

ANNO SEPTIMO

GEORGII IV. REGIS.

Cap. cxxxviii.

An Act for more effectually repairing and improving several Roads leading to and from the Town of *Salford*, through *Pendleton* and other Places therein mentioned, in the County Palatine of *Lancaster*, and several other Roads therein mentioned; and for making and maintaining certain Diversions or new Lines of Road to communicate therewith. [26th *May* 1826.]

WHEREAS an Act was passed in the Thirty-third Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for more effectually repairing, widening, and improving certain Roads leading to and from the Towns of* Salford, Warrington, Bolton, *and* Wigan, *and to certain Places called the* Broad Oak *in* Worsley *and* Duxbury Stocks, *and also the Road from a Place called* South Sea *in* Pendlebury *to* Agecroft Bridge, *and from thence through* Hilton Lane *to* Dawson-lane-end, *and also from* Agecroft Bridge *over* Kersal Moor *to* Singleton Brook, *all in the County Palatine of* Lancaster; whereby the said Roads were divided into several Districts: And whereas the Trustees acting under or by virtue of the said recited Act, so far as relates to the several Districts or Divisions of the said Roads therein and herein-after mentioned, (that 33 G. 3. c. 181.

is to say,) the District or Division of the said Roads which comprises the Road extending from the Division of the Townships of *Salford* and *Pendleton* in the said County Palatine of *Lancaster*, to the Division of the Townships of *Pendlebury* and *Swinton;* the District or Division of the said Roads which comprises the Road extending from the said Division of the Townships of *Pendlebury* and *Swinton* to *Knocket Wall Brook*, being the Division between the Townships of *Worsley* and *Little Hulton*, and which also comprises the Road extending from the Guide Post in *Swinton* to a Place called the *Broad Oak* in *Worsley;* the District or Division of the said Roads which comprises the Road extending from the Division of the Townships of *Pendleton* and *Pendlebury*, near the House called or known by the Sign of the *Pack Horse* at *Irlam's o'th' Height*, on the *Bolton* Road from *Manchester* to a Place called the *Four Stumps* on *Kersley Moor;* the District or Division of the said Roads which comprises the Road extending from the House mentioned in the said Act to be the House of *Thomas Worrall*, being the Sign of the *Woolpack* in *Pendleton* aforesaid, to the Division of the Townships of *Lower Irlam* and *Cadishead;* and the District or Division of the said Road which comprises the Road extending from *South Sea* in *Pendlebury* aforesaid to *Agecroft Bridge*, and from thence through *Hilton Lane* to the *Bury* Road leading from *Manchester* at *Sheepfoot-lane-end*, and which also comprises the Road extending from *Agecroft Brook* over *Kersal Moor* to *Singleton Brook*, have proceeded to put the same Act into Execution; and a considerable Progress hath been made in repairing, widening, and improving the same several Districts or Divisions of the said Roads, by the said Act directed to be repaired, widened, and improved: And whereas the Trustees appointed in and by virtue of the said Act for the said several herein-before mentioned Districts or Divisions of the said Roads, have borrowed several large Sums of Money on the Credit of the several Tolls thereby authorized to be taken on the said several Districts or Divisions of the said Roads; which Sums of Money, or the greatest Part thereof, still remain due and owing on the Credit of the said Tolls, and cannot be paid off, nor can the said several Districts or Divisions of the said Roads be effectually amended, widened, improved, and kept in repair, unless the Term granted and continued by the said Act, so far as the same relates to the said several Districts or Divisions of the said Roads, be further continued; and it would be more convenient if the said Act, so far as the same relates to the said several Districts or Divisions of the said Roads, was repealed, and further, better, and more effectual Powers and Provisions granted instead thereof: And whereas the making and maintaining the following Diversions or deviated Lines of Road from and out of the said Division or District of the said Roads, extending from the House mentioned in the said Act to be the House of *Thomas Worrall*, being the Sign of the *Woolpack* in *Pendleton* aforesaid, to the Division of the Townships of *Lower Irlam* and *Cadishead*, would tend greatly to improve the same, and would be productive of great public Utility; (that is to say), a Diversion or deviated Line of the same Road, commencing at or near a certain Place called *Faulkner Bridge*, and ending at or near a certain other Place called the *New Hall*, both in the Township of *Barton-upon-Irwell;* a certain other Diversion or deviated Line of the same

Road, commencing at or near a Dwelling House now in the Occupation of *John Brittain*, and ending at or near a certain Place called *Fox Hill*, both in the said Township of *Barton-upon-Irwell*; a certain other Diversion or deviated Line of the same Road, commencing at or near a certain House known by the Sign of the *Nag's Head*, and ending at or near *Irlam Bridge*, both in the said Township of *Barton-upon-Irwell*; and a certain other Diversion or deviated Line of the same Road, commencing at or near a Dwelling House in the Occupation of *William Heywood*, and ending at or near a certain Close of Land in the Occupation of *Henry Charles Lacey*, both in *Barton-upon-Irwell* aforesaid; all which Diversions or deviated Lines of Road lead out of and into the present Line of the same Road; but the same cannot be effected without the Aid and Authority of Parliament: And whereas an Act was passed in the Third Year of the Reign of His present Majesty King *George* the Fourth, intituled *An Act to amend the general Laws now in being for regulating Turnpike Roads in that Part of* Great Britain *called* England: And whereas an Act was passed in the Fourth Year of the Reign of His said present Majesty, intituled *An Act to explain and amend an Act passed in the Third Year of the Reign of His present Majesty, to amend the general Laws now in being for regulating Turnpike Roads in that Part of* Great Britain *called* England: And whereas an Act was passed in the Fifth Year of the Reign of His said present Majesty, intituled *An Act to enable Justices of the Peace for Ridings, Divisions, or Sokes, to act as Trustees for repairing and maintaining Turnpike Roads*: 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 Eighteenth Day of *August* One thousand eight hundred and twenty-six the said recited Act of the Thirty-third Year of the Reign of His late Majesty King *George* the Third, so far as the same relates to the several herein-before mentioned Districts or Divisions of the said Roads; (that is to say), the District or Division of the said Roads which comprises the Road extending from the Division of the Townships of *Salford* and *Pendleton* to the Division of the Townships of *Pendlebury* and *Swinton*; the District or Division of the said Roads which comprises the Road extending from the said Division of the Townships of *Pendlebury* and *Swinton* to *Knocket Wall Brook*, being the Division between the Townships of *Worsley* and *Little Hulton*, and which also comprises the Road extending from the Guide Post in *Swinton* to a Place called the *Broad Oak* in *Worsley*; the District or Division of the said Roads which comprises the Road extending from the Division of the Townships of *Pendleton* and *Pendlebury*, near the House called or known by the Sign of the *Pack Horse* at *Irlam's o'th' Height*, on the *Bolton* Road from *Manchester* to a Place called the *Four Stumps* on *Kersley Moor*; the District or Division of the said Roads which comprises the Road extending from the House mentioned in the said Act to be the House of *Thomas Worrall*, being the Sign of the *Woolpack* in *Pendleton* aforesaid, to the Division of the Townships of *Lower Irlam* and *Cadishead*; and the District or Division of the said Roads which comprises the Road extending from *South Sea* in *Pendlebury* aforesaid to *Agecroft Bridge*, and from thence through *Hilton Lane*

3 G. 4. c. 126.

4 G. 4. c. 95.

5 G. 4. c. 69.

Recited Act 33 G. 3. c. 181. so far as extends to the Districts herein mentioned, repealed;

Lane to the *Bury* Road leading from *Manchester* at *Sheepfoot-lane-end*, and which also comprises the Road extending from *Agecroft Brook* over *Kersal Moor* to *Singleton Brook*, shall be and the same is hereby declared to be repealed, and null and void to all Intents and Purposes whatsoever; and this Act shall from thenceforth commence and take effect in lieu and instead of the said recited Act of the Thirty-third Year of the Reign of His late Majesty King *George* the Third, so far as relates to the said several herein-before mentioned Districts or Divisions of the said Roads, and shall be put in Execution for and during the Term herein-after mentioned, as well for the Purpose of more effectually amending, widening, improving, diverting, and keeping in repair the said District or Division of the said Roads which comprises the Road extending from the Division of the Townships of *Salford* and *Pendleton* to the said Division of the Townships of *Pendlebury* and *Swinton*, and which shall be called the *Pendleton* District; also the said District or Division of the said Roads which comprises the Road extending from the said Division of the Townships of *Pendlebury* and *Swinton* to *Knockett Wall Brook* aforesaid, being the Division between the said Townships of *Worsley* and *Little Hulton*, and which also comprises the said Road extending from the said Guide Post in *Swinton* aforesaid to the said Place called the *Broad Oak* in *Worsley* aforesaid, and which shall be called the *Swinton* District; also the said District or Division of the said Roads which comprises the Road extending from the said Division of the said Townships of *Pendleton* and *Pendlebury*, near the said House called or known by the Sign of the *Pack Horse* at *Irlam's o'th' Height* aforesaid, on the *Bolton* Road from *Manchester* aforesaid to the said Place called the *Four Stumps* on *Kersley Moor* aforesaid, and which shall be called *Irlam's o'th' Height* District; also the said District or Division of the said Roads which comprises the said Road extending from the said House mentioned in the said recited Act of the Thirty-third Year of the Reign of His late Majesty King *George* the Third to be the House of *Thomas Worrall*, being the Sign of the *Woolpack* in *Pendleton* aforesaid, to the said Division of the said Townships of *Lower Irlam* and *Cadishead*, and which shall be called the *Gilda Brook* and *Irlam* District; and also the said District or Division of the said Roads which comprises the said Road extending from *South Sea* in *Pendlebury* aforesaid to *Agecroft Bridge*, and from thence through *Hilton Lane* to the *Bury* Road leading from *Manchester* aforesaid at *Sheepfoot-lane-end*, and which also comprises the said Road extending from *Agecroft Bridge* aforesaid over *Kersal Moor* aforesaid to *Singleton Brook* aforesaid, and which shall be called the *Agecroft* District; as also for making and maintaining the following Diversions or deviated Lines of Road from and out of the said District or Division of the said Roads, to be called the *Gilda Brook* and *Irlam* District; (that is to say), a Diversion or deviated Line of the same Road, commencing at or near a certain Place called *Faulkner Bridge*, and ending at or near a certain other Place called the *New Hall*, both in the Township of *Barton-upon-Irwell*; a certain other Diversion or deviated Line of the same Road, commencing at or near a Dwelling House now in the Occupation of *John Brittain*, and ending at or near a certain Place called *Fox Hill*, both in the said Township of *Barton-upon-Irwell*; a certain other Diversion or deviated Line of the

and this Act to take effect for repairing the Districts of Road herein-after described:

Pendleton District:

Swinton District:

Irlam's o'th' Height District:

Gilda Brook and Irlam District:

Agecroft District:

the same Road, commencing at or near a certain House known by the Sign of the *Nag's Head*, and ending at or near *Irlam Bridge*, both in the said Township of *Barton-upon-Irwell*; and a certain other Diversion or deviated Line of the same Road, commencing at or near a Dwelling House in the Occupation of *William Heywood*, and ending at or near a certain Close of Land in the Occupation of *Henry Charles Lacy*, both in *Barton-upon-Irwell* aforesaid; and which said Diversions or deviated Lines of Road shall be added to and form Part of the said District or Division of the said Roads, to be called the *Gilda Brook* and *Irlam* District; and which said several and respective Districts or Divisions of the said Roads shall be and the same are hereby declared to be separate and distinct Districts or Divisions of Road, for the Purposes of this Act and the said recited Acts of the Third, Fourth, and Fifth Years of the Reign of His said present Majesty, and for otherwise putting the said recited Acts of the Third, Fourth, and Fifth Years of the Reign of His present Majesty and this Act in Execution.

