



ANNO PRIMO

GULIELMI IV. REGIS.

Cap. xxxvii.

An Act for repairing, improving, and maintaining the Roads from *Bury* through *Haslingden* to *Blackburn* and *Whalley*, and other Roads communicating therewith, in the County Palatine of *Lancaster*, and for making a new Piece of Road also to communicate therewith.

[30th *March* 1831.]

WHEREAS an Act was passed in the Fiftieth Year of the Reign of King *George* the Third, intituled *An Act for making and maintaining a Road from Brandlesome Moss Gate in the Township of Elton to the Duke of York Public House in the Township of Blackburn, and Three several Branches of Road therefrom, all in the County Palatine of Lancaster*: And whereas by the said Act the Roads therein mentioned and comprised were divided into Two Parts or Districts, and the Road from *Brandlesome Moss Gate* in *Elton* to the *Duke of York Public House* in *Blackburn*, and Two of the said Three Branches of Road, were constituted and directed to be called the First District of the said Roads; and the other of the said Three Branches of Road therein mentioned, being the Road from or nearly from the *Bridge End* in the Township of *Haslingden* in the said County to a House at or near the southerly

[*Local.*] 5 K End

7 & 8 G. 4.
c. 28.

So much
of the Act
50G.3. c. 137.
as relates to
the Second
District of
Road, and
the Act 7 & 8
G. 4. c. 28.
repealed.

This Act to
be put in
execution.

End of *Dearden Gate* in *Haslingden* aforesaid, then in the Occupation of *John Rostron*, was constituted and directed to be called the Second District of the said Roads: And whereas by an Act passed in the Tenth Year of the Reign of His late Majesty King *George the Fourth* the said recited Act was repealed so far as the same relates to the Roads therein comprised and constituted or directed to be called the First District of Road: And whereas the Trustees appointed in or by virtue of the said recited Act, in respect of the said Second District of the said Roads, have proceeded in the Execution thereof, and a considerable Sum of Money has been advanced or borrowed and still remains due and owing upon the Credit of the Tolls arising upon the same District, which cannot be paid off, nor can the said Road be maintained in repair, unless the Term and Powers of the said Act, so far as the same relate to the said Second District of Roads, are enlarged: And whereas an Act was passed in the Seventh and Eighth Years of the Reign of His late Majesty King *George the Fourth*, intituled *An Act for more effectually amending, widening and maintaining the Roads from the Town of Bury through Haslingden to Blackburn and Whalley, and also from Portfield to Padham, and for making, repairing, and improving other Roads to communicate therewith, all in the County Palatine of Lancaster*: And whereas it is expedient that a new Piece of Road, to communicate with the said Road between *Haslingden* and *Blackburn*, should be made to commence at or near the North-west Foot of *Fecit Brow* in the said Township of *Blackburn*, and to terminate at or nearly at a Steam Corn Mill in the said Township of *Blackburn*, now or late in the Occupation of *George Clarke*: And whereas it is also expedient that the said Second District of Road comprised in the said recited Act of the Fiftieth Year of the Reign of King *George the Third*, and the said Roads comprised in the said recited Act of the Seventh and Eighth Years of the Reign of His late Majesty, should be put under the Care and Management of the same Trustees, with Power to make the said new Piece of Road, and that the existing Tolls should be increased or altered, and that the said recited Acts should be repealed, and further and other Powers and Provisions granted and made instead thereof: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Day of the Commencement of this Act the said recited Act passed in the Fiftieth Year of the Reign of King *George the Third*, so far as the same relates to the Road therein comprised and constituted or directed to be called the Second District of Roads, and also the said recited Act passed in the Seventh and Eighth Years of the Reign of His late Majesty King *George the Fourth*, shall be and the same are hereby declared to be repealed.

