ANNO SEXTO & SEPTIMO

VICTORIÆ REGINÆ.

****

Cap. xci.

An Act for more effectually repairing the Road from the new Wall on the Parade in *Castleton* in the Parish of *Rochdale,* through *Middleton,* to the Mere Stone in *Great Heaton,* and to the Town of *Manchester,* all in the County Palatine of *Lancaster;* and for making a Diversion in the Line of such Road. [1st *August* 1843.]

WHEREAS an Act was passed in the Fourth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act for amending the Road leading from the new Wall* 4 G.4. c.107.
on the Parade in Castleton *in the Parish of* Rochdale, *through* Middleton, *to the Mere Stone in* Great Heaton, *and to the Town of* Manchester, *all in the County Palatine of* Lancaster; *and for diverting certain Parts of the said Road:* And whereas by virtue of the said Act the said Road was divided into Two Districts, called the *Rochdale* District and the *Manchester* District, and the same were respectively placed under the Management of distinct Bodies of Trustees, and the Mortgage Debt then due and owing upon the entire Road was directed to be apportioned between such Districts: And whereas such Division of the Road into separate Districts has been found inconvenient: And whereas considerable Sums of Money advanced

upon the Credit of the Tolls authorized to be taken upon the said Roads still remain owing, together with an Arrear of Interest thereon, so far as regards the Mortgage Debt apportioned to the *Rochdale* District, and such Money cannot be paid off, or the Interest thereof discharged, nor can the said Roads be effectually improved and kept in repair, unless further Powers are granted, and the Term of the said Act further continued: And whereas it would be of public Utility if the Trustees for executing this Act were empowered to make and maintain a Deviation from the present Line of Road commencing at or near the present Toll Bar House called *Sparth Bar* in the Township of *Castleton* and terminating at or near a Place called *Blue Pits Bridge* in the said Township of *Castleton*, all in the Parish of *Rochdale* and County of *Lancaster*: And whereas it is expedient that the said recited Act should be repealed, and that further and more effectual Powers should be granted for repairing and improving the said Roads, and that the said Roads should be managed by One Body of Trustees; 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, That upon the Third *Monday* next after the passing of this Act the said recited Act of the Fourth Year of the Reign of His Majesty King *George* the Fourth shall be repealed, and that this Act shall thereafter be put into execution during the Term and for the Purposes herein-after mentioned.

Recited Act repealed, and this Act to be put in force.

All Arrears of Tolls and Monies due under recited Act vested in the Trustees under this Act.

II. And be it enacted, That all Monies due to and all Property and all Choses in Action vested in the Trustees of the said *Rochdale* District and of the said *Manchester* District under the Act hereby repealed 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 shall be liable to all the Debts and Engagements to which the respective Trustees under the recited Act were liable at the Repeal thereof.

Appointment of Trustees.

III. And be it enacted, That all Her Majesty's Justices of the Peace acting for the County of *Lancaster*, together with *James Ainsworth*, *John Barlow*, *Edmund Buckley*, *Louis Bartholomew Delaunay*, *Thomas Darwell*, *Thomas Fleming*, *William Fleming*, *Thomas Flintoff*, *Samuel Green*, *Samuel Kay*, *Oswald Milne*, *Samuel Taylor*, *Thomas Worthington*, *Richard Meadowcroft Whitlow*, *John Burton*, *Charles Butterworth*, *James Dearden* the younger, *John Smith Entwisle*, *Robert Gregge Hopwood*, *Edward Gregge Hopwood*, Sir *Oswald Mosley* Baronet, *Clement Royds*, *Albert Royds*, Captain *Butterworth*, *Abraham Brierley*, *Robert Heape* of *Hartley*, *John Taylor* of *Guide Post*, *John Chadwick* of *Broadfield*, *James Chadwick* of *Drake Street*, *Rochdale*, *J. Hoyle* of *Larkfield*, *James Tweedale* of *Marland*, *Robert Walker* of *Marland*, *James Meadows*, *James Consterdine*, *Thomas Dean*, *Thomas Armstrong*, *Lewis Williams*, *Robert Thorpe*, *John Bennett*, *James Collier Harter*, *William Read*, *James Hatton*, *John Owen*,

