ANNO SEPTIMO & OCTAVO

# GEORGII IV. REGIS.

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## *Cap*. lix.

**An Act for repairing the Road from *Blackburn* in the County Palatine of *Lancaster* to *Addingham* and *Cocking End* in the West Riding of the County of *York;* and for making and maintaining a new Road from *Old Accrington* to the *Burnley* and *Rochdale* Turnpike Road in *Habergham Eaves* in the said County of *Lancaster*, and a Branch therefrom. [28th *May* 1827.]**

WHEREAS an Act was passed in the Fiftieth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for more effectually repairing the Road from* 50 G.3.c.36.
*the Town of* Blackburn, *through* Padiham *and* Burnley, *to* Colne *in the County Palatine of* Lancaster, *and for continuing the same Road through* Glusburn *and* Silsden *to* Addingham *and* Cocking End *in the West Riding of the County of* York: And whereas the Trustees appointed in or by virtue of the said Act have proceeded to put the same in execution, and have for that Purpose borrowed considerable Sums of Money on the Credit of the Tolls thereby granted, which Sums of Money, together with other Sums of Money which were previously owing on the Credit of the Tolls arising on the Road directed by the said Act to be repaired, remain undischarged and cannot be paid off, nor can the said Road be properly amended,

widened, diverted, improved, or preserved in a proper State of Repair, unless the Powers and Provisions of the said Act be amended and enlarged, and the present Tolls increased: And whereas the making and maintaining a new Turnpike Road from or nearly from a Bridge called *Pleck Bridge* or *Pleck Brook Bridge* in the Township of *Old Accrington* in the said County of *Lancaster*, through Part of that Township, and through the several Townships of *Huncoat*, *Hapton*, and *Habergham Eaves*, all in the Parish of *Whalley* in the said County of *Lancaster*, to the Turnpike Road leading from *Burnley* aforesaid to *Rochdale* in the said County of *Lancaster*, at or near to a Field in the Township of *Habergham Eaves* aforesaid called *Nan Heys*, belonging to *Peregrine Edward Towneley* Esquire, and in the Occupation of Mr. *Edward Lovat*, and also a new Branch of Road from the said last-mentioned Road, commencing at or near the South or South-east Corner of the Barracks in the Township of *Habergham Eaves* aforesaid, and terminating in the same Township at or near the First Bridge over the *Leeds* and *Liverpool* Canal on the present Turnpike Road leading from *Burnley* aforesaid to *Blackburn* aforesaid, would be of great Benefit and Advantage to the Inhabitants of the said Townships, and also of great public Utility: And whereas it would be more convenient to the Trustees, and beneficial to the said Roads and to the Public, if the said Act were repealed, and further and other Provisions granted instead thereof: And whereas an Act was passed in the Third Year of the Reign of

3 G. 4. c. 126. His present Majesty, 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 another Act was passed in the

4 G. 4. c. 95. Fourth Year of the Reign of His 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 another Act was passed in the Fifth Year of the

5 G. 4. c. 69. Reign of His 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

Recited Act 50 G. 3. repealed; Parliament assembled, and by the Authority of the same, That from and after the Third *Thursday* next after the passing of this Act the said recited Act passed in the Fiftieth Year of the Reign of His late Majesty King *George* the Third, for more effectually repairing the Road from the Town of *Blackburn*, through *Padiham* and *Burnley*, to *Colne*, and from thence through *Glusburn* and *Silsden* to *Addingham* and *Cocking End*, shall be and the same is hereby declared to be repealed, and null and void to all Intents and Purposes whatsoever.

and this Act to be put in execution. II. And be it further enacted, That this Act shall be put in execution, for and during the Term herein-after mentioned, for the Purpose of amending, turning, varying, altering, making, and keeping in repair the Roads from *Blackburn*, through *Padiham* and *Burnley*, to *Colne*, all in the said County of *Lancaster*, and from thence to a Place called *Lydiate* or *Lidgett* in the Township of *Colne* aforesaid,

and from thence, through *Glusburn* and *Silsden*, to *Addingham* and *Cocking End*, all in the said West Riding, and from *Old Accrington* aforesaid to the *Burnley* and *Rochdale* Turnpike Road in *Habergham Eaves* aforesaid, and the said Branch from the Barracks to the Canal Bridge in *Habergham Eaves* aforesaid.

This Act made subject to the Payment of Monies borrowed on the Credit of the Tolls.

III. Provided always, and be it further enacted, That this Act, and the Term and Tolls hereby granted, shall be and they are hereby made subject and liable to the Payment of all Monies which have been borrowed or are now due and owing on the Credit of the Tolls arising on the Road authorized or directed to be repaired by the said recited Act of the Fiftieth Year of the Reign of King *George* the Third, hereby repealed, and of all Interest due and to grow due thereon respectively, as fully and effectually, to all Intents and Purposes, as if such Monies had been borrowed or become due and owing on the Credit or on Account of this Act; and all and every Person and Persons owing any Sum or Sums of Money to the Trustees for executing the said recited Act hereby repealed shall be liable to the Payment thereof to the Trustees for executing this Act.

Persons owing Money to continue liable.

All Bonds, Contracts, &c., to remain in force.

IV. And be it further enacted, That all Bonds, Conveyances, Covenants, Agreements, Contracts, and Securities made or entered into by any Person or Persons to or with the Trustees for executing the said recited Act of the Fiftieth Year of the Reign of King *George* the Third, hereby repealed, shall remain in full Force and Effect, and be and continue available in all Courts of Law and Equity, notwithstanding the Repeal of the said Act, until the same are fully satisfied and performed on Account and for the Benefit of the Roads under this Act; and all Orders, Lettings of Tolls, Mortgages, Demises, Contracts, and Agreements duly made or entered into by the said Trustees for executing the said Act hereby repealed, shall, so far as the same are not altered or avoided by this Act, remain in full Force and Effect, and be observed and kept by the Trustees for executing this Act, according to the Terms, Tenor, and Stipulations thereof respectively, such Appeal or any Law to the contrary notwithstanding.

Books used under former Act to be Evidence.

V. And be it further enacted, That all and every Book and Books of the Proceedings of the Trustees in execution of the said recited Act of the Fiftieth Year of the Reign of His late Majesty King *George* the Third, hereby repealed, or of any Act then in force and made Evidence thereby, shall be admitted in Evidence in all Courts, and by all Judges, Justices, and others; and all such Books, and all Books of Accounts of Receipts and Disbursements, kept, had, or made under the said Act, and all Books for registering Mortgages or Assignments made in pursuance thereof, shall be preserved and kept by the Trustees for executing this Act, or as they shall direct, and shall at all seasonable Times be open to the Inspection of the said Trustees and any Creditor or Creditors of the Tolls, without Fee or Reward; and the said Trustees and Creditors, or any of them, shall and may take Copies of or Extracts from the said Book or Books, or any Part or Parts thereof respectively, without paying any thing for the same; and in case the Clerk or Clerks to the said Trustees, or

or other Person having the Custody of the said Books, shall refuse to permit or shall not permit the said Trustees, or such Creditors, or any of them, to inspect the said Book or Books, or to take such Copies or Extracts as aforesaid, such Clerk or Clerks or Person as aforesaid shall forfeit and pay any Sum of Money not exceeding Five Pounds.

Officers to account.

VI. And be it further enacted, That all Persons who are or who have been employed or who have received any Tolls or other Money on account of the Road comprised in the said recited Act of the Fiftieth Year of the Reign of His late Majesty King *George* the Third, hereby repealed, or who have or shall have in their Custody or Possession any Money, Books, Papers, Writings, or other Things relating to the said Road, shall account for and pay and deliver over the same and every Part thereof to the Trustees for executing this Act, in like Manner and under the like Penalties as the several Collectors and other Persons receiving any Money by virtue of the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty, and this Act, are required to pay or account for the same.

Roads shut under former Acts so to remain.

VII. Provided also, and be it further enacted, That the Repeal of the said recited Act of the Fiftieth Year of the Reign of His late Majesty, or any thing in this Act contained, shall not extend or be construed to extend to re-open any Road or Way which previously to the Commencement of this Act has been lawfully shut up, diverted, or discontinued, under or by virtue of the Powers and Provisions of the said recited Act hereby repealed, or to charge the Trustees for executing this Act with the Repair thereof, or with the Payment of any Expences respecting the same.

Powers of the General Turnpike Acts extended to this Act.

VIII. 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,) 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,) 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.

Trustees.

IX. And be it further enacted, That all His Majesty's Justices of the Peace acting for the County Palatine of *Lancaster*, and all His Majesty's Justices of the Peace acting for the West Riding of the County of *York* respectively for the Time being, together with *Sandford John Cyril Adamson* Clerk (*Padiham*), *Thomas Ainsworth* (*Black-*

*(Blackburn), John Ainsworth (Blackburn), Henry Alcock (Skipton), John Alston (Blackburn), William Alston (Blackburn), William Armistead (Aynhams), Robert Artindale (Burnley), John Aspinall (Standen), John Aspinall (Blackburn), John Aspinall (Reedley), Thomas Ayrton (Colne), James Bailey (Witton), John Baistow (Steeton), James Barlow (Blackburn), George Beck (Keighley), William Birkbeck (Settle), John Blackburne (Slackbooth, Trawden), Benjamin Blakeborough (Utley), William Blake (Rilston), James Boardman (Livesey), Robert Boardman (Blackburn), William Bollard (Black Moss), John Bollard (Height), Harry Bolton (Colne), Henry Bolton (Blackburn), William Boys (Blackburn), William Brandwood (Over Darwen), John Brennand (Burnley Lane), John Brigg (Keighley), Anthony Buck (Burnley), Walton Bulcock (Cabin End), Isaac Butterfield (Keighley), Lodge Calvert (Keighley), John Carr (Skipton), William Carr (Blackburn), Thomas Carr (Blackburn), James Bulcock Carr (Langroyd), George Thomas Carr (Colne), William Carr* Clerk *(Bolton Abbey), Charles Carr (Skipton),* Lord *George Henry Cavendish, Richard Chaffer (Burnley), William Chippindale (Skipton), Robinson Chippindale (Skipton), Holmes Clapham (Keighley), William Clark (Blackburn), John Clark (Blackburn), Thomas Clayton (Carr Hall), William Clayton (Keighley), Henry Clegg (Altham), William Clough (Cross Hills), John Coates* Clerk *(Addingham), John Cockshott (Addingham), John Cockshott (Bracewell), Thomas Cockshott (Skipton), Edmund Cockshott (Ballgreave), Robert Cockshott (Addingham), William Cockshott (Addingham), Thomas Cockshott (Shipley), John Collinge (New Barn), John Collinge* junior *(New Barn), Henry Copeland (Blackburn), William Corlass (Reediford), James Cowban (Blackburn), Adam Cottam (Whalley), William Coultate (Burnley), Joseph Crabtree (Flass), Bernard Crook (Colne), James Cross (Blackburn), John Cunliffe (Blackburn), James Cunliffe (Blackburn), Thomas Cunliffe (Addingham), Danson Richardson Currer* Clerk *(Sutton-in-the-Forest), William Dale (Foulridge), Robert Dawson (Keighley), Ambrose Dean (Addingham), John Dean (Addingham), Robert Dewhurst (Blackburn), Jonathan Dickinson (Mountford), Adam Dugdale (Manchester), John Dugdale (Manchester), William Dugdale (Lower House), James Dugdale (Lower House), Theodore Dury* Clerk *(Keighley), William Dutton (Blackburn), Henry Eastwood (Burnley), Richard Eastwood (Burnley), Banister Eccles (Blackburn), William Eccles (King Street, Blackburn), John Eccles (Blackburn), Joseph Eccles (Blackburn), Richard Edleston (Blackburn), William Edmundson (Cliviger), William Elliott (Marsden), Lister Ellis (Liverpool), William Ellis (Castle Field), William Eltoft (Manchester), William Emmett (Halifax), William Feilden (Feniscowles), John Feilden (Mollington Hall), Joseph Feilden (Witton), Anthony Fentiman (Addingham), Edward Ferrand (Saint Ives), Walker Ferrand (Grange), Joshua Field* junior *(Leeds), James Fisher (Blackburn), George Fishwick (Scorton), William Fishwick (Burnley), John Fleming (Blackburn), James Fletcher (Gannow), Samuel Fletcher (Gannow), Roger Forrest (Blackburn), Richard Fort (Read Hall), John Fort (Oakenshaw), Edward Foster (Blackburn), John Foster* Cotton Spinner *(Blackburn), John Foulds (Danser House), James Pilling Foulds (Trawden), John France (Blackburn), Silvester Fraser (Blackburn), James Greenway (Over Darwen), John Greenwood (Oxenhope), John Greenwood (Palace House), William Greenwood (Burnley), John*

*Greenwood* (*Keighley*), *Frederick Greenwood* (*Keighley*), *Edwin Greenwood* (*Keighley*), *George Oates Greenwood* (*Crawshaw*), *John Greenwood* (*Bridge House*), *James Greenwood* (*Bridge House*), *Joseph Greenwood* (*Spring Head*), *Nicholas Grimshaw* (*Higham*), *Thomas Grimshaw* (*Barrowford*), *James Grimshaw* (*Barrowford*), *John Grimshaw* (*Higham*), *Nicholas Grimshaw* (*Love Clough*), *Daniel Hague* (*Foxhill Bank*), *John Hall* (*Colne*), *John Halstead* (*Cockden*), *Lawrence Halsted* (*Rowley*), *John Halstead* (*Colne*), *James Hamer* (*Blackburn*), *Gilbert Hammerton* (*Hollins*), *William Hardacre* (*Colne*), Lieutenant Colonel *John Hargreaves* (*Ormerod House*), *James Hargreaves* (*Bank Hall*), *James Hargreaves* (*Kildwick*), *Lucas Hargreaves* (*Meller*), *Thomas Hargreaves* (*Lower Darwen*), *William Hargreaves* (*Burnley*), *Reginald Hargreaves* (*Burnley*), *Thomas Hargreaves* (*Primet Bridge*), *John Hargreaves* (*Colne Lane*), *John Hargreaves* Cabinet Maker (*Burnley*), *James Hargreaves* (*Lawnd*), *John Hargreaves* (*Broad Oak*), *Benjamin Hargreaves* (*Broad Oak*), *Robert Hargreaves* (*Broad Oak*), *Richard Hartley* Doctor in Divinity (*Bingley*), *George Hartley* (*Sutton*), *James Hartley* (*Fulshaw*), *John Hartley* (*Carrey Bridge*), *James Hartley* (*Wycoller*), *Jonathan Hartley* (*Carrey Bridge*), *Peter Hartley* (*Sutton*), *Richard Hartley* (*Bradley*), *James Haworth* (*Marsden*), *James Haworth* (*Burnley*), *William Haworth* (*Haigh House*), *Samuel Haworth* (*Burnley*), *John Haworth* (*Burnley*), *James John Hayhurst* (*Blackburn*), *William Heap* (*Padiham*), *Joseph Heaton* (*Sutton*), *Thomas Heaton* (*Sutton*), *Theodore Heelis* (*Burnley*), *John Heelis* (*Burnley*), *Elisha Helme* (*Padiham*), *Henry Helme*, (*Padiham*), *Richard Hilton* (*Over Darwen*), *John Fowden Hindle* (*Gillibrand Hall*), *Christopher Hindle* (*Lower Darwen*), *William Hindle* (*Lower Darwen*), *John Hindle* (*Lower Darwen*), *Lawrence Hitchon* (*Manchester*), *Lawrence Hitchon* junior (*Wakefield*), *Peter Hitchon* (*Wakefield*), *William Hitchon* (*Bend Hill*), Sir *Henry Philip Hoghton* Baronet (*Hoghton Tower*), *William Holgate* (*Burnley*), *George Holgate* (*Burnley*), *John Holt* (*Love Clough*), *Robert Hopwood* (*Blackburn*), *William Hopwood* (*Burnley*), *John Hornby* (*Blackburn*), *Daniel Hornby* (*Blackburn*), *Robert Horner* (*Colne*), *Jeremiah Horsfall* (*Addingham*), *John Howson* (*Blackburn*), *John Hutchinson* Clerk (*Marsden*), *Richard Johnson* (*Blackburn*), *John Robinson Kay* (*Long Holme*), *John Kitching* (*Bradford*), *John Knowles* (*Burnley*), *William Landless* (*Marsden*), *Hartley Laycock* (*Colne Field*), *Ebenezer Lister* (*Addingham*), *Ellis Cunliffe Lister* (*Manningham House*), *John Lister* (*Addingham*), *Thomas Lister* (*Addingham*), *John Lister* (*Blackburn*), *Thomas Livesey* (*Blackburn*), *Richard Grimshaw Lomax* (*Clayton Hall*), *John Lomax* (*Clayton Hall*), *James Lomax* (*Clayton Hall*), *David Longbottom* (*Silsden*), *Thomas Lonsdale* (*Colne*), *Edward Lovat* (*Towneley*), *Richard Lund* (*Blackburn*), *James Lund* (*Blackburn*), Sir *John Majoribanks* Baronet (*Lees, Berwickshire*), *John Mancknols* (*Cragg*), *Edward Margerison* (*Burnley*), *Thomas Margerison* (*Burnley*), *John Margerison* (*Burnley*), *Shorrock Margerison* (*Burnley*), *Benjamin Marriner* (*Keighley*), *Wilson Marriott* (*Reediford*), *James Marsland* (*Burnley*), *Joseph Massey* (*Burnley*), *Joseph Massey* junior (*Burnley*), *Lord Massey* (*Burnley*), *John Massey* (*Burnley*), *Robert Mosley Master* Clerk (*Burnley*), *William Maude* (*Over Darwen*), *John M'Connochie* (*Burnley*), *Adam Meanley* (*Burnley*), *Robert Midgley* (*Colne*), *William Midgley* (*Stunstead*),

*stead*), *William Mitchell* (*Barnoldswick*), *William Mitchell* (*Machpelah*), *Robert Munn* (*Burnley*), *William Netherwood* senior (*Skipton*), *William Netherwood* junior (*Skipton*), *Christopher Netherwood* (*Skipton*), *Christopher Netherwood* junior (*Steeton*), *John Netherwood* (*Kildwick Grange*), *James Neville* (*Blackburn*), *Peter Ormerod* (*Rosegrove*), *George Ormerod* (*Rosegrove*), *Robert Townley Parker* (*Cuerden Hall*), *Thomas Parker* (*Browsholme*), *Thomas Parker* (*Lothersdale*), *Christopher Parkinson* (*Blackburn*), *John Parkinson* (*Ickornshaw*), *Robert Parkinson* (*Ickornshaw*), *Henry Parkinson* (*Hollingreave*), *Thomas Pearson* (*Steeton*), *Jonathan Peel* (*Accrington*), *Robert Peel* (*Hyndburn*,) *John Pering* Clerk (*Kildwick*), *George Petre* (*Dunken Hall*), *Henry Petre* (*Dunken Hall*), *Ely Pickles* (*Altham*), *James Pickup* (*Market Street Lane*, *Blackburn*), *John Pickup* (*Market Street Lane*, *Blackburn*), *James Pilkington* (*Blackburn*), *John Polding*, (*Blackburn*), *Edward Pollard* (*Hood House*), *Procter Ratcliffe*, (*Blackburn*), *John Raws* Clerk (*Burnley*), *James Reddish* (*Oswaldtwisle*), *James Ridehalgh* (*Marsden*), *Thomas Riding* (*Colne*), *Hugh Roberts* (*Burnley*), *William Roberts* Grocer (*Burnley*), *James Roberts* (*Burnley*), *Henry Roberts* (*Fence*), *Lawrence Roberts* (*Whitelee*), *William Roberts* senior (*Burnley*), *William Roberts* junior (*Burnley*), *James Hargreaves Roberts* (*Habergham Eaves*), *John Roberts* (*Habergham Eaves*), *John Robertshaw* (*Coldweather House*), *Robert Robertshaw* (*Colne*), *William Robertshaw* (*Burwains*), *Dixon Robinson* (*Blackburn*), *John Robinson* (*Long Holme*), *Miles Rodgett* (*Blackburn*), *John Rogerson* (*Blackburn*), *Richard Henry Roundell* (*Gledstone House*), *Oates Sagar* (*Colne*), *Richard Sagar* (*Carrey Bridge*), *John Sagar* (*Whitefield*), *Richard Shaw* (*Burnley*), *John Shaw* (*Colne*), *Eccles Shorrock* (*Blackburn*), *William Sidgwick* (*Stone Gap*), *John Benson Sidgwick* (*Stone Gap*), *James Simpson* (*Foxhill Bank*), *Richard Smalley* (*Blackburn*), *Richard Kershaw Smalley* (*Over Darwen*), *John Smith* (*Summer House*), *Benjamin Smith* (*Kildwick Grange*), *William Smith* (*Kildwick Grange*), *Jonas Smith* (*Kildwick Grange*), *John Smith* (*Fence*), *John Smith* (*Burley House*), *John Smith* (*Causeway End*), *Thomas Smith* (*Nether Heys*), *William Smith* (*Hill End*), *James Smith* (*Hill End*), *Berry Smith* (*Keighley*), *Thomas Smith* (*Keighley*), *William Spencer* (*Malsis Hall*), *Slater Stansfield* (*Lothersdale*), *Le Gendre Nicholas Starkie* (*Huntroyde*), *Henry Sudell* (*Woodfold Park*), *Henry Sudell* junior (*Woodfold Park*), *Thomas Sudell* (*Woodfold Park*), *William Sugden* (*Keighley*), *John Swinglehurst* (*Barrowford*), *Benjamin Tattersall* (*Blackburn*), *James Taylor* (*Whalley*), *Joseph Tempest* (*Sutton*), *Henry Tempest* (*Broughton*), *Charles Tempest* (*Broughton*), *Nicholas Thompson* (*Hargrove*), *Thomas Thornber* (*Colne*), *John Threlfall* (*Blackburn*), *William Throp* (*Blackburn*), *Daniel Thwaites* (*Blackburn*), *Paul Tickle* (*Padiham*), *William Tickle* (*Burnley*), *William Tindall* (*Skipton*), *Peregrine Edward Towneley* (*Towneley*), *Charles Towneley* (*Towneley*), *John Towneley* (*Towneley*), *William Townend* (*Cullingworth*), *Robert Townend* (*Cullingworth*), *Benjamin Townson* (*Marsden*), *William Turner* (*Shrigley Park*), *William Turner* (*Cross Hills*), *Sagar Veevers* (*Coal Clough*), *Holden Veevers* (*Coal Clough*), *Thomas Veevers* (*Coal Clough*), *John Sagar Veevers* (*Burnley*), *John Waddington* (*Winewall*), *Richard Bradley Wainman* (*Car Head*), *William Wainman* junior (*Car Head*), *Jonathan Walsh* (*Pasture*), *Richard Thomas Roe Walton* (*Marsden Hall*), *Thomas Francis Ward* (*Royle*), *William Atkinson Wasney*