II. And be it further enacted, That this Act shall be put in execution, for and during the Term herein-after mentioned, for the Purpose of more effectually repairing, widening, altering, diverting, and

and from Time to Time amending, improving, and keeping in repair the said Road leading from or nearly from *Bridge End* in the said Township of *Haslingden* to the said House at or nearly at the southerly End of *Dearden Gate* in *Haslingden* aforesaid, formerly in the Occupation of *John Rostron*; and also the said several Roads leading from the Dwelling House in *Bury*, now or late in the Occupation of *William Walker*, through *Haslingden*, to the East End of *Salford Bridge* in *Blackburn*, and from *Haslingden* to the East End of *Cockshot Bridge* in *Whalley*; and also the Road from or nearly from the Close of Ground in *Whalley* called the *Shoebroads*, to *Padiham*; and also the Diversion of the said Road between *Bury* and *Whalley*, commencing at or near *Edenfield Chapel* in the Township of *Tottington Higher End*, and terminating at or near *Rising Bridge* in the Township of *Lower Booths*; and also the Road from the said Road between *Haslingden* and *Blackburn*, commencing at or near the North-west Foot of *Fecit Brow* in the Township of *Blackburn*, and terminating at or near the Dwelling House in the Township of *New Accrington*, now or late in the Occupation of *James Fairey*; and also for the Purpose of making, amending, improving, widening, maintaining, and keeping in repair the said intended new Piece of Road from the said Road between *Haslingden* and *Blackburn*, to commence at or near the North-west Foot of *Fecit Brow* in the said Township of *Blackburn*, and to terminate at or near the said Steam Corn Mill in the said Township of *Blackburn*, now or late in the Occupation of the said *George Clarke*.

III. And be it further enacted, That all His Majesty's Justices Trustees. of the Peace for the Time being acting for the County Palatine of *Lancaster*, together with *Joseph Ainsworth*, *Ralph Andrews*, *George Ashworth* of *Flaxmoss*, *John Aspinall* of *Standen*, *William Assheton*, *Sir John Aubrey* Baronet, *William Bentley*, *Joseph Birley*, *John Blackburne*, *William Brooks*, *William Brown*, *John Bury*, *William Bury*, *James Burton*, *Walton Bulcock*, *Thomas Booth*, *Richard Cardwell* Clerk, *John Cardwell*, *Edward Chippindall*, *William Chippindall*, *John Chippindall*, *Thomas Clayton*, *Adam Cottam*, *William Carr*, *Robert Crompton*, *Thomas Crompton*, *Robert Ellis Cunliffe*, *James Chadwick*, *Pudsey Dawson*, *Robert Dobson* Clerk, *Adam Dugdale*, *Richard Edleston*, *Robert Ellis*, *Joseph Feilden*, *William Feilden*, *John Feilden* of *Mollington*, *Randle Henry Feilden* Clerk, *Richard Formby* Clerk, *John Fort*, *Richard Fort*, *Jeremiah Garnett*, *Thomas Glover*, *William Grant*, *John Grant*, *William Gray* Clerk, *Edmund Grundy*, *John Grundy*, *John Grundy* the younger, *Richard Hardy*, *James Hargreaves* Clerk, *John Hargreaves* of *Ormerod House*, *John Hargreaves* of *Oak Hill*, *John Harper*, *William Harper*, *William Hartley*, *Samuel Haslam*, *Samuel Holker Haslam*, *Thomas Haslam* the younger, *Edmund Haworth*, *Sir Thomas Dalrymple Hesketh* Baronet, *John Fowden Hindle*, *John Fowden Hindle* the younger, *Francis Hodgson* Clerk, *Richard Hodgson*, *Sir Henry Philip Hoghton* Baronet, *Samuel Holker* the younger, *George Holt*, *John Holt*, *John Hopwood* Clerk, *Geoffrey Hornby* Clerk, *John Hornby*, *Daniel Hornby*, *Robert Hornby* Clerk, *William Henry Hornby*, *Thomas Horner*, *John Hoyle*, *John Hoyle* the younger, *Thomas Hutchinson*, *William Heap Hutchinson*,

