to *Mary Hamer Spinster*, and are now in the several Occupations of *William Booth*, *Thomas Ward*, the said *Richard Hamer*, *Thomas Cross*, *Thomas Collinge*, and *Edmund Whitaker*; and also the Yards, Gates, Pales, and Wall in *Manchester Street* in *Bury* aforesaid, belonging to the said Earl of *Derby*, and in Lease to and in the Occupation of *John Grundy*; and also of a Sadler's Shop and House in *Manchester Street* in *Bury* aforesaid, belonging to the said Earl of *Derby*, and in Lease to *Alice Frith Widow*, and in the Occupation of *James Olivant*; and also

Houses, &c.
not to be in-
jured, ex-
cept, &c.

[Local.]

U

of

of a Butcher's Shop and House in *Manchester Street* in *Bury* aforesaid, belonging to the said Earl of *Derby*, and in Lease to *Elizabeth Grime*, and in the Occupation of *James Nuttall*; and also of Two Houses and Out-buildings and Yards in *Manchester Street* in *Bury* aforesaid, belonging to the said Earl of *Derby*, and in Lease to *Robert Jones*, and in the Occupation of *Edward Hunt* and the said *Robert Jones*; and also of Two Houses in *Manchester Street* in *Bury* aforesaid, belonging to the said Earl of *Derby*, and in Lease to *Elizabeth Handley*, and in the several Occupations of *John Moore* and *Thomas Walwork*; and also of Two Houses in *Manchester Street* in *Bury* aforesaid, belonging to the said Earl of *Derby*, and in Lease to *Jacob Smith* the Elder, and in the several Occupations of *Jacob Smith* the Younger and *James Holt*; and also of a Wall, Garden, Fence, Ground before the Door, and Stone Steps, in *Manchester Street* in *Bury* aforesaid, belonging to the said Earl of *Derby*, and in Lease to the Trustees of *Bury School*, and in the several Occupations of *Francis Hodgson* and *Richard Ort*; and also of a Plantation and Meadow in *Bury* aforesaid, belonging to the said Earl of *Derby*, and in Lease to and in the Occupation of the Executors of the late *Thomas Yates* Esquire, deceased; and also of Six Cottages in *Bury* aforesaid, belonging to the said Earl of *Derby*, and in Lease to *John Leigh*, one of which is unoccupied, the other Five are in the several Occupations of *Ann Dearden*, *John Walker*, *William Crompton*, *Thomas Barker*, and *Elias Willmond*; and also of certain Gardens and a Field in the Township of *Bury* aforesaid, belonging to the said Earl of *Derby*, and in Lease to and in the Occupation of *John Grundy*; and also of a Plantation and Meadow in *Bury* aforesaid, belonging to the said Earl of *Derby*, and in Lease to and in the Occupation of *Ellis Cunliffe*; and also of certain Gardens in the Township of *Bury* aforesaid, belonging to the said Earl of *Derby*, and in Lease to the said *Ellis Cunliffe*, and in the several Occupations of *William Howarth*, *John Clemishaw*, *Simpson*, *William Cofs*, *James Walmsley*, *Robert Scholes*, *Edward Carter*, *John Smith*, *John Haslam*, and *Robert Hall*; and also of a Garden and Field in *Redvales*, within the Township of *Bury* aforesaid, belonging to the said Earl of *Derby*, and in Lease to and in the Occupation of *John Brearley* and others; and also of a Garden in *Redvales*, within the Township of *Bury* aforesaid, belonging to the said Earl of *Derby*, and in Lease to and in the Occupation of the said *John Brearley* and others; and also of a Field in *Redvales*, within the Township of *Bury* aforesaid, belonging to the said Earl of *Derby*, and in Lease to and in the Occupation of *John Ramfbottom*; and also of Three Cottages in *Redvales*, within the Township of *Bury* aforesaid, belonging to the said Earl of *Derby*, one whereof is in Lease to *George Dawson* and *Nathaniel Entwistle*, another to *John Booth*, and the other to *Mary Walkden* Widow, and in the several Occupations of *John Nuttall*, *James Stott*, and *Edward Berry*; and also of certain Fields in the Township of *Pilkington* aforesaid, belonging to the said Earl of *Derby*, and in Lease to and in the Occupation of *John Rutter*, *Lamb*, and Company; and also of a Garden in the Township of *Pilkington* aforesaid, belonging to the said Earl of *Derby*, and in Lease to and in the Occupation of *William Appleby*; and also of Four Fields in the Township of *Pilkington* aforesaid, belonging to the said Earl of *Derby*, and in Lease to *Samuel Hall*, and in the Occupation of *Walker Scholefield*; and also of a Meadow in the Township of *Pilkington* aforesaid, belonging to the said Earl of *Derby*, and in Lease to and in the Occupation of *Richard Walker*; and

