



ANNO QUINTO

# GEORGIIV. REGIS.

\*\*\*\*\*

*Cap. cv.*

An Act for improving and more effectually repairing the Roads from the Town of *Bolton in the Moors* to *Nightingales* in the Township of *Heath Charnock*, and for making a Branch Road from *Little Bolton* to or near the *Crown* in *Horwich*; and for enabling the Trustees therein named, together with the Trustees North and South of *Yarrow*, and the Trustees of the Road from *Westhoughton* to *Duxbury Stocks*, to make a new Line of Road from *Hole House Brow*, in the said Township, to the Town of *Chorley*, and a Branch Road from *Rawlinson Bridge* to *Halliwell Field* in the same Township, and another Branch Road in the Township of *Duxbury*, all in the County Palatine of *Lancaster*.  
[3d June 1824.]

WHEREAS an Act was passed in the Forty-fifth Year of the Reign of His late Majesty King George the Third, intituled *An Act for more effectually repairing and improving the Road from a Place called Nightingales in the Township of Heath Charnock to the Bridge at the West End of the Town of Bolton in*  
[Local.] 27 L the

45 G.3. c.14.

the Moors in the County Palatine of Lancaster, and other Roads therein mentioned: And whereas the Trustees appointed by or in pursuance of the said Act have proceeded to put the said Act in Execution, and under the Powers and Provisions thereof the Roads therein mentioned have been widened, altered, improved, and kept in Repair and maintained, and for which Purpose several Sums of Money have been borrowed on the Credit of the Tolls authorized to be taken on the said Roads, and a Part of such Money still remains due and owing, and cannot be paid off, nor can the said Roads be kept in Repair, unless the Term of the said Act is continued; and some of the Powers and Provisions of the said Act being found defective and insufficient, it would be more convenient if the said Act was repealed, and other Powers granted instead thereof; And whereas it will tend to the Accommodation of the Public and the Inhabitants of the neighbouring Parts if Power be given to make a Road from or near the *Whitsters Arms* in *Little Bolton*, through and into the several Townships of *Little Bolton*, *Halliwell*, *Heaton*, *Lostock*, and *Horwich*, all in the said County, or to or near a certain Place in *Horwich* aforesaid, called the *Crown Inn Public House*: And whereas a certain Line of Road, commencing at a Place called *Hole House Brow*, in the Township of *Heath Charnock*, in the Parish of *Standish*, in the said County Palatine of *Lancaster*, and from thence passing through the Township of *Duxbury*, in the Parish of *Standish*, to the Town of *Chorley*, in the Parish of *Chorley*, in the same County, being Part of the Road from *Bolton* to *Chorley*, and also from *Wigan* to *Chorley*, in the same County, is repaired and maintained by the several Trustees, and in the Proportions and Manner following; (that is to say,) so much thereof as extends from the said Place called *Hole House Brow* to *Rawlinson Bridge*, by the Trustees acting in Execution of the said recited Act of the Forty-fifth Year aforesaid, under the Powers and Provisions of that Act; so much thereof as extends from *Rawlinson Bridge* to the Junction of the Road from *Wigan*, by the Trustees acting in Execution of an Act passed in the Fifty-seventh Year of the Reign of His said late Majesty King *George* the Third, intituled *An Act for more effectually repairing and improving the Road from Westhoughton to Duxbury Stocks in the County of Lancaster*, under the Powers and Provisions of the same Act; so much thereof as extends from the said Junction of the *Wigan* Road to the Middle of the River *Yarrow*, by the Trustees South of *Yarrow*, acting in Execution of an Act passed in the Third Year of the Reign of His present Majesty, intituled *An Act for more effectually repairing, widening, amending, and improving the Roads from Wigan to Preston in the County Palatine of Lancaster*, under the Powers and Provisions of the same Act; and the Remainder thereof, from the Middle of the River *Yarrow* to the Town of *Chorley* in the Township of *Chorley*, by the Trustees North of *Yarrow*, acting also in Execution of the said last mentioned Act, under the Powers and Provisions thereof: And whereas the said Line of Road herein-before lastly described is circuitous and in many Places extremely steep and dangerous, and it will be of great Importance and highly beneficial to the Public (the said Line of Road being much used and travelled over by Coaches,

Carriages, and other public and private Conveyances) if Powers were given to the Trustees to be appointed in and by this Act, and to the said Trustees North of *Yarrow*, acting in Execution of the said recited Act of the Third Year of His present Majesty's Reign, intituled *An Act for more effectually repairing, widening, amending, and improving the Roads from Wigan to Preston in the County Palatine of Lancaster*, and to the said Trustees South of *Yarrow*, acting in Execution of the said last-mentioned Act, and to the said Trustees acting in Execution of the said recited Act of the Fifty-seventh Year of the Reign of His said late Majesty, to make a Deviation or new Cut or Road on a different Level from the said Place called *Hole House Brow* in the Township of *Heath Charnock* aforesaid, passing from thence through the Township of *Duxbury* in the Parish of *Standish* to the said Town of *Chorley*; and also a Branch Road or Cut from *Raxelinson Bridge*, in the Township of *Heath Charnock* aforesaid, to join the said new Road or Cut at a certain Place called *Halliwell Field* in the said Township of *Heath Charnock* and Parish of *Standish*; and also another Branch Road or Cut from *Duxbury Stocks*, in the said Township of *Duxbury*, to join the said new Road or Cut, at a certain Field called the *Hill*, in the Occupation of *James Farnworth*, belonging to *Frank Hall Standish* Esquire, all in the County Palatine of *Lancaster*; by which the Roads between *Bolton* and *Chorley*, and *Westhoughton* and *Chorley*, and *Wigan* and *Chorley* respectively, would be greatly improved, and the steep and dangerous Hills on the present Line of Road avoided: And whereas an Act was passed in the Third Year of the Reign of His present Majesty, intituled *An Act to amend the general Laws now in being for regulating Turnpike Roads in that Part of Great Britain called England*: And whereas an Act was passed in the Fourth Year of the Reign of His present Majesty, intituled *An Act to explain and amend an Act passed in the Third Year of the Reign of His present Majesty, to amend the general Laws now in being for regulating Turnpike Roads in that Part of Great Britain called England*: 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 First Day of *July* One thousand eight hundred and twenty-four, the said Act passed in the Forty-fifth Year of the Reign of His said Majesty King *George* the Third (except so much thereof as repeals former Acts therein recited) shall be and the same is hereby repealed, and instead thereof this Act shall take effect, and shall continue in force and be put in execution for and during the Term herein-after mentioned, for the Purpose of more effectually repairing, widening, altering and improving, and keeping in Repair the said Roads herein-after mentioned; (that is to say,) the Road leading from the said Place called *Nightingales* in the Township of *Heath Charnock* aforesaid, until the said Deviation from *Hole House Brow* to *Chorley* shall be made, finished, and opened; and after the same shall be so made, finished, and opened, then from the Junction at *Halliwell Field* aforesaid to the Bridge at the West End of the said

3 G. 4. c. 126.

4 G. 4. c. 95.

Recited Act  
45 G. 3.  
repealed,  
and this Act  
to take place  
instead  
thereof.

said Town of *Bolton in the Moors* in the County Palatine of *Lancaster* aforesaid; and also the Road or Highway leading from *Four Lane Ends* in *Heaton* aforesaid, near a Place called *Bob's Smithy*, across the hollow Part of a Field called *The Coppice*, and down the *Scar*, in the Possession of *William Longworth*, into the Turnpike Road leading from *Bolton* to *Preston* at a Place within the Distance of One Mile from the North-westerly Side of a Place called *Hunks Field* in the said County; and also the Highway from a Place called *Abigail Bromileys*, in the said Township of *Halliwell* aforesaid, by a Mill called *Smithill's Mill*, in the said Township of *Halliwell*, to the Turnpike Road leading from *Bolton* aforesaid to *Blackburn* in the same County, at a certain Place between *Boardman's Platting* and a certain Place called *Wright's Lane End*, in *Little Bolton* aforesaid in the said County; and for making, repairing, and keeping in Repair the said intended Road from or near the *Whitsters Arms* in *Little Bolton* aforesaid, to or near the *Crown Inn Public House* in *Horwich* aforesaid; which said Roads as already made, and the said intended Road when the same is made, shall be and are hereby vested in the Trustees herein-after nominated and appointed, and their Successors, and shall be by them repaired, maintained, and supported under the Provisions of this Act.