Hutchinson, John Hutchinson, Oliver Hargreave, John Hargreaves of Blackburn, James Hutchinson, Henry Halstead, John Halstead, Thomas Haigh, James Holt, Jonathan Hall, William Houlker, John Haworth of Bolton, John Haworth of Horncliffe, Thomas Jackson of Wood, John Kay of Lark Hill, John Kay of Brookshaw, John Kay of Limefield, Thomas Kay, William King, William Kirk, John Kay of Park, John Lister, Richard Grimshaw Lomax, John Lomax, James Lomax, Richard Lonsdale, Daniel Lonsdale, Joseph Livesey, Richard Noble Clerk, Henry Norris, Thomas Norris, Allen Norris, Robert Nuttall, Henry Hoyle Oddie, James Openshaw, John Openshaw of Pimhole, Richard Ort Clerk, Peter Ormerod, Thomas Parker of Browsholme, Thomas Lister Parker, Sir Robert Peel Baronet, Jonathan Peel, Joseph Peel, Lawrence Peel, Robert Peel of Hyndburn, Edmund Peel, Giles Haworth Peel Clerk, Bolton Peel, Jonathan Peel the younger, William Peel of Accrington House, George Pickup, John Pilling, Henry Petre, John Rawstron, William Robinson, John Rostron of Edenwood, Thomas Ratcliffe, John Rostron of Dearden Gate, John Scholes, Le Gendre Nicholas Starkie, Henry Sudell, James Simpson, Le Gendre Pierce Starkie, William Stansfield, James Stott, James Slater, William Sykes, Henry Slater, John Taylor, Thomas Taylor, Richard Teasdale, James Thomson, William Tipping, James Turner, Robert Turner, William Turner of Shrigley Park, William Turner of Haslingden, William Thomson, Ralph Turner, John Townsend, William Tarry, Richard Walker, William Walker, Oliver Ormerod Walker, James Walmesley, Robert Whalley, John Master Whalley Clerk, Charles Whitaker, John Whitaker, John William Whittaker Clerk, John Whittam, Henry Wigglesworth Clerk, John Wilkinson, Mathew Wilkinson, Benjamin Wilson, James Wilson, John Wilson, Nicholas Worsley, Thomas Worsley, James Worsley, William Whalley, Daniel Whittle Clerk, Edmund Yates, John Yorke, and Thomas Yorke, and their Successors, being duly qualified to act as Trustees of Turnpike Roads in England, shall be and they are hereby appointed Trustees for repairing, improving, and maintaining in repair the said Roads, and for otherwise putting this Act into execution.

Appointment
of additional
Trustees.

IV. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered, from Time to Time, at any of their Meetings, to elect and appoint any Number of Persons, being duly qualified to act as Trustees of Turnpike Roads in England, (not exceeding Three in the whole in addition to the Number of Trustees herein named and appointed,) to be Trustees for the Purposes of this Act; and such Persons so elected and appointed shall be Trustees for the Purposes of this Act, and are hereby invested with the same Powers and Authorities for executing this Act as if they had been herein named.

First Meeting
of Trustees.

V. And be it further enacted, That the Trustees for executing this Act shall meet at the House known by the Name or Sign of the *New Inn*, in the Town of *Haslingden* aforesaid, or at some other convenient Place in the said Town, on the Fourth *Thursday* next after the

the passing of this Act, or as soon after as conveniently may be, and proceed in the Execution of this Act, and shall and may then, and from Time to Time after, adjourn to and meet at such Times, and at such Place or Places upon or near to the said Roads, as they shall think proper.

VI. And be it further enacted, That the several Gates, Turnpikes, Weighing Machines, and Toll Houses erected and now standing across and on the Sides of the said Roads shall remain and be continued until removed by any Order or Orders of the said Trustees; and it shall be lawful for the said Trustees to order and cause to be built, erected, and set up such and so many Toll Gates or Toll Bars in, upon, or across such Parts and in such Places of the said Roads by this Act directed or authorized to be repaired or made, as the said Trustees shall think proper, and also such and so many Toll Gates or Toll Bars on the Sides thereof as they the said Trustees shall think proper and expedient, and also from Time to Time to order and cause any Toll Gate or Toll Bar which is or shall be erected in, upon, or across or on the Side or Sides of the said Roads, to be taken down or discontinued or altered, or to be removed, and placed upon such other Part or Parts of the said Roads, or on the Side or Sides thereof, as the said Trustees shall from Time to Time think proper.

Present Toll Gates may be continued or removed, and new ones erected.

