



ANNO DECIMO OCTAVO & DECIMO NONO

# VICTORIÆ REGINÆ.

\*\*\*\*\*

## *Cap. lxxxiii.*

An Act to repeal so much of the Act relating to the *Wigan* and *Preston* Roads as relates to the District of the said Roads North of *Yarrow*, and to make other Provisions in lieu thereof.

[26th June 1855.]

**W**HEREAS an Act was passed in the Third Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for more effectually repairing, widening, amending, and improving the Roads from Wigan to Preston in the County Palatine of Lancaster*: And whereas by the said Act certain therein-before recited Acts relating to the said Roads were repealed, and the said Roads were divided into Two Districts, to be called respectively “The District of the *Wigan* and *Preston* Roads South of *Yarrow*,” and “The District of the *Wigan* and *Preston* Roads North of *Yarrow*,” and the said last-mentioned District comprised so much and such Parts of the Roads between the Boroughs of *Wigan* and *Preston* aforesaid, leading from the Toll Bars then in or near *Standish Gate Street* in the Town of *Wigan* aforesaid, through the Townships of *Wigan*, *Standish* with *Langtree*, *Coppul*, *Walsh Whittle*, *Charnock Richard*, *Euxton*, *Leyland*, *Clayton-in-le-Woods*, *Cuerden*, *Walton-in-le-Dale*, *Fishwick*, and *Preston*, to the Toll Bars then in *Church Street* in the Town of *Preston* aforesaid, and also from the said Toll Bars in the Town of *Wigan*, through the several Townships of *Wigan*,

[Local] 13 G Standish



*The Wigan and Preston Roads North of Yarrow Act, 1855.*

*Standish with Langtree, Worthington, Adlington, Coppul, Duxbury, Chorley, Whittle-in-le-Woods, Brindle, Clayton-in-le-Woods, Walton-in-le-Dale, Fishwick, and Preston, to the said Toll Bars then in the Town of Preston, as are situate on the Northern Side of the Middle of the River Yarrow : And whereas the Powers granted by the said Act, and continued from Time to Time by virtue of divers Acts of Parliament for continuing certain Turnpike Acts for limited Periods, will expire on the First Day of November One thousand eight hundred and fifty-five, unless Parliament should in the meantime continue the same : And whereas considerable Sums of Money have since the passing of the said Act been borrowed on the Credit of the Tolls authorized to be taken on the said District of Roads North of Yarrow, and the Principal Sum so borrowed and now due is Twenty-six thousand six hundred and fifty-five Pounds : And whereas it is expedient that the said recited Act should be repealed with reference to the Roads comprised in the said District of Roads North of Yarrow, and that further and more effectual Powers should be granted in lieu thereof ; but the Purposes aforesaid cannot be effected without the Authority of Parliament : May it therefore please Your Majesty that it may be enacted ; and be it enacted by the Queen'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, as follows ; (that is to say,)*

Short Title. I. That in citing this Act for any Purpose it shall be sufficient to use the Expression “ *The Wigan and Preston Roads North of Yarrow Act, 1855.*”

Interpretation of Terms. II. That in this Act the Expression “ the Trustees ” or “ the said Trustees ” shall mean the Trustees for the Time being acting in the Execution of this Act ; the Expression “ the Roads ” or “ the said Roads ” shall mean the Roads comprised in Section Six of this Act, being the Roads with reference to which this Act is to be put into execution ; and the Expression “ Toll Gate ” or “ Toll Gates ” shall include “ Turnpikes, Toll Bars, Side Bars, Toll Chains, and Cheque Gates ; ” and “ Day, ” in reference to Tolls, shall be computed from Twelve of the Clock at Night till Twelve of the Clock on the next succeeding Night ; and that the “ *Pincock Bridge Line of Road* ” shall mean the Road from *Bamber Bridge* to *Pincock Bridge*, and the “ *Yarrow Bridge Line of Road* ” shall mean the Residue of the Road comprised in this Act.

