ANNO QUINQUAGESIMO QUARTO

GEORGII III. REGIS.

Cap. 1.

An Act to continue and amend Two Acts of the Thirty-eighth and Forty-third Years of His present Majesty, for more effectually repairing that Part of the Roads from *Manchester* to *Rochdale*, *Bury*, and *Radcliffe Bridge*, all in the County Palatine of *Lancaster*, which is called *The Manchester District*, and for making and maintaining a new Branch of Road to communicate therewith.

[6th *December* 1813.]

WHEREAS an Act was passed in the Thirty-eighth Year of the Reign of His present Majesty, intituled *An Act for more effectually repairing, widening, altering, and improving the Road from the Town of* Manchester, *by a Place called the* White Smithy, *in the Township of* Crumpsall, *to the Town of* Rochdale; *and also the Road from the said Place called the* White Smithy, *by a Place called* Besses of the Barn, *to the Town of* Bury; *and also the Road from the said Place called* Besses of the Barn *to* Radcliffe Bridge; *and also the Lane called* Sheepfoot Lane, *in the Township of* Prestwich, *all in the County Palatine of* Lancaster, whereby the said Road was divided into Three several Districts, and a certain Part thereof, therein particularly described, was directed to be called *The Manchester District*: And whereas another Act was passed in the Forty-third Year of the Reign of His present Majesty, intituled *An Act for continuing the Term, and altering and enlarging the Powers of an Act, passed in the Thirty-eighth Year of the Reign of His present Majesty, intituled* 'An Act 'for

38 G. 3. c. 11.

43 G. 3. c. 8.

'*for more effectually repairing, widening, altering, and improving the Road* '*from the Town of* Manchester, *by a Place called the* White Smithy, *in the* '*Townſhip of* Crumpſall, *to the Town of* Rochdale; *and alſo the Road from* '*the ſaid Place called the* White Smithy *by a Place called* Beſſes of the '*Barn to the Town of* Bury; *and alſo the Road from the ſaid Place called* '*Beſſes of the Barn to* Radcliffe Bridge, *and alſo the Lane called* Sheepfoot '*Lane, in the Townſhip of* Preſtwich, *all in the County Palatine of* Lancaſter;' *ſo far as the ſame relates to a certain Diſtrict of Road therein deſcribed, called* The Manchester Diſtrict: And whereas the Truſtees, acting under and by virtue of the ſaid Two ſeveral Acts for the ſaid Diſtrict, called *The Manchester Diſtrict*, have proceeded to put the ſame into Execution, and a conſiderable Progreſs hath been made in repairing and improving the Roads within the ſaid Diſtrict, but a large Sum of Money heretofore borrowed ſtill remains due and owing on the Credit of the Tolls ariſing within the ſaid Diſtrict: And whereas the preſent Entrance into the Town of *Manchester*, from the End of the ſaid Road, is ſteep and incommodious, and it would be of great public Utility if a new Branch of Road were made to communicate with the preſent Line of Road at or near a certain Place in the Townſhip of *Chetham*, called *Stocks*, and to lead from thence to and into the Town of *Manchester*, by Means of a Bridge to be erected acroſs the River *Irk*, and to end within a certain Street in the ſame Town, called *Millers Street*, at the Point or Place where the ſame Street is interſected or joined by another Street, called *Beſwick's Row*; but the ſame cannot be effected without the Aid and Authority of Parliament: 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 Firſt recited Act of the Thirty-eighth Year of the Reign of His preſent Majeſty, and all and every the Powers, Authorities, Proviſions, Regulations, Penalties, Forfeitures, Clauſes, Matters, and Things therein contained, (except ſuch as are by the ſaid laſt recited Act of the Forty-third Year of the Reign of His preſent Majeſty, or by this Act varied, altered, or repealed), ſo far as the ſame relate to the ſaid Diſtrict, called *The Manchester Diſtrict*: And alſo that the ſame Act of the Forty-third Year of the Reign of His preſent Majeſty, and all and every the Powers, Authorities, Proviſions, Regulations, Penalties, Forfeitures, Clauſes, Matters, and Things therein contained, (except only ſuch as are hereby varied, altered, or repealed) ſhall reſpectively be and continue in full Force, and be executed for and during the Term herein-after mentioned, as fully and effectually, to all Intents and Purpoſes, as if the ſame were repeated and re-enacted in the Body of this Act, and ſhall be applied and put in Execution with reſpect not only to the ſaid preſent Diſtrict of Road, called *The Manchester Diſtrict*, but alſo to the ſaid new Branch of Road and intended Bridge, and alſo to the Toll Houſe and Toll Gate to be erected thereon, and to the Tolls hereby granted, and to the borrowing Money upon the Credit thereof, and giving Securities for the ſame, and to all other Matters and Things relating to the ſaid new Branch of Road, as fully and effectually, to all Intents and Purpoſes, as if the ſame new Branch of Road had originally formed Part of the ſaid *Manchester* Diſtrict; and that the ſame new Branch of Road, when made, ſhall be added to and conſidered as Part of the ſame Diſtrict.