VII. And be it further enacted, That, notwithstanding the Repeal of the said recited Acts, the several Tolls granted by the said recited Acts shall be continued to be demanded, paid, and received at the several and respective Turnpikes or Toll Gates or Side Gates erected and continued on the Roads comprised in this Act until Twelve of the Clock at Night on the Fifth Day of *July* next, when the Term of the several existing Leases of the said Tolls will expire.

Present Tolls to be taken till 5th July.

VIII. And be it further enacted, That from and after Twelve of the Clock at Night on the said Fifth Day of *July*, the respective Sums of Money following shall be demanded and taken at each and every Turnpike, Toll Gate, and Side Gate now set up and continued, or which shall hereafter by virtue of this Act be set up, upon, across, or by the Side of the said Road from *Bridge End* to *Dearden Gate*, by the said Trustees, or by any Lessee or Lessees of the Tolls, or by any Person or Persons appointed or continued or to be appointed by the said Trustees, or such Lessee or Lessees, Collector or Collectors of the Tolls; (that is to say,)

Power to take Tolls on the Bridge End and Dearden Gate Road.

For every Horse or other Beast drawing any Coach, Stage Coach, Chariot, Landau, Berlin, Chaise, Curricule, Calash, Chair, Caravan, Van, Hearse, Litter, or other such Carriage, any Sum not exceeding Three-pence:

For every Horse or other Beast drawing any Waggon, Wain, or other such like Four-wheel Carriage, having the Wheels of the Breadth

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of

of Six Inches or upwards on the Bottom or Soles thereof, any Sum not exceeding Five-pence :

For every Horse or other Beast drawing any Waggon, Wain, or other such like Four-wheel Carriage, having the Wheels of the Breadth of Four and a Half Inches and less than Six Inches at the Bottom or Soles thereof, any Sum not exceeding Sixpence :

For every Horse or other Beast drawing any Waggon, Wain, or other such like Four-wheel Carriage, having the Wheels of less Breadth than Four and a Half Inches at the Bottom or Soles thereof, any Sum not exceeding Seven-pence Halfpenny :

For every Horse or other Beast drawing any Cart or other such like Two-wheel Carriage, having the Wheels of the Breadth of Six Inches or upwards at the Bottom or Soles thereof, any Sum not exceeding Three-pence :

For every Horse or other Beast drawing any Cart or other such like Two-wheel Carriage, having the Wheels of the Breadth of Four and a Half Inches and less than Six Inches at the Bottom or Soles thereof, any Sum not exceeding Five-pence :

For every Horse or other Beast drawing any Cart or other such like Two-wheel Carriage, having the Wheels of less Breadth than Four and a Half Inches at the Bottom or Soles thereof, any Sum not exceeding Sixpence :

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

For every Score of Oxen or Neat Cattle, the Sum of Seven-pence, and so in proportion for any greater or less Number :

For every Score of Calves, Sheep, Lambs, or Swine, the Sum of Three-pence, and so in proportion for any greater or less Number :

Which said respective Tolls or Sums of Money shall be demanded and taken as aforesaid before any Horse, Mule, Ass, Beast, or other Cattle, Coach, Chariot, Chaise, Waggon, Wain, Cart, or other Carriage, shall be permitted to pass through any such Turnpike, Toll Gate, or Side Gate ; and such several and respective Tolls or Sums of Money shall be payable and paid for each Time of passing, subject to the Provisions herein-after contained ; and the same shall be and are hereby vested in the said Trustees, and shall be applied, for the Purposes of this Act, in manner herein-after directed.

Limiting the Number of Tolls on the Bridge End and Dearden Gate Road.

IX. Provided always, and be it further enacted, That no more than One full Toll shall be payable for the passing of the same Horse, Beast, Cattle, or Carriage once on the same Day, to be computed from Twelve of the Clock at Night to Twelve of the Clock in the succeeding Night, through all the Toll Gates or Turnpikes erected or to be erected on the whole Line of the said Road from *Bridge End to Dearden Gate*.

Tolls on the Bury and Blackburn, &c. Roads.

