ANNO QUINQUAGESIMO

GEORGII III. REGIS.

Cap. 12.

An Act for continuing the Term and amending Two Acts paſſed in the Twenty-ninth and Thirty-fifth Years of His preſent Majeſty, for amending the ſeveral Roads therein deſcribed, ſo far as the ſaid Acts relate to the Diſtrict of Road from *Bury* to *Haſlingden*, and from thence to *Blackburn* and *Whalley*, all in the County Palatine of *Lanca er*; and alſo for making a Branch of Road from *Portfield* to the Weſt End of the Town of *Padiham*, in the ſame County. [21ſt *March* 1810.]

WHEREAS an Act was paſſed in the Twenty-ninth Year of His Majeſty's Reign, intituled, *An Act for amending, widening, turning, varying, altering, and keeping in Repair, the Road from a certain Dwelling Houſe in* Bury, *now or late in the Occupation of* William Walker *Gentleman, to* Haſlingden, *and from thence to the Eaſt End of* Salford Bridge *in* Blackburn; *and alſo the Road from* Haſlingden *aforeſaid to the Eaſt End of* Cockſhut Bridge *in the Town of* Whalley; *and alſo the Road from* Haſlingden *aforeſaid through* New Church *and* Bacup *to* Todmorden; *and for making a Road from the ſaid Road between* Bury *and* Haſlingden *in the Townſhip of* Walmerſley, *to the River* Irwell, *and for building a Bridge over the ſaid River*; *all in the County Palatine of* Lancaſter; by which Act the ſaid Roads were divided into Two ſeparate Diſtricts, one of which comprized the Road leading from the ſaid Dwelling Houſe in *Bury*, then or then late in the Occupation of the ſaid *William Walker*, to *Haſlingden*, and from thence to the Eaſt End of *Salford Bridge* in *Black-* 29 G. 3. c. 107.

burn, and also the Road from *Haslingden* aforesaid to the East End of *Cockshut Bridge* in the Town of *Whalley*, and certain Trustees were thereby appointed for amending, widening, turning, varying, altering, and keeping the same in Repair, and for otherwise putting the said Act in Execution with regard to the said last-mentioned Roads; which Roads are thereby declared to be the First District of Road by the said Act intended to be amended, widened, turned, varied, altered, and kept in Repair, and several Tolls and Duties were thereby granted and made payable within the said First District, and divers Powers and Authorities were given to the said Trustees for repairing the said last-mentioned Roads: And whereas by another
35 G. 3. c. 144. Act, passed in the Thirty-fifth Year of His present Majesty, intituled, *An Act to continue the Term and alter and enlarge the Powers of so much of an Act made in the Twenty-ninth Year of the Reign of His present Majesty, intituled,* '*An Act for amending, widening, turning, varying, altering, and keeping in Repair the Road from a certain Dwelling House in* Bury, *now or late in the Occupation of* William Walker *Gentleman, to* Haslingden, *and from thence to the East End of* Salford Bridge *in* Blackburn; *and also the Road from* Haslingden *aforesaid to the East End of* Cockshut Bridge *in the Town of* Whalley; *and also the Road from* Haslingden *aforesaid through* New Church *and* Bacup *to* Todmorden; *and for making a Road from the said Road between* Bury *and* Haslingden *in the Township of* Walmersley, *to the River* Irwell; *and for building a Bridge over the said River, all in the County Palatine of* Lancaster, *as relates to the First District of Road therein mentioned*;' the said first-mentioned Act, so far as the same relates to the said First District of Road, was continued for a further Term, and some of the Provisions, Powers, and Authorities of the same first-mentioned Act were thereby altered and enlarged, and additional Trustees were appointed for putting both the said Acts in Execution, for the Purpose of amending, widening, and keeping in Repair the said First District of Road, and some of the Tolls granted by the said first-mentioned Act were increased: And whereas great Progress hath been made in the Execution of the said Acts, and considerable Sums of Money have been borrowed on the Credit of the Tolls thereby granted, which Sums of Money now remain due and owing, and the said Debt cannot be paid off and discharged, neither can the said District of Road be effectually kept in Repair, unless the said Acts shall be further continued, and some of the Powers, Provisions, and Authorities thereby respectively granted shall be varied, altered, and enlarged: And whereas the making and maintaining of a Road or Branch of Road, from and out of the said Road leading from *Haslingden* to *Whalley* aforesaid, from or nearly from a certain Close of Ground situate within the Townships of *Whalley* aforesaid, called *The Shoe-broads* (being at the Termination of the old Road which leads from *Portfield* to *Parkhead*), through the said Township of *Whalley* and the several other Townships of *Read*, *Simonstone*, and *Padiham*, all in the Parish of *Whalley* in the said County of *Lancaster*, to the Town of *Padiham* in the same County, so as to communicate with the present Turnpike Road which leads from *Burnley* in the said County of *Lancaster* to *Blackburn* aforesaid, will not only be very beneficial and advantageous to the Publick, by opening a much shorter and better Communication between the West Riding of the County of *York* and the Town of *Preston* in the said County of *Lancaster*, and several other large and populous Towns in the same County, but will also considerably increase the Tolls arising on the

the ſaid Firſt Diſtrict of Road; May it therefore pleaſe Your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid recited Acts reſpectively paſſed in the Twenty-ninth and Thirty-fifth Years of the Reign of his preſent Majeſty, and all and every the Authorities, Tolls, Duties, Powers, Privileges, Exemptions, Proviſions, Penalties, and Clauſes therein reſpectively contained and now in force (except ſuch of them as are repugnant to any of the Proviſions contained in this Act, and as relate to Exemptions from Stamp Duties), ſo far as the ſame Acts reſpectively relate to ſuch Firſt Diſtrict of Road as aforeſaid, ſhall be, and the ſame are hereby continued for and during the Term herein-after mentioned, as fully and effectually to all Intents and Purpoſes as if the ſame were herein particularly inſerted, repeated, and re-enacted; and alſo that the ſaid recited Acts, and all and every ſuch Authorities, Tolls, Duties, Powers, Privileges, Exemptions, Proviſions, Penalties, and Clauſes as laſt aforeſaid, ſhall reſpectively embrace and be extended over and applicable to the ſaid intended new Branch of Road, in ſuch and the ſame Way and Manner as if ſuch new Branch of Road had been originally comprized or comprehended in ſuch Firſt Diſtrict of Road as aforeſaid; but ſubject nevertheleſs as to the ſaid Firſt Diſtrict of Road, and alſo as to the ſaid intended new Branch of Road, to the Amendments, Alterations, Variations, and Additions herein contained, and which ſhall commence and take Effect from the Firſt Meeting of the Truſtees herein-after mentioned, and this Act, and the Tolls hereby granted or continued, ſhall be and are hereby made ſubject and liable to the Payment of all Monies due or owing upon the Credit of the ſaid former Acts or either of them in reſpect of the ſaid Firſt Diſtrict of Road, and of all Intereſt due and to grow due for the ſame, and alſo of ſuch other Sums or Sum of Money as may be borrowed by the Truſtees of the ſaid Road for the Purpoſes of the ſaid Acts, or either of them, or of this Act, and all Intereſt to grow due for the ſame. Acts further continued.