Recited Act repealed, so far as relates to Roads comprised herein. III. That from and after the First Day of *October* One thousand eight hundred and fifty-five the said recited Act shall be and the same is hereby repealed, so far as the same relates to the Roads comprised in this Act, and instead thereof this Act shall then commence and



*The Wigan and Preston Roads North of Yarrow Act, 1855.*

and take effect, and be put in execution for the Term of Twenty-one Years from the said First Day of *October* One thousand eight hundred and fifty-five, and thence to the End of the Session of Parliament which shall then next follow.

IV. That all Rents, Arrears of Tolls, and other Monies due to and all Property and all Choses in Action vested in the Trustees of the said Roads, under the recited Act, shall immediately on the Commencement of this Act be vested in the Trustees for executing this Act, and such last-mentioned Trustees may sue for and recover the same, and act in respect thereof, as effectually as if the same had been vested in them under the said recited Act, and they as such Trustees only shall be liable to all the Debts and Engagements to which the Trustees under the said recited Act were liable at the Repeal thereof, except such as are by this Act varied, reduced, or extinguished.

Monies and Property to vest in the new Trustees.

V. Whereas by an Act passed in the Fifth Year of the Reign of King *George* the Fourth, Chapter 105, relating to the *Bolton and Nightingale* Turnpike Road, the Trustees acting in the Execution of that Act were authorized and empowered, in conjunction with the Trustees of the *Wigan* and *Preston* Roads North of *Yarrow*, the Trustees of the *Wigan* and *Preston* Roads South of *Yarrow*, and the Trustees of the Road from *West Houghton* to *Duxbury Stocks*, to construct and make certain Branch Lines of Road in the said Act mentioned and described, and the said Branch Lines of Road have accordingly been made, at the joint Expense of the said several Trustees, in the Manner prescribed by and in accordance with the Provisions of the said Act, and a Portion of One of the Branch Lines of Road by the said Act authorized to be made in the Township of *Duxbury* in the County of *Lancaster*, on the South Side of the River *Yarrow*, commencing from a certain Field called the *Hill*, in the said Township of *Duxbury*, at the Point of Junction with the *Wigan* and *Preston* Roads South of *Yarrow*, to the Middle of the River *Yarrow* was, under, the Arrangements made consequent upon the joint Construction of the said Branch Lines of Road by the said Trustees respectively, vested in and made Part of the Roads under the Control of the Trustees of the *Wigan* and *Preston* Roads North of *Yarrow*: Be it therefore enacted, That the said Portion of Road herein-before described shall be and the same is hereby vested in the Trustees for executing this Act.

Vesting Portion of Road South of *Yarrow*.

VI. That this Act shall be put in execution for the Purpose of more effectually improving, maintaining, and keeping in repair the said Portion of Road in the Township of *Duxbury* on the South Side of the said River *Yarrow*, herein-before described, and so much and such Parts of the said Roads between the Boroughs of *Wigan* and *Preston*

Roads to which Act applicable.



*The Wigan and Preston Roads North of Yarrow Act, 1855.*

*Preston* aforesaid as are situate on the Northern Side of the Middle of the said River *Yarrow*; subject, nevertheless, to the Regulations and Enactments herein-after contained: Provided always, that such Part and Portion of the Turnpike Road as lies in the Township of *Preston* aforesaid, and also such Part and Portion of the Turnpike Road in the Township of *Fishwick* aforesaid as lies at the Distance of Three hundred Feet from the North End of *Ribble Bridge* in the said Township of *Fishwick*, shall be excluded from the Operation of this Act, and shall vest in and be under the Management and Control of the Local Board of Health of the District of the Borough of *Preston*.