X. And be it further enacted, That from and after Twelve of the Clock at Night on the said Fifth Day of *July* the respective Sums of Money following shall be demanded and taken at each and every Turnpike, Toll Gate, and Side Gate now set up and continued,

or which shall hereafter by virtue of this Act be set up, upon, across, or by the Side of the said Roads from *Bury* to *Blackburn*, and from *Bury* to *Whalley*, and all other Roads comprised in this Act, (except the Road from *Bridge End* to *Dearden Gate*,) by the said Trustees, or by any Lessee or Lessees of the Tolls, or by any Person or Persons appointed or continued or to be appointed by the said Trustees, or such Lessee or Lessees, Collector or Collectors of the Tolls; (that is to say,)

For every Horse or other Beast drawing any Coach, Stage Coach, Chariot, Landau, Berlin, Chaise, Curricule, Calash, Chair, Caravan, Van, Hearse, Litter, or other such Carriage, any Sum not exceeding Four-pence :

For every Horse or other Beast drawing any Waggon, Wain, or other such like Four-wheel Carriage, having the Wheels of the Breadth of Six Inches or upwards at the Bottom or Soles thereof, any Sum not exceeding Sixpence :

For every Horse or other Beast drawing any Waggon, Wain, or other such like Four-wheel Carriage, having the Wheels of the Breadth of Four and a Half Inches and less than Six Inches at the Bottom or Soles thereof, any Sum not exceeding Seven-pence Halfpenny :

For every Horse or other Beast drawing any Waggon, Wain, or other such like Four-wheel Carriage, having the Wheels of less Breadth than Four and a Half Inches at the Bottom or Soles thereof, any Sum not exceeding Nine-pence :

For every Horse or other Beast drawing any Cart or other such like Two-wheel Carriage, having the Wheels of the Breadth of Six Inches or upwards at the Bottom or Soles thereof, any Sum not exceeding Four-pence :

For every Horse or other Beast drawing any Cart or other such like Two-wheel Carriage, having the Wheels of the Breadth of Four and a Half Inches and less than Six Inches at the Bottom or Soles thereof, any Sum not exceeding Sixpence :

For every Horse or other Beast drawing any Cart or other such like Two-wheel Carriage, having the Wheels of less Breadth than Four and a Half Inches at the Bottom or Soles thereof, any Sum not exceeding Seven-pence :

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

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

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

Which said respective Tolls or Sums of Money shall be demanded and taken as aforesaid before any Horse, Mule, Ass, Beast, or other Cattle, Coach, Chariot, Chaise, Waggon, Wain, Cart, or other Carriage, shall be permitted to pass through any such Turnpike, Toll Gate, or Side Gate ; and such several and respective Tolls or Sums of Money shall be payable and paid for each Time of passing, subject to the Provisions herein-after contained ; and the same shall be and are hereby vested in the Trustees of the said Roads, and shall

shall be applied, for the Purposes of this Act, in manner herein-after directed.

Limiting the Number of Tolls on the Bury and Blackburn, &c. Roads.

XI. Provided always, and be it further enacted, That no more than Four full Tolls shall be payable for the passing of the same Horse, Beast, Cattle, or Carriage once on the same Day (to be computed from Twelve of the Clock at Night to Twelve of the Clock in the succeeding Night) through all the Toll Gates or Turnpikes erected or to be erected on the whole Line of the said Road between the Towns of *Bury* and *Blackburn* aforesaid, nor more than the like Number of Tolls between the Towns of *Bury* and *Whalley* aforesaid, for passing once on the same Day through all the Toll Gates or Turnpikes on the whole Line thereof.

No Toll to be paid for repassing.

XII. Provided also, and be it further enacted, That all Horses, Beasts, Cattle, and Carriages, in respect whereof the Tolls hereby granted shall have been paid at any Gate or Turnpike or Side Gate continued or erected by virtue of this Act, shall be allowed to repass once for each such Payment Toll-free, in the same Day, to be computed as aforesaid.

Tolls to be paid but Four Times a Day.

XIII. Provided also, and be it further enacted, That in case the Toll herein-before authorized to be taken shall have been paid for the passing of any Horse, Beast, or Cattle, or of any Carriage of any Description, not being a Stage Carriage or Post Chaise, or other Carriage let out to Hire, through any Toll Gate or Turnpike or Side Gate continued or erected by virtue of this Act, Four Times in any One Day (to be computed as aforesaid), such Horse, Beast, Cattle, or Carriage shall, upon the Production of a Ticket denoting that Four Tolls have been paid on that Day at such Gate, be permitted to pass Toll-free through the same Toll Gate, Turnpike, or Side Gate, and also through such other Gate and Gates (if any) upon, across, or on the Sides of the said Roads respectively, as the Ticket for such Payment shall free, at any Time and Times during the same Day (to be computed as aforesaid), any thing in this Act contained to the contrary thereof in anywise notwithstanding.