II. And be it further enacted, That *John Adamſon* Clerk, *John Aſpinall*, *William Aſpinall*, *John Alſop*, *Joſeph Ainſworth*, *William Barton* Clerk, *Joſeph Birley*, *John Cardwell*, *Abraham Chew*, *Adam Dugdale*, *Richard Fort*, *Edmund Grundy* of Bury, *Thomas Hargreaves*, *Richard Hodſon*, *Thomas Haſlam* the younger, *William Harper*, *Richard Hardy*, *Thomas Hutchinſon*, *William Hutchinſon*, *Thomas Haſlam* of Cheſham, *John Hargreaves* Clerk, *John Johnſon*, *Richard Kay*, *James Kay* of Baſs Lane, *John Kay*, *Thomas Kay*, *Richard Noble* Clerk, *George Petre*, *Robert Peel* the younger, of Church, *Giles Peel* Clerk, *Jonathan Peel* the younger, *Bolton Peel*, *James Quartley* Clerk, *Stephen Ray* Clerk, *John Rawſtron* of Edenfield, *William Robinſon* of Craggs, *William St. Clare* Doctor of Phyſic, *Le Gendrie Starkie*, *Nicholas Thomſon*, *Whitaker* Clerk, Curate of Whalley, *George Wearing* Clerk, *Richard Walker* of Bury, *Charles Whitaker* and *Matthew Wilkinſon*, ſhall be and they and their Succeſſors, to be elected in the Manner directed by the ſaid firſt recited Act (being qualified according to the true Intent and Meaning of the ſaid ſecondly recited Act) are hereby appointed Truſtees, and ſhall be joined with the Truſtees appointed by or elected in purſuance of the ſaid former Acts to put the ſaid recited Acts and this preſent Act in Execution, for the Purpoſe of amending, widening, and keeping in Repair the ſaid Additional Truſtees.

said First District of Road, and making and repairing the said new Branch of Road.

First Meeting of the Trustees.

III. And be it further enacted, That the Trustees for putting the said recited Acts and this Act into Execution, so far as relates to the said First District of Road, and to the said intended new Branch of Road, or any Five or more of them, shall meet together at the *Bull's Head* in *Haslingden* aforesaid, on the Fourth *Thursday* after the passing of this Act, and proceed to the Execution of the said recited Acts and this Act, and shall hold their future Meetings alternately at the respective Places, and in the Order directed by the said first recited Act: Provided nevertheless, that Two Trustees shall be sufficient for adjourning the Meetings of the said Trustees, and in Default of such Adjournment, the Clerk to the said Trustees for the Time being shall and may, by affixing, or causing to be affixed, Notice in Writing upon all the Toll Gates subject or to be subject to this Act, at least Fourteen Days before the then next proposed Meeting, appoint the said Trustees to meet at the Place where their then last Meeting was appointed to be held, on that Day Three Weeks next after the Day on which such last Meeting was so appointed as aforesaid.

Two Trustees sufficient to adjourn.

For making a new Branch of Road from or nearly from Portfield to Padiham.

IV. And be it further enacted, That the said Trustees, or any Five or more of them, shall and may, and they are hereby fully authorized and empowered, to make, or cause to be made, a Road or Branch of Road from and out of the said Road leading from *Haslingden* to *Whalley* aforesaid, from or nearly from the said Close of Ground situate within the Township of *Whalley* aforesaid, and called *The Shoe-broads* (being at the Termination of the old Road which leads from *Portfield* to *Park Head*), through the said several Townships of *Whalley*, *Read*, *Simonstone*, and *Padiham*, all in the Parish of *Whalley* aforesaid, to the Town of *Padiham* aforesaid, so as to communicate with the present Turnpike Road leading from *Burnley* to *Blackburn* aforesaid; and to enable the said Trustees to make the said Branch of Road, it shall and may be lawful for them, or any Five or more of them, to treat, contract, and agree with the several Owners, Proprietors, and Occupiers of, and Persons interested in, or entitled unto, any Buildings, Lands, Grounds, or Hereditaments, for the Purchase thereof, or for so much thereof as the said Trustees, or any Five or more of them, shall think necessary, so as to make the said new Branch of Road of any Width they shall think proper, not exceeding Fourteen Yards; and out of the Monies to arise upon the said Roads, or any Part or Parts of them, or out of any Money to be borrowed on the Credit thereof, to pay as well for such Buildings, Lands, Grounds, or Hereditaments, such Sum or Sums of Money as shall be so agreed upon as the Charges and Expences of making the said Road; and in case of any Differences between the said Trustees and the said other Persons, all of whom are hereby empowered to treat and agree with the said Trustees concerning the Price or Satisfaction to be paid for the Purchases before mentioned, such Differences shall be adjusted, settled, and determined, and such Recompence ascertained by a Jury, in such Manner and under the same Rules and Orders as are prescribed in and by the said first recited Act for settling Recompence and Damage for the Land taken for the Purposes of the said Act; and the said Branch of Road when so made shall for ever after be and be deemed to be Part of the said Turnpike Road.

V. And

For restraining the Trustees from deviating beyond a certain Distance from the Line described in the Plan.

V. And whereas a Map or Plan, describing the Line of the said new Branch of Road and the Lands through which the same is to be carried, together with a Book of Reference containing a List of the Names of the Owners and Occupiers of such Lands, have been deposited at the Office of the Clerk of the Peace for the said County of *Lancaster*; be it therefore enacted, That the said Map or Plan and Book of Reference shall remain in the Custody of the Clerk of the Peace for the said County, to the End that all Persons may at any seasonable Times have Liberty to inspect and peruse the same, and to take Copies or Extracts thereof at their Will and Pleasure, paying the Clerk of the Peace the Sum of One Shilling for every such Inspection, and at the Rate of Sixpence for every One hundred Words of such Copies or Extracts of the said Map or Plan and Book of Reference; and that the said Trustees in making the said new Branch of Road shall not deviate more than One hundred Yards of Three Feet each from the Line described in the said Map or Plan, without the Consent and Approbation in Writing of the Person or Persons, Body Politick, Corporate, or Collegiate, through whose Lands or Grounds such Branch of Road shall be made: Provided always, that it shall and may be lawful to and for the said Trustees to make the said new Branch of Road into, through, across, or over the several Lands or Grounds of any Person or Persons who is or are or may be Owner or Owners of Land over which the same is set out and described in the said Map or Plan as aforesaid, although the Name or Names of such Person or Persons may happen to be omitted in the said Book of Reference, in case it shall appear to any Two or more Justices of the Peace for the said County, and be certified by Writing under their Hands that such Error or Omission proceeded from Mistake.

Trustees may make Road through Grounds although the Owners Names are not in the Book of Reference.

For continuing the present Toll Gates and erecting others.

VI. And be it further enacted, That the said Trustees, or any Five or more of them, shall and may, and they are hereby authorized and empowered to continue all or any of the Gates or Turnpikes, and Toll Houses, now standing in, upon, or across the Roads comprized in such First District as aforesaid, or either of them, or on the Sides thereof, and that when and so soon as the said Road or Branch of Road from or nearly from the said Close of Ground in *Whalley* aforesaid called *The Shoe-broads*, to the Town of *Padiham* aforesaid, shall be completed, and the said intended Road become passable, the said Trustees, or any Five or more of them, shall and may, and they are hereby authorized and empowered to erect, or cause to be erected, Two Gates or Turnpikes, in, upon, or across the said Road or new Branch of Road, to wit, One at the Western Extremity of such new Branch of Road in the Township of *Whalley* aforesaid, or within the Distance of Five hundred Yards on the *Padiham* Side of such Extremity, and another at the Eastern Extremity of the said Branch of Road at the Westerly End of the said Town of *Padiham*, or within the Distance of Five hundred Yards on the *Whalley* Side of such Extremity; and also to erect, or cause to be erected, such other Gates or Turnpikes upon the Side or Sides of the said District of Road and new Branch of Road respectively, across any Highway leading into or out of the same, as they shall think proper; and also a Toll House and proper and necessary Buildings and Fences near to each of the said Gates or Turnpikes, or to such of them as they shall think proper; and that the respective Tolls directed to be paid by the said recited Acts shall be demanded and taken by such Person or Persons as the said Trustees, or any Five or more of them,

them, ſhall, from Time to Time appoint, at each of the ſaid Turnpikes or Toll Bars already erected by virtue of the ſaid recited Acts, or hereafter to be erected by virtue thereof and of this Act, before any Horſes, Cattle, or Carriages ſhall be permitted to paſs through the ſame; any Thing in the ſaid recited Acts contained to the contrary notwithſtanding.