and also of Three Fields and a Meadow in the Township of *Pilkington* aforesaid, belonging to the said Earl of *Derby*, and in Lease to and in the Occupation of *Joshua Prestwich*; and also of a Field and Meadow in the Township of *Pilkington* aforesaid, belonging to the said Earl of *Derby*, and in Lease to and in the Occupation of *John Roylance*; and also of a Field in the Township of *Pilkington* aforesaid, belonging to the said Earl of *Derby*, and in Lease to *Mary Redford* Widow, and in the Occupation of *John Dawson*; and also of Two Fields in the Township of *Pilkington* aforesaid, belonging to the said Earl of *Derby*, and in Lease to *Walter Lee*, and in the Occupation of *Robert Howarth*; and also of a Field in the Township of *Pilkington* aforesaid, belonging to the said Earl of *Derby*, and in Lease to *Alice Kay* Widow, and in the Occupation of *John Kay*; and also of a Meadow and Field in the Township of *Pilkington* aforesaid, belonging to the said Earl of *Derby*, and in Lease to *Thomas Langham*, and in the Occupation of *John Roe*; and also of a Meadow and Field in the Township of *Pilkington* aforesaid, belonging to the said Earl of *Derby*, and in Lease to the late *Robert Seddon*, and in the Occupation of *James Haddock*; and also of Two Fields in the Township of *Pilkington* aforesaid, belonging to the said Earl of *Derby*, and in Lease to and in the Occupation of *Hannah Bridge* Widow; and also of a Field in the Township of *Pilkington* aforesaid, belonging to the said Earl of *Derby*, and in Lease to *Thomas Morton*, and in the Occupation of *John Woolstenbolme*; and also of a Meadow in the Township of *Pilkington* aforesaid, belonging to the said Earl of *Derby*, and in Lease to and in the Occupation of *Alice Kay* Widow; and also of a Field in the Township of *Pilkington* aforesaid, belonging to the said Earl of *Derby*, and in Lease to *Miss Whitehead*, and in the Occupation of *Alice Kay* Widow; and also of Five Fields in the Township of *Pilkington* aforesaid, belonging to the said Earl of *Derby*, and in Lease to *Thomas Walker*, and in the Occupation of *John Kenworthy*; and also of a Garden in the Township of *Pilkington* aforesaid, belonging to the said Earl of *Derby*, and in Lease to *Thomas Walker*, and in the Occupation of *John Ramsbottom*; and also of certain Plantations and a Meadow in the Township of *Prestwich*, belonging to *John Scholes*, and in the Occupation of *Thomas Potter*; and also of a Porch, Buttery, and Coal Yard in the Township of *Prestwich* aforesaid, belonging to and in the Occupation of *James Ramsbottom* and *John Ramsbottom*; and also of a Field in the Township of *Prestwich* aforesaid, belonging to *John Lancashire*, and in his own Occupation; and also of certain Fields in the Township of *Prestwich* aforesaid, being Glebe Land of the Parish of *Prestwich*, and in the Occupation of *Samuel Mason*; and also of a Garden in the Township of *Prestwich* aforesaid, being Glebe Land of the Parish of *Prestwich*, and in Lease to the said *Samuel Mason*, and in the Occupation of *William Barlow*; and also of a Meadow in the Township of *Prestwich* aforesaid, belonging to the Earl of *Grosvenor*, and in the Occupation of *John Spencer*; and also of Three Gardens in the Township of *Prestwich* aforesaid, belonging to the said Earl of *Grosvenor*, and in the several Occupations of *John Shuttleworth*, *Thomas Hilton*, and *John Redford*; and also of a Garden and small Outbuilding in the Township of *Prestwich* aforesaid, belonging to the said Earl of *Derby*, and in the Occupation of *Amos Smith*; and also of a Garden and Grass Plat in the Township of *Prestwich* aforesaid, belonging to and in the Occupation of *John Lancashire*; and also of a Coal Yard and Wall in the Township of *Pilkington* aforesaid, belonging to *Peter Pickstone*, and in the Occupation of *George Fletcher*; and also of the