Powers of  
3 G. 4. c. 126.  
and 4 G. 4.  
c. 95. ex-  
tended to  
this Act.

II. And be it further enacted, That the said recited Act passed in the Third Year of the Reign of His present Majesty, for amending the general Laws for regulating Turnpike Roads, and the said recited Act passed in the Fourth Year of the Reign of His present Majesty, and all and every the Powers, Provisions, Exemptions, Penalties, Forfeitures, Payments, Remedies, Matters, and Things therein respectively contained, (save and except such Parts thereof as are expressly varied, altered, or repealed by this Act,) shall extend to this Act, and be as good, valid, and effectual for carrying this Act into Execution as if the same had been repeated and re-enacted in the Body of this Act.

New Term  
and Tolls  
liable to  
Debts, &c.  
already  
owing on  
the Credit  
of the Roads.

III. And be it further enacted, That this Act and the Term and Tolls hereby granted shall be and they are hereby made subject and liable to the Payments of all Monies which have been borrowed, and are now due and owing on the Credit of the Tolls authorized to be taken by the said recited Act of the Forty-fifth Year of the Reign of His said late Majesty, on the said Roads, and of all Interest due and to grow due thereon, as fully and effectually, to all Intents and Purposes, as if such Monies had been borrowed or become due and owing on the Credit or Security of the Tolls granted by this Act; and all and every Person and Persons who may owe or be subject or liable to the Payment of any Sum or Sums of Money to the Trustees of the said Roads, or to any other Person or Persons for the Benefit of the said Trust, shall be liable to the Payment of all such Sum and Sums of Money to the Trustees for executing this Act; and all Bonds, Covenants and Agreements, Contracts and Securities, entered into by any Person or Persons to or with the Trustees of the said Roads, or to or with their Clerk, Treasurer, or other Officer, or any of them, according to the Provisions and Directions of the said recited Act of the Forty-fifth Year of His late Majesty,

or

or of the said Acts of the Third or Fourth Years of His present Majesty's Reign, for amending the general Laws for regulating Turnpike Roads, shall remain in full Force and Effect; and shall be and continue available in all Courts of Law and Equity, until the same are fully satisfied and performed on account and for the Benefit of the Trustees by this Act nominated and appointed, and shall be vested in such Trustees, and shall and may be enforced and recovered upon in any Action or Suit to be brought and carried on in the Name of any One of such Trustees, or of their Clerk for the Time being; and all Contracts or Agreements duly made or entered into by the Trustees of the said Roads, to or with any Person or Persons, shall remain in full Force and Effect, and be observed and kept by the Trustees for executing this Act, according to the Terms or Stipulations thereof respectively, and shall and may be enforced and recovered upon in any Action or Suit to be brought against any One of the said last-mentioned Trustees, or their Clerk for the Time being, notwithstanding the Repeal of the said recited Act.

IV. And be it further enacted, That all His Majesty's Justices of the Peace for the Time being, acting for the County of Lancaster, together with *Robert Andrews, Richard Ainsworth, Thomas Ainsworth, John Ashworth, Peter Ainsworth, Robert Ainsworth, John Horrocks Ainsworth, Ralph Boardman, William Bowker, William Balshaw, Thomas Bamber, John Booth, John Bamber, John Brandreth, Joseph Best, George Barton of Haigh, Thomas Bolling, William Bolling, Edward Bolling, John Bolling, Nathaniel Brownbill, Thomas Ridgway Bridson, George Blair, Robert Barlow, David Bentley, James Carlile, James Cross, William Crompton, John Cockshott, James Crompton, Brian Coulthard, William Carlile, James Gundy Cross, Thomas Cross, John Cross, Matthew Corr Dawes, Isaac Dobson, Benjamin Dobson, Robert Darbyshire, Matthew Dawes, William Bower Dawes, Peter Ditchfield, John Eskrick, Ralph Fletcher, James Fletcher, Thomas Fogg, Willoughby Fisher, John Gardner, Alexander Gerrard, Thomas Gregson, Jesse Gallimore, Samuel Gaskell, William Hulton, Adam Haworth, Samuel Horrocks, Thomas Heelis, John Heelis, Thomas Hardcastle, Samuel Houghton, Pitt Hewitt, Henry Horrocks, John Horrocks, Jonathan Hitchen, Lawrence Horrocks, Benjamin Hick, Thomas Howell, James Hardcastle, Robert Heywood, John Hodson, James Hodson, Richard Hodgkinson, Stephen Heelis, John Johnson, John Jones, Reverend J. Jackson, Thomas Jones, Reverend Samuel Johnson, Josiah Kearsley, Edward Kearsley, Thomas Kearsley, James Kearsley, John H. Kearsley, Robert Kay, Andrew Kellie, John Longworth, John Lord, Thomas Liddle, Robert Lever, Thomas Livsey, John Livsey, William Longworth, Nicholas Makinson, John Mawdsley, James Morris, Evan Makinson, William Makant, Richard Mason, Nicholas Marsh, James Monks, Thomas Merry, Joseph Matthews, James Ormrod, Peter Ormrod, Richard Pilkington, John Pilkington of Horwich; John Pilkington of Little Bolton, Samuel Pennington, William Pennington, Joseph Pope, Jonathan Pendlebury, William Pilkington, John Pennington, Joseph Ridgway, Thomas Ridgway, Benjamin Rawson, Peter Rothwell, Edward Rothwell, Peter Rothwell Junior, Thomas Rushton Solicitor, John Shaw, John Shaw Junior,*

[Local.]

27 M

Junior, Charles Shaw, Igdaliah Seddon, John Sharples, James Scowcroft, John Stanton, John Silvester, Christopher Shaw, John Singleton, John Silvester Junior, Reverend James Slade, Thomas Stonor, Thomas Stonor Junior, Charles Stonor, Frank Hall Standish, William Simpson, Le Gendre Starkie, Charles Standish, Peregrine Townley, Charles Townley, John Townley, Thomas Tipping, James Taylor, Richard Tyrer, John Taylor, William Garnet Taylor, Stephen Tempest, Charles Tempest, Henry Tempest, John Tempest, Walter Tempest, Joseph Tempest, Peter Tempest, Thomas Trafford, Humphrey Trafford, Thomas Trafford Junior, Randolphus Trafford, Charles Segismond Trafford, Joseph Unsworth, James Watkins, John Woods, John Wilson, Richard Woodward, Richard Willies, Richard Willies Junior, George Wiolding, Robert Whalley, Charles Walmesley, Charles Walmesley Junior, William Walmesley, John Gorst, John Gorst Junior, Thomas Gorst, Edward Gorst, Septimus Gorst, Thomas Birchall, Thomas Birchall Junior, and their Successors, shall, on being duly qualified according to the Provisions and Directions of the said recited Acts made in the Third and Fourth Years of the Reign of His present Majesty for regulating Turnpike Roads, be, and they are hereby appointed Trustees for making, repairing, diverting, widening, altering, improving, and keeping in Repair the said Roads, and for otherwise putting this Act into Execution, and such of the Powers and Provisions of the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty as are not expressly varied, altered, or otherwise provided for by this Act.