Exemption after paying at certain Gates.

VII. Provided always, and be it further enacted, That all Horſes, Cattle, or Carriages which ſhall paſs the ſame Day through the Gate or Bar erected in purſuance of the ſaid Acts at or near *Broken Brow* within the Townſhip of *Whalley* aforeſaid, or the Gate or Bar erected at or near a Place called *Harwood Lane End*, in the Townſhip of *Great Harwood* in the ſaid County of *Lancaſter*, and the Two Gates or Bars to be erected in purſuance of this Act upon or acroſs the ſaid new Branch of Road, and ſhall pay Toll at any Two of ſuch Gates or Bars, ſhall be exempt from Toll at the laſt of the Three Gates or Bars through which they ſhall ſo paſs, by a Note or Ticket which the Collector of the Tolls at the Firſt of the Three Gates through which they ſhall ſo paſs, is hereby required to deliver *gratis* on Receipt of the Tolls.

Exemptions in favour of Waggons, &c. paſſing through the Toll Gate to be erected at the Weſtern Extremity of the new Branch of Road before they have paſſed through any other Gate.

VIII. Provided alſo, and be it further enacted, That every Waggon, Wain, Cart, or other Carriage, Horſe, Mare, Gelding, Mule, or Aſs (not going empty or unladen for or returning laden with Coals only) which ſhall paſs through the Gate or Bar to be erected in purſuance of this Act at the Weſtern Extremity of the ſaid intended new Branch of Road within the Townſhip of *Whalley* aforeſaid, or within the Diſtance of Five hundred Yards on the *Padiham* Side of ſuch Extremity, and ſhall pay Toll thereat, and afterwards paſs for the Firſt Time on the ſame Day through the ſaid Gate or Bar erected in purſuance of the ſaid Acts at or near *Broken Brow* aforeſaid, or the ſaid Gate or Bar erected at or near *Harwood Lane End* aforeſaid, or any Gate or Bar to be erected in purſuance of this Act, ſhall only be ſubject or liable to the Payment of One Moiety or Half Part of the Tolls directed to be paid by the ſaid recited Acts at the firſt of the ſaid laſt-mentioned Gates through which ſuch Waggon, Wain, Cart, or other Carriage, Horſe, Mare, Gelding, Mule, or Aſs, as laſt aforeſaid, ſhall next paſs, after Payment of the proper Toll at the ſaid Gate or Bar to be erected in purſuance of this Act at or near the Weſtern Extremity of the ſaid new Branch of Road; any Thing herein contained to the contrary notwithſtanding.

Double Toll for paſſing through on Sundays.

IX. Provided alſo, and be it further enacted, That notwithſtanding any Thing herein or in the ſaid recited Acts, or either of them, contained to the contrary, no Horſe, Cattle, or Carriage ſhall be permitted to paſs through any Turnpike or Toll Gate already erected or hereafter to be erected upon the ſaid Firſt Diſtrict of Road, or upon the ſaid intended new Branch of Road, or any Part thereof, or upon the Side or Sides thereof reſpectively, upon the Lord's Day, commonly called *Sunday*, without Payment of Double the Tolls and Duties by the ſaid recited Acts, or either of them, directed to be demanded and taken at ſuch reſpective Gates, or of the Double Amount of ſuch other Tolls and Duties as the ſaid Truſtees, or any Five or more of them, ſhall direct to be collected thereat, in caſe the ſame ſhall be reduced in the Manner preſcribed by the ſaid recited Acts or either of them.

X. And

Exemption after paying at certain Gates.

X. And be it further enacted, That, from after the passing of this Act, none of the Tolls granted or continued by the said recited Acts or this Act shall be demanded or taken for any Waggons, Wains, Carts, Carriages, or Horses employed in carrying or conveying, or going to carry or convey, or returning empty from carrying or conveying, and having been employed only in carrying or conveying on the same Day, any Stones, Gravel, or other Materials for repairing of the said Roads, or any of the Roads in the Townships in which any Part of such Roads doth lie; or any Hay or Straw, or Corn in the Straw only, not sold or disposed of, but passing to be laid up or placed in the Outhouses or on the Lands of the Owners thereof; or for any Waggons, Wains, Carts, Carriages, or Horses employed in carrying or conveying, and having been employed only in carrying or conveying on the same Day, any Ploughs, Harrows, or Implements of Husbandry, or any Manure, Mould, or Dung for Improvement of Land, (other than and except Lime), or for any Horses or Cattle going to or returning from Pasture and Watering Places, or going to be or returning from being shoed or farried; or from any Person going to or returning from his proper Parochial Church, Chapel, or other Place of Religious Worship tolerated by Law, on a *Sunday*, or on any other Day on which Divine Service is ordered by Authority to be celebrated, or attending the Funeral of any Person who shall die and be buried in any of the Townships in which the said Roads lie; or from any Clergyman going to or returning from visiting any sick Person, or upon other his Parochial or Ministerial Duty on a *Sunday*, or on any other Day on which Divine Service is ordered by Authority to be celebrated, or in which such Visitation shall be required; or for any Horses, Cattle, or Carriage of whatever Description employed or to be employed in conveying the Mails of Letters and Expresses under the Authority of His Majesty's Postmaster General, either when employed in conveying, fetching, or guarding such Mails or Expresses, or in returning back from conveying the same; or for any Horses, Carts, or Waggons attending any Soldiers upon their March or on Duty, or drawing any Carriage attending them laden with their Arms or Baggage, nor for any Waggon, Wain, Cart, or other Carriage whatsoever, or the Horse or Horses or other Cattle drawing the same, which shall be employed in conveying any Ordnance, Barrack, or Commissariat, or other Publick Stores of or belonging to His Majesty, or for the Use of His Majesty's Forces; or for any Horse, Mare, or Gelding furnished by or for any Person belonging to any Corps of Yeomanry or Volunteer Cavalry, and rode by him in going to or returning from the Place of Exercise, provided such Persons are in the Uniform of their respective Corps, and have their Arms, Furniture, and Accoutrements according to the Regulations provided for such Corps respectively at the Time of claiming such Exemption as aforesaid; or for any Horses, Carts, or Waggons employed in the Conveyance of Vagrants sent by legal Passes; or for any Horse, Cattle, or Beast drawing any Coach, Landau, Berlin, Chariot, Calash, or Chair, or from any Person on Horseback, going to or returning from any Election of a Knight or Knights of the Shire to serve in Parliament for the said County of *Lancaster*, on the Day or Days of such Election, or on the Day before or Day after such Election shall begin or be concluded; and if any Person or Persons shall in any fraudulent or collusive Manner whatsoever claim and take the Benefit of any of the Exemptions aforesaid, not being entitled to the same, every such Person shall forfeit and pay for every such

Offence

Offence any Sum not exceeding Forty Shillings, One Moiety whereof ſhall go to the Informer, and the other Moiety ſhall be applied for the Purpoſes of the ſaid recited Acts and of this Act.