Acts continued.

II. And

Power to enter Lands, and make new Branch of Road and Bridge.

II. And be it further enacted, That it ſhall be lawful for the ſaid Truſtees, or any Five or more of them, and for their Surveyor or Surveyors, and Workmen, with or without Carriages and Cattle, from Time to Time, to enter upon the Lands and Grounds through or near which, or whereupon the ſaid new Branch of Road hereby authorized to be made, or any Part thereof, is intended to paſs, and to ſtake, and mark out the ſame, of ſuch Width, not exceeding Sixty Feet, (including the Ditches on each Side thereof, but excluſive of the Slopes and Embankments neceſſary for carrying the ſame over the hollow Parts of the Land) and in ſuch Manner as the ſaid Truſtees, or any Five or more of them, ſhall think neceſſary or proper; and alſo to make, form, embank, and complete the ſame Branch of Road, and afterwards from Time to Time to repair, maintain, alter, and improve the ſame; and alſo to ſet out, level, erect, and make, and afterwards to repair, maintain, and alter the ſaid intended Bridge acroſs the ſaid River *Irk*, and to cart, convey, and lay down the neceſſary Materials and Implements for all or any ſuch Purpoſes, without being deemed a Treſpaſſer or Treſpaſſers, and without being ſubject or liable to any Fine, Penalty, or Puniſhment, for entering or continuing upon any Part or Parts of ſuch Lands or Grounds reſpectively, for any of the Purpoſes of this Act, making Satisfaction to the Occupiers of ſuch Lands and Grounds for the Damage that ſhall be done to the Land or Ground on the Sides of the ſaid Road, whilſt the ſame ſhall be making.

Truſtees empowered to contract for the Purchaſe of Houſes.

III. And be it further enacted, That it ſhall be lawful for the ſaid Truſtees, or any Five or more of them, and they are hereby authorized and empowered to contract and agree with the ſeveral Owners, Proprietors, and Occupiers of, and Perſons entitled unto and intereſted in all and every or any of the Meſſuages, Dwelling Houſes, Cottages, Shops, Buildings, Yards, Lands, Gardens, Grounds, Tenements, or Hereditaments, mentioned in the Schedule hereunto annexed, for the purchaſe of the ſame, or of ſo much and ſuch Part or Parts thereof as ſhall be neceſſary for making, forming, erecting, altering, widening, enlarging, and making more commodious and convenient to the Public, the ſaid new Branch of Road and intended Bridge hereby authorized to be made and erected; and in caſe ſuch Owners, Proprietors, or Occupiers of the ſaid Premiſes, or any of them, ſhall, for the Space of Thirty Days next after Notice given or left at the Houſe of the Tenant in Poſſeſſion, neglect or refuſe to treat, or ſhall not agree, or by reaſon of Abſence ſhall be prevented from treating, then and in every ſuch Caſe the Value thereof, or Recompence for the ſame, ſhall be adjudged, ſettled, and determined by a Jury in ſuch Manner, and under the ſame Rules and Regulations as by the ſaid recited Acts, or either of them, are, or is preſcribed, for ſettling Recompence and Damages on account of the Land to be taken or uſed for widening or altering any of the Roads therein directed to be amended and repaired: Provided always, that this Act ſhall not extend to, or authorize the taking down of any Dwelling Houſe or other Buildings, or the taking in of any Garden, Orchard, Yard, Park, planted Walk or Avenue to any Houſe or Plantation, or Nurſery of Trees (except ſuch as are mentioned in the ſaid Schedule to this Act annexed) without the Conſent in Writing of the Owner or Proprietor thereof.