Power to  
appoint  
additional  
or new  
Trustees.

V. And be it further enacted, That it shall be lawful for the said Trustees, at a Meeting to be held for that Purpose, (of which Meeting and of the Purpose thereof Fourteen Days Notice shall be given in such Manner as is directed by the said recited Acts passed in the Third and Fourth Years of the Reign of His present Majesty respecting the Appointment of new Trustees on Vacancies,) to elect, nominate, and appoint any Number of fit Persons, not exceeding Three, to be Trustees for the Purposes of this Act, in addition to the Trustees hereby nominated and appointed; and such Trustees so elected and appointed, being duly qualified according to the Provisions and Directions of the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty for regulating Turnpike Roads, shall be, and they are hereby invested with the same Powers and Authorities for executing the said last recited Acts and this Act as if they had been named and appointed by this Act.

Qualifica-  
tion of  
Trustees.

VI. Provided always, and be it further enacted, That no Person shall be capable of acting as a Trustee for putting the said recited Act of the Fifty-seventh Year of the Reign of His late Majesty, or the said recited Act of the Third Year of the Reign of His present Majesty, for repairing the Road from *Wigan* to *Preston*, or this Act into Execution, unless he shall be qualified in such Manner as in and by the said recited Acts made in the Third and Fourth Years of the Reign of His present Majesty for regulating Turnpike Roads is directed and prescribed, and unless being so qualified he shall, before he shall act as a Trustee, (except in administering the Oath or Affirmation of Qualification mentioned in the said last-mentioned Act,) take and subscribe before One of the said respective Trustees

(who is hereby empowered to administer the same) the said Oath or Affirmation.

VII. And be it further enacted, That the said Trustees, or any Five or more of them, shall meet at the House of *Samuel Padbury*, the *Commercial* Inn in the Township of *Bolton* in the County Palatine of *Lancaster*, or at some other convenient Place in the said Township, on the First Day of *July* One thousand eight hundred and twenty-four, or so soon after as conveniently may be, between the Hours of Ten of the Clock in the Forenoon and Two of the Clock in the Afternoon; of which Meeting Notice shall be given by Advertisement in One of the Newspapers printed at *Manchester* or *Bolton*, at least Ten Days before such Meeting, by One or more of the said Trustees, and at which Time and Place the said Trustees shall proceed to the Election of a Clerk, and to put the said recited Acts of the Third and Fourth Years of His Majesty's Reign, for amending the general Laws for regulating Turnpike Roads and this Act, in Execution.

First Meeting of Trustees.

VIII. Provided always, and be it further enacted, That every Fourth General Meeting of the said Trustees, to be held under or by virtue of this Act, or of the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty for amending the general Laws for regulating Turnpike Roads, shall be held at some convenient House situate North of the Public House called *The Squirrel*, in the Township of *Anderton* in the said County Palatine of *Lancaster*.

Every Fourth Meeting to be held in some House North of the Township of Anderton.

IX. Provided always, and be it further enacted, That the Clerk, Surveyor, and all other Officers (except the Treasurer) who have been appointed under and employed in the Execution of the said former Act hereby repealed, shall respectively continue to exercise their Offices under this Act until they shall respectively die, resign, or be displaced, or be removed by the said Trustees hereby appointed, or be incapable of executing them, and shall be subject to the like Rules and Regulations, and Pains and Penalties in all Respects whatsoever, as if they had been appointed by the Trustees for carrying this Act into Execution.

Former Officers to continue.

X. Provided always, and be it further enacted, That it shall not be lawful for the said respective Trustees acting in the Execution of this Act or of the said recited Acts of the Fifty-seventh Year of the Reign of His said late Majesty, and the Third Year of the Reign of His present Majesty, for repairing the Roads from *Wigan* to *Preston*, to continue or appoint the Person or Persons who has been or may be appointed their Clerk or Clerks in the Execution of the said recited Acts or this Act, or the Partner of any such Clerk or Clerks, or the Clerk or Clerks, or other Person or Persons in the Service or Employ of any such Clerk or Clerks, the Treasurer or Treasurers for the Purposes of the said recited Acts or this Act; or to continue or appoint any Person or Persons who has been or may be appointed Treasurer or Treasurers, or the Partner or Partners of any such Treasurer or Treasurers, the Clerk or Clerks to the said respective

Treasurer and Clerk not to be the same Person.

spective Trustees; and if any Person shall accept both the Offices of Clerk and Treasurer for the Purposes of the said recited Acts or this Act, or if any Person being the Partner of any such Clerk or Clerks, or the Clerk or Clerks, or other Person or Persons in the Service or Employ of any such Clerk or Clerks, shall accept the Office of Treasurer, or being the Partner of any such Treasurer or Treasurers, shall accept the Office of Clerk in the Execution of the said respective Acts or this Act; or if any such Treasurer shall hold or accept any Place or Office of Profit or Trust under the said respective Trustees, other than that of Treasurer, every such Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person who shall sue for the same; to be recovered with full Costs of Suit in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than one Imparlance shall be allowed.

Books, &c.  
relative to  
former  
Acts to be  
delivered to  
the Trustees  
under this  
Act.

XI. And be it further enacted, That all Persons who are or have been employed, or who have received any Tolls or other Money on Account of the said Roads, or who have or shall have in their Custody or Possession any Money, Books, Accounts, Papers, Writings, or other Things relating to the Roads by this Act directed to be made, improved, and repaired, shall account for and pay and deliver over the same, and every Part thereof, to the Trustees in and by this Act named and appointed, in like Manner and under the like Penalties as the several Collectors and other Persons receiving any Money by virtue of this Act are by the said recited Acts passed in the Third and Fourth Years of the Reign of His present Majesty for amending the general Laws for regulating Turnpike Roads, and by this Act required to pay on account of the same.

Powers to  
continue and  
erect Toll  
Gates, Toll  
Houses, &c.

XII. And be it further enacted, That the said Trustees may and they are hereby authorized to continue or remove all or any of the Toll Gates and Toll Houses which have been erected in, upon, or across any Part of the said Roads by virtue of the said Act hereby repealed, and shall and may erect or cause to be erected such and so many other Toll Gates and Toll Houses, Weighing Machine or Weighing Machines, in, upon, or across any Part of the said Roads, and also in, upon, and across such Parts and in such Places of the said Roads by this Act directed to be made, widened, improved, and kept in Repair, and also such and so many Toll Gate or Toll Gates on the Sides of the said Roads, as they the said Trustees shall think proper or expedient (except where otherwise directed by this Act); and also shall and may erect or provide a Toll House, with suitable Buildings and Garden and other Conveniences, not exceeding One-eighth Part of a Statute Acre of Land, at or near each of the said Toll Gates.

Power to  
take Tolls.