Tolls of this Act to be subject to Debts, &c. under former Act.

II. And be it further enacted, That this Act and the Tolls hereby granted and to be received upon the said several and respective Districts or Divisions of the said Roads herein-before mentioned and described, shall be and the same are hereby respectively and separately, but not jointly, made subject and liable to the Payment of all Monies which at the Time of the Commencement of this Act shall be due and owing on the Credit of the Tolls authorized to be taken and collected upon the said several and respective Districts or Divisions of the said Roads by virtue of the said recited Act of the Thirty-third Year of the Reign of His late Majesty King *George* the Third, and of all Interest due and to grow due thereon respectively, and also to the Payment of all other Debts and Sum or Sums of Money which shall be due and owing to any Person or Persons whomsoever in respect of the same Districts or Divisions of the said Roads, as fully and effectually to all Intents and Purposes as if such Monies had been borrowed and become due and owing on the Credit of this Act, or of the Tolls hereby authorized to be collected on such several and respective Districts or Divisions.

Bonds, &c. under former Act to continue in force.

III. And be it further enacted, That all Bonds, Covenants, Agreements, Contracts, and Securities made to or by or entered into on account of the said several Districts or Divisions of the said Roads by any Person or Persons to or with the Trustees for executing the said recited Act of the Thirty-third Year of the Reign of His late Majesty King *George* the Third, according to the Provisions and Directions thereof respectively, shall remain in full Force and Effect, and shall be and continue available in all Courts of Law and Equity, until the same shall be fully satisfied and performed on account of the several Trusts under this Act; and all Bargains, Contracts, Agreements, or Notices, made, entered into, or given by the Trustees for executing the said last-mentioned Act, with or to any Person or Persons, for any Purpose relating to the said several Districts or Divisions of the said Roads, or to the Execution of the said last-mentioned Act, so far as the same relate to the said several and respective herein-before mentioned Districts or Divisions of the said Roads,

Roads, shall remain in full Force and Effect, and shall be observed and kept by the Trustees under this Act, and by the other respective Parties to such Contracts, Agreements, or Notices, according to the Terms, Stipulations, and the true and equitable Intent and Meaning thereof, notwithstanding the Repeal of such last-mentioned Act.

Books used under former Act to be Evidence under this Act.

IV. And be it further enacted, That all Books kept for registering Mortgages and Assignments, and all Entries therein, and all Books of Proceedings of the Trustees of the said several herein-before mentioned Districts or Divisions of the said Roads, kept according to the Directions or Provisions of the said recited Act of the Thirty-third Year of the Reign of His late Majesty King *George* the Third, or of any Act heretofore passed relating to the said Roads, and made Evidence thereby, shall be given in Evidence in all Cases of Appeal and in all Prosecutions, Suits, and Actions whatsoever, in such and the same Manner as if the said Act of the Thirty-third Year of the Reign of His said late Majesty King *George* the Third had not been repealed.

Officers under former Act to account.

V. And be it further enacted, That all Persons who have been employed, or who shall have received any Tolls or other Money by virtue or in pursuance of the said recited Act hereby repealed, so far as the same relate to the several and respective Districts or Divisions of the said Roads now included in this Act, or who shall have in their Custody or Possession any Books, Accounts, Papers, Writings, or Things relating to the said several and respective Districts or Divisions of the said Roads, any or either of them, shall account, pay, and deliver over the same to the Trustees for executing this Act, in like Manner and under the like Penalties as are by the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty, or either of them, inflicted in respect to the several Persons receiving any Monies, or having the Possession of any Books, Writings, or other Things by virtue of the said Acts and this Act.

Extending the Powers of the recited Acts of 3, 4, & 5 G. 4. to this Act.

VI. And be it further enacted, That the said recited Act passed in the Third Year of the Reign of His present Majesty, and all and every the Powers, Provisions, Exemptions, Penalties, Forfeitures, Payments, Remedies, Matters, and Things therein contained, (save and except such Parts thereof as are expressly varied, altered, or repealed by the said recited Act of the Fourth Year of the Reign of His present Majesty, and also save and except such Parts thereof as are expressly varied, altered, or otherwise provided for by this Act), and also the said recited Act passed in the Fourth Year of the Reign of His present Majesty, and all and every the Powers, Provisions, Exemptions, Penalties, Forfeitures, Payments, Remedies, Matters, and Things therein contained, (save and except such Parts thereof as are expressly varied, altered, or otherwise provided for by this Act), and also the said recited Act passed in the Fifth Year of the Reign of His present Majesty, and the Power or Provision therein contained, shall respectively be as good, valid, and effectual for carrying this Act and the several and respective Purposes thereof into Execution, as if the same had respectively been repeated and re-enacted in the Body of this Act.

VII. And

Appointment of Trustees.

VII. And be it further enacted, That all His Majesty's Justices of the Peace for the Time being acting for the County Palatine of *Lancaster*, together with *Richard Ainsworth*, *Richard Ashworth*, *Richard Whitfield Ashworth*, *Simon Ashworth*, *Thomas Alfred Ashworth*, *William Atkin*, *Peter Ainsworth*, *William Barton* of *Farnworth*, *James Rothwell Barnes*, *Thomas Barritt*, *Robert Haldane Bradshaw*, *William Rigby Bradshaw*, *James Bradshaw*, *Jonathan Brettargh*, *John Arthur Borron*, *Thomas Barrow*, *Thomas William Barrow*, *William Boardman*, *John Barton*, *Richard Watson Barton*, *John Watson Barton*, *Thomas Blackburne* Clerk, *John Bury*, *Moses Bury*, *William Beever*, *James Frederick Beever*, *Richard Buck* Clerk, *John Bradshaw*, *Thomas Bent*, *Rowland Bent*, *James Broadbent*, *Charles Brandt*, *William Bateman*, *Ralph Boardman*, *Benjamin Booth*, *Samuel Booth* Clerk, *Ashton Burgess*, *John Burgess*, *John Birley*, *Hugh Birley*, *Joseph Birley*, *Thomas Brownbill*, *Henry Burgess*, *Henry Brownbill*, *James Birch* of *Eccles*, *David Belhouse*, *Isaac Blackburn*, *William Burgess*, *Thomas Bury*, *John Bowker*, *Thomas Burgess*, *George Barlow*, *James Backhouse Bindloss*, *Richard Bindloss*, *John Bentley*, *Herbert Boyer*, *Richard Bentley*, *John Holt Beever*, *Richard Buckley*, *Henry Barton*, *Thomas Boling*, *William Bolling*, *Edward Boling*, *Henry Chadwick*, *Charles Carrington*, *John Cooke*, *Thomas Cooke*, *John Clowes* Clerk, *William Legh Clowes*, *Thomas Calvert*, *John Crowther*, *Edward Chesshyre*, *Robert Ellis Cunliffe*, *Charles Clegg*, *John Crompton*, *Thomas Chantler*, *John Addison Combes*, *Matthew Corbett*, *John Douglas*, *John Hargreave Douglas*, *William Duckworth*, *John Dawson*, *Thomas Drinkwater*, *John Drinkwater*, *Thomas Darwell*, *George Darwell*, *John Dale*, *Peter Dorning*, *Thomas Entwisle*, *Richard Entwisle*, *William Eccles*, *Ellis Fletcher*, *John Fitzgerald*, *William Fordington*, *Thomas Fleming*, *William Fleming*, *Thomas Sterndale Fogg*, *Edward Foulkes*, *Thomas Fildes*, *James Frost*, *John Greaves*, *George Gardner*, *William Garnett*, *Thomas Gaskell* Clerk, *Francis Goadsby*, *Robert Grundy*, *Thomas Oldmeadow Gill*, *Robert Garnett*, *John Goodier*, *James Gordon*, *Dauntesey Hulme*, *Benjamin Arthur Heywood*, *Benjamin Heywood*, *John Higson*, *James Hall*, *Edward Hobson* the elder, *Edward Hobson* the younger, *William Harrison*, *Robert Halstead Hargreaves*, *John Hardman*, *Thomas Hardman*, *Joseph Tipping Hardman*, *James Collier Harter*, *William Harter*, *James Holt Heron*, the Reverend *James Harrison*, *James Hall* the younger, *John Hall*, *Matthew Hedley*, *John Spear Heron*, *Thomas Halstead* the elder, *William Halstead*, *Edward Hankinson*, *John Hobson*, *John Hull* Doctor of Medicine, *Thomas Hodson*, *John Harrison*, *Thomas Heywood*, *Nathan Hall*, *Henry Hall*, *Benjamin Joule*, *James Ingham*, *George Jones*, *John Jones*, *Thomas Barlow Jervis*, *Richard Ireland*, *James Johnson*, *William Jordan*, *Nathan Knight*, *Samuel Kay*, *Richard Kerfoot*, *John Kenworthy*, *John Leaf* the elder, *John Walter Leaf*, *Henry Leaf*, *Richard Lansdale*, *James Leigh*, *Robert Lansdale*, *William Lancaster*, *George Lees*, *Robert Lees*, *Jerry Lees*, *Thomas Littlewood*, *Robert Loxham*, *Richard Leigh*, *William Leach*, *James Lion* Clerk, *Peter Leigh*, *Robert Leigh* the younger, *James Milner*, *Oswald Milne*, *John Martindale*, *Henry Moult*, *Robert Josias Jackson Norreys*, *William Nuttall* Clerk, *Henry Norreys*, *Thomas Nicholls*, *Thomas Ollivant*, *John Ollivant*, *Thomas Potter*, *Alexander Patterson*, *Samuel Prince*, *Nathaniel Philips*, *Joseph Peel*, *John Pickup*, *William Prescott*, *Shakespear Philips*, *John Podey*, *Edward Rigbye* the elder, *Edward Rigbye*

