ANNO QUINQUAGESIMO SEXTO

GEORGII III. REGIS.

Cap. lxii.

An Act for building a Bridge acroſs the River *Irwell*, from the Townſhip of *Salford*, in the Pariſh of *Mancheſter*, to *Strangeways*, in the Townſhip of *Cheetham*, all in the County of *Lancaſter*; and for making proper Avenues thereto.

[20th *June* 1816.]

WHEREAS it would be of great public Utility if a Bridge were erected acroſs the River *Irwell* from a certain Place in the Townſhip of *Salford*, in the Pariſh of *Mancheſter*, in the County of *Lancaſter*, to the oppoſite Side of the ſaid River in *Strangeways*, in the Townſhip of *Cheetham* in the ſaid County; and that ſuitable and convenient Avenues, Ways, and Paſſages ſhould be made to and over ſuch Bridge from a certain Place called *Green Gate* in *Salford* aforeſaid, to and through *Strangeways* in *Cheetham* aforeſaid; 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 *Thomas* Lord *Ducie*, *William David Evans*, *George Philips*, *Nathaniel Philips*, *William Grant*, *Robert Turner*, *Richard Potter*, *William Lomas*, *George Lomas*, *Abraham Roſe*, *John Bradbury*, *John Walker*, *Alexander Patterſon*, *Benjamin Booth*, *John Sherratt*, and *William Johnſon*, together with ſuch other Perſon or Perſons as ſhall at any Time hereafter be poſſeſſed of One or more Share or Shares as hereinafter mentioned of and

Subſcribers incorporated.

and in the ſaid Bridge, ſhall be and are hereby united into a Company for the erecting, making, completing, and maintaining the ſaid Bridge, and the Avenues, Ways, and Paſſages, communicating thereto and therewith, according to the Rules, Orders, and Directions hereinafter expreſſed, and ſhall for that Purpoſe be and become One Body Corporate, by the Name of "The Company of Proprietors of the *Strangeways* Bridge," and by that Name ſhall have perpetual Succeſſion, and ſhall have a Common Seal, and by that Name ſhall and may ſue and be ſued, and alſo ſhall and may have Power and Authority to purchaſe Lands and other Hereditaments to them their Succeſſors and Aſſigns for making, erecting, forming, and completing the ſaid Bridge and Ways, without incurring any of the Penalties or Forfeitures of the Statutes of Mortmain.

Company may raiſe among themſelves a Sum not exceeding 4200l.

II. And be it further enacted, That it ſhall be lawful for the ſaid Company of Proprietors to raiſe and contribute among themſelves any Sum or Sums of Money, not exceeding in the Whole the Sum of Four thouſand two hundred Pounds, (except as hereinafter is mentioned,) which ſaid Sum or Sums of Money ſhall be laid out and applied in the firſt Place in diſcharging the Expences of obtaining and paſſing this Act, and of the Surveys, Plans, and Eſtimates, and other incidental Expences relating thereto, and then for and towards the making and completing of the ſaid Bridge, and paying the Purchaſe Money for the Meſſuages, Lands, and Hereditaments hereby authorized to be purchaſed, and otherwiſe for putting this Act into Execution, and that the ſaid Sum of Four thouſand two hundred Pounds ſhall be divided into Shares of Fifty Pounds each, and that the ſaid Shares ſhall be and they are hereby veſted in the ſaid ſeveral Perſons, and Bodies Politic, Corporate, or Collegiate ſo ſubſcribing, and their ſeveral and reſpective Executors, Adminiſtrators, Succeſſors, and Aſſigns, to their and every of their proper Uſe and Benefit, proportionably to the Sums they ſhall ſeverally pay and contribute; and all Bodies Politic, Corporate, and Collegiate, and all other Perſons, their ſeveral and reſpective Succeſſors, Executors, Adminiſtrators, and Aſſigns, who ſhall ſeverally ſubſcribe for One or more Share or Shares, ſhall be entitled to and receive an equal proportionable Part, according to the Money ſo by them reſpectively paid, of the Profits and Advantages that ſhall and may ariſe and accrue by the Tolls, Rates, and other Sums of Money to be raiſed, recovered, or received by the ſaid Company of Proprietors by the Authority of this Act, as hereinafter mentioned; and every Body Politic, Corporate, and Collegiate, and Perſon and Perſons having ſuch Property in the ſaid Undertaking as aforeſaid, ſhall bear and pay a proportionable Sum towards carrying on the ſame in Manner herein directed and appointed.

Shares to be Perſonal Eſtate.

III. And be it futher enacted, That all and every the Shares and Proportions of all Bodies Politic, Corporate, and Collegiate, and all other Perſon and Perſons of and in the ſaid Undertaking, or the Joint Stock or Fund of the ſaid Company of Proprietors, ſhall be deemed perſonal Eſtate and tranſmiſſible as ſuch, and not of the Nature of real Property.

Subſcribers to have Votes according to the Number

IV. And be it further enacted, That all and every Body and Bodies Politic, Corporate, or Collegiate, or other Perſon or Perſons who ſhall, by virtue of this Act, have ſubſcribed or undertaken for Two Shares in the

said Undertaking, his, her, or their respective Successors, Executors, Administrators, and Assigns, shall have One Vote in the several Assemblies to be holden as hereinafter appointed for carrying on the said Undertaking, for such Two Shares, and if possessed of Six Shares Two Votes, if Ten Shares Three Votes, and if Twenty Shares Four Votes, and Fifty Shares and upwards Ten Votes; and every Question, Matter, or Thing which shall be proposed, discussed, or considered in any General or Special General Assembly of the said Company of Proprietors, shall be determined by the Majority of Votes then present, computing the Votes as above mentioned, not exceeding Ten Votes in the Whole for each Proprietor as aforesaid; provided that the Members present be possessed of not less than Ten Shares, which Vote or Votes may be given by them, him, or her, or by their, his, or her Proxies or Proxy, constituted under the Seal of such Body Politic, Corporate, or Collegiate, or under the Hand of such other Person; every such Proxy being a Proprietor in the said Undertaking, and every such Vote by Proxy shall be as good and sufficient to all Intents and Purposes as if such Principal had voted in Person; and every Question, Matter, and Thing which shall be proposed, discussed, or considered in any General or Special General Assembly of the said Company, shall be determined by the Majority of Votes and Proxies then present: Provided nevertheless, that no Person shall give or deliver in Proxies for more than Five Shares, the Appointment of which Proxies may be made according to the Form following:

of their Shares, not to exceed Ten Votes.

Form of Appointment of Proxies.

'I *A. B.* of , one of the Proprietors of the *Strangeways* Bridge, do hereby nominate, constitute, and appoint *C. D.* of , to be my Proxy in my Name, and in my Absence, to vote or give my Assent or Dissent to any Business, Matter, or Thing, relating to the said Undertaking, that shall be mentioned or proposed at any Assembly of the said Company, in such Manner as the said *C. D.* shall think proper, according to his Opinion and Judgment, for the Benefit of the said Undertaking, or any Thing appertaining thereto. In Witness whereof I have hereunto set my Hand, the Day of .'

Proprietors not entitled to vote, unless possessed of their Shares Six Calendar Months.

V. Provided always, and be it further enacted, That, from and after the First General Meeting to be held under this Act, no Proprietor or Proprietors shall be deemed to be qualified or entitled to vote, who has or have not possessed his, her, or their Shares, and whose Name or Names hath or have not been entered in Manner hereinafter directed in the Books of the said Company, as the Possessor or Possessors, and Proprietor or Proprietors of such Shares, for the Space of Six Months then next preceding, at any General or Special General Assembly of the Proprietors of the said Undertaking; provided also, that no Proprietor or Proprietors shall be or be deemed to be entitled to vote for any Shares, unless he possess the same *bonâ fide* and in his own Right, and not in the Right or as the Property of any other Person whomsoever, upon Pain of forfeiting the said Shares, and all Benefit, Profit, and Advantage due and to become due thereon, to the Use of the said Company.

Power to raise a further Sum if necessary, not exceeding 4200l.

VI. And be it further enacted, That in case the said Sum of Four thousand two hundred Pounds, hereinbefore authorized to be raised, shall be found insufficient for the building and completing of the said Bridge, and the Avenues

Avenues thereto, and all neceſſary Charges and Expences relating thereto; and ſuch other Charges and Expences as aforeſaid, then and in ſuch Caſe it ſhall and may be lawful to and for the ſaid Company of Proprietors to raiſe and contribute among themſelves in Manner and Form aforeſaid, and in ſuch Shares and Proportions as to them ſhall ſeem meet, or to raiſe, by the Admiſſion of new Subſcribers, any further or other Sum of Money for perfecting the ſaid Undertaking, not exceeding in the Whole the Sum of Three thouſand Pounds; and all and every Perſon and Perſons, Body or Bodies Politic, Corporate or Collegiate, Subſcribers towards raiſing ſuch further or other Sum of Money, ſhall be a Proprietor or Proprietors in the ſaid Undertaking, and ſhall have a like Vote or Votes in reſpect of every of his, her, or their Shares of the ſaid additional Sum ſo to be raiſed, and ſhall alſo be liable to ſuch Forfeitures, and ſtand intereſted in all the Profits of the ſaid Undertaking, in Proportion to the Sum he, ſhe, or they ſhall or may ſubſcribe thereunto, as generally and extenſively to all Intents and Purpoſes, as if ſuch further or other Sum hereby allowed to be ſubſcribed for and raiſed as aforeſaid had originally been Part of the ſaid Sum of Four thouſand two hundred Pounds, any Thing herein contained to the contrary thereof in anywiſe notwithſtanding.

Power to raiſe ſuch further Sum by Mortgage or Annuities.

VII. Provided always, and be it further enacted, That in caſe the ſaid Company of Proprietors ſhall be deſirous of raiſing the ſaid Sum of Three thouſand Pounds, or any Part thereof, by Mortgage of the ſaid Undertaking, it ſhall and may be lawful to and for the ſaid Company of Proprietors to borrow and take up at Intereſt all or any Part of the ſaid Sum of Three thouſand Pounds, either by way of Mortgage of the ſaid Bridge, and the Tolls, Pontage, or Duties thereof, or by granting Annuities, to be payable out of the ſaid Tolls, Pontage, or Duties of the ſaid Bridge, during the natural Life of the Purchaſer or Purchaſers thereof, or of ſuch Perſon or Perſons as ſhall be nominated by and on the Behalf of ſuch Purchaſer or Purchaſers; which Annuity or Annuities ſhall be granted and made payable either with or without Benefit of Survivorſhip, and in ſuch Manner as the ſaid Company of Proprietors ſhall think proper; and the ſaid Company are hereby fully authorized and empowered, under their Common Seal, to grant or aſſign over the ſaid Bridge, and the Tolls, Pontage, or Duties thereof, as a Security for any Sum or Sums of Money ſo to be borrowed, with Intereſt for the ſame, or for the due and regular Payment of the ſaid Annuity or Annuities ſo to be granted, as to them ſhall ſeem meet.

Form of Mortgage.

VIII. And be it further enacted, That every ſuch Grant or Aſſignment ſo to be given as a Security for any ſuch Sum or Sums of Money ſo to be borrowed by way of Mortgage, ſhall and may be made in the Words following, or by any other Words to the like Effect; (that is to ſay),

Form.

'BY virtue of an Act made and paſſed in the Fifty-ſixth Year of the 'Reign of His Majeſty King *George* the Third, intituled, *An Act* '[*here ſet forth the Title of the Act*] We, the *Strangeways* Bridge 'Company, incorporated under and by virtue of the ſaid Act, in conſi- 'deration of the Sum of to us lent and 'advanced by *A. B.* of. do grant and convey 'unto the ſaid *A. B*, his or her Executors, Adminiſtrators, and Aſſigns, 'the ſaid Bridge, and Toll Houſe or Toll Houſes thereunto belonging, 'and

‘ and all and ſingular the Tolls ariſing by virtue of the ſaid Act, and all
‘ our Right, Title, and Intereſt of, in, and to the ſame, to hold unto the
‘ ſaid *A. B.* Succeſſors or Executors, Adminiſtrators, and Aſſigns, until
‘ the ſaid Sum of with Intereſt for the ſame,
‘ after the Rate of *per Centum per Annum*, ſhall be fully paid
‘ and ſatisfied. Given under our Common Seal, this Day of
in the Year of our Lord .’

And all and every Perſon and Perſons, Bodies Politic, Corporate, or Collegiate, Aggregate or Sole, to whom ſuch Grant or Conveyance ſhall be made, ſhall be equally entitled to the reſpective Portions of the ſaid Tolls and Revenues of the ſaid Company of Proprietors, according to the reſpective Sums in ſuch Aſſignment mentioned to be advanced, to ſecure the Re-payment of ſuch reſpective Sums, with the Intereſt, without any Preference by reaſon of Priority of any Grant or Conveyance, or any other Account whatſoever. Mortgagees entitled to Security without Preference.

IX. And be it further enacted, That every Grant of any ſuch Annuity, to be made as hereinbefore mentioned, ſhall and may be made in the Words or to the Effect following; that is to ſay, Form of Grant of Annuity.

‘ BY virtue of an Act made and paſſed in the Fifty-ſixth Year of the
‘ Reign of His Majeſty King *George* the Third, intituled, *An Act*
‘ [*here ſet forth the Title of the Act*], we the *Strangeways* Bridge Com-
‘ pany, incorporated by and under the ſaid Act, in conſideration of the
‘ Sum of to us paid by *A. B.* of
‘ do grant unto the ſaid *A. B.* Succeſſors or Executors, Adminiſtrators, or
‘ Aſſigns, out of the Tolls and Pontage Duties of the ſaid Bridge and
‘ Undertaking, One Annuity or yearly Sum of to be paid and
‘ payable to the ſaid *A. B.* Succeſſors or Executors, Adminiſtrators or
‘ Aſſigns, for and during the natural Life of or
‘ natural Lives of [*if more than One*], and the Life of
‘ the Survivor of them [*as the Caſe may be*], and a proportionable Part of
‘ the ſaid Annuity up to the Day of the Deceaſe of
‘ or to the Day of the Deceaſe of the Survivor of them [*as the Caſe may*
‘ *be*]. Given under our Common Seal, this Day of
‘ in the Year of our Lord .’

And every ſuch Grant ſhall entitle the Purchaſer or Purchaſers of every ſuch Annuity to the Payment thereof, and to all Benefit and Advantage thereto accruing, according to the Purport, true Intent, and Meaning of this Act.