Owen, Charles Wood, George Hall, Joseph Peel, George Grundy, Thomas Seddon Scholes, William Crossley, Thomas Greenwood, David Waddington, Samuel Dyson, John Chippindall, Edward Chippindall Milne, Gilbert Winter, Abraham Barlow, William Bartlemore, James Brierley, J Butterworth of *Rake Bank, James Clegg, Thomas Ferrand Dearden, John Elliott, James Richard Elliott, Robert Kay, Joseph Mills, J. E. N. Molesworth* Clerk, Doctor of Divinity, *Dorning Rasbotham, Richard Durnford* Clerk, and their Successors, being duly qualified to act as Trustees of Turnpike Roads in *England*, shall be Trustees for putting this Act into execution.

Power to appoint additional Trustees.

IV. And be it enacted, That it shall be lawful for the said Trustees at any Meeting under this Act, to elect any Number of Persons 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.

First Meeting of Trustees.

V. And be it enacted, That the said Trustees shall hold their First Meeting on the *Wednesday* next after the Commencement of this Act, at Eleven o' Clock in the Forenoon, at the *White Lion* Inn in *Blackley*, or some other convenient Place in the Neighbourhood of the said Roads, 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.

Power to appoint Committees.

VI. And be it enacted, That the said Trustees may appoint Committees out of their own Number to take the Care and Management of any particular Part of the said Roads, or to execute any of the other Purposes of this Act, according to such Instructions and Regulations as shall be laid down by the said Trustees at any General Meeting; and the said Committees and their Surveyors may proceed and act according to such Appointment, but shall always be accountable according to the Instructions and Regulations so to be made.

Roads to which Act is applicable.

VII. And be it enacted, That this Act shall be put in execution for the Purpose of more effectually improving, maintaining, and keeping in repair the present Turnpike Road leading from the new Wall on the Parade in the Township of *Castleton* in the Parish of *Rochdale* to the Centre of the Market House in the Town of *Middleton*, and from the Centre of the said Market House to the Mere Stone in the Township of *Great Heaton*, and also the Road from or near the said Market House, by *Alkrington*, *Blackley*, and *Harpurhey*, to the Extremity of the Township of *Harpurhey* where the same joins the Township of *Manchester*, and for making and maintaining the Deviation following in the Line of the said Road; (that is to say,) a Deviation from the present Line of Road commencing at or near the present Toll Bar House called *Sparth Bar* in the Township of *Castleton*, and terminating at or near a Place called *Blue Pits Bridge* in the said Township of *Castleton*, all in the Parish of *Rochdale* and County of *Lancaster*.

VIII. And

Map or Plan deposited at the Office of the Clerk of the Peace to remain there, and be open to Inspection.

VIII. And whereas a Map or Plan describing the Line of the said Deviation and the Lands through which the same is intended to be made, together with a Book of Reference thereto, containing a List of the Names of the Owners and Occupiers of such Lands, has been deposited at the Office of the Clerk of the Peace for the County 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 inspect and peruse the same, and have Copies thereof or Extracts therefrom, paying to the said 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; and the said Map or Plan and Book of Reference, or any Copy thereof respectively, or of any Part thereof respectively, certified by the said Clerk of the Peace or his Deputy for the Time being to be a true Copy thereof, shall be good Evidence in all Courts of Law or elsewhere.

Power to make Deviation in Line of Road according to Plan.