Rigbye the younger, *Richard Roberts*, *Benjamin Rawson*, *Benjamin Rawson* the younger, *Richard Walton Rushforth*, *Alexander Russell*, *John Ratcliffe*, *William Ridings*, *John Rothwell*, *Richard Walker Rushforth*, *Thomas Ridgway*, *James Renshaw*, *James Robinson*, *Thomas Sanderson*, *Benjamin Sothern*, *George Scholes*, *James Sothern*, *William Sergeant*, *George Sherrat*, *Nathaniel Shelmerdine*, *Nathan Sandford*, *Richard Shelmerdine*, *John Sherratt*, *Thomas Sherratt*, *George Smith*, *John Smith*, *Thomas Smith*, *Robert Smith*, *Richard Smith*, *Henry Smith*, *James Smith*, *Thomas Slater*, *Richard Stelfox*, *Joseph Stelfox*, *James Touchett*, *John Touchett*, *Peter Taylor*, *John Taylor* of *Manchester*, *John Tetlow*, *William Tetlow*, *Thomas Joseph Trafford*, *Humphrey Trafford*, *Thomas Trafford*, *Thomas Trueman*, *Edmund Taylor*, *William Tate*, *John Taylor*, *Samuel Taylor*, *Josiah Varey*, *John Walker* of *Pendleton*, *John Walker* the younger, of *Pendleton*, *John Walton*, *George Webster*, *John Walker* the younger, *James Withington*, *Benjamin Williams* the elder, *Benjamin Williams* the younger, *Samuel Walker*, *William Wooley*, *William Whittaker*, *John Wadkin*, *John Walker* of *Manchester*, *Richard Meadowcroft Whitlow*, *John Blomeley Wroe*, *Thomas Wright*, *George Wooley*, *William Weston*, *Henry Withington*, *Richard Worthington*, *Richard Withington*, *Joseph Yates*, and their Successors, being duly qualified according to the Provisions of the said recited Acts of the Third, Fourth, and Fifth Years of the Reign of His present Majesty, shall be and they are hereby appointed the Trustees for putting this Act and the said recited Acts of the Third, Fourth, and Fifth Years of the Reign of His said present Majesty into Execution.

Power to appoint additional Trustees.

VIII. 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 be holden in pursuance of this Act, to elect and appoint any Number of Persons, being qualified according to the Directions and Provisions of the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty, (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 the said last-mentioned Acts; and such Persons so elected and appointed shall be Trustees for the Purposes of this Act and the said last-mentioned Acts, and are hereby invested with the same Powers and Authorities for executing this Act and the said last-mentioned Acts, as if they had been herein named.

First Meeting of Trustees.

IX. And be it further enacted, That the said Trustees shall hold their First Meeting for the said several Districts or Divisions of the said Roads at the *Pack Horse* in *Pendleton* and *Pendlebury* aforesaid, or at some other convenient House or Place in *Pendlebury* aforesaid, on the Eighteenth Day of *August* One thousand eight hundred and twenty-six, or as soon after as conveniently may be, and shall and may then and from Time to Time adjourn to and meet for the said several and respective Districts or Divisions of the said Roads, or for all or any of them, at such Times, and at such Place or Places on the Line of the said Districts of Roads, as they shall think proper.

Old Officers to continue until removed by Trustees.

X. And be it further enacted, That every Clerk, Receiver, Collector, Surveyor, and other Officer (except the Treasurer) appointed under

under and by virtue of the said recited Act hereby repealed, so far as the same relates to the said several and respective Districts or Divisions of the said Roads now included in this Act, shall hold and enjoy such their several and respective Offices and Employments until removed therefrom by the Trustees for executing this Act; and each and every such Clerk, Receiver, Collector, Surveyor, and other Officer shall have the like Power and Authority for the Purposes of this Act and the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty, and for carrying the same into execution, and shall be subject to the like Pains and Penalties, and to the like Power of Removal, and to the like Rules and Regulations in all respects whatsoever, as if he had been appointed by virtue of this Act.

Clerk not to act as Treasurer, and vice versâ.

XI. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees to continue or appoint the Person who hath been or who may be appointed to act as their Clerk in the Execution of this Act, or the Partner of any such Clerk, or the Clerk or any Person in the Service or Employ of any such Clerk, or the Clerk or any Person in the Service or Employ of the Partner of any such Clerk, to be the Treasurer for the Purposes of this Act, or to continue or appoint the Person who hath been or who may be appointed Treasurer, or the Partner of such Treasurer, or the Clerk or any Person in the Service or Employ of any such Treasurer, or the Clerk or any Person in the Service or Employ of the Partner of any such Treasurer, to be the Clerk to the said Trustees; and if any Person shall act in both the Capacities of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of any such Clerk, or the Clerk or any Person in the Service or Employ of any such Clerk, or the Clerk or any Person in the Service or Employ of the Partner of any such Clerk, shall act as Treasurer, or being the Partner of any such Treasurer, or the Clerk or any Person in the Service or Employ of any such Treasurer, or the Clerk or any Person in the Service or Employ of the Partner of any such Treasurer, shall act as Clerk in the Execution of this Act, or if any such Treasurer shall hold any Place or Office of Profit or Trust under the said Trustees other than that of Treasurer, every such Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person or Persons who shall sue for the same, to be recovered with full Costs of Suit in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Plaint, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance, shall be allowed.

Power to continue or remove the present Gates, and to erect others.

XII. And be it further enacted, That the said Trustees shall and may, as they shall think proper, continue, remove, take away, or change the Situation of all or any of the Toll Gates erected by virtue of the said recited Act hereby repealed, so far as the same relate to the said several and respective Districts or Divisions of the said Roads now included in this Act, or which shall or may be erected by virtue thereof and of this Act, or either of them; and may erect and set up, or cause to be erected and set up, any other Toll Gate or Toll

Gates, Bar or Bars, Chain or Chains, in, upon, or across any Part or Parts of the said Roads, and upon the Sides thereof respectively, and may also continue, erect, or provide a Toll House, with suitable Outbuildings and Conveniences, at or near each Toll Gate; and may from Time to Time afterwards remove, alter, or discontinue such Toll Gates or Toll Houses, or any of them, as they the said Trustees shall think expedient, and also may take in and inclose from the said Roads convenient Garden Spots for the said Toll Houses respectively, not exceeding One Eighth Part of a Statute Acre to each Toll House: Provided always, that no Toll Gate or Toll Gates, Turnpike or Turnpikes, Side Gate or Side Gates, Side Bar or Side Bars, Chain or Chains, Weighing Machine or Weighing Machines, shall be taken down or removed by Order of the said Trustees, unless such Order be made by a Majority of the Trustees present at a Meeting, at which Seven Trustees at the least shall be present; and unless Notice of such Meeting, and of the Intention of taking down or removing such Toll Gate or Toll Gates, or Turnpike or Turnpikes, Side Gate or Side Gates, Side Bar or Side Bars, Chain or Chains, or Weighing Machine or Weighing Machines, signed by the Clerk or Clerks to the said Trustees, be affixed on all the Toll Gates or Turnpikes then erected on the said Roads, and inserted in One of the *Manchester* Newspapers Twenty-one Days at least before the Day of the holding the Meeting at which such Order shall be made.

Trustees not to erect Gates between Stanny Street and Knocket Wall Brook.

XIII. And whereas the Turnpike Road leading from *Barton Bridge*, through *Worsley*, to or near *Moses Gate* in the Township of *Farnworth*, authorized to be maintained by an Act passed in the Sixth Year of the Reign of His present Majesty, passes along one Part of the Road in this Act mentioned, and comprised under the Name of the *Swinton* District of Road, at a Place called *Worsley Stocks*, extending from a Lane called *Stanny Street*, to near a certain other Place called *Knocket Wall Brook*, being a Distance of Eighty-eight Yards, or thereabouts; and it is expedient that the Trustees acting in execution of this Act for the said *Swinton* District of Road should be restricted from placing any Gate or Gates on or by the Side or Sides of the said Road situate betwixt the said Places, so as to enable them to take or demand Toll thereat for or in respect of any Horses, Cattle, Carts, or Carriages using or travelling upon any Part of the said Roads leading from *Barton Bridge* to or near *Moses Gate* aforesaid; be it therefore further enacted, That the said Trustees or Commissioners authorized by or acting under this Act shall not erect or be authorized or empowered to erect any Turnpike Gate or Toll House, or erect any Side Gate or Side Gates, at or upon that Part of the said Road situate betwixt the said Places called *Stanny Street* and *Knocket Wall Brook*, so as to ask, demand, receive, or take any Toll or Tolls whatever at the same for or in respect of any Horses, Cattle, Carts, or Carriages also passing along or using, or intending to pass along or use, the said Roads leading from *Barton Bridge* to or near *Moses Gate* aforesaid, and comprised in the said Act of the Sixth Year of the Reign of His present Majesty.

No Gate to be erected across the

XIV. And whereas an Act was passed in the Forty-sixth Year of the Reign of His late Majesty King *George* the Third, intituled *An*

Act for making and maintaining a Road from Great Bridgewater Street *in* Manchester, *across the River* Irwell, *through* Salford *to* Eccles *in the County Palatine of* Lancaster, *and several Branches of Road to communicate therewith:* And whereas the said Road communicates and unites with the said District of Road authorized to be repaired and improved by this Act, called the *Gilda Brook* and *Irlam* District, at or near the Village of *Eccles* in the said County Palatine of *Lancaster*, being at a Distance only of One Third of a Mile or thereabouts from a Toll Bar erected across the said Road so authorized to be made by the said Act of the Forty-sixth Year of His late Majesty; and it would tend to lessen the Tolls to be received under the said last-mentioned Act, in case any Person travelling on the Road made under the Powers thereof, and from thence on to the said District of Road called the *Gilda Brook* and *Irlam* District, were, on entering upon such District of Road, to be subject to the Payment of the Tolls granted by this Act; be it therefore enacted, That nothing herein contained shall extend or be construed to extend to authorize or empower, nor shall it be lawful for the said Trustees to erect or set up any Toll Gate or Toll Gates, Bar or Bars, Chain or Chains, Side Gate or Side Gates, Side Bar or Side Bars, Toll House or Toll Houses, Weighing Machine or Weighing Machines, upon or across the Entrance to the said Road made under the Authority of the said last-recited Act, at the Place where the same Road communicates or unites with the said District of Road called the *Gilda Brook* and *Irlam* District.

Manchester and Eccles Road.