For erecting Weighing Machines.

XI. And be it further enacted, That it ſhall and may be lawful for the ſaid Truſtees at any Meeting (if they ſhall think proper) to continue the preſent, and to order and cauſe to be built upon any Part or Parts of the ſaid Road and intended Road as to them ſhall ſeem moſt eligible and expedient, a Crane, Machine, or Engine, with ſuitable Buildings thereto, proper for the weighing of Carts, Waggons, or Carriages conveying any Goods, Wares, Merchandize, or other Article or Thing whatſoever, and from Time to Time to alter and remove ſuch Cranes, Machines, or Engines to other Situations upon the ſaid Roads reſpectively; and to order in Manner by the Act firſt herein-after mentioned directed all and every or any ſuch Carriage or Carriages which ſhall paſs upon any Part of the ſaid Roads or either of them (whether the ſame ſhall have paſſed through any Toll Gate or Toll Bar or not) to be weighed together with the Loading thereof; and that all Clauſes, Powers, Privileges, Exemptions, Reſtrictions, Penalties, and Forfeitures, contained in an Act paſſed in the Thirteenth Year of the Reign of His preſent Majeſty, intituled, *An Act to explain, amend, and reduce into One Act of Parliament the general Laws now in being for regulating the Turnpike Roads in that Part of* Great Britain *called* England, *and for other Purpoſes*, or in any other general Act now in force applicable to Weighing Machines, ſhall in all Caſes extend to and operate upon all Cranes, Machines, and Engines whatſoever, now erected, or which hereafter may be erected, upon the ſaid Road; any Thing herein contained to the contrary notwithſtanding.

All Clauſes, &c. in general Turnpike Acts reſpecting Weighing Engines to extend to this Act.

For letting the Weighing Engines.

XII. And be it further enacted, That it ſhall be lawful for the ſaid Truſtees, or any Five or more of them, at any Meeting whereof Twenty-one Days Notice ſhall have been given in Writing affixed upon all the Toll Gates or Turnpikes then erected by virtue of the ſaid recited Acts and this Act, and by Advertiſements inſerted in ſome Newſpaper circulated in the Neighbourhood of the ſaid Road, from Time to Time, by Writing under their Hands, to let and demiſe, or agree to let and demiſe, either with or without the Tolls by the ſaid recited Acts authorized to be taken, the Weighing Cranes, Machines, and Engines which may be erected by the ſaid recited Act paſſed in the Thirteenth Year of the Reign of his preſent Majeſty and this Act, and the additional Tolls or Duties granted and made payable thereat for any Carriage which with its Loading ſhall weigh more than the Weight allowed by Law; provided that the ſaid additional Tolls be let in the ſame Manner as the Tolls ariſing at the Toll Gates or Turnpikes are by the ſaid firſt recited Act directed or preſcribed to be let.

Regulating the Toll on Waggons, the Wheels whereof ſhall roll two Surfaces.

XIII. And be it further enacted, That all Waggons and other four-wheeled Carriages, the Wheels or Axletrees whereof ſhall be ſo conſtructed as to be capable of rolling Two Surfaces, ſhall be permitted to carry Weight according to the Width of the Fellies of the narroweſt of the Wheels thereof only; and all Waggons and other four-wheeled Carriages which ſhall have the Fellies of the Wheels thereof of different Breadths, ſhall be liable to pay Toll and have Allowance of Weight according to the Breadth of the narroweſt of ſuch Wheels only: Provided always,

alwavs, that the ſaid Regulations and Reſtrictions ſhall not apply to Waggons or other four-wheeled Carriages, the Wheels whereof ſhall be of the Breadth of nine Inches rolling a Surface of Sixteen Inches.

Carriages employed in the publick Service not to be ſubject to Penalties for Overweight, or for additional Number of Horſes.

XIV. And be it further enacted, That no Perſon owning or driving, or cauſing to be driven, any Waggon, Wain, Cart, or other Carriage, provided for the Service of His Majeſty's Forces, or conveying any Ordnance, Barrack, or Commiſſariat, or other publick Stores of or belonging to His Majeſty, or for the Uſe of His Majeſty's Forces, ſhall be ſubject to any Penalty or Forfeiture for Overweight, nor ſhall any ſuch Waggon, Wain, Cart, or other Carriage, be ſtopped or detained by reaſon of any Weight in any ſuch Waggon, Wain, Cart, or other Carriage, or of being drawn by any Number of Horſes or Oxen; but it ſhall be lawful for any Owner or Driver of any ſuch Waggon, Wain, Cart, or other Carriage, to put any Number of Horſes or Oxen to ſuch Waggon, Wain, Cart, or other Carriage; any Thing in any Act or Acts of Parliament relating to Highways or Turnpike Roads, or in this or the ſaid recited Acts to the contrary notwithſtanding.

For preventing Evaſions at Broken Brow Gate.

XV. And whereas, in order to avoid the Payment of the proper Toll at the Turnpike or Toll Gate now erected at or near *Broken Brow* in the Townſhip of *Whalley* aforeſaid, a Practice hath prevailed with the Owners and Drivers of Waggons, Carts, or other Carriages having Occaſion to paſs through that Gate, of taking off One or more Horſe or Horſes from ſuch Waggon, Cart, or other Carriage before the ſame came upon the ſaid Turnpike Road, and of taking the ſame through the ſaid Gate or Turnpike at *Broken Brow* aforeſaid, and paying Toll thereat as for a Horſe or Horſes unladen and not drawing, although ſuch Horſe or Horſes are again drawn in the Waggon, Cart, or Carriage to which they belong immediately after ſuch Waggon, Cart, or Carriage hath paſſed through the ſaid Turnpike or Toll Gate, and hath quitted the ſaid Road; for Remedy whereof, be it enacted, That if any Perſon or Perſons ſhall, from and after the paſſing of this Act, take off, or cauſe to be taken off, any Horſe or Horſes from any ſuch Carriage before the ſame come to the ſaid Turnpike or Toll Gate, whether ſuch Horſe or Horſes ſhall or ſhall not have been drawn upon the ſaid Turnpike Road or any Part thereof, he, ſhe, or they ſo offending ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Forty Shillings, one Moiety whereof ſhall be paid to the Informer or Informers, and the other Moiety ſhall be applied in ſuch Manner as other Penalties for evading the Tolls are by the ſaid recited Acts, or either of them, directed to be applied, and the Penalty hereby impoſed ſhall be recovered in ſuch Manner as other Penalties are by the ſame Acts, or either of them, directed to be recovered.

For removing Houſes, &c. which ſhall be built within Twenty Feet of the Road.

XVI. And be it alſo enacted, That if any Perſon ſhall, from and after the paſſing of this Act, encroach by making, or cauſing to be made, any Dwelling Houſe or other Building, Hedge, Ditch, or other Fence, within the Diſtance of Twenty Feet from the Middle or Center of any Turnpike Road comprized within the ſaid Firſt Diſtrict, or the ſaid new Branch of Road, every Perſon ſo offending ſhall forfeit for every ſuch Offence any Sum not exceeding Ten Pounds to ſuch Perſon as ſhall make or give Information of the ſame; and it ſhall be lawful for the ſaid Truſtees, or any Five or more of them, by Order under their Hands directed to their

Surveyor, to cauſe ſuch Dwelling Houſes, Buildings, Hedges, Ditches, or other Fences, to be pulled down or filled up at the Expence of the Perſon or Perſons to whom the ſame ſhall belong; and it ſhall and may be alſo lawful for any One or more Juſtice or Juſtices of the Peace for the ſaid County of *Lancaſter*, upon Proof thereof to him or them upon Oath, to levy as well the Expences of taking down ſuch Dwelling Houſes, Buildings, Hedges, and Fences, and filling up of the Ditches as aforeſaid, as the ſaid Penalty hereby impoſed, by Diſtreſs and Sale of the Offender's Goods and Chattels, rendering the Overplus (if any) to the Owner on Demand.