Houſes and Gardens, &c. not to be taken down without Conſent, except ſuch as are mentioned in Schedule.

Powers to eject Tenants, &c. after Notice to quit.

IV. And be it further enacted, That in caſe the ſaid Truſtees, or any Five or more of them, or any Perſon authorized by them, or any Five or more

more of them, ſhall, after any Meſſuages, Buildings, Grounds, Hereditaments, or Premiſes, or Part or Parts thereof reſpectively ſhall be purchaſed, or valued, and aſſeſſed by a Jury in purſuance of the ſaid recited Acts or of this Act, or of any or either of them, give Six Calendar Months Notice, in Writing, to all and every the Tenants and Occupiers of any ſuch Meſſuages, Buildings, Ground, Hereditaments, or Premiſes, or Part or Parts of the ſame, which ſhall be ſo purchaſed, or valued, and aſſeſſed, to quit, or deliver up the Poſſeſſion of ſuch Meſſuages, Buildings, Ground, Hereditaments, or Premiſes, or Part or Parts thereof, at the Expiration of ſuch Six Calendar Months, then all and every ſuch Tenants or Occupiers ſhall, at the End of ſuch Six Calendar Months, after every ſuch Notice, peaceably and quietly deliver up the Poſſeſſion of the Premiſes ſo by him, her, or them reſpectively occupied, to the Perſon or Perſons who ſhall be appointed by the ſaid Truſtees to take Poſſeſſion thereof; and if any Perſon or Perſons ſo in Poſſeſſion, ſhall refuſe to give up ſuch Poſſeſſion at the Expiration of ſuch Six Calendar Months after every ſuch Notice as aforeſaid, it ſhall be lawful for the ſaid Truſtees, or any Five or more of them, from Time to Time, to iſſue a Precept or Precepts to the Conſtables of the Townſhips of *Mancheſter* and *Chetham*, or either of them, to cauſe Poſſeſſion thereof to be delivered to ſuch Perſon or Perſons as ſhall be in ſuch Precept or Precepts nominated to receive the ſame; and the ſaid Conſtables, or any or either of them, or their Deputy or Deputies, are and is hereby authorized and required to deliver Poſſeſſion, according to ſuch Precept or Precepts, of the Premiſes therein mentioned, and to levy ſuch Coſts as ſhall accrue, for and by Means of the iſſuing and Execution of every ſuch Precept or Precepts, by Diſtreſs and Sale of the Goods and Chattels of any Perſon or Perſons who ſhall have refuſed to give up ſuch Poſſeſſion as aforeſaid, and ſhall refuſe or neglect to pay the ſame Coſts, and which Coſts ſhall be aſcertained by any Two Juſtices of the Peace for the ſaid County of *Lancaſter*: Provided always, that where any ſuch Tenant ſhall be required to quit or deliver up Poſſeſſion of the Premiſes held by him or her before the Expiration of the then current Year of his or her holding the ſame, then and in every ſuch Caſe the ſaid Truſtees ſhall pay to each ſuch Tenant ſo much Money as ſhall be ſufficient to make Satisfaction to him or her for the Loſs or Damage which he or ſhe ſhall ſuſtain by reaſon of ſuch quitting as aforeſaid; the Amount of ſuch Satisfaction (in caſe of any Difference reſpecting the ſame) to be aſſeſſed by a Jury in Manner directed by the ſaid recited Acts.

Truſtees may erect a Turnpike-gate, or Toll-houſe.