the Pales, Yards, and Walls in the Township of *Pilkington* aforesaid, belonging to the said *Peter Pickstone*, and in the several Occupations of the said *Peter Pickstone* and *John Garfide*; and also of a paled Yard and Wall in the Township of *Pilkington* aforesaid, belonging to *John Yates*, and in the Occupation of *Thomas Shilito*; and also of the Pales, Yard, and Wall in the Township of *Pilkington* aforesaid, belonging to *Thomas Allen*, and in the Occupation of *Elizabeth Eastwood* Widow; and also of the Pales, Yard, and Wall in the Township of *Pilkington* aforesaid, belonging to *Sally Fletcher*, and in the Occupation of *Betty Fletcher*; and also of a Meadow in the Township of *Pilkington* aforesaid, belonging to the said Earl of *Derby*, and in Lease to and in the Occupation of *Alice Kay* Widow; and also of a House in the Township of *Pilkington* aforesaid, belonging to the said Earl of *Derby*, and in Lease to the said *Alice Kay* Widow, and in the Occupation of *William Horne*; and also of a House and Garden in the Township of *Pilkington* aforesaid, belonging to *John Ingham*, and in the Occupation of *John Wardle*; and also of a Field and Yard in the Township of *Pilkington* aforesaid, belonging to *William Walker*, and in the Occupation of *Joseph Scholes*; and also of a House, Timber Yard, and Garden in the Township of *Pilkington* aforesaid, belonging to the said Earl of *Derby*, and in Lease to and in the Occupation of *Daniel Jackson*; and also of a Plantation, Yard, and House in the Township of *Pilkington* aforesaid, belonging to the said Earl of *Derby*, and in Lease to *Samuel Mason*, and in the Occupation of *Thomas Lowe*; and also of a Farm Yard and Garden in the Township of *Pilkington* aforesaid, belonging to the said Earl of *Derby*, and in Lease to *Alice Kay* Widow, and in the Occupation of *James Clegg*; and also of a Garden, Orchard, and Meadow in the Township of *Pilkington* aforesaid, belonging to the said Earl of *Derby*, and in Lease to and in the Occupation of the said *Alice Kay* Widow; and also of a House in the Township of *Pilkington* aforesaid, belonging to the said Earl of *Derby*, and in Lease to *Mary Walker*, and in the Occupation of *John Tonge*; and also of a Field, Garden, and Orchard in the Township of *Pilkington* aforesaid, belonging to the said Earl of *Derby*, and in Lease to the said *Mary Walker*, and in the Occupation of *John Turner*; and also of a House in the Township of *Pilkington* aforesaid, belonging to the said Earl of *Derby*, and in Lease to the said *Mary Walker*, and in the Occupation of the said *John Turner*; and also of Five Gardens in the Township of *Pilkington* aforesaid, belonging to the said Earl of *Derby*, and in Lease to *Alice Kay* Widow, and in the several Occupations of *Robert Hilton*, *William Kay*, *John Eckersley*, *James Eckersley*, and *James Cowburn*; and also of a House and Garden in the Township of *Pilkington* aforesaid, belonging to the said Earl of *Derby*, and in Lease to *James Cross* and *Jenny Cross* Widow, and in the Occupation of *James Davenport*; and also of a House and Garden in the Township of *Pilkington* aforesaid, belonging to the said Earl of *Derby*, and in Lease to *James Cross* and *Jenny Cross* Widow, and in the Occupation of *Alice Bradshaw* Widow; and also of a Grass Plat in the Township of *Pilkington* aforesaid, belonging to and in the Occupation of *John Mills*; and also of Two Yards and a Garden in the Township of *Pilkington* aforesaid, belonging to the Trustees of *Whitefield* Sick Box, and in the several Occupations of *John Eckersley* and *John Walkden*; and also of a Yard and Steps in the Township of *Pilkington* aforesaid, belonging to *Matthew Woolstenholme*, and in the Occupation of *Ogden Hilton*; and also of a Yard in the Township of *Pilkington* aforesaid, belonging to and in the Occupation of *James Walker*; and also of a Meadow in the Township of *Pilkington* aforesaid, belonging