X. And be it enacted, That a Tranſcript or Copy of every ſuch Grant or Conveyance, or an Entry or Memorial thereof, containing the Dates, Names of the Parties, and Sums of Money paid, ſhall be made in a Book or Books to be kept for that Purpoſe, by the Clerk or Clerks of the ſaid Company, which Book or Books ſhall be peruſed at all ſeaſonable Times by any of the Proprietors of the ſaid Undertaking, without Fee or Reward. Entries of Mortgages and Annuities to be made in Company's Books.

XI. And be it further enacted, That all and every Perſon and Perſons, Bodies Politic, Corporate, or Collegiate, to whom any ſuch Grant or Conveyance ſhall be made as aforeſaid, may from Time to Time perſon- Mortgages and Annuities transferable by Indorſements.

perſonally, or by Attorney thereunto lawfully authorized, aſſign, and transfer ſuch Grant or Conveyance to any Perſon or Perſons, Bodies Politic, Corporate, or Collegiate, and ſo *toties quoties*; and that the Aſſignment and Transfer ſhall and may be made by Indorſement on ſuch Grant or Conveyance, and in the Words or to the Effect following, and be ſigned and ſealed, or ſealed (as the Caſe may be) in the Preſence of One credible Witneſs, who ſhall ſubſcribe his Name and Place of Abode thereto; (that is to ſay),

'I *A. B.* [*or* we *C.* and *D.*] in conſideration of the Sum of paid by *E. F.* of do hereby aſſign and transfer the within Security, and all my [*or* our] Right, Title, and Intereſt, in and to the ſame, and all Benefit and Advantages to ariſe therefrom, unto the ſaid *E. F.* Succeſſors or Executors, Adminiſtrators, and Aſſigns. Witneſs my Hand and Seal, [*or*, our Hands and Seals, or our Common Seal] this Day of in the Year of our Lord .'

Entries of Transfers to be made in Company's Books.

XII. And be it further enacted, That every Transfer ſhall within Thirty Days after the Date thereof be produced and left with the ſaid Clerk or Clerks, who ſhall within Ten Days then next, cauſe an Entry or Memorial to be made thereof in like Manner as of the original Grants or Conveyances, and after ſuch Entry made, but not till then, every Perſon or Perſons to whom ſuch Aſſignment or Transfer ſhall be made, his, her, or their Succeſſors, Executors, Adminiſtrators, and Aſſigns, ſhall be entitled to the Benefit of ſuch Grant or Conveyance, and the future Payments thereon, and to all Benefit and Advantage ariſing therefrom, and for the Entry of every ſuch original Grant or Conveyance, and of every ſuch Aſſignment and Transfer, the ſaid Clerk or Clerks ſhall be paid by the Party to whom ſuch Grant, Conveyance, or Transfer ſhall be made, the Sum of Five Shillings and no more.

Intereſt and Annuities to be paid Half-yearly.

XIII. And be it further enacted, That the Intereſt of the Money which ſhall be borrowed on Mortgage as aforeſaid, and the ſeveral Annuities ſo to be granted as aforeſaid, ſhall from the Time the reſpective principal Monies ſo to be lent or paid ſhall have been advanced, be paid Half-yearly to the ſeveral Parties entitled thereto, in preference to any Dividends or Diſtribution to the ſaid Proprietors of the ſaid Company or any of them, and ſhall be duly provided for and ſet apart before ſuch Dividend or Diſtribution ſhall be made or declared.

Mortgagees and Annuitants not to be conſidered as Proprietors of Shares.

XIV. Provided always, and be it enacted, That no Perſon or Perſons to whom ſuch Annuity ſhall be granted, or Mortgage or Aſſignment ſhall be made or transferred as aforeſaid, ſhall be deemed a Proprietor or Proprietors of any Share or Shares, or be capable of acting or voting by virtue of any ſuch Annuity, Mortgage, or Aſſignment, at any Aſſembly or Meeting of the ſaid Company of Proprietors, for or on Account of his, her, or their having paid, advanced, or lent any Money on the Credit of the ſaid Undertaking, and the Tolls thereof as aforeſaid.

Notice to be given of paying off Mortgages, &c.

XV. Provided always, and be it enacted, That no Sum or Sums of Money ſo lent and advanced on Mortgage ſhall be paid off and diſcharged (ſave and except with the Conſent of the Perſon or Perſons entitled to receive ſuch Sum or Sums of Money), unleſs Six Calendar Months'

Months' previous Notice under the Common Seal of the ſaid Company of Proprietors ſhall have been given to the Perſon or Perſons entitled to receive ſuch Sum or Sums of Money, or left at his or their laſt or uſual Place or Places of Abode, of ſuch their Intention to pay off and diſcharge the ſame.

First General Aſſembly of the Company.

XVI. And be it further enacted, That the Firſt General Aſſembly of the ſaid Company of Proprietors for putting this Act into Execution ſhall be held at the Houſe of the Widow *Law* in *Strangeways* aforeſaid, or ſuch other Place as the Court of Directors hereinafter appointed ſhall direct, upon the Tenth Day after the paſſing of this Act, or within Thirty-one Days from that Day, or as ſoon after as conveniently may be, between the Hours of Ten and Twelve of the Clock, and all future General Aſſemblies of the ſaid Company of Proprietors (except ſuch Special General Aſſemblies as hereinafter mentioned) ſhall be held on the Firſt *Wedneſday* in the Month of *July* in each and every Year, between the Hours of Ten and Twelve of the Clock, at ſuch Place or Places as the Committee or Court of Directors hereinafter appointed for the Time being may direct, of which future General Aſſemblies Ten Days' previous Notice at leaſt ſhall be given by Public Advertiſement, to be inſerted in One or more of the *Mancheſter* Newſpapers, or in ſuch other Manner as the ſaid Company of Proprietors at their reſpective General Aſſemblies ſhall direct; and in caſe no Place or Places ſhall have been ſo appointed, then ſuch General Aſſembly ſhall be holden where the laſt General Aſſembly was holden; and at ſuch General Aſſemblies it ſhall be the Duty of the Court of Directors of the ſaid Company to report to the Proprietors at large the State of the ſaid Undertaking, and their Proceedings in carrying this Act into Execution, which Report ſhall be fairly entered into the Book or Books of the Company kept for that Purpoſe by the Clerk, and a Copy of the ſame ſhall be left at the Clerk's Office for the Peruſal of the Proprietors, who ſhall have Acceſs thereto during ſuch Hours as the ſaid Office is uſually open.

General Aſſemblies to appoint a Chairman.

XVII. And be it further enacted, That the ſaid Company of Proprietors, at their reſpective General and Special General Aſſemblies, ſhall and may appoint a Chairman, and ſuch Chairman ſhall not only vote as a Proprietor, but in caſe of an Equality of Votes, ſhall have the deciſive or caſting Vote.

Directors appointed.

XVIII. And be it further enacted, That for the better managing and conducting the Affairs of the ſaid Company there ſhall be a Court of Directors of Seven Proprietors, and that the Honourable *Auguſtus John Francis Moreton*, *William David Evans*, *Nathaniel Philips*, *Robert Turner*, *Richard Potter*, *Benjamin Booth*, and *John Sherratt*, ſhall be the Firſt Court of Directors, and ſhall continue until the Firſt *Wedneſday* in *July* One thouſand eight hundred and ſeventeen, and until others ſhall be choſen in their Stead, unleſs any Member of the ſaid Court of Directors ſhall die or be removed, or ſhall diſpoſe of his Stock, ſo as to reduce the ſame below Two Shares: Provided always, that no Perſon or Perſons holding any Place, Office, Employment, or Contract under the ſaid Company ſhall be capable of being elected or of ſerving upon ſuch Court of Directors during the Time of his Continuance in ſuch Place, Office, Employment, or holding ſuch Con-

Contract, nor unleſs he ſhall poſſeſs and hold in his own Right Two Shares of the Capital Stock of the ſaid Company.

Committee to appoint a Chairman from among themſelves.

XIX. And be it further enacted, That the ſaid Court of Directors ſhall and may at every Meeting holden by them during the Continuance of their ſaid Office, appoint a Chairman by and out of the ſaid Court of Directors, and that no Member ſhall have more than one Vote upon any Queſtion that may be agitated in the ſaid Court, except in caſe of an Equality of Votes, and in that Caſe the Chairman ſhall have the deciſive or caſting Vote, although he might have given One Vote before.

Power to General Aſſemblies.

XX. And be it further enacted, That the ſaid Company of Proprietors ſhall have Power and Authority at any General Aſſembly or Special General Aſſembly convened for that Purpoſe, to remove and diſplace any Member or Members of the Court of Directors nominated and appointed by virtue of this Act, and thereupon elect any other Perſon or Perſons in his or their Room or Stead, or in the Room or Stead of any other Director who may die or be removed or be diſqualified or ceaſe to be a Proprietor in the ſaid Undertaking; and it ſhall and may be lawful to and for the ſaid Company of Proprietors, at any General or Special General Aſſembly convened for that Purpoſe, to order and diſpoſe of the Cuſtody of their Common Seal, and the Uſe and Application thereof, and to make ſuch Rules, Bye Laws, and Orders for the Good Government of the ſaid Company of the ſaid Court of Directors, and of their Servants, Agents, or Workmen, and for the Superintendance and Management of the ſaid Undertaking, and from Time to Time to alter and repeal the ſaid Bye Laws, Rules, Orders, and Regulations, or any of them, and to impoſe and inflict ſuch reaſonable Fines and Forfeitures upon all Perſons who ſhall offend againſt ſuch Rules, Bye Laws, or Orders, as to ſuch General or Special General Aſſembly ſhall ſeem meet, not exceeding the Sum of Five Pounds for any One Offence; and all ſuch Rules, Bye Laws, and Orders being reduced into Writing, under the Common Seal of the ſaid Company of Proprietors, and printed, ſhall be binding upon and obſerved by all Perſons concerned in the ſaid Undertaking, and ſhall be ſufficient in any Court of Law or Equity to juſtify all Perſons who ſhall act under the ſame; provided that the ſame be not inconſiſtent with or repugnant to the Laws of that Part of the United Kingdom called *England*, or to the Proviſions and Directions in this Act contained, or to any of them; and ſuch Rules, Orders, and Bye Laws ſhall be ſubject to Appeal in Manner herein directed; and all Accounts of Money received, laid out, and diſburſed on account of the ſaid Undertaking, or on any of the Works thereunto belonging, by the Treaſurers, Receivers, Collectors, Clerk or Clerks, and other Officers by them appointed, or by any other Perſon or Perſons whomſoever employed by or concerned for or under them, in or about the ſaid Undertaking, or the Works thereunto belonging ſhall be laid before the ſaid General or Special General Aſſembly, to be audited and ſettled; and the ſaid Company of Proprietors ſhall have Power to adjourn themſelves from Time to Time to ſuch Place or Places as ſhall at ſuch General or Special General Aſſembly be thought proper and convenient.

Appointment of Di-

XXI. And be it further enacted, That the ſaid Company ſhall, at their General Aſſembly to be holden on the Firſt *Wedneſday* in the Month of *July*

July One thouſand eight hundred and ſeventeen, or ſome Adjournment thereof, elect by Ballot Seven Members of the ſaid Company qualified as aforeſaid, to be the Court of Directors of the ſaid Company, and ſuch Seven Perſons ſo elected ſhall continue in Office for the Space of One Year (except in caſe of Death, or Refuſal to act, or ceaſing to be qualified in Manner by this Act directed, or being removed or diſplaced as aforeſaid,) and no longer; and on the Firſt *Wedneſday* in every ſucceeding Month of *July* in each and every Year Seven Perſons out of the Members of the ſaid Company, qualified as aforeſaid, ſhall be elected by Ballot by the ſaid Company, to be Directors of the ſaid Company, and ſuch Perſons who may be ſo elected ſhall continue in Office for the Space of One Year (except in caſe of Death, or Refuſal to Act, or ceaſing to be qualified in Manner by this Act directed, or being removed or diſplaced as aforeſaid,) and no longer: Provided always, that it ſhall and may be lawful to and for the ſaid Company of Proprietors to nominate and appoint any ſuch Perſon or Perſons ſo qualified as aforeſaid, and going out of Office, again to be a Member or Members of the ſaid Court of Directors. Directors by the Proprietors.

XXII. And be it further enacted, That no Perſon who ſhall hold any Contract or enjoy any Place of Profit created by this Act, or be beneficially employed, or in any Manner intereſted or concerned directly or indirectly in ſupplying any Articles or Materials for the Uſe of the ſaid Company, ſhall have any Voice or be entitled to a Vote at any Meeting or Meetings of the ſaid Court of Directors during the Time that he ſhall be ſo employed, concerned, or intereſted as aforeſaid; and in caſe any Perſon, being a Member of the ſaid Court of Directors, ſhall hold any Contract or enjoy any Place of Profit created by this Act, or ſhall be in any Manner beneficially employed or concerned, directly or indirectly, in ſupplying any Articles or Materials for the Uſe of the ſaid Company, and ſhall vote at any ſuch Meeting or Meetings of the ſaid Court of Directors, then and in every ſuch Caſe every ſuch Perſon ſo voting at any ſuch Meeting or Meetings, ſhall forfeit and pay for every ſuch Offence the Sum of One hundred Pounds, together with full Coſts of Suit, to any Perſon or Perſons who ſhall ſue for the ſame, to be recovered in any of His Majeſty's Courts of Record at *Weſtminſter*, by Action of Debt, or on the Caſe, or by Bill, Plaint, or Information, wherein no Eſſoign, Protection, or Wager of Law, or more than One Imparlance ſhall be allowed, and One Moiety of ſuch Penalty when recovered, ſhall be paid to the Perſon or Perſons who ſhall ſue for the ſame, and the other Moiety ſhall be paid to the ſaid Company, to be applied to the Purpoſes of this Act. No Perſon concerned in any Contract, &c. to vote at any Meeting of the Directors.

XXIII. And be it further enacted, That if it ſhall at any Time appear, that for the more effectually putting this Act into Execution a Special General Aſſembly of the ſaid Company of Proprietors is neceſſary to be holden, it ſhall and may be lawful to and for any Five or more of the ſaid Proprietors, who collectively may be poſſeſſed of or entitled to Twelve Shares at the leaſt in the ſaid Undertaking, by a Notice under their Hands to be given to the Clerk of the ſaid Company, to require the ſaid Clerk to give Notice of ſuch Special General Aſſembly, and the ſaid Clerk ſhall and he is hereby required within Seven Days from the Receipt of ſuch Notice to give Fourteen Days' Notice of ſuch Special General Aſſembly in One or more of the *Manchester* Newſpapers, or in ſuch other Manner as the Aſſemblies of the Proprietors may be ſpecially convened.

the ſaid Company of Proprietors may at any General Aſſembly direct and appoint, ſpecifying in ſuch Notice the Reaſon, Occaſion, and Intention of requeſting ſuch Special General Aſſembly, and the Time when and Place where the ſame ſhall be holden, which Place ſhall be within Three Miles of the ſaid Bridge, and the ſaid Proprietors are hereby authorized to meet purſuant to ſuch Notice; and ſuch of them as ſhall be preſent at ſuch Special General Aſſembly ſhall proceed to the Execution of the Powers by this Act given to the ſaid Company of Proprietors, with reſpect to the Matters ſo ſpecified in ſuch Notice only; and all ſuch Acts, Orders, or Determinations of the ſaid Proprietors, or the Majority of them met together at every ſuch Special General Aſſembly, ſhall be as valid with reſpect to the Matters ſpecified in ſuch Notice, as if the ſame had been done at any ſtated General Aſſembly.