*Wasney* (*Fence End*), *John Wilkinson Wasney* (*Fence End*), *Samuel Westerman* (*Howgill*), *Robert Whalley* (*Clerk Hill*), *Jonas Whittaker* (*Greenholme*), *John Whittaker* (*Greenholme*), *John William Whittaker* Clerk (*Blackburn*), *Bernard Whittaker* (*Burnley*), *Thomas Whittaker* (*Burnley*), *James Whittam* (*Greenhead*), *Thomas Whittam* (*Burnley Wood*), *John Whittam* (*Cliviger Laith*,) *John Whittam* (*Pheasantford*), *Henry Wilkinson* (*Colne*), *Edmund Wilkinson* (*Salterforth*), *Henry Wilkinson* (*Pasture*), *Leonard Wilkinson* (*Blackburn*), *Matthew Wilson* (*Eshton*), *Matthew Wilson* junior (*Eshton*), *Henry Wilson* (*Eshton*), *James Wilson* (*Heyrod*), *Thomas Furness Wilson* Clerk (*Burley Hall*), *Hargreaves Wraith* (*Blackburn*), and *Joseph Wright* (*Oakworth*), and their Successors, being duly qualified according to the Directions 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 Trustees for amending, turning, varying, altering, widening, making, and keeping in repair the said Roads, and for otherwise putting this Act into Execution.

Power to appoint additional Trustees.

X. And be it further enacted, That it shall and may be lawful for the said Trustees, and they are hereby authorized and empowered, from Time to Time, at any of their Meetings, to elect and appoint any Number of Persons, being duly qualified according to the Directions of the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty (not exceeding Five in the whole, in addition to the Number of Trustees herein named and appointed), to be Trustees for the Purposes of this Act; and such Persons so elected and appointed, and having taken and subscribed the Oaths, or, being Quakers, having made and subscribed the Affirmations mentioned in the said Acts of the Third and Fourth Years of His present Majesty, shall be Trustees for the Purposes of this Act, and are hereby invested with the same Powers and Authorities for executing this Act as if they had been herein named.

Old Officers to continue until removed by Trustees.

XI. And be it further enacted, That each and every Treasurer who shall have been appointed consistently with the Provisions of the said recited Acts passed in the Third and Fourth Years of the Reign of His present Majesty, and not contrary to the Provisions or Directions of this Act, and each and every Clerk, Receiver, Collector, Surveyor, and other Officer appointed under or by virtue of the said recited Act of the Fiftieth Year of the Reign of His late Majesty King *George* the Third, hereby repealed, shall hold and enjoy such their several and respective Offices and Employments until removed therefrom respectively by the Trustees for executing this Act; and each and every such Clerk, Receiver, Collector, Surveyor, and other Officer, shall have the like Powers and Authorities for the Purposes of this Act, and for carrying the same into Execution, and shall be subject and liable to such Pains and Penalties, and to the like Powers of Removal, and to the like Rules and Regulations in all respects whatsoever, as if he or they had been appointed under or by virtue of this Act.

Clerk and Treasurer not to be the same Person.

XII. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees to continue or appoint the Person or Persons

Persons who hath or have been or who may be appointed to act as their Clerk or Clerks in the Execution of this Act, or the Partner of any such Clerk or Clerks, or the Clerk or any Person in the Service or Employ of any such Clerk or Clerks, or the Clerk or any Person in the Service or Employ of the Partner of any such Clerk or Clerks, to be the Treasurer or Treasurers for the Purposes of this Act, or to continue or appoint the Person or Persons who hath or have been or who may be appointed Treasurer or Treasurers, or the Partner of any such Treasurer or Treasurers, or the Clerk or any Person in the Service or Employ of any such Treasurer or Treasurers, or the Clerk or any Person in the Service or Employ of the Partner of any such Treasurer or Treasurers, to be the Clerk or Clerks to the said Trustees; and if any Person or Persons shall accept both the Offices of Clerk and Treasurer for the Purposes of this Act, or if any Person or Persons being the Partner or Partners of any such Clerk or Clerks, or the Clerk or any Person in the Service or Employ of any such Clerk or Clerks, or the Clerk or any Person in the Service or Employ of the Partner of any such Clerk or Clerks, shall accept the Office of Treasurer or Treasurers, or shall act as Deputy of the Treasurer or Treasurers, or in any Manner officiate for the Treasurer or Treasurers, or being the Partner of any such Treasurer or Treasurers, or the Clerk or any Person in the Service or Employ of any such Treasurer or Treasurers, or the Clerk or any Person in the Service or Employ of the Partner of any such Treasurer or Treasurers, shall accept the Office of Clerk or Clerks in the Execution of this Act, or shall act as Deputy of such Clerk or Clerks, or in any Manner officiate for such Clerk or Clerks, or if any such Treasurer or Treasurers 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, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance, shall be allowed.

Meetings of Trustees.

XIII. And be it further enacted, That the Trustees for executing this Act shall meet together at the *Black Bull Inn* in *Burnley* aforesaid, on the Fourth *Thursday* next after the passing of this Act, between the Hours of Eleven of the Clock in the Forenoon and Two of the Clock in the Afternoon, and shall and may then and from Time to Time afterwards adjourn to and meet at such Time or Times, and at such Place or Places upon or near to the said Roads, as the said Trustees shall think proper.

Power to continue and erect Toll Gates, &c.

XIV. And be it further enacted, That all the Gates, Turnpikes, Bars, and Chains, Toll Houses and Weighing Machines now standing in, upon, or across the said Road or on the Sides thereof, shall continue and remain for the Purposes of this Act, until ordered to be removed by the said Trustees; and it shall be lawful for the said Trustees to remove or take down, or order to be removed and taken down, all or any of such Gates, Turnpikes, Bars, Chains, Toll Houses, and Weighing Machines, as to them shall seem meet, and also to erect

or cause to be erected any other Turnpike or Turnpikes, Toll Gate or Gates, Bar or Bars, Chain or Chains, Weighing Machine or Weighing Machines, in, upon, or across the said Road and the aforesaid new Road and Branch, and upon the Sides thereof, or any Part or Parts thereof respectively (except as herein-after mentioned), and also to continue, erect, or provide a Toll House, with suitable Outbuildings and Conveniences, at or near each Gate, Bar, Chain, or Weighing Machine; and the said Trustees shall and may from Time to Time afterwards remove, alter, or discontinue such Turnpikes, Toll Gates, Bars, Chains, or Toll Houses, or any of them, as they the said Trustees shall think expedient, and also shall and may take in and inclose from the Sides of the said Roads convenient Garden Spots for the Toll Houses respectively, not exceeding One Eighth Part of a Statute Acre for each of such Toll Houses.

No Toll Gate to be removed, nor any new Toll Gate set up without Twenty Days Notice.

XV. Provided nevertheless, and be it further enacted, That no Removal, Alteration, or Discontinuance of any such Turnpike or Turnpikes, Toll Gate or Gates, Bar or Bars, Chain or Chains, shall be made, nor shall any new Turnpike or Turnpikes, Toll Gate or Gates, Bar or Bars, Chain or Chains, be erected or set up after the First Meeting of the said Trustees, unless Notice of the Intention to make such Removal, Alteration, or Discontinuance, or to erect or set up such new Turnpike or Turnpikes, Toll Gate or Gates, Bar or Bars, Chain or Chains, and of the Meeting to be holden for the Purpose of ordering such Removal, Alteration, Discontinuance, or new Erection, be given upon all the Toll Gates which shall then be standing upon the said Roads, at least Twenty Days before such Meeting.

Fences may be erected to prevent Evasion of Tolls on Commons.

XVI. And be it further enacted, That it shall be lawful for the said Trustees to cause Fences and Ditches to be made over such Parts of any Wastes and Commons on the Line of the said Roads, or any of them, as they shall think necessary, and to continue the same for such Time as such Wastes or Commons shall remain uninclosed, in order to prevent Payment of Toll being evaded; and if any Person or Persons shall (before the Inclosure of such Wastes or Commons) pull down or in anywise displace, destroy, or carry away any such Fence or any Part thereof, or shall fill up or injure any such Ditch, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, to be recovered and levied as any Penalty for any other Offence against the Provisions of the said recited Acts or this Act may be recovered and levied: Provided always, that no ancient Road or Highway running across the said Roads shall, by the making of any such Fence or Ditch, be stopped up or obstructed, and that no such Fence or Ditch to be made as aforesaid shall extend more than Half a Mile from any Turnpike Gate erected or continued under or by virtue of this Act.

Power to take Tolls.

XVII. And be it further enacted, That it shall and may be lawful for the said Trustees, or any Person or Persons continued or to be appointed Collector or Collectors of the Tolls by virtue of this Act, to demand and take for Tolls any Sums not exceeding the respective Sums herein-after mentioned, at the several and respective Toll Gates or Turnpikes, or Toll Houses or Side Gates, or Side Bars or Chains

continued or which shall be erected by virtue of this Act, and on every Day, such Day to be computed from Twelve of the Clock at Night to Twelve of the Clock in the next succeeding Night, before any Horse, Beast, Cattle, or Carriage shall be permitted to pass through the same; (that is to say,)

Tolls.

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

For every Score of Oxen or Neat Cattle, the Sum of One Shilling and Eight-pence; and so in proportion for any less Number than a Score:

For every Score of Calves, Sheep, Lambs, or Swine, the Sum of One Shilling; and so in proportion for any less Number than a Score:

For every Horse or other Beast drawing any Coach, Stage Coach, Diligence, Chariot, Landau, Berlin, Chaise, Curricle, Calash, Chair, Caravan, Van, Hearse, Litter, or other such like Carriage, drawn by more than One Horse or other Beast, the Sum of Nine-pence:

For the Horse or other Beast drawing any Two-wheeled Chaise, Gig, Chair, or other such Two-wheeled Carriage, drawn only by One Horse or other Beast, the Sum of Nine-pence:

For the Horse or other Beast drawing any Four-wheeled Chaise, Gig, Chair, or other such Four-wheeled Carriage, drawn only by One Horse or other Beast, the Sum of One Shilling:

For every Horse or other Beast drawing any Waggon, Wain, or other such Four-wheeled Carriage, having the Fellies of the Wheels at the Bottom or Soles thereof of less Breadth than Four and a Half Inches, when the same shall be drawn by Four or more Horses or other Beasts, the Sum of One Shilling; when drawn by Three Horses or other Beasts, the Sum of One Shilling and Four-pence: and when drawn by Two Horses or other Beasts, or by One Horse or other Beast, the Sum of One Shilling:

For every Horse or other Beast drawing any Waggon, Wain, or other such Four-wheeled Carriage, having the Fellies of the Wheels at the Bottom or Soles thereof of the Breadth of Four and a Half Inches and less than Six Inches, when the same shall be drawn by Four or more Horses or other Beasts, the Sum of Ten-pence Halfpenny; when drawn by Three Horses or other Beasts, the Sum of One Shilling and Two-pence; and when drawn by Two Horses or other Beasts, or by One Horse or other Beast, the Sum of Ten-pence:

For every Horse or other Beast drawing any Waggon, Wain, or other such Four-wheeled Carriage, having the Fellies of the Wheels at the Bottom or Soles thereof of the Breadth of Six Inches or upwards, when the same shall be drawn by Six or more Horses or other Beasts, the Sum of Eight-pence Halfpenny; when drawn by Five Horses or other Beasts, the Sum of Nine-pence Halfpenny; when drawn by Four Horses or other Beasts, the Sum of Nine-pence; when drawn by Three Horses or other Beasts, the Sum of One Shilling; and when drawn by Two Horses or other Beasts, or by One Horse or other Beast, the Sum of Nine-pence:

For every Horse or other Beast drawing any Cart or other such Two-wheeled Carriage, having the Fellies of the Wheels at the Bottom or Soles thereof of less Breadth than Four and a Half Inches, the Sum of One Shilling:

For every Horse or other Beast drawing any Cart or other such Two-wheeled Carriage, having the Fellies of the Wheels at the Bottom

or Soles thereof of the Breadth of Four and a Half Inches and less than Six Inches, the Sum of Ten-pence:

For every Horse or other Beast drawing any Cart or other such Two-wheeled Carriage, having the Fellies of the Wheels at the Bottom or Soles thereof of the Breadth of Six Inches or upwards, the Sum of Eight-pence:

For the Horses or Horse or other Beasts or Beast drawing any Waggon, Wain, or other such Four-wheeled Carriage, rolling a flat Surface of Sixteen Inches, when the same shall be drawn by Four, Five, Six, Seven, or Eight Horses or other Beasts, the Sum of Two Shillings; and when the same shall be drawn by One, Two, or Three Horse or Horses or other Beast or Beasts, the Sum of One Shilling:

Which said respective Sums of Money hereby authorized to be taken as aforesaid shall be and are hereby vested in the said Trustees, and shall be applied as herein-after is directed.

Commencement of Tolls.

XVIII. Provided always, and be it further enacted, That the said several Tolls shall commence and take effect at and immediately after the Expiration of Three Calendar Months next after the passing of this Act; and in the meantime the same and the like Tolls shall be taken at the several Gates, Bars, and Chains erected or continued, or which shall be erected by virtue of this Act, in, upon, or across the said Roads, or on the Sides thereof, or any Part or Parts thereof, as shall be taken at the Time of passing this Act at the Gates, Bars, and Chains upon the Road comprised in the said first-recited Act; any thing herein contained to the contrary notwithstanding.

Trustees may lay an additional Toll in respect of Waggons, &c. having the Wheels not cylindrical.

XIX. Provided always, and be it further enacted, That it shall and may be lawful for the said Trustees at a General Meeting, if they shall think fit so to do, to make an Order directing the Payment of and to demand and take at each of the Toll Gates, Bars, or Chains erected or to be erected on the said Roads, a further Toll in addition to the Toll hereby granted, but not exceeding One Third Part of the full Toll or Duty which shall from Time to Time be payable, in respect of the Horse or Horses or other Cattle drawing upon the said Roads or any of them any Waggon, Wain, Cart, or other such Carriage which shall not have the Sole or Bottom of the Wheels thereof rolling on a flat Surface, and the Nails of the Tire of such Wheels countersunk, and shall not be cylindrical, (that is to say, of the same Diameter on the Inside next the Carriage as on the Outside, so that when such Wheels shall be rolling on a flat or level Surface the whole Breadth thereof shall bear equally on such flat or level Surface), and which shall not have the opposite Ends of the Axletrees of such Waggon, Wain, Cart, or other such Carriage, so far as the same shall be inserted into the respective Naves of the Wheels thereof, horizontal, and in the Continuance of One straight Line without forming an Angle with each other, and where in each Pair of Wheels belonging to such Carriage the lower Parts when resting on the Ground shall not be at the same Distance from each other as the upper Parts of such Wheels.

Tolls to be paid but once a Day unless for passing a

XX. Provided always, and be it further enacted, That upon Payment of the Toll hereby authorized to be taken for the passing of any Horse, Beast, or Cattle through any One of such Toll Gates, Turnpikes,

Turnpikes, or Side Gates, such Horse, Beast, or Cattle shall, upon a Ticket denoting such Payment on that Day being produced, be permitted to pass Toll-free through the same Toll Gate, Turnpike, or Side Gate, and also through such other Gate or Gates (if any) as the Ticket for such Payment shall free, Four Times during the same Day, to be computed as aforesaid, any thing in this Act contained to the contrary thereof in anywise notwithstanding; but if such Horse, Beast, or Cattle shall pass a Fifth Time in the same Day, to be computed as aforesaid, such Horse, Beast, or Cattle shall again be subject and liable to the aforesaid Tolls, to be paid before the same shall be entitled to pass a Fifth Time as aforesaid, and so *toties quoties* for every Fifth Time of passing. Fifth Time, &c. at same Gate.

XXI. Provided always, and be it further enacted, That nothing herein contained shall extend or be construed to extend to empower the said Trustees or any Collector or Collectors to demand or take for or in respect of the same Horse, Beast, or Cattle for once passing or repassing at any Time or Times in any One Day (to be computed as aforesaid) through all the Turnpike Gates or Toll Bars erected or to be erected upon or across or on the Sides of the whole Line of the said Road between *Blackburn* and *Burnley*, more than Four full Tolls; nor for or in respect of the same Horse, Beast, or Cattle for once passing or repassing at any Time or Times in any One Day (to be computed as aforesaid) through all the Turnpike Gates or Toll Bars erected or to be erected upon or across or on the Sides of the whole Line of the said Road between *Burnley* and *Colne*, more than Two full Tolls; nor for or in respect of the same Horse, Beast, or Cattle for once passing or repassing at any Time or Times in any One Day (to be computed as aforesaid) through all the Turnpike Gates or Toll Bars erected or to be erected upon or across or on the Sides of the whole Line of the said Road between *Colne* and *Addingham*, or upon or across or on the Sides of the whole Line of the said Road between *Colne* and *Cocking End*, more than Five full Tolls; nor for or in respect of the same Horse, Beast, or Cattle for once passing or repassing at any Time or Times in any One Day (to be computed as aforesaid) through all the Turnpike Gates or Toll Bars to be erected upon or across or on the Sides of the whole Line of the said intended Road from *Old Accrington* to the *Burnley* and *Rochdale* Turnpike Road in *Habergham Eaves*, more than Two full Tolls; nor for or in respect of the same Horse, Beast, or Cattle for once passing or repassing at any Time or Times in any One Day (to be computed as aforesaid) through all the Turnpike Gates or Toll Bars to be erected on the whole Line of the said Branch of Road in the Township of *Habergham Eaves* aforesaid, more than One full Toll; subject always nevertheless to the Provision herein-before contained respecting the passing of any such Horse, Beast, or Cattle more than Four Times in any One Day (to be computed as aforesaid) through any Turnpike Gate or Toll Bar. Limitation of Tolls on the whole Line of Road.

XXII. Provided also, and be it further enacted, That the Tolls hereby made payable for or in respect of Horses or Beasts drawing any Stage Coach, Diligence, Van, Caravan, or Stage Waggon, or other Stage Carriage, or any Cart, conveying Passengers or Goods for Pay Stage Coaches, &c. to pay every Time of passing.

or Reward, shall be payable and paid every Time of passing or repassing along the said Roads or any of them.

**Post Chaises on every new Hiring.**

XXIII. Provided also, and be it further enacted, That the Tolls hereby made payable 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 along the said Roads or any of them, whenever any new Hiring thereof shall take place.