to and in the Occupation of *John Ingham*; and also of several Gardens in the Township of *Pilkington* aforesaid, belonging to the said Earl of *Derby*, and in Lease to *John Ingham*; and also of Part of a Field in the Township of *Pilkington* aforesaid, belonging to the said Earl of *Derby*, and in Lease to and in the Occupation of *John Ingham*; and also of a Meadow in the Township of *Pilkington* aforesaid, belonging to the said Earl of *Derby*, and on Lease to *John Scholes*, and in the Occupation of *Thomas Walker*; and also of a Garden, Meadow, and Field in the Township of *Pilkington* aforesaid, belonging to the said Earl of *Derby*, and in Lease to and in the Occupation of *James Smethurst*; and also of a Field in the Township of *Pilkington* aforesaid, belonging to the said Earl of *Derby*, and in Lease to *Henry Fielding*, and in the Occupation of *John Astley*; and also of a Garden and Orchard in the Township of *Pilkington* aforesaid, belonging to the said Earl of *Derby*, and in Lease to and in the Occupation of *Henry Fielding*; and also of a House in the Township of *Pilkington* aforesaid, belonging to the said Earl of *Derby*, and in Lease to *John Nuttal*, and in the Occupation of *Richard Barlow*; and also of a Farm Yard in the Township of *Pilkington* aforesaid, belonging to the said Earl of *Derby*, and in Lease to and in the Occupation of *John Roylance*; and also of a Garden in the Township of *Pilkington* aforesaid, belonging to the said Earl of *Derby*, and in Lease to *John Cross*, and in the Occupation of *Francis Mater*; and also of a Farm Yard in the Township of *Pilkington* aforesaid, belonging to the said Earl of *Derby*, and in Lease to and in the Occupation of *John Cross*; and also of Two Houses in the Township of *Pilkington* aforesaid, One belonging to *George Mills*, and the other belonging to *Edward Redford*, and in the several Occupations of *Nancy Hopwood* and *James Riley*; and also of a Stable in the Township of *Pilkington* aforesaid, belonging to and in the Occupation of *George Mills*; and also of Two Houses in the Township of *Pilkington* aforesaid, One belonging to *Robert Butterworth*, and the other belonging to *James Butterworth*, and in the several Occupations of *James Bullough* and *Ann Barlow*; as shall be necessary for making the said Roads of such convenient Width at the said respective Places (not exceeding the Width of Twenty Yards) as the said Trustees of the said *Bury and Ratcliffe Bridge District*, or any Five or more of them, shall think fit.

XXVI. Provided always, and be it further enacted, That it shall be lawful for the said Trustees to make the said Branches of Road into, through, across, or over the several Lands, Hereditaments, and Premises of any Person or Persons who is or are or may be Owner or Owners or Occupier or Occupiers of Lands and Premises over which the same is or are mentioned and described in this Act, or set forth and described in the said Maps or Plans, or List as aforesaid, although such Lands or Premises, or the Name or Names of such Person or Persons may happen to be erroneously described, omitted, or misstated in this Act, or in the said Maps or Plans, or List, in case it shall appear to any Two or more Justices of the Peace for the said County Palatine of *Lancaster*, and be certified by Writing under their Hands, that such Error or Omission proceeded from Mistake.