V. And be it further enacted, That the ſaid Truſtees, or any Five or more of them, ſhall and may, as ſoon as conveniently may be, after the ſaid intended new Bridge ſhall be erected, cauſe to be erected and ſet up a Turnpike or Toll-gate, in, upon, or acroſs the ſaid Road, at or upon the ſaid Bridge, or within the Diſtance of Twenty Yards from one End thereof, which ſaid Turnpike or Toll-gate ſhall be called the *Bridge Gate*, and from Time to Time, as Occaſion may require, ſhall and may remove the ſame Turnpike or Toll-gate, and erect or ſet up another Turnpike or Toll-gate in lieu thereof, at any Place within the Diſtance aforeſaid, and ſhall and may from Time to Time erect and provide ſuch Toll-houſe or Toll-houſes, near or adjoining to the ſaid Turnpike or Toll-gate, as the ſaid Truſtees, or any Five or more of them, ſhall think proper; and for that Purpoſe ſhall and may direct the Expences of ſetting up ſuch Turnpikes and Toll-gates, and of building and erecting ſuch Toll-houſes, and keeping

keeping up and ſupporting the ſame, to be borne and paid by and out of the Monies to be raiſed, procured, or collected on the ſaid Diſtrict, by and under the Powers of the ſaid recited Acts and this Act, in the Manner herein-after mentioned and provided.

Tolls to be taken.

VI. And be it further enacted, That the reſpective Tolls following ſhall be demanded and taken at the Turnpike or Toll-gate to be erected as aforeſaid, and to be called the *Bridge-gate*, by ſuch Perſon or Perſons as the ſaid Truſtees, or any Five or more of them, ſhall from Time to Time appoint for that Purpoſe, before any Foot Paſſenger, or any Horſe, or other Cattle, or any Coach, Waggon, or other Carriage ſhall be permitted to paſs through the ſame, that is to ſay,

Tolls.

For every Foot Paſſenger, and for every Perſon in a Waggon or Cart, or other ſuch like Carriage, other than the Driver thereof, One Halfpenny:

For every Coach, Berlin, Landau, Chaiſe, Chair, Calaſh, Hearſe, or other ſuch like Carriage, with the Driver or Drivers thereof, drawn by Five or Six Horſes, or Beaſts of Draught, the Sum of Sixpence, and drawn by Four or Three Horſes, or Beaſts of Draught, the Sum of Three-pence, and drawn by Two Horſes, or Beaſts of Draught, the Sum of Two-pence, and drawn by One Horſe, or Beaſt of Draught, the Sum of One Penny:

For every Waggon, or other ſuch like Four Wheel Carriage, with the Driver thereof, drawn by Seven or Eight Horſes, or Beaſts of Draught, the Sum of Eight-pence, and drawn by Five or Six Horſes, or Beaſts of Draught, the Sum of Six-pence, and drawn by Four, or leſs than Four Horſes, or Beaſts of Draught, the Sum of Four-pence:

For every Cart or other like Two Wheel Carriage, with the Driver thereof, drawn by Four or Five Horſes, or Beaſts of Draught, the Sum of Four-pence, and drawn by Three Horſes, or Beaſts of Draught, the Sum of Three-pence, and drawn by leſs than Three Horſes, or Beaſts of Draught, the Sum of Two-pence:

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

For every Drove of Oxen, or Neat Cattle, Calves, Swine, Sheep, or Lambs, the Sum of Five-pence *per* Score, and ſo in Proportion for a greater or leſs Number:

Tolls veſted in Truſtees.

Which ſame reſpective Sums of Money ſhall be demanded and taken in the Name of, or as a Toll; and that the ſame Tolls, and all other the Tolls to be collected or levied by virtue of this Act, and the ſeveral Toll Houſes to be erected or continued under the Authority of the ſame, with their reſpective Appurtenances, ſhall be, and the ſame are hereby veſted in the ſaid Truſtees, and ſhall be applied and diſpoſed of as herein-after mentioned, and may be mortgaged and aſſigned over in ſuch and the like Manner and Form as is in the ſaid recited Act of the Thirty-eighth Year of His preſent Majeſty's Reign expreſſed or directed with reſpect to the Tolls thereby directed to be collected and levied, and the Toll Houſes, with their Appurtenances therein mentioned.

The Toll to be paid only once a Day.