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

XIV. Provided also, and be it further enacted, That the several Tolls hereby made payable on the said several and respective Roads for and in respect of any Horses or Beasts drawing any Stage Coach, Diligence, Van, Caravan, or Stage Waggon, or other Stage Carriage, conveying Passengers or Goods for Pay, Hire, or Reward, shall be payable and paid every Time of passing or repassing along the said Roads, or any of them: Provided also nevertheless, that no further or additional Toll shall be payable in respect of Horses or Beasts drawing any Stage Coach, Diligence, Van, Caravan, or Stage Waggon, or other Stage Carriage, on account only of the Horses or Beasts drawing the same having been changed.

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XV. Provided also, and be it further enacted, That the several Tolls hereby made payable on the said Roads for or in respect of any Horses or Beasts let out to Hire, and employed in drawing any Post Chaise or other Carriage, shall be payable and paid every Time of passing along the said Roads, or any of them, whenever any new Hiring thereof shall take place.

Post Chaises,
&c. on every
fresh Hiring.

XVI. And be it further enacted, That all the Monies which shall have been raised and produced by virtue of the said recited Acts of the Fiftieth Year of the Reign of King *George* the Third, hereby repealed, in respect of the Second District of the said Roads therein comprised, and of the Seventh and Eighth Years of the Reign of His late Majesty, hereby repealed, or on account of the Roads therein comprised, and which shall be remaining undisposed of on the Day of the Commencement of this Act, and also all the Monies which shall arise and be produced by and from the Tolls by this Act granted and made payable on all the several Roads comprised in this Act, together with the Monies which have been or shall be borrowed on the Credit thereof, and all other Monies which shall arise and be produced by virtue thereof, shall 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 and Discharge of all the Costs, Charges, and Expences which shall have been incurred in applying for, preparing, obtaining, and passing this Act, and otherwise relative thereto respectively; secondly, (after Payment of the necessary Expences from Time to Time for Books, Advertisements, Salaries of Officers, and other necessary current Expences incidental to the Execution of this Act,) in paying and discharging the Interest now or hereafter to accrue and become due upon or by virtue of any Mortgages or Securities which have been already made and granted of the Tolls or Duties heretofore payable on the same Roads, or any of them, and of any Mortgages or Securities which shall hereafter be made and granted of the Tolls or Duties hereafter to become payable on the said Roads; thirdly, in erecting and providing, altering and repairing, Turnpikes, Toll Gates, Toll Bars, and Toll Houses, with suitable Outbuildings, upon, across, and by the Sides of the said Roads, in making the said new Piece of Road from *Fecit Brow* to the Steam Corn Mill, in defraying the Expences of diverting, altering, widening, improving, repairing, and keeping in repair the said Roads; and lastly, in reducing, paying off, and discharging the several Principal Sums of Money which have been borrowed or secured in pursuance of and for the Purposes of the said recited Acts or either of them, and also the several Principal Sums of Money which may hereafter be borrowed by the Trustees for executing this Act, and all other Debts and Sums of Money now owing and which may hereafter become due and owing by or on account of the said Roads.

Application
of Tolls.

XVII. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to empower the said Trustees to lay out or apply any Money in paying,
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repairing,

Streets not
to be repaired
by Trustees.

repairing, or cleansing any Highway or Street in the Towns of *Bury, Blackburn, Haslingden, or Whalley*, or any of them, or to collect any Tolls by virtue of this Act therein; and that for the Purposes of this Act the Town of *Blackburn* shall be deemed to extend to the Junction of the *Burnley* and *Blackburn* Turnpike Road with the Roads comprised in this Act, at the Bridge over the *Leeds* and *Liverpool* Canal.

Power to
make the
new Road.