Trustees may make the new Branches notwithstanding Errors in Names, &c.

XXVII. Provided always, and be it further enacted, That it shall not be lawful for any Surveyor, or any other Person or Persons under the Authority of this Act, to dig, gather, get, take, or carry away any
[Local.] X Materials

Notice to be given to Occupiers of inclosed

Lands, before Materials are taken therefrom.

Materials for repairing or improving the said Roads, or for making the said Branches, out of or from any inclosed Lands or Grounds, until Ten Days Notice in Writing, signed by such Surveyor, shall have been given to the Owner or Occupier of the Premises from which such Materials are intended to be taken, or left for such Owner or Occupier at his or her usual Place of Residence, to appear before any one or more Justice or Justices of the Peace acting for the County or Place where such Premises shall lie, to shew Cause why such Materials shall not be had from such Lands or Grounds; and in case such Owner or Occupier, or his or her Agent, shall attend pursuant to such Notice, but shall not shew sufficient Cause to the contrary, then and in such Case it shall be lawful for the said Justice or Justices, by his or their Order or Orders, to authorize such Surveyor, or other Person or Persons, to dig, get, gather, take, and carry away such Materials, at such Time or Times as to such Justice or Justices shall seem proper; and if such Owner or Occupier shall refuse or neglect to appear by himself or herself, or his or her Agent, such Justice or Justices shall and may make such Order therein as he or they shall think fit, as fully and effectually to all Intents and Purposes as if such Owner or Occupier, or his or her Agent, had attended; any Thing in this Act contained to the contrary thereof notwithstanding.

Penalty on taking away Materials got by the Surveyor.

XXVIII. Provided always, and be it further enacted, That if any Person whomsoever shall take away any Materials which shall have been dug or gathered for the Purpose of repairing or improving the said Roads, or for making the said Branches, or shall get or take away any Materials out of any Pit or Quarry which shall have been made, dug, or opened for the Purpose of getting the said Materials, before the said Surveyor or his Workmen shall have discontinued working therein for the Space of Forty Days (except the Owner or Occupier of any private Ground, and the Person or Persons authorized by such Owner or Occupier to get Materials for his or her own private Use only, and not for Sale), every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, the same to be recovered, levied, and applied in Manner in the said recited Act mentioned.

Gates not to open or swing into the Roads.

XXIX. And be it further enacted, That all Gates to be hereafter placed in any Field or Ground adjoining any Part of the said Roads, shall be made and hung to open and swing inward, towards such Field or Ground, and not towards the said Roads; and it shall be lawful for the said Trustees, or any Three or more of them, to order all such Gates as are now erected, or may hereafter be erected, and open and swing outward towards the said Roads, to be altered and made to open and swing inward, as they the said Trustees or any Three or more of them shall think proper; and if any Occupier or Occupiers of the Lands upon which any Gate or Gates is or are or shall be constructed so as to open and swing outward towards the said Roads, shall (after Ten Days Notice from the Surveyor of the said Roads, requiring him, her, or them to alter such Gate or Gates, and make the same to open and swing inwards) refuse or neglect to make such Alteration, or after such Alteration shall have been once made, shall again alter the same, every such Occupier or Occupiers shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

II

XXX. And

XXX. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands, Tenements, or Hereditaments purchased, taken or used by virtue of the Powers of the said recited Act or this Act, for the Purposes thereof, which shall belong to any Corporation, Feme Covert, Infant, Lunatic, or Person or Persons under any Disability or Incapacity, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privy of the Accountant General of the High Court of Chancery, to be placed to his Account *ex parte* the Trustees for executing the said recited Act and this Act, 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 and Profits of the said Lands, Tenements, or Hereditaments, in the Purchase of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrances, or Parts thereof, as the said Court shall authorize to be paid, affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments, standing settled therewith to the same or the like Uses, Trusts, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the Direction and with the Approbation of the said Court, in the Purchase of other Lands, Tenements, or Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Lands, Tenements, or Hereditaments which shall be so purchased, taken, or used as aforesaid, stood settled or limited, or such of them as at the Time of making such Conveyance or Settlement shall be existing undetermined and capable of taking Effect; and in the meantime, and until such Purchase shall be made, the said Money shall, by Order of the said 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 meantime, 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 and Profits of the Lands, Tenements, or Hereditaments so hereby directed to be purchased, in case such Settlement or Purchase were made.