Directors to appoint Officers.

XXIV. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Court of Directors, and they are hereby authorized and required, from Time to Time, to nominate and appoint a Treaſurer or Treaſurers, Engineer or Engineers, Architect or Architects, Surveyor or Surveyors, Clerk or Clerks, Collector or Collectors, Receiver or Receiver of the Rates and Tolls herein allowed to be demanded and taken, and ſuch other Officers as to the ſaid Court of Directors ſhall ſeem proper, and from Time to Time to remove any ſuch Treaſurer or Treaſurers, Engineer or Engineers, Architect or Architects, Surveyor or Surveyors, Clerk or Clerks, Collector or Collectors, Receiver or Receivers, or other Officers, or any of them, and to nominate and appoint another Perſon or Perſons in his or their Room or Stead in Manner aforeſaid, taking ſuch Security from every ſuch Treaſurer, Engineer, Surveyor, Architect, Clerk, Collector, or Receiver, or other Officer, for the due Execution of their reſpective Offices, and granting to them reſpectively ſuch Salary and Compenſation as the ſaid Court of Directors ſhall think proper; and ſuch Clerk or Clerks ſhall, in a proper Book or Books to be provided for that Purpoſe, enter and keep a true and perfect Account of the Names and Places of Abode of the ſeveral Proprietors of the ſaid Undertaking, and of the ſeveral Perſons who ſhall from Time to Time become Owners and Proprietors of, or entitled to any Share or Shares therein, and of all Acts, Proceedings, and Tranſactions of the ſaid Company of Proprietors, and Court of Directors reſpectively; and each of the ſaid Proprietors of the ſaid Undertaking ſhall and may, at all convenient Times, have Recourſe to and peruſe and inſpect the ſame, paying for ſuch Peruſal and Inſpection the Sum of One Shilling, and no more, and may demand and have Copies thereof, or of any Part thereof, paying for every One hundred Words ſo to be copied the Sum of Nine-pence, and ſo in Proportion for any greater or leſs Number of Words.

Officers, &c. to account.

XXV. And be it further enacted, That every ſuch Treaſurer, Engineer, Architect, Surveyor, Clerk, Collector, Receiver or other Officer or Servant of the ſaid Company ſo to be appointed as aforeſaid, ſhall, under his or their Hand or Hands, at ſuch Time and Times, and in ſuch Manner as the ſaid Company of Proprietors or ſuch Court of Directors ſhall direct, deliver to the ſaid Company of Proprietors or to ſuch Court of Directors, or to ſuch Perſon or Perſons as they reſpectively ſhall appoint, true and perfect Accounts in Writing of all Matters and Things committed to his or their Charge by virtue of this Act, and alſo of all the Monies which ſhall

have been by ſuch Treaſurer, Engineer, Architect, Surveyor, Clerk, Collector, Receiver, or other Officer or Servant of the ſaid Company and Perſon or Perſons reſpectively received by virtue and for the Purpoſes of this Act, and how much thereof hath been paid and diſburſed, and for what Purpoſes, together with the proper and legal Receipts or Vouchers for ſuch Payments, and ſhall pay all ſuch Monies as ſhall remain in his or their reſpective Hand or Hands to the ſaid Company of Proprietors, or to ſuch Court of Directors, or to ſuch Perſon or Perſons as they ſhall reſpectively appoint; and if any ſuch Treaſurer, Engineer, Architect, Surveyor, Clerk, Collector, Receiver, Officer, or Perſon, ſhall refuſe to produce or deliver up ſuch Accounts, Receipts, or Vouchers, or to make Payment as aforeſaid, or ſhall not deliver to the ſaid Company of Proprietors, or to ſuch Court of Directors, or to ſuch Perſon or Perſons as they ſhall reſpectively appoint, within Twenty Days after being thereunto required by the ſaid Company of Proprietors, or by ſuch Court of Directors all Books, Papers, and Writings in his or their Cuſtody or Power, relating to the Execution of this Act, or ſhall refuſe or neglect to pay ſuch Monies as upon the Balance of any Account or Accounts ſhall appear to be in his or their reſpective Hands to the ſaid Company of Proprietors, or to ſuch Court of Directors, or as they ſhall reſpectively direct and appoint, then and in either of the Caſes aforeſaid, the ſaid Company of Proprietors may, and they are hereby authorized and empowered to bring or cauſe to be brought any Action or Actions againſt the ſaid Treaſurer, Engineer, Architect, Surveyor, Clerk, Collector, Receiver, Officer or Officers, Perſon or Perſons ſo neglecting or refuſing as aforeſaid, in order for the Recovery of the Monies that ſhall be in the Hands of ſuch Treaſurer, Engineer, Architect, Surveyor, Clerk, Collector, Receiver, Officer or Officers, Perſon or Perſons reſpectively; or if Complaint ſhall be made by the ſaid Company of Proprietors, or by ſuch Court of Directors, or by ſuch Perſon or Perſons as they reſpectively ſhall appoint for that Purpoſe, of any ſuch Refuſal or Neglect as aforeſaid, to any Two or more Juſtices of the Peace of the County, City, or Place wherein the ſaid Treaſurer, Engineer, Architect, Surveyor, Clerk, Collector, Receiver, Officer or Officers, Perſon or Perſons ſo neglecting or refuſing, without ſome reaſonable Excuſe, ſhall be and reſide, ſuch Juſtices may and they are hereby authorized and required, by a Warrant or Warrants under their Hands and Seals, to cauſe the Treaſurer, Engineer, Architect, Surveyor, Clerk, Collector, Receiver, Officer or Officers, Perſon or Perſons ſo neglecting or refuſing to be brought before them, and upon his, her, or their appearing, or not being to be found, to hear and determine the Matter in a ſummary Way; and if upon the Confeſſion of the Party or Parties, or by the Teſtimony of any credible Witneſs or Witneſſes upon Oath, it ſhall appear to ſuch Juſtices that any of the Monies that ſhall have been collected, raiſed, or received by virtue of this Act ſhall be in the Hands of ſuch Treaſurer, Engineer, Architect, Surveyor, Clerk, Collector, Receiver, Officer or Officers, Perſon or Perſons, ſuch Juſtices may and they are hereby authorized and required, upon Non-payment thereof, by Warrant or Warrants under their Hands and Seals, to cauſe ſuch Money to be levied by Diſtreſs and Sale of the Goods and Chattels of ſuch Treaſurer, Engineer, Architect, Surveyor, Clerk, Collector, Receiver, Officer or Officers, Perſon or Perſons reſpectively; and if no Goods or Chattels of ſuch Treaſurer, Engineer, Architect, Surveyor, Clerk, Collector, Receiver, Officer or Officers, Perſon or Perſons can be found ſufficient

cient to anſwer and ſatisfy the ſaid Money, and the Charges of making and levying the ſame, or if ſuch Treaſurer, Engineer, Architect, Surveyor, Clerk Collector, Receiver, Officer or Officers, Perſon or Perſons ſhall ſtill perſiſt in refuſing or neglecting to deliver up all ſuch Monies, Accounts, Receipts, Vouchers, Books, Papers, and Writings as aforeſaid to the ſaid Company of Proprietors, or to ſuch Court of Directors, or other Perſon or Perſons as they reſpectively ſhall appoint, then and in any or either of the Caſes aforeſaid ſuch Juſtices ſhall commit every ſuch Offender to the Common Gaol for ſuch County, City, or Place, there to remain without Bail or Mainprize until he ſhall give and make a true and perfect Account and Payment as aforeſaid, or until he ſhall compound with the ſaid Company of Proprietors, or with the ſaid Court of Directors, and ſhall have paid ſuch Compoſition, in ſuch Manner as they reſpectively ſhall appoint, and until he ſhall deliver up ſuch Monies, Accounts, Receipts, Vouchers, Books, Papers, and Writings as aforeſaid, or give Satisfaction in reſpect thereof to the ſaid Company of Proprietors, or to ſuch Court of Directors; but no Treaſurer, Engineer, Architect, Surveyor, Clerk, Collector, Receiver, Officer, or Perſon ſo committed for want of ſufficient Diſtreſs ſhall be confined or detained in Priſon by virtue of this Act for any longer Space of Time than Three Months.

Powers of the Directors.

XXVI. And be it further enacted, That all the Powers and Authorities hereby veſted in or directed to be exerciſed by the ſaid Court of Directors, may be done and exerciſed by the major Part of the Perſons preſent at their reſpective Meetings, the whole Number preſent not being leſs than Three, and every ſuch Court of Directors ſhall from Time to Time make Report of their Proceedings to the ſaid General Aſſemblies of the Proprietors, and ſhall obey their Orders and Directions; and the ſaid Court of Directors ſhall (ſubject nevertheleſs at all Times to ſuch Orders and Directions as aforeſaid) meet at ſuch Times and Places, and ſhall from Time to Time adjourn themſelves to ſuch other Times and Places as they ſhall think fit; and the ſaid Court of Directors ſhall and may contract for and agree for the Purchaſe of the Lands, Tenements, and Hereditaments, that may be taken or uſed for the Purpoſes of the ſaid Bridge or other Works thereunto belonging, and ſhall and may make Agreements, Contracts, and Bargains, with the Workmen, Agents, Undertakers, and other Perſons employed or concerned in making, continuing, and completing the ſaid Bridge or other Works hereby authorized, and all and every Part or Parts thereof; and the ſaid Court of Directors ſhall (ſubject nevertheleſs to the Orders and Directions of ſuch General or Special General Aſſemblies as aforeſaid), have full Power and Authority to direct and manage all and every the Affairs of the ſaid Company of Proprietors, and the ſaid Court of Directors ſhall by themſelves or the Clerk or Clerks of the ſaid Company of Proprietors keep a full, correct, and true Account of all Monies diſburſed and Payments made by the ſaid Court of Directors, and by all and every Perſon and Perſons employed by or under them, and of all and every Sum and Sums of Money which they ſhall receive on Behalf or in reſpect of the ſaid Undertaking from any Collector or Collectors of the ſaid Rates or Tolls, or from any other Officer or Officers, or from any other Perſon or Perſons whomſoever, employed in or having any Concerns, Dealings, or Tranſactions with the ſaid Undertaking, or in or with any Part or Parts thereof; and the ſame ſhall, at all reaſonable Times, on demand, be open to the Inſpection of any of

the

the Proprietors in the ſaid Undertaking; and in caſe the ſaid Clerk or Clerks ſhall refuſe to permit any Proprietor to inſpect the ſame, at reaſonable Hours, he ſhall forfeit and pay the Sum of Twenty Shillings for each Offence.

Directors may make Calls, and Shares to be forfeited if Calls not paid.

XXVII. And be it enacted, That the ſaid Court of Directors ſhall have Power from Time to Time, to make ſuch Call or Calls of Money from the Subſcribers to and Proprietors of and in the ſaid Undertaking, to defray the Expences of or to carry on the ſame, as they the ſaid Court of Directors from Time to Time ſhall find wanting and neceſſary for thoſe Purpoſes, ſo that no ſuch Call ſhall exceed the Sum of Ten Pounds for every Fifty Pounds, and ſuch Calls ſhall not be made but at the Diſtance of Two Months at leaſt from each other, and Twenty-one Days' Notice at leaſt ſhall be given of all ſuch Calls as aforeſaid, by Advertiſement in One or more of the *Mancheſter* Newſpapers, or in ſuch other Manner as the ſaid Company of Proprietors ſhall at any General Aſſembly direct and appoint; provided that it ſhall not be lawful to make any further Call upon any Proprietor or Proprietors who ſhall have paid to the ſaid Company in Obedience to their ſaid Calls or otherwiſe, the full Amount of the Sum which by his, her, or their Subſcription he, ſhe, or they had undertaken to pay for his, her, or their ſaid Share or Shares, and every Owner or Owners, Proprietor or Proprietors of any Share or Shares in the ſaid Undertaking, ſhall pay his, her, or their rateable Proportions of the Monies to be called for as aforeſaid, to ſuch Perſon or Perſons, and at ſuch Time and Place as the ſaid Court of Directors ſhall from Time to Time order and direct; and if any Perſon or Perſons ſhall neglect or refuſe to pay his, her, or their rateable or proportionable Part of the Money ſo called for as aforeſaid, at the Time and Place appointed by ſuch Court of Directors, or within Fourteen Days next enſuing, he, ſhe, or they ſo neglecting or refuſing, ſhall forfeit and pay the Sum of Twenty Shillings for every Share he, ſhe, or they ſhall have in the ſaid Undertaking; and in caſe ſuch Perſon or Perſons ſhall continue to neglect or refuſe to pay his, her, or their rateable Call or Calls as aforeſaid, for the Space of Three Months next after the Time ſo appointed for Payment thereof, then and in every ſuch Caſe he, ſhe, or they ſo neglecting or refuſing ſhall forfeit his, her, or their reſpective Share and Shares in the ſaid Undertaking, and all the Profits and Benefits thereof, all which Shares ſo forfeited ſhall be veſted in the ſaid Company of Proprietors in Truſt for, and for the Benefit of all the Reſt of the ſaid Proprietors, in Proportion to their reſpective Intereſts in the ſaid Undertaking, or ſhall, at the Diſcretion of any of the ſaid General or Special Aſſemblies, be publicly ſold for the Uſe of the Reſt of the ſaid Proprietors, whoſe Shares and Intereſts ſhall not have been forfeited as aforeſaid: Provided nevertheleſs, that no Forfeiture of any Share or Shares in the ſaid Undertaking ſhall be, or be deemed to be incurred, ſave and except perſonal Notice of ſuch Call or Calls in Writing, ſigned by the Clerk or Clerks to the ſaid Court of Directors, ſhall have been given to or left at the laſt or uſual Place or Places of Abode, of the Owner or Owners of ſuch Share or Shares reſpectively, and in caſe the Place or Places of Abode of any ſuch Owner or Owners ſhall not be known to the Clerk or Clerks of the ſaid Court of Directors, then ſuch Notice ſhall be inſerted once in the *London Gazette*, nor until all ſuch Share or Shares ſhall likewiſe have been declared to be forfeited

No Advantage to be taken of Forfeiture without Notice.

at ſome General or Special General Aſſembly of the ſaid Company of Proprietors.