Empowering Surveyor to remove Annoyances, &c. in the publick Street of Haſlingden, and declaring the ſame to be Part of the Turnpike Road.

XVII. And whereas divers Annoyances and Encroachments have been made, and are now ſubſiſting, within ſuch of the publick Streets or Ways of or in the ſaid Town of *Haſlingden* as form the direct Way through the ſame Town, and Doubts have ariſen whether the Surveyor of the ſaid Diſtrict of Road hath Power to remove or prevent the ſame; be it therefore enacted, That all ſuch or ſuch Parts of the publick Streets or Ways of or in the Town of *Haſlingden* aforeſaid, as now form Part or are within the Compaſs of the direct and publick Road from the Town of *Bury* aforeſaid to the Towns of *Blackburn* and *Whalley* aforeſaid, ſhall be adjudged, deemed, and taken to be a Part of the ſaid Turnpike Road comprized in the ſaid Firſt Diſtrict, to all Intents and Purpoſes whatſoever; and that all and every the Powers, Proviſions, Authorities, and Clauſes in the ſaid recited Acts of Parliament and in this Act reſpectively contained, ſhall be in as full Force and Effect as to the ſaid publick Streets or Ways as the ſame or any of them are, is, or ſhall be, as to the Remainder of ſuch Firſt Diſtrict of Road as aforeſaid.

For purchaſing Land to lodge Materials, &c.

XVIII. And, for providing proper Places whereupon the Materials uſed for the Repairs of the ſaid Roads may be depoſited and broken, and whereupon the ground or worn Materials may be laid; be it alſo enacted, That it ſhall and may be lawful for the ſaid Truſtees, or any Five or more of them, to treat, contract, and agree with the ſeveral Owners, Proprietors, and Occupiers of, and Perſons intereſted in and entitled unto any Lands, Grounds, or Hereditaments adjoining to the ſaid Turnpike Road or Roads, or any Part thereof, for the Purchaſe of ſo much thereof as they ſhall think neceſſary for any of the Purpoſes laſt herein-before mentioned, ſuch Parcels of Land to be ſo purchaſed not exceeding Four hundred ſquare Yards of Land reſpectively; and out of the Monies to ariſe upon the ſaid Roads, or any Part or Parts thereof, or out of any Money to be borrowed on the Credit thereof, to pay ſuch Sum or Sums of Money as ſhall be agreed upon for ſuch Lands or Hereditaments; and in caſe of any Difference between the ſaid Truſtees and the ſaid other Perſons, all of whom are hereby empowered to treat and agree with the ſaid Truſtees concerning the Price or Satisfaction to be paid for the Purchaſes before mentioned, ſuch Differences ſhall be adjuſted, ſettled, and determined, and ſuch Recompence aſcertained by a Jury in ſuch Manner and under the ſame Rules and Orders as are preſcribed in and by the ſaid firſt recited Act for ſettling Recompence and Damage for the Land taken for the Purpoſes of the ſaid Act; and the ſaid Parcels of Land when ſo purchaſed ſhall for ever after be Part of, and be deemed to belong, to the ſaid Turnpike Road.

XIX. And

Occupiers of adjoining Lands to carry off the Scrapings on Notice, except in Harveſt Time.

XIX. And be it further enacted, That all and every the Occupier and Occupiers of Lands or Grounds adjoining to the ſeveral Roads to be made and repaired under the ſaid recited Acts and this Act, ſhall, on Seven Days Notice to be given to him or them reſpectively by the Surveyor or Surveyors of the ſaid Roads, or any Perſon or Perſons which he or they ſhall appoint from Time to Time, haul or remove, and carry away, all ſuch Soil, Earth, or other Matter as ſhall have been gathered, collected, or ſcraped from off the ſaid Roads, or any of them, as far as the Lands and Grounds of ſuch Occupier and Occupiers ſhall reſpectively extend, but not farther; and in caſe any ſuch Occupier or Occupiers ſhall neglect or refuſe to haul, carry off, or remove ſuch Soil, Earth, or other Matter as aforeſaid, after ſuch Notice as aforeſaid, each and every Perſon ſo neglecting or refuſing ſhall, for each and every ſuch Offence, forfeit and pay any Sum not exceeding Twenty Shillings, to be recovered and applied in ſuch Manner, and for ſuch Uſes and Purpoſes, as other Penalties are herein directed to be recovered and applied: Provided always, that no Perſon ſhall be liable to any ſuch Penalty for neglecting or refuſing to carry away any ſuch Soil, Earth, or other Matter during the Time of Hay or Corn Harveſt.

Power to borrow Money.

XX. And be it further enacted, That it ſhall be lawful for the ſaid Truſtees, or any Five or more of them, to borrow and take up at Intereſt, on the Credit of the Tolls ariſing by virtue of the ſaid recited Acts and this Act, ſuch Sum or Sums of Money as they, or any Five or more of them, ſhall think fit; and they may and are hereby empowered to demiſe or mortgage the ſaid Tolls or any Part or Parts thereof, and the Turnpikes or Toll Houſes for collecting the ſame, (the Coſts and Charges of ſuch Mortgages to be paid out of ſuch Tolls), as a Security to any Perſon or Perſons or their Truſtees who ſhall advance ſuch Sum or Sums of Money, by the following Words under their Hands and Seals, or by any other Form of Words to the like Effect; (that is to ſay),

Form of Mortgage.

'BY virtue of Three Acts paſſed in the Twenty-ninth, Thirty-fifth, and Fiftieth Years of the Reign of His Majeſty King *George* the Third, intituled, *An Act* [*here ſet forth the Titles of the Two recited Acts and alſo of this Act.*] We, Five of the Truſtees for the ſaid Roads therein reſpectively mentioned, in conſideration of the Sum of to the Treaſurer of the ſaid Road in Hand paid, do grant, bargain, ſell, and demiſe, unto *A. B.* his Executors, Adminiſtrators, and Aſſigns, ſuch Proportion of the Tolls ariſing upon the ſaid Roads, and of the Turnpikes and Toll Houſes for collecting the ſame, as the ſaid Sum of doth or ſhall bear to the whole Sum due and owing on the Credit thereof; to be had and holden from this Day of in the Year of our Lord for and during the Continuance of the ſaid recited Acts and this Act, unleſs the ſaid Sum of with Intereſt, at the Rate of *per Centum per Annum*, ſhall be repaid and ſatisfied.'

And Copies of all ſuch Mortgages ſhall be entered in a Book to be kept for that Purpoſe by the Clerk or Treaſurer to the ſaid Truſtees; but no Money ſhall be borrowed on the Credit of the ſaid Tolls after the Firſt Meeting of the ſaid Truſtees, unleſs Notice be for that Purpoſe fixed in Writing upon all the Turnpikes then erected upon the ſaid Roads at leaſt Ten Days before the borrowing thereof; and all Perſons to whom any

Mortgage

Mortgage ſhall be ſo made as aforeſaid, or who ſhall be entitled to the Money thereby ſecured, may from Time to Time transfer his, her, or their Right, Title, Intereſt, or Benefit to the ſaid Mortgage, and the Principal and Intereſt thereby ſecured to any Perſon or Perſons whomſoever, endorſing on ſuch Security before One credible Witneſs the following Words, or Words to the like Effect; (that is to ſay),

Form of Transfer.