XV. And be it further enacted, That it shall be lawful for the said Trustees from Time to Time to order and direct One or more Lamp or Lamps to be placed and erected on or against or in front of each and every of the Toll Houses to be continued or erected by virtue of this Act, as they the said Trustees shall think proper, and also to order and direct at what Times of the Year, and during what Hours, such Lamp or Lamps, or any of them, shall be kept lighted; and all and every Collectors and Collector of the Tolls authorized by this Act to be taken and collected, appointed by the said Trustees, and also all and every Lessees or Lessee thereof, and all and every Persons and Person appointed by the said Trustees, who shall neglect or omit to observe and fulfil the Orders of the said Trustees in respect to the keeping and lighting of such Lamp or Lamps, shall forfeit and pay any Sum not exceeding Forty Shillings for every such Neglect or Omission; and in case any Person or Persons shall damage or injure any Lamp to be set up as aforesaid, or extinguish the Light therein, such Person or Persons shall forfeit and pay any Sum not exceeding Forty Shillings, to be recovered and applied in such and the same Manner as Penalties incurred by Offences against the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty are by such Acts directed to be recovered and applied.

Lamps to be lighted at Toll Houses.

XVI. And be it further enacted, That it shall be lawful for the said Trustees, or any Person or Persons appointed or to be appointed Collector or Collectors of the said Tolls, or the Lessee or Lessees thereof respectively for the Time being, or any Person or Persons by such

Power to take Tolls.

such Lessee or Lessees to be appointed, to demand and take the Tolls herein-after mentioned at the several and respective Toll Gates or Turnpikes, or Toll Houses or Side Gates, or Side Bars or Chains, which are or shall be standing and being, or continued or erected by virtue of this Act or the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty, in, upon, across, or on the Side or Sides of the said Roads included in the said Districts or Divisions of the said Roads to be called the *Swinton* District, *Irlam's o'th'Height* District, the *Gilda Brook* and *Irlam* District, and the *Agecroft* District, or any Part or Parts thereof; (that is to say),

Tolls. For every Horse, Mule, or other Beast, drawing any Stage Coach or other Stage Carriage for conveying Passengers for Pay or Reward, the Sum of Four-pence Halfpenny:

For every Horse, Mule, or other Beast, drawing any Coach, or any Berlin, Landau, Barouche, Chariot, Chaise, or other such like Carriage with Four Wheels (not being a Stage Coach or Stage Carriage for conveying Passengers for Pay or Reward), the Sum of Three-pence:

For One Horse, Mule, or other Beast, drawing any Gig, Whiskey, Chair, Cart, Caravan, or other Carriage with Two Wheels, built or constructed with Springs, the Sum of Four-pence; and for every additional Horse, Mule, or other Beast, the Sum of Two-pence:

For every Horse, Mule, or other Beast, drawing any Waggon or other such Carriage with Four Wheels of the Breadth of Six Inches or upwards at the Bottom or Soles thereof, the Sum of Four-pence:

For every Horse, Mule, or other Beast, drawing any Waggon or other such Carriage with Four Wheels of the Breadth of Four and a Half Inches, and less than Six Inches, at the Bottom or Soles thereof, the Sum of Five-pence:

For every Horse, Mule, or other Beast, drawing any Waggon or other such Carriage with Four Wheels of less Breadth than Four and a Half Inches at the Bottom or Soles thereof, the Sum of Sixpence:

For One Horse, Mule, or other Beast, drawing any Cart or other such Carriage with Two Wheels of the Breadth of Six Inches or upwards at the Bottom or Soles thereof, the Sum of Four-pence; and for every additional Horse, Mule, or other Beast, the Sum of Two-pence:

For every Horse, Mule, or other Beast, drawing any Cart or other such Carriage with Two Wheels of the Breadth of Four and a Half Inches, and less than Six Inches, at the Bottom or Soles thereof, the Sum of Five-pence:

For every Horse, Mule, or other Beast, drawing any Cart or other such Carriage with Two Wheels of less Breadth than Four and a Half Inches, and not built or constructed with Springs, 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 Herd of Neat Cattle, not exceeding the Sum of One Shilling and Sixpence *per* Score; and so in proportion for a greater or less Number:

And for every Drove of Calves, Sheep, Lambs, or Swine, not exceeding the Sum of Sixpence *per* Score; and so in proportion for a greater or less Number.

Which

Which said respective Tolls or Sums of Money shall be demanded and taken in the Name of or as Toll, before any Horse, Mule, Ass, or other Beast or Cattle whatsoever shall be permitted to pass through any Toll Gate or Turnpike, or Side Gate or Side Bar, or Chain, to be continued or erected upon the said several and respective Districts or Divisions of the said Roads, or any or either of them; and such several and respective Tolls or Sums of Money 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. Tolls vested in the Trustees.

XVII. And be it further enacted, That it shall be lawful for the said Trustees, or any Person or Persons appointed or to be appointed Collector or Collectors of the said Tolls, or the Lessee or Lessees thereof respectively for the Time being, or any Person or Persons by such Lessee or Lessees to be appointed, to demand and take the Tolls herein-after mentioned at the several and respective Toll Gates or Turnpikes or Toll Houses, or Side Gates or Side Bars or Chains, which are or shall be standing and being, or continued or erected by virtue of this Act, or the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty, in, upon, across, or on the Side or Sides of the said Roads included in the said District or Division of the said Roads to be called the *Pendleton* District, or any Part or Parts thereof; (that is to say), Power to take Tolls on the Pendleton District.

For every Horse, Mule, or other Beast, drawing any Stage Coach or other Stage Carriage for conveying Passengers for Pay or Reward, the Sum of Two-pence:

For every Horse, Mule, or other Beast, drawing any Coach, or any Berlin, Landau, Barouche, Chariot, Chaise, or other such like Carriage with Four Wheels, (not being a Stage Coach or Stage Carriage for conveying Passengers for Pay or Reward,) the Sum of Two-pence:

For One Horse, Mule, or other Beast, drawing any Gig, Whiskey, Chair, Cart, Caravan, or other Carriage with Two Wheels, built or constructed with Springs, the Sum of Two-pence:

For every Horse, Mule, or other Beast, drawing any Waggon or other such Carriage with Four Wheels of the Breadth of Six Inches or upwards at the Bottom or Soles thereof, the Sum of Two-pence:

For every Horse, Mule, or other Beast, drawing any Waggon or other such Carriage with Four Wheels of the Breadth of Four and a Half Inches, and less than Six Inches, at the Bottom or Soles thereof, the Sum of Two-pence Halfpenny:

For every Horse, Mule, or other Beast, drawing any Waggon or other such Carriage with Four Wheels of less Breadth than Four and a Half Inches at the Bottom or Soles thereof, the Sum of Three-pence:

For every Horse, Mule, or other Beast, drawing any Cart or other such Carriage with Two Wheels of the Breadth of Six Inches or upwards at the Bottom or Soles thereof, the Sum of One Penny Halfpenny:

For every Horse, Mule, or other Beast, drawing any Cart or other such Carriage with Two Wheels of the Breadth of Four and a Half Inches, and less than Six Inches, at the Bottom or Soles thereof, the Sum of Two-pence Halfpenny:

For every Horse, Mule, or other Beast, drawing any Cart or other such Carriage with Two Wheels of less Breadth than Four and a Half Inches, and not built or constructed with Springs, the Sum of Three-pence:

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

For every Drove of Oxen, Cows, or Herd of Neat Cattle, not exceeding the Sum of Ten-pence *per* Score; and so in proportion for a greater or less Number:

And for every Drove of Calves, Sheep, Lambs, or Swine, not exceeding the Sum of Five-pence *per* Score; and so in proportion for a greater or less Number:

Tolls vested in the Trustees.

Which said respective Tolls or Sums of Money shall be demanded and taken in the Name of or as Toll, before any Horse, Mule, Ass, or other Beast or Cattle whatsoever shall be permitted to pass through any Toll Gate or Turnpike, or Side Gate or Side Bar, or Chain, to be continued or erected upon the said District or Division of the said Roads to be called the *Pendleton* District; and such several and respective Tolls or Sums of Money 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.

Fractional Part of a Halfpenny.

XVIII. Provided always, and be it further enacted, That in all Cases where there shall be a fractional Part of One Halfpenny in the Calculation or Amount of any of the Tolls by this Act and the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty, or any or either of them, granted or authorized to be collected, the Sum of One Halfpenny shall be demanded and taken in lieu of such fractional Part.

Tolls to be paid but Once for passing and repassing, except when repassing laden.

XIX. And be it further enacted, That when the full Toll shall have been paid for or in respect of any Horse or other Beast passing through any of the Turnpikes or Toll Gates erected or to be erected on the said Roads herein-before mentioned and hereby authorized to be made, the same Horse or other Beast shall (on a Ticket being produced denoting such Payment) be permitted to return Toll-free before Twelve of the Clock at Night of the same Day, except in the Cases of Horses or Beasts drawing any Waggon, Cart, or Carriage laden, both on passing and returning, with the Weight of Five hundred Pounds or upwards, of One hundred and twelve Pounds to the Hundred Weight, in which excepted Cases full Toll shall be paid when returning; but if any Horse or other Beast shall pass or go a Third Time or oftener on the same Day, drawing any Waggon, Cart, or Carriage, or not drawing, through all or any of the said Turnpikes or Toll Gates, the Tolls hereby made payable shall be again paid, in the same Manner as if such Horse or other Beast had not before on the same Day passed through any of the said Turnpikes or Toll Gates.

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

XX. And be it further enacted, That the Tolls hereby made payable for and in respect of Horses or Beasts drawing any Stage Coach, Diligence, Van, or Caravan, or other Stage Carriage conveying Passengers or Goods for Pay or Reward, shall be payable and paid every

Time of passing or repassing through any of the said Turnpikes, Toll Gates, or Side Gates; and for or in respect of Horses or Beasts let out to Hire, and drawing any Post Chaise or other Carriage, shall be payable and paid every Time of passing and repassing through any of the said Toll Gates, Turnpikes, or Side Gates, whenever any new Hiring thereof shall take place.

Post Chaises, on every new Hiring.

XXI. Provided always, and be it further enacted, That no more than One full Toll shall be demanded or taken for or in respect of any Horse or other Beast carrying or conveying Milk, Whey, Butter-milk, or Curds, or returning after having been so employed, for passing through any of the Turnpikes or Toll Gates erected or to be erected on the said Roads in the same Day, (such Day to be computed as aforesaid); any thing herein-before contained to the contrary thereof in anywise notwithstanding.

Tolls to be paid only Once a Day for Horses conveying Milk, &c.