IX. And be it enacted, That it shall be lawful for the said Trustees to set out, make, and complete the Deviation in the Line of the said Road herein-before described, in the Line and through the Lands delineated in the Map or Plan and described in the Book of Reference herein-after mentioned, of such Width as they may think proper, not exceeding Sixty Feet, together with such Footpaths, Bridges, Embankments, Ditches, Drains, Fences, and other necessary Works upon or near thereto as they may think requisite, and for the Purposes aforesaid to take possession of the Lands and Premises described in the said Map or Plan and Book of Reference, making Satisfaction for the same to the Owners thereof and other Persons interested therein for the Damage which such Owners or other Persons may respectively sustain thereby; and it shall be lawful for the said Trustees, and for their Surveyors and Workmen, from Time to Time to enter upon the said several Lands, and to stake out the same for the Purposes of this Act, at such Times and in such Manner as the said Trustees or Surveyor shall think necessary or expedient.

Trustees not to deviate from Plan.

X. And be it enacted, That it shall not be lawful for the said Trustees in making the said Deviation to deviate from the Line delineated upon the said Map or Plan.

Lands marked on the Plan may be used, notwithstanding Errors in the Book of Reference or Schedule.

XI. And be it enacted, That it shall be lawful for the said Trustees to make the said Deviation in the Line in or through the Lands delineated upon the said Map or Plan, although such Lands or the Situation thereof, or the Names of the Owners or Occupiers thereof, may happen to be omitted, mis-stated, or erroneously described in this Act, or in the Schedule thereto, or in the said Map or Plan, or in the said Book of Reference, in case it shall appear to any Two or more Justices of the Peace for the said County of *Lancaster* in Petty Sessions assembled, and be certified by Writing under their Hands, that such Omission or Mis-statement proceeded from Mistake; and the Certificate of the said Justices shall be deposited with and remain in the Custody of the said Clerk of the Peace for the Time being.

XII. And

The Freehold and Inheritance of Lands to remain and be vested in the Persons of whom they are purchased.

XII. And be it enacted, That in case any Lands shall be hereafter purchased by the said Trustees for the Purpose of making or improving any Road mentioned in this Act, the Freehold and Inheritance in the Lands so purchased, in case the same shall be of Freehold Tenure, and in case the same shall be of any other Tenure, the Estate and Interest therein, shall not, (notwithstanding any Provisions in any of the Acts in force for regulating Turnpike Roads in *England*,) by means of any such Purchase or any Conveyance or Assurance made in pursuance thereof, be vested in the said Trustees, but such Freehold and Inheritance, or the Estate and Interest in such Lands, shall, notwithstanding such Purchase and Conveyance or Assurance, remain and be vested in the Persons in whom the same were vested immediately prior to such Purchase by the said Trustees; and the said Trustees shall, by means of such Purchase and Conveyance or Assurance, be entitled to a perpetual Right of Way in, over, or upon the Lands so purchased by them.

The Right of Way to cease when Lands are not wanted.

XIII. Provided always, and be it enacted, That if at any Time any Land purchased by the said Trustees under the Authority of this Act shall not be wanted for the Purposes thereof, and the Road for which the same was purchased shall cease to be a Highway, then the Right of Way in or over the said Lands shall cease and be extinguished, and the Freehold and Inheritance in the said Lands, in case the same shall be of Freehold Tenure, and the Estate and Interest in such Lands, in case the same shall be of any other Tenure, shall be and remain in the Persons then entitled to the same freed and discharged from such Right of Way.

Trustees Power of cutting and digging.

XIV. Provided also, and be it enacted, That the said Trustees shall have the same Power and Authority of cutting, digging, and using the Lands taken by them for the Purposes of this Act as the said Trustees would have had in case they had purchased the Fee Simple or the whole Estate and Interest in the said Lands.

Trustees restrained from pulling down Houses not in Schedule.

XV. Provided always, and be it enacted, That the Powers and Authorities given by this Act shall not authorize the said Trustees to take or pull down, or to use or injure, any Dwelling House or other Building, or to take, use, or injure any Curtilage, Orchard, Garden, Yard, Park, Paddock, Lawn, Shrubbery, planted Walk or Avenue to a House, or any inclosed Ground planted and set apart as a Nursery for Trees, or any Part thereof respectively, (except such as are mentioned in the Schedule to this Act annexed,) without the previous Consent in Writing of the Owner or Proprietor thereof and all other Persons interested therein.

Limiting the Time for purchasing Property.