Subſcribers to pay their Subſcriptions on Calls by the Directors, and on Failure may be ſued.

XXVIII. Provided always, and be it enacted, That the reſpective Perſons, who have ſubſcribed, or who ſhall hereafter ſubſcribe or advance any Money for and towards the ſaid Undertaking, or ſhall be Owner or Owners, Proprietor or Proprietors of any Share or Shares in the ſaid Undertaking, ſhall, and he, ſhe, and they is and are hereby required to pay the Sum or Sums by them reſpectively ſubſcribed (or ſuch Parts and Proportions thereof as ſhall from Time to Time be called for by the Court of Directors of the ſaid Company, by virtue of and agreeable to the Powers and Directions of this Act), at ſuch Times and Places, and in ſuch Manner as ſhall be directed by the ſaid Court; and in caſe any ſuch Subſcriber or Subſcribers ſhall neglect or refuſe to pay the ſame at the Time and Place and Manner ſo required for that Purpoſe, the ſaid Company of Proprietors are hereby empowered to ſue for and recover the ſame in any of His Majeſty's Courts of Law or Equity whatever.

Directing the Proceedings in Actions for Calls.

XXIX. And be it further enacted, That in all Actions brought by the ſaid Company of Proprietors againſt any Perſon or Perſons who hath or have ſubſcribed, or who ſhall hereafter ſubſcribe or advance any Money for and towards the ſaid Undertaking, or againſt any Owner or Owners, Proprietor or Proprietors of any Share or Shares in the ſaid Undertaking, to recover any Sum or Sums of Money due and payable to the ſaid Company for or by reaſon of any Call or Calls made by virtue of this Act, it ſhall be ſufficient for the ſaid Company to declare and alledge that the Defendant or Defendants, being an Owner or Owners, Proprietor or Proprietors of ſuch or ſo many Share or Shares in the ſaid Undertaking, is or are indebted to the ſaid Company in ſuch Sum or Sums of Money as the Call or Calls in Arrear ſhall amount to for ſuch and ſo many Call or Calls of ſuch and ſo many Sum and Sums of Money upon ſuch or ſo many Share or Shares belonging to the ſaid Defendant or Defendants (as the Caſe may happen to be), whereby an Action hath accrued to the ſaid Company by virtue of this Act, without ſetting forth the Special Matter; and on the Trial of ſuch Action, it ſhall be only neceſſary to prove, that the Defendant or Defendants, at the Time of making ſuch Call or Calls, was or were an Owner or Owners, Proprietor or Proprietors of ſome Share or Shares in the ſaid Undertaking, and that ſuch Call or Calls was or were in fact made, and that ſuch Notice was given thereof as is directed by this Act, and the ſaid Company ſhall thereupon be entitled to recover what ſhall appear to be due, unleſs it ſhall appear that any ſuch Call exceeded the Sum of Ten Pounds for every Fifty Pounds, or was made within the Diſtance of Two Months from the laſt preceding Call, or without Notice given as aforeſaid.

On the Death of Subſcribers before Shares completed, their Executors, &c. may do it.

XXX. And be it further enacted, That if any Owner or Owners, Proprietor or Proprietors, of any Share or Shares in the ſaid Undertaking, ſhall happen to die before ſuch Call or Calls ſhall have been made for the full Sum or Sums to be advanced on any Share or Shares which he, ſhe, or they ſhall have been poſſeſſed of or entitled to, without having made Proviſion by Will or otherwiſe how and in what Manner ſuch Share or Shares ſhall be diſpoſed of, and how and by what Means the future Calls in reſpect thereof ſhall be paid to the ſaid Company of Proprietors for the

Purpoſes

Purpoſes of the ſaid Undertaking, then and in ſuch Caſe the Executor or Executors, Adminiſtrator or Adminiſtrators of every ſuch Owner or Owners, Proprietor or Proprietors ſo dying, or the Truſtee or Truſtees, Committee or Committees of any Lunatic or Lunatics, Guardian or Guardians of any Infant or Infants, or of any other Perſon or Perſons entitled to the Eſtate and Effects of any ſuch deceaſed Owner or Owners, Proprietor or Proprietors, ſhall be indemnified againſt all and every ſuch Infant or Infants, and againſt all and every other Perſon or Perſons whomſoever, for or on Account of his, her, or their having paid any Sum or Sums of Money, when called for as aforeſaid, to complete every ſuch Subſcription; and if ſuch deceaſed Owner or Owners, Proprietor or Proprietors, ſhall not have left Aſſets ſufficient, or in caſe the Executor or Executors, Adminiſtrator or Adminiſtrators, Truſtee or Truſtees, Committee or Committees, Guardian or Guardians, ſhall refuſe or neglect to anſwer ſuch Call for the Space of Six Calendar Months after Notice in Writing, ſigned by the Clerk of the ſaid Company of Proprietors, ſhall have been given to him, her, or them, or left at his, her, or their laſt or uſual Place or Places of Abode, the ſaid Company of Proprietors ſhall be, and they are hereby authorized and required to admit any other Perſon or Perſons to be an Owner or Owners, Proprietor or Proprietors, of the Share or Shares of ſuch deceaſed Owner or Owners, Proprietor or Proprietors, on condition that he, ſhe, or they, ſo admitted, do and ſhall, on or before ſuch Admiſſion, pay to the Executor or Executors, Adminiſtrator or Adminiſtrators of ſuch deceaſed Owner or Owners, Proprietor or Proprietors, or to the Truſtee or Truſtees, Committee or Committees, Guardian or Guardians, of the Infant or Infants, or other Perſon or Perſons who may be entitled to his, her, or their Effects, the full Sum or Sums of Money which ſhall have been paid by ſuch Owner or Owners, Proprietor or Proprietors, in his, her, or their Life-time, by virtue of any Call or Calls, or otherwiſe, upon ſuch Share or Shares, or ſuch other Sum or Sums of Money as the ſame can be ſold for; and in caſe no Perſon or Perſons ſhall be found who is or are willing to be admitted upon ſuch Condition as aforeſaid, then and in every ſuch Caſe ſuch Share or Shares ſhall be forfeited to and become veſted in the Reſt of the ſaid Company of Proprietors of the ſaid Undertaking, in Truſt for and for the equal Benefit of all the Reſt of the ſaid Proprietors in Proportion to their reſpective Intereſts in the ſaid Undertaking; and ſhall be ſubject to be ſold and diſpoſed of in like Manner as other forfeited Shares may be ſold and diſpoſed of by virtue of this Act.

Shares may be ſold.

XXXI. And be it further enacted, That it ſhall and may be lawful to and for the ſaid ſeveral Proprietors of the ſaid Undertaking, his, her, or their reſpective Executors, Adminiſtrators, and Aſſigns, to ſell and diſpoſe of any Share or Shares to which he, ſhe, or they may be entitled therein, ſubject to the Rules and Conditions herein mentioned, the Conveyance of which Shares ſhall be in the Form or to the Effect following; *videlicet*:

Form of Conveyance of Shares.

‘ I *A. B.* of in conſideration of
‘ paid to me by *C. D.* of do hereby bargain,
‘ ſell, aſſign, and transfer to the ſaid *C. D.* the Sum of
‘ Capital Stock of and in the *Strangeways* Bridge, being
‘ of my Share in the ſaid Undertaking, to hold to
‘ the ſaid *C. D.* Executors, Adminiſtrators, and Aſſigns, ſubject
‘ to the ſame Rules, Orders, and Reſtrictions, and on the ſame Condi-

‘ tions

'tions that I held the ſame immediately before the Execution hereof; and 'I the ſaid *C. D.* do hereby agree to take and accept the ſaid Capital Stock 'or Share of ſubject to the ſame Rules, Orders, Re-'ſtrictions, and Conditions. As witneſs our Hands and Seals, this 'Day of in the Year of our Lord One thouſand eight 'hundred and .'

And on every ſuch Sale the ſaid Deed or Conveyance (being executed by the Seller or Sellers, and the Purchaſer or Purchaſers, of ſuch Share or Shares) ſhall be kept by the ſaid Purchaſer or Purchaſers for his, her, or their Security, after the Clerk or Clerks to the ſaid Company of Proprietors ſhall have entered in a proper Book or Books to be kept for that Purpoſe, a Memorial of ſuch Transfer and Sale, for the Uſe of the ſaid Company, and have teſtified and indorſed the Entry of ſuch Memorial on the ſaid Deed of Sale or Transfer, for which no more than Two Shillings and Sixpence ſhall be paid; and the ſaid Clerk or Clerks is and are hereby required to make ſuch Entry or Memorial accordingly, and until ſuch Memorial ſhall have been made and entered as above directed, ſuch Purchaſer or Purchaſers ſhall have no Part or Share of the Profits of the ſaid Undertaking, nor any Intereſt for ſuch Share or Shares paid to him, her, or them, nor any Vote in reſpect thereof as a Proprietor or Proprietors of the ſaid Undertaking.

No Shares ſhall be ſold after a Call till the Money be paid.

XXXII. And be it further enacted, That after any Call of ſuch Money ſhall have been made by the ſaid Court of Directors as aforeſaid, no Perſon or Perſons ſhall ſell or transfer any Share or Shares which he, ſhe, or they ſhall poſſeſs in the ſaid Undertaking on Pain of forfeiting his, her, or their reſpective Share or Shares therein to the ſaid Company of Proprietors, in Truſt for the Benefit of all the ſaid Proprietors, unleſs at the Time of ſuch Sale or Transfer, ſuch Perſon or Perſons ſhall have paid and diſcharged to the Treaſurer of the ſaid Company of Proprietors, the Whole and entire Sum of Money which ſhall have been called for upon each Share ſo ſold or transferred, ſuch Forfeiture nevertheleſs to be notified and declared at a General or Special General Aſſembly, in Manner before directed.

For regulating the Acquiſition of Shares by Marriage, Will, or in the Courſe of Adminiſtration.

XXXIII. And whereas, in Caſes where the original Subſcriber or Subſcribers of One or more Share or Shares in the ſaid Undertaking ſhall marry, die, become inſolvent, or Bankrupt, or go out of the Kingdom or ſhall transfer his or her Right and Intereſt to ſome other Perſon, and no Regiſter ſhall have been made of the Transfer thereof with the ſaid Clerk, as directed by this Act, it may not be in the Power of the ſaid Company of Proprietors, or their Treaſurer or Clerk, to know who is the Owner or Proprietor of ſuch Share or Shares, in order to give him, her, or them Notice or Notices of Calls made on ſuch Share or Shares, as is hereby required, and to maintain any Action or Actions againſt him, her, or them for the Recovery of the ſame, or for the Purpoſe of ſafely paying to him, her, or them the Intereſts or Dividends to which he, ſhe, or they may be entitled by virtue thereof, be it therefore further enacted, That before any Perſon or Perſons who ſhall claim any Part or Share of the Profits ariſing from the ſaid Undertaking in Right of Marriage ſhall be entitled to receive the ſame, an Affidavit, containing a Copy of the Regiſter of ſuch Marriage, ſhall be made and ſworn to by ſome credible

By Marriage.

Perſon before One of the Judges of His Majeſty's Courts of Record at *Weſtminſter*, or a Maſter or Maſter Extraordinary in Chancery, or any One of His Majeſty's Juſtices of the Peace, who are hereby authorized and empowered to ſwear any ſuch Perſon to ſuch Affidavit, and ſuch Affidavit ſhall be tranſmitted to the Clerk or Clerks to the ſaid Company for the Time being, who ſhall file the ſame, and make an Entry thereof in the Book or Books which ſhall be kept by the ſaid Clerk or Clerks for the Entry of Transfers and Sales of Shares in the ſaid Undertaking; and that before any Perſon or Perſons who ſhall claim any Part or Share of the Profits of the ſaid Undertaking, by virtue of any Bequeſt or Will, or in a Courſe of Adminiſtration, ſhall be entitled to receive the ſame, the ſaid Will, or the Probate thereof, ſhall be produced and ſhewn to the ſaid Clerk or Clerks, or an Affidavit containing a Copy of ſo much of ſuch Will as ſhall relate to the Share or Shares of the Teſtator, or of the Letters of Adminiſtration, in caſe the Proprietor ſhall have died inteſtate, ſhall be made and ſworn to by any Executor or Executors of ſuch Will, or by any Adminiſtrator or Adminiſtrators of the Eſtate and Effects (as the Caſe may happen to be) before One of the Judges of His Majeſty's Courts of Record at *Weſtminſter*, a Maſter or Maſter Extraordinary in Chancery, or One of His Majeſty's Juſtices of the Peace, and ſhall alſo be tranſmitted to the ſaid Clerk or Clerks, who ſhall file and enter the ſame in the Manner herein mentioned; and that in all Caſes, other than as hereinbefore mentioned, where the Right and Property in One or more Share or Shares in the ſaid Undertaking ſhall paſs from the original Proprietor thereof to any other Perſon or Perſons by any other legal Means than by a Transfer or Conveyance thereof as herein directed, an Affidavit ſhall be made and ſworn to by Two credible Perſons, before one of the Judges in His Majeſty's Courts of Record at *Weſtminſter*, or a Maſter or Maſter Extraordinary in Chancery, or One of His Majeſty's Juſtices of the Peace, ſtating the Manner in which ſuch Share or Shares hath or have paſſed to ſuch other Perſon or Perſons; and the ſaid Judges, Maſter, or Maſter Extraordinary in Chancery, or Juſtices of the Peace, are hereby authorized and empowered to ſwear any ſuch Perſon to ſuch Affidavit, and ſuch Affidavit ſhall be tranſmitted to the Clerk or Clerks of the ſaid Company of Proprietors, to the Intent that he may and he is hereby required to enter and regiſter the Name or Names of every ſuch new Proprietor or Proprietors, in the Regiſter Book or Liſt of Proprietors in the ſaid Undertaking; and that in all or any of the ſaid Caſes it ſhall and may be lawful to and for the ſaid Company of Proprietors, at any General or Special General Aſſembly, after Six Calendar Months' Notice ſhall have been given by the ſaid Treaſurer or Clerk to the Perſon or Perſons claiming by ſuch Affidavit to the Owner or Owners thereof, and ſuch Perſon or Perſons ſhall not have paid, his, her, or their Proportion of the Money becoming payable by virtue of any Call or Calls as aforeſaid, and after Notice thereof ſhall have been given Three Times, at the Intervals of Seven Days between each Advertiſement, in ſome One or more of the *Mancheſter* Newſpapers, to declare the ſame Share or Shares to be forfeited, and in ſuch Caſe the ſame ſhall be and become forfeited and ſold, and diſpoſed of in ſuch Manner as the ſaid Company of Proprietors ſhall direct, or otherwiſe become conſolidated in the General Fund of the ſaid Company.