VII. Provided always, and be it further enacted, That no Foot Paſſenger, or Perſon in a Waggon or Cart, or other ſuch like Carriage, (other than the Driver thereof) who ſhall have paid Toll for paſſing through the ſaid Bridge Gate, nor any Horſe, or other Cattle, nor any Coach, Waggon,

or other Carriage, in reſpect of which ſuch Toll ſhall have been paid for paſſing through the ſaid Gate, ſhall be liable to any Toll for paſſing again through the ſaid Bridge Gate, at any Time or Times, and as often as Occaſion may require on the ſame Day, before Twelve of the Clock at Night, but ſhall paſs Toll-free on producing a Note or Ticket to the Collector of the Tolls at ſuch Turnpike or Toll Gate, which Note or Ticket ſuch Collector of the Tolls is hereby required to deliver *gratis* on Receipt of the Toll.

Exemptions from Tolls in the former Act repealed,

VIII. And be it further enacted, That from and after the paſſing of this Act the Exemptions granted by the ſaid Firſt recited Act of the Thirty-eighth Year of the Reign of His preſent Majeſty, on the ſaid Diſtrict of Road, ſhall be, and the ſame are hereby repealed.

And others granted.

IX. And be it further enacted, That no Toll ſhall be demanded or taken for any Horſe, Cattle, Beaſt, or Carriage, employed in carrying or conveying, or going to carry or convey, or returning from carrying or conveying, having been employed only in carrying or conveying on the ſame Day, any Stones, Bricks, Timber, Wood, Gravel, or other Materials, for repairing of the Roads within the ſaid Diſtrict, or any of the Roads in the Townſhips, Pariſhes, or Hamlets, in which any Part of ſuch Roads lie, or any Mud, Sluſh, Mould, Rubbiſh, or Soil, of any Part of the ſame Roads, or Hay, Straw, or Corn in the Straw only, not ſold or diſpoſed of, or conveying to be ſold, but paſſing to be laid up or placed in the Out Houſes, or on the Lands of the Owners, or for any Horſe, Cattle, Beaſt, or Carriage employed in carrying or conveying, or going empty to carry or convey, or returning from carrying or conveying, having been employed only in carrying or conveying any Ploughs, Harrows, or Implements of Huſbandry, or any Dung, Lime, or other Manure, or for any Horſes or Cattle going to, or returning from Paſture or Watering Places, or going to be, or returning from being ſhoed and farried, or for any Cattle or Carriage going to, or returning from any Corn Mill, in any of the Pariſhes or Townſhips wherein the Roads compriſed within the ſaid Diſtrict lie, for or with any Corn, Grain, Malt, Meal, or Flour, ground, or to be ground, for the Owner's Uſe or Conſumption, or from any Perſon going to, or returning from his or her proper Parochial Church, Chapel, or other Place of Religious Worſhip tolerated by Law, on a *Sunday*, or upon any other Day on which Divine Service is ordered by Authority to be celebrated, or attending the Funeral of any Perſon that ſhall die and be buried in any of the ſaid Pariſhes, or from any Clergyman going to or returning from viſiting any Sick Perſon, or upon his other Parochial or Miniſterial Duty on a *Sunday*, or on any other Day on which Divine Service is ordered by Authority to be celebrated; or for any Horſe, 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 Poſt-Maſter General, either when employed in conveying, fetching, or guarding ſuch Mails or Expreſſes, or in returning back from conveying the ſame; or for any Horſe, Cattle, or Beaſt attending any Soldiers upon their March, or on Duty, or drawing any Carriage attending them, 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 Public Stores, of or belonging to

to His Majesty, or for the Use of His Majesty's Forces; or for any Horse, Cart, Carriage, or Beast employed in the Conveyance of Vagrants, sent by legal Passes, or returning therefrom; or for any Horse, Cattle, or Beast, carrying or conveying any Person or Persons going to vote, or returning from voting, at any Election of a Knight or Knights of the Shire, to serve in Parliament for the 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 that no Toll shall be demanded or taken, for any Horse, Mare, or Gelding, furnished by or for any Persons belonging to any Corps of Yeomanry, or Volunteer Cavalry, and rode by them, in going to or returning from the Place appointed for and on the Days of Exercise, provided that such Persons shall be dressed 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 Exemptions as aforesaid; and if any Person or Persons shall in any fraudulent or collusive Manner whatever, claim or take the Benefit of any of the Exemptions by this Act granted, not being entitled to the same, every such Person shall forfeit and pay for every such 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 Acts and this Act.