XIII. And be it further enacted, That it shall be lawful for the said Trustees acting in Execution of this Act, and their Lessees, Collectors, and other Persons duly authorized, to demand and take the several Tolls following at each and every of the Toll Gates or Toll Bars, or Toll Gate or Toll Bar, or Side Gate or Side Bar already erected upon the said Roads to be made and repaired by virtue of this Act, and  
which



which by virtue of this Act shall be continued or erected in, upon, or across any Part of the said Roads, and across or on the Side of any Street, Lane, Road, or Way leading into or out of any Part of the said Roads, and on every Day, such Day to be computed from Twelve of the Clock at Night to Twelve of the Clock in the next succeeding Night; (that is to say,)

For every Horse or other Beast of Draught, drawing any Coach, Berlin, Landau, Chariot, Chaise, Calash, or Hearse, if drawn by Six Horses or other Beasts of Draught, Two Shillings and Sixpence; and if drawn by Four Horses or other Beasts, Two Shillings; and if drawn by Three Horses or other Beasts, One Shilling and Sixpence; and if drawn by Two Horses or other Beasts, One Shilling:

For every Chair, Chaise, or other such Carriage drawn by One Horse or other Beast, Eight-pence:

For every Horse or other Beast of Draught, drawing any Waggon or such like Carriage with Four Wheels, if drawn by Six Horses or other Beasts of Draught, Three Shillings; and if drawn by Five Horses or other Beasts, Two Shillings and Sixpence; and if drawn by Four Horses or other Beasts, Two Shillings; and if drawn by Three Horses or other Beasts, One Shilling and Ninepence; and if drawn by Two Horses or other Beasts, One Shilling and Sixpence; and if drawn by One Horse or other Beast, One Shilling:

For every Horse or other Beast of Draught, drawing any Cart, Wain, or such like Carriage with Two Wheels, if drawn by Three or Four Horses or other Beasts, One Shilling and Sixpence; and if drawn by Two Horses or other Beasts, One Shilling; and if drawn by One Horse or other Beast, Eight-pence:

For every Horse, Mare, Gelding, Mule or Ass, or other Beast laden or unladen, and not drawing, Three Halfpence:

For every Drove of Oxen or Neat Cattle, Ten-pence *per* Score; and so in proportion for any less Number:

For every Drove of Calves, Hogs, Sheep, or Lambs, Five-pence *per* Score; and so in proportion for any less Number.

And the said respective Tolls shall be subject to the Restrictions and Regulations contained in, and shall be levied and recovered under the Powers granted by the said recited Acts of the Third and Fourth Years of His present Majesty's Reign, for amending the general Laws for regulating Turnpike Roads, and this Act, and shall be demanded and taken before any Horse, Mule, or other Beast, Coach, Waggon, Cart, or other Carriage whatsoever, or Drove of Oxen or Neat Cattle, Calves, Sheep, Lambs, or Swine, be permitted to pass through any Toll Gate erected or to be erected, or continued on the said Roads by virtue of this Act, or in, upon, or across any Lane, Street, or Way leading into the same.

Tolls to be paid before Cattle pass the Gate.

XIV. And be it further enacted, That all and every the Tolls by the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty, for amending the general Laws for regulating Turnpike Roads, and this Act authorized to be taken, shall be vested in the said Trustees hereby appointed and their Successors; and the

Tolls to be vested in Trustees.

same and every Part thereof shall be levied, collected, paid, applied, disposed of, and assigned in Manner directed by the said last-mentioned Acts and this Act.

Limiting the  
Number of  
Tolls.

XV. Provided always, and be it further enacted, That no Person shall be liable to the Payment of more than Two full Tolls for passing or repassing with the same Horse, Beast, Cattle, or Carriage the same Day the whole Length of the Roads comprised in the said recited Act of the Forty-fifth Year of the Reign of His late Majesty and this Act.

Horses, &c.  
to pay each  
Time of  
passing.

XVI. And be it further enacted, That every Horse, Mule, and Ass, and also every Coach, Waggon, Wain, or other Carriage, shall be charged with the Tolls hereby granted for each Time they shall pass in the same Direction (but not returning) in the Course of any one Day, to be computed as aforesaid, through any Gate or Turnpike erected or to be erected on the said Roads or on the Sides thereof.

Exemption  
from so  
much Toll  
as they shall  
have paid at  
Side Gates.

XVII. Provided always, and be it further enacted, That all Horses and Cattle which shall pass the same Day through any Side Bar or Gate erected or to be erected across any Way or Lane leading into the Turnpike Roads authorized to be made, repaired, and maintained by this Act, shall be exempted at the next Gate or Bar erected or to be erected in, upon, or across the said Turnpike Roads, from so much Toll as shall have been respectively paid for such Horses or Cattle at the Gates or Bars they shall have so previously passed through, by presenting a Note or Ticket which the Collector of the Tolls are hereby required to deliver *gratis* on the Receipt of the Tolls.

No Bar or  
Side Gate  
to be set up  
between  
Doffcocker  
Gate and  
Bolton, or  
any Turn-  
pike within  
a Mile of  
Nightingales.

XVIII. Provided always, and be it further enacted, That nothing herein contained shall authorise the said Trustees for putting this Act in Execution to erect or maintain any Toll Gate or Bar, or any Side Bar or Gate between *Doffcocker Gate* and *Bolton*, or erect or maintain any Turnpike or Gate within One Mile from the Canal Bridge at *Nightingales*, nor to erect or maintain any Toll Gate or Bar, or any Side Bar or Gate, or any Weighing Engine or Machine House, within One Mile of the *Whitsters Arms* aforesaid; any thing herein contained to the contrary notwithstanding.

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

XIX. Provided always, and be it further enacted, That for or in respect of all Horses or other Beasts drawing any Stage Coach or any Stage Waggon, Van, Caravan, or other Stage Carriage, carrying Passengers or Goods for Payment, Hire, or Reward, for which Toll shall have been paid, and which shall return on the same Day through the same Turnpike or Toll Gate, the Tolls hereby made payable shall be paid for repassing through such Toll Gate in like Manner as if no Toll had been before paid; and the Tolls hereby made payable shall be paid for or in respect of all Horses or other Beasts drawing Post Chaises and other Carriages travelling for Hire, for every Time of passing or repassing along the said Roads on the same Day as often as a fresh Hiring thereof shall take place.

XX. And be it further enacted, That all the Monies which before the Day of the Commencement of this Act shall have been raised and produced by virtue of the said Act hereby repealed, and all Monies which shall arise and be produced by and from the Tolls granted and made payable by this Act and the said recited Acts of the Third and Fourth Years of His Majesty's Reign, for amending the general Laws for regulating Turnpike Roads, together with the Monies which shall be borrowed upon the Credit thereof, and all other Monies which shall arise and be produced by virtue of the same Acts, and not otherwise appropriated or directed to be applied, shall be vested in the Trustees for the Time being, for putting this Act in Execution, and be applied to and for the several Uses, Intents, and Purposes; and in the Order and Manner following; that is to say, in the First Place, in the Payment of the Costs, Charges, and Expences which shall have been incurred in applying for, preparing, obtaining, and passing this Act, and otherwise relative thereto respectively; and in the next Place, in defraying the Expences of erecting and providing Toll Gates, Toll Bars, Toll Houses, and other Buildings, and keeping the same in Repair, and of making, altering, widening, repairing, preserving, and maintaining the said Roads, Alterations, and Improvements by this Act directed to be made, altered, maintained, and kept in Repair by the said Trustees, and of erecting and making necessary and convenient Bridges upon the same, and otherwise executing the other Powers of this Act, and in reducing, paying off, and discharging the several Principal Sums of Money and Interest which shall have been borrowed and secured in pursuance of and for the Purposes of the said Act hereby repealed in respect of the said Roads, and the several Principal Sums of Money and Interest which may be hereafter borrowed and secured by virtue of this Act, or of the said recited Acts of the Third and Fourth Years of His Majesty's Reign, for amending the general Laws for regulating Turnpike Roads.