Trustees  
appointed,

VII, That all Her Majesty's Justices of the Peace acting for the Time being for the said County Palatine of *Lancaster*, together with *John Addison*, *Thomas Batty Addison*, and *Barten Fletcher Allen*, all of *Preston*, *Richard Ashworth* of *Walton-le-Dale*, *Thomas Addison* of *Leyland*, and *Joseph Roscoe Allen* of *Morecombe* near *Lancaster*, *John Bairstow*, *Charles Birket*, and *John Bickerstaff* of *Preston*, *James Blanchard* of *Grimsargh*, *Richard Bashall* of *Walton-le-Dale*, *William Bashall*, *William Boardman*, and *William Bashall* the younger, all of *Farington*, and *Thomas Birchall* of *Ribbleton*, *Peter Catterall*, *Thomas Clarke*, *John Clayton*, and *William Charnley*, all of *Preston*, *William Calvert* of *Walton-le-Dale*, *T. R. Crosse* of *Shaw Hill*, *Whittle*, *John Cunliffe* of *Myerscough*, and *John Cooper* of *Penwortham*, *Hugh Dawson* of *Preston*, and *Hugh Dawson* of *Leyland*, *William Eccles* and *James Eastham* of *Walton-le-Dale*, and *Thomas Eastham* of *Preston*, *John Gorst* of *Preston*, *John Haliburton*, *William Holmes*, and *Edward Haydock*, all of *Preston*, *Thomas Holt* of *Chorley*, *John Jackson* and *Richard Jackson* of *Chorley*, *William Lawrence* of *Chorley*, *Robert Lawe* and *Thomas Leach* of *Preston*, *Edward Morris* of *Chorley*, *George Noble* of *Preston*, and *Thomas Norris* of *Howick*, *Robert Orrell* of *Walton-le-Dale*, *Edward Pedder* of *Ashton-upon-Ribble*, *Henry Newsham Pedder*, *Philip Park*, and *John Paley* of *Preston*, *John Parkinson Park*, *John Park*, and *Thomas Blinkhorn Park*, all of *Withnell*, and *William Ormerod Pilkington* of *Ashton*, *Edward Rodgett* of *Preston*, *John Rodgett* and *Miles Rodgett* of *Walton-le-Dale*, *William Shawe* and *George Sidgreaves* of *Preston*, *Robert Snell* of *Leyland*, *John Swainson* of *Halton*, *Charles Swainson* of *Walton-le-Dale*, *Charles Swainson* the younger, of *Frenchwood*, *James Smithells* of *Bury*, and *William Scowcroft* of *Chorley*, *William Tuson* of *Preston*, *James Talbot* and *Abraham Turner* of *Chorley*, *Thomas Unsworth* of *Preston*, *John Winstanley*, *Isaac Wilcockson*, and *Thomas Walmsley*, all of *Preston*, *Thomas Whittaker* of *Walton-le-Dale*, *Charles Lawson Whalley* of *Richmond House* near *Lancaster*, and *Joseph Lawson Whalley* of *Lancaster*, and *John Withnell* of *Chorley*, all in the County of *Lancaster*, and their Successors, being  
duly



*The Wigan and Preston Roads North of Yarrow Act, 1855.*

duly qualified to act as Trustees of Turnpike Roads in *England*, shall be Trustees for putting this Act into execution.

VIII. That it shall be lawful for the Trustees, at any Meeting under this Act of which Notice shall be given as required by the Sixty-sixth Section of the Act of the Third of *George* the Fourth, Chapter One hundred and twenty-six, to elect any Number of Persons, being duly qualified to act as Trustees of Turnpike Roads in *England*, not exceeding Three in the whole, to be Trustees for the Purposes of this Act, in addition to the Trustees hereby nominated, and such Trustees so elected shall have the same Powers and Authorities for executing this Act as if they had been hereby appointed.

Power to  
appoint  
additional  
Trustees.

IX. That the said Trustees shall hold their First Meeting at the Office of Messrs. *Winstanley* and *Charnley* in *Fox Street* in the Town of *Preston*, or at some other convenient Place within the said Town, upon the Second Day of *October* next after the passing of this Act, or as soon thereafter as conveniently may be, and shall then and from Time to Time thereafter adjourn to and meet at such Times and Places in the Neighbourhood of the said Roads as they shall think proper.