Carriages conveying Military Stores, not to be subject to Penalties for Over-weight, &c.

X. 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 public 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 Over-weight; 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 contained, to the contrary notwithstanding.

Road to be made according to Plan and Book of Reference;

XI. And whereas a Map or Plan, describing the Line of the said new Branch of Road, and the Lands through which the same are to be carried, together with a Book of Reference, containing Lists of the Names of the Owners, or reputed Owners or Occupiers, of such Lands, have been deposited at the Office of the Clerk of the Peace for the County of *Lancaster*; be it therefore enacted, That the said Map or Plan, and Book of Reference, shall remain in the Custody of the Clerk of the Peace for the said County, to the End that all Persons may, at any reasonable Times, have Liberty to inspect and peruse the same, and to take Copies or Extracts thereof at their Will and Pleasure, paying to the said Clerk of the Peace the Sum of Two Shillings and Sixpence for every such Inspection, and at the Rate of Eight Pence 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, widening, or repairing the said Road or 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 Perſon or Perſons, Body Politic, Corporate, or Collegiate, through whoſe Lands or Grounds ſuch Deviation ſhall be made.

notwithſtanding Miſnomers in the Plan.

XII. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Truſtees, or any Five or more of them, to make the ſaid 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, although the Name or Names of ſuch Perſon or Perſons may happen to be erroneouſly deſcribed or 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, after a certain Term, ſuſpend Payment of Tolls.

XIII. And be it further enacted, That at any Time or Times after the Expiration of Seven Years from the Day when the Tolls ſhall begin to be demanded and taken at the ſaid Bridge Gate, it ſhall and may be lawful for the ſaid Truſtees, or any Seven or more of them, at any public Meeting to be held for that Purpoſe, of which Fourteen Days Notice ſhall be given in Writing, to be affixed on all the Turnpike Gates which ſhall be then erected within the ſaid Diſtrict, and inſerted in one or more of the *Manchester* Newſpapers, if any ſuch ſhall be then printed (the ſaid Notice expreſſing the Purpoſe for which ſuch Meeting is to be held), to direct that the Payment of the Tolls hereby granted for paſſing over the ſaid Bridge ſhall be ſuſpended for ſuch Time as they may think proper, and from Time to Time to continue ſuch Suſpenſion, or to direct that the Tolls granted by this Act ſhall again be taken for paſſing over the ſaid Bridge, for ſuch Period during the Continuance of this Act, as they or any Seven or more of them ſhall think neceſſary and expedient.

Application of the Tolls.

XIV. And be it further enacted, That as well all Monies and other Effects which the ſaid Truſtees under the ſaid recited Acts, or any of ſuch Truſtees acting or who ſhall have acted within and for the ſaid *Manchester* Diſtrict, or any Treaſurer or other Perſon on their or his Behalf, are or is poſſeſſed of or entitled unto under and by virtue of the ſaid Acts, and alſo all Monies which ſhall or may be collected under the Powers or Authorities of this preſent Act, ſhall be by the ſaid Truſtees, or any Five or more of them acting within and for the ſame Diſtrict, applied in the Manner herein-after mentioned, that is to ſay, the Expences of procuring and paſſing this Act, and all other incidental Charges relating thereto and attending the ſame, ſhall be firſt paid and diſcharged; and after full Payment thereof, the Remainder of ſuch Monies ſhall be chargeable with and applied to the Payment and Diſcharge of all ſuch Sums of Money as are now due and owing upon the Credit of the Tolls ariſing or to be collected within the ſaid *Manchester* Diſtrict, together with the Intereſt of ſuch Sums reſpectively, according to their reſpective Priorities; and in the next Place to the Payment and Diſcharge of all ſuch other Sums of Money as ſhall hereafter be borrowed upon the Credit of the ſame laſt mentioned Tolls, and other the Tolls hereby granted; and from and after full Payment thereof, and in the mean Time ſubject thereto, ſhall be applied as well in and towards the making, maintaining, repairing, widening, and improving the preſent Roads within the ſaid Diſtrict, as alſo the making and compleating the ſaid new Branch of Road, and the erecting and compleating

pleating the ſaid intended Bridge, and afterwards repairing, widening, rebuilding, altering, and improving the ſame new Branch of Road and Bridge reſpectively, and for other the Purpoſes of this Act, and of the ſaid recited Acts, in regard to the ſame Diſtrict and new Branch of Road and Bridge reſpectively, and to or for no other Uſe or Purpoſe whatſoever.