XXII. Provided also, and be it further enacted, That no more than One full Toll shall be demanded and taken (except in the Cases herein-before mentioned) for or in respect of the same Horses, Beasts, or Cattle, for passing Once and returning the same Day (to be computed as aforesaid) through all or any of the Toll Gates, Turnpikes, Side Gates, or Chains, along the said District or Division of the said Roads to be called the *Pendleton* District; nor shall more than One full Toll be demanded and taken (except in the Cases herein-before mentioned) for or in respect of the same Horses, Beasts, or Cattle, for passing Once and returning the same Day (to be computed as aforesaid) through all or any of the Toll Gates, Turnpikes, Side Gates, or Chains, along the said District or Division of the said Roads to be called the *Swinton* District; nor shall more than One full Toll be demanded and taken (except in the Cases herein-before mentioned) for or in respect of the same Horses, Beasts, or Cattle, for passing Once and returning the same Day (to be computed as aforesaid) through all or any of the Toll Gates, Turnpikes, Side Gates, or Chains, along the said District or Division of the said Roads to be called *Irlam's o'th' Height* District; nor shall more than Two full Tolls be demanded and taken (except in the Cases herein-before mentioned) for or in respect of the same Horses, Beasts, or Cattle, for passing Once and returning the same Day (to be computed as aforesaid) through all or any of the Toll Gates, Turnpikes, Side Gates, or Chains, along the said District or Division of the said Roads to be called *Gilda Brook* and *Irlam* District; nor shall more than One full Toll be demanded and taken (except in the Cases herein-before mentioned) for or in respect of the same Horses, Beasts, or Cattle, for passing Once and returning the same Day (to be computed as aforesaid) through all or any of the Toll Gates, Turnpikes, Side Gates, or Chains, along the said District or Division of the said Roads to be called the *Agecroft* District.

Limiting the Number of Tolls on the whole Line of Roads.

XXIII. And be it further enacted, That any Person who shall exercise Three Horses at the same Time upon any Part of the said Roads, by riding one of them and leading the others one on each Side of him, shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings, to be recovered, levied, and applied in

Penalty for exercising Three Horses at the same Time on the Roads.

in such and the same Manner as other Penalties are by the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty directed to be recovered, levied, and applied.

Allowing Carts drawn by One Horse to be weighed.

XXIV. And whereas it frequently happens that Carts drawn by One Horse only, passing upon and along the said Roads, carry a greater Weight than is allowed by Law for Carts drawn by Two or more Horses; be it therefore further enacted, That from and after the Expiration of Two Years from the Commencement of this Act, all Carts passing upon the said Roads, or any Part or Parts thereof, drawn by One Horse only, shall and may be weighed at all and every the Weighing Machine or Weighing Machines now or hereafter to be erected in the said several Districts or Divisions of the said Roads, and the like additional Sums or Tolls as are payable under or by virtue of the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty for the Overweight of Carts or Carriages, and the Loading thereof, shall and may be demanded and taken for and in respect of all Carts drawn by One Horse only, which with the Loading thereof shall exceed the Weights thereby allowed for Waggons, Carts, and other Carriages drawn by more than One Horse; and all the Powers, Regulations, and Penalties thereby provided relating to the weighing of Waggons, Carts, and other Carriages drawn by more than One Horse, shall be applicable to Carts passing on the said Roads drawn by One Horse only, and to the Drivers, Masters, and Owners thereof, any Law, Statute, or Usage to the contrary in anywise notwithstanding.

Application of the Tolls and other Monies on the Pendleton District.

XXV. And be it further enacted, That all Monies which before the Commencement of this Act shall have been raised and produced by virtue of the said recited Act hereby repealed, so far as regards the said District or Division of the said Roads to be called the *Pendleton* District, 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 in or upon the same District or Division of the said Roads, together with all Monies which have been or shall be borrowed upon the Credit thereof, and all other Monies which shall arise and be produced by virtue thereof, and not otherwise appropriated or directed to be applied, 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 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, with Interest for the same; secondly, in Payment of the Expences of erecting and providing, altering and repairing, Turnpikes, Toll Houses, Side Gates, Side Bars, Chains, and Weighing Machines, with suitable Outbuildings upon, across, and by the Sides of the same District or Division of the said Roads, and of Books, Advertisements, Salaries of Officers, and other such Expences incidental to the Execution of this Act, so far as regards the same District or Division of the said Roads; thirdly, in paying and keeping down the Interest of all Principal Monies, which at the Commencement

ment of this Act shall be due and owing to any Mortgagee or Mortgagees of the Tolls arising on the same District or Division of the said Roads by virtue of the said recited Act hereby repealed, in preference to the Interest of any Monies to be borrowed on the Credit of the Tolls which shall hereafter be payable on the same District or Division of the said Roads by virtue of this Act; fourthly, in paying and keeping down the Interest of the Principal Monies which shall be borrowed on Security of the Tolls arising on the same District or Division of the said Roads by virtue of this Act; fifthly, in amending, altering, diverting, turning, widening, improving, and keeping in repair the same District or Division of the said Roads, and in making, providing, and keeping in repair proper and sufficient Footpaths, Causeways, Bridges, Ditches, Fences, Rails, Posts, Boards, and other necessary Matters and Things thereon, and in repaying the Principal Monies already borrowed by virtue of the said recited Act hereby repealed; and lastly, in repaying the Principal Monies hereafter to be borrowed on Credit of the Tolls arising on the same District or Division of the said Roads by virtue of this Act or the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty.

Application of the Tolls and other Monies on the Gilda and Irlam District.

XXVI. And be it further enacted, That all Monies which before the Commencement of this Act shall have been raised and produced by virtue of the said recited Act hereby repealed, so far as regards the said District or Division of the said Roads to be called the *Gilda Brook* and *Irlam* District, which shall be remaining undisposed of on the Day of the Commencement of this Act, and also all Monies which shall arise and be produced by and from the Tolls by this Act granted and made payable in or upon the same District or Division of the said Roads, together with all the Monies which have been or shall be borrowed upon the Credit thereof, and all other Monies which shall arise and be produced by virtue thereof, and not otherwise appropriated or directed to be applied, shall from Time to Time be applied in Payment of the Expences of erecting and providing, altering and repairing, Turnpikes, Toll Houses, Side Gates, Side Bars, Chains, and Weighing Machines, with suitable Outbuildings, upon, across, and by the Sides of the same District or Division of the said Roads, and of Books, Advertisements, Salaries of Officers, and other such Expences incidental to the Execution of this Act, so far as regards the same District or Division of the said Roads; and in the next place, in keeping down the Interest of all Principal Monies which at the Commencement of this Act shall be due and owing to any Mortgagee or Mortgagees of the Tolls arising on the same District or Division of the said Roads by virtue of the said recited Act hereby repealed, in preference to the Interest of any Monies to be borrowed on the Credit of this Act, and in paying and keeping down the Interest of the Principal Monies which shall be borrowed on Security of the Tolls arising on the same District or Division of the said Roads by virtue of this Act; and afterwards in amending, altering, diverting, turning, widening, improving, and keeping in repair the same District or Division of the said Roads, and in making, providing, and keeping in repair proper and sufficient Footpaths, Causeways, Bridges, Ditches, Fences, Rails, Posts, Boards, and other necessary Matters and Things thereon, and in repaying the Principal Monies already borrowed by virtue of the said recited Act hereby repealed; and lastly, in repaying the

the Principal Monies hereafter to be borrowed on Credit of the Tolls arising on the same District of the said Roads by virtue of this Act or the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty.

Application of the Tolls and other Monies on the Swinton District.

XXVII. And be it further enacted, That all Monies which before the Commencement of this Act shall have been raised and produced by virtue of the said recited Act hereby repealed, so far as regards the said District or Division of the said Roads to be called the *Swinton* District, which shall be remaining undisposed of on the Day of the Commencement of this Act, and also all Monies which shall arise and be produced by and from the Tolls by this Act granted and made payable in or upon the same District or Division of the said Roads, together with all the Monies which have been or shall be borrowed upon the Credit thereof, and all other Monies which shall arise and be produced by virtue thereof, and not otherwise appropriated or directed to be applied, shall from Time to Time be applied in Payment of the Expences of erecting and providing, altering and repairing, Turnpikes, Toll Houses, Side Gates, Side Bars, Chains, and Weighing Machines, with suitable Outbuildings, upon, across, and by the Sides of the same last-mentioned District or Division of the said Roads, and of Books, Advertisements, Salaries of Officers, and other such Expences incidental to the Execution of this Act, so far as regards the same District or Division of the said Roads; and in the next place, in keeping down the Interest of all Principal Monies which at the Commencement of this Act shall be due and owing to any Mortgagee or Mortgagees of the Tolls arising on the same District or Division of the said Roads by virtue of the said recited Act hereby repealed, in preference to the Interest of any Monies to be borrowed on the Credit of this Act; and in paying and keeping down the Interest of the Principal Monies which shall be borrowed on Security of the Tolls arising on the same District or Division of the said Roads by virtue of this Act; and afterwards in amending, altering, diverting, turning, widening, improving, and keeping in repair the same District or Division of the said Roads, and in making, providing, and keeping in repair proper and sufficient Footpaths, Causeways, Bridges, Ditches, Fences, Rails, Posts, Boards, and other necessary Matters and Things thereon, and in repaying the Principal Monies already borrowed by virtue of the said recited Act hereby repealed; and lastly, in repaying the Principal Monies hereafter to be borrowed on Credit of the Tolls arising on the same District or Division of the said Roads by virtue of this Act or the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty.

Application of the Tolls and other Monies on the Irlam's o'th'Height District.

XXVIII. And be it further enacted, That all Monies which before the Commencement of this Act shall have been raised and produced by virtue of the said recited Act hereby repealed, so far as regards the said District or Division of the said Roads to be called *Irlam o'th' Height* District, which shall be remaining undisposed of on the Day of the Commencement of this Act, and also all Monies which shall arise and be produced by and from the Tolls by this Act granted and made payable in or upon the same District or Division of the said Roads, together with all the Monies which have been or shall be borrowed upon the Credit thereof, and all other Monies which shall arise

and be produced by virtue thereof, and not otherwise appropriated or directed to be applied, shall from Time to Time be applied in Payment of the Expences of erecting and providing, altering and repairing, Turnpikes, Toll Houses, Side Gates, Side Bars, Chains, and Weighing Machines, with suitable Outbuildings, upon, across, and by the Sides of the same District or Division of the said Roads, and of Books, Advertisements, Salaries of Officers, and such other Expences incidental to the Execution of this Act, so far as regards the same District or Division of the said Roads; and in the next place, in keeping down the Interest of all Principal Monies which at the Commencement of this Act shall be due and owing to any Mortgagee or Mortgagees of the Tolls arising on the same District or Division of the said Roads by virtue of the said recited Act hereby repealed, in preference to the Interest of any Monies to be borrowed on the Credit of this Act, and in paying and keeping down the Interest of the Principal Monies which shall be borrowed on Security of the Tolls arising on the same District or Division of the said Roads by virtue of this Act; and afterwards in amending, altering, diverting, turning, widening, improving, and keeping in repair the same District or Division of the said Roads, and in providing, making, and keeping in repair proper and sufficient Footpaths, Causeways, Bridges, Ditches, Fences, Rails, Posts, Boards, and other necessary Matters and Things thereon, and in repaying the Principal Monies already borrowed by virtue of the said recited Act hereby repealed; and lastly, in repaying the Principal Monies hereafter to be borrowed on Credit of the Tolls arising on the same District or Division of the said Roads by virtue of this Act or the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty.

