



ANNO TERTIO

GULIELMI IV. REGIS.

Cap.lxxxiv.

An Act for more effectually repairing and improving
the Road from *Rochdale* to *Edenfield* in the Parish
of *Bury*, all in the County Palatine of *Lancaster*.
[10th June 1833.]

WHEREAS an Act was passed in the Thirty-fourth Year of the
Reign of His Majesty King George the Third, intituled *An Act* 34 G.3.c.124.
for amending, widening, altering, diverting, and improving the
Road leading from the Town of Rochdale to a Place called Edenfield in the
Parish of Bury, all in the County Palatine of Lancaster: And whereas an Act
was passed in the Fifty-third Year of the Reign of His said Majesty, intituled
An Act for continuing the Term and enlarging the Powers of an Act passed 53 G.3.c.134.
in the Thirty-fourth Year of the Reign of His present Majesty, for amending
and improving the Road leading from the Town of Rochdale to a Place called
Edenfield in the Parish of Bury in the County of Lancaster : And whereas
in pursuance of such Acts considerable Improvements have been made in
the said Road, and a large Sum of Money hath been borrowed on the
Credit of the Tolls of the said Road, which still remains due and
owing, with a large Arrear of Interest ; and the said Money cannot be
paid off, or the Interest thereof discharged, nor can the said Road be
effectually repaired, improved, and kept in repair, unless the Term granted
and continued by the said Acts be further continued ; and it would be
more convenient to the Trustees for executing the said Acts, and the said
Roads might be better and more effectually repaired, improved, and kept
in repair, if the said recited Acts were repealed, and if further, better, and
more effectual Powers were granted in lieu thereof ; but the Purposes
aforesaid cannot be effected without the Aid and Authority of Parliament :
May it therefore please Your Majesty that it may be enacted ; and be it
[Local.] 21 I enacted

Recited Acts
repealed.

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 upon the Third *Thursday* next after the passing of this Act the said recited Acts shall be and the same are hereby declared to be then repealed.

This Act to
be put in
execution for
the Purposes
herein men-
tioned.

II. And be it further enacted, That this Act shall thenceforth com-
mence and take effect and be put in execution, for and during the Term
herein-after mentioned, for the Purpose of more effectually amending,
widening, improving, and keeping in repair the said Turnpike Road com-
mencing at the westerly End of a certain Garden at a Place called *Hirst
Hill*, situate in the Township of *Spotland* in the Parish of *Rochdale* aforesaid,
in the Occupation of *Elizabeth Leech* Widow, and ending at or near a
certain Blacksmith's Shop in *Edenfield* aforesaid.

Appointment
of Trustees.

III. And be it further enacted, That all His Majesty's Justices of the
Peace for the Time being acting for the said County Palatine of *Lancaster*,
together with *Edward Ball*, *John Bowker*, *Charles Butterworth*, *John
Buckley*, *William Buckley*, *John Chadwick*, *John Clegg*, *James Dearden*,
Thomas Ferrand Dearden, *Edmund Dawson*, *William Egerton*, *John En-
twisle*, *Robert Entwisle*, *John Entwisle the younger*, *John Elliott*, *William
Elliott*, *Jonathan Fildes*, *John Fenton*, *James Fenton*, *Richard Gould*, *John
Grant*, *Edmund Grundy* (of *Bury*,) *Banker*, *John Grundy the younger*,
Richard Grime, *Geoffry Grime*, *Robert Gregge Hopwood*, *Francis Holt*,
Robert Holt, *John Holland*, *Richard Howarth*, *Richard Orford Holte*, *James
Heaward*, *William Hey Hodgson*, *Edward Holt*, *Richard Haworth* (of *Facit*,)
Richard Haworth of *Blakeholt*, *James Haworth*, *John Haworth*, *John
Kershaw*, *James Kershaw*, *Grimshaw Lomax*, *John Lever*, *Robert Leech*,
Edmund Leach, *James Pilling*, *James Royds*, *Albert Hudson Royds*, *James
Royds the younger*, *Edward Royds*, *John Rostron*, *Lawrence Rostron*, *James
Starky*, *Charles Smith*, *James Shaw*, *James Simpson* (of *Foxhill Bank*,) *James
Turner*, *Walter Vavasour*, *Eden Wood*, *Samuel Woodcock*, *Richard Walker*,
Robert Whitworth, *Edmund Yates*, and their Successors, being duly qua-
lified to act as Trustees of Turnpike Roads in *England*, shall be and they
are hereby appointed Trustees for putting this Act into execution.

Power to
appoint ad-
ditional
Trustees.

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

Meetings of
Trustees.

V. And be it further enacted, That the said Trustees shall meet on the
Third *Thursday* next after the passing of this Act, between the Hours of
Eleven of the Clock in the Forenoon and Two of the Clock in the After-
noon or as soon after as conveniently may be, at the Inn known by the
Name of the *Wellington Hotel*, in *Rochdale* aforesaid, or at some other conve-
nient Place in *Rochdale* aforesaid, and shall then and there proceed to carry
this Act into execution, and shall then adjourn themselves to meet from
Time to Time, on such Days, and at such Places near the said Road, as
they shall think proper.