By Will, or in Courſe of Adminiſtration.

By any other Means.

XXXIV. And, for the better Security of the ſeveral Proprietors of the ſaid Undertaking, as to their reſpective Shares therein, be it further enacted, That

Names of Proprietors, and Numbers of their

Shares, to be entered in a Book, and Certificates of the Number delivered to them.

That the ſaid Company of Proprietors ſhall, and they are hereby required at their Firſt or at ſome ſubſequent General Aſſembly, or as ſoon as conveniently may be, to cauſe the Names and proper Additions of the ſeveral Perſons who ſhall be then entitled to any Share or Shares in the ſaid Undertaking, with the Number of Shares which they are then reſpectively entitled to hold, and alſo the proper Number by which every Share ſhall be diſtinguiſhed, to be fairly and diſtinctly entered in a Book or Books to be kept by the Clerk to the ſaid Company of Proprietors, and after ſuch Entry made, to cauſe their Common Seal to be affixed thereto, and ſhall alſo cauſe a Certificate or Inſtrument with the Common Seal of the ſaid Company affixed thereto, to be delivered to every ſuch Subſcriber upon Demand, ſpecifying the Share or Shares to which he, ſhe, or they is or are entitled in the ſaid Undertaking, or a Certificate for each ſeparate and diſtinct Share, in caſe any Proprietor of more than One Share ſhall requeſt the ſame, every ſuch Proprietor paying to the Clerk Two Shillings and Sixpence, and no more, for every ſuch Certificate or Inſtrument, and ſuch Certificate or Inſtrument ſhall be admitted in all Courts whatever, as Evidence of the Title of ſuch Subſcribers, his, her, or their Executors, Adminiſtrators, and Aſſigns, to the Share or Shares therein ſpecified, but the Want of ſuch Certificate or Inſtrument ſhall not hinder or prevent the Owner or Proprietor of any Share or Shares, from ſelling or diſpoſing thereof; and in caſe any ſuch Certificate or Inſtrument ſhall become defaced, worn out, or damaged, or ſhall be aſcertained to have been loſt or deſtroyed, then and in ſuch Caſe another Certificate ſhall be made out and entered by the Clerk on the ſame Terms and Conditions as aforeſaid.

Authority to Company to build Bridge.

XXXV. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Company, and their Succeſſors, their Deputies, Agents, Servants, Workmen, and Aſſiſtants, and they are hereby authorized and empowered to deſign, direct, order, and build, or cauſe to be built, and to complete, maintain, and keep in Repair a Bridge acroſs the River *Irwell*, from the Bank or Shore thereof, at or near a certain Place called *Green Gate*, on the South-weſt Side of the ſaid River, in the Townſhip of *Salford* and Pariſh of *Mancheſter* aforeſaid, to the oppoſite Bank on the North-eaſt Side of the ſaid River, in *Strangeways*, in the Townſhip of *Cheetham* aforeſaid, and to dig and make proper Foundations in the ſaid River, and on the Lands and Grounds lying on each Side thereof, for the Piers and Abutments of the ſaid Bridge, and to cut and level the Banks of the ſaid River in ſuch Manner as ſhall be neceſſary and proper for building the ſaid Bridge, and to cut, remove, take and carry away all Trees, Roots of Trees, Beds of Gravel, Sand, Mud, or any other Impediment whatſoever, which may in any wiſe tend to hinder the erecting and completing the ſaid Bridge, and execute all other Things requiſite and neceſſary, uſeful or convenient, for erecting and building, maintaining and ſupporting the ſaid Bridge, and making proper Avenues thereto as aforeſaid, according to the Tenor and true Meaning of this Act; and further, that for the Purpoſe of erecting, building, maintaining, repairing, and ſupporting the ſaid Bridge, and Avenues thereto, the ſaid Company ſhall, from Time to Time, have full Power and Authority to land on either Side of the ſaid River, within Twenty Yards of the Scite of the ſaid Bridge, all Materials and other Things to be uſed in and about the ſame, and there to work and uſe ſuch Materials and Things, according as they the ſaid Company, and the Perſons to be by them appointed ſhall think

proper, without any previous Agreement with the Owner or Owners of the Property on which ſuch Materials and other Things ſhall be landed, worked, or uſed, or of the Tenant or Tenants thereof, doing as little Damage as may be, and making ſuch Satisfaction as hereinafter mentioned to the reſpective Owners and Occupiers of all Lands and Grounds, Tenements and Hereditaments, which ſhall be altered, damaged, ſpoiled, taken, or made uſe of, by Means or for the Purpoſes of this preſent Act.

Company may erect a temporary Bridge if Accidents happen.

XXXVI. And whereas it may happen that after the ſaid Bridge ſhall have been completed and in uſe, the ſame may receive Damage by unforeſeen Accidents, ſo that the Paſſage thereof may for a Time become dangerous and impracticable, be it further enacted, That when and as often as it ſhall ſo happen it ſhall and may be lawful to and for the ſaid Company of Proprietors, or their Court of Directors, or ſuch Perſon or Perſons as they ſhall and may appoint for that Purpoſe from Time to Time, as often as Occaſion ſhall require, to erect or build a temporary Bridge at ſuch Place or Places near to the Scite of the ſaid Bridge as they ſhall judge to be moſt proper and convenient, and there to take and receive for Paſſage over the River *Irwell* by ſuch temporary Bridge ſuch Tolls as are herein authorized to be taken for paſſing over the ſaid Bridge: Provided always, that ſuch temporary Bridge ſhall continue for ſuch Time only as ſhall be neceſſary for repairing and rebuilding the ſaid Bridge, and rendering the Paſſage over the ſame ſafe and commodious.

Temporary Bridge to be removed.

The Bridge to be completed in Two Years.

XXXVII. And be it further enacted, That if the ſaid Company of Proprietors ſhall not within Two Years, from and after the paſſing of this Act, complete the ſaid Bridge, ſo as to make the ſame paſſable for Horſes and Carriages, that then and from thenceforth all and ſingular the Powers and Authorities veſted in them by this Act ſhall ceaſe and determine to all Intents and Purpoſes whatſoever.

Perſons empowered to ſell and convey Lands, &c.

XXXVIII. And be it further enacted, That it ſhall and may be lawful to and for all Bodies Politic, Corporate, or Collegiate, Eccleſiaſtical or Civil, Corporations, Aggregate or Sole, and to and for all Tenants for Life, and Tenants in Fee Tail, General or Special, or for Years determinable on any Life or Lives whether in Poſſeſſion, Reverſion, Remainder, Expectancy or otherwiſe, and to and for all Huſbands, Guardians, Truſtees and Feoffees in Truſt for Charitable and other Purpoſes, Committees, Executors, and Adminiſtrators, and all other Truſtees and Perſons whomſoever, not only for and on Behalf of themſelves, their Heirs and Succeſſors, but alſo for and on Behalf of their *Ceſtuique* Truſts, whether Infants, Iſſue unborn, Lunatics, Idiots, Femes Covert, or other Perſon or Perſons, and to and for all Femes Covert who are or ſhall be ſeiſed, poſſeſſed of, or intereſted in their own Right, or entitled to Dower or other Intereſt therein, and to and for all and every other Perſon or Perſons whomſoever, who is, or are, or ſhall be ſeiſed, poſſeſſed of, or intereſted in Lands, Buildings, Tenements, or Hereditaments, mentioned in the Schedule hereunto annexed, to contract for, leaſe, ſell and convey the ſame and every Part thereof to the ſaid Company of Proprietors, and all ſuch Contracts, Agreements, Leaſes, Sales, Conveyances, and Aſſurances ſhall be made at the Expence of the ſaid Company of Proprietors, which ſaid Leaſes, Sales, Conveyances, and Aſſurances ſhall be kept by the Clerk or Clerks to the ſaid Company of Proprietors;

Proprietors; who ſhall from Time to Time, when requeſted, deliver atteſted Copies thereof to any Perſon or Perſons intereſted therein requiring the ſame, and ſhall have and receive Nine-pence for every One hundred Words of each ſuch atteſted Copy, and ſo in proportion for any leſs Number of Words; and every ſuch Conveyance to be made by virtue of this Act, in the Manner and Form aforeſaid, ſhall be valid and effectual to all Intents and Purpoſes whatſoever, any Law, Statute, Uſage, or Cuſtom to the contrary thereof in any wiſe notwithſtanding.

Satisfaction to be made.

XXXIX. Provided always, and be it further enacted, That all and every Body and Bodies Politic, Corporate or Collegiate, Eccleſiaſtical or Civil, and Tenant and Tenants for Life, and Tenant and Tenants in Fee Tail, General or Special, or for Years determinable on any Life or Lives, whether in Poſſeſſion, Remainder, Reverſion, Expectancy, or otherwiſe; and all Feoffees in Truſt, Executors, Adminiſtrators, Femes Covert, Huſbands, Guardians, Committees, Truſtees, and all and every other Perſon or Perſons who is or are ſeiſed, poſſeſſed of, or intereſted in, any Lands, Buildings, Tenements, and Hereditaments through, in, or upon which the ſaid Bridge, or Avenues thereto, are intended to be built, made, and conſtructed, may accept and receive Satisfaction for the Value of ſuch Lands, Buildings, Tenements, and Hereditaments, and for the Damages to be ſuſtained by the making and completing the ſaid Works herein directed and authorized to be made, as ſhall be agreed upon by and between the ſaid Parties intereſted reſpectively, or any of them, and the ſaid Company of Proprietors or their Court of Directors, and in caſe the ſaid Parties ſo intereſted in the ſaid Lands, Buildings, Tenements, and Hereditaments, or any of them, and the ſaid Company of Proprietors, or their Court of Directors, cannot agree as to the Amount or Value of ſuch Satisfaction, the ſame ſhall be ſettled and aſcertained as is hereinafter directed.

If Parties are diſſatisfied, they may cauſe a Jury to be impannelled to decide the Matter.

XL. Provided always, and be it further enacted, That if any ſuch Body Politic, Corporate, or Collegiate, or any Feoffee or Feoffees in Truſt, Executor, Adminiſtrator, Huſband, Guardian, Truſtee, Committee of or for any Idiot or Lunatic, or any Feme Covert, or any Perſon, whether Tenant for Life, or in Fee Tail, General or Special, or for Years determinable on any Life or Lives, or any other Perſon or Perſons ſo intereſted or entitled as aforeſaid, cannot agree with the ſaid Court of Directors reſpecting the Purchaſe of any Lands, Tenements, or Hereditaments, or the Satisfaction to be made for any Damages that may be ſuſtained from Time to Time by him, her, or them, by the making of the ſaid Bridge or Avenues, or any of the Works to be made and maintained by virtue of this Act, and ſhall give Notice in Writing to the Clerk of the ſaid Company, or of the ſaid Court of Direction, requiring a Jury to be ſummoned for the Purpoſe of determining ſuch Purchaſe or Satisfaction; or if any ſuch Body Politic, Corporate, or Collegiate, or any Perſon or Perſons ſo intereſted or entitled as aforeſaid, ſhall, upon Notice in Writing given by the Clerk of the ſaid Company, or of the ſaid Court of Directors to the Principal Officers of any ſuch Body Politic, Corporate, or Collegiate, or to ſuch Feoffee or Feoffees in Truſt, Executors, Adminiſtrators, Huſband, Guardian, Truſtee, Committee of or for any Ideot, Lunatic, or any Feme Covert, or to ſuch Tenant for Life, or in Fee Tail General or Special, or for Years determinable on any Life or Lives, or

or other Perſon or Perſons ſo intereſted or entitled as aforeſaid reſpectively or left at the laſt or uſual Place or Places of his, her, or their Abode, or with the Tenant or Tenants, Occupier or Occupiers, of any Lands or other Hereditaments, to be made uſe of for the Purpoſes of this Act, for the Space of Twenty-one Days next after ſuch Notice, neglect or refuſe to treat, or ſhall not agree with the ſaid Company of Proprietors, or by reaſon of Abſence or otherwiſe ſhall be prevented from treating, or through Diſability by Non-age, Coverture, or other Impediment, cannot treat for themſelves, or make ſuch Agreement or Agreements as ſhall be neceſſary for the Purpoſes aforeſaid, or ſhall not within the before-mentioned Space of Twenty-one Days, produce and fully diſcloſe the State of the Title to the Premiſes which he, ſhe, or they reſpectively is or are or ſhall be in poſſeſſion of, and the Intereſt which he, ſhe, or they reſpectively may claim therein, then and in every ſuch Caſe the ſaid Court of Directors, or any Three or more of them ſhall, and they are hereby empowered and required, within Twenty-one Days after the Receipt of ſuch Notice by the Clerk to the ſaid Company of Proprietors, or of the ſaid Court of Directors, or after the Expiration of Twenty-one Days after the Delivery of ſuch Notice by the ſaid Clerk (as the Caſe may be), to iſſue a Warrant under their Hands and Seals, directed to the Sheriff of the County of *Lancaſter*, commanding ſuch Sheriff to impannel, ſummon, and return a Jury, and the ſaid Sheriff is hereby required accordingly to impannel, ſummon, and return a Jury of Twenty-four honeſt, ſufficient, and indifferent Men, qualified according to the Laws of this Realm to be returned for the Trials of Iſſues in His Majeſty's Courts of Record at *Weſtminſter*, to appear before the ſaid Sheriff, at ſuch Time and Place as in ſuch Warrant ſhall be appointed; and the ſaid Sheriff is hereby required, out of the Perſons ſo impannelled, ſummoned, and returned, or out of ſuch of them as ſhall appear upon ſuch Summons, to ſwear or cauſe to be ſworn Twelve who ſhall be the Jury for the Purpoſes aforeſaid, and in Default of a ſufficient Number of Jurymen, the ſaid Sheriff ſhall return other honeſt, ſufficient, and indifferent Men of the Standers-by, or that can be ſpeedily procured, to attend that Service (being qualified as laſt aforeſaid) to make up the ſaid Jury to the Number of Twelve; and it ſhall and may be lawful to and for all Perſons concerned to have their lawful Challenges againſt any of the ſaid Jurymen when they come to be ſworn, but ſhall not challenge the Array; and the ſaid Sheriff is hereby empowered and required, by a Summons or Notice to be ſigned by ſuch Sheriff, either previous to or at the Time of any ſuch Meeting or Meetings, to call before them all and every Perſon or Perſons who ſhall be thought neceſſary and proper to be examined as a Witneſs or Witneſſes upon Oath, touching and concerning the Premiſes; and the ſaid Sheriff may order and authorize the ſaid Jury, or any Three or more of them, to view the Place or Places, or Matter or Matters in Queſtion, if there be Occaſion, and to uſe all other lawful Ways and Means, as well for his own as for the Jury's better Information in the Premiſes, as the ſaid Sheriff ſhall think fit; which Jury upon their Oaths (which Oaths, as well as the Oaths to ſuch Perſon or Perſons as ſhall be called upon to give Evidence, the ſaid Sheriff is hereby empowered and required to adminiſter,) ſhall enquire of, aſſeſs, and aſcertain the Sum of Money to be paid for the Purchaſe of ſuch Lands or other Hereditaments, or what Damages will be ſuſtained by and what Recompence and Satisfaction ſhall be made to ſuch Owners, Occupiers, or other Perſon or Perſons intereſted for or on account of the taking of