**Certain Trustees who are Creditors on Tolls to have a Preference.**

XXIV. And whereas several Persons mentioned in the said first-recited Act of the Fiftieth Year of the Reign of His late Majesty King *George* the Third, did, previously to the passing of the same Act, advance and pay, upon the Credit of the Tolls authorized to be collected upon that Part of the said Road which lies between *Colne* and *Blackburn*, several Sums of Money particularized in the Schedule marked B. to this Act annexed, and amounting in the whole to the Sum of Five thousand two hundred and ten Pounds; and Mortgages or Securities upon the Tolls arising upon the said Road between *Colne* and *Blackburn* were executed for the same several Sums: And whereas the several Persons by whom the said several Sums of Money were so advanced (being then Trustees of the said Road between *Colne* and *Blackburn*) borrowed the same for the Use of the said Road, upon their own respective Personal Securities, or became otherwise personally responsible for the same: And whereas it was by the said first-recited Act enacted, that the said several Persons should be entitled to a Preference, and should be considered Mortgagees of the Tolls to arise under the said Act upon or from the said Road from *Colne* to *Blackburn*, for the said several Sums of Money so by them advanced as aforesaid, and the Interest thenceforth to grow due for such Sums respectively, before any other Person or Persons whomsoever, except as to the Sum of One thousand seven hundred and sixty-seven Pounds Ten Shillings, being the Amount of the remaining Sums of Money then due and owing upon the same Tolls; with respect to which said Sum of Money it was declared, that the same should be and be considered a Lien or Charge upon the same Tolls, in Favour of and for the Benefit of all the Creditors upon the Tolls to arise under or by virtue of the same Act, as well those who then were as those who should thereafter become such Creditors, in proportion to the respective Sums of Money then due and owing, or which should thereafter become due and owing to them respectively, in an equal Degree with the said Sum of Five thousand two hundred and ten Pounds: And whereas it is expedient that the said last-recited Provision should be continued, with such Alterations as are herein-after mentioned; be it therefore further enacted, That the several Persons now responsible for or entitled to the said Sum of Five thousand two hundred and ten Pounds, and their respective Executors, Administrators, and Assigns, shall in an equal Degree with each other, in proportion to the several Sums of Money owing to them respectively, be entitled to a Preference, and shall be considered as Mortgagees of the Tolls to arise under this Act upon or from the several Roads and the Branch in this Act comprised, for the said several Sums of Money so advanced as aforesaid, and the Interest henceforth to grow due for such Sums respectively, before any other

Person or Persons whomsoever, except as to the Sum of One thousand five hundred and ninety-two Pounds Ten Shillings, Part of the said Sum of One thousand seven hundred and sixty-seven Pounds Ten Shillings, the Amount of the remaining Sums of Money which at the Time of the passing of the said recited Act of the Fiftieth Year of the Reign of His late Majesty were due and owing upon the Tolls arising on the said Road from *Colne* to *Blackburn*, but which said Sum of One thousand seven hundred and sixty-seven Pounds Ten Shillings hath since been reduced to the said Sum of One thousand five hundred and ninety-two Pounds Ten Shillings, which still remains due and owing, and consists of the several Sums mentioned and particularized in the Schedule marked C. to this Act annexed; with respect to which said Sum of One thousand five hundred and ninety-two Pounds Ten Shillings, and the Interest henceforth to grow due for the same, such Sum and Interest shall be and be considered as a Lien or Charge upon the Tolls to arise under this Act, in Favour of and for the Benefit of the several Persons now entitled to the said Sum of One thousand five hundred and ninety-two Pounds Ten Shillings, and also of the several Persons entitled to the several Sums of Money mentioned and specified in the several other Schedules marked D., E., F., and G. to this Act annexed, and their respective Executors, Administrators, and Assigns, in proportion to the respective Sums of Money now due and owing to such Persons respectively, in an equal Degree with the said Sum of Five thousand two hundred and ten Pounds so due and owing as herein-before mentioned.

**Certain other Creditors to be next preferred in the Order pointed out.**

XXV. And whereas there are now due and owing on the Credit of the Tolls authorized to be collected by the said recited Act of the Fiftieth Year of the Reign of His late Majesty, the several other Sums of Money mentioned and particularized in the several Schedules marked respectively D., E., F., and G. to this Act annexed: And whereas it hath been agreed that the several Preferences and Priorities herein-after declared should be allowed to the respective Persons now entitled to the said several Sums of Money, and also to the several other Persons entitled to the several Sums of Money mentioned and particularized in the said Schedule C.; be it therefore further enacted, That subject to the Preference herein-before given to the said several Persons entitled to the said Sum of Five thousand two hundred and ten Pounds, the several Persons now entitled to the said several Sums of Money mentioned and particularized in the said Schedules C., D., E., F., and G. shall be respectively entitled to Preferences and Securities, and shall be considered Mortgagees of the Tolls to arise under this Act, for the several Sums of Money advanced by or owing to them respectively, in the Order and Manner herein-after mentioned; that is to say, the several Persons entitled to the several Sums of Money mentioned in the said Schedule D. shall, in an equal Degree with each other, in proportion to the several Sums of Money owing to them respectively, be entitled to the First Preference, and be considered First Mortgagees of the said Tolls; and the several Persons entitled to the Sum of Money mentioned in the said Schedule E. shall in like Manner be next entitled, and be considered Second Mortgagees of the said Tolls; and the several Persons entitled to the said several Sums of Money mentioned in the said Schedules C. and

C. and F. shall in like Manner be next entitled, and be considered Third Mortgagees of the said Tolls; and the several Persons entitled to the said several Sums of Money mentioned in the said Schedule G. shall in like Manner be next entitled, and be considered Fourth Mortgagees of the said Tolls: Provided always, that the Preferences herein-before given with respect to the said Sums of Money particularized in the said Schedules D., E., C., F., and G., shall be confined to the Principal Sums therein respectively mentioned; and with respect to the Interest now due and owing or hereafter to become due or owing on the same Principal Sums, the several Persons entitled to the same shall, in proportion to the several Sums of Money owing to them respectively, be Creditors on the said Tolls to arise under this Act, in an equal Degree with each other.

**No Preference amongst other Creditors.**

XXVI. And be it further enacted, That the several Persons entitled to the said several Sums of Money in the said Schedules mentioned, and their respective Executors, Administrators, and Assigns, shall, in the Order and Manner herein-before expressed, be entitled to Preferences, and be considered Mortgagees of the Tolls to arise under this Act, for the several Sums of Money so due and owing to them respectively, and the Interest now due or which hereafter shall become due for the same Sums respectively, before any other Person or Persons whomsoever; and all and every Person and Persons who shall or may hereafter advance any Sum or Sums of Money on the Credit of the Tolls, or any of them, to arise under this Act, shall, in proportion to the several Sums of Money to be by them advanced, be Creditors in an equal Degree with each other, or in such Order as shall be agreed upon and stipulated at the Time of the Advance of their respective Shares.

**Application of the Tolls and Money to be borrowed.**

XXVII. And be it further enacted, That out of the Tolls or other Monies already received by virtue of the said recited Act of the Fiftieth Year of the Reign of His late Majesty King *George* the Third, or out of the Tolls and other Monies which shall be raised or received by virtue of this Act, the said Trustees shall in the first place pay and discharge all Costs and Expences relative to procuring and passing this Act, with Interest for the same; and the Remainder of all such Monies shall (after Payment of the necessary current Expences for Advertisements, Books, Salaries of Officers, Law Charges, and other Expences incidental to putting this Act in execution,) from Time to Time be applied, in the first place, in paying and keeping down the Interest of all Monies due and owing at the Time of passing this Act, and to become due on the Credit of this Act, subject to the Provisions herein-before contained as to the Order and Priority of Payment of the present Creditors, and then in making and completing the Alterations and Improvements now in progress, and other Alterations and Improvements which have been ordered to be made between *Burnley* and *Colne*; and in the next place (but subject to the Provision herein-after contained) in making, repairing, widening, improving, and rendering commodious the said Roads, and in otherwise putting this Act in execution, and afterwards in repaying the Principal Monies due and owing at the Time of passing this Act to the present Creditors as aforesaid, subject and according to the Provisions

visions and Regulations herein-before contained as to the Order and Priority of such Payments; and lastly, in repaying the Principal Monies subscribed for or agreed to be advanced, or which shall be subscribed for or advanced, for improving and making the said intended Turnpike Road and Branch, and which shall be borrowed on the Credit of this Act.

Sum to be set apart yearly towards paying off Mortgages.

XXVIII. Provided always, and be it further enacted, That after paying the necessary current Expences and Interest, as herein-before mentioned, and after defraying the Expence of usual and ordinary Repairs of the said Roads, the said Trustees shall and they are hereby required yearly, at their General Annual Meeting, to set apart the Sum of Five hundred Pounds at the least, if a Surplus to that Amount shall then remain, but if a Surplus to that Amount shall not remain, then the entire Surplus which shall remain, for the Purpose of paying off and discharging, in the Order and according to the Regulations herein-before prescribed, the Principal Sums of Money now due and owing on the Credit of the said recited Act of the Fiftieth Year of the Reign of His said late Majesty, and shall pay and apply such Surplus accordingly.

Application of Subscriptions.

XXIX. Provided always, and be it further enacted, That all Monies subscribed for or agreed to be advanced, or which shall at any Time or Times hereafter be subscribed for or advanced, for the Purpose of making, diverting, repairing, widening, or altering the said intended new Road and Branch, and which shall be paid to or received by or for the said Trustees as herein-after mentioned, shall be vested in the said Trustees, and shall be by them laid out and applied in carrying into Execution the Purposes of this Act, for or towards effecting the said Improvements, and in erecting, making, or providing all requisite Turnpikes, Toll Gates, Bars, Chains, Weighing Machines, Toll Houses, and Conveniences on the said intended new Road and Branch, and to or for no other Use or Purpose whatsoever.

A Toll Gate to be erected on the Branch, and Tolls taken.

XXX. And be it further enacted, That the said Trustees shall and they are hereby required to erect and set up and continue, upon the Branch of Road comprised in this Act, One or more Toll Gate or Toll Gates, Toll Bar or Toll Bars, or Turnpike or Turnpikes, and to demand and take thereat the Tolls by this Act granted.

No Money to be laid out on the Branch if no Turnpike be erected or Tolls taken.

XXXI. Provided always, and be it further enacted, That no Money arising from any of the Tolls hereby authorized to be collected and taken shall be applied in or towards the Repair of the Branch Road comprised in this Act, unless some Toll Gate, Toll Bar, or Turnpike shall be erected and continued upon such Branch Road, nor unless the Tolls hereby granted shall be demanded and taken thereat, pursuant to the Powers and Provisions of this Act and the said recited Acts.

Power to make Road and Branch.

XXXII. And be it further enacted, That the said Trustees shall and may and they are hereby authorized and empowered to make the said new Road and Branch in, upon, over, or through any private Lands, Grounds, or Hereditaments, making or tendering Satisfaction

to the Owners thereof and Persons interested therein for the same, and for any Damage they may sustain thereby, and also in, upon, over, or through any Commons or Waste Lands, without making any Satisfaction for such Commons or Waste Lands, of such Width as they shall think proper, not exceeding Forty-two Feet, together with such Footpaths, Causeways, Bridges, Culverts, Fences, Ditches, and Drains, as they shall think necessary or expedient; and for the Purposes of this Act to pull down, or take and use and lay into the said respective Roads, any Houses, Buildings, Tenements, or Hereditaments mentioned in the Schedule to this Act annexed, marked A., first making and tendering Satisfaction to the Owners thereof and Persons interested therein for the same, and for the Damage they may sustain thereby; and it shall also be lawful for the said Trustees, and for their Surveyors or Surveyor and Workmen, from Time to Time to enter upon the Lands and Premises or Hereditaments through which or whereupon such Roads, Footpaths, Causeways, Bridges, Culverts, Fences, Ditches, and Drains are intended to be made or pass, and also upon any adjoining Lands or Grounds, and to stake out the same in such Manner as the said Trustees shall think necessary or expedient, without being deemed a Trespasser or Trespassers, and without being subject or liable to any Fine, Penalty, or Punishment for entering or continuing upon such Lands or Premises respectively for any of the Purposes of this Act; and if any Person shall pull up, remove, or destroy any of the Stakes or other Marks used for the Purposes aforesaid, every Person so offending shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds.

Road to be made according to the Map or Plan deposited at the Office of the Clerk of the Peace.

XXXIII. And whereas a Map or Plan, describing the Lines of the said new Road and Branch, and the Lands and Hereditaments through or over which the same are to be made or carried, together with a Book of Reference containing the Names of the Owners and Occupiers of such Lands and Hereditaments, hath been deposited at the Office of the Clerk of the Peace for the said County Palatine of *Lancaster*; be it therefore enacted, That the said Map or Plan and Book of Reference shall remain in the Custody of the Clerk of the Peace for the said County 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 thereof or 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 Sixpence for every One hundred Words of such Copies or Extracts of the said Map or Plan and Book of Reference; and the said Trustees in making the said new Road and Branch shall not deviate more than One hundred Yards from the Line described in the said Map or Plan, without the Consent and Approbation in Writing of the Owner or Owners, Proprietor or Proprietors of the Lands or Hereditaments through or over which such Deviation shall be made, or of the respective Husbands, Guardians, Committees, Feoffees, or other Trustees of any such Owners or Proprietors, being Femes Covert, Infants, Tenants for Life or in Tail, Lunatics, Idiots, or otherwise incapacitated from acting for himself, herself, or themselves.

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

XXXIV. Provided always, and be it further enacted, That it shall be lawful for the said Trustees to make the said new Road and Branch into, through, across, or over the Lands, Buildings, or Hereditaments of any Person or Persons who is or are or may be Owner or Owners, Occupier or Occupiers, of Lands, Buildings, or Hereditaments through or over which the same is or are set out and described in the said Map or Plan as aforesaid, or in the Schedule hereunto annexed, marked A., although the Name or Names of such Person or Persons may happen to be omitted or mis-stated in the said Book of Reference or Schedule, in case it shall appear to any Two or more Justices of the Peace for the said County Palatine of *Lancaster*, and be certified by Writing under their Hands, that such Error or Omission proceeded from Mistake.

Trustees restrained from pulling down Dwelling Houses, &c. without the Consent of Owners.

XXXV. Provided always, and be it further enacted, That the Powers and Authorities given by this Act or the said recited Acts for making the said new Road and Branch, and for diverting, repairing, widening, or altering the same, or the present Road from *Blackburn* to *Addingham* and *Cocking End*, 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, Orchard, Garden, Yard, Park, Paddock, Lawn, Shrubbery, planted Walk or Avenue to a House, or any inclosed Ground planted and set apart as a Nursery for Trees, or any Part thereof respectively, (except such as are mentioned in the Schedule to this Act annexed, marked A.,) without the Consent in Writing first had and obtained of the Owner or Owners, Proprietor or Proprietors thereof, or of the respective Husbands, Guardians, Committees, Feoffees, or other Trustees of any such Owners or Proprietors, being Femes Covert, Infants, Tenants for Life or in Tail, Lunatics, Idiots, or otherwise incapacitated from acting for himself, herself, or themselves.

Dwelling Houses, &c. mentioned in the Schedule A. to be purchased in Five Years.

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

Trustees may contract for the Purchase of Lands, and Corporations and incapacitated Persons may sell, &c.

XXXVII. And be it further enacted, That it shall be lawful for the said Trustees from Time to Time to treat, contract, and agree with the Parties or Persons who shall be Owners of or interested in any private Lands, Buildings, Tenements, Hereditaments, or Premises to be taken or made use of in the Execution of this Act, or who shall sustain any Loss or Damage by means thereof, for the Purchase of such Lands, Buildings, Tenements, Hereditaments, or Premises, and for the Value, Consideration, Compensation, or Satisfaction to be made for the same, or for such Loss or Damage aforesaid; and it shall be lawful for all Bodies Politic, Corporate, or Collegiate, Ecclesiastical

siastical or Civil, Corporations Aggregate or Sole, Tenants for Life or in Tail, Husbands, Guardians, Trustees, Feoffees in Trust, Committees, Executors, Administrators, and all other Persons whomsoever, not only for and on behalf of themselves, their Heirs and Successors, but also for and on the Behalf of the Person or Persons entitled in Reversion, Remainder, or Expectancy after them, and for and on behalf of their Cestuique Trusts, whether Femes Covert, Wards, Infants, or Issue unborn, Lunatics, Idiots, Persons of unsound Mind, Memory, and Understanding, or other Person or Persons whomsoever, and to and for all Femes Covert who are or shall be seised or interested in their own Right, or entitled to Dower, and to and for all and every Person and Persons whomsoever who are or shall be seised or possessed of or interested in any such Lands, Buildings, Tenements, Hereditaments, or Premises, to give their Consent in Writing to the said Trustees for the taking and using any such Lands, Tenements, Hereditaments, and Premises, and the pulling down of any Dwelling House or any other Building, and to treat, contract, and agree with the Trustees for executing this Act, for the Value, Consideration, Compensation, or Satisfaction to be made for such Property or Interest, or for any Loss or Damages as aforesaid; and by Conveyance, Lease and Release, or Bargain and Sale, to sell and convey unto the said Trustees any such Lands, Buildings, Tenements, Hereditaments, or Premises, or any Part thereof, for any of the Purposes of this Act; and all Contracts, Agreements, Sales, and Conveyances which shall be so made, shall be good, valid, and effectual to all Intents and Purposes, without Fine or Recovery, and shall be a complete Bar to all Estates Tail, and other Estates, Rights, Titles, Trusts, and Interests whatsoever, any Law, Statute, Usage, or other Matter whatsoever, to the contrary notwithstanding; and all such Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Civil, Corporations Aggregate or Sole, Tenants for Life or in Tail, Husbands, Guardians, Trustees, Feoffees, Committees, Executors and Administrators, and all other Persons, shall be and are hereby indemnified for what they shall do by virtue or in pursuance of this Act; and if any such Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Civil, Corporations Aggregate or Sole, Tenants for Life or in Tail, Husbands, Guardians, Trustees, Feoffees, Committees, Executors or Administrators, or any other Person or Persons as aforesaid, upon Notice to him, her, or them given, or left in Writing at the Dwelling House or Houses or other Place or Places of Abode of such Person or Persons, or of the principal Officer or Officers of such Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Civil, or at the House of the Tenant in Possession of the Premises, shall, for the Space of Thirty Days next after such Notice given or left, neglect or refuse to treat, or shall not agree, or by reason of Absence shall be prevented from treating, then and in every or any such Case the said Trustees shall cause such Value, Consideration, Compensation, Satisfaction, or Damages, to be inquired into and ascertained by a Jury in the Manner prescribed by the said herein-before recited Act of the Third Year of the Reign of His present Majesty, in Cases where any Damages, Value, or Recompence for Premises 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 Regu-

When Persons neglect or refuse to treat, the Damages to be settled by a Jury.

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.

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, 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, or 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* 1 G. 4. c. 35.

*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.

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

XXXIX. Provided always, 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, or any Three or more of them, 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 Three or more of the Trustees for executing this Act, and such Nomination and Approbation 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 any Order of the said Court touching the Application thereof.

Where under 20*l.*

XL. Provided also, and be it further enacted, That where such Money so agreed or awarded to be paid as next 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 of the said Roads, for his, her, or their own Use and Benefit; or in Cases 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 so entitled respectively.

In case of not making out a good Title, &c.

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 for the Purposes of this Act, 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 or 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. Provided always, 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, 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 for the Purposes of this Act as 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, shall be paid, applied,

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. Provided also, 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 for the Purposes of this Act, 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 in pursuance of this Act, 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 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 Sums of Money for such Purposes as the said Court shall direct.

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

XLIV. And be it further enacted, That Ditches, Drains, or Watercourses of a sufficient Depth and Breadth for keeping the said Roads dry, and conveying the Water from the same, shall be made by the said Trustees, or their Surveyor or other Officer, on the Sides of the said Roads, and also, where necessary, in or through or upon any Lands or Grounds adjoining or lying near to the said Roads, (not being a Yard, Garden, Orchard, Park, 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 sufficient Bridges, Arches, Culverts, Trunks, Tunnels, or Plats shall be made by the said Trustees, or their Surveyor or other Officer, where any Carriageways or Footways lead into or out of or cross the said Roads, 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 Watercouses, Bridges, Arches, Culverts, Trunks, Tunnels, or Plats, as shall be made on the Sides of the said Roads or any of them, or in or through or upon any such adjoining Lands or Grounds, in pursuance of this Act, shall, when so made and completed by the said Trustees, be for ever afterwards scoured, cleansed, and kept open, repaired and maintained by the Occupiers respectively of the adjoining Lands or Grounds, but all such new Bridges, Arches, Culverts, Trunks, Tunnels, or Plats, as shall cross or pass in, through, or under the said Roads or any of them, shall be scoured, cleansed, and kept open, repaired and maintained, by the said Trustees, subject to the Provisions of the said Act of the Third Year of the Reign of His present Majesty.