VI. And

VI. And be it further enacted, That it shall be lawful for the said Trustees, or any Person or Persons to be appointed by virtue of this Act Collector or Collectors, to demand and take the several Tolls following at each of the Gates and Turnpikes which shall be continued or erected in, upon, or across any Part of the said Road, and on the Sides of the said Road, before any Horse, Cattle, Beast, or any Carriage whatsoever shall be permitted to pass through any such Gate or Turnpike ; (that is to say,) Power to take Tolls.

For every Horse or other Beast drawing any Coach, Berlin, Landau, Chariot, Chaise, Calash, Hearse, Litter, or other such Carriage, the Sum of Eight-pence : Tolls.

For every Horse or other Beast drawing any Waggon, Wain, or other Four-wheeled Carriage, with Wheels of the Breadth of Six Inches, the Sum of Eight-pence :

For every Horse or other Beast drawing any Waggon, Wain, or other Four-wheeled Carriage, with any of the Wheels of less Breadth than Six Inches, and not less than Four Inches and a Half, the Sum of Ten-pence :

For every Horse or other Beast drawing any Waggon, Wain, or other Four-wheeled Carriage, with any of the Wheels of less Breadth than Four Inches and a Half, the Sum of One Shilling :

For every Horse or other Beast drawing any Cart or other Two-wheeled Carriage, with Wheels of the Breadth of Nine Inches, the Sum of Four-pence :

For every Horse or other Beast drawing any Cart or other Two-wheeled Carriage, with Wheels of the Breadth of Six Inches, the Sum of Six-pence :

For every Horse or other Beast drawing any Cart or other Two-wheeled Carriage, with Wheels of less Breadth than Six Inches, but not less than Four Inches and a Half, the Sum of Sixpence Halfpenny :

For every Horse or other Beast drawing any Cart or other such Two-wheeled Carriage, with Wheels of less Breadth than Four Inches and a Half, the Sum of Nine-pence :

For every Horse or other Beast, laden or unladen, and not drawing, the Sum of Two-pence :

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

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

Which said Tolls shall be and they are hereby vested in the said Trustees, and the same shall be recovered, paid, and applied in manner by this Act directed.

VII. And be it further enacted, That in every Case when there shall be a fractional Part of a Halfpenny in the Amount of the Tolls hereby granted, the Sum of One Halfpenny shall be demanded and taken in lieu of such fractional Part. Fractional Part of a Halfpenny in Tolls.

VIII. And be it further enacted, That no more than Two full Tolls shall be demanded and taken for or in respect of the same Horses, Beasts, Cattle, or Carriages, for passing and repassing on the same Day (such Day to be computed from Twelve of the Clock in one Night to Twelve of the Clock in the succeeding Night) through all the Turnpikes or Toll Gates erected or to be erected on the said Road ; but on a Note or Ticket or Notes or Tickets being produced, denoting Payment of such Tolls, the same Horses, Beasts, Cattle, and Carriages shall be permitted to pass Limiting the Amount of Tolls to be taken on the Road.

pass and repass through all the Turnpikes and Toll Gates on the said Road Toll-free (except as herein-after mentioned).

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

IX. Provided always, and be it further enacted, That the Tolls hereby made payable for or in respect of all Horses or other Beasts drawing any Stage Coach, or Stage Waggon, Van, Caravan, or other Stage Carriage, carrying Passengers or Goods for Payment, Hire, or Reward, shall be payable and paid for every Time of passing or repassing through any of the said Turnpikes or Toll Gates on the said Road : Provided nevertheless, that no further or additional Toll shall be payable in respect of any Stage Coach, or Stage Waggon, Van, Caravan, or other Stage Carriage, on account only of the Horses or other Beasts drawing the same having been changed.

Horses let
out to Hire
to pay on
every fresh
Hiring.

X. And be it further enacted, That the Tolls hereby made payable for or in respect of all Horses or other Beasts which shall be let out to Hire, and all Horses or other Beasts drawing any Post Chaise or other Carriage let out to Hire, shall be payable and paid for every Time of passing or repassing through any of the said Turnpikes or Toll Gates whenever a fresh Hiring thereof shall take place.

Application
of Tolls and
other Monies.

XI. And be it further enacted, That all Monies which before the Day of the Commencement of this Act shall have been raised and produced by virtue of the said recited Acts hereby repealed, and which shall be remaining unappropriated or undisposed of, and also all the Monies which shall arise or may be collected or received under the Powers or Authorities of this Act, shall be applied, in the first place, in defraying the Costs and Charges attending the applying for, obtaining, and passing this Act, or in any way incidental thereto ; in the next place, in paying off and discharging the Arrears of Interest in respect of the Money now due and owing on the Credit of the Tolls by this Act granted and made payable ; in the next place, in paying and discharging the Interest of all Sums of Money which shall hereafter be borrowed or taken up at Interest on Security of the Tolls hereby granted ; and in the next place, in defraying the Expence of continuing, providing, erecting, and keeping in repair the Turnpikes, Toll Houses, and other Buildings, and in making, repairing, widening, and altering the said Road ; and the Residue of the Monies so to be collected and received shall be applied in paying off all Principal Monies due and owing on the Credit of the Tolls hereby granted, or borrowed for the Purposes of this Act, and in defraying all other Costs, Charges, and Expences attending the same, in such Manner as the said Trustees shall from Time to Time appoint.

Public Act.

XII. 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.

Term of Act.

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