ſuch Lands or other Hereditaments for the Purpoſes of this Act, and ſhall aſſeſs ſeparate Damages for the ſame; and after the ſaid Jury ſhall have enquired of, aſcertained, and ſettled ſuch Damage, Recompence, and Satisfaction, the ſaid Sheriff ſhall thereupon order the Sum or Sums of Money ſo aſſeſſed by the ſaid Jury to be paid by the ſaid Company of Proprietors, or by the ſaid Court of Directors on their Behalf, to the ſaid Owners or Occupiers of or other Perſon or Perſons intereſted in the ſaid Lands or Hereditaments, according to ſuch Verdict or Inquiſition of the ſaid Jury, and ſhall give Judgment for ſuch Purchaſe Monies, Recompence, or Satisfaction to be aſſeſſed by ſuch Jury; which ſaid Verdict or Inquiſition, Order, and Judgement thereon, pronounced as aforeſaid, ſhall be ſigned by the ſaid Sheriff, and ſhall be final, binding, and concluſive, to all Intents and Purpoſes, againſt all Parties and Perſons whomſoever claiming any Eſtate in Fee Simple or Fee Tail, for Life or Lives in Poſſeſſion, Reverſion, Remainder, Expectancy, or otherwiſe, their Heirs, Succeſſors, Executors, and Adminiſtrators, Infants, Iſſue unborn, Femes Covert, Perſons beyond the Seas, and under any other Diſability whatſoever, Bodies Politic, Corporate, or Collegiate, Eccleſiaſtical or Civil, Corporations Aggregate or Sole, as well as all other Perſons whomſoever, and ſhall not be removed by *Certiorari* or other Proceſs into any of His Majeſty's Courts of Record at *Weſtminſter*, or any other Courts; any Law or Statute to the contrary thereof notwithſtanding.

Compelling the Sheriff to ſummon the Jury.

XLI. And be it further enacted, That if any Perſon ſo impannelled, ſummoned, and returned as aforeſaid, upon ſuch Jury, ſhall not appear, without ſome reaſonable Excuſe, or appearing, ſhall refuſe to be ſworn on the ſaid Jury, or being ſo ſworn, ſhall refuſe to give or ſhall not give his Verdict, or ſhall in any other Manner wilfully neglect his Duty therein, contrary to the true Intent and Meaning of this Act, he ſhall be liable and ſubject to the ſame Regulations, and to the ſame Pains and Penalties for ſuch Default, as if he had been impannelled, ſummoned, and returned for the Trial of any Iſſue, joined in any of His Majeſty's Courts at *Weſtminſter*; and if any Perſon ſo ſummoned and required to give Evidence before the ſaid Jury, touching the Premiſes, ſhall neglect or refuſe to appear, after having been paid or tendered a reaſonable Sum for his, her, or their Coſts, Charges, and Expences, or ſhall not alledge a ſufficient Excuſe to the ſaid Sheriff for not appearing, or appearing, ſhall refuſe to be ſworn and examined, or to give Evidence, then and in every ſuch Caſe, every ſuch Perſon ſo offending, upon Proof thereof made before One of His Majeſty's Juſtices of the Peace for the City or County, in which the Matter or Queſtion ſhall ariſe upon the Oath of One or more credible Witneſs or Witneſſes, ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Five Pounds according to the Diſcretion of the ſaid Juſtice; and in caſe any ſuch Penalty ſhall not be forthwith paid, it ſhall and may be levied by virtue of any Warrant under the Hand and Seal of the ſaid Juſtice, by Diſtreſs and Sale of the Goods and Chattels of the Perſon ſo offending, rendering to ſuch Perſon the Overplus, after ſuch Penalty and the Charges of ſuch Diſtreſs and Sale ſhall be deducted, and every ſuch Penalty which ſhall be paid by or recovered from any Perſon who ſhall be impannelled, ſummoned, and returned on ſuch Jury, or to give Evidence as aforeſaid, ſhall go and be paid to the Perſon or Perſons, who ſhall appear to the ſaid Juſtice to be injured by the Default of ſuch Perſons.

XLII. And

XLII. And be it further enacted, That all and every Perſon or Perſons, who, in any Examination to be taken upon Oath by virtue of this Act, ſhall wilfully and corruptly give falſe Evidence, or otherwiſe forſwear themſelves, before any ſuch Jury, or before any Juſtice of the Peace, acting as ſuch in the Execution of this Act, ſhall and may be proſecuted for the ſame, and upon Conviction thereof ſhall be ſubject and liable to ſuch and the ſame Pains and Penalties as Perſons guilty of wilful and corrupt Perjury are by the Laws in being ſubject and liable to. For puniſhing Perſons guilty of wilful and corrupt Perjury.

XLIII. And be it further enacted, That full Recompence, Satisfaction, and Compenſation ſhall be made by the ſaid Company of Proprietors for all the Tythes, both Great and Small, of the Lands which ſhall or may be taken or made uſe of by the ſaid Company for the Purpoſes and in purſuance of the Powers of this Act, to the reſpective Perſons entitled or who would have been entitled to ſuch Tythes, in caſe ſuch Lands had not been ſo taken or made uſe of according to their reſpective Intereſts therein, ſuch Tythes to be eſtimated at the average Value of Four Years, commencing at *Michaelmas* One thouſand eight hundred and eleven, ſuch average Value to be aſcertained (in caſe of any Difference concerning the ſame) in like Manner as the Value of any Lands or other Hereditaments is hereinbefore directed to be aſcertained. For making Satisfaction for Tythes.

XLIV. And be it further enacted, That in each and every Caſe where a Verdict ſhall be given for more Money, or for a greater annual Rent for a Recompence or Satisfaction for the abſolute Sale of any Lands, Tenements, or other Hereditaments of or belonging to any Body or Bodies Politic, Corporate, or Collegiate, Eccleſiaſtical or Civil, or to any Perſon or Perſons unknown, or as a Compenſation for any Damages done or to be done to any Lands, Tenements, Hereditaments, or other Property than had been previouſly offered by or on Behalf of the ſaid Company of Proprietors, or their Court of Directors, or where any Verdict ſhall be found for any Damages where the Diſpute is for Damages only, and where no Compenſation, or a ſmaller Sum than ſhall be given by ſuch Verdict had been previouſly offered or tendered in reſpect thereof, by or on Behalf of the ſaid Company of Proprietors, or their Court of Directors, or where by reaſon of Abſence in Foreign Countries, or other Impediment or Diſability as aforeſaid, there ſhall not be found any Perſon or Perſons at hand who may be legally capacitated to enter into a Contract with, and make Conveyances to, and receive Compenſations from the ſaid Company of Proprietors or their Court of Directors as hereinbefore mentioned; then and in all ſuch Caſes all the Expences of impannelling, ſummoning, and returning ſuch Jury, and taking ſuch Verdict, ſhall be ſettled by the ſaid Sheriff ſo impannelling, ſummoning, and returning ſuch Jury, and taking ſuch Verdict as aforeſaid, and be defrayed by the ſaid Company of Proprietors; but if any Verdict ſhall be given for the ſame Sum or Rent as had been previouſly offered by or on Behalf of the ſaid Company, or their Court of Directors, or for a leſs Sum than had been ſo previouſly offered, or for Damages where the Diſpute is for Damages only; or in caſe of ſuch Refuſal or Neglect to enter into Treaty with, or make Conveyances to, or receive Compenſation from, the ſaid Company of Proprietors or their Court of Directors, by any Body or Bodies Politic, Corporate, or Collegiate, Eccleſiaſtical or Civil, by any Perſon or Perſons whomſoever, who Expence of Jury and Witneſſes, by whom to be paid.

who is or are by the Provisions of this Act or otherwise legally capacitated to treat and convey, or receive such Compensation as aforesaid, then and in all such Cases (except where by reason of Absence or otherwise any Person or Persons shall have been prevented from treating and agreeing as aforesaid, when such Costs and Expences shall be paid by the said Proprietors), the Costs and Expences of impannelling, summoning, and returning such Jury, and taking such Verdict, shall be settled in like Manner by the said Sheriff, so impannelling, summoning, and returning such Jury and taking such Verdict, and be borne and paid by the Body or Bodies Politic, Corporate or Collegiate, Ecclesiastical or Civil, or other Person or Persons, with whom the said Company of Proprietors or their Court of Directors shall have such Disputes or Controversies, which said Costs and Expences, having been so settled, shall and may be deducted out of the Money so assessed, and adjudged as so much Money advanced to and for the Use of such Body or Bodies Politic, Corporate or Collegiate, Ecclesiastical or Civil, or other Person or Persons as aforesaid, and the Payment or Tender of the Remainder of such Sum or Sums of Money shall be deemed and taken, to all Intents and Purposes, to be a Payment or Tender of the whole Sum or Sums so assessed and adjudged; and in case no Damages shall be given by such Verdict, where the Dispute is for Damages only, such Costs and Expences, after having been so ascertained and settled as aforesaid, shall and may be recovered by the said Company, by such Ways and Means as are herein provided for the Recovery of any Penalty or Forfeiture incurred by this Act.

The Value of Lands, and Compensation for Damages, to be assessed separately.

XLV. And be it further enacted, That the said Sheriff and Juries respectively, in their Awards, Determinations, Adjudications, Judgments and Verdicts, concerning the Value of Lands, Tenements, and other Hereditaments, shall separately and distinctly proportion off any particular Estate, Terms, or Interests, and also any Damages sustained or to be sustained by any Body Politic, or Bodies Politic, Corporate, Collegiate, Ecclesiastical or Civil, or any other Person or Persons whomsoever, by or in consequence of the Execution of any Powers of this Act, and shall assess and adjudge the Value set upon such Estate, Term, and Interest, and the Money assessed and adjudged for such Damages as aforesaid, distinct and apart from each other.

Lands to vest in the Company, on Payment or giving Security for the Value or Amount of Damages.

XLVI. And be it further enacted, That upon Payment or legal Tender of such Sum or Sums of Money, as shall have been contracted or agreed for between the Parties, or adjusted and determined by the said Court of Directors, or assessed by such Jury in Manner aforesaid, for the Purchase of any such Lands, Tythes, or other Hereditaments, to the Person or Persons entitled to receive such Purchase Money respectively, or his, her, or their Agent or Agents at any Time after the same shall have been actually so agreed for, determined, or assessed, or depositing the same in the Bank of *England*, in Manner by this Act directed, it shall and may be lawful to and for the said Company of Proprietors, and their Agents, Workmen, and Servants, immediately to enter upon such Lands, Tenements, or other Hereditaments respectively, (or before such Payment or Tender or Security given by Leave of the Owners or Occupiers thereof,) and then and thereupon such Lands, Tenements, and other Hereditaments, together with the yearly Profits thereof, and all the Estate, Use, Trust, and

and Intereſt of any Perſon or Perſons therein, ſhall from thenceforth be veſted in and become the ſole Property of the ſaid Company of Proprietors, to and for the Purpoſes of this Act for ever; and ſuch Payment, Tender, or Depoſit ſhall not only bar all Right, Title, Claim, Intereſt, or Demand of the Perſon or Perſons to whom the ſame ſhall or ought to have been made, but alſo ſhall extend to and be deemed and conſtrued to bar the Dower of the Wife of every ſuch Perſon, and all Eſtates Tail, and other Eſtates in Reverſion, Remainder, Expectancy, or otherwiſe, of his, her, or their Iſſue, and of all and every other Perſon and Perſons intereſted therein.

Verdicts of Juries to be recorded.

XLVII. And be it further enacted, That the ſaid Judgments and Verdicts ſo given, ſhall be tranſmitted to and be kept by the Clerk of the Peace, or other Perſon or Perſons having the Cuſtody of the Records of the Quarter Seſſions of the ſaid County of *Lancaſter*, and ſhall be depoſited with and be deemed to be Records of ſuch Quarter Seſſions reſpectively, to all Intents and Purpoſes; and the ſame, or true Copies thereof, ſhall be allowed to be good Evidence in all Courts whatſoever, and all Perſons ſhall have Liberty to inſpect the ſame, paying for ſuch Inſpection the Sum of One Shilling, or to have Copies thereof, paying for every Copy the Sum of Nine-pence for every One hundred Words, and ſo in proportion for any greater or leſs Number of Words.

The Words 'Grant, Bargain, and Sell,' to operate as Covenants for Title.

XLVIII. And be it further enacted, That in all Grants and Conveyances to be made by the ſaid Company of Proprietors, under or by virtue and in purſuance of the ſeveral Powers and Authorities to them hereby given, the Words "grant, bargain, and ſell," ſhall amount to and be conſtrued and adjudged in all Courts of Judicature to be expreſs Covenants to the Grantee, Leſſee, or other Purchaſer, his, her, or their Heirs, Executors, Adminiſtrators, and Aſſigns, from the ſaid Company of Proprietors, for themſelves and their Succeſſors, that they the ſaid Company of Proprietors notwithſtanding any Act done by them, were at the Time of the Execution of every ſuch Grant or Conveyance ſeized of the Hereditaments and Premiſes thereby granted, conveyed, and ſold of an indefeaſible Eſtate of Inheritance in Fee Simple, free from all Incumbrances, for quiet Enjoyment thereof, againſt the ſaid Company of Proprietors, their Succeſſors and Aſſigns, and all claiming under them; and that all ſuch Purchaſers ſhall be indemnified and ſaved harmleſs by the ſaid Company of Proprietors and their Succeſſors.

Company empowered to reſell Lands which may not be wanted.