Trustees of Keighley and Kendal Road and the Trustees of this Road not to

XLV. And whereas an Act was passed in the Twenty-sixth Year of the Reign of His late Majesty King *George* the Second, intituled *An Act for repairing, amending, and widening the Road from* Keighley *in the West Riding of the County of* York *to* Kirkby *in* Kendal *in the County of* Westmoreland, which Act was further continued by an

Act

Act of the Eighteenth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for continuing the Term and altering and enlarging the Powers of an Act made in the Twenty-sixth Year of the Reign of His late Majesty King* George *the Second, intituled* '*An Act for repairing, amending, and widening the Road from* 'Keighley *in the West Riding of the County of* York, *to* Kirkby *in* 'Kendal *in the County of* Westmoreland;' and the same Acts were further continued by an Act of the Thirtieth Year of the Reign of His said late Majesty, intituled *An Act for continuing the Term and altering and enlarging the Powers of certain Acts made for repairing the Road from* Keighley *in the West Riding of the County of* York, *to* Kirkby *in* Kendal *in the County of* Westmoreland, *as far as relates to such Part of the said Road as lies within the County of* York, and by an Act passed in the Fourth Year of the Reign of His present Majesty, intituled *An Act for more effectually repairing and improving the* Yorkshire *District of the Road from* Keighley *in the West Riding of the County of* York, *to* Kirkby *in* Kendal *in the County of* Westmoreland, *and for making several Diversions therefrom within the said West Riding of the County of* York, the said former Acts were repealed, and the *Yorkshire* District of the said Road was directed to be repaired and improved, for the Term and in Manner in the same Act mentioned: And whereas it is in and by the said herein-before in part recited Act of the Fiftieth Year of the Reign of His said late Majesty enacted, that the Trustees appointed or to be appointed by the said several recited Acts of the Twenty-sixth Year of the Reign of His said late Majesty King *George* the Second, and the Eighteenth and Thirtieth Years of the Reign of His late Majesty King *George* the Third, and the Trustees under the now-reciting Act, or any of them, should not have any Power or Authority to erect or cause to be erected any Toll Gate or Toll Gates, Turnpike or Turnpikes, between *Farnhill* in the Parish of *Kildwick* in the said West Riding and the East End of the Township of *Steeton* in the said Riding; be it therefore hereby further enacted, That the Trustees appointed or to be appointed by the said last-recited Act of the Fourth Year of the Reign of His present Majesty, and the Trustees for executing this Act, shall not, until the Expiration of Four Years from the passing of this Act, have any Power or Authority to erect or cause to be erected, but they and every of them are hereby restrained and prohibited from erecting or causing to be erected, any Toll Gate or Toll Gates, Turnpike or Turnpikes, Chain or Chains, upon or across or on the Side of any Part of the same Road, between *Farnhill* aforesaid and the East End of the Township of *Steeton* aforesaid; any thing in the said Acts or any of them contained to the contrary thereof in anywise notwithstanding.

Trustees not to erect, for Four Years, any Turnpike between Farnhill and Steeton.

XLVI. And whereas it is by the said recited Act of the Fiftieth Year of the Reign of His late Majesty enacted and provided, be it therefore also hereby enacted and provided, That every Horse or other Beast, Cattle or Carriage, having passed through the Toll Gate or Turnpike called *Howshay Bar*, or any other Toll Gate or Turnpike now erected or standing, or which shall at any Time hereafter be lawfully erected or standing upon or across that Part of the Turnpike Road which lies between *Skipton* in the County of *York* and *Lydiate* or

Tickets given at any Gate between Skipton and Lydiate to clear Gates between that Place and Colne, and vice versâ.

or *Lidgett* aforesaid, and in respect whereof the Toll payable there shall have been paid, and for which Toll a Note or Ticket, Notes or Tickets, denoting such Payment, shall have been received from the Collector or Collectors of such Toll, such Horse, Beast, Cattle, or Carriage shall on the same Day, before Twelve of the Clock at Night, be permitted to pass Toll-free through any Toll Gate or Turnpike now erected or standing, or which shall at any Time or Times hereafter be erected or set up upon or across any Part of the said Road comprised in this Act between *Colne* and *Lydiate* or *Lidgett* aforesaid, (such Part of the said Road having formerly constituted Part of the Turnpike Road leading from *Skipton* aforesaid to *Colne* aforesaid,) on such Note or Ticket, Notes or Tickets being produced, and left with the Collector or Collectors of the Tolls payable at such last-mentioned Bar; and every Horse or other Beast, Cattle or Carriage, passing through any such last-mentioned Toll Gate or Turnpike, and in respect whereof the Toll payable there shall have been paid, and for which Toll a Note or Ticket, Notes or Tickets, denoting such Payment, shall have been received from the Collector or Collectors of such Toll, such Horse, Beast, Cattle, or Carriage shall be permitted to pass Toll-free through the said Toll Gate or Turnpike called *Howshay Bar*, or any other Toll Gate or Turnpike now erected or standing, or which at any Time hereafter shall be lawfully erected or be lawfully standing upon or across the said Road between *Skipton* and *Lydiate* or *Lidgett* aforesaid, or any Part thereof, on the same Day, before Twelve of the Clock at Night, upon the Note or Ticket, Notes or Tickets, denoting such Payment, being produced, and left with the Collector or Collectors of the Tolls payable at such last-mentioned Bar; and the Collector or Collectors of the said Tolls payable at the said last-mentioned Bar shall thereupon be entitled to receive from the Collector or Collectors of the Tolls at any such Toll Gate or Turnpike now erected or which may be erected upon the said Road between *Colne* and *Lydiate* or *Lidgett* aforesaid, or from the Treasurer to the Trustees for executing this Act, the Sum or Sums of Money for which such last-mentioned Note or Ticket, Notes or Tickets, shall be given, provided the same be demanded within Three Calendar Months next following; and such Sum or Sums shall be ascertained by producing such Note or Ticket, Notes or Tickets.

The Tickets given at the Bar between Colne and Lydiate, to be accounted for to the Collector at the Bar cleared by such Tickets.

Penalty on Collectors refusing to repay Tickets, or committing Frauds.

XLVII. And be it further enacted, That if any Collector or Collectors of the Tolls to arise at any such Toll Gate or Turnpike now erected or which shall or may at any Time or Times hereafter be erected or set up between *Colne* and *Lydiate* or *Lidgett* aforesaid, or the Treasurer to the said Trustees hereby appointed, shall at any Time or Times, without sufficient Excuse, to be allowed of by the Justices before whom the Offence shall be inquired of, and who is hereby authorized to award Costs to either Party if he shall think fit, refuse or neglect immediate Payment of any such Note or Ticket, Notes or Tickets as aforesaid, on the same being tendered to him, her, or them for Payment, or if any Collector or Collectors of the Tolls at any of the Toll Gates or Turnpikes mentioned in the Clause lastly hereinbefore enacted, or any other Person or Persons, shall be guilty of any Fraud or Misconduct in giving, obtaining, receiving, or delivering any such Note or Ticket, Notes or Tickets, or in any Matter relating thereto,

thereto, every such Person so offending shall for each Offence forfeit and pay any Sum not exceeding Twenty Pounds.

Public Act.

XLVIII. 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 Act.

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

The

## The SCHEDULE A. referred to by the Act.

| Names of Owners or reputed Owners. | Names of Occupiers. | Description of Property. | Parishes and Townships in which the Property lies. | |
|---|---|---|---|---|
| | | | Parish. | Township. |
| *On the Road from Accrington to Habergham Eaves.* | | | | |
| William Crawshaw - | William Crawshaw - | Two Cottages, Garden, and Outbuildings. | Whalley | Old Accrington. |
| Ditto - - | William Hacking - | A Cottage - - | Ditto | Ditto. |
| James Nutall, junior | James Nutall, senior - | A Dwelling House - | Ditto | Ditto. |
| Christopher Lancaster | Christopher Lancaster - | A Plantation - - | Ditto | Ditto. |
| Peregrine Edward Towneley, Esq. | Peregrine Edwd Towneley, Esquire. | A Wood or Plantation - | Ditto | Hapton. |
| Ditto - - | Peregrine Edwd Towneley, Esquire, and John Whittam. | Ditto - - - | Ditto | Ditto. |
| John James and William Roberts. | John James and William Roberts. | A Spinning Room and Yard. | Ditto | Habergham Eaves. |
| *On the Branch from the Barracks in Habergham Eaves.* | | | | |
| Robert Townley Parker, Esquire. | Richard Atkinson - | A Cottage - - | Whalley | Habergham Eaves. |
| *On the present Line of Road from Blackburn to Addingham and Cocking End.* | | | | |
| Sir John Majoribanks, Baronet (as Trustee). | Richard Eastwood - | A Garden - - | Whalley | Padiham. |
| John Hoyle, James Hoyle, and Giles Hoyle. | John Holland - - | A Cottage and Butcher's Shop or Slaughter House. | Ditto | Ditto. |
| John Greenwood, Esquire. | Jeremiah Spencer, John Greenhalgh, Sarah Smith, Thomas Harker, Thomas Hudson, and William Pollard. | A Shop and Five Dwelling Houses in Church Street, in the Town of Burnley, adjoining Yorkshire Street. | Ditto | Burnley. |
| Ditto - - | John Greenhalgh - | A Garden, adjoining the House occupied by William Pollard. | Ditto | Ditto. |
| Thomas Whittaker - | Thomas Whittaker, Mary Harrison, Betty Barnes, Richard Bailey, Betty Sagar, Henry Smith, Ann Smith, Alice Crossley, and Egerton Blakey. | Three Dwelling Houses on the North-east Side of Church Street in Burnley. | Whalley | Ditto. |
| Christopher Rawson and John Waterhouse (as Trustees). | Richard Greenhalgh, Ann Hargreaves, James Smith, John Lupton, James Pollard, Alice Simpson, David Pollard, John Ebden, and John Boys. | Five Dwelling Houses on the South or South-west Side of Fenkin Street in Burnley. | Ditto | Ditto. |

| Names of Owners or reputed Owners. | Names of Occupiers. | Description of Property. | Parishes and Townships in which the Property lies. | |
|---|---|---|---|---|
| | | | Parish. | Township. |
| James Hargreaves, Esquire. | George Holgate - - | A Plantation or Pleasure Ground on the South or South-west Side of the same Street. | Whalley | Burnley. |
| William Hartley - | Edmund Riley - - | A Plantation on the South-west Side of the Highway leading to Bradley Lane Head. | Ditto | Marsden. |
| Ditto - - | William Hartley - | A Plantation on the South-east Side of the same Highway. | Ditto | Ditto. |
| Ditto - - | Ditto - - | A Cottage or Dwelling House on the South-east Side of the present Road, and in the Line of an intended Diversion. | Ditto | Ditto. |
| James Halstead - | Henry Roberts - | A Cottage or Dwelling House on the North-west Side of Church Street in Colne. | Ditto | Colne. |
| Earl of Derby. Henry Halstead (Lessee from Lord Derby). Abraham Nowell (Assignee from Henry Halstead). | John Sutcliffe - - | A Blacksmith's Shop on the same Side of the same Street. | Whalley | Ditto. |
| Earl of Derby. Henry Halstead (Lessee from Lord Derby). | Abraham Nowell - | A Shippon adjoining the Blacksmith's Shop. | Ditto | Ditto. |
| Earl of Derby. Henry Eastwood (Lessee from Lord Derby). | George Halstead and Nicholas England. | A Stable adjoining the Shippon. | Ditto | Ditto. |
| Earl of Derby. Henry Eastwood (Lessee from Lord Derby). George Halstead and Nicholas England (Assignees from — Eastwood). | Thomas Hartley - | A Garden - - | Ditto | Ditto. |
| Richard Blakeborough (as Trustee). | Matthew Whittam and Thomas Townson. | Two Cottages or Dwelling Houses adjoining the Church Gates in Colne. | Ditto | Ditto. |
| James Topper, James Watson, Henry Wilkinson, William Cure, Ann Binns, John Whitaker, George Cure, and George Butler Ward. | John Preston and David Sugden. | Two Cottages and a Butcher's Shop, situate on the South Side of the Main Street in Colne. | Ditto | Ditto. |
| Peter Hartley - | John Dixon and Joseph Smith. | Two Cottages and a Barn on the North Side of the Road. | Kildwick | Glusburn. |
| Peter Hartley - | George Hartley - | A Barn on the South Side of the Road, and a Garden. | Ditto | Ditto. |
| Peter Hartley - | Peter Hartley - - | A Cottage - - | Ditto | Ditto. |

| Names of Owners or reputed Owners. | Names of Occupiers. | Description of Property. | Parishes and Townships in which the Property lies. | |
|---|---|---|---|---|
| | | | Parish. | Township. |
| Earl of Thanet - | John Longbottom - | A Stable adjoining the West Side of the Thanet Arms Inn. | Kildwick | Silsden. |
| Ditto - - | Robert Wade - - | A Cottage on the West Side of the Road. | Ditto | Ditto. |
| William Fortune - | Ann Newton and George Langer. | Two Cottages - - | Ditto | Ditto. |
| Margaret Gill, Thomas Thornber, and Thomas Jackson (as Trustees). | Margaret Gill - - | A Garden and Coal House | Ditto | Ditto. |
| The same Persons - | Job Tillotson, Joseph Fortune, and Sarah Tillotson. | Three Cottages on the East Side of the Road. | Ditto | Ditto. |
| Robert Nightingale - | Robert Nightingale - | A Smithy and Shop - | Ditto | Ditto. |
| Earl of Thanet - | William Fortune - | A Garden - - | Ditto | Ditto. |

## The SCHEDULE B. referred to by the Act,

Containing the Particulars of the several Sums of Money (amounting in the whole to 5,210*l.*) borrowed on Personal Securities, and originally advanced on the Credit of the Tolls arising on the Road between Colne and Blackburn.

| *Names of Persons on whose Security the Sums were borrowed.* | *Sums borrowed.* | | |
|---|---|---|---|
| | *£* | *s.* | *d.* |
| John Hargreaves, Clerk, Thomas Clayton, and John Clayton - - - | 200 | 0 | 0 |
| John Hargreaves, Clerk, Webster Fishwick, Gilbert Hammerton, Nicholas Halsted, and George Haworth - - - - - - - - - | 500 | 0 | 0 |
| Nicholas Halsted, Webster Fishwick, John Shaw, and Lawrence Tattersall - | 500 | 0 | 0 |
| Thomas Clayton and Thomas Parker - - - - - - - | 160 | 0 | 0 |
| John Hargreaves, Clerk, Webster Fishwick, Lawrence Tattersall, and Nicholas Halsted - - - - - - - - - | 300 | 0 | 0 |
| Webster Fishwick, Nicholas Halsted, William Crook, and Joseph Massey - - | 200 | 0 | 0 |
| John Hargreaves, James Hargreaves, Lawrence Halsted, Richard Grimshaw Lomax, William Hargreaves, Joseph Massey, and John Holgate, (Part of a Sum of 1,000*l.*) | 800 | 0 | 0 |
| Thomas Clayton, James Hargreaves, John Holgate, junior, Oates Sagar, and John Bolton - - - - - - - - - - | 500 | 0 | 0 |
| James Hargreaves, Webster Fishwick, William Roberts, William Crook, Henry Crook, and Robert Munn - - - - - - - - | 800 | 0 | 0 |
| Thomas Grimshaw, John Mancknols, William Hartley, John Smithson, Henry Wilkinson, Robert Midgley, Jonathan Dickinson, Thomas Hargreaves, John Roberts, William Midgley, James Wilson, George Haworth, Thomas Wilkinson, and John Hall - - - - - - - - - | 500 | 0 | 0 |
| The Right Honourable Thomas Lord Ribblesdale, Hugh Taylor, and Henry Aspinall | 500 | 0 | 0 |
| Lawrence Halsted, Webster Fishwick, Joseph Massey, Robert Munn, William Crook, and Henry Crook, (Part of a Sum of 750*l.*) - - - - - | 250 | 0 | 0 |
| *£* | 5,210 | 0 | 0 |

The

## The SCHEDULE C. referred to by the Act,

Containing the Names of Persons who originally advanced Money on the Credit of the Tolls arising on the Road between Colne and Blackburn.

| *Names of Persons by whom advanced.* | *Sums advanced.* | | |
|---|---|---|---|
| | £ | *s.* | *d.* |
| Thomas Parker | 57 | 0 | 0 |
| William Midgley | 52 | 10 | 0 |
| Charles Townley | 114 | 0 | 0 |
| John Turner | 46 | 0 | 0 |
| John Barcroft | 171 | 0 | 0 |
| John Bolton | 171 | 0 | 0 |
| Sir James Whalley Smythe Gardiner, Baronet | 114 | 0 | 0 |
| Edmund Townley | 114 | 0 | 0 |
| John Yarker | 57 | 0 | 0 |
| Lawrence Halsted | 57 | 0 | 0 |
| Robert Master, D. D. | 50 | 0 | 0 |
| Charles Townley | 100 | 0 | 0 |
| The Right Honourable Thomas Lord Ribblesdale | 100 | 0 | 0 |
| John Mancknols | 100 | 0 | 0 |
| John Smithson | 50 | 0 | 0 |
| John Hargreaves | 50 | 0 | 0 |
| Richard Roe Walton, Clerk | 114 | 0 | 0 |
| Richard Sagar | 50 | 0 | 0 |
| Christopher Lister | 25 | 0 | 0 |
| £ | 1,592 | 10 | 0 |

## The SCHEDULE D. referred to by the Act,

Containing the Particulars of several other Sums of Money borrowed on Personal Securities, and advanced on the Credit of the Tolls arising on the Road from Blackburn to Addingham and Cocking End.

| *Names of Persons on whose Security the Sums were borrowed.* | *Sums borrowed.* | | |
|---|---|---|---|
| | £ | *s.* | *d.* |
| John Hargreaves, Thomas Clayton, and John Roberts | 400 | 0 | 0 |
| William Spencer and Joseph Smith | 250 | 0 | 0 |
| Christopher Lister, William Spencer, and Abraham Binns | 150 | 0 | 0 |
| Thomas Clayton, John Hargreaves, James Hargreaves, Lawrence Halsted, Henry Owen Cunliffe, William Midgley, John Hargreaves, Robert Midgley, John Barker, John Moore, John Eltoft, William Roberts, Richard Sagar, and John Shaw | 3,000 | 0 | 0 |
| John Hargreaves, James Hargreaves, Lawrence Halsted, Richard Grimshaw Lomax, William Hargreaves, Joseph Massey, and John Holgate, (Part of a Sum of 1,000*l.*) | 200 | 0 | 0 |
| John Parkinson, Joseph Smith, William Spencer, Richard Sagar, and Thomas Lonsdale | 500 | 0 | 0 |
| Lawrence Halsted, Webster Fishwick, Joseph Massey, Robert Munn, William Crook, and Henry Crook, (Part of a Sum of 750*l.*) | 500 | 0 | 0 |
| John Hargreaves, George Holgate, Webster Fishwick, and Joseph Massey | 1,000 | 0 | 0 |
| Richard Sagar, John Hartley, William Midgley, Thomas Wilkinson, and John Hargreaves | 1,000 | 0 | 0 |
| Christopher Lister, Robert Midgley, James Ayrton, John Barker, and Henry Wilkinson | 500 | 0 | 0 |
| £ | 7,500 | 0 | 0 |

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## The SCHEDULE E. referred to by the Act,

Containing the Particulars of another Sum of Money borrowed on Personal Security, and advanced on the Credit of the Tolls arising on the Road from Blackburn to Addingham and Cocking End.

| *Names of Persons on whose Security the Sum was borrowed.* | *Sum borrowed.* |
|---|---|
| Jonas Whitaker, John Greenwood, John Cockshott, Thomas Lister, George Oates Greenwood, Benjamin Smith, and William Sugden - - - | £ s. d.<br>4,000 0 0 |

## The SCHEDULE F. referred to by the Act,

Containing the Names of Persons who originally advanced Money on the Credit of the Tolls arising on the Road from Black Lane End to Cocking End; and of other Persons who advanced Money on the Credit of the Tolls arising on the Road from Blackburn to Addingham and Cocking End.