Meetings of  
Trustees.

X. That the said Trustees may appoint Committees out of their own Number to execute any of the Purposes of this Act, according to such Instructions and Regulations as shall be laid down by the Trustees at any General or Special Meeting; and the said Committees and their Survivors may proceed and act according to such Appointment, but shall always be accountable according to the Instructions and Regulations so to be made.

Power to  
appoint  
Committees.

XI. That, notwithstanding the Repeal of the said recited Act, the several Tolls thereby granted and made payable shall continue to be paid at the Toll Gates to be continued or erected on or on the Sides of the said Roads until the First Day of *November* One thousand eight hundred and fifty-five.

Present Tolls  
continued for  
a Term.

XII. That upon and after the said First Day of *November* One thousand eight hundred and fifty-five it shall be lawful for the Trustees, subject to the Provisions of this Act, to demand and take, at the several and respective Toll Gates which now are or hereafter shall be upon or on the Sides of the said Roads, such Tolls as the said Trustees at any of their Meetings shall direct, not exceeding the Sums following; (that is to say,)

Power to  
take Tolls.

For every Horse or other Beast drawing any Coach or other such Carriage, the Sum of Sixpence;

For every Horse or other Beast drawing any Waggon or other such Carriage, if drawn by Two Horses or other Beasts, the Sum of

[*Local.*]

13 *H*

Fourpence

*The Wigan and Preston Roads North of Yarrow Act, 1855.*

Fourpence Halfpenny ; and if drawn by One Horse or other Beast, the Sum of Sixpence :

For every Waggon or other such like Carriage with Four Wheels, and having the Sole or Tire of the Wheels of less Breadth or Gauge than Six Inches, drawn by Four Horses or other Beasts, the Sum of Five Shillings ; and if drawn by Three Horses or other Beasts, the Sum of Three Shillings and Sixpence ; and if drawn by Two Horses or other Beasts, the Sum of Two Shillings and Sixpence ; and if drawn by One Horse or other Beast, the Sum of Sixpence :

For every Waggon or other such like Carriage with Four Wheels, and having the Sole or Tire of the Wheels of the Breadth or Gauge of Six Inches and less than Nine Inches, drawn by Six Horses or other Beasts, the Sum of Four Shillings ; and drawn by Five Horses or other Beasts, the Sum of Three Shillings and Sixpence ; and drawn by Four or any less Number of Horses or other Beasts, the Sum of Two Shillings and Sixpence :

For every Waggon or other such like Carriage with Four Wheels, and having the Sole or Tire of the Wheels of the Breadth of Nine Inches and less than Sixteen Inches, drawn by Eight Horses or other Beasts, the Sum of Four Shillings ; and drawn by Six Horses or other Beasts, the Sum of Three Shillings and Sixpence ; and drawn by Five Horses or other Beasts, the Sum of Three Shillings ; and drawn by Four Horses or other Beasts, the Sum of Two Shillings and Sixpence ; and drawn by Three or any less Number of Horses or other Beasts, the Sum of Two Shillings :

For every Wain, Cart, or other such like Carriage with Two Wheels, having the Sole or Tire of the Wheels of less Breadth or Gauge than Six Inches, and drawn by Three Horses or other Beasts, the Sum of One Shilling and Sixpence ; and drawn by Two Horses or other Beasts, the Sum of One Shilling ; and drawn by One Horse or other Beast, the Sum of Sixpence :

For every other Horse or other Beast drawing any Wain, Cart, or other such like Carriage, having the Sole or Tire of the Wheels of the Breadth or Gauge of Six Inches and less than Nine Inches, the Sum of Fourpence :

For every Horse or other Beast drawing any Wain, Cart, or other such like Carriage, having the Sole or Tire of the Wheels of the Breadth or Gauge of Nine Inches and less than Sixteen Inches, the Sum of Threepence :