'I Do transfer this Mortgage, with all my Right and Title to the Principal thereby ſecured, and to all Intereſt now due upon the ſame, unto Executors, Adminiſtrators, and Aſſigns. Dated this Day of *A. B.*'

Which Transfer ſhall be produced and notified to the Clerk or Treaſurer of the ſaid Road within Thirty Days after the Date thereof, who ſhall cauſe an Entry or Memorial to be made thereof in the before-mentioned Book or Books, containing the Numbers, Dates, Names of the Parties, and Sums of Money therein transferred, for which the ſaid Clerk or Treaſurer ſhall be paid ſuch Sum as the ſaid Truſtees, or any Five or more of them, ſhall appoint, not exceeding the Sum of Five Shillings, and ſuch Transfer ſhall then entitle ſuch Aſſignee, his, her, or their Executors, Adminiſtrators, and Aſſigns, to the Benefit thereof and Payment thereon, and ſuch Aſſignee may in like Manner aſſign and transfer the ſame again, and ſo *toties quoties*; and it ſhall not be in the Power of any Perſon or Perſons (except ſuch to whom the ſame ſhall be laſt transferred) to make void, releaſe, and diſcharge the original Security, or any Monies thereby due, or any Part thereof; and all Perſons to whom any Mortgage or Transfer ſhall be made, ſhall be, in proportion to the Sum or Sums of Money therein mentioned, Creditors on the Tolls by this and the ſaid former Acts granted in equal Degree one with another, and ſhall have no Preference with reſpect to the Priority of any Monies advanced upon the Credit of the ſaid Tolls.

Power to take down Buildings, &c.

XXI. And be it further enacted, That in caſe the ſaid Truſtees for the ſaid Firſt Diſtrict of Road, or any Five or more of them, ſhall think proper, in order to widen the ſaid Diſtrict of Road, or any Part thereof, by taking down Part of a Barn and Stable, ſituate at *Fletcher Bank* within the Townſhip of *Walmerſley* in the ſaid County of *Lancaſter*, the Eſtate and Property of *John Brandwood*, and now in the Occupation of *Richard Hamer*, and by taking down a Coal Houſe, and paſſing through a Garden reſpectively ſituated in *Bank Lane* within *Walmerſley* aforeſaid, now veſted in *Richard Kay* Gentleman, as a Truſtee, and in the Occupation of *Robert Maden*; it ſhall be lawful for the ſaid Truſtees, or any Five or more of them, to treat, contract, and agree with the ſeveral Owners, Proprietors, and Occupiers of, or Perſons intereſted in or entitled unto the ſaid Hereditaments and Premiſes, herein-before mentioned and deſcribed, for the Purchaſe thereof, and of the Scites of the ſaid Buildings, or of ſo much thereof as the ſaid Truſtees, or any Five or more of them, ſhall think neceſſary, ſo as to make any or either of the ſaid Roads of any Width they ſhall think proper, not exceeding Fourteen Yards, and out of the Monies to ariſe from the Tolls collected or to be collected upon the ſaid Roads to pay for ſuch Herditaments and Premiſes, or ſo much thereof as ſhall be neceſſary as aforeſaid; and in caſe of any Differences concerning the ſame, between ſuch Owners or Occupiers and the ſaid Truſtees, ſuch Differences ſhall be adjuſted, ſettled, and determined, and ſuch Recom-

pence ascertained by a Jury in such Manner and under the same Rules and Orders as are prescribed in and by the said first recited Act for settling Recompence and Damage on Account of Land to be used for widening and altering the said Roads: Provided always, that nothing in this Act contained shall extend, or be construed to extend, to enable the said Trustees to take down any House, or to take in any Orchard, Yard, Garden, Planted Walk, or Plantation, or any Avenue to any House (except such Barn, Stable, Coal House, and Garden, as are in this Act mentioned) without the Consent in Writing of the Proprietors thereof respectively first had and obtained.

Application of Compensation Money when amounting to 200l.

XXII. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands, Tenements, or Hereditaments purchased, taken, or used by virtue of the Powers of the said recited Acts or this Act, for the Purposes thereof, which shall belong to any Body Politick, Corporation, Guardians, Committees, Trustees, Feme Covert, Infant, Lunatick, or other incapacitated Person or Persons, such Money shall, if the same amount to 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 High Court of Chancery, to be placed to his Account *ex parte* the Trustees for executing the said recited Acts and this Act, to the Intent that such Money shall be applied under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred 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, in the Purchase or Redemption of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrances or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments standing settled therewith, to the same or the like Uses, Intents or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Messuages, Lands, Tenements, or Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the 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 and capable of taking Effect; and in the mean Time and until such Purchase shall be made, the said Money shall by Order of the said Court of Chancery, upon Application thereto, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the mean Time and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of the said Consolidated or Reduced Bank Annuities 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 the Lands, Tenements, and Hereditaments so hereby directed to be purchased in case such Purchase or Settlement were made.

 XXIII. Provided

If under 200l. and exceeding 20l.

XXIII. Provided always, and be it further enacted, That if any Money ſo agreed or awarded to be paid for any Lands, Tenements, or Hereditaments purchaſed, taken, or uſed for the Purpoſes aforeſaid, and belonging to any Corporation, or to any Perſon or Perſons under any Diſability or Incapacity as aforeſaid, ſhall be leſs than the Sum of Two hundred Pounds, and ſhall exceed 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 Hereditaments ſo purchaſed, taken, or uſed, or of his, her, or their Guardian or Guardians, Committee or Committees, in caſe of Infancy or Lunacy, to be ſignified in Writing under his or their reſpective Hands, be paid into the Bank in the Name and with the Privity of the ſaid Accountant General of the High Court of Chancery, and be placed to his Account as aforeſaid in order to be applied in Manner herein-before directed; or otherwiſe the ſame ſhall be paid at the like Option to Two Truſtees, to be nominated by the Perſon or Perſons making ſuch Option, and approved of by Five or more of the ſaid Truſtees for executing the ſaid former Acts and this Act (ſuch Nomination and Approbation to be ſignified in Writing under the Hands of the nominating and approving Parties) in order that ſuch principal Money and the Dividends ariſing thereon may be applied in any Manner herein-before directed, ſo far as the Caſe ſhall be applicable, without obtaining or being required to obtain the Direction or Approbation of the Court of Chancery.

If under 20l.

XXIV. Provided alſo, and be it further enacted, That where ſuch Money, ſo agreed or awarded to be paid as next before mentioned, ſhall be leſs than the Sum of Twenty Pounds, then and in all ſuch Caſes the ſame ſhall be applied to the Uſe of the Perſon or Perſons who would for the Time being have been entitled to the Rents and Profits of the Hereditaments ſo purchaſed, taken or uſed for the Purpoſes of this Act, in ſuch Manner as the ſaid Truſtees, or any Five or more of them, ſhall think fit, or in caſe of Infancy or Lunacy then to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Uſe and Benefit of ſuch Perſon or Perſons ſo entitled reſpectively.

In caſe of Refuſal to accept, or of not making out Title, &c. Money to be paid into the Bank.