| *Names of original Creditors from Black Lane End to Cocking End.* | | | | *Sums.* | | |
|---|---|---|---|---|---|---|
| | £ | *s.* | *d.* | £ | *s.* | *d.* |
| William Wainman - - - - - | 1,300 | 0 | 0 | | | |
| Matthew Wilson - - - - - - | 115 | 0 | 0 | | | |
| Mary Foulds - - - - - - - | 27 | 0 | 0 | | | |
| | | | | 1,442 | 0 | 0 |
| *Names of Creditors from Blackburn to Addingham and Cocking End.* | | | | | | |
| John Hargreaves, Clerk - - - - - | 100 | 0 | 0 | | | |
| John Kitching - - - - - - | 300 | 0 | 0 | | | |
| Chistopher Lister - - - - | 100 | 0 | 0 | | | |
| John Barker - - - - - - - | 100 | 0 | 0 | | | |
| John Smith - - - - - - | 100 | 0 | 0 | | | |
| James Wilson - - - - | 200 | 0 | 0 | | | |
| Shackleton Midgley - - - | 60 | 0 | 0 | | | |
| John Hargreaves - - - - | 100 | 0 | 0 | | | |
| Abraham Binns - - - - | 100 | 0 | 0 | | | |
| William Wainman - - - - | 700 | 0 | 0 | | | |
| William Garth - - - - - | 50 | 0 | 0 | | | |
| James Ayrton - - - - - | 50 | 0 | 0 | | | |
| Robert Midgley - - - - - | 50 | 0 | 0 | | | |
| Henry Wilkinson - - - - - | 50 | 0 | 0 | | | |
| William Spencer - - - - - - | 200 | 0 | 0 | | | |
| Robert Thompson - - - - - - | 100 | 0 | 0 | | | |
| Henry Owen Cunliffe - - - - - | 400 | 0 | 0 | | | |
| Thomas Clayton - - - - - | 500 | 0 | 0 | | | |
| Leeds and Liverpool Canal Company - - | 100 | 0 | 0 | | | |
| Henry Feilden - - - - | 100 | 0 | 0 | | | |
| Le Gendre Starkie - - - - | 100 | 0 | 0 | | | |
| Richard Moon - - - - - | 80 | 0 | 0 | | | |
| | | | | 3,640 | 0 | 0 |
| | | | £ | 5,082 | 0 | 0 |

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## The SCHEDULE G. referred to by the Act,

Containing the Names of other Persons who advanced Money on the Credit of the Tolls arising on the Road from Blackburn to Addingham and Cocking End.

| *Names of Persons by whom advanced.* | *Sums advanced.* | | |
|---|---|---|---|
| | £ | *s.* | *d.* |
| Jonas Whitaker, John Greenwood, John Cockshott, Thomas Lister, George Oates Greenwood, Benjamin Smith, and William Sugden | 1,000 | 0 | 0 |
| John Greenwood | 800 | 0 | 0 |
| William Sugden | 450 | 0 | 0 |
| George Oates Greenwood | 240 | 0 | 0 |
| Thomas Lister | 240 | 0 | 0 |
| John Cockshott | 190 | 0 | 0 |
| Michael Clarkson | 200 | 0 | 0 |
| Benjamin Smith | 140 | 0 | 0 |
| John Dean | 100 | 0 | 0 |
| Jeremiah Horsfall | 100 | 0 | 0 |
| Thomas Cunliffe | 100 | 0 | 0 |
| Anthony Bland | 60 | 0 | 0 |
| William Cockshott | 50 | 0 | 0 |
| Robert Cockshott | 50 | 0 | 0 |
| Thomas Cockshott | 50 | 0 | 0 |
| Richard Wall | 50 | 0 | 0 |
| Thomas Fox | 50 | 0 | 0 |
| Marmaduke Spencer | 30 | 0 | 0 |
| William Spencer | 20 | 0 | 0 |
| Smith Fortune | 20 | 0 | 0 |
| Ann Waddilove | 20 | 0 | 0 |
| £ | 3,960 | 0 | 0 |

## SUMMARY OF SCHEDULES OF SECURITIES.

| | £ | s. | d. |
|---|---|---|---|
| B. Sums borrowed on Personal Security, and to have a Preference - | 5,210 | 0 | 0 |
| D. Ditto - - and to be next preferred - - - | 7,500 | 0 | 0 |
| E. Ditto - - Ditto - - - - - | 4,000 | 0 | 0 |
| C. Sums subscribed 1,592 10 0 } Ditto - - - - - | 6,674 | 10 | 0 |
| F. Ditto - - 5,082 0 0 } | | | |
| G. Ditto - - - Ditto - - - - | 3,960 | 0 | 0 |
| £ | 27,344 | 10 | 0 |

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Printers to the King's most Excellent Majesty. 1827.

ANNO SEPTIMO & OCTAVO

# GEORGII IV. REGIS.

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## *Cap.* lix.

**An Act for repairing the Road from *Blackburn* in the County Palatine of *Lancaster* to *Addingham* and *Cocking End* in the West Riding of the County of *York*; and for making and maintaining a new Road from *Old Accrington* to the *Burnley* and *Rochdale* Turnpike Road in *Habergham Eaves* in the said County of *Lancaster*, and a Branch therefrom. [28th *May* 1827.]**

WHEREAS an Act was passed in the Fiftieth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for more effectually repairing the Road from* 50 G.3.c.36.
*the Town of* Blackburn, *through* Padiham *and* Burnley, *to* Colne *in the County Palatine of* Lancaster, *and for continuing the same Road through* Glusburn *and* Silsden *to* Addingham *and* Cocking End *in the West Riding of the County of* York: And whereas the Trustees appointed in or by virtue of the said Act have proceeded to put the same in execution, and have for that Purpose borrowed considerable Sums of Money on the Credit of the Tolls thereby granted, which Sums of Money, together with other Sums of Money which were previously owing on the Credit of the Tolls arising on the Road directed by the said Act to be repaired, remain undischarged and cannot be paid off, nor can the said Road be properly amended,

widened, diverted, improved, or preserved in a proper State of Repair, unless the Powers and Provisions of the said Act be amended and enlarged, and the present Tolls increased: And whereas the making and maintaining a new Turnpike Road from or nearly from a Bridge called *Pleck Bridge* or *Pleck Brook Bridge* in the Township of *Old Accrington* in the said County of *Lancaster*, through Part of that Township, and through the several Townships of *Huncoat*, *Hapton*, and *Habergham Eaves*, all in the Parish of *Whalley* in the said County of *Lancaster*, to the Turnpike Road leading from *Burnley* aforesaid to *Rochdale* in the said County of *Lancaster*, at or near to a Field in the Township of *Habergham Eaves* aforesaid called *Nan Heys*, belonging to *Peregrine Edward Towneley* Esquire, and in the Occupation of Mr. *Edward Lovat*, and also a new Branch of Road from the said last-mentioned Road, commencing at or near the South or South-east Corner of the Barracks in the Township of *Habergham Eaves* aforesaid, and terminating in the same Township at or near the First Bridge over the *Leeds* and *Liverpool* Canal on the present Turnpike Road leading from *Burnley* aforesaid to *Blackburn* aforesaid, would be of great Benefit and Advantage to the Inhabitants of the said Townships, and also of great public Utility: And whereas it would be more convenient to the Trustees, and beneficial to the said Roads and to the Public, if the said Act were repealed, and further and other Provisions granted instead thereof: And whereas an Act was passed in the Third Year of the Reign of
3 G. 4. c. 126. His present Majesty, 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 another Act was passed in the
4 G. 4. c. 95. Fourth Year of the Reign of His 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 another Act was passed in the Fifth Year of the
5 G. 4. c. 69. Reign of His 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

Recited Act 50 G. 3. repealed; Parliament assembled, and by the Authority of the same, That from and after the Third *Thursday* next after the passing of this Act the said recited Act passed in the Fiftieth Year of the Reign of His late Majesty King *George* the Third, for more effectually repairing the Road from the Town of *Blackburn*, through *Padiham* and *Burnley*, to *Colne*, and from thence through *Glusburn* and *Silsden* to *Addingham* and *Cocking End*, shall be and the same is hereby declared to be repealed, and null and void to all Intents and Purposes whatsoever.

and this Act to be put in execution. II. And be it further enacted, That this Act shall be put in execution, for and during the Term herein-after mentioned, for the Purpose of amending, turning, varying, altering, making, and keeping in repair the Roads from *Blackburn*, through *Padiham* and *Burnley*, to *Colne*, all in the said County of *Lancaster*, and from thence to a Place called *Lydiate* or *Lidgett* in the Township of *Colne* aforesaid,

and from thence, through *Glusburn* and *Silsden*, to *Addingham* and *Cocking End*, all in the said West Riding, and from *Old Accrington* aforesaid to the *Burnley* and *Rochdale* Turnpike Road in *Habergham Eaves* aforesaid, and the said Branch from the Barracks to the Canal Bridge in *Habergham Eaves* aforesaid.

This Act made subject to the Payment of Monies borrowed on the Credit of the Tolls.

III. Provided always, and be it further enacted, That this Act, and the Term and Tolls hereby granted, shall be and they are hereby made subject and liable to the Payment of all Monies which have been borrowed or are now due and owing on the Credit of the Tolls arising on the Road authorized or directed to be repaired by the said recited Act of the Fiftieth Year of the Reign of King *George* the Third, hereby repealed, and of all Interest due and to grow due thereon respectively, as fully and effectually, to all Intents and Purposes, as if such Monies had been borrowed or become due and owing on the Credit or on Account of this Act; and all and every Person and Persons owing any Sum or Sums of Money to the Trustees for executing the said recited Act hereby repealed shall be liable to the Payment thereof to the Trustees for executing this Act.

Persons owing Money to continue liable.

All Bonds, Contracts, &c., to remain in force.

IV. And be it further enacted, That all Bonds, Conveyances, Covenants, Agreements, Contracts, and Securities made or entered into by any Person or Persons to or with the Trustees for executing the said recited Act of the Fiftieth Year of the Reign of King *George* the Third, hereby repealed, shall remain in full Force and Effect, and be and continue available in all Courts of Law and Equity, notwithstanding the Repeal of the said Act, until the same are fully satisfied and performed on Account and for the Benefit of the Roads under this Act; and all Orders, Lettings of Tolls, Mortgages, Demises, Contracts, and Agreements duly made or entered into by the said Trustees for executing the said Act hereby repealed, shall, so far as the same are not altered or avoided by this Act, remain in full Force and Effect, and be observed and kept by the Trustees for executing this Act, according to the Terms, Tenor, and Stipulations thereof respectively, such Appeal or any Law to the contrary notwithstanding.

Books used under former Act to be Evidence.

V. And be it further enacted, That all and every Book and Books of the Proceedings of the Trustees in execution of the said recited Act of the Fiftieth Year of the Reign of His late Majesty King *George* the Third, hereby repealed, or of any Act then in force and made Evidence thereby, shall be admitted in Evidence in all Courts, and by all Judges, Justices, and others; and all such Books, and all Books of Accounts of Receipts and Disbursements, kept, had, or made under the said Act, and all Books for registering Mortgages or Assignments made in pursuance thereof, shall be preserved and kept by the Trustees for executing this Act, or as they shall direct, and shall at all seasonable Times be open to the Inspection of the said Trustees and any Creditor or Creditors of the Tolls, without Fee or Reward; and the said Trustees and Creditors, or any of them, shall and may take Copies of or Extracts from the said Book or Books, or any Part or Parts thereof respectively, without paying any thing for the same; and in case the Clerk or Clerks to the said Trustees,

or

or other Person having the Custody of the said Books, shall refuse to permit or shall not permit the said Trustees, or such Creditors, or any of them, to inspect the said Book or Books, or to take such Copies or Extracts as aforesaid, such Clerk or Clerks or Person as aforesaid shall forfeit and pay any Sum of Money not exceeding Five Pounds.

Officers to account.

VI. And be it further enacted, That all Persons who are or who have been employed or who have received any Tolls or other Money on account of the Road comprised in the said recited Act of the Fiftieth Year of the Reign of His late Majesty King *George* the Third, hereby repealed, or who have or shall have in their Custody or Possession any Money, Books, Papers, Writings, or other Things relating to the said Road, shall account for and pay and deliver over the same and every Part thereof to the Trustees for executing this Act, in like Manner and under the like Penalties as the several Collectors and other Persons receiving any Money by virtue of the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty, and this Act, are required to pay or account for the same.

Roads shut under former Acts so to remain.

VII. Provided also, and be it further enacted, That the Repeal of the said recited Act of the Fiftieth Year of the Reign of His late Majesty, or any thing in this Act contained, shall not extend or be construed to extend to re-open any Road or Way which previously to the Commencement of this Act has been lawfully shut up, diverted, or discontinued, under or by virtue of the Powers and Provisions of the said recited Act hereby repealed, or to charge the Trustees for executing this Act with the Repair thereof, or with the Payment of any Expences respecting the same.

Powers of the General Turnpike Acts extended to this Act.

VIII. 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,) 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,) 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.

Trustees.

IX. And be it further enacted, That all His Majesty's Justices of the Peace acting for the County Palatine of *Lancaster*, and all His Majesty's Justices of the Peace acting for the West Riding of the County of *York* respectively for the Time being, together with *Sandford John Cyril Adamson* Clerk (*Padiham*), *Thomas Ainsworth* (*Black-*

(*Blackburn*), *John Ainsworth* (*Blackburn*), *Henry Alcock* (*Skipton*), *John Alston* (*Blackburn*), *William Alston* (*Blackburn*), *William Armistead* (*Aynhams*), *Robert Artindale* (*Burnley*), *John Aspinall* (*Standen*), *John Aspinall* (*Blackburn*), *John Aspinall* (*Reedley*), *Thomas Ayrton* (*Colne*), *James Bailey* (*Witton*), *John Baistow* (*Steeton*), *James Barlow* (*Blackburn*), *George Beck* (*Keighley*), *William Birkbeck* (*Settle*), *John Blackburne* (*Slackbooth*, *Trawden*), *Benjamin Blakeborough* (*Utley*), *William Blake* (*Rilston*), *James Boardman* (*Livesey*), *Robert Boardman* (*Blackburn*), *William Bollard* (*Black Moss*), *John Bollard* (*Height*), *Harry Bolton* (*Colne*), *Henry Bolton* (*Blackburn*), *William Boys* (*Blackburn*), *William Brandwood* (*Over Darwen*), *John Brennand* (*Burnley Lane*), *John Brigg* (*Keighley*), *Anthony Buck* (*Burnley*), *Walton Bulcock* (*Cabin End*), *Isaac Butterfield* (*Keighley*), *Lodge Calvert* (*Keighley*), *John Carr* (*Skipton*), *William Carr* (*Blackburn*), *Thomas Carr* (*Blackburn*), *James Bulcock Carr* (*Laingroyd*), *George Thomas Carr* (*Colne*), *William Carr* Clerk (*Bolton Abbey*), *Charles Carr* (*Skipton*), Lord *George Henry Cavendish*, *Richard Chaffer* (*Burnley*), *William Chippindale* (*Skipton*), *Robinson Chippindale* (*Skipton*), *Holmes Clapham* (*Keighley*), *William Clark* (*Blackburn*), *John Clark* (*Blackburn*), *Thomas Clayton* (*Carr Hall*), *William Clayton* (*Keighley*), *Henry Clegg* (*Altham*), *William Clough* (*Cross Hills*), *John Coates* Clerk (*Addingham*), *John Cockshott* (*Addingham*), *John Cockshott* (*Bracewell*), *Thomas Cockshott* (*Skipton*), *Edmund Cockshott* (*Ballgreave*), *Robert Cockshott* (*Addingham*), *William Cockshott* (*Addingham*), *Thomas Cockshott* (*Shipley*), *John Collinge* (*New Barn*), *John Collinge* junior (*New Barn*), *Henry Copeland* (*Blackburn*), *William Corlass* (*Reediford*), *James Cowban* (*Blackburn*), *Adam Cottam* (*Whalley*), *William Coultate* (*Burnley*), *Joseph Crabtree* (*Flass*), *Bernard Crook* (*Colne*), *James Cross* (*Blackburn*), *John Cunliffe* (*Blackburn*), *James Cunliffe* (*Blackburn*), *Thomas Cunliffe* (*Addingham*), *Danson Richardson Currer* Clerk (*Sutton-in-the-Forest*), *William Dale* (*Foulridge*), *Robert Dawson* (*Keighley*), *Ambrose Dean* (*Addingham*), *John Dean* (*Addingham*), *Robert Dewhurst* (*Blackburn*), *Jonathan Dickinson* (*Mountford*), *Adam Dugdale* (*Manchester*), *John Dugdale* (*Manchester*), *William Dugdale* (*Lower House*), *James Dugdale* (*Lower House*), *Theodore Dury* Clerk (*Keighley*), *William Dutton* (*Blackburn*), *Henry Eastwood* (*Burnley*), *Richard Eastwood* (*Burnley*), *Banister Eccles* (*Blackburn*), *William Eccles* (*King Street*, *Blackburn*), *John Eccles* (*Blackburn*), *Joseph Eccles* (*Blackburn*), *Richard Edleston* (*Blackburn*), *William Edmundson* (*Cliviger*), *William Elliott* (*Marsden*), *Lister Ellis* (*Liverpool*), *William Ellis* (*Castle Field*), *William Eltoft* (*Manchester*), *William Emmett* (*Halifax*), *William Feilden* (*Feniscowles*), *John Feilden* (*Mollington Hall*), *Joseph Feilden* (*Witton*), *Anthony Fentiman* (*Addingham*), *Edward Ferrand* (*Saint Ives*), *Walker Ferrand* (*Grange*), *Joshua Field* junior (*Leeds*), *James Fisher* (*Blackburn*), *George Fishwick* (*Scorton*), *William Fishwick* (*Burnley*), *John Fleming* (*Blackburn*), *James Fletcher* (*Gannow*), *Samuel Fletcher* (*Gannow*), *Roger Forrest* (*Blackburn*), *Richard Fort* (*Read Hall*), *John Fort* (*Oakenshaw*), *Edward Foster* (*Blackburn*), *John Foster* Cotton Spinner (*Blackburn*), *John Foulds* (*Danser House*), *James Pilling Foulds* (*Trawden*), *John France* (*Blackburn*), *Silvester Fraser* (*Blackburn*), *James Greenway* (*Over Darwen*), *John Greenwood* (*Oxenhope*), *John Greenwood* (*Palace House*), *William Greenwood* (*Burnley*), *John*

*Wasney* (*Fence End*), *John Wilkinson Wasney* (*Fence End*), *Samuel Westerman* (*Howgill*), *Robert Whalley* (*Clerk Hill*), *Jonas Whittaker* (*Greenholme*), *John Whittaker* (*Greenholme*), *John William Whittaker* Clerk (*Blackburn*), *Bernard Whittaker* (*Burnley*), *Thomas Whittaker* (*Burnley*), *James Whittam* (*Greenhead*), *Thomas Whittam* (*Burnley Wood*), *John Whittam* (*Cliviger Laith,*) *John Whittam* (*Pheasantford*), *Henry Wilkinson* (*Colne*), *Edmund Wilkinson* (*Salterforth*), *Henry Wilkinson* (*Pasture*), *Leonard Wilkinson* (*Blackburn*), *Matthew Wilson* (*Eshton*), *Matthew Wilson* junior (*Eshton*), *Henry Wilson* (*Eshton*), *James Wilson* (*Heyrod*), *Thomas Furness Wilson* Clerk (*Burley Hall*), *Hargreaves Wraith* (*Blackburn*), and *Joseph Wright* (*Oakworth*), and their Successors, being duly qualified according to the Directions 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 Trustees for amending, turning, varying, altering, widening, making, and keeping in repair the said Roads, and for otherwise putting this Act into Execution.

Power to appoint additional Trustees.

X. And be it further enacted, That it shall and may be lawful for the said Trustees, and they are hereby authorized and empowered, from Time to Time, at any of their Meetings, to elect and appoint any Number of Persons, being duly qualified according to the Directions of the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty (not exceeding Five in the whole, in addition to the Number of Trustees herein named and appointed), to be Trustees for the Purposes of this Act; and such Persons so elected and appointed, and having taken and subscribed the Oaths, or, being Quakers, having made and subscribed the Affirmations mentioned in the said Acts of the Third and Fourth Years of His present Majesty, shall be Trustees for the Purposes of this Act, and are hereby invested with the same Powers and Authorities for executing this Act as if they had been herein named.

Old Officers to continue until removed by Trustees.