Application of the Tolls and other Monies on the Agecroft District.

XXIX. And be it further enacted, That all Monies which before the Commencement of this Act shall have been raised and produced by virtue of the said recited Act hereby repealed, so far as regards the said District or Division of the said Roads to be called the *Agecroft* District, which shall be remaining undisposed of on the Day of the Commencement of this Act, and also all Monies which shall arise and be produced by and from the Tolls by this Act granted and made payable in or upon the same District or Division of the said Roads, together with all the Monies which shall have been or shall be borrowed upon the Credit thereof, and all other Monies which shall arise and be produced by virtue thereof, and not otherwise appropriated or directed to be applied, shall from Time to Time be applied in Payment of the Expences of erecting and providing, altering and repairing, Turnpikes, Toll Houses, Side Gates, Side Bars, Chains, and Weighing Machines, with suitable Outbuildings, upon, across, and by the Sides of the same District or Division of the said Roads, and of Books, Advertisements, Salaries of Officers, and other such Expences incidental to the Execution of this Act, so far as regards the same District or Division of the said Roads; and in the next place, in keeping down the Interest of all Principal Monies which at the Commencement of this Act shall be due and owing to any Mortgagee or Mortgagees of the Tolls arising on the same District or Division of the said Roads by virtue of the said recited Act hereby repealed, in preference to theInterest of any Monies to be borrowed on the Credit

of

of this Act, and in paying and keeping down the Interest of the Principal Monies which shall be borrowed on Security of the Tolls arising on the same District or Division of the said Roads by virtue of this Act; and afterwards in amending, altering, diverting, turning, widening, improving, and keeping in repair the same District or Division of the said Roads, and in providing, making, and keeping in repair proper and sufficient Footpaths, Causeways, Bridges, Ditches, Fences, Rails, Posts, Boards, and other necessary Matters and Things thereon, and in repaying the Principal Monies already borrowed by virtue of the said recited Act hereby repealed; and lastly, in repaying the Principal Monies hereafter to be borrowed on Credit of the Tolls arising on the same District or Division of the said Roads by virtue of this Act or the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty.

Power to alter and widen the Roads.

XXX. And whereas great Numbers of Carts, Waggons, and other Carriages, laden with Coals and other Articles, pass and repass over and along the said Districts of Roads to the Towns of *Manchester* and *Salford*, and the Traffic upon the said Road within the said *Pendleton* District is so great, particularly on the Three Market Days, that it is highly expedient the said Roads in the Parts and Places herein-after mentioned should be widened and otherwise improved, which would greatly tend to the Safety and Convenience of the Inhabitants of the said Districts and Towns, as well as to the Public at large; be it therefore enacted, That it shall be lawful for the said Trustees, and they are hereby fully authorized and empowered to amend, alter, improve, and widen the said several and respective Districts or Divisions of the said Roads now included in this Act, and make the same of any Width they may think proper, not exceeding the several and respective Widths herein-after mentioned; (that is to say), the Road included in the *Pendleton* District from the Division of the Townships of *Salford* and *Pendleton* to the Place where the *Pendleton* Turnpike now stands, not exceeding the Width of Thirty-two Yards, including Footpaths and Causeways; and from the said *Pendleton* Turnpike to *Irlam o'th' Height*, not exceeding the Width of Twenty-five Yards; the Roads included in the *Swinton* District, and the Roads included in *Irlam's o'th' Height* District, not exceeding the Width of Twenty Yards; the Roads included in the *Agecroft* District, not exceeding the Width of Ten Yards; and the Roads and Diversions of Roads included and to be included in the *Gilda Brook* and *Irlam* District, not exceeding the Width of Twenty Yards, including Footpaths and Causeways; and also to set out, make, and complete, and from Time to Time to repair, widen, divert, and improve the said several Diversions or deviated Lines of Road herein-before mentioned, and every of them, of any Width they may think proper, not exceeding the Width herein-before mentioned and directed; and from and after the making thereof respectively, the same Diversions or deviated Lines of Road shall be added to and form Part of the said District or Division of the said Roads to be called the *Gilda Brook* and *Irlam* District, and be deemed to be, to all Intents and Purposes, Part of the Roads included in this Act, and shall be deemed aud taken to be and shall be respectively Public Highways to all Intents and Purposes.

XXXI. Pro-

The Horse Causeway on the North Side of the Pendleton District to be removed.

XXXI. Provided always, and be it further enacted, That the said Trustees shall and they are hereby required, within the Space of Two Years from the passing of this Act, to remove or cause to be removed the present Horse Causeway on the North Side of the *Pendleton* District of the said Roads running through the Lands and Grounds belonging to His Majesty in right of His Duchy of *Lancaster*, and to make or cause the same to be made upon and along the said North Side of the said Roads within the said *Pendleton* and *Gilda Brook* Districts of Roads respectively; the said Trustees paying for any of the Lands or Grounds belonging to His Majesty in right of His said Duchy of *Lancaster*, that shall or may be wanted for the Purposes of this Act, over and above the Width of Twenty-five Yards.

Diversions of Lines of Roads to be made according to the Map or Plan deposited at the Office of the Clerk of the Peace.

XXXII. And whereas a Map or Plan, describing the Course of the said intended Diversions or deviated Lines of Road, and the Lands and Hereditaments through which the same are to be made, together with a Book of Reference containing Lists of the Names of the Owners or reputed Owners and Occupiers of such Lands and Hereditaments, hath been deposited in 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 Palatine of *Lancaster*, 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 such Clerk of the Peace the Sum of One Shilling for every such Inspection, and at the Rate of Four-pence for every Seventy-two Words of such Copies or Extracts of the said Map or Plan and Book of Reference; and the said Trustees, in making such Alterations, Deviations, Widenings, and Turnings thereof, shall not deviate more than One hundred Yards from the respective Lines 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 Deviation shall be made.

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

XXXIII. Provided always, and be it further enacted, That it shall be lawful for the said Trustees to make, alter, and divert the said Roads into, through, across, or over the several Lands, Hereditaments, and Premises of any Person or Persons who is or are or may be Owner or Owners of Lands or Premises over which the same is or are set out and described in the said Map or Plan as aforesaid, and Schedule hereunto annexed, although the Name or Names of such Person or Persons may happen to be omitted or mis-stated in the Book of Reference, or in the said Schedule, in case it shall appear to any One or more Justice or Justices of the Peace for the said County, and be certified by Writing under his or their Hand or Hands, that such Error or Omission proceeded from Mistake.

Chancellor and Council of Duchy of Lancaster authorized to sell Lands

XXXIV. And whereas it may be expedient and proper that the Chancellor and Council of His Majesty's Duchy of *Lancaster*, on His Majesty's Behalf, or their Lessee or Lessees, should be authorized, if they shall so think fit, to sell and convey to the said Trustees such Lands and Hereditaments, belonging to His Majesty in right of His said

wanted for the Purposes of this Act.

said Duchy, as may be necessary to be purchased, taken, or used for the Purpose of making, amending, altering, improving, and widening the said several and respective Districts or Divisions of the said Roads included in this Act as aforesaid; be it therefore enacted, That it shall be lawful for the Chancellor and Council of His Majesty's Duchy of *Lancaster* for the Time being, and such Lessee or Lessees as aforesaid, to contract and agree with the said Trustees for the Sale of any Lands and Hereditaments which may be necessary to be purchased, taken, or used for the Purposes of this Act, on the Line of the said several and respective Districts or Divisions of the said Roads belonging to His Majesty or His Heirs and Successors, in right of His said Duchy, at and for such Price or Prices, and upon such Terms and Conditions, as shall be settled and agreed upon between the said Chancellor and Council and such Lessee or Lessees as aforesaid, and the said Trustees; and upon Payment of such Sum or Sums of Money as shall be so settled and determined upon as and for the Price and Consideration for such Lands and Hereditaments, it shall be lawful for the said Chancellor and Council of the said Duchy for the Time being, by any Deed or Writing under the Seal of the said Duchy, for and in the Name of His Majesty, His Heirs and Successors, and also for any such Lessee or Lessees as aforesaid, to grant and convey the same Lands and Hereditaments, and the Fee Simple and Inheritance thereof, to the said Trustees, for the Uses and Purposes of this Act; which said Deed or Writing under the Seal of the said Duchy, being enrolled in the Court of the Duchy Chamber of *Lancaster* within Twelve Calendar Months from the Date thereof, shall be effectual and sufficient to vest in the said Trustees the Fee Simple and Inheritance thereof, for the Uses and Purposes of this Act, any thing contained in an Act passed in the First Year of the Reign of Queen *Anne*, intituled *An Act for the better Support of His Majesty's Household, and of the Honour and Dignity of the Crown*, or in any other Act to the contrary thereof in anywise notwithstanding; and all and every Sum and Sums of Money to be paid as and for the Purchase or Consideration Money for the Lands or Hereditaments so to be sold and conveyed as last mentioned under and by virtue of this Act, shall be paid by the said Trustees or their Treasurer into the Hands of the Receiver General of the said Duchy for the Time being, or his Deputy, and shall be by him invested in the Three Pounds *per Centum* Consolidated Bank Annuities, in the Name of the Duchy of *Lancaster*, and shall when so paid there remain until the same shall be sold out or transferred by an Order of the Court of Duchy Chamber of *Lancaster*; and the Interest thereof shall be applied for the Benefit of the Lessee of the Manor of *Salford* and the Wastes thereof, and his Executors, Administrators, and Assigns, during the Remainder of the Term to come under and by virtue of a certain Lease, under the Seals of the said Duchy and County Palatine, bearing Date the Third Day of *May* in the Year One thousand eight hundred and twenty-one.

Trustees restrained from pulling down Dwelling Houses, &c.