Application  
of the  
Money.

XXI. And for ascertaining and settling the Manner and Proportions in which the said intended new Cut or Line of Road and Deviation from *Hole House Brow*, in the Township of *Heath Charnock* aforesaid, to the said Town of *Chorley*, herein-before described, and the Branch Roads from *Rawlinson Bridge* and *Duxbury Stocks* aforesaid, to communicate with the same, are to be made by the respective Trustees, and for apportioning the Expences of making the same; be it further enacted, That so much of the said intended new Cut or Line of Road or Deviation as shall extend from *Hole House Brow* aforesaid to the Junction at *Halliwel Field* in the said Township of *Heath Charnock*, shall be made and completed by the said Trustees by this Act nominated and appointed, at their sole Costs and Charges, and the Expences of making and completing the same shall be defrayed by the said Trustees out of the Tolls and Monies to be raised and received under and by virtue of this Act; and the said Branch Road or Cut from *Rawlinson Bridge* aforesaid, to join the said intended new Line at *Halliwel Field* aforesaid, shall be made and completed by the said Trustees for putting in Execution the said recited Act of the Fifty-seventh Year of the Reign of His late Majesty King *George* the Third, at the sole Costs and Charges of such last-mentioned Trustees, and the Expences thereof shall be defrayed out of the

Expences of  
making Di-  
versions of  
Roads.

Tolls

Tolls and Monies arising and collected by the same Trustees, on the Roads under their Care and Management; and the said Branch Road or Cut from *Duxbury Stocks* aforesaid, to join the said intended new Line at the said Field called *The Hill* aforesaid, shall be made and completed by the said Trustees South of *Yarrow*, acting in Execution of the said recited Act of the Third Year of the Reign of His present Majesty, for repairing and improving the Roads from *Wigan to Preston*, at their sole Costs and Charges, and the Expences of making and completing the same shall be defrayed by the said Trustees out of the Tolls and Monies arising and collected by the same Trustees on the Roads under their Care and Management; and so much of the said intended new Cut or Line of Road as shall extend from the Town of *Chorley* towards and over the River *Yarrow*, together with a proper and convenient Bridge over the said River, shall be made and completed by the said Trustees North of *Yarrow*, acting in Execution of the said recited Act of the Third Year of His present Majesty's Reign, for repairing and improving the Roads from *Wigan to Preston*, at the sole Costs and Charges of the said last mentioned Trustees, and the Expences of making and completing the same shall be defrayed by the same Trustees out of the Tolls and Monies by them collected and arising on the Roads under their Care and Management; and the Remainder of the said intended new Cut or Line of Road or Deviation from *Halliwell Field* to the River *Yarrow* shall be made and completed by the same Trustees North of *Yarrow*, their Surveyors and Workmen, and the Costs and Expences of making and completing the same shall be borne and defrayed by the respective Trusts in the Proportions following; (that is to say,) the gross Amount of such Costs and Expences shall be divided into Two hundred and forty-seven Parts, whereof the Trustees by this Act nominated and appointed shall bear and defray Seventy-four Parts, the Trustees North of *Yarrow* One hundred and eight Parts, and the remaining Sixty-five Parts shall be borne and defrayed by the said Trustees acting in Execution of the said recited Act of the Fifty-seventh Year of His late Majesty's Reign, and the said last mentioned Trustees; and the said Trustees by this Act appointed shall and they are hereby severally authorized and required, within Three Calendar Months after the Amount of their respective Proportions shall be settled and ascertained, to pay or cause to be paid unto the said Trustees North of *Yarrow*, or to such Person or Persons as they shall appoint, the full Sum or Sums of Money which each of their respective Proportions of such last-mentioned Expences shall be found to amount to; and in case any Dispute shall arise between the said Trusts touching the Amount of such Expences to be borne and defrayed by them in the Proportions aforesaid, or of any Share or Part thereof, the same shall be settled and ascertained by any Two, or more of His Majesty's Justices of the Peace for the said County Palatine of *Lancaster*, whose Decision therein shall be binding, final, and conclusive.

Building and  
future Re-  
pair of  
Bridge over  
the Yarrow.

XXII. Provided always, and be it enacted, That the said new Bridge intended to be built over the River *Yarrow* in the Townships of *Chorley* and *Duxbury* aforesaid, and the Abutments, Wing Walls, and Battlements belonging thereto, and also the Road upon, over, and at

at the Ends thereof, shall be erected, built, formed, made, and completed in a good, firm, substantial, sufficient, and workmanlike Manner, under the Superintendence and to the Satisfaction of the Bridge Master or Surveyor of Bridges for the District in which the same shall be situate; and the same Bridge, and so much in Length of the Road over and at each End thereof as now belongs to the present Bridge over the River *Yarrow* aforesaid, called *Yarrow Bridge*, shall, from and after the same shall have been so built and completed, and shall have been viewed and certified to be in good Repair and Condition by Two of His Majesty's Justices of the Peace for the said County of *Lancaster*, by Writing under their Hands and Seals, and such Certificate shall have been filed with the Clerk of the Peace for the said County, and the same Road shall have been opened for the Use of the Public, be repaired and maintained for ever thereafter by the same Persons, Bodies Politic or Corporate, as are now by Law liable to repair and amend the said present Bridge; and such Persons, Bodies Politic or Corporate, shall from thenceforth be released and discharged from all Liability to repair and maintain the said present Bridge over the said River *Yarrow*, and the Road over and at the Ends thereof.

XXIII. And whereas the making of a Highway from the East End of a certain Lane in *Chorley* aforesaid called *Carr Lane*, to join the proposed Diversion from *Hole House Brow* to *Chorley*, at or near a certain Field called *Knowfield*, in the same Township, would not only be beneficial and convenient to the Public passing along the said Highway, but would also render a considerable Portion of the present Turnpike Road unnecessary as a Highway; be it therefore enacted, That it shall and may be lawful to and for the said Trustees North of *Yarrow*, and they are hereby authorized and required to make the said Highway from *Carr Lane End* to join the said intended Diversion at or near the said Field called *Knowfield*; and when the same is completed it shall, for all Purposes, be deemed, considered, and taken as a common Highway, and be for ever thereafter repaired, and kept in Repair, as other Highways are in the said Township of *Chorley*.

Trustees to make a Road from Carr Lane End to join present Turnpike Road.

XXIV. Provided always, and be it further enacted, That the said intended new Cut or Line of Road from *Hole House Brow* to the Town of *Chorley* aforesaid, together with the said new Bridge over the River *Yarrow*, and the said Branch Road or Cut from *Rawlinson Bridge* to join the said new Line at *Halliwell Field* aforesaid; and also the said Road from *Duxbury Stocks* to join the said new Line at the said Field called *The Hill*; and also the said Highway from *Carr Lane End* to *Knowfield* aforesaid; and also the said intended Road from the *Whitsters Arms* in *Little Bolton* aforesaid, to or near the *Crown Inn* in *Horwich* aforesaid, and every Part and Portion thereof, shall be made, completed, and opened to the Use of the Public by the said respective Trustees, who are to make and complete the same in the Proportions aforesaid, within the Period of Two Years from the passing of this Act.