XVI. Provided also, and be it enacted, That in case the said Trustees shall not, within the Space of Three Years from the Commencement of this Act, pay for the Lands which they are by this Act authorized to take, then and from thenceforth all the Powers by this Act or by any other Act granted in relation to the taking of Lands for the Purposes of Turnpike Roads shall, so far as relates to the Lands herein-before authorized to be taken for the Purposes of this Act, cease and be utterly void, unless with the Consent of the Owners and Occupiers of such Lands respectively.

When Diversion completed, certain Parts of old Road to cease to be Turnpike.

XVII. And be it enacted, That when and so soon as the said Diversion shall have been completed, and shall have been certified so to be by Two Justices of the Peace, then and from thenceforth the Trustees shall be discharged from the Repair and Management of so much of the present Turnpike Road as lies between the Point of Junction of the *Heywood* and *Bury* Turnpike Road and the Termination of the said Diversion at or near *Blue Pits Bridge*.

Present Tolls continued until 31st December.

XVIII. And be it enacted, 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 or Toll Bars to be continued or erected on or on the Sides of the said Roads until the Thirty-first Day of *December* next.

Tolls to be taken after 31st December between Rochdale and Middleton.

XIX. And be it enacted, That upon and after the Thirty-first Day of *December* next it shall be lawful for the said Trustees to demand and take at the several and respective Toll Gates or Toll Bars which shall by virtue of this Act be upon or on the Side of the said Road between the new Wall upon the Parade in *Rochdale* and the Market House in the Town of *Middleton* such Tolls as the said Trustees at any of their Meetings shall direct, not exceeding the Sums following; (that is to say,)

For every single Horse or Beast of Draught drawing any Coach, Berlin, Landau, Chariot, Chaise, Chair, Curricle, Calash, Hearse, Litter, or other such Carriage, the Sum of Sixpence:

For every Horse or Beast of Draught drawing any Waggon or other Four-wheeled Carriage with Wheels of the Breadth of Nine Inches or upwards on the Bottom or Sole thereof, the Sum of Four-pence Halfpenny:

For every Horse or Beast of Draught drawing any Waggon, Wain, or other such Four-wheeled Carriage with Wheels of the Breadth of Six Inches as aforesaid or upwards, and under Nine Inches, the Sum of Five-pence Halfpenny:

For every Horse or Beast of Draught drawing any Waggon or other such Four-wheeled Carriage with any of the Wheels of less Breadth as aforesaid than Six Inches, but not less than Four Inches and a Half, the Sum of Sixpence:

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

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

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

For every Horse or Beast of Draught drawing any Cart or other such Carriage with Wheels of less Breadth as aforesaid than Six Inches, but not less than Four Inches and a Half, the Sum of Four-pence Halfpenny:

For every Horse or Beast of Draught drawing any Cart or other such Carriage with Wheels of less Breadth as aforesaid than Four Inches and a Half, the Sum of Sixpence:

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

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

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

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 or Bar which shall be by virtue of this Act upon or across the said Roads, or on the Sides thereof.

Tolls to be taken on Road from Middleton to Manchester.

XX. And be it enacted, That upon and after the Thirty-first Day of *December* next it shall be lawful for the said Trustees to demand and take at the several and respective Toll Gates or Toll Bars which shall, by virtue of this Act, be upon or on the Side of the Remainder of the said Road from *Middleton* to the Mere Stone in *Great Heaton*, and from *Middleton* by *Blackley* to *Manchester*, such Tolls as the said Trustees at any of their Meetings shall direct, not exceeding the Sums following; (that is to say,)

For every single Horse or Beast of Draught drawing any Coach, Berlin, Landau, Chariot, Chaise, Chair, Curricle, Calash, Hearse, Litter, or other such Carriage, the Sum of Four-pence:

For every Horse or Beast of Draught drawing any Waggon or other Four-wheeled Carriage with Wheels of the Breadth of Nine Inches or upwards on the Bottom or Sole thereof, the Sum of Three-pence:

For every Horse or Beast of Draught drawing any Waggon, Wain, or other such Four-wheeled Carriage with Wheels of the Breadth of Six Inches as aforesaid or upwards, and under Nine Inches, the Sum of Four-pence:

For every Horse or Beast of Draught drawing any Waggon or other such Four-wheeled Carriage with any of the Wheels of less Breadth as aforesaid than Six Inches, but not less than Four Inches and a Half, the Sum of Five-pence:

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

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

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

For every Horse or Beast of Draught drawing any Cart or other such Carriage with Wheels of less Breadth as aforesaid than Six Inches, but not less than Four Inches and a Half, the Sum of Three-pence:

For every Horse or Beast of Draught drawing any Cart or other such Carriage with Wheels of less Breadth as aforesaid than Four Inches and a Half the Sum of Four-pence:

For

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

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

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

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 or Bar which shall be by virtue of this Act upon or across the said Roads, or on the Sides thereof.

Fraction of a Halfpenny in Tolls.

XXI. And be it enacted, That in all Cases in which there shall be a fractional Part of a Halfpenny in the Amount of the Tolls by this Act authorized to be collected, the Sum of One Halfpenny shall be payable in lieu of such fractional Part,

Limiting Tolls payable on the Roads.

XXII. And be it enacted, That no more than One full Toll shall be taken for passing and repassing once only in the same Day (to be computed from Twelve of the Clock at Night to Twelve of the Clock in the next succeeding Night) with the same Horses, Beasts, Cattle, or other Animal or Thing liable to Toll or Duty through all the Toll Gates and Bars erected or to be erected or continued on the Part of the Road between the new Wall upon the Parade in *Castleton* and the Market House in the Town of *Middleton*, nor more than Two full Tolls for the like Passage through all the Toll Gates and Bars erected or to be erected or continued on the Road from *Middleton* to *Manchester* by *Blackley*, nor more than One full Toll for the like Passage through all the Toll Gates and Bars erected or to be erected or continued on the Road from *Middleton* to the Mere Stone in *Great Heaton*.

Persons having paid Toll to return Toll-free.

XXIII. And be it enacted, That all Horses and Cattle (except Horses or Cattle drawing any Stage Coach, Waggon, or other Stage Carriage, as herein-after mentioned,) in respect whereof the Toll hereby authorized to be taken shall have been paid at any Toll Gate or Bar on the said Roads, or on the Sides thereof, shall, upon a Ticket denoting such Payment being produced, be permitted, in returning once through the same Toll Gate or Toll Bar, and in going and returning once through such other Gate or Bar (if any) as the Ticket for such Payment shall free, to pass Toll-free the same Day.

Post Chaises to pay every Time of passing with fresh Hiring.

XXIV. Provided always, and be it enacted, That the Tolls hereby made payable shall be paid for all Horses or Cattle drawing any Post Chaise or other Carriage travelling for Hire as often as a new Hiring shall take place, in the same Manner as if no previous Payment of Toll in respect of such Horses or Cattle had been made on the same Day.

Regulations as to Stage Coaches, &c.

XXV. And be it enacted, That all Horses and Cattle drawing any Stage Coach, 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 or Bar, shall, upon a Ticket denoting such Payment being produced, be permitted to pass once Toll-free on the same Day through any other Gate or Bar which such Ticket would free in the Case of Horses or Cattle drawing any other Carriage; and no further or additional Tolls shall be payable in respect of any Stage Coach or other such Carriage as aforesaid at any Toll Gate or Bar, the Payment at 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.

Double Toll for extra Weight between 1st of November and 1st of April.

XXVI. And be it enacted, That between the First Day of *November* in every Year and the First Day of *April* in the next succeeding Year it shall be lawful for the said Trustees to demand at each Toll Gate double the Toll hereby payable for every Horse, Mule, Ass, or other Beast of Draught drawing any Waggon or other Carriage, the Weight of which, and of the Loading thereof, shall exceed One Ton and Ten Hundred Weight if drawn by One Horse, with an Addition of Half a Ton for every additional Horse if drawn by more than One Horse.