XXV. And be it further enacted, That in caſe the Perſon or Perſons to whom any Sum or Sums of Money ſhalll be awarded for the Purchaſe of any Lands, Tenements, or Hereditaments to be purchaſed by virtue of the ſaid recited Acts or 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 any Five or more of them, or in caſe ſuch 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 and may be lawful to and for the ſaid Truſtees, or any Five or more of them, 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 Court of Chancery, to be placed to his Account 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 of Chancery which ſaid Court on the Application of any Perſon or Perſons making Claim,

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 ſame Court ſhall ſeem meet, to order the ſame to be laid out and inveſted in the Publick 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 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 into the Bank as aforeſaid.

Where any Queſtion ſhall ariſe touching the Title to Money to be paid, the Perſons who may be in Poſſeſſion ſhall be entitled thereto.

XXVI. 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 Court of Chancery, in purſuance of this Act, for the Purchaſe of any Lands, Tenements, or Hereditaments, or of any Eſtate, Right, or Intereſt in any Lands, Tenements, or Hereditaments to be purchaſed in purſuance of the ſaid recited Acts and this Act, or to any Bank Annuities to be purchaſed with any ſuch Money, or the Dividends or Intereſt of any ſuch Bank Annuities, the Perſon or Perſons who ſhall have been in Poſſeſſion of any 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 ſhewn to the Satisfaction of the ſaid Court of Chancery; and the Dividends and Intereſt of the Bank Annuities to be purchaſed with ſuch Money, and alſo the Capital of ſuch Bank Annuities, ſhall be paid, applied, and diſpoſed of accordingly, unleſs it ſhall be made appear to the ſaid Court that ſuch Poſſeſſion was a wrongful Poſſeſſion, and that ſome other Perſon or Perſons was or were lawfully entitled to ſuch Lands, Tenements, or Hereditaments, or to ſome Eſtate or Intereſt therein.

The Court of Chancery may order Expences of Purchaſes to be paid by the Truſtees.

XXVII. 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 under the Authority of the ſaid recited Acts and this Act, the Purchaſe Money for the ſame ſhall be required to be paid into the ſaid Court, and to be applied in the Purchaſe of other Lands, Tenements, or Hereditaments, to be ſettled to the like Uſes in purſuance of the ſaid recited Acts and this Act; and it ſhall and may be lawful to and for the ſaid Court to order the Expence of all Purchaſes from Time to Time to be made in purſuance of the ſaid Acts and this Act, or ſo much of ſuch Expences as the ſaid Court ſhall deem reaſonable, together with the neceſſary Coſts and Charges of obtaining ſuch Order, to be paid by the ſaid Truſtees, who ſhall from Time to Time pay ſuch Sums of Money for ſuch Purpoſes as the ſaid Court ſhall direct.

XXVIII. And

Mortgagee to convey.

XXVIII. And be it further enacted, That every Mortgagee of any Meſſuages, Buildings, Lands, or Hereditaments, which ſhall be purchaſed or acquired by the ſaid Truſtees, or any of them, in purſuance of this Act, his, her, or their Heirs, Executors, Adminiſtrators, and Aſſigns reſpectively, on having Six Calendar Months Notice in Writing given to him, her, or them from the ſaid Truſtees, or any Five or more of them, or any Perſon or Perſons authorized by them, or any Five or more of them, of paying off the Principal and Intereſt Money which ſhall be due on ſuch Mortgages reſpectively, ſhall at the End of the ſaid Six Calendar Months after ſuch Notice, or Payment or Tender of the Principal Money and Intereſt which ſhall be then due, convey and aſſign his, her, and their reſpective Eſtates and Intereſts in and to the ſaid mortgaged Premiſes to the ſaid Truſtees, or any Five or more of them, or to ſuch Perſon or Perſons as they ſhall nominate and appoint in Truſt for the Uſes and Purpoſes of this Act; and if any ſuch Mortgagee his, her, or their Heirs, Executors, Adminiſtrators, or Aſſigns, ſhall refuſe ſo to do, then all Intereſt on every ſuch Mortgage, from the Expiration of the ſaid Six Calendar Months after any ſuch Notice, ſhall ceaſe and determine: Provided always, that in caſe the Sum due upon any ſuch Mortgage or Mortgages, and the Intereſt due thereon, ſhall amount to more than the real Value of or Conſideration to be paid by the ſaid Truſtees for the Purchaſe of any ſuch Buildings, Lands, or Hereditaments, which ſhall be ſo in Mortgage (either ſolely or together with any other Hereditaments) then the ſaid Truſtees ſhall not be liable to pay to ſuch Mortgagee or Mortgagees any more Money than the Amount of ſuch Value or Conſideration as laſt aforeſaid.

Statute Labour.

XXIX. And be it further enacted, That ſo much of the ſaid recited Acts as relates to the Performance of the Work commonly called *Statute Work*, or to the Payment of a Compoſition or Contribution in lieu or in reſpect thereof, ſhall ſo far as the ſame reſpects the ſaid Firſt Diſtrict of Road be and the ſame is hereby declared to be repealed.

For making other Proviſions reſpecting Statute Labour.

XXX. And be it further enacted, That all Perſons who by Law are or ſhall be liable to do Statute Work, or are or ſhall be chargeable towards repairing and amending the Roads comprized in the ſaid Acts, or either of them, or in this Act or any Part thereof, ſhall ſtill remain liable thereto in like Manner as heretofore; and it ſhall be lawful for any Two or more Juſtices of the Peace for the ſaid County of *Lancaſter*, and they are hereby required and empowered, upon Application made to them by the ſaid Truſtees, or any Five or more of them, or by their Treaſurer, Clerk, or Surveyor, by their Order yearly to adjudge and determine what Part or Proportion of the Statute Work or Labour ſhall every Year be done upon the ſaid Roads by the Inhabitants of the reſpective Townſhips or Places in which the ſaid Roads lie, and alſo what Proportion of the Money received by the Surveyor or Surveyors of the Highways of every ſuch Townſhip or Place, in lieu of or as a Compoſition for ſuch Statute Work or Labour as aforeſaid, ſhall be by him, her, or them paid to the ſaid Truſtees, or to their Treaſurer or Treaſurers; and in order thereunto it ſhall be lawful for ſuch Juſtices from Time to Time to ſummon the Surveyor or Surveyors of the Highways of every ſuch Townſhip or Place to bring in Liſts before ſuch Juſtices, at ſome Place to be expreſſed in ſuch