New Line from Hole House Brow to Chorley to be made within Two Years.

Mode of  
making  
Road from  
Hole House  
Brow.

XXV. And be it enacted, That the said respective Trustees shall make such respective Lines and Branches of Road of the Breadths and in Manner following; (that is to say,) that the said intended new Cut or Line of Road from *Hole House Brow* to the Town of *Chorley* shall be all of the same Breadth, and such Breadth shall not exceed Twenty Yards, nor be less than Twelve Yards; nor shall the same rise more in any Part than One and a Half Inches in perpendicular for One Yard in horizontal Measure; that the said Branch Road or Cut from *Ratlinson Bridge* to *Hallwell Field* shall not be less than Twelve Yards in Breadth; that the said Branch Road or Cut from *Duxbury Stocks* to and into the said Field called *The Hill*, shall be made to pass wholly through the Lands of the said *Frank Hall Standish*, and on the South or South-easterly Side of the House now occupied by *James Farnworth*, and shall not exceed Twenty Yards, nor be less than Twelve Yards in Breadth, nor rise more in any Part than One Inch in Perpendicular for One Yard in Horizontal Measure; and that the said Highway from *Carr Lane End* aforesaid, to *Knowfield* aforesaid, shall not be less in Breadth than Eight Yards, nor rise more in any Part than One Inch and a Half in Perpendicular for One Yard in Horizontal Measure; and such last-mentioned Branch Road shall be made in a substantial and sufficient Manner, to the Satisfaction of One or more of His Majesty's Justices of the Peace for the said County of *Lancaster* residing or acting near to the same.

Old Roads  
to be no  
longer under  
Care of  
Trustees.

XXVI. And be it further enacted, That the old Courses of the said respective Turnpike Roads between *Hole House* aforesaid and the Point of Junction of the old and new Lines of Road near to *Chorley* aforesaid, shall, from and after the Time such new Lines and Branches of Road respectively shall be made and completed, cease and be no longer any Part of the said Turnpike Road, or be under the Care or Authority of the said Trustees, or any of them.

New Roads  
to be made  
according to  
Plan.

XXVII. And whereas Maps or Plans describing the Lines of the several Deviations and Improvements herein-before mentioned, and the Lands through which the same are to be carried, together with Books of Reference containing Lists of the Names of the Owners and Occupiers of such Lands, have been deposited with the Clerk of the Peace for the County Palatine of *Lancaster*; be it therefore enacted, That the said Maps or Plans and Books of Reference shall remain in the Custody of the Clerk of the Peace for the said County, to the End that all Persons may at all seasonable Times have liberty to inspect and peruse the same, and take Copies and Extracts therefrom at their Will and Pleasure, paying to such Clerk of the Peace the Sum of Five Shillings for every such Inspection, and at the Rate of Sixpence for every Seventy-two Words of such Copies or Extracts; and the said respective Trustees, in making such respective new Roads, Deviations, and Improvements, shall not deviate more than Ten Yards from the Lines described in the said Maps or Plans in passing through the Lands of *Frank Hall Standish Esquire*, without his Consent in Writing, nor more than One hundred Yards from the Lines described in the said Maps or Plans in passing through any other Lands, without the Consent and Approbation in Writing of

the Person or Persons, Bodies Politic, Corporate, or Collegiate, through whose Lands or Grounds such new Roads and Deviations shall be made.

XXVIII. Provided always, and be it further enacted, That it shall be lawful for the said Trustees respectively to make the said new Roads and Deviations through, across, or over the several Lands, Hereditaments, and Premises of any Person or Persons who is or are or may be the Owner or Owners, or Occupier or Occupiers of Lands or Premises over which the same or any Part thereof is or are mentioned and described in this Act, or set forth and described in the said Maps or Plans or Lists as aforesaid, although such Lands, Hereditaments, and Premises, or the Name or Names of such Person or Persons may happen to be erroneously described, omitted, or mis-stated in this Act, or in the said Maps or Plans or Books of Reference, 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, or was not wilful; and such Certificate shall be deposited with and remain in the Custody of the Clerk of the Peace for the said County.

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

XXIX. And be it further enacted, That it shall and may be lawful for the said Trustees hereby nominated and appointed, to divert, turn, alter, and widen the said Roads hereby placed under their Care and Management, and to make and complete the Deviations, new Roads and Improvements herein-before described; and for that Purpose it shall and may be lawful for the said Trustees under this Act, and also for the said Trustees acting in Execution of the said recited Act of the Fifty-seventh Year of the Reign of His late Majesty, and the said Trustees North and South of *Yarrow* respectively, in making and completing the Portions of Road herein-before described to be by them made and completed, and for the Surveyors and Workmen of the said respective Trusts, with or without Carriages and Cattle, from Time to Time to enter upon the Lands and Premises through which or whereupon the said Roads herein-before described, and hereby authorized to be made and kept in Repair, or any Alteration thereof, pass, or is or are intended to pass, and also upon any adjoining Lands or Grounds, and to stake out the Road or Alteration, and to make Drains or Ditches through or into any Lands or Grounds adjoining or lying contiguous to any Part thereof; and to make a temporary Way or Ways through or over any adjoining Lands or Grounds (not being a Garden, Yard, Park, Paddock, planted Walk, or Avenue to a House or inclosed Ground, planted and set apart as a Nursery for Trees) to be made use of as a public Highway whilst the narrow or ruinous Part of the said Road are being widened or altered, and until the said Road shall be made safe and convenient for the Passage of Travellers and Carriages, in such Manner as the said Trustees respectively shall think necessary or proper, without being deemed a Trespasser or Trespassers, and without being subject or liable to any Fine, Penalty or Punishment for entering or continuing upon any Part or Parts of such Lands or Grounds respectively, for any of the Purposes of this Act, making Satisfaction to

Power to enter Lands.

to the Owners and Occupiers of such Lands and Grounds for the Damages that shall be thereby occasioned; such Damages to be ascertained and settled, in case of Dispute concerning the same, in the same Manner as the Value of Lands to be purchased or used for the Purposes of this Act is by the said recited Acts of the Third and Fourth Years of His Majesty's Reign, for amending the general Laws for regulating Turnpike Roads, directed to be ascertained and settled in case of Dispute; and if any Person shall pull up, remove, or destroy any of the Stakes or other Marks used in laying out any Part of such Roads, every Person so offending shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds.

Trustees restrained from pulling down Dwelling Houses without Consent of the Owners.

XXX. Provided also, and be it further enacted, That the Powers and Authorities hereby given shall not in any Case be construed to extend to empower or authorize any of the said Trustees respectively to take or pull down any Dwelling House or other Building, or to take in or make use of any Garden, Yard, Park, Paddock, planted Walk, or Avenue to a House, or any inclosed Ground planted and set apart as a Nursery for Trees, or certain Parcels of Land in *Duxbury* aforesaid called *The Great Bottoms*, or any Part thereof respectively, without the Consent in Writing of the Owner or Proprietor thereof first had and obtained, other than and except so much and such Part of such Dwelling Houses or other Buildings, Gardens, Yards, Parks, Paddocks, planted Walks, Avenues, and Nurseries for Trees, as are described in the Schedule to this Act.