For every Wain, Cart, or other such like Carriage with Two Wheels, and the Sole or Tire of the Wheels rolling a Surface of Sixteen Inches, drawn by any Number of Horses or other Beasts, the Sum of Threepence :

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

For



*The Wigan and Preston Roads North of Yarrow Act, 1855.*

For every Score of Oxen, Cows, or Neat Cattle, the Sum of One Shilling and Threepence *per* Score, and so in proportion for any greater or less Number :

For every Score of Calves, Hogs, Sheep, or Lambs, the Sum of Tenpence *per* Score, and so in proportion for any greater or less Number :

For every Goat drawing any Truck, Sledge, Cart, Barrow, or other such Carriage, the Sum of One Penny :

For every Carriage, of whatever Kind, propelled or drawn by Steam or any Power other than Animal Power, for each Wheel thereof the Sum of One Shilling :

Which said Tolls shall be taken before any Horse, Mule, Ass, Beast, or other Cattle or Carriage whatsoever shall be permitted to pass through any Toll Gate which shall be by virtue of this Act upon or across the said Roads or on the Sides thereof.

XIII. That in all Cases where there shall be a fractional Part of a Halfpenny in the Amount of Tolls by this Act authorized to be collected the Sum of One Halfpenny shall be payable in lieu of such fractional Part. As to Fraction of a Halfpenny in Tolls.

XIV. That no more than Two full Tolls on the *Yarrow Bridge* Line of Road, and no more than One full Toll on the *Pincock Bridge* Line of Road, shall be demanded or taken (except as herein-after mentioned) for passing and repassing at any Time or Times in the same Day (to be computed from Twelve of the Clock at Night to Twelve of the Clock on the next succeeding Night), with the same Horses, Beasts, Cattle, or other Animal, Carriage or Thing, liable to Toll, through all or any of the Toll Gates along the whole Line of the said Roads respectively: Provided always, that One full Toll only shall be demanded or taken (except as herein-after mentioned) for so passing and repassing in manner aforesaid along the Portion of the said Road between the South Corner of *School Lane* at the Point where that Lane unites with the said Road, and the Town of *Preston*. Limiting Number of Tolls to be payable on the Road.

XV. That all Horses, Beasts, Cattle, and other Animals and Carriages, (except as herein-after mentioned,) in respect whereof the Toll hereby authorized to be taken shall have been paid at any Toll Gate on the said Roads or on the Sides thereof, shall, upon a Ticket denoting such Payment being produced, be permitted, in returning through the same Toll Gate, to pass Toll-free the same Day; and no Horse, Beast, Cattle, or other Animal, or Carriage, (except as herein-after mentioned,) shall be charged with Toll more than twice at the same Toll Gate on the same Day. Toll not to be charged on Horses, &c. returning, nor more than twice on the same Day.

XVI. That the Tolls hereby made payable shall be paid for all Horses or other Beasts of Draught drawing any Postchaise or other Postchaises, &c. to pay on fresh Hiring.

*The Wigan and Preston Roads North of Yarrow Act, 1855.*

other Carriage travelling for Hire, for every Time of passing and repassing along the said Roads on the same Day with a fresh Hiring, in the same Manner as if no previous Payment of Toll in respect of such Horses or Beasts had been made on the same Day.

Horses draw-  
ing Stage  
Coaches, &c.  
to pay each  
Time of  
passing.

XVII. That all Horses or other Beasts of Draught drawing any Stage Coach, or any Omnibus, 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 Toll Gate, shall be again chargeable with Toll for repassing through such Toll Gate, in like Manner as if no Toll had been before paid thereat.

Regulations  
as to Stage  
Coaches.