Summons (within Fourteen Days after the ſerving of ſuch Summons) of the Names of the ſeveral Perſons who within ſuch Townſhip or Place are by Law ſubject and liable to do Statute Work or Labour for that Year, or to the Payment of any Money in lieu of or as a Compoſition for ſuch Statute Work or Labour, diſtinguiſhing the Nature of the Work to be done, whether with Teams or with Draughts or otherwiſe, and alſo the Amount of the reſpective Sums to be paid; which Liſts of Names ſhall be made in ſuch Manner and under ſuch Regulations and Reſtrictions as are or may be directed by any Law or Statute in Force and Effect for the Repairs of the publick Highways; and out of ſuch Liſts the ſaid Juſtices ſhall and may allot, appoint, and order ſuch and ſo many of the Perſons who ſhall appear to be ſubject and liable to do Statute Work as aforeſaid, to do ſuch Number of Days Statute Work in every Year upon the ſaid Roads as the ſaid Juſtices ſhall think reaſonable, and the ſame ſhall be done on ſuch Days and at ſuch Times (not being Haytime or Harveſt) and in ſuch Parts of the ſaid Roads as the ſaid Truſtees or their Surveyor or Surveyors ſhall from Time to Time order, direct, and appoint; and the ſaid Juſtices ſhall and may alſo order and direct the Perſons who by ſuch Liſts ſhall appear to be ſubject and liable to the Payment of any Money in lieu of or as a Compoſition for Statute Work or Labour as aforeſaid, to pay ſuch Proportion thereof as the ſaid Juſtices ſhall think proper to the ſaid Truſtees or their Treaſurer at ſuch Time or Times as they the ſaid Juſtices ſhall direct; and in Default of Payment thereof, the ſame ſhall and may be recovered by Diſtreſs and Sale of the Goods and Chattels of the reſpective Perſons liable to the Payment thereof, in like Manner as any Penalty is by the ſaid Acts, or either of them, authorized or directed to be recovered; and each and every Perſon who ſhall neglect or refuſe to do ſuch Statute Work or Labour as aforeſaid, after Notice in Writing given to or left for him, her, or them, at his, her, or their laſt or uſual Place or Places of Abode for that Purpoſe, by any Surveyor to the ſaid Truſtees, ſhall for every Day of his, her, or their Default, or the Default of any Labourer or Labourers, Team or Teams, Draught or Draughts, Horſe or Horſes, Beaſt or Beaſts, to be provided by him, her, or them, be ſubject and liable to ſuch Pains, Penalties, and Forfeitures as ſuch Perſon or Perſons may be ſubject or liable to by any Law or Statute in force or effect for the Repair of the Publick Highways; and if any Perſon who ſhall come to work as a Labourer, or who ſhall be ſent with any Team or Draught to work on the ſaid Roads, ſhall be found idle or negligent by any Surveyor to the ſaid Truſtees, ſuch Surveyor is hereby empowered to remove and diſcharge the Perſon who ſhall be found idle or negligent as aforeſaid, and in that Caſe every ſuch Perſon ſhall be ſubject and liable to the reſpective Forfeitures and Payments aforeſaid as if he had neglected or refuſed to come, or ſuch Team or Draught had not been ſent to work on any Part of the ſaid Roads; all which Forfeitures ſhall be paid to the Treaſurer to the ſaid Truſtees, and applied towards the amending of the ſaid Roads; and if any Surveyor or Surveyors of the Highways for any of the ſaid Townſhips or Places ſhall refuſe or wilfully neglect to give in ſuch Liſts as aforeſaid, or ſhall knowingly or wilfully give in falſe and imperfect Liſts, every ſuch Surveyor ſo offending ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Forty Shillings.

Truſtees may compound for Statute Work.

XXXI. Provided always, and be it further enacted, That it ſhall be lawful for the ſaid Truſtees, or any Five or more of them, to compound and agree, by the Year or otherwiſe, with the Poſſeſſors, Occupiers, Grantees, Feoffees, and Committees of Lands, Tenements, and Hereditaments which are or ſhall be liable to or chargeable with the Repair of any Part of the ſaid Roads, or of any Bridge, Arch, or Sewer, or with any Perſon or Perſons for the Performance of his, her, or their Statute Work thereon; and alſo that it ſhall be lawful for the Surveyor or Surveyors of the Highways of any of the ſaid Townſhips or Places, or the Churchwardens or Overſeers of the Poor reſpectively of ſuch Townſhips or Places, by and with the Conſent of the Majority of the Inhabitants of ſuch Townſhips or Places firſt had at any Veſtry or other Publick Meeting of ſuch Inhabitants, to compound and agree by the Year or otherwiſe with the ſaid Truſtees, or any Five or more of them, for and in lieu of the Statute Work to be performed by ſuch Inhabitants upon any Part or Parts of the ſaid Roads, all which Compoſition Monies ſhall be from Time to Time paid in Advance, and ſhall be applied in Repair of the ſaid Roads; and all ſuch Surveyors, Churchwardens, and Overſeers of the Poor ſhall be reimburſed the Money ſo by them paid in ſuch Manner as the Surveyors of the Highways are by Law to be reimburſed the Monies by them expended in buying Materials for repairing the Highways.

Perſons deviating from the left Side of the Road ſubject to a Penalty.

XXXII. And be it further enacted, That if any Driver of any Waggon, Cart, or other Carriage of Bu den, or any other Carriage whatſoever, ſhall wilfully and without any adequate Cauſe, to be allowed of by the Juſtices, deviate from the left Hand or near Side of the ſaid Roads (other than for the Purpoſe of paſſing any Carriage which may be proceeding before him in the ſame Track, or that may be placed therein), whereby the Paſſage of any Travellers or Carriages upon the ſaid Roads may be impeded or obſtructed, and who ſhall be convicted thereof before any Juſtice of the Peace for the County of *Lancaſter*, either by the Confeſſion of any ſuch Driver, or the Oath of One or more credible Witneſs or Witneſſes, then and in every ſuch Caſe the Owner of ſuch Waggon, Cart, or other Carriage, ſhall forfeit and pay any Sum not exceeding Forty Shillings, with the Coſts and Charges of ſuch Conviction, over and beſides ſuch Damages and Puniſhments as ſuch Owner or Driver ſhall otherwiſe be liable to by Law for any Injury or Damage that may be ſuſtained by reaſon of ſuch Deviation; which ſaid Penalty and Coſts ſhall be recovered and applied in the ſame Manner as other Penalties and Forfeitures are herein directed to be recovered and applied.

For Detection of Offenders.

XXXIII. And for the more eaſy Detection of Offenders againſt the ſaid recited Acts and this Act, be it further enacted, That it ſhall be lawful for any of the Surveyors, Collectors of the Tolls, or other Perſons engaged in the Execution of the ſaid recited Acts and this Act, or for any other Perſon or Perſons who ſhall be upon or near the ſaid Roads, to demand and require the Name and Place of Abode of any Perſon or Perſons who ſhall be ſeen by the ſaid Surveyors or others reſpectively committing any Offence againſt the ſaid recited Acts and this Act; and in caſe the Perſon or Perſons ſo offending ſhall refuſe to make known his or their Name or Names, Place or Places of Abode, or ſhall deliver a falſe Account thereof, it ſhall be lawful for the ſaid Surveyor or other

Perſon in whoſe Preſence ſuch Offence ſhall have been committed, and for any other Perſon or Perſons in Aid of ſuch Surveyor or other Perſon, without any Warrant for that Purpoſe, to apprehend the Perſon or Perſons ſo offending, and to cauſe him or them to be carried before ſome Juſtice of the Peace within the ſaid County, for the Purpoſe of Conviction and Puniſhment according to Law.

Paying the Expences of this Act.

XXXIV. And be it further enacted, That all the Charges and Expences of obtaining and paſſing this Act, ſhall be defrayed out of any Money already collected or received by virtue of the ſaid former Acts, or out of the firſt Monies to ariſe by the ſaid former Acts and this Act, in preference to all other Payments whatſoever.

For Recovery of Penalties.

XXXV. And be it further enacted, That all the Penalties and Forfeitures hereby inflicted and impoſed, ſhall be recovered and levied in ſuch and the ſame Manner as the Forfeitures and Penalties for Offences againſt the ſaid recited Acts are thereby directed to be recovered and levied.

Publick Act.

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

Term and Continuance of this Act.

XXXVII. And be it further enacted, That the Term granted and continued by the ſaid recited Acts ſhall, upon the Fourth *Thurſday* next after the paſſing of this Act ceaſe and determine, and that the ſaid Acts (ſubject as herein-before mentioned) and this Act ſhall from thenceforth continue and be in force, and be executed for and during the Term of Twenty-one Years, and from thence to the End of the then next Seſſion of Parliament.

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