No Materials to be taken, &c. on Parts of Mr. Standish's Land.

XXXI. Provided also, and be it further enacted, That the Powers and Authorities given by the said recited Acts or this Act, or any of them, shall not extend to empower or authorize any of the said Trustees respectively to enter upon, dig, get, cart, carry, or convey any Stone, Sand, Gravel, or other Materials for the Use of or relating to any Part of their said respective Turnpike Roads upon or over any Part of the Park, Paddock, planted or ornamental Lands or Grounds of the said *Frank Hall Standish*, situate between the Mansion House of the said *Frank Hall Standish* and so much of the said new Line of Road as lies between the Northernmost Extremity of such new Line and the Place of Junction of the said Branch Road from *Duxbury Stocks*; nor upon or over any Part of such Park, Paddock, planted or ornamental Lands or Grounds situate between such Mansion House and any Part of the said District of Road South of *Yarrow*; nor to deposit, lay down, work, or prepare any Materials for the Use of such Roads or any Part thereof within the Distance of One hundred Yards from any Lodge or Entrance Gate leading to the Mansion House of the said *Frank Hall Standish* at *Duxbury* aforesaid.

Old Road and Bridge vested in Mr. Standish

XXXII. And be it further enacted, That from and immediately after the Time such new Line of Road and the several Branches of Road by this Act authorized and directed to be made in *Chorley*, *Duxbury*, and *Heath Charnock* aforesaid, shall be made, completed, and opened for the Use of the Public, the Land or Ground constituting the Site of the said old Road from the Southerly End of a Smithy in *Chorley* aforesaid, now or late in the Occupation of *John Thompson*,  
to



to *Duxbury Stocks* aforesaid, with all such Materials, Articles, Matters, and Things as belong to or shall be upon such old Line of Road, (except the Materials of the present or any future Toll House and Toll Gate which may be erected or standing thereon,) and also the said old Bridge called *Yarrow Bridge*, shall from thenceforth be and become actually vested in the said *Frank Hall Standish* and his Heirs, and shall go and be subject to the same Uses as the Lands in Exchange for which the same, as hereinafter next mentioned, is given stands limited, free from all Rights of Road or Passage over the same by any Person or Persons whomsoever, or for any Purpose whatsoever, in Exchange for and in lieu and full Satisfaction for the Surface of the Land or Ground of such new Line of Road from the Place where the same enters the Lands of the said *Frank Hall Standish* in *Chorley* aforesaid, to the Place where the same enters the Lands of *Richard Willies* Esquire, in *Duxbury* aforesaid, and also for the Surface of the Land or Ground of such new Branch of Road from *Duxbury Stocks* aforesaid into the said new Line of Road at the said Field called *The Hill*, in the Occupation of the said *James Farnworth*; and that from the same Time all Right, Title, Interest, and Property in the Site of the Surface of the said last-mentioned Part of such new Line, and of such last-mentioned Branch Road, shall be and become actually vested in the said Trustees within whose Limits and Jurisdiction the same shall respectively be, and their Successors, for the Use of the Public.

XXXIII. And be it further enacted, That nothing in this Act contained shall extend, or be construed to extend, to authorize or empower the said Trustees to make the said Road otherwise than in a direct Line through and over the Lands of *John Pilkington* Esquire, at *West Farm* in *Little Bolton* aforesaid, drawing the same Line from the Commencement of the said intended Road, at the present Turnpike Road near *Brinks Brow* in *Little Bolton* aforesaid, to the Plantation at the West Side of the said *West Farm* Estate, and so that the nearest Part of the North Side of the said Road, where the same will be nearest to the present Dwelling House of the said *John Pilkington* at *West Farm* aforesaid, shall not approach nearer or be distant further from the said Dwelling House than One hundred and sixty Yards.

Road to be made in a straight Line through Mr. Pilkington's Grounds.

XXXIV. Provided always, and be it further enacted, That such Part or Parts of the Roads to be repaired and maintained by the said Trustees hereby appointed, leading from *Bob's Smithy* into the Turnpike Road from *Bolton* to *Preston*, and also the Road leading from *Abigail Bromileys*, by the Mill called the *Smithell's Mill*, to the Turnpike Road leading from *Bolton* to *Blackburne*, or any Variation thereof that shall or may be made, shall not in any Part exceed the Width of Forty-five Feet; any thing in this Act or in the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty, for amending the general Laws for regulating Turnpike Roads, to the contrary notwithstanding.

Part of Roads not to exceed Forty-five Feet wide.

XXXV. And for providing for the future Repair and Support of the said intended Deviation or new Line of Road from *Hole House Brow* to the Township of *Chorley* aforesaid, and the Branch Road from

How the Deviation from Hole

House Brow  
to Chorley  
is to be  
repaired.

*Rawlinson Bridge* to join the same at *Halliwell Field*; and also the said Branch Road from *Duxbury Stocks* to the said Field called *The Hill*; be it further enacted, That when the same shall be made and completed, so much of the said Line of Road as shall extend from *Hole House Brow* aforesaid, to the Junction of the Branch from *Rawlinson Bridge* at *Halliwell Field* aforesaid, shall be vested in, and shall be repaired, maintained, and supported by the Trustees nominated and appointed in and by this Act, under the Powers, Provisions, and Authorities of this Act; and the said Branch Road from *Rawlinson Bridge* to *Halliwell Field*, together with so much of the said new Line of Road in the Direction towards *Chorley*, as will make the whole Length from *Rawlinson Bridge* Northwards into One thousand four hundred Yards, shall be vested in, and repaired, maintained, and supported by the Trustees acting in Execution of the said recited Act of the Fifty-seventh Year of the Reign of His late Majesty King *George* the Third, under the Powers, Provisions, and Authorities of that Act, all which Powers, Provisions, and Authorities shall extend to and be put in force on the said Branch Road, and the Remainder of the said Length or Distance of One thousand four hundred Yards of the new Line of Road, as fully and effectually to all Intents and Purposes as if the same were herein repeated and re-enacted, or as if the said Portion of Road had been Part of the Roads mentioned in the said last-mentioned Act; and the said Branch Road from *Duxbury Stocks* to the said Field called *The Hill* shall be vested in, and repaired, maintained, and supported by the said Trustees South of *Yarrow*, under the Powers, Provisions, and Authorities of the said Act of the Third Year of the Reign of His present Majesty, for repairing and improving the Roads from *Wigan* to *Preston*, all which said last-mentioned Powers, Provisions, and Authorities shall extend to and be put in force on the said Branch Road as fully and effectually to all Intents and Purposes as if the same were herein repeated and re-enacted, or as if the said Branch Road had been Part of the Roads mentioned in the said last-mentioned Act; and all the Remainder of the said intended new Line of Road to the Town of *Chorley* shall be vested in, and repaired, maintained, and supported by the said Trustees North of *Yarrow*, under the Powers, Provisions, and Authorities of the said recited Act of the Third Year of the Reign of His present Majesty, for repairing and improving the Roads from *Wigan* to *Preston*, all which last-mentioned Powers, Provisions, and Authorities, shall extend to and be put in force on the said last-mentioned Portion of Road as fully and effectually as if the same were herein repeated and re-enacted, or as if such Portion of Road had been mentioned in the said last-mentioned Act.

No Gate to  
be erected  
or Tolls  
collected on  
the new  
Line from  
*Hole House  
Brow* to  
*Chorley*.