In caſe of Refuſal to accept Purchaſe Monies, the ſame to be paid into the Bank.

XV. 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 by virtue of this Act and the ſaid recited Acts, or either of them, ſo far as the ſame relate to the ſaid Diſtrict called *The Mancheſter Diſtrict*, 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 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 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 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 thereto, 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 of Money into the Bank as aforeſaid.

Subject to the Order of the Court of Chancery on Motion or Petition.

Reſpecting diſputed Titles.

XVI. 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 or the ſaid recited Acts, ſo far relates to the ſaid Diſtrict, for the Purchaſe of any Lands or Hereditaments, or of any Eſtate, Right, or Intereſt in any Lands or Hereditaments, to be purchaſed in purſuance thereof, or to any Bank Annuities, to be purchaſed with any ſuch Money, or to the Dividends or Intereſt, of any ſuch Bank Annuities, the Perſon or Perſons who ſhall have been in Poſſeſſion of ſuch Lands 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 and Hereditamants, according to ſuch Poſſeſſion, until the contrary ſhall be ſhewn to the

Satisfaction of the ſaid Court of Chancery; and the Dividends or 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 or Hereditaments, or to ſome Eſtate or Intereſt therein.

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

XVII. Provided alſo, and be it further enacted, That when by reaſon of any Diſability or Incapacity of the Perſon or Perſons, or Corporation entitled to any Lands or Hereditaments, to be purchaſed under the Authority of the ſaid recited Acts and this Act, ſo far as relates to the ſaid Diſtrict, 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 or Hereditaments to be ſettled to the like Uſes, in purſuance of the ſaid recited Acts and 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 the ſaid recited Acts and this Act, ſo far as relates to the ſaid Diſtrict, 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 ſuch Truſtees, or any Five or more of them, out of the Monies to be received by virtue of the ſaid recited Acts and this Act, within the ſaid Diſtrict, who ſhall from Time to Time pay ſuch Sums of Money for ſuch Purpoſes as the ſaid Court ſhall direct.

Statute Work.

XVIII. And be it further enacted, That ſo much of the ſaid recited Acts as relate to the Performance of Statute Labour on the ſaid Diſtrict, ſhall be, and the ſame is hereby repealed; and that all Perſons who by Law are, or ſhall be liable to do Statute Work, or are or ſhall be liable towards repairing and amending the ſaid Roads, or any Part thereof, ſhall ſtill remain liable thereto, in like Manner as heretofore; and that it ſhall and may be lawful to and for 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 by their Clerk or Surveyor, or by their Order, Yearly to adjudge and determine what Part or Proportion of the Statute Work ſhall every Year be done upon the ſaid Roads by the Inhabitants of the reſpective Pariſhes or Places in which the ſaid Roads do lie; and alſo what Proportion of the Money received by the Surveyor or Surveyors of the Highways of every ſuch Pariſh or Place in lieu of, or as a Compoſition for ſuch Statute Work as aforeſaid, ſhall be by him, her, or them, paid to the ſaid Truſtees or their Treaſurer or Treaſurers; and in order thereunto, it ſhall and may be lawful to and for ſuch Juſtices from Time to Time to ſummon the Surveyor or Surveyors of the Highways for every ſuch Pariſh or Place, to bring in Liſts before ſuch Juſtices at ſome Place to be expreſſed in ſuch Summons (within Ten Days after the ſerving ſuch Summons), of the Names of the ſeveral Perſons who, within ſuch Pariſh or Place, are by Law ſubject and liable to do Statute Work for that Year, or to the Payment of any Money in lieu of or as a Compoſition for ſuch Statute Work, diſtinguiſhing the Nature of the Work to be done, whether with Teams or 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 or