Application
of Compen-
sation Money
when amount-
ing to or
exceeding
200l.

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

Application
of Compen-
sation Money
when less
than 200l.
and exceed-
ing 20l.

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 Three or more of the said Trustees for executing the said Act and this Act, (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 and Interest arising thereon, may be applied in Manner herein-before directed, so far as the Case may be applicable, without obtaining or being required to obtain the Direction or Approbation of the Court of Chancery.

Application
of Compens-
ation Money
when less
than 20l.

XXXII. Provided also, and be it further enacted, That where such Money so agreed or awarded to be paid as last before mentioned 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, Tenements, or Hereditaments so purchased, taken, or used for the Purposes of the said recited Act and this Act, in such Manner as the said Trustees or any Three or more of them shall think fit; or in case of Infancy or Lunacy then to his, her, or their Guardian or Guardians, Committee or Committees, to or for the Use or Benefit of such Person or Persons so entitled respectively.

In case of
not making
out Titles, or
if Persons
cannot be
found, Pur-
chase Money
to be paid
into the Bank,
subject to the
Order of the
Court of
Chancery,
on Motion
or Petition.

XXXIII. 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 the said recited Act or 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 Three 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 to and for the said Trustees, or any Three 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 High Court of Chancery, to be placed to his Account, to the Credit of the Parties interested in the Lands, Tenements, or Hereditaments [describing them], subject to the Order, Control, and Disposition of the said Court of Chancery, which said Court of Chancery, 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 said Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest of the Person or Persons making Claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England*, who shall receive such Sum or Sums of Money, is and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying for what

what and for whose Use the same is or are received, to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank as aforesaid.

XXXIV. 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 Privy of the Accountant General of the Court of Chancery, in pursuance of the said recited Act or this Act, for the Purchase of any Lands, Tenements, or Hereditaments, or of any Estate, Right, or Interest in any Lands, Tenements or Hereditaments to be purchased in pursuance of the said recited Act or this Act, 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, Tenements, or Hereditaments at the Time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, or Hereditaments, according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court of Chancery; and the Dividends or Interests of the Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be applied and disposed of accordingly, unless it shall be made to appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

Where any Question shall arise touching the Title to Money to be paid into the Bank, the Person in Possession shall be deemed entitled thereto, according to such Possession, unless, &c.

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

XXXVI. And be it further enacted, That where any particular Part or Parts of the said *Bury and Ratcliffe Bridge* District of Road hath or have been accustomed or ought to be repaired and maintained by any particular Person or Persons, Body or Bodies Politic or Corporate, by reason of the Tenure of any Lands, Tenements, or Hereditaments, or otherwise howsoever, all and every such Part and Parts of the said District of Road shall from Time to Time be maintained and kept in Repair by such Person or Persons, Body or Bodies Politic or Corporate, in such and the like Manner as the same respectively were or ought to have been maintained and kept in Repair before the passing of this Act.

Persons liable to the Repair of the said District of Road to continue so.

[*Local.*]

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XXXVII. And

For regula-
ting Statute
Labour on
the said Dis-
trict of Road.