XI. And be it further enacted, That each and every Treasurer who shall have been appointed consistently with the Provisions of the said recited Acts passed in the Third and Fourth Years of the Reign of His present Majesty, and not contrary to the Provisions or Directions of this Act, and each and every Clerk, Receiver, Collector, Surveyor, and other Officer appointed under or by virtue of the said recited Act of the Fiftieth Year of the Reign of His late Majesty King *George* the Third, hereby repealed, shall hold and enjoy such their several and respective Offices and Employments until removed therefrom respectively by the Trustees for executing this Act; and each and every such Clerk, Receiver, Collector, Surveyor, and other Officer, shall have the like Powers and Authorities for the Purposes of this Act, and for carrying the same into Execution, and shall be subject and liable to such Pains and Penalties, and to the like Powers of Removal, and to the like Rules and Regulations in all respects whatsoever, as if he or they had been appointed under or by virtue of this Act.

Clerk and Treasurer not to be the same Person.

XII. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees to continue or appoint the Person or Persons

Persons who hath or have been or who may be appointed to act as their Clerk or Clerks in the Execution of this Act, or the Partner of any such Clerk or Clerks, or the Clerk or any Person in the Service or Employ of any such Clerk or Clerks, or the Clerk or any Person in the Service or Employ of the Partner of any such Clerk or Clerks, to be the Treasurer or Treasurers for the Purposes of this Act, or to continue or appoint the Person or Persons who hath or have been or who may be appointed Treasurer or Treasurers, or the Partner of any such Treasurer or Treasurers, or the Clerk or any Person in the Service or Employ of any such Treasurer or Treasurers, or the Clerk or any Person in the Service or Employ of the Partner of any such Treasurer or Treasurers, to be the Clerk or Clerks to the said Trustees; and if any Person or Persons shall accept both the Offices of Clerk and Treasurer for the Purposes of this Act, or if any Person or Persons being the Partner or Partners of any such Clerk or Clerks, or the Clerk or any Person in the Service or Employ of any such Clerk or Clerks, or the Clerk or any Person in the Service or Employ of the Partner of any such Clerk or Clerks, shall accept the Office of Treasurer or Treasurers, or shall act as Deputy of the Treasurer or Treasurers, or in any Manner officiate for the Treasurer or Treasurers, or being the Partner of any such Treasurer or Treasurers, or the Clerk or any Person in the Service or Employ of any such Treasurer or Treasurers, or the Clerk or any Person in the Service or Employ of the Partner of any such Treasurer or Treasurers, shall accept the Office of Clerk or Clerks in the Execution of this Act, or shall act as Deputy of such Clerk or Clerks, or in any Manner officiate for such Clerk or Clerks, or if any such Treasurer or Treasurers 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, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance, shall be allowed.

Meetings of Trustees.

XIII. And be it further enacted, That the Trustees for executing this Act shall meet together at the *Black Bull Inn* in *Burnley* aforesaid, on the Fourth *Thursday* next after the passing of this Act, between the Hours of Eleven of the Clock in the Forenoon and Two of the Clock in the Afternoon, and shall and may then and from Time to Time afterwards adjourn to and meet at such Time or Times, and at such Place or Places upon or near to the said Roads, as the said Trustees shall think proper.

Power to continue and erect Toll Gates, &c.

XIV. And be it further enacted, That all the Gates, Turnpikes, Bars, and Chains, Toll Houses and Weighing Machines now standing in, upon, or across the said Road or on the Sides thereof, shall continue and remain for the Purposes of this Act, until ordered to be removed by the said Trustees; and it shall be lawful for the said Trustees to remove or take down, or order to be removed and taken down, all or any of such Gates, Turnpikes, Bars, Chains, Toll Houses, and Weighing Machines, as to them shall seem meet, and also to erect

or cause to be erected any other Turnpike or Turnpikes, Toll Gate or Gates, Bar or Bars, Chain or Chains, Weighing Machine or Weighing Machines, in, upon, or across the said Road and the aforesaid new Road and Branch, and upon the Sides thereof, or any Part or Parts thereof respectively (except as herein-after mentioned), and also to continue, erect, or provide a Toll House, with suitable Outbuildings and Conveniences, at or near each Gate, Bar, Chain, or Weighing Machine; and the said Trustees shall and may from Time to Time afterwards remove, alter, or discontinue such Turnpikes, Toll Gates, Bars, Chains, or Toll Houses, or any of them, as they the said Trustees shall think expedient, and also shall and may take in and inclose from the Sides of the said Roads convenient Garden Spots for the Toll Houses respectively, not exceeding One Eighth Part of a Statute Acre for each of such Toll Houses.

No Toll Gate to be removed, nor any new Toll Gate set up without Twenty Days Notice.

XV. Provided nevertheless, and be it further enacted, That no Removal, Alteration, or Discontinuance of any such Turnpike or Turnpikes, Toll Gate or Gates, Bar or Bars, Chain or Chains, shall be made, nor shall any new Turnpike or Turnpikes, Toll Gate or Gates, Bar or Bars, Chain or Chains, be erected or set up after the First Meeting of the said Trustees, unless Notice of the Intention to make such Removal, Alteration, or Discontinuance, or to erect or set up such new Turnpike or Turnpikes, Toll Gate or Gates, Bar or Bars, Chain or Chains, and of the Meeting to be holden for the Purpose of ordering such Removal, Alteration, Discontinuance, or new Erection, be given upon all the Toll Gates which shall then be standing upon the said Roads, at least Twenty Days before such Meeting.

Fences may be erected to prevent Evasion of Tolls on Commons.

XVI. And be it further enacted, That it shall be lawful for the said Trustees to cause Fences and Ditches to be made over such Parts of any Wastes and Commons on the Line of the said Roads, or any of them, as they shall think necessary, and to continue the same for such Time as such Wastes or Commons shall remain uninclosed, in order to prevent Payment of Toll being evaded; and if any Person or Persons shall (before the Inclosure of such Wastes or Commons) pull down or in anywise displace, destroy, or carry away any such Fence or any Part thereof, or shall fill up or injure any such Ditch, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, to be recovered and levied as any Penalty for any other Offence against the Provisions of the said recited Acts or this Act may be recovered and levied: Provided always, that no ancient Road or Highway running across the said Roads shall, by the making of any such Fence or Ditch, be stopped up or obstructed, and that no such Fence or Ditch to be made as aforesaid shall extend more than Half a Mile from any Turnpike Gate erected or continued under or by virtue of this Act.

Power to take Tolls.

XVII. And be it further enacted, That it shall and may be lawful for the said Trustees, or any Person or Persons continued or to be appointed Collector or Collectors of the Tolls by virtue of this Act, to demand and take for Tolls any Sums not exceeding the respective Sums herein-after mentioned, at the several and respective Toll Gates or Turnpikes, or Toll Houses or Side Gates, or Side Bars or Chains

continued or which shall be erected by virtue of this Act, and on every Day, such Day to be computed from Twelve of the Clock at Night to Twelve of the Clock in the next succeeding Night, before any Horse, Beast, Cattle, or Carriage shall be permitted to pass through the same; (that is to say,)

Tolls.

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

For every Score of Oxen or Neat Cattle, the Sum of One Shilling and Eight-pence; and so in proportion for any less Number than a Score:

For every Score of Calves, Sheep, Lambs, or Swine, the Sum of One Shilling; and so in proportion for any less Number than a Score:

For every Horse or other Beast drawing any Coach, Stage Coach, Diligence, Chariot, Landau, Berlin, Chaise, Curricle, Calash, Chair, Caravan, Van, Hearse, Litter, or other such like Carriage, drawn by more than One Horse or other Beast, the Sum of Nine-pence:

For the Horse or other Beast drawing any Two-wheeled Chaise, Gig, Chair, or other such Two-wheeled Carriage, drawn only by One Horse or other Beast, the Sum of Nine-pence:

For the Horse or other Beast drawing any Four-wheeled Chaise, Gig, Chair, or other such Four-wheeled Carriage, drawn only by One Horse or other Beast, the Sum of One Shilling:

For every Horse or other Beast drawing any Waggon, Wain, or other such Four-wheeled Carriage, having the Fellies of the Wheels at the Bottom or Soles thereof of less Breadth than Four and a Half Inches, when the same shall be drawn by Four or more Horses or other Beasts, the Sum of One Shilling; when drawn by Three Horses or other Beasts, the Sum of One Shilling and Four-pence: and when drawn by Two Horses or other Beasts, or by One Horse or other Beast, the Sum of One Shilling:

For every Horse or other Beast drawing any Waggon, Wain, or other such Four-wheeled Carriage, having the Fellies of the Wheels at the Bottom or Soles thereof of the Breadth of Four and a Half Inches and less than Six Inches, when the same shall be drawn by Four or more Horses or other Beasts, the Sum of Ten-pence Halfpenny; when drawn by Three Horses or other Beasts, the Sum of One Shilling and Two-pence; and when drawn by Two Horses or other Beasts, or by One Horse or other Beast, the Sum of Ten-pence:

For every Horse or other Beast drawing any Waggon, Wain, or other such Four-wheeled Carriage, having the Fellies of the Wheels at the Bottom or Soles thereof of the Breadth of Six Inches or upwards, when the same shall be drawn by Six or more Horses or other Beasts, the Sum of Eight-pence Halfpenny; when drawn by Five Horses or other Beasts, the Sum of Nine-pence Halfpenny; when drawn by Four Horses or other Beasts, the Sum of Nine-pence; when drawn by Three Horses or other Beasts, the Sum of One Shilling; and when drawn by Two Horses or other Beasts, or by One Horse or other Beast, the Sum of Nine-pence:

For every Horse or other Beast drawing any Cart or other such Two-wheeled Carriage, having the Fellies of the Wheels at the Bottom or Soles thereof of less Breadth than Four and a Half Inches, the Sum of One Shilling:

For every Horse or other Beast drawing any Cart or other such Two-wheeled Carriage, having the Fellies of the Wheels at the Bottom

or Soles thereof of the Breadth of Four and a Half Inches and less than Six Inches, the Sum of Ten-pence:

For every Horse or other Beast drawing any Cart or other such Two-wheeled Carriage, having the Fellies of the Wheels at the Bottom or Soles thereof of the Breadth of Six Inches or upwards, the Sum of Eight-pence:

For the Horses or Horse or other Beasts or Beast drawing any Waggon, Wain, or other such Four-wheeled Carriage, rolling a flat Surface of Sixteen Inches, when the same shall be drawn by Four, Five, Six, Seven, or Eight Horses or other Beasts, the Sum of Two Shillings; and when the same shall be drawn by One, Two, or Three Horse or Horses or other Beast or Beasts, the Sum of One Shilling:

Which said respective Sums of Money hereby authorized to be taken as aforesaid shall be and are hereby vested in the said Trustees, and shall be applied as herein-after is directed.

Commencement of Tolls.

XVIII. Provided always, and be it further enacted, That the said several Tolls shall commence and take effect at and immediately after the Expiration of Three Calendar Months next after the passing of this Act; and in the meantime the same and the like Tolls shall be taken at the several Gates, Bars, and Chains erected or continued, or which shall be erected by virtue of this Act, in, upon, or across the said Roads, or on the Sides thereof, or any Part or Parts thereof, as shall be taken at the Time of passing this Act at the Gates, Bars, and Chains upon the Road comprised in the said first-recited Act; any thing herein contained to the contrary notwithstanding.

Trustees may lay an additional Toll in respect of Waggons, &c. having the Wheels not cylindrical.

XIX. Provided always, and be it further enacted, That it shall and may be lawful for the said Trustees at a General Meeting, if they shall think fit so to do, to make an Order directing the Payment of and to demand and take at each of the Toll Gates, Bars, or Chains erected or to be erected on the said Roads, a further Toll in addition to the Toll hereby granted, but not exceeding One Third Part of the full Toll or Duty which shall from Time to Time be payable, in respect of the Horse or Horses or other Cattle drawing upon the said Roads or any of them any Waggon, Wain, Cart, or other such Carriage which shall not have the Sole or Bottom of the Wheels thereof rolling on a flat Surface, and the Nails of the Tire of such Wheels countersunk, and shall not be cylindrical, (that is to say, of the same Diameter on the Inside next the Carriage as on the Outside, so that when such Wheels shall be rolling on a flat or level Surface the whole Breadth thereof shall bear equally on such flat or level Surface), and which shall not have the opposite Ends of the Axletrees of such Waggon, Wain, Cart, or other such Carriage, so far as the same shall be inserted into the respective Naves of the Wheels thereof, horizontal, and in the Continuance of One straight Line without forming an Angle with each other, and where in each Pair of Wheels belonging to such Carriage the lower Parts when resting on the Ground shall not be at the same Distance from each other as the upper Parts of such Wheels.

Tolls to be paid but once a Day unless for passing a

XX. Provided always, and be it further enacted, That upon Payment of the Toll hereby authorized to be taken for the passing of any Horse, Beast, or Cattle through any One of such Toll Gates, Turnpikes,

Turnpikes, or Side Gates, such Horse, Beast, or Cattle shall, upon a Ticket denoting such Payment on that Day being produced, be permitted to pass Toll-free through the same Toll Gate, Turnpike, or Side Gate, and also through such other Gate or Gates (if any) as the Ticket for such Payment shall free, Four Times during the same Day, to be computed as aforesaid, any thing in this Act contained to the contrary thereof in anywise notwithstanding; but if such Horse, Beast, or Cattle shall pass a Fifth Time in the same Day, to be computed as aforesaid, such Horse, Beast, or Cattle shall again be subject and liable to the aforesaid Tolls, to be paid before the same shall be entitled to pass a Fifth Time as aforesaid, and so *toties quoties* for every Fifth Time of passing.

Fifth Time, &c. at same Gate.

XXI. Provided always, and be it further enacted, That nothing herein contained shall extend or be construed to extend to empower the said Trustees or any Collector or Collectors to demand or take for or in respect of the same Horse, Beast, or Cattle for once passing or repassing at any Time or Times in any One Day (to be computed as aforesaid) through all the Turnpike Gates or Toll Bars erected or to be erected upon or across or on the Sides of the whole Line of the said Road between *Blackburn* and *Burnley*, more than Four full Tolls; nor for or in respect of the same Horse, Beast, or Cattle for once passing or repassing at any Time or Times in any One Day (to be computed as aforesaid) through all the Turnpike Gates or Toll Bars erected or to be erected upon or across or on the Sides of the whole Line of the said Road between *Burnley* and *Colne*, more than Two full Tolls; nor for or in respect of the same Horse, Beast, or Cattle for once passing or repassing at any Time or Times in any One Day (to be computed as aforesaid) through all the Turnpike Gates or Toll Bars erected or to be erected upon or across or on the Sides of the whole Line of the said Road between *Colne* and *Addingham*, or upon or across or on the Sides of the whole Line of the said Road between *Colne* and *Cocking End*, more than Five full Tolls; nor for or in respect of the same Horse, Beast, or Cattle for once passing or repassing at any Time or Times in any One Day (to be computed as aforesaid) through all the Turnpike Gates or Toll Bars to be erected upon or across or on the Sides of the whole Line of the said intended Road from *Old Accrington* to the *Burnley* and *Rochdale* Turnpike Road in *Habergham Eaves*, more than Two full Tolls; nor for or in respect of the same Horse, Beast, or Cattle for once passing or repassing at any Time or Times in any One Day (to be computed as aforesaid) through all the Turnpike Gates or Toll Bars to be erected on the whole Line of the said Branch of Road in the Township of *Habergham Eaves* aforesaid, more than One full Toll; subject always nevertheless to the Provision herein-before contained respecting the passing of any such Horse, Beast, or Cattle more than Four Times in any One Day (to be computed as aforesaid) through any Turnpike Gate or Toll Bar.

Limitation of Tolls on the whole Line of Road.

XXII. Provided also, and be it further enacted, That the Tolls hereby made payable for or in respect of Horses or Beasts drawing any Stage Coach, Diligence, Van, Caravan, or Stage Waggon, or other Stage Carriage, or any Cart, conveying Passengers or Goods for Pay or

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

or Reward, shall be payable and paid every Time of passing or repassing along the said Roads or any of them.

**Post Chaises on every new Hiring.**

XXIII. Provided also, and be it further enacted, That the Tolls hereby made payable 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 along the said Roads or any of them, whenever any new Hiring thereof shall take place.

**Certain Trustees who are Creditors on Tolls to have a Preference.**

XXIV. And whereas several Persons mentioned in the said first-recited Act of the Fiftieth Year of the Reign of His late Majesty King *George* the Third, did, previously to the passing of the same Act, advance and pay, upon the Credit of the Tolls authorized to be collected upon that Part of the said Road which lies between *Colne* and *Blackburn*, several Sums of Money particularized in the Schedule marked B. to this Act annexed, and amounting in the whole to the Sum of Five thousand two hundred and ten Pounds; and Mortgages or Securities upon the Tolls arising upon the said Road between *Colne* and *Blackburn* were executed for the same several Sums: And whereas the several Persons by whom the said several Sums of Money were so advanced (being then Trustees of the said Road between *Colne* and *Blackburn*) borrowed the same for the Use of the said Road, upon their own respective Personal Securities, or became otherwise personally responsible for the same: And whereas it was by the said first-recited Act enacted, that the said several Persons should be entitled to a Preference, and should be considered Mortgagees of the Tolls to arise under the said Act upon or from the said Road from *Colne* to *Blackburn*, for the said several Sums of Money so by them advanced as aforesaid, and the Interest thenceforth to grow due for such Sums respectively, before any other Person or Persons whomsoever, except as to the Sum of One thousand seven hundred and sixty-seven Pounds Ten Shillings, being the Amount of the remaining Sums of Money then due and owing upon the same Tolls; with respect to which said Sum of Money it was declared, that the same should be and be considered a Lien or Charge upon the same Tolls, in Favour of and for the Benefit of all the Creditors upon the Tolls to arise under or by virtue of the same Act, as well those who then were as those who should thereafter become such Creditors, in proportion to the respective Sums of Money then due and owing, or which should thereafter become due and owing to them respectively, in an equal Degree with the said Sum of Five thousand two hundred and ten Pounds: And whereas it is expedient that the said last-recited Provision should be continued, with such Alterations as are herein-after mentioned; be it therefore further enacted, That the several Persons now responsible for or entitled to the said Sum of Five thousand two hundred and ten Pounds, and their respective Executors, Administrators, and Assigns, shall in an equal Degree with each other, in proportion to the several Sums of Money owing to them respectively, be entitled to a Preference, and shall be considered as Mortgagees of the Tolls to arise under this Act upon or from the several Roads and the Branch in this Act comprised, for the said several Sums of Money so advanced as aforesaid, and the Interest henceforth to grow due for such Sums respectively, before any other

Person or Persons whomsoever, except as to the Sum of One thousand five hundred and ninety-two Pounds Ten Shillings, Part of the said Sum of One thousand seven hundred and sixty-seven Pounds Ten Shillings, the Amount of the remaining Sums of Money which at the Time of the passing of the said recited Act of the Fiftieth Year of the Reign of His late Majesty were due and owing upon the Tolls arising on the said Road from *Colne* to *Blackburn*, but which said Sum of One thousand seven hundred and sixty-seven Pounds Ten Shillings hath since been reduced to the said Sum of One thousand five hundred and ninety-two Pounds Ten Shillings, which still remains due and owing, and consists of the several Sums mentioned and particularized in the Schedule marked C. to this Act annexed; with respect to which said Sum of One thousand five hundred and ninety-two Pounds Ten Shillings, and the Interest henceforth to grow due for the same, such Sum and Interest shall be and be considered as a Lien or Charge upon the Tolls to arise under this Act, in Favour of and for the Benefit of the several Persons now entitled to the said Sum of One thousand five hundred and ninety-two Pounds Ten Shillings, and also of the several Persons entitled to the several Sums of Money mentioned and specified in the several other Schedules marked D., E., F., and G. to this Act annexed, and their respective Executors, Administrators, and Assigns, in proportion to the respective Sums of Money now due and owing to such Persons respectively, in an equal Degree with the said Sum of Five thousand two hundred and ten Pounds so due and owing as herein-before mentioned.