Effect

Effect for the Repairs of the Public 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 be subject and liable to 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 at such Days or at such Times (not being Hay-time 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 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 Penalties by this Act are authorized or directed to be recovered; and each and every Person who shall neglect or refuse to do such Statute Work as aforesaid, after Notice in Writing given to or left for him, her, or them, at his, her, or their usual Place or Places of Abode for that Purpose, by any Surveyor of 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 Statute or Law in force or effect for the Repair of the Public Highways; and if any Person who shall come to work as a Labourer, or 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 turn off 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 amending the said Roads, and in case the said Surveyor or Surveyors of the Highways for any of the said Parishes or Places, shall refuse or wilfully neglect to give in such Lists as aforesaid, or shall knowingly and wilfully give in false or imperfect Lists, every such Surveyor so offending shall, for every such Offence, forfeit and pay any Sum not exceeding Five Pounds.

For compelling Subscribers to pay their Subscription.

XIX. And be it further enacted, That the several and respective Persons who have subscribed Money for and towards the making the said new Branch of Road, and erecting the said intended Bridge, shall and they are hereby required to pay the Sum or Sums of Money so subscribed within such Time or Times, and in such Parts and Proportions as the said Trustees, or any Five or more of them, shall from Time to Time order and direct, and the same shall be paid to such Person or Persons, as the said Trustees, or any Five or more of them, shall, by any Writing under their Hands, authorize to receive the same; and if any Person or Persons shall neglect or refuse to pay the same, or any Part thereof as aforesaid, it shall be lawful for the said Trustees, or any Five or more of them, to sue for and recover the same in the Name of the said Trustees, or any Five or more

more of them, or in the Name or Names of their Clerk or Clerks, Treasurer or Treasurers, in any of His Majesty's Courts of Record, by Action of Debt, or on the Case, or by Bill, Plaint, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, or more than One Imparlance shall be allowed.

Public Act.

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

Commencement and Continuance of this Act.

XXI. And be it further enacted, That the Term granted by the said last recited Act of the Forty-third Year of His present Majesty's Reign, shall, upon the passing hereof, cease and determine; and that the said Two recited Acts (subject to the Alterations and Amendments aforesaid) and this Act, shall from thenceforth continue and be in force, and be executed with respect to the said District of Road, and the said new Branch of Road, for and during the Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament.

The SCHEDULE to which this Act refers.

A Garden, Stable, Warehouse, and Out Buildings, with their respective Appurtenances in Manchester aforesaid, belonging to the Right Honourable Thomas Moreton Lord Ducie, and in the Occupation of Thomas Sefton.

A Cottage, with the Appurtenances, in Manchester aforesaid, also belonging to the said Thomas Moreton Lord Ducie, in Lease to the said Thomas Sefton, and in the Occupation of the said Thomas Sefton and of James Barker as his Under-tenant, or the one of them.

A Dwelling House, Dye House, Work Shops, Out Buildings, and Garden, with the Appurtenances, in Manchester aforesaid, also belonging to the said Thomas Moreton Lord Ducie, and in the Occupation of Blackwall Verdon.

A Dwelling House, with the vacant Land and Appurtenances, in Manchester aforesaid, belonging to James Heath, and in the Occupation of Joseph Westgarth.

A Dwelling House, Dye House, and Out Buildings, in Manchester aforesaid, belonging to Mary Parkins, and in the Occupation of Martha Blinston.

A Dwelling House and Shop, with the Appurtenances, in Manchester aforesaid, belonging to Samuel Edwards, and now unoccupied.

A Cottage, with the Appurtenances, in Manchester aforesaid, belonging to Jonathan Peake, and in the Occupation of James Hargrave.

Another Cottage, with the Appurtenances, in Manchester aforesaid, belonging to the said Jonathan Peake, and now unoccupied.

Two Cottages, in Manchester aforesaid, belonging to Henry Bond, and in the several Occupations of Henry Lord and John Bullen.

LONDON: Printed by George Eyre and Andrew Strahan,
Printers to the King's most Excellent Majesty. 1813.