XXXV. Provided also, and be it further enacted, That the Powers and Authorities given by this Act for widening, improving, and diverting the said Roads, 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 inclosed 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 for the Time being first had and obtained, except such as are mentioned in the Schedule to this Act annexed: Provided always, that if the said Trustees shall not within the Space of Three Years, to be computed from the Commencement of this Act, agree for or cause to be valued and paid for, as by the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty and this Act is mentioned and directed, the several Houses, Lands, Tenements, and Hereditaments which they are hereby empowered to purchase as aforesaid, or so much thereof as they shall deem necessary or proper for the Purposes of this Act, then and from thenceforth the Powers and Authorities by this Act granted to them of purchasing the same, or such Part thereof as aforesaid, shall cease, determine, and be utterly void, save and except with the Consent of the Owners and Proprietors thereof respectively.

without the Consent of the Owner.

XXXVI. And whereas the Ancestors of *Thomas Joseph Trafford*, of *Trafford* in the County of *Lancaster*, Esquire, have for Time immemorial been entitled to and constantly had, collected, and received customary Tolls for certain Carts and Carriages passing through a certain Gate or Bar across the Road in *Irlam*, in the Way from *Manchester* to the Town of *Warrington* aforesaid; and by the said recited Act of the Thirty-third Year of the Reign of His said late Majesty Provision was made for the Payment, out of the Tolls thereby authorized to be collected, of an annual Sum of Sixteen Pounds during the Continuance of the said Act, and that after the Expiration thereof, the said Tolls so received and taken by the Ancestors of the said *Thomas Joseph Trafford* should revert to and be had, received, and taken by *John Trafford* Esquire, deceased, the Father of the said *Thomas Joseph Trafford*, his Heirs and Assigns, in such Manner as they were taken and received before the passing of that Act, or as if that Act had not been made: And whereas it would be of public Advantage if the Tolls so payable to the said *Thomas Joseph Trafford*, and the Right to set up the said Toll Bar or Toll Gate upon the said Road, were purchased by the said Trustees out of the Monies received from the Tolls to be collected, and the Monies to be borrowed under the Authority of this Act, and the said Tolls were for ever thereafter abolished; be it therefore further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized (if they think proper), to treat, contract, and agree for the Purchase of the said Tolls so payable to the said *Thomas Joseph Trafford*, and the Right to set up the said Toll Bar or Toll Gate in *Irlam* aforesaid, and to pay for the Purchase thereof by and out of the Tolls by this Act authorized to be collected, and the Monies which shall be borrowed on Credit thereof: Provided always, that if the said *Thomas Joseph Trafford*, his Heirs or Assigns, or his, her, or their Trustee or Trustees, shall for the Space of Twenty Days next after Notice in Writing shall have been given to him, her, or them, or left at his, her, or their Dwelling House or Houses, or other Place

Power to contract with Mr. Trafford for his Right to collect certain Tolls.

Place or Places of Abode, neglect or refuse to treat, or shall not agree, or by reason of Absence shall be prevented from treating, then and in every such Case the said Trustees shall cause the Value thereof to be inquired into and ascertained by a Jury in the Manner prescribed by the said recited Act passed in the Third Year of the Reign of His present Majesty, in Cases where the Value of Lands thereby authorized to be taken and used for widening, diverting, altering, and improving any Turnpike Road are directed to be inquired into and ascertained, subject to all the Regulations and Provisions of the said Act relative to the summoning and impannelling the Jury, the summoning of Witnesses, the fining of the Sheriff, his Deputy, Bailiff, or Agent, and fining the Witnesses, and to the Payment of the Expences of summoning and maintaining the Jury and Witnesses; and from and after Payment of the Money so to be agreed on or ascertained as aforesaid, or on Tender thereof, the said Tolls and Right of the said *Thomas Joseph Trafford* shall cease and be for ever abolished.

Not to alter Bridges, &c. across the late Duke of Bridgewater's Canal without Consent.

XXXVII. Provided also, and be it further enacted, That nothing herein contained shall authorize and empower, or be deemed or construed to empower, the said Trustees or any of them, in any Manner whatever, to widen or alter, or cause to be widened or altered, any Bridge or Bridges whatsoever over or across any Canal or Navigation belonging to the Devisees in Trust of the late Duke of *Bridgewater*, deceased, or their Heirs or Assigns, or to widen, alter, or divert the said Roads, or any of them, through any of the Lands or Grounds of the said Devisees, or to take or use any Part of the said Lands or Grounds of the said Devisees, for any of the Purposes of this Act, without the Consent in Writing of the said Devisees in Trust, their Heirs or Assigns, or of the Superintendent of the Canal or Navigation for the Time being; any thing in this Act or any other Law or Statute to the contrary thereof in anywise notwithstanding.

Application of Compensation Money, if amounting to 200*l.*

XXXVIII. And be it further enacted, That if any Money shall be paid or agreed or awarded to be paid for the Purchase of any Lands, Tenements, or Hereditaments to be purchased, taken, or used for the Purposes of the said Roads, which shall belong to any Body Politic, Corporate, or Collegiate, Ecclesiastical or Civil, Corporation Aggregate or Sole, Tenant for Life or in Tail, or to any Feoffee in Trust, Executor, Administrator, Husband, Guardian, Committee, or other Trustee for or on behalf of any Infant, Idiot, Lunatic, Feme Covert, or other Cestuique Trust, or to any Person or Persons whose Lands, Tenements, or Hereditaments are limited in strict or other Settlement, or to any Person under any other Disability or Incapacity whatsoever, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Exchequer, to be placed to his Account there *ex parte* the Trustees for executing this Act, pursuant to the Method prescribed by an Act passed in the First Year of the Reign of His present Majesty King *George* the Fourth, intituled *An Act for the better securing Monies and Effects paid into the Court of Exchequer at* Westminster *on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court,*

1 G. 4. c. 35.

Court, and for other Purposes, and the General Orders of the said Court, and without Fee or Reward; and shall, when so paid in, there remain, until the same shall, by Order of the said Court made upon a Petition to be preferred to the said Court in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments, be applied either in the Purchase or Redemption of the Land Tax, or in or towards the Payment or Discharge of any Debt or Debts, or other Incumbrances, affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments standing settled therewith, to the same or the like Uses, Trusts, Intents, or Purposes, as the said Court of Exchequer shall authorize to be purchased, redeemed, paid, or discharged, or such Part thereof as shall be necessary; or until the same shall, upon the like Application, be laid out in a summary Way, by Order of the said Court, in the Purchase of other Lands, Tenements, or Hereditaments, which shall be conveyed, limited, and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Lands, Tenements, or Hereditaments which shall be so purchased, taken, or used as aforesaid stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined or capable of taking effect; and in the meantime and until such Order can be made, the said Money may, by Order of the said Court, upon Application thereto, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities, or in Government or Real Securities; and in the meantime and until the said Bank Annuities or Government or Real Securities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends or Interest and annual Produce of the said Consolidated or Reduced Bank Annuities, or Government or Real Securities, shall from Time to Time be paid by Order of the said Court to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of such Lands, Tenements, or Hereditaments so to be purchased, conveyed, and settled, in case such Purchase, Conveyance, and Settlement were actually made.

Where less than 200*l.* and amounting to 20*l.*

XXXIX. And be it further enacted, That if any Money so agreed or awarded to be paid for any Lands, Tenements, or Hereditaments to be purchased, taken, or used for the Purposes of the said Roads, and belonging to any Corporation, or to any Person or Persons under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed or amount to the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy, Idiotcy, Lunacy, or other Incapacity, with the Approbation of the said Trustees, to be signified in Writing under their respective Hands, be paid into the Bank of *England* in the Name and with the Privity of the said Accountant General of the Court of Exchequer, and be placed to his

Account as aforesaid, in order to be applied in manner herein-before directed; or otherwise the same may be paid, at the like Option and with the like Approbation, to Two Trustees, to be nominated by the Person or Persons who for the Time being would be entitled to the Rents and Profits of the Lands, Tenements, and Hereditaments so to be purchased and settled, such Nomination to be approved of by the Trustees for executing this Act, and such Nomination and Appointment to be signified in Writing under the Hands of the nominating and approving Parties; and the Money so paid to such Trustees, and the Dividends and Produce arising thereon and therefrom, shall be by them applied in like Manner as is herein-before directed with respect to the Money so to be paid into the Bank in the Name of the Accountant General of the Court of Exchequer, but without obtaining or being required to obtain an Order of the said Court touching the Application thereof.

Where under 20*l.*

XL. And be it further enacted, That where such Money so agreed or awarded to be paid as herein-before mentioned shall be less than Twenty Pounds, then and in all such Cases the same shall be paid to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken, or used for the Purposes aforesaid, for his, her, or their own Use and Benefit; or in case of Infancy, Idiotcy, Lunacy, or other Incapacity, then such Money shall be paid to his, her, or their Guardian or Guardians, Committee or Committees, Trustee or Trustees, to and for the Use and Benefit of such Person or Persons respectively entitled thereto.

In case of not making out a good Title, or if Persons cannot be found, the Purchase Money to be paid into the Bank.

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

claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England* who shall receive such Sum or Sums of Money, is and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying therein for what and for whose Use the same is and are received, to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank of *England* as aforesaid.

In case of disputed Titles.

XLII. And be it further enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the said Court of Exchequer, in pursuance of this Act, or the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty, for the Purchase of any Lands, Tenements, or Hereditaments, or of any Estate, Right, Title, or Interest in any Lands, Tenements, or Hereditaments to be purchased in pursuance of this Act or the said last-mentioned Acts for the Purposes aforesaid, or to any Bank Annuities or Government or Real Securities to be purchased with any such Money, or the Dividends or Interest of any such Bank Annuities or Government or Real Securities, the Person or Persons who shall have been in Possession of such Lands, Tenements, or Hereditaments at the Time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, or Hereditaments, according to such Possession, until the contrary shall be shown to the Satisfaction of the said Court; and the Dividends or Interest of the Bank Annuities or Government or Real Securities to be purchased with such Money, and also the Capital of such Bank Annuities or Government or Real Securities to be purchased with such Money, shall be paid, applied, and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

Court may order reasonable Expences to be paid by Trustees.

XLIII. And be it further enacted, That where by reason of any Disability or Incapacity of the Person or Persons or Corporation entitled to any Lands, Tenements, or Hereditaments to be purchased, taken, or used under the Authority of this Act or the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty, the Purchase Money for the same shall be required to be paid into the said Court of Exchequer, or to be applied in the Purchase of other Lands, Tenements, or Hereditaments, to be settled to the like Uses, it shall be lawful for the said Court to order the Expences of all Purchases from Time to Time to be made in pursuance of this Act or the said last-mentioned Acts, or so much of such Expences as to the said Court shall seem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Trustees out of the Monies to be received by virtue of this Act, who shall from Time to Time pay such Sum or Sums of Money for such Purposes as the said Court shall direct.