XVIII. That all Horses and Cattle drawing any Stage Coach, Omnibus, Waggon, or other Stage Carriage conveying Passengers or Goods for Hire or Reward, in respect whereof the Toll hereby authorized to be taken shall have been paid at any Toll Gate, shall, upon a Ticket denoting such Payment being produced, be permitted to pass once Toll-free on the same Day through any other Toll Gate which such Ticket would free in the Case of Horses or Cattle drawing any other Carriage, and no further or additional Toll shall be payable in respect of any Stage Coach or other such Carriage as aforesaid at any such other Toll Gate the Payment of which shall be freed by such Ticket as aforesaid, on account only of their conveying other Passengers, or of the Horses or Cattle drawing the same having been changed.

Restriction  
as to Pay-  
ment of Tolls  
at certain  
Gates.

XIX. Provided always, That all Horses, Cattle, and Carriages for which the Tolls hereby granted shall have been paid, either at the Toll Gate at *Walton* or at any Toll Gate erected or to be erected in lieu of the Toll Gate at *Hartwood Green* shall on the same Day be permitted to pass and return any Number of Times through the Toll Gate called *Clayton Green Gate*, and the Side Bar there, without being subject to the Payment of any other or further Toll, and that all Horses, Cattle, or Carriages for which the Tolls hereby granted shall have been paid at the said Gate at *Clayton Green*, or the Side Gate there, shall on the same Day be permitted to pass and return any Number of Times through the Toll Gate at *Walton*, or through the Toll Gate erected or to be erected in lieu of the Toll Gate at *Hartwood Green*, without being subject to the Payment of any other or further Toll, the several Persons who shall have paid the Tolls at such respective Toll Gates producing Tickets to denote the Payment thereof, which Tickets the respective Collectors are hereby required to give gratis on Receipt of the Tolls.

Respecting  
Toll Gates.

XX. That, subject to the Provisions of this Act, the several Toll Gates and Toll Houses now standing and being upon the said Roads,  
or



*The Wigan and Preston Roads North of Yarrow Act, 1855.*

or on the Sides thereof shall be continued until removed by any Order of the said Trustees; and it shall be lawful for the said Trustees to order and cause to be set up on or across the said Roads or the Sides thereof any Toll Gate, and to remove the present or any future Toll Gate now standing or being upon the said Roads or on the Sides thereof; and all the Provisions of this Act with regard to any Toll Gates now standing or being upon the said Roads or on the Sides thereof shall apply to any Toll Gate to be erected or set up on or across the said Roads or on the Sides thereof: Provided always, that no Toll Gate or Toll House shall be removed, erected, or set up upon or across any Part of the said Roads or on the Sides thereof unless the same shall be ordered to be removed, erected, or set up at a Special Meeting of the Trustees holden for that Purpose, in conformity with and after such Notices as are required to be given by the Fifth Section of the Act Ninth George the Fourth, Chapter Seventy-seven, intituled *An Act to amend the Acts for regulating Turnpike Roads*: Provided always, that, notwithstanding anything contained in this Act, it shall not be lawful for the Trustees to continue or to set up or erect any Toll Gate, Toll House, Weighing Machine, Crane, or other Erection or Building upon or across that Part of the said Roads lying to the North of the River *Darwen*, or on the Sides thereof, or to demand or take any Tolls upon that Part of the said Roads: Provided, that nothing herein contained shall repeal the Provisions contained in Section Fifty-seven of "The *Chorley* Improvement Act, 1853," requiring the Commissioners under that Act, in case they make the Road or Street by the said Fifty-seventh Section authorized to be made, to erect and set up a Toll House, Toll Gate, and Appurtenances on and across the End of *Balshaw Lane*, as therein mentioned; and all the Powers, Rights, and Authorities thereby given or reserved to the Trustees of the *Wigan and Preston* Turnpike Road North of *Yarrow* shall be exercised by or vest in the Trustees hereby appointed, and to be appointed pursuant to this Act.

Trustees not to take Tolls North of the River *Darwen*.

Not to repeal Provisions of *Chorley* Improvement Act, 1853.