Trustees may reduce the Tolls for Lime or Chalk for Manure.

XXVII. And be it enacted, That it shall be lawful for the said Trustees, at any Meeting to be specially called for the Purpose, to make an Order from Time to Time that the Tolls payable by virtue of this Act for any Horse or Beast of Draught drawing any Waggon, Cart, or other Carriage laden only with Lime or Chalk for the Improvement of Land, or returning unladen or empty from having been so employed, shall be reduced to such other Tolls as the said Trustees shall at any such Meeting agree or determine, and after the making of any such Order such reduced Tolls only shall, in respect of the Matters last-mentioned, be payable.

Respecting Toll Gates.

XXVIII. And be it enacted, That the several Toll Gates, Bars, and Toll Houses now standing or being upon the said Roads, 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, in or across the said Roads, or on the Sides thereof, any Toll Gate or Bars, and to remove the present or any future Toll Gate or Bar, as they shall think proper.

Application of Monies.

XXIX. And be it enacted, That all Monies which shall be received by the said Trustees by virtue of this Act upon the said Roads shall be applied as follows; (that is to say,)

Firstly,—In paying and discharging the Expences of obtaining and passing this Act, or incident thereto:

Secondly,—In paying and discharging any Interest which may from Time to Time be owing in respect of any Money which may have been borrowed on the Credit of the Tolls authorized to be taken by the said recited Act or any Act thereby repealed:

Thirdly,—In paying the Expences of improving, maintaining, and keeping in repair such Roads, and in putting this Act into execution with reference thereto:

Fourthly,—In paying and discharging any Interest which may from Time to Time be owing in respect of any Money which may be borrowed on the Credit of the Tolls authorized to be taken by this Act:

Fifthly,—In reducing, paying off, and discharging the several Principal Sums which have been or may hereafter be borrowed on the Credit of the Tolls authorized to be taken upon the said Roads.

No more Money to be laid out than taken on any Road.

XXX. And be it enacted, That no more Money shall be expended in the Repair of any Road comprised in this Act than shall be collected on such Road, or borrowed on the Credit of the Tolls collected thereon.

No Tolls to be taken or Money laid out in Towns.

XXXI. And be it enacted, That no Money shall be laid out on any Road comprised in this Act within the Limits of any Act of Parliament passed for the Improvement of any Town, nor shall any be collected therein, or in any of the Towns following; (that is to say,) the Town of *Rochdale* and the Town of *Manchester*.

Trustees or Clerks competent Witnesses in Actions.

XXXII. And be it enacted, That no Trustee or Clerk acting under the Authority of this Act, if not otherwise interested, shall be deemed incompetent to give Evidence, or shall be disqualified from giving Evidence, in any Action, Suit, or other Proceeding brought by or against him in such his Capacity of Trustee or Clerk, by reason of his being Plaintiff or Defendant in such Action, Suit, or Proceeding.

The Roads in this Act not to be exempt from any general Act.

XXXIII. And be it enacted, That nothing herein contained shall be deemed to exempt the Roads comprised in this Act from the Provisions of any general Act relating to the Consolidation or other improved Arrangement of Turnpike Roads which may pass during the present or any future Session of Parliament.

Term of Act.

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

Interpretation of Act.

XXXV. And be it enacted, That in this Act the following Words and Expressions shall have the several Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction; that is to say,

Words importing the Singular Number shall include the Plural Number, and Words importing the Plural Number shall include the Singular Number:

The Word "Person" shall be understood to include Corporation:

Words importing the Masculine Gender shall include Females:

The Word "Lands" shall be understood to include Messuages, Tenements, and Hereditaments.

Public Act.

XXXVI. And be it enacted, That this Act shall be a Public Act, and shall be judicially taken notice of as such.

SCHEDULE to which this Act refers.

Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
Cottage and Garden -	Lady Esther Burdett -	- - -	Hannah Hartley.
Garden - - -	Henry and John Taylor	Robert Matthew -	Robert Matthew.

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