XVIII. And be it further enacted, That it shall and may be lawful for the said Trustees, and they are hereby authorized and empowered, to make the said new Piece of Road, from *Fecit Brow* aforesaid to the Steam Corn Mill aforesaid, of such Width or Dimensions as they shall think proper, not exceeding Forty Feet, together with such Footpaths, Causeways, Embankments, and Fences as they shall think necessary or expedient; and for such Purpose it shall be lawful for the said Trustees, and all Persons acting under their Authority, and they are hereby authorized and empowered, to enter upon and to take and use and pull down and lay open the Lands, Houses, Buildings, Tenements, and Hereditaments mentioned or described, or intended so to be, in the Map or Plan and Book of Reference herein-after mentioned, or in the Schedule to this Act annexed, any Law or Statute to the contrary notwithstanding, first making or tendering Satisfaction to the Owners or Proprietors of and Persons interested in any private Lands, Houses, Buildings, or Tenements, for the same, or for any Loss or Damage they may sustain thereby; and all Powers and Provisions, Penalties, Forfeitures, Fines, Matters, and Things, granted, directed, authorized, or imposed by or contained in the General Laws relating to Turnpike Roads, for making, diverting, shortening, varying, altering, and improving the Course or Path of any Turnpike Road in *England*, or relating thereto, shall or may be exercised, enforced, and put in execution for making, completing, and maintaining in repair the said intended new Piece of Road, and for all Purposes relating thereto.

Map or Plan
deposited
with the
Clerk of the
Peace to
be open to
Inspection,
and Trustees
not to deviate
therefrom.

XIX. And whereas a Map or Plan describing the Line of the said intended new Piece of Road from *Fecit Brow* aforesaid to the Steam Corn Mill aforesaid, and the Lands, Hereditaments, and Premises through which the same is to be carried, together with a Book of Reference containing the Names of the Owners or reputed Owners and Occupiers of such Lands, have been deposited at the Office of the Clerk of the Peace for the said County Palatine of *Lancaster*; be it therefore enacted, That the said Map or Plan and Book of Reference shall remain in the Custody of the Clerk of the Peace for the said County, to the end that all Persons may, at all seasonable Times, have Liberty to inspect and peruse the same, and to take Copies and Extracts therefrom, at their Will and Pleasure, paying to the Clerk of the Peace the Sum of One Shilling for every such Inspection, and at the Rate of Sixpence for every One hundred Words of such Copies or Extracts of the said Map or Plan and Book of Reference; and that the said Trustees, in making such new Piece of Road, shall not deviate more than One hundred Yards

from the Line thereof described in the said Map or Plan without the Consent and Approbation in Writing of the Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, over and through whose Lands and Grounds such new Road shall be made.

XX. Provided always, and be it further enacted, That it shall be lawful for the said Trustees to make the said new Piece of Road into, through, across, or over, and to take and use, the several Lands, Buildings, Tenements, Hereditaments, and Premises of any Person or Persons who is or are or may be Owner or Owners or Occupier or Occupiers of Lands, Buildings, Tenements, Hereditaments, and Premises over which the same is set out and described in the said Map or Plan, or which are mentioned or intended so to be in the Schedule to this Act annexed, although such Lands, Buildings, Tenements, Hereditaments, or Premises, or the Name or Names of such Person or Persons, may happen to be erroneously described, omitted, or mis-stated in the said Book of Reference or Schedule, in case it shall appear to any Two or more Justices of the Peace for the said County, and be certified by Writing under their Hands, that such Error, Omission, or Mis-statement 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.

Misnomers
not to pre-
vent the Exe-
cution of the
Act.

XXI. Provided always, and be it further enacted, That the Powers and Authorities hereby given for making the said new Piece of Road shall not extend or be construed to extend to empower or authorize the said Trustees to take or pull down any Dwelling House or other Building, or to take in or make use of any Curtilage, Garden, Yard, Park, Paddock, Lawn, Shrubbery, planted Walk, or Avenue to a House, or any enclosed Ground planted and set apart as a Nursery for Trees, or any Part thereof respectively, without the Consent in Writing of the Owner or Proprietor thereof or other Person interested therein first had and obtained, except such as are mentioned in the Schedule to this Act annexed.