XXXVII. And be it further enacted, That all Persons who by Law are or shall be liable to do Statute Work, or are or shall be chargeable towards repairing and amending the said Roads, or any Part thereof, shall still remain liable thereto in like Manner as heretofore; and it shall be lawful to and for any Two or more Justices of the Peace for the said County Palatine of *Lancaster*, and they are hereby authorized, empowered, and required, upon Application made to them by the said Trustees, or any Five or more of them, or by their Treasurer, Clerk, or Surveyor, by their Order, yearly to adjudge and determine what Part or Proportion of the Statute Work shall every Year be done upon the said District or Division of the said Roads by the Inhabitants of the respective Parishes or Places in which the Roads within the said District 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 to their Treasurer or Treasurers; and in order thereunto it shall be lawful for such Justices from Time to Time to summon the Surveyor or Surveyors of the Highways for every such Parish or Place to bring Lists before such Justices, at some Place to be expressed in such Summons (within Ten Days after the serving of 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 or 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 do Statute Work in every Year upon the said Roads, as the said Justices shall think reasonable; and the same shall be done on 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, or appoint; and the said Justices shall and may order and direct the Persons who by such Lists shall be subject and liable to the Payment of any Money in lieu of or as a Composition for the 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 the said Justices shall direct; and in default of Payment thereof the same shall 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 Penalty is by the said recited Act or this Act authorized 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 last or usual Place or Places of Abode for that Purpose, by any Surveyor to 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 Fines, Penalties, and Forfeitures, as such Person or Persons may be subject or liable to by any Law or Statute now in Force or Effect for the Repair of the Public Highways;

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 said Roads, shall be found idle or negligent by any Surveyor to the said Trustees, such Surveyor is hereby empowered to remove and dismiss 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 as 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 said Roads; all which Forfeitures shall be paid to the Treasurer of the said Trustees, and applied towards amending the said Roads; and in case the Surveyor or Surveyors of the Highways for any of the said Parishes or Places shall refuse or wilfully neglect to give any such Lists as aforesaid, or shall knowingly or wilfully give in false and imperfect Lists, every such Surveyor so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

XXXVIII. And be it further enacted, That it shall be lawful for the said Trustees, or any Five or more of them, to compound and agree with any Person or Persons, Bodies Politic or Corporate, for the Repairs or Statute Work to be by them done on the said Roads, or any Part thereof, and also with the Inhabitants and Occupiers of Lands, Tenements, or Hereditaments of and in all or any of the Townships or Places in which the said Roads shall lie and be situate, for a certain Sum of Money, by the Year or otherwise, as the said Trustees shall think reasonable, in lieu of the Whole or any Part of the Statute or other Work to be by all or any of the said Inhabitants and Occupiers done on the said Roads; which Composition Money shall always be paid by the Surveyor or Surveyors of the Highways, or other Officer or other Officers of the Township, or by the Person or Persons so compounding, to the Treasurer of the said Trustees in advance, on or before the First Day of *May* in each and every Year, or otherwise such Person or Persons, Bodies Politic and Corporate, and the Inhabitants and Occupiers within such Township or Place, shall not be permitted to compound for that Year.

Power to compound for Statute Labour.

XXXIX. And be it further enacted, That all Persons who have subscribed to pay any Money towards making, extending, and repairing the said Roads and Branches, shall, and he, she, and they is and are hereby required to pay his, her, and their Subscription Money to the Treasurer to the said Trustees, at such Time or Times as shall be appointed by the said Trustees, or any Five or more of them; and if any Subscriber shall neglect or refuse to pay such Money as aforesaid, it shall and may be lawful to and for the said Trustees, or any Five or more of them, in the Name of their Clerk or Treasurer for the Time being, to sue for and recover the same by Action at Law in any of His Majesty's Courts of Record at *Westminster*.

Power to compel Payment of Subscriptions.

XL. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken Notice of as such by all Judges, Justices, and others, without being specially pleaded.

Public Act.

XLI. And be it further enacted, That the Term granted by the said recited Act shall, upon the passing of this Act, cease and determine; and that the said recited Act, so far as the same relates to the said *Bury* and *Ratcliffe Bridge* District of Road (subject to the Alterations, Additions, and

Commencement and Continuance of this Act.

and Amendments in this Act contained), and this Act, shall from thenceforth continue and be in Force and Effect, and be executed for and during the Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament.

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