XXI. That, notwithstanding anything contained in this Act, it shall be lawful for the *Chorley* Commissioners, acting in the Execution of the Powers and Provisions of "The *Chorley* Improvement Act, 1853," at any Time after the passing of this Act to pull down and remove the present Toll House, Toll Gate, and Weighing Machine, with the House and Appurtenances thereunto belonging, at *Hartwood Green*, within the Limits of the said Improvement Act; and on the same being removed the Estate and Interest of the Trustees of the said Turnpike Road, in and to the said Toll House, Toll Gate, and Weighing Machine, with the House and Appurtenances thereunto belonging, and the Site and Materials thereof, shall vest in and may be sold or otherwise disposed of by the said *Chorley* Commissioners, and the Receipt of their Treasurer shall be a sufficient Discharge for

*Chorley* Improvement Commissioners to remove Toll Gate at *Hartwood Green*, and erect another in lieu thereof.

[*Local.*]

13 I

the



*The Wigan and Preston Roads North of Yarrow Act, 1855.*

the Purchase Monies; and the said Commissioners shall in lieu thereof erect on or at the Side of the said Turnpike Road at or near *Piper's Row* in the Township of *Whittle-le-Woods* a good and sufficient Toll House, Toll Gate, Weighing Machine, and House and Appurtenances, to the Satisfaction of the said Trustees of the said Turnpike Road, and on the same being erected they shall belong to the Trustees of the said Turnpike Road, and such Trustees shall and they are hereby authorized to demand and take Toll thereat in the same Manner as they were before the passing of this Act authorized to demand and take Toll at the Toll Gate at *Hartwood Green* aforesaid; and on the said Trustees taking Toll at the Gate to be erected at or near *Piper's Row* aforesaid they shall not at any Time thereafter collect any Toll within the Limits of the said *Chorley* Improvement Act, or expend any Money upon the Repairs of the said Road within such Limits.

Application  
of Monies.

XXII. That all Monies which shall come to the Hands of the said Trustees by virtue of this Act shall be applied as follows; (that is to say,)

Firstly, in paying and discharging the Expenses of obtaining and passing of this Act or incident thereto:

Secondly, in defraying the necessary Expenses of Management of the said Roads, not exceeding Fifty Pounds *per Annum*, including Salaries of Officers, repairing Toll Houses and Toll Gates, and incidental Expenses, but exclusive of Salaries of Toll Collectors, and prosecuting and defending Actions at Law or Suits in Equity:

Thirdly, in paying Interest at the Rate of Three Pounds *per Centum per Annum* upon the Principal Sum of Twenty-six thousand six hundred and fifty-five Pounds or other the Principal Sum for the Time being due and owing upon the Credit of the Tolls authorized to be taken on the said Roads:

Fourthly, in reducing, paying off, and discharging, in manner herein-after mentioned, the said Principal Sum for the Time being owing in respect of the Monies borrowed on the Credit of the Tolls authorized to be taken on the said Roads:

Fifthly, in maintaining, keeping in repair, and improving the said Roads, and in putting this Act into execution with reference thereto,

Mortgagees  
to take pos-  
session for  
Payment of  
Interest  
only.

XXIII. That whenever and so long as the Interest upon all existing Mortgages made under the Powers of the said recited Act shall be duly paid within One Calendar Month next after the same shall become due, no Holder of any Mortgage of the Tolls collected upon the said Roads shall be entitled to enter into possession of the Toll Gates, Toll Houses, or Buildings upon the said Roads, or into the  
Receipt