XLIX. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Company of Proprietors to ſell and diſpoſe of and by Indenture under their Common Seal, abſolutely to grant and convey ſuch Part or Parts of the Lands, Tenements, or Hereditaments which ſhall be ſo purchaſed by and conveyed to the ſaid Company of Proprietors as aforeſaid, and which ſhall not be wanted for the Purpoſes of this Act; and alſo to lay out and appropriate any Part of the ſaid Lands, Tenements, and Hereditaments, as and for an Avenue or Paſſage, and that all ſuch Conveyances from the ſaid Company of Proprietors ſhall be valid and effectual, any Law, Statute, or Cuſtom to the contrary thereof in anywiſe notwithſtanding; and upon Payment of the Money which ſhall ariſe by the Sale or Sales of ſuch Lands, Tenements, or Hereditaments, or any Parts or Parcels thereof, it ſhall be lawful for the Treaſurer or Treaſurers, for the

Time being, to the ſaid Company of Proprietors to ſign and give Receipts for the Money for which the ſame ſhall be ſold, which Receipts ſhall be ſufficient Diſcharges to any Perſon or Perſons for the Purchaſe Money for ſuch Lands, Tenements, or Hereditaments, or any Parts or Parcels thereof as ſhall be ſold, or for ſo much thereof as in ſuch Receipts reſpectively ſhall be expreſſed to be received; and ſuch Perſon or Perſons ſhall not afterwards be anſwerable or accountable for any Loſs, Miſapplication, or Non-application of ſuch Purchaſe Money or any Part thereof: Provided always, that the ſaid Company of Proprietors before they ſhall ſell and diſpoſe of ſuch Lands, Tenements, or Hereditaments, or any Eſtate or Intereſt therein, ſhall firſt offer to reſell the ſame to any Perſon or Perſons from whom they ſhall have purchaſed the ſame, for ſuch Eſtate or Intereſt as ſuch Perſon or Perſons had therein, and ſold to the ſaid Company of Proprietors for and at a Price to be paid by the ſaid Company; and in caſe the ſaid Company and ſuch Perſon or Perſons ſhall differ and not agree as to the Price or Prices thereof, and ſuch Perſon or Perſons ſhall nevertheleſs ſignify his, her, or their Deſire to purchaſe the ſame by a Notice in Writing to be given or left with the Clerk of the ſaid Company within Fourteen Days after ſuch Offer, at a Price to be adjuſted and ſettled by a Jury to be ſummoned as in caſe of Purchaſes made by the ſaid Company as herein mentioned, *mutatis mutandis*, which Notice ſhall be deemed an actual Contract for Purchaſe of the ſaid Premiſes, as againſt the Party or Parties giving the ſame at the Price which ſhall be adjuſted and ſettled by ſuch Jury; and in caſe ſuch Perſon or Perſons ſhall not agree to re-purchaſe ſuch aforeſaid Intereſt therein, or ſhall not give ſuch Notice of his, her, or their Intention of purchaſing the ſame within Fourteen Days after ſuch Offer of Sale, then and in every ſuch Caſe an Affidavit being made and ſworn before a Maſter or a Maſter Extraordinary in the High Court of Chancery, or before One of His Majeſty's Juſtices of the Peace for the City or County where ſuch Lands, Tenements, or Hereditaments ſhall be ſituated, by ſome competent Perſon or Perſons ſtating that ſuch Offer was made by or on the Behalf of the ſaid Company of Proprietors, and was not then and thereupon agreed to by the Perſon or Perſons to whom the ſame was ſo made; and that ſuch Notice as aforeſaid was given, ſhall in all Courts be ſufficient Evidence and Proof that ſuch Offer was made and was not agreed to by the Perſon or Perſons to whom it was made (as the Caſe may be), and that ſuch Notice as aforeſaid was not given; and that all Money which ſhall ariſe by any Sale or Sales, or Demiſe or Demiſes, which may be made by the ſaid Company of Proprietors of ſuch Premiſes, Eſtates, and Intereſts as aforeſaid, ſhall be applied to the Purpoſes of this Act; but the Purchaſer or Purchaſers, Leſſee or Leſſees thereof, ſhall not be anſwerable or accountable for any Miſapplication or Non-application of ſuch Money.

Purchaſe Monies, and Compenſations to Corporate Bodies, &c. to be laid out to the ſame Uſes.

L. And be it further enacted, That all Sum and Sums of Money which are to be paid to any Bodies Politic, Corporate or Collegiate, Eccleſiaſtical or Civil, Feoffees in Truſt, Executors, Adminiſtrators, Huſbands, Guardians, Committees, or other Truſtees, acting as Guardians, Committees, or other Truſtees, for or on behalf of any Lunatics, Idiots, Femes Covert, or other *Ceſtuique* Truſts, or to any Perſon or Perſons, whoſe Lands, Tenements, or other Hereditaments, are limited in ſtrict or other Settlement, or to any Perſon under any other Diſability or

Incapacity whatſoever, for the Purchaſe of or the Damages to be done to any ſuch Lands, Tenements, or other Hereditaments, by virtue of the Powers in this Act contained, ſhall, in caſe the ſame ſhall amount to or exceed the Sum of Two hundred Pounds, 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 *Strangeways* Bridge Company, 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 other Hereditaments, in the Redemption or Purchaſe of the Land Tax, or towards the Diſcharge of any Debt or Debts, or ſuch other Charge or Incumbrance, or Part thereof, as the ſaid Court ſhall authorize to be paid affecting the ſame Lands, Tenements, or other Hereditaments, or affecting other Lands, Tenements, or other 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 Lands, Meſſuages, Tenements, or Hereditaments, which ſhall be conveyed and ſettled to, for and upon ſuch and the like Uſes, Truſts, and Purpoſes, and in the ſame Manner as the Lands, Tenements, and Hereditaments, which ſhall be ſo purchaſed, taken, and 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 Meantime, and until the ſaid Bank Annuities ſhall be ordered by the ſaid Court to be ſold for the Purpoſes aforeſaid, the Dividends and annual Proceeds 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 ſaid Lands, Tenements, or other Hereditaments, ſo hereby directed to be purchaſed, in caſe ſuch Purchaſe and Settlement were made.

Application where Purchaſe Money is leſs than 200l. and above 20l.

LI. Provided always, and be it further enacted, That if any Money ſo agreed or awarded to be paid for any Lands, Tenements, or other Hereditaments, purchaſed, taken, or uſed for the Purpoſes aforeſaid, and belonging to any Corporation, or to any Perſon or Perſons under Diſability or Incapacity as aforeſaid, ſhall be leſs than the Sum of Two hundred Pounds, and ſhall amount to or 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 Lands, Tenements, and Hereditaments ſo purchaſed, taken, or uſed, in reſpect whereof the ſame ſhall be paid, or of his, her, or their Guardian or Guardians, Committee or Committees, in caſe of Infancy or Lunacy, Truſtee or Truſtees, Receiver or Receivers, or other Perſon or Perſons acting as ſuch as aforeſaid, to be ſignified in Writing under their reſpective Hands, be paid into the Bank of *England*, in the Name and with the Privity of the ſaid Accountant General of the High Court of Chancery, and be placed

to

to his Account as aforesaid, in order to be applied in Manner hereinbefore 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 Three or more of the said Court of Directors of the said Company (such Nomination and Approbation to be signified under the Hands of the nominating and approving Parties), in order that such Principal Money and the Dividends arising thereon may be applied in Manner hereinbefore directed, so far as the Case may be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court of Chancery.

Application when Money is less than 20*l.*

LII. 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 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 in respect whereof the same shall be paid, in such Manner as the said Court of Directors, or any Three 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, Trustee or Trustees, or other Person or Persons acting as such, to and for the Use and Benefit of such Person or Persons so entitled respectively, and the Receipt or Receipts of the Person or Persons to whom the said Court of Directors, or any Three or more of them, shall direct the same to be paid, shall be a sufficient Discharge for the same.

Directing how Monies to be paid in case of Failure in making out Titles.

LIII. 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 other Hereditaments to be purchased, taken, or used by virtue of this Act, shall refuse to accept the same, or shall not be able to make a good Title to the Premises, to the Satisfaction of the said Court of Directors, or any Three or more of them, or in case 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 Court of Directors, or any Three 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 High Court of Chancery, to be placed to his Account to the Credit of the Parties interested in the said Lands, Tenements, and Hereditaments (describing them), subject to the Order, Controul, and Disposition of the said Court of Chancery, which said Court of Chancery, 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, or 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 or are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying

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.

Where any Queſtion ſhall ariſe as to the Title to Money, the Perſon who ſhall be in Poſſeſſion of the Lands, &c. to be deemed entitled thereto.

LIV. Provided always, and be it further enacted, That where any Queſtion ſhall ariſe touching the Title of any Perſon or Perſons to any Money to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery in purſuance of this Act, for the Purchaſe of any Lands, Tenements, or other Hereditaments, or of any Eſtate, Right, or Intereſt in any Lands, Tenements, or other Hereditaments to be purchaſed in purſuance thereof, 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 ſuch Lands, Tenements, or other Hereditaments, in reſpect whereof ſuch Money ſhall have been ſo paid at the Time of paſſing this Act, 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 other Hereditaments according to ſuch Poſſeſſion, until the contrary ſhall be ſhewn to the Satisfaction of the ſaid Court of Chancery, and the Dividends or Intereſts 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, or 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 may order reaſonable Expences to be paid by the Company.

LV. Provided always, 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 other Hereditaments, to be purchaſed under the Authority of 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 this Act; it ſhall and may be lawful to and for the ſaid Court to order the Expences of all Purchaſes from Time to Time to be made in purſuance of this Act, or ſo much of ſuch Expences as the ſaid Court ſhall deem reaſonable, together with the neceſſary Coſts and Charges of obtaining ſuch Order, to be paid by the ſaid Company of Proprietors, or their Court of Directors, who ſhall from Time to Time pay ſuch Sum and Sums of Money for ſuch Purpoſes as the ſaid Court ſhall direct and order.

Tenants at Will to deliver Poſſeſſion at Three Months' Notice.

LVI. And be it further enacted, That every Tenant at Will, or Leſſee for a Year, or from Year to Year, ſhall deliver up the Poſſeſſion of ſuch Premiſes to the ſaid Company of Proprietors, or to ſuch Perſon or Perſons as they ſhall appoint to take Poſſeſſion of the ſame, upon having Three Calendar Months' Notice to quit ſuch Poſſeſſion, from the Clerk to the ſaid Company of Proprietors, or from the Perſon or Perſons ſo authorized by them to take ſuch Poſſeſſion, and ſuch Perſon or Perſons in Poſſeſſion ſhall at the End of the ſaid Three Calendar Months, whether ſuch Notice be given with Reference to the Time or Times of ſuch Tenants holding or not, or ſo ſoon after as he, ſhe, or they ſhall be required, peaceably and quietly deliver up the Poſſeſſion of the ſaid Premiſes to the ſaid Company of Proprietors, or to ſuch Perſon or Perſons authorized

authorized by them to take Poſſeſſion thereof, ſuch Authority being ſignified under the Hands of the ſaid Court of Directors, or any Three or more of them; they the ſaid Company making ſuch Satisfaction and Compenſation to every ſuch Tenant or Leſſee, or other Perſon or Perſons in Poſſeſſion as aforeſaid, in caſe he, ſhe, or they ſhall be required to quit before the Expiration of his, her, or their Current Year in the Premiſes, as the ſaid Company ſhall deem juſt and reaſonable, and if any Diſpute ſhall ariſe touching the Amount of ſuch Satisfaction or Compenſation, then and in ſuch Caſe the ſame ſhall be ſettled and aſcertained by a Jury in ſuch and the like Manner as the Satisfaction and Compenſation to be made for the Purchaſe of any Houſes, Buildings, Lands, Tenements, or Hereditaments are hereinbefore directed to be ſettled and aſcertained in caſe of any Difference or Diſpute about the ſame; and in caſe any ſuch Perſon or Perſons, ſo in Poſſeſſion as aforeſaid, ſhall refuſe to give ſuch Poſſeſſion as aforeſaid, all reaſonable Satisfaction being firſt made or tendered, it ſhall be lawful for the ſaid Court of Directors, or any Three or more of them, to iſſue their Precept or Precepts to the Sheriff of the County in which the Premiſes ſhall be ſituate, to deliver Poſſeſſion of the ſaid Premiſes to ſuch Perſon or Perſons as ſhall in ſuch Precept or Precepts be nominated to receive the ſame, and the ſaid Sheriff is hereby required to deliver Poſſeſſion of the ſaid Premiſes accordingly, and to levy ſuch Coſts as ſhall accrue from the Iſſuing and Execution of ſuch Precept or Precepts on the Perſon or Perſons ſo refuſing to give Poſſeſſion as aforeſaid, by Diſtreſs and Sale of his, her, or their Goods.

Power to erect Turnpikes and take Tolls.

LVII. And be it further enacted, That the ſaid Company of Proprietors or their Court of Directors ſhall and may as ſoon as conveniently may be, after the ſaid intended Bridge ſhall be erected, cauſe to be erected and ſet up a Turnpike Gate or Gates, or Toll Gate or Gates, at or upon the ſaid Bridge, or within the Diſtance of Twenty-five Yards from either End thereof, and from Time to Time, as Occaſion may require, ſhall and may remove the ſame Turnpike or Toll Gate, Turnpikes and Toll Gates, and erect or ſet up another Turnpike or Toll Gate, or other Turnpikes or Toll Gates 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 Company of Proprietors, or the Majority of them, ſhall think proper; and that the reſpective Tolls following ſhall be demanded and taken at the Turnpike or Toll Gate, Turnpikes or Toll Gates to be erected as aforeſaid, by ſuch Perſon or Perſons as the ſaid Court of Directors ſhall from Time to Time appoint as aforeſaid, before any Foot Paſſenger, or any Horſe, Mule, Aſs, or other Beaſt, 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 every Perſon in a Waggon or Cart, or ſuch other like Carriage, other than the Driver thereof, One Halfpenny:

For every Horſe, or other Beaſt drawing any Coach, Berlin, Landau, Chaiſe, Chair, Calaſh, Hearſe, or other ſuch like Carriage, One Penny:

For every Horſe or other Beaſt drawing any Waggon or other ſuch like Four Wheel Carriage, with the Driver thereof, the Sum of One Penny, except the ſame ſhall be drawn by a leſs Number than Four Horſes, and then for the whole of ſuch leſs Number than Four Horſes, the Sum of Four-pence:

For every Horſe, or other Beaſt drawing any Cart or other ſuch like Carriage, with the Driver thereof, the Sum of One Penny, except the ſame ſhall be drawn by a leſs Number than Three Horſes, and then for the whole of ſuch leſs Number the Sum of Two-pence:

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

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.

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 with their reſpective Appurtenances ſhall be, and the ſame are hereby veſted in the ſaid Company of Proprietors, and ſhall be applied and diſpoſed of as hereinafter mentioned.

Tolls may be altered.