XXXVI. Provided always, and be it further enacted, That when and so soon as the said new Lines of Road from *Hole House Brow* to *Chorley*, and the said several Branch Roads and Highways leading thereto, shall be completed and opened for the Public, the present Toll Gate in *Euxton* shall be discontinued, and no Tolls collected or taken there, except for Overweight; nor shall any Toll Bar be hereafter erected or set across that Line of Road between the Centre of the River *Yarrow* and the Place where the Railway of the *Lancaster Canal* Company crosses the Road in *Walton in le Dale*; and it shall not be

lawful for the Trustees hereby appointed, or for the said Trustees of either of the other respective Trusts, to erect or set up or continue any Toll Gate or Bar across or on the Sides of any Part of the said intended Deviation or new Line of Road, or on the present Line of Road between *Hole House Brow* and the Parish Church of *Chorley* aforesaid, or on the said Branch Road from *Rawlinson Bridge* to *Halliwell Field*, or on the said Branch Road from *Duxbury Stocks* to its Junction with the said Line of Road from *Hole House Brow* to *Chorley*, or within the Distance of One Mile from *Duxbury Stocks* aforesaid, upon the Line of Road leading to *Wigan* aforesaid, or to collect or take any Toll or Tolls thereon, but the respective Portions of the said Roads severally vested in and to be repaired by the said Trustees as herein-before directed shall be repaired, maintained, and supported out of the Tolls and Monies arising on the other Roads under the Care and Management of the said several Trustees respectively.

XXXVII. And be it further enacted, That if any Money shall be agreed or assessed to be paid for any Lands, Tenements, or Hereditaments purchased, taken, or used by virtue of this Act, which shall belong to any Body Politic, Corporate, or Collegiate, Corporation Aggregate or Sole, Feoffee in Trust, Guardian, Committee, Trustee, Feme Covert, or other incapacitated Person or Persons, such Money shall, if the same amount to the Sum of Two hundred Pounds, with all convenient Speed, be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Exchequer, to be placed to his Account *ex parte* the Trustees for executing this Act, pursuant to the Method prescribed by an Act made in the First Year of the Reign of King *George* the Fourth, intituled *An Act for the better securing the Monies and Effects paid into the Court of Exchequer at Westminster on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes*, and the General Orders of the said Court, and without Fee or Reward; and shall, when so paid in, 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 the Discharge of any Debt or Debts, or such other Incumbrances or Part 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, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Lands 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 and Settlement shall be existing, undetermined,

Application of Compensation when amounting to 200*l.*

1 G. 4. c. 35.

mined, 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 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 said Lands, Tenements, or Hereditaments, to be purchased by virtue of this Act, in case such Purchase or Settlement were made.

Application where the Compensation is under 200%. and shall exceed 20%.

XXXVIII. Provided always, and be it further enacted, That if any Money so agreed or assessed to be paid for any Lands, Tenements, or Hereditaments purchased, taken, or used for the Purposes aforesaid, and belonging to any Corporation, or to any Person or Persons under any Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds and shall exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy, Idiocy, or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank of *England*, in the Name and with the Privity of the said Accountant General of the Court of Exchequer, and be placed to his Account as aforesaid, in order to be applied in Manner herein-before directed; or otherwise the same shall be paid at the like Option of Two Trustees to be nominated by the Person or Persons making such Option, and approved of by the said Trustees for executing the said recited Acts or 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 said Court of Exchequer.

Application where the Money is less than 20%.

XXXIX. Provided also, and be it further enacted, That where such Money so agreed or assessed to be paid as herein-before mentioned shall be less than the Sum of Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Corporation or 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, in such Manner as the Trustees for executing any such Act or this Act, or any Three or more of them, shall think fit; or in case of Infancy, Idiocy, or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

XL. And

**XL.** And be it further enacted, That in case the Corporation or Person or Persons to whom any Sum or Sums of Money shall be awarded or assessed for any Lands, Tenements, or Hereditaments, to be so purchased by virtue of this Act, shall refuse to accept the same, or shall not be able to make a good Title to the Premises to the Satisfaction of the said Trustees, or in case the Person or Persons to whom such Sum or Sums of Money shall be awarded or assessed as aforesaid cannot be found, or if the Person or Persons entitled to such Lands, Tenements, or Hereditaments be not known or discovered, then and in every such Case it shall be lawful for the said Trustees to order the said Sum or Sums of Money so awarded or assessed as aforesaid to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the said Court of Exchequer, to be placed to his Account, to the Credit of the Parties interested in the said Lands, Tenements, or Hereditaments (describing them), subject to the Order, Controul, and Disposition of the said Court of Exchequer; which said Court, on the Application of any Person or Persons making claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall and is hereby empowered, in a summary Way of Proceeding or otherwise, as to the same Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest of the Person or Persons making claim 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 and for whose Use the same is or are received), to such Person or Persons as shall pay any Sum or Sums of Money into the Bank as aforesaid.

In case of not making out Titles, or Persons entitled not being found.

**XLI.** Provided always, and be it further enacted, That where any Question shall arise touching the Title of any Corporation, or Person or Persons, to any Money to be paid into the Bank of *England* in the Name and with the Privity of the Accountant-General of the Court of Exchequer in pursuance of 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 thereof, 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 be lawfully entitled to such Lands, Tenements, and Hereditaments according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court of Exchequer, and the Dividends and Interest of the Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied, and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a

Persons in Possession presumptively entitled.

wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Lands or Hereditaments, or to some Estate or Interest therein.

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

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

Expences of the Act.

XLIII. And be it further enacted, That the said Trustees acting in Execution of the said recited Act of the Fifty-seventh Year of the Reign of His late Majesty King *George* the Third, shall pay the Sum of One hundred Pounds as their Portion of the Charges and Expences of applying for, obtaining, and passing this Act; and the said Trustees North of *Yarrow* shall in like Manner pay the Sum of One hundred Pounds as their Portion of the same Charges and Expences; and the Remainder of such Charges and Expences shall be borne and defrayed by the said Trustees by this Act nominated and appointed as herein-before directed.

Public Act.

XLIV. 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.

Commencement and Continuance of this Act.

XLV. And be it further enacted, That this Act shall commence on the First Day of *July* One thousand eight hundred and twenty-four, and shall continue and be in force for and during the Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament.

The SCHEDULE to which this Act refers.

---

*In the Township of Horwich.*

A Garden belonging to Lawrence Wright Esquire, and in the Occupation of Edward Moon; a Plantation belonging to John Johnson, and in his Occupation.

*In the Township of Heaton.*

A Plantation belonging to Stephen Tempest Esquire, and in the Occupation of Mary Heaton; another Plantation belonging to the said Stephen Tempest, and in the Occupation of John Eckersley.

*In the Township of Little Bolton.*

A Plantation belonging to Thomas Ainsworth, and in his Occupation.

*In the Township of Heath Charnock.*

Two Gardens belonging to Frank Hall Standish Esquire, in the Occupations of Robert Lee and William Smith.

Two Lime Kilns, and several Cinder Ovens, belonging to Richard Willies Esquire, and in Possession of Lawrence Hall.

*In the Township of Duxbury.*

Bridge over the Canal, belonging to Richard Willies Esquire.

Three Plantations belonging to and in Possession of Frank Hall Standish Esquire, except such Parts thereof as are in the Fields called the Great Bottoms.

*In the Township of Chorley.*

A Plantation belonging to and in the Possession of the said Frank Hall Standish Esquire.