Houses, &c.
not to be
injured.

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

Limiting to
Five Years
the Power of
taking certain
Property.

XXIII. And for providing proper Places whereupon the Materials used for the Repairs of the said Roads may be deposited and broken, and whereupon the Ground, Earth, Stone, and other Substances necessary to be removed for the Purpose of reducing the Inequalities and Heights upon any of the said Roads, and making the same sufficiently level and commodious, and also the worn Materials,
may

Power to pur-
chase Land
whereon to
lodge Mate-
rials, &c.

may be laid, and also for the Purpose of providing the necessary Materials for filling up any Hollows or Cavities in any of the said Roads; be it also enacted, That it shall and may be lawful for the said Trustees, or any Five or more of them, to treat, contract, and agree with the several Owners, Proprietors, and Occupiers of and Persons interested in and entitled unto any Lands, Grounds, or Hereditaments adjoining to the said Turnpike Road or Roads, or any Part thereof, for the Purchase or Hire of so much thereof as they shall think necessary for any of the Purposes last herein-before mentioned, such Parcels of Land to be so purchased, not exceeding Four hundred Square Yards of Land respectively for the Purpose of depositing new or worn Materials, and Twelve hundred Square Yards respectively (surface Measure) for the Purpose of reducing Inequalities and Heights or filling up Hollows or Cavities, and out of the Monies to arise upon the said Roads, or any Part or Parts thereof, or out of any Money to be borrowed on the Credit thereof, to pay such Sum or Sums of Money as shall be agreed upon for such Lands or Hereditaments; and in case of any Difference between the said Trustees and the said other Persons, (all of whom are hereby empowered to treat and agree with the said Trustees concerning the Price or Satisfaction to be paid for the Purchases before mentioned,) such Differences shall be adjusted, settled, and determined, and such Recompence ascertained, by a Jury, in such Manner and under the same Rules and Orders as are prescribed in and by the General Turnpike Acts for settling Recompence and Damage for Land taken for the Purposes of any Turnpike Road; and the said Parcels of Land, when so purchased, shall for ever after be Part of and be deemed to belong to the said Turnpike Roads.

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

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

repaired, and maintained by the said Trustees, subject to the Provisions of any Law or Statute relating to Turnpike Roads in *England*.

XXV. And be it further enacted, That this Act shall be deemed Public Act. 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.

XXVI. And be it further enacted, That this Act shall commence Term of Act. on the Fourth *Thursday* after the passing thereof, and shall continue and be in force for and during the Term of Thirty-one Years, and from thence to the End of the then next Session of Parliament.

The **SCHEDULE** to which the Act refers.

Description of Property.	Names of Owners or reputed Owners.	Names of Occupiers.	Parish and Township where situate.	
			Parish.	Township.
Dwelling House -	Robert Wolstenholme	Richard Gibson -	Bury -	Bury.
Dwelling House and Garden - - }	Robert Mills - -	Edward Hoyle -	Ditto -	Ditto.
Garden and Garden Wall - - }	The Rector of Bury -	Unoccupied - -	Ditto -	Ditto.
Garden and Garden Wall - - }	The Earl of Derby -	Richard Ashton -	Ditto -	Ditto.
Warehouse - -	Ditto - -	Ditto - -	Ditto - {	Bury and Walmersley.
Plantation -	Ditto - -	Ditto - -	Ditto -	Walmersley.
Dwelling House - {	The Trustees of the Will of George Haworth deceased }	John Kay - -	Ditto -	Ditto.
Barn - - -	James Cross - -	Robert Raby - -	Ditto -	Ditto.
Dwelling House -	Richard Haworth - {	Richard Haworth the younger - - }	Ditto - {	Tottington Higher End.
Dwelling House -	Ditto - -	James Cunliffe -	Ditto -	Ditto.
Dwelling House -	John Hoyle - -	Richard Tricket -	Ditto -	Ditto.
Cottage, Garden, and Yard - - }	Thomas Bannister -	Edward Hoghton -	Blackburn	Blackburn.
Cots and Yards - {	John Feilden and Joseph Feilden Esquires - - }	George Clarke -	Ditto -	Ditto.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN,
Printers to the King's most Excellent Majesty. 1831.