*The Wigan and Preston Roads North of Yarrow Act, 1855.*

Receipt of the Tolls arising thereon, or of the Rent payable upon any Letting of such Tolls, and every such Mortgagee entering into possession of such Toll Gates, Toll Houses, or Buildings, or into the Receipt of such Tolls or Rent, shall pay the Interest from Time to Time becoming due upon all the said existing Mortgages, without any Priority or Preference, and may also reimburse himself any Costs to which he may be entitled; and every such Mortgagee so being in possession or receipt as aforesaid shall, within Twenty-one Days next after each of the half-yearly Days whereon the Interest on such existing Mortgages shall be payable, render to the Clerk of the Trustees for the Time being a full and true Account of his Receipts and Expenditure while so in possession or receipt as aforesaid, with proper Vouchers for the same; and if it shall appear by any such Account, that the Interest due on such Mortgages up to the last of such half-yearly Days, and all such Costs as aforesaid have been fully paid and satisfied, then such Mortgagee shall, when thereunto required by the Trustees, pay over to their Treasurer the Balance (if any) remaining in his Hands, and deliver up Possession of the said Toll Gates, Toll Houses, and Buildings, and the Receipt of the said Tolls and of any such Rent as aforesaid, to the Trustees, or any Person appointed by them to receive the same, anything in this Act, or in any Statute or Law in force relating to Turnpike Roads in *England*, to the contrary notwithstanding.

XXIV. That when and so often as the Sum applicable to the Discharge of the Principal Monies for the Time being owing on the Credit of the said Tolls shall amount to the Sum of Two hundred Pounds, the Trustees shall, at any General Annual or other Meeting, apply such Sum in the Payment of a proportionate Part of the said Principal Monies to the Persons entitled thereto, and shall cause Notice to be given of such Meeting and of the Purposes thereof, so far as the same relate to the Application of such Sum, such Notice to be by Circular addressed to each Creditor at his usual or last known Place of Abode, and sent by Post Twenty-eight Days at least before such General Annual or other Meeting; and at such Meeting the Trustees shall apply such Sum, or a Portion thereof, (as the Case may require,) in or towards the Discharge of Monies owing on the Security of the said Tolls to the Creditor who shall by proposal in Writing, transmitted to the Clerk of the Trustees before such Meeting, have offered to accept the lowest Composition in respect of the Principal Monies due to him, and after Payment to such Creditor as aforesaid shall apply the Surplus (if any) of such Sum, or a Portion thereof, (as the Case may require,) in or towards the Discharge of other Monies owing on the Security of the said Tolls to the Creditor who by Proposal as aforesaid shall have offered to accept the next lowest Composition in respect of the Principal Monies due to him, and so in like Manner until the Sum applicable to such

Payments

As to Mode  
of discharg-  
ing Debt,



*The Wigan and Preston Roads North of Yarrow Act, 1855.*

Payments shall be exhausted; and if and whenever Two or more Creditors by such Proposals as aforesaid shall have offered to accept an equal Rate of Composition, it shall be lawful for the Trustees to determine by Lot the Preference between or amongst such last-mentioned Creditors, or to pay such Composition rateably between or amongst such last-mentioned Creditors, as the Trustees think fit; and if there be no such Proposal as aforesaid, or if there be any Surplus of the Sum applicable to such Payments after applying the same, so far as it may be necessary, in or towards the Discharge of the Monies to which any such Proposals relate, the Trustees may apply the Sum applicable to such Payments, or the Surplus thereof, (as the Case may be,) rateably amongst the Creditors on the said Tolls, or may pay the same to such of them as may be determined by Lot, as the Trustees think fit.

No more  
Money to be  
borrowed on  
the Tolls.

XXV. That it shall not be lawful for the Trustees to borrow any further Sum or Sums of Money on the Credit of the Tolls by this Act authorized to be taken.

No Money  
to be taken  
or laid out in  
Towns.

XXVI. That no Money shall be laid out on any Part of the said Roads within the Limits of any Act of Parliament passed for the Improvement of any Town, nor shall any Money be collected within such Limits.

Roads not  
exempt from  
Provisions of  
General Acts.

XXVII. That this Act or anything herein contained shall not exempt the Roads from the Provisions of any General Act relating to the Consolidation or other improved Management of Turnpike Roads which may pass during the present or any future Session of Parliament.

---

LONDON:

Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,  
Printers to the Queen's most Excellent Majesty. 1855.