**Certain other Creditors to be next preferred in the Order pointed out.**

XXV. And whereas there are now due and owing on the Credit of the Tolls authorized to be collected by the said recited Act of the Fiftieth Year of the Reign of His late Majesty, the several other Sums of Money mentioned and particularized in the several Schedules marked respectively D., E., F., and G. to this Act annexed: And whereas it hath been agreed that the several Preferences and Priorities herein-after declared should be allowed to the respective Persons now entitled to the said several Sums of Money, and also to the several other Persons entitled to the several Sums of Money mentioned and particularized in the said Schedule C.; be it therefore further enacted, That subject to the Preference herein-before given to the said several Persons entitled to the said Sum of Five thousand two hundred and ten Pounds, the several Persons now entitled to the said several Sums of Money mentioned and particularized in the said Schedules C., D., E., F., and G. shall be respectively entitled to Preferences and Securities, and shall be considered Mortgagees of the Tolls to arise under this Act, for the several Sums of Money advanced by or owing to them respectively, in the Order and Manner herein-after mentioned; that is to say, the several Persons entitled to the several Sums of Money mentioned in the said Schedule D. shall, in an equal Degree with each other, in proportion to the several Sums of Money owing to them respectively, be entitled to the First Preference, and be considered First Mortgagees of the said Tolls; and the several Persons entitled to the Sum of Money mentioned in the said Schedule E. shall in like Manner be next entitled, and be considered Second Mortgagees of the said Tolls; and the several Persons entitled to the said several Sums of Money mentioned in the said Schedules

C. and

C. and F. shall in like Manner be next entitled, and be considered Third Mortgagees of the said Tolls; and the several Persons entitled to the said several Sums of Money mentioned in the said Schedule G. shall in like Manner be next entitled, and be considered Fourth Mortgagees of the said Tolls: Provided always, that the Preferences herein-before given with respect to the said Sums of Money particularized in the said Schedules D., E., C., F., and G., shall be confined to the Principal Sums therein respectively mentioned; and with respect to the Interest now due and owing or hereafter to become due or owing on the same Principal Sums, the several Persons entitled to the same shall, in proportion to the several Sums of Money owing to them respectively, be Creditors on the said Tolls to arise under this Act, in an equal Degree with each other.

No Preference amongst other Creditors.

XXVI. And be it further enacted, That the several Persons entitled to the said several Sums of Money in the said Schedules mentioned, and their respective Executors, Administrators, and Assigns, shall, in the Order and Manner herein-before expressed, be entitled to Preferences, and be considered Mortgagees of the Tolls to arise under this Act, for the several Sums of Money so due and owing to them respectively, and the Interest now due or which hereafter shall become due for the same Sums respectively, before any other Person or Persons whomsoever; and all and every Person and Persons who shall or may hereafter advance any Sum or Sums of Money on the Credit of the Tolls, or any of them, to arise under this Act, shall, in proportion to the several Sums of Money to be by them advanced, be Creditors in an equal Degree with each other, or in such Order as shall be agreed upon and stipulated at the Time of the Advance of their respective Shares.

Application of the Tolls and Money to be borrowed.

XXVII. And be it further enacted, That out of the Tolls or other Monies already received by virtue of the said recited Act of the Fiftieth Year of the Reign of His late Majesty King *George* the Third, or out of the Tolls and other Monies which shall be raised or received by virtue of this Act, the said Trustees shall in the first place pay and discharge all Costs and Expences relative to procuring and passing this Act, with Interest for the same; and the Remainder of all such Monies shall (after Payment of the necessary current Expences for Advertisements, Books, Salaries of Officers, Law Charges, and other Expences incidental to putting this Act in execution,) from Time to Time be applied, in the first place, in paying and keeping down the Interest of all Monies due and owing at the Time of passing this Act, and to become due on the Credit of this Act, subject to the Provisions herein-before contained as to the Order and Priority of Payment of the present Creditors, and then in making and completing the Alterations and Improvements now in progress, and other Alterations and Improvements which have been ordered to be made between *Burnley* and *Colne*; and in the next place (but subject to the Provision herein-after contained) in making, repairing, widening, improving, and rendering commodious the said Roads, and in otherwise putting this Act in execution, and afterwards in repaying the Principal Monies due and owing at the Time of passing this Act to the present Creditors as aforesaid, subject and according to the Provisions

visions and Regulations herein-before contained as to the Order and Priority of such Payments; and lastly, in repaying the Principal Monies subscribed for or agreed to be advanced, or which shall be subscribed for or advanced, for improving and making the said intended Turnpike Road and Branch, and which shall be borrowed on the Credit of this Act.

Sum to be set apart yearly towards paying off Mortgages.

XXVIII. Provided always, and be it further enacted, That after paying the necessary current Expences and Interest, as herein-before mentioned, and after defraying the Expence of usual and ordinary Repairs of the said Roads, the said Trustees shall and they are hereby required yearly, at their General Annual Meeting, to set apart the Sum of Five hundred Pounds at the least, if a Surplus to that Amount shall then remain, but if a Surplus to that Amount shall not remain, then the entire Surplus which shall remain, for the Purpose of paying off and discharging, in the Order and according to the Regulations herein-before prescribed, the Principal Sums of Money now due and owing on the Credit of the said recited Act of the Fiftieth Year of the Reign of His said late Majesty, and shall pay and apply such Surplus accordingly.

Application of Subscriptions.

XXIX. Provided always, and be it further enacted, That all Monies subscribed for or agreed to be advanced, or which shall at any Time or Times hereafter be subscribed for or advanced, for the Purpose of making, diverting, repairing, widening, or altering the said intended new Road and Branch, and which shall be paid to or received by or for the said Trustees as herein-after mentioned, shall be vested in the said Trustees, and shall be by them laid out and applied in carrying into Execution the Purposes of this Act, for or towards effecting the said Improvements, and in erecting, making, or providing all requisite Turnpikes, Toll Gates, Bars, Chains, Weighing Machines, Toll Houses, and Conveniences on the said intended new Road and Branch, and to or for no other Use or Purpose whatsoever.

A Toll Gate to be erected on the Branch, and Tolls taken.

XXX. And be it further enacted, That the said Trustees shall and they are hereby required to erect and set up and continue, upon the Branch of Road comprised in this Act, One or more Toll Gate or Toll Gates, Toll Bar or Toll Bars, or Turnpike or Turnpikes, and to demand and take thereat the Tolls by this Act granted.

No Money to be laid out on the Branch if no Turnpike be erected or Tolls taken.

XXXI. Provided always, and be it further enacted, That no Money arising from any of the Tolls hereby authorized to be collected and taken shall be applied in or towards the Repair of the Branch Road comprised in this Act, unless some Toll Gate, Toll Bar, or Turnpike shall be erected and continued upon such Branch Road, nor unless the Tolls hereby granted shall be demanded and taken thereat, pursuant to the Powers and Provisions of this Act and the said recited Acts.

Power to make Road and Branch.

XXXII. And be it further enacted, That the said Trustees shall and may and they are hereby authorized and empowered to make the said new Road and Branch in, upon, over, or through any private Lands, Grounds, or Hereditaments, making or tendering Satisfaction

to the Owners thereof and Persons interested therein for the same, and for any Damage they may sustain thereby, and also in, upon, over, or through any Commons or Waste Lands, without making any Satisfaction for such Commons or Waste Lands, of such Width as they shall think proper, not exceeding Forty-two Feet, together with such Footpaths, Causeways, Bridges, Culverts, Fences, Ditches, and Drains, as they shall think necessary or expedient; and for the Purposes of this Act to pull down, or take and use and lay into the said respective Roads, any Houses, Buildings, Tenements, or Hereditaments mentioned in the Schedule to this Act annexed, marked A., first making and tendering Satisfaction to the Owners thereof and Persons interested therein for the same, and for the Damage they may sustain thereby; and it shall also be lawful for the said Trustees, and for their Surveyors or Surveyor and Workmen, from Time to Time to enter upon the Lands and Premises or Hereditaments through which or whereupon such Roads, Footpaths, Causeways, Bridges, Culverts, Fences, Ditches, and Drains are intended to be made or pass, and also upon any adjoining Lands or Grounds, and to stake out the same in such Manner as the said Trustees shall think necessary or expedient, without being deemed a Trespasser or Trespassers, and without being subject or liable to any Fine, Penalty, or Punishment for entering or continuing upon such Lands or Premises respectively for any of the Purposes of this Act; and if any Person shall pull up, remove, or destroy any of the Stakes or other Marks used for the Purposes aforesaid, every Person so offending shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds.

Road to be made according to the Map or Plan deposited at the Office of the Clerk of the Peace.

XXXIII. And whereas a Map or Plan, describing the Lines of the said new Road and Branch, and the Lands and Hereditaments through or over which the same are to be made or carried, together with a Book of Reference containing the Names of the Owners and Occupiers of such Lands and Hereditaments, hath been deposited at the Office of the Clerk of the Peace for the said County Palatine of *Lancaster*; be it therefore enacted, That the said Map or Plan and Book of Reference shall remain in the Custody of the Clerk of the Peace for the said County 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 thereof or 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 Sixpence for every One hundred Words of such Copies or Extracts of the said Map or Plan and Book of Reference; and the said Trustees in making the said new Road and Branch shall not deviate more than One hundred Yards from the Line described in the said Map or Plan, without the Consent and Approbation in Writing of the Owner or Owners, Proprietor or Proprietors of the Lands or Hereditaments through or over which such Deviation shall be made, or of the respective Husbands, Guardians, Committees, Feoffees, or other Trustees of any such Owners or Proprietors, being Femes Covert, Infants, Tenants for Life or in Tail, Lunatics, Idiots, or otherwise incapacitated from acting for himself, herself, or themselves.

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

XXXIV. Provided always, and be it further enacted, That it shall be lawful for the said Trustees to make the said new Road and Branch into, through, across, or over the Lands, Buildings, or Hereditaments of any Person or Persons who is or are or may be Owner or Owners, Occupier or Occupiers, of Lands, Buildings, or Hereditaments through or over which the same is or are set out and described in the said Map or Plan as aforesaid, or in the Schedule hereunto annexed, marked A., although the Name or Names of such Person or Persons may happen to be omitted or mis-stated in the said Book of Reference or Schedule, in case it shall appear to any Two or more Justices of the Peace for the said County Palatine of *Lancaster*, and be certified by Writing under their Hands, that such Error or Omission proceeded from Mistake.

Trustees restrained from pulling down Dwelling Houses, &c. without the Consent of Owners.

XXXV. Provided always, and be it further enacted, That the Powers and Authorities given by this Act or the said recited Acts for making the said new Road and Branch, and for diverting, repairing, widening, or altering the same, or the present Road from *Blackburn* to *Addingham* and *Cocking End*, 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, Orchard, Garden, Yard, Park, Paddock, Lawn, Shrubbery, planted Walk or Avenue to a House, or any inclosed Ground planted and set apart as a Nursery for Trees, or any Part thereof respectively, (except such as are mentioned in the Schedule to this Act annexed, marked A.,) without the Consent in Writing first had and obtained of the Owner or Owners, Proprietor or Proprietors thereof, or of the respective Husbands, Guardians, Committees, Feoffees, or other Trustees of any such Owners or Proprietors, being Femes Covert, Infants, Tenants for Life or in Tail, Lunatics, Idiots, or otherwise incapacitated from acting for himself, herself, or themselves.

Dwelling Houses, &c. mentioned in the Schedule A. to be purchased in Five Years.

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

Trustees may contract for the Purchase of Lands, and Corporations and incapacitated Persons may sell, &c.

XXXVII. And be it further enacted, That it shall be lawful for the said Trustees from Time to Time to treat, contract, and agree with the Parties or Persons who shall be Owners of or interested in any private Lands, Buildings, Tenements, Hereditaments, or Premises to be taken or made use of in the Execution of this Act, or who shall sustain any Loss or Damage by means thereof, for the Purchase of such Lands, Buildings, Tenements, Hereditaments, or Premises, and for the Value, Consideration, Compensation, or Satisfaction to be made for the same, or for such Loss or Damage aforesaid; and it shall be lawful for all Bodies Politic, Corporate, or Collegiate, Ecclesiastical

siastical or Civil, Corporations Aggregate or Sole, Tenants for Life or in Tail, Husbands, Guardians, Trustees, Feoffees in Trust, Committees, Executors, Administrators, and all other Persons whomsoever, not only for and on behalf of themselves, their Heirs and Successors, but also for and on the Behalf of the Person or Persons entitled in Reversion, Remainder, or Expectancy after them, and for and on behalf of their Cestuique Trusts, whether Femes Covert, Wards, Infants, or Issue unborn, Lunatics, Idiots, Persons of unsound Mind, Memory, and Understanding, or other Person or Persons whomsoever, and to and for all Femes Covert who are or shall be seised or interested in their own Right, or entitled to Dower, and to and for all and every Person and Persons whomsoever who are or shall be seised or possessed of or interested in any such Lands, Buildings, Tenements, Hereditaments, or Premises, to give their Consent in Writing to the said Trustees for the taking and using any such Lands, Tenements, Hereditaments, and Premises, and the pulling down of any Dwelling House or any other Building, and to treat, contract, and agree with the Trustees for executing this Act, for the Value, Consideration, Compensation, or Satisfaction to be made for such Property or Interest, or for any Loss or Damages as aforesaid; and by Conveyance, Lease and Release, or Bargain and Sale, to sell and convey unto the said Trustees any such Lands, Buildings, Tenements, Hereditaments, or Premises, or any Part thereof, for any of the Purposes of this Act; and all Contracts, Agreements, Sales, and Conveyances which shall be so made, shall be good, valid, and effectual to all Intents and Purposes, without Fine or Recovery, and shall be a complete Bar to all Estates Tail, and other Estates, Rights, Titles, Trusts, and Interests whatsoever, any Law, Statute, Usage, or other Matter whatsoever, to the contrary notwithstanding; and all such Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Civil, Corporations Aggregate or Sole, Tenants for Life or in Tail, Husbands, Guardians, Trustees, Feoffees, Committees, Executors and Administrators, and all other Persons, shall be and are hereby indemnified for what they shall do by virtue or in pursuance of this Act; and if any such Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Civil, Corporations Aggregate or Sole, Tenants for Life or in Tail, Husbands, Guardians, Trustees, Feoffees, Committees, Executors or Administrators, or any other Person or Persons as aforesaid, upon Notice to him, her, or them given, or left in Writing at the Dwelling House or Houses or other Place or Places of Abode of such Person or Persons, or of the principal Officer or Officers of such Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Civil, or at the House of the Tenant in Possession of the Premises, shall, for the Space of Thirty Days next after such Notice given or left, neglect or refuse to treat, or shall not agree, or by reason of Absence shall be prevented from treating, then and in every or any such Case the said Trustees shall cause such Value, Consideration, Compensation, Satisfaction, or Damages, to be inquired into and ascertained by a Jury in the Manner prescribed by the said herein-before recited Act of the Third Year of the Reign of His present Majesty, in Cases where any Damages, Value, or Recompence for Premises 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 Regu-

When Persons neglect or refuse to treat, the Damages to be settled by a Jury.

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.

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, 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, or 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* 1 G. 4. c. 35.

*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.

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

XXXIX. Provided always, 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, or any Three or more of them, 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 Three or more of the Trustees for executing this Act, and such Nomination and Approbation 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 any Order of the said Court touching the Application thereof.

Where under 20*l.*

XL. Provided also, and be it further enacted, That where such Money so agreed or awarded to be paid as next 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 of the said Roads, for his, her, or their own Use and Benefit; or in Cases 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 so entitled respectively.

In case of not making out a good Title, &c.

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 for the Purposes of this Act, 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 or 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. Provided always, 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, 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 for the Purposes of this Act as 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, shall be paid, applied,

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. Provided also, 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 for the Purposes of this Act, 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 in pursuance of this Act, 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 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 Sums of Money for such Purposes as the said Court shall direct.

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

XLIV. And be it further enacted, That Ditches, Drains, or Watercourses of a sufficient Depth and Breadth for keeping the said Roads dry, and conveying the Water from the same, shall be made by the said Trustees, or their Surveyor or other Officer, on the Sides of the said Roads, and also, where necessary, in or through or upon any Lands or Grounds adjoining or lying near to the said Roads, (not being a Yard, Garden, Orchard, Park, 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 sufficient Bridges, Arches, Culverts, Trunks, Tunnels, or Plats shall be made by the said Trustees, or their Surveyor or other Officer, where any Carriageways or Footways lead into or out of or cross the said Roads, 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 Watercouses, Bridges, Arches, Culverts, Trunks, Tunnels, or Plats, as shall be made on the Sides of the said Roads or any of them, or in or through or upon any such adjoining Lands or Grounds, in pursuance of this Act, shall, when so made and completed by the said Trustees, be for ever afterwards scoured, cleansed, and kept open, repaired and maintained by the Occupiers respectively of the adjoining Lands or Grounds, but all such new Bridges, Arches, Culverts, Trunks, Tunnels, or Plats, as shall cross or pass in, through, or under the said Roads or any of them, shall be scoured, cleansed, and kept open, repaired and maintained, by the said Trustees, subject to the Provisions of the said Act of the Third Year of the Reign of His present Majesty.

Trustees of Keighley and Kendal Road and the Trustees of this Road not to

XLV. And whereas an Act was passed in the Twenty-sixth Year of the Reign of His late Majesty King *George* the Second, intituled *An Act for repairing, amending, and widening the Road from* Keighley *in the West Riding of the County of* York *to* Kirkby *in* Kendal *in the County of* Westmoreland, which Act was further continued by an Act

Act of the Eighteenth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for continuing the Term and altering and enlarging the Powers of an Act made in the Twenty-sixth Year of the Reign of His late Majesty King* George *the Second, intituled* ‘*An Act for repairing, amending, and widening the Road from* ‘ Keighley *in the West Riding of the County of* York, *to* Kirkby *in* ‘ Kendal *in the County of* Westmoreland;’ and the same Acts were further continued by an Act of the Thirtieth Year of the Reign of His said late Majesty, intituled *An Act for continuing the Term and altering and enlarging the Powers of certain Acts made for repairing the Road from* Keighley *in the West Riding of the County of* York, *to* Kirkby *in* Kendal *in the County of* Westmoreland, *as far as relates to such Part of the said Road as lies within the County of* York, and by an Act passed in the Fourth Year of the Reign of His present Majesty, intituled *An Act for more effectually repairing and improving the* Yorkshire *District of the Road from* Keighley *in the West Riding of the County of* York, *to* Kirkby *in* Kendal *in the County of* Westmoreland, *and for making several Diversions therefrom within the said West Riding of the County of* York, the said former Acts were repealed, and the *Yorkshire* District of the said Road was directed to be repaired and improved, for the Term and in Manner in the same Act mentioned: And whereas it is in and by the said herein-before in part recited Act of the Fiftieth Year of the Reign of His said late Majesty enacted, that the Trustees appointed or to be appointed by the said several recited Acts of the Twenty-sixth Year of the Reign of His said late Majesty King *George* the Second, and the Eighteenth and Thirtieth Years of the Reign of His late Majesty King *George* the Third, and the Trustees under the now-reciting Act, or any of them, should not have any Power or Authority to erect or cause to be erected any Toll Gate or Toll Gates, Turnpike or Turnpikes, between *Farnhill* in the Parish of *Kildwick* in the said West Riding and the East End of the Township of *Steeton* in the said Riding; be it therefore hereby further enacted, That the Trustees appointed or to be appointed by the said last-recited Act of the Fourth Year of the Reign of His present Majesty, and the Trustees for executing this Act, shall not, until the Expiration of Four Years from the passing of this Act, have any Power or Authority to erect or cause to be erected, but they and every of them are hereby restrained and prohibited from erecting or causing to be erected, any Toll Gate or Toll Gates, Turnpike or Turnpikes, Chain or Chains, upon or across or on the Side of any Part of the same Road, between *Farnhill* aforesaid and the East End of the Township of *Steeton* aforesaid; any thing in the said Acts or any of them contained to the contrary thereof in anywise notwithstanding.

erect, for Four Years, any Turnpike between Farnhill and Steeton.