XLIV. And

Power to make Causeways, Ditches, Drains, Bridges, &c.

XLIV. 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 any Causeway or Causeways for the Use of Foot Passengers in, upon, or on the Sides of the said Roads, in such Manner as they shall think proper, but not to extend the Width of all the Roads, Footpaths, and Causeways collectively, beyond the Width herein-before mentioned as to the said *Pendleton* District and the *Gilda Brook* District of Roads respectively, and also Ditches, Drains, or Watercourses of a sufficient Depth and Breadth for keeping the said Roads dry, and conveying the Water from the same, and also where necessary into or through any Fields, Lands, or Grounds adjoining to or lying near the said Roads (not being a Yard, Garden, Paddock, planted Walk, or Avenue to a House), at the Expence of the said Trustees, out of the Monies to be received by virtue of this Act; and also such sufficient Bridges, Arches, Culverts, Trunks, Tunnels, or Plats as shall be necessary, also at the Expence of the said Trustees, out of the Monies aforesaid, any Law or Statute to the contrary notwithstanding; and all such Ditches, Drains, and Watercourses, Bridges, Arches, Culverts, Trunks, Tunnels, or Plats, when so made and completed, shall for ever afterwards be scoured, cleansed, and kept open, repaired and maintained, by the Occupiers of the adjoining Fields, Lands, or Grounds; but all such new Bridges, Arches, Culverts, Trunks, Tunnels, and Plats, as shall cross or pass in or under the said Roads, shall be scoured, cleansed, and kept open, repaired and maintained, by the said Trustees, subject to the Provisions of the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty.

Power to make Horse Causeways, &c.

XLV. And be it further enacted, That it shall be lawful for the said Trustees, and such Person or Persons as they shall appoint, to make and keep in repair, or cause to be made and kept in repair, any Horse Causeway or Horse Causeways, for the Use of Persons riding on Horseback in, upon, or on the Sides of the said Roads, in such Manner as they shall think proper, to be contained within the Width of Road limited by this Act to the *Pendleton* District of Road and the *Gilda Brook* Road herein-before mentioned respectively; and if any Person shall use, injure, or damage any such Horse Causeway or Horse Causeways, by allowing any wheeled Carriage to pass or go along the same, every such Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings, to be recovered, levied, and applied in such and the same Manner as other Penalties are by the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty directed to be recovered, levied, and applied.

For preventing Nuisances on the Road.

XLVI. And be it further enacted, That if any Person or Persons whatsoever, having the Care of or driving any Waggon, Cart, or other such Carriage upon the said Roads, or any Part thereof, shall drive the same at a furious Rate, or at an unnecessary or improper Pace, or if any Person driving or riding upon any Horse carrying any Milk Can or Cans, Crate or Crates, Pannier or Panners, shall permit the same to go faster than a Trot, to the Annoyance of any Person or Persons

sons travelling thereon, every Person so offending in any of the Cases aforesaid shall forfeit and pay a Sum not exceeding Forty Shillings, to be recovered, levied, and applied in such and the same Manner as other Penalties are by the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty directed to be recovered, levied, and applied.

General Saving.

XLVII. Saving always to the King's most Excellent Majesty, His Heirs and Successors, as well in right of His Crown as of His Duchy and County Palatine of *Lancaster*, and to all and every other Person or Persons, Bodies Politic, Corporate, or Collegiate whatsoever, his, her, or their Heirs, Successors, Executors, Administrators, or Assigns, in every respect whatsoever, save and except as is by this Act enacted and declared.

Saving the Right of T. J. Trafford, Esq. to collect certain Tolls on the Irlam District.

XLVIII. Provided always, and be it further enacted, That nothing herein contained shall be deemed or construed to prejudice or affect the Right of *Thomas Joseph Trafford*, of *Trafford Park* in the said County, Esquire, his Heirs and Assigns, to erect, set up, and continue a Gate or Bar across the Road in *Irlam*, in the Way from *Manchester* to the Town of *Warrington* aforesaid, and to demand, collect, and receive the customary Tolls heretofore paid to the Ancestors of the said *Thomas Joseph Trafford* for certain Carts and Carriages passing through the same, and also all other Rights incident to or belonging thereto; (unless the said Right to erect, set up, and continue a Gate or Bar across the said Road in *Irlam*, in the Way from *Manchester* to the Town of *Warrington* aforesaid, and the Right to demand, collect, and receive the Tolls heretofore payable to the Ancestors of the said *Thomas Joseph Trafford* shall be purchased by the said Trustees in pursuance of the Provision herein-before mentioned and contained).

Public Act.

XLIX. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others, without being specially pleaded.

Commencement and Continuance of this Act.

L. And be it further enacted, That this Act shall commence and take effect upon the said Eighteenth Day of *August* One thousand eight hundred and twenty-six, and shall thenceforth continue and be in force and be executed for and during the Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament.

The SCHEDULE to which the aforegoing Act refers.

OWNERS.	OCCUPIERS.	Description of Property.
Township of Pendleton, Parish of Eccles.		
Samuel Chantler	Samuel Chantler	Garden.
John Fitzgerald	John Walker	Cottage and Garden.
Benjamin Arthur Heywood, Esq.	Benjamin Arthur Heywood, Esq.	Plantation.
Edward Hobson, Esq.	Edward Hobson, Esq.	Meadow or Paddock.
Alexander Paterson, Esq.	Alexander Paterson, Esq.	Plantation.
William Hankinson	Maria Mayho	Pump and Fold.
Ditto	John Brierly	Garden.
Township of Barton-upon-Irwell, Parish of Eccles.		
Executors of the late Thomas Hall	John Lowe	House and Garden.
Ditto	James Knight	Ditto.
John Mangnall	John Mangnall	Ditto.
William Whittaker, Esq.	John Barlow	Ditto.
Ditto	Daniel Bradburne	Ditto.
Executors of the late Thomas Barlow	John Pollitt	Ditto.
Samuel Jones	John Bradburne	Garden.
Executors of the late Thomas Barlow	John Hart	Cottage.
Ditto	James Davis	Ditto.
James Jones	James Jones	House, Malt Kiln, and Garden.
John Burton	Mary Wild	House and Garden.
Executors of the late Capt. James Adshead	John Hodson	Garden.
William Hodson	William Hodson	House.
Ditto	John Edwards	Ditto.
Jonathan Stockton	James Cheetham	Ditto.
Thomas Andrew	George Wilson	Ditto.
Ditto	Richard Russell	Garden.
Ditto	House untenanted	Ditto.
Richard Willis, Esq.	John Walford	House and Garden.
Richard Roberts	John Boardman	Orchard.
Trustees of the late Duke of Bridgewater	Richard Brittain	Workshop, Fold, and Garden.
John George Leigh, Esq.	John Wilkinson	Croft.
William Carter	William Carter	Garden.
Ditto	Mary Ward	Ditto.
Titus Brooks	William Ogden	Cottage and Garden.
Thomas Joseph Trafford, Esq.	Thomas Howard	Orchard.
John George Leigh, Esq.	James Renshaw	Ditto and Fold.
Trustees of late Duke of Bridgewater	Mary Harrison	Ditto.
Ditto	Ditto	Grass Field.
Thomas Joseph Trafford, Esq.	Samuel Renshaw	Wheat Field.
Ditto	John Brittain	Garden.
Ditto	Samuel Peers	Ditto.
Ditto	Samuel Renshaw	Stubble and Grass Field.
Ditto	Ditto	Orchard and Fold.

OWNERS.	OCCUPIERS.	Description of Property.
Peter Irlam - - -	John Moores - - -	House and Orchard.
Ditto - - - -	James Frith - - -	- - Ditto.
Richard Poole - - -	George Irlam - -	Orchard and Fold.
George Irlam - - -	Joseph Hesford - - -	Barn and Croft.
Rev. Thomas Gaskell - -	James Birchall - -	Orchard.
Thomas Joseph Trafford, Esq. - - - - -	Mary Abraham - - -	House and Orchard.
Executors of late William Sharlock - - -	George Smith - -	Orchard.
Ditto - - - -	Ditto - - - -	Ploughed Field and Meadow.
William Hesford - -	William Hesford - - -	Ploughed Field.
John Greaves, Esq. - -	James Shaw - - -	Garden.
Ditto - - - -	William Penny - - -	Ditto.
Ditto - - - - -	William Unsworth, Smith Yates, John Brooks, and William Brooks - -	Gardens.
William Hesford - -	George Yates - -	Garden.
John Holme - - - -	William Heywood - -	Ditto.
Ditto - - - - -	Jonathan Houghton - -	Ditto.
John Greaves, Esq. - -	John Hulme - - -	Ploughed Field.
Ditto - - - -	Henry Charles Lacy - -	Meadow.
Thomas Joseph Trafford, Esq. - - - - -	Edmund Wilcock - -	Orchard, Croft, and Fold.
Ditto - - - -	Claudius Macart - -	House and Garden.
Ditto - - - - -	Ralph Spooner - - -	- - Ditto.
Ditto - - - -	James Hardy - -	- - Ditto.

Township of Pendlebury, Parish of Eccles.

John Cooke, Esq. - -	John Cooke, Esq. - -	Plantation.
Executors of late Joseph Hanson, Esq. - -	Mary Blakeley - - -	Cottage.
Ditto - - - -	- - - - -	Ditto.
John Cooke, Esq. - -	John Leigh - - - -	Cottage.
Ditto - - - - -	Mary Higginbottom - -	Ditto.
Ditto - - - -	James Berry - - -	Ditto.
Ditto - - - -	Thomas Beswick - - -	Ditto.
John Greaves, Esq. -	Martha Smith - - -	Barn, Fold, and Orchard.
William Duckworth, Esq. -	William Duckworth, Esq. -	Plantation.
John Greaves, Esq. - -	James Brookes - - -	Orchard.

Township of Worsley, Parish of Eccles.

John Bury - - -	William Kenyon - -	Cottages.
Ditto - - - - -	Joseph Beswick - - -	Ditto.
Trustees of the late Duke of Bridgewater - -	Peter Woolstencroft, James Seddon, John Edge, John Rothwell, James Johnson, and Thomas Edge - -	Ditto and Garden.
Poor of Rivington, Anderton	James White - - -	Crofts.
Peter Leigh - - -	George Mort - - -	Garden.
William Leigh - -	William Leigh - -	Orchard.
Thomas Tyldesley, junior -	Elias Needham - - -	Fold and Orchard.
Thomas Tyldesley, senior -	Charles Lomax - - -	Garden.
Executors of late Elias Chadwick - - - -	James Smith - - -	Orchard.

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