XLVI. And whereas it is by the said recited Act of the Fiftieth Year of the Reign of His late Majesty enacted and provided, be it therefore also hereby enacted and provided, That every Horse or other Beast, Cattle or Carriage, having passed through the Toll Gate or Turnpike called *Howshay Bar*, or any other Toll Gate or Turnpike now erected or standing, or which shall at any Time hereafter be lawfully erected or standing upon or across that Part of the Turnpike Road which lies between *Skipton* in the County of *York* and *Lydiate*

Tickets given at any Gate between Skipton and Lydiate to clear Gates between that Place and Colne, and vice versâ.

or *Lidgett* aforesaid, and in respect whereof the Toll payable there shall have been paid, and for which Toll a Note or Ticket, Notes or Tickets, denoting such Payment, shall have been received from the Collector or Collectors of such Toll, such Horse, Beast, Cattle, or Carriage shall on the same Day, before Twelve of the Clock at Night, be permitted to pass Toll-free through any Toll Gate or Turnpike now erected or standing, or which shall at any Time or Times hereafter be erected or set up upon or across any Part of the said Road comprised in this Act between *Colne* and *Lydiate* or *Lidgett* aforesaid, (such Part of the said Road having formerly constituted Part of the Turnpike Road leading from *Skipton* aforesaid to *Colne* aforesaid,) on such Note or Ticket, Notes or Tickets being produced, and left with the Collector or Collectors of the Tolls payable at such last-mentioned Bar; and every Horse or other Beast, Cattle or Carriage, passing through any such last-mentioned Toll Gate or Turnpike, and in respect whereof the Toll payable there shall have been paid, and for which Toll a Note or Ticket, Notes or Tickets, denoting such Payment, shall have been received from the Collector or Collectors of such Toll, such Horse, Beast, Cattle, or Carriage shall be permitted to pass Toll-free through the said Toll Gate or Turnpike called *Howshay Bar*, or any other Toll Gate or Turnpike now erected or standing, or which at any Time hereafter shall be lawfully erected or be lawfully standing upon or across the said Road between *Skipton* and *Lydiate* or *Lidgett* aforesaid, or any Part thereof, on the same Day, before Twelve of the Clock at Night, upon the Note or Ticket, Notes or Tickets, denoting such Payment, being produced, and left with the Collector or Collectors of the Tolls payable at such last-mentioned Bar; and the Collector or Collectors of the said Tolls payable at the said last-mentioned Bar shall thereupon be entitled to receive from the Collector or Collectors of the Tolls at any such Toll Gate or Turnpike now erected or which may be erected upon the said Road between *Colne* and *Lydiate* or *Lidgett* aforesaid, or from the Treasurer to the Trustees for executing this Act, the Sum or Sums of Money for which such last-mentioned Note or Ticket, Notes or Tickets, shall be given, provided the same be demanded within Three Calendar Months next following; and such Sum or Sums shall be ascertained by producing such Note or Ticket, Notes or Tickets.

The Tickets given at the Bar between Colne and Lydiate, to be accounted for to the Collector at the Bar cleared by such Tickets.

Penalty on Collectors refusing to repay Tickets, or committing Frauds.

XLVII. And be it further enacted, That if any Collector or Collectors of the Tolls to arise at any such Toll Gate or Turnpike now erected or which shall or may at any Time or Times hereafter be erected or set up between *Colne* and *Lydiate* or *Lidgett* aforesaid, or the Treasurer to the said Trustees hereby appointed, shall at any Time or Times, without sufficient Excuse, to be allowed of by the Justices before whom the Offence shall be inquired of, and who is hereby authorized to award Costs to either Party if he shall think fit, refuse or neglect immediate Payment of any such Note or Ticket, Notes or Tickets as aforesaid, on the same being tendered to him, her, or them for Payment, or if any Collector or Collectors of the Tolls at any of the Toll Gates or Turnpikes mentioned in the Clause lastly hereinbefore enacted, or any other Person or Persons, shall be guilty of any Fraud or Misconduct in giving, obtaining, receiving, or delivering any such Note or Ticket, Notes or Tickets, or in any Matter relating thereto,

thereto, every such Person so offending shall for each Offence forfeit and pay any Sum not exceeding Twenty Pounds.

Public Act.

XLVIII. 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 Act.

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

The

## The SCHEDULE A. referred to by the Act.

| Names of Owners or reputed Owners. | Names of Occupiers. | Description of Property. | Parishes and Townships in which the Property lies. | |
|---|---|---|---|---|
| | | | Parish. | Township. |
| *On the Road from Accrington to Habergham Eaves.* | | | | |
| William Crawshaw - | William Crawshaw - | Two Cottages, Garden, and Outbuildings. | Whalley | Old Accrington. |
| Ditto - - | William Hacking - | A Cottage - - | Ditto | Ditto. |
| James Nutall, junior | James Nutall, senior - | A Dwelling House - | Ditto | Ditto. |
| Christopher Lancaster | Christopher Lancaster - | A Plantation - - | Ditto | Ditto. |
| Peregrine Edward Towneley, Esq. | Peregrine Edwd Towneley, Esquire. | A Wood or Plantation - | Ditto | Hapton. |
| Ditto - - | Peregrine Edwd Towneley, Esquire, and John Whittam. | Ditto - - - | Ditto | Ditto. |
| John James and William Roberts. | John James and William Roberts. | A Spinning Room and Yard. | Ditto | Habergham Eaves. |
| *On the Branch from the Barracks in Habergham Eaves.* | | | | |
| Robert Townley Parker, Esquire. | Richard Atkinson - | A Cottage - - | Whalley | Habergham Eaves. |
| *On the present Line of Road from Blackburn to Addingham and Cocking End.* | | | | |
| Sir John Majoribanks, Baronet (as Trustee). | Richard Eastwood - | A Garden - - | Whalley | Padiham. |
| John Hoyle, James Hoyle, and Giles Hoyle. | John Holland - - | A Cottage and Butcher's Shop or Slaughter House. | Ditto | Ditto. |
| John Greenwood, Esquire. | Jeremiah Spencer, John Greenhalgh, Sarah Smith, Thomas Harker, Thomas Hudson, and William Pollard. | A Shop and Five Dwelling Houses in Church Street, in the Town of Burnley, adjoining Yorkshire Street. | Ditto | Burnley. |
| Ditto - - | John Greenhalgh - | A Garden, adjoining the House occupied by William Pollard. | Ditto | Ditto. |
| Thomas Whittaker - | Thomas Whittaker, Mary Harrison, Betty Barnes, Richard Bailey, Betty Sagar, Henry Smith, Ann Smith, Alice Crossley, and Egerton Blakey. | Three Dwelling Houses on the North-east Side of Church Street in Burnley. | Whalley | Ditto. |
| Christopher Rawson and John Waterhouse (as Trustees). | Richard Greenhalgh, Ann Hargreaves, James Smith, John Lupton, James Pollard, Alice Simpson, David Pollard, John Ebden, and John Boys. | Five Dwelling Houses on the South or South-west Side of Fenkin Street in Burnley. | Ditto | Ditto. |

| Names of Owners or reputed Owners. | Names of Occupiers. | Description of Property. | Parishes and Townships in which the Property lies. | |
|---|---|---|---|---|
| | | | Parish. | Township. |
| James Hargreaves, Esquire. | George Holgate - - | A Plantation or Pleasure Ground on the South or South-west Side of the same Street. | Whalley | Burnley. |
| William Hartley - | Edmund Riley - - | A Plantation on the South-west Side of the Highway leading to Bradley Lane Head. | Ditto | Marsden. |
| Ditto - - | William Hartley - | A Plantation on the South-east Side of the same Highway. | Ditto | Ditto. |
| Ditto - - | Ditto - - | A Cottage or Dwelling House on the South-east Side of the present Road, and in the Line of an intended Diversion. | Ditto | Ditto. |
| James Halstead - | Henry Roberts - | A Cottage or Dwelling House on the North-west Side of Church Street in Colne. | Ditto | Colne. |
| Earl of Derby. { Henry Halstead (Lessee from Lord Derby). Abraham Nowell (Assignee from Henry Halstead). | John Sutcliffe - - | A Blacksmith's Shop on the same Side of the same Street. | Whalley | Ditto. |
| Earl of Derby. { Henry Halstead (Lessee from Lord Derby). | Abraham Nowell - | A Shippon adjoining the Blacksmith's Shop. | Ditto | Ditto. |
| Earl of Derby. { Henry Eastwood (Lessee from Lord Derby). | George Halstead and Nicholas England. | A Stable adjoining the Shippon. | Ditto | Ditto. |
| Earl of Derby. { Henry Eastwood (Lessee from Lord Derby). George Halstead and Nicholas England (Assignees from — Eastwood). | Thomas Hartley - | A Garden - - | Ditto | Ditto. |
| Richard Blakeborough (as Trustee). | Matthew Whittam and Thomas Townson. | Two Cottages or Dwelling Houses adjoining the Church Gates in Colne. | Ditto | Ditto. |
| James Topper, James Watson, Henry Wilkinson, William Cure, Ann Binns, John Whitaker, George Cure, and George Butler Ward. | John Preston and David Sugden. | Two Cottages and a Butcher's Shop, situate on the South Side of the Main Street in Colne. | Ditto | Ditto. |
| Peter Hartley - | John Dixon and Joseph Smith. | Two Cottages and a Barn on the North Side of the Road. | Kildwick | Glusburn. |
| Peter Hartley - | George Hartley - | A Barn on the South Side of the Road, and a Garden. | Ditto | Ditto. |
| Peter Hartley - | Peter Hartley - - | A Cottage - - | Ditto | Ditto. |

| Names of Owners or reputed Owners. | Names of Occupiers. | Description of Property. | Parishes and Townships in which the Property lies. | |
|---|---|---|---|---|
| | | | Parish. | Township. |
| Earl of Thanet - | John Longbottom - | A Stable adjoining the West Side of the Thanet Arms Inn. | Kildwick | Silsden. |
| Ditto - - | Robert Wade - - | A Cottage on the West Side of the Road. | Ditto | Ditto. |
| William Fortune - | Ann Newton and George Langer. | Two Cottages - - | Ditto | Ditto. |
| Margaret Gill, Thomas Thornber, and Thomas Jackson (as Trustees). | Margaret Gill - - | A Garden and Coal House | Ditto | Ditto. |
| The same Persons - | Job Tillotson, Joseph Fortune, and Sarah Tillotson. | Three Cottages on the East Side of the Road. | Ditto | Ditto. |
| Robert Nightingale - | Robert Nightingale - | A Smithy and Shop - | Ditto | Ditto. |
| Earl of Thanet - | William Fortune - | A Garden - - | Ditto | Ditto. |

## The SCHEDULE B. referred to by the Act,

Containing the Particulars of the several Sums of Money (amounting in the whole to 5,210*l.*) borrowed on Personal Securities, and originally advanced on the Credit of the Tolls arising on the Road between Colne and Blackburn.

| *Names of Persons on whose Security the Sums were borrowed.* | *Sums borrowed.* | | |
|---|---|---|---|
| | £ | *s.* | *d.* |
| John Hargreaves, Clerk, Thomas Clayton, and John Clayton - - - | 200 | 0 | 0 |
| John Hargreaves, Clerk, Webster Fishwick, Gilbert Hammerton, Nicholas Halsted, and George Haworth - - - - - - - - - | 500 | 0 | 0 |
| Nicholas Halsted, Webster Fishwick, John Shaw, and Lawrence Tattersall - | 500 | 0 | 0 |
| Thomas Clayton and Thomas Parker - - - - - - - - | 160 | 0 | 0 |
| John Hargreaves, Clerk, Webster Fishwick, Lawrence Tattersall, and Nicholas Halsted - - - - - - - - - | 300 | 0 | 0 |
| Webster Fishwick, Nicholas Halsted, William Crook, and Joseph Massey - - | 200 | 0 | 0 |
| John Hargreaves, James Hargreaves, Lawrence Halsted, Richard Grimshaw Lomax, William Hargreaves, Joseph Massey, and John Holgate, (Part of a Sum of 1,000*l.*) | 800 | 0 | 0 |
| Thomas Clayton, James Hargreaves, John Holgate, junior, Oates Sagar, and John Bolton - - - - - - - - - - | 500 | 0 | 0 |
| James Hargreaves, Webster Fishwick, William Roberts, William Crook, Henry Crook, and Robert Munn - - - - - - - - | 800 | 0 | 0 |
| Thomas Grimshaw, John Mancknols, William Hartley, John Smithson, Henry Wilkinson, Robert Midgley, Jonathan Dickinson, Thomas Hargreaves, John Roberts, William Midgley, James Wilson, George Haworth, Thomas Wilkinson, and John Hall - - - - - - - - - | 500 | 0 | 0 |
| The Right Honourable Thomas Lord Ribblesdale, Hugh Taylor, and Henry Aspinall | 500 | 0 | 0 |
| Lawrence Halsted, Webster Fishwick, Joseph Massey, Robert Munn, William Crook, and Henry Crook, (Part of a Sum of 750*l.*) - - - - - | 250 | 0 | 0 |
| £ | 5,210 | 0 | 0 |

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## The SCHEDULE C. referred to by the Act,

Containing the Names of Persons who originally advanced Money on the Credit of the Tolls arising on the Road between Colne and Blackburn.

| *Names of Persons by whom advanced.* | *Sums advanced.* | | |
|---|---|---|---|
| | £ | *s.* | *d.* |
| Thomas Parker | 57 | 0 | 0 |
| William Midgley | 52 | 10 | 0 |
| Charles Townley | 114 | 0 | 0 |
| John Turner | 46 | 0 | 0 |
| John Barcroft | 171 | 0 | 0 |
| John Bolton | 171 | 0 | 0 |
| Sir James Whalley Smythe Gardiner, Baronet | 114 | 0 | 0 |
| Edmund Townley | 114 | 0 | 0 |
| John Yarker | 57 | 0 | 0 |
| Lawrence Halsted | 57 | 0 | 0 |
| Robert Master, D. D. | 50 | 0 | 0 |
| Charles Townley | 100 | 0 | 0 |
| The Right Honourable Thomas Lord Ribblesdale | 100 | 0 | 0 |
| John Mancknols | 100 | 0 | 0 |
| John Smithson | 50 | 0 | 0 |
| John Hargreaves | 50 | 0 | 0 |
| Richard Roe Walton, Clerk | 114 | 0 | 0 |
| Richard Sagar | 50 | 0 | 0 |
| Christopher Lister | 25 | 0 | 0 |
| £ | 1,592 | 10 | 0 |

## The SCHEDULE D. referred to by the Act,

Containing the Particulars of several other Sums of Money borrowed on Personal Securities, and advanced on the Credit of the Tolls arising on the Road from Blackburn to Addingham and Cocking End.

| *Names of Persons on whose Security the Sums were borrowed.* | *Sums borrowed.* | | |
|---|---|---|---|
| | £ | *s.* | *d.* |
| John Hargreaves, Thomas Clayton, and John Roberts | 400 | 0 | 0 |
| William Spencer and Joseph Smith | 250 | 0 | 0 |
| Christopher Lister, William Spencer, and Abraham Binns | 150 | 0 | 0 |
| Thomas Clayton, John Hargreaves, James Hargreaves, Lawrence Halsted, Henry Owen Cunliffe, William Midgley, John Hargreaves, Robert Midgley, John Barker, John Moore, John Eltoft, William Roberts, Richard Sagar, and John Shaw | 3,000 | 0 | 0 |
| John Hargreaves, James Hargreaves, Lawrence Halsted, Richard Grimshaw Lomax, William Hargreaves, Joseph Massey, and John Holgate, (Part of a Sum of 1,000*l.*) | 200 | 0 | 0 |
| John Parkinson, Joseph Smith, William Spencer, Richard Sagar, and Thomas Lonsdale | 500 | 0 | 0 |
| Lawrence Halsted, Webster Fishwick, Joseph Massey, Robert Munn, William Crook, and Henry Crook, (Part of a Sum of 750*l.*) | 500 | 0 | 0 |
| John Hargreaves, George Holgate, Webster Fishwick, and Joseph Massey | 1,000 | 0 | 0 |
| Richard Sagar, John Hartley, William Midgley, Thomas Wilkinson, and John Hargreaves | 1,000 | 0 | 0 |
| Christopher Lister, Robert Midgley, James Ayrton, John Barker, and Henry Wilkinson | 500 | 0 | 0 |
| £ | 7,500 | 0 | 0 |

## The SCHEDULE E. referred to by the Act,

Containing the Particulars of another Sum of Money borrowed on Personal Security, and advanced on the Credit of the Tolls arising on the Road from Blackburn to Addingham and Cocking End.

| *Names of Persons on whose Security the Sum was borrowed.* | *Sum borrowed.* |
|---|---|
| Jonas Whitaker, John Greenwood, John Cockshott, Thomas Lister, George Oates Greenwood, Benjamin Smith, and William Sugden - - - | £ 4,000 s. 0 d. 0 |

## The SCHEDULE F. referred to by the Act,

Containing the Names of Persons who originally advanced Money on the Credit of the Tolls arising on the Road from Black Lane End to Cocking End; and of other Persons who advanced Money on the Credit of the Tolls arising on the Road from Blackburn to Addingham and Cocking End.

| *Names of original Creditors from Black Lane End to Cocking End.* | | | | *Sums.* | | |
|---|---|---|---|---|---|---|
| | £ | *s.* | *d.* | £ | *s.* | *d.* |
| William Wainman - - - - - | 1,300 | 0 | 0 | | | |
| Matthew Wilson - - - - - - | 115 | 0 | 0 | | | |
| Mary Foulds - - - - - - - | 27 | 0 | 0 | | | |
| | | | | 1,442 | 0 | 0 |
| *Names of Creditors from Blackburn to Addingham and Cocking End.* | | | | | | |
| John Hargreaves, Clerk - - - - - | 100 | 0 | 0 | | | |
| John Kitching - - - - - - | 300 | 0 | 0 | | | |
| Chistopher Lister - - - - | 100 | 0 | 0 | | | |
| John Barker - - - - - - - | 100 | 0 | 0 | | | |
| John Smith - - - - - - | 100 | 0 | 0 | | | |
| James Wilson - - - - | 200 | 0 | 0 | | | |
| Shackleton Midgley - - - - | 60 | 0 | 0 | | | |
| John Hargreaves - - - - | 100 | 0 | 0 | | | |
| Abraham Binns - - - - | 100 | 0 | 0 | | | |
| William Wainman - - - - | 700 | 0 | 0 | | | |
| William Garth - - - - - | 50 | 0 | 0 | | | |
| James Ayrton - - - - - | 50 | 0 | 0 | | | |
| Robert Midgley - - - - - | 50 | 0 | 0 | | | |
| Henry Wilkinson - - - - - | 50 | 0 | 0 | | | |
| William Spencer - - - - - - | 200 | 0 | 0 | | | |
| Robert Thompson - - - - - - | 100 | 0 | 0 | | | |
| Henry Owen Cunliffe - - - - - | 400 | 0 | 0 | | | |
| Thomas Clayton - - - - | 500 | 0 | 0 | | | |
| Leeds and Liverpool Canal Company - - | 100 | 0 | 0 | | | |
| Henry Feilden - - - - | 100 | 0 | 0 | | | |
| Le Gendre Starkie - - - - | 100 | 0 | 0 | | | |
| Richard Moon - - - - - | 80 | 0 | 0 | | | |
| | | | | 3,640 | 0 | 0 |
| | | | £ | 5,082 | 0 | 0 |

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## The SCHEDULE G. referred to by the Act,

Containing the Names of other Persons who advanced Money on the Credit of the Tolls arising on the Road from Blackburn to Addingham and Cocking End.

| *Names of Persons by whom advanced.* | *Sums advanced.* | | |
|---|---|---|---|
| | £ | s. | d. |
| Jonas Whitaker, John Greenwood, John Cockshott, Thomas Lister, George Oates Greenwood, Benjamin Smith, and William Sugden | 1,000 | 0 | 0 |
| John Greenwood | 800 | 0 | 0 |
| William Sugden | 450 | 0 | 0 |
| George Oates Greenwood | 240 | 0 | 0 |
| Thomas Lister | 240 | 0 | 0 |
| John Cockshott | 190 | 0 | 0 |
| Michael Clarkson | 200 | 0 | 0 |
| Benjamin Smith | 140 | 0 | 0 |
| John Dean | 100 | 0 | 0 |
| Jeremiah Horsfall | 100 | 0 | 0 |
| Thomas Cunliffe | 100 | 0 | 0 |
| Anthony Bland | 60 | 0 | 0 |
| William Cockshott | 50 | 0 | 0 |
| Robert Cockshott | 50 | 0 | 0 |
| Thomas Cockshott | 50 | 0 | 0 |
| Richard Wall | 50 | 0 | 0 |
| Thomas Fox | 50 | 0 | 0 |
| Marmaduke Spencer | 30 | 0 | 0 |
| William Spencer | 20 | 0 | 0 |
| Smith Fortune | 20 | 0 | 0 |
| Ann Waddilove | 20 | 0 | 0 |
| £ | 3,960 | 0 | 0 |

## SUMMARY OF SCHEDULES OF SECURITIES.

| | | | | £ | s. | d. |
|---|---|---|---|---|---|---|
| B. Sums borrowed on Personal Security, and to have a Preference | | | | 5,210 | 0 | 0 |
| D. Ditto | | and to be next preferred | | 7,500 | 0 | 0 |
| E. Ditto | | Ditto | | 4,000 | 0 | 0 |
| C. Sums subscribed 1,592 10 0 | } Ditto | | | 6,674 | 10 | 0 |
| F. Ditto 5,082 0 0 | | | | | | |
| G. Ditto | | Ditto | | 3,960 | 0 | 0 |
| | | | £ | 27,344 | 10 | 0 |

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