LVIII. And be it further enacted, That the ſaid Company of Proprietors ſhall have full Power from Time to Time at any General or Special General Aſſembly to lower or reduce all or any of the ſaid Tolls, but no Reduction of any ſuch Tolls ſhall be made or take Place unleſs a Majority of the Proprietors preſent at ſuch General or Special General Aſſembly as hereinbefore directed, and Five-ſixths in Value of the Perſons to whom Money may at that Time be owing on the Credit of the Tolls hereby granted, ſhall aſſent thereto; and it ſhall and may be lawful to and for the ſaid Company of Proprietors in like Manner again to raiſe the ſaid Tolls to ſuch Sum or Sums as they ſhall think proper, not exceeding the Sums before mentioned, as often as it ſhall be deemed neceſſary for the Intereſt of the ſaid Undertaking.

Tolls to be paid at only One Gate.

LIX. Provided always, and be it further enacted, That no Foot Paſſenger, Cart, Carriage, Waggon, Coach, Berlin, Landau, Chaiſe, Chair, Gig, Calaſh, Hearſe, or ſuch other like Carriage, Horſes, Mules, Aſſes, or other Beaſts of Burden, Drove of Oxen, Cattle, Calves, Swine, Sheep, or Lambs, ſhall pay any Toll at more than One Turnpike or Toll Gate to be erected and ſet up by virtue of this Act.

Carriages may return Toll free.

LX. Provided always, and be it enacted, That no Foot Paſſenger, nor any Perſon or Perſons having Occaſion to paſs through any Turnpike or Toll Bar erected or to be erected where the Toll is or ſhall be taken by virtue of this preſent Act with any Coach, Berlin, Chariot, Landau, Calaſh, Chaiſe, Chair, Hearſe, Litter, Waggon, Wain, Cart, or other Carriage, Horſe, Mule, Aſs, Oxen, Cows, Hogs, Sheep, or any other Sort of Cattle, and who ſhall return the ſame Day through the ſame Turnpike or Toll Bar before Twelve of the Clock at Night with the ſame Coach, Berlin, Chariot, Landau, Calaſh, Chaiſe, Chair, Hearſe, Litter, Waggon, Wain, Cart or other Carriage, Horſe, Mule, Aſs, Oxen, Cows, Hogs, Sheep, or any other Sort of Cattle for which ſuch Tolls have been paid, ſhall be liable or compelled to pay on his, her, or their Return the ſaid Tolls at ſuch Turnpike or Toll Bar, ſuch Perſon or Perſons producing a Ticket denoting ſuch Payment, and naming and ſpecifying the Gate or Gates freed by ſuch Payment, which Ticket the Collector of the Tolls is hereby required to deliver *gratis* on Payment of ſuch Toll.

LXI. Provided

General Exemptions from Tolls of Bridge.

LXI. Provided always, and be it enacted and declared, That no Toll whatſoever ſhall be demanded or taken for any Horſe, Beaſt, Cattle, or Carriage of whatever Deſcription, employed or to be employed in conveying, fetching, or guarding 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 returning back from conveying or guarding the ſame, or for any Soldiers upon their March, or upon Duty, or for any Horſe, Beaſt, Cattle, or Carriages attending them with their Arms, and Baggage, or returning after having been ſo employed, 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 His Majeſty, or for the Uſe of His Majeſty's Forces, or for any Horſe, Beaſt, Cattle, or other Carriage, travelling with Vagrants, ſent by legal Paſſes, or for any Volunteers upon their March, or upon Duty, or in going to or returning from the Place appointed for and on the Days of Exerciſe; or for any Horſe, Mare, or Gelding, furniſhed by or for or 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 be dreſſed in the Uniforms 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, or for any Horſe, or other Beaſt, drawing any Coach, Berlin, Landau, Chariot, Calaſh, Chair, or other Carriage, or Paſſenger on Horſeback, going to or returning from any Election of a Member or Members to ſerve in Parliament for the County of *Lancaſter*, on the Day or Days of ſuch Election, or on the Day before or after ſuch Election ſhall begin or be concluded; and if any Perſon ſhall claim and take the Benefit of any of the Exemptions by this Act granted, not being entitled to the ſame, ſuch Perſon or Perſons, for every ſuch Offence, ſhall forfeit and pay any Sum not exceeding Forty Shillings, to be recovered and applied as other Penalties are by this Act directed to be recovered and applied.

Exemption for Occupiers of Strangeways Park.

LXII. Provided alſo, and be it further enacted, That no Toll whatſoever ſhall be demanded or taken from any Perſon or Perſons who now is or hereafter ſhall be or become the Occupier or Occupiers of a certain Piece or Parcel of Ground ſituate near to the ſaid intended Bridge, and called or known by the Name of *Strangeways Park*, now belonging to the Right Honourable *Thomas* Lord *Ducie*, or any Part thereof, or of any Part of the Lands or Grounds of the ſaid *Thomas* Lord *Ducie*, near or adjoining thereto, and ſituate on the North-eaſt Side of the ſaid River *Irwell*, or any Meſſuages, Dwelling Houſes, or Buildings now built, or hereafter to be built thereon, or any Part thereof reſpectively, or his, their, or any of their Servants, Workmen, Labourers, Horſes, Beaſts, Cattle, or Carriages of whatever Deſcription, employed or to be employed in, or upon, or about the ſaid Lands, Buildings, and Premiſes, or any Part thereof; provided nevertheleſs, that all and every Perſon and Perſons whomſoever, claiming or to claim ſuch Exemption from Toll, do and ſhall give or leave Notice in Writing of ſuch, his, her, or their Claim, at the Toll Houſe or Toll Houſes, Toll Gate or Toll Gates, to be erected by virtue, or under the Authority of this Act; ſuch Notice to contain the Name or Names of the Perſon or Perſons for or in reſpect of whom, or whoſe Horſes,

Horſes, Beaſts, Cattle, or Carriages, ſuch Exemption is or ſhall be ſo claimed; and if any Perſon ſhall claim and take the Benefit of any ſuch Exemption, not being entitled to the ſame, ſuch Perſon or Perſons ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Forty Shillings, to be recovered and applied as other Penalties are by this Act directed to be recovered and applied: Provided alſo, that nothing in this Act contained ſhall extend, or be conſtrued to extend, to exempt from the Payment of any Tolls to be impoſed by virtue or under the Authority of this Act, any Horſes, Beaſts, Cattle, or Carriages, which ſhall paſs or repaſs over or along the ſaid Bridge, Ways, or Paſſages, or any of them, through or over any of the Lands or Grounds of the ſaid *Thomas* Lord *Ducie*, to the Lands or Grounds of any other Perſon or Perſons whomſoever, although ſuch laſt-mentioned Lands or Grounds, or any of them, may be occupied by any Tenant or Tenants of the ſaid *Thomas* Lord *Ducie*.

To enforce Payment of Tolls.

LXIII. And be it further enacted, That it ſhall and may be lawful to and for the Collector or Collectors of the ſaid Tolls, or any of them, to ſtop and prevent the Paſſage of any Perſon or Perſons neglecting or refuſing to pay the ſaid Tolls, or any of them, or of the Horſe, Beaſt, Cattle, Carriage, or other Thing, for or in reſpect whereof the ſaid Tolls ought to be paid; or it ſhall and may be lawful to and for the ſaid Collector or Collectors to ſeize and detain the Goods and Chattels of ſuch Perſon or Perſons, or ſuch Horſe, Beaſt, Cattle, Carriage, or other Thing; and in caſe the ſaid Tolls ſhall not be fully paid and ſatisfied, together with all reaſonable Coſts and Charges of making, detaining, and keeping ſuch Diſtreſs, within the Space of Fourteen Days, the ſaid Collector or Collectors ſhall and may ſell the ſame, rendering the Overplus (if any) after deducting ſuch Coſts and Charges of making, detaining, keeping, and ſelling ſuch Diſtreſs to the Owner or Owners thereof.

In caſe of Diſpute concerning Tolls and Charges, the Matter to be ſettled by a Juſtice of the Peace.

LXIV. Provided always, and be it further enacted, That if any Diſpute ſhall happen touching the Amount of the Tolls due, or the Charges of diſtraining, keeping, and ſelling any Diſtreſs, it ſhall be lawful for the Collector or Perſon ſo diſtraining to retain the Diſtreſs, or the Money ariſing from the Sale thereof, until the Amount of the Tolls due, and the Charges of diſtraining, keeping, and ſelling the Diſtreſs, as the Caſe may be, ſhall be aſcertained by ſome Juſtice of the Peace for the County, City, or Place wherein ſuch Diſpute ſhall happen to ariſe, who upon Application made to him for that Purpoſe, ſhall examine the Matter by Oath of the Parties, or other Witneſs or Witneſſes (which Oath ſuch Juſtice is hereby authorized to adminiſter) and ſhall determine the Amount of the Tolls due, and ſhall award ſuch Coſts and Charges to either Party as to the ſaid Juſtice ſhall appear right and proper; all which Coſts and Charges ſhall and may be levied and recovered, in caſe of Non-payment thereof forthwith, by Warrant under the Hand and Seal of ſuch Juſtice, rendering the Overplus (if any) on Demand, after deducting the Coſts and Charges of making ſuch Diſtreſs and Sale, to the Perſon or Perſons whoſe Goods and Chattels ſhall have been ſo diſtrained and ſold.

Collectors of Tolls may give Evidence.

LXV. And be it further enacted, That in caſe any Diſpute, Suit, or Litigation ſhall ariſe touching or in anywiſe relating to the ſaid Tolls or any of them, the Perſon or Perſons appointed to collect the ſame, or any other

Perſon or Perſons acting by or under the Authority of the ſaid Company of Proprietors, ſhall not be diſqualified from giving Evidence in any ſuch Diſpute, Suit, or Litigation, by reaſon of his, her, or their being appointed to collect ſuch Tolls.

For preventing Toll Collectors from taking undue Tolls.

LXVI. And be it further enacted, That all and every Toll Collector ſhall and he is hereby required to place his Chriſtian and Surname painted on a Board in legible Characters, in the Front or ſome other conſpicuous Part of the Toll Houſe or Toll Gate immediately on his coming on Duty, each of the Letters of ſuch Name or Names to be at leaſt Two Inches in Length, and of a Breadth in Proportion, and painted either in White Letters on a Black Ground or Black Letters on a White Ground, and ſhall continue the ſame ſo placed during the whole Time he ſhall be upon ſuch Duty; and if any Collector of the ſame Tolls ſhall not place ſuch Board as aforeſaid, and keep the ſame there during the Time aforeſaid, or ſhall demand or take a greater or leſs Toll from any Perſon than he ſhall be authorized to do by virtue of the Powers of this Act, or of the Orders and Reſolutions of the ſaid Company of Proprietors made in purſuance thereof, or ſhall demand and take a Toll from any Perſon or Perſons who ſhall be exempt from the Payment thereof, and claim ſuch Exemption, or ſhall refuſe to permit or ſuffer, or ſhall in any ways hinder any Perſon or Perſons from reading ſuch Chriſtian or Surname, or ſhall refuſe to tell his Chriſtian or Surname to any Perſon or Perſons who ſhall demand the ſame, on having paid the ſaid Tolls or any of them, or ſhall in anſwer to ſuch Demand, give a falſe Name or Names, or ſhall refuſe or neglect to give a Ticket to denote the Payment of the Toll when demanded, or upon the legal Toll being paid or tendered, ſhall unneceſſarily detain or wilfully obſtruct, hinder, or prevent any Paſſenger or Paſſengers from paſſing through any Turnpike or Toll Gate, or ſhall make uſe of any ſcurrilous or abuſive Language to any Truſtee, Treaſurer, Clerk, Surveyor, or other Officer, or any Paſſenger or Paſſengers, then and in every ſuch Caſe, every ſuch Toll Collector ſhall forfeit and pay any Sum not exceeding Forty Shillings for every ſuch Offence, as the Juſtice or Juſtices before whom the Information ſhall be laid ſhall adjudge; and ſuch Penalty ſhall be recovered and applied as other Penalties are by this Act directed to be recovered and applied.

Directing the Application of the Tolls.

LXVII. And be it further enacted, That the Tolls that ſhall be collected and received under or by virtue of this Act, ſhall be applied and diſpoſed of in Manner hereafter mentioned; (that is to ſay,) in the Firſt Place, in paying the Expences for the Time being of carrying this Act into Execution, and of keeping the ſaid Bridge in proper Repair and Condition; and in the next Place, in paying to the Mortgagees and Annuitants under this Act the Intereſt and Annuities to which they ſhall be reſpectively entitled in Manner hereinbefore provided; and the Surplus thereof ſhall be divided amongſt the ſaid Proprietors in proportion to the Amount of their reſpective Shares.

Deſtroying Works.

LXVIII. And be it further enacted, That if any Perſon or Perſons ſhall wilfully and maliciouſly, and to the Prejudice of the ſaid Undertaking, break, throw down, or deſtroy any of the Works to be erected and made by virtue of this Act, every ſuch Perſon ſhall be judged guilty of Felony; and every ſuch Perſon ſo offending, and being thereof lawfully convicted, ſhall be ſubject to the like Puniſhments and Penalties as in Caſes of

Felony; and the Court by or before whom such Person shall be tried and convicted, shall have Power and Authority to cause such Person or Persons to be punished in like Manner as Felons are directed to be punished by the Laws and Statutes of this Realm; or, in Mitigation of such Punishment, such Court may award such Sentence as the Law directs in Cases of Petit Larceny.

For removing Annoyances.

LXIX. And be it further enacted, That it shall be lawful for the said Surveyor or Surveyors, appointed or to be appointed by the said Company of Proprietors, or their Court of Directors; and such Persons as he or they shall respectively appoint, from Time to Time, to remove all Obstructions, Annoyances, and Encroachments on the said Bridge, or on or by the Side or Sides of any Part of the said Bridge, or the Avenues immediately leading thereto, by any Erections whatsoever, within Fifty Feet of the said Bridge, or by Timber, Stone, or Carriages, or by any Water Troughs, Tubs, or other Things for watering Horses or Cattle, or for any other Purpose, or by Saw Pits, Hovels, Ashes, Rubbish, Stone, or otherwise by laying or placing Goods, Wares, and Merchandize, or other Matters or Things in or upon the said Bridge, or in Front of any House within Fifty Feet of the said Bridge, or by any other Ways or Means whatsoever, and to turn any Watercourses, Sinks, or Drains running along into the River *Irwell*, which shall interfere with the said Bridge, and be necessary to be removed for the Construction, Preservation, and Safety thereof, and to open, scour, cleanse, widen, or make deeper any Watercourses adjoining or near thereto, and make the same as deep and as large as they shall think necessary.

Lord Ducie or his Tenants may use any Drain, &c.

LXX. Provided always, and be it enacted and declared, That it shall and may be lawful to and for the said *Thomas* Lord *Ducie*, and the Owner or Proprietor, Owners or Proprietors for the Time being of any of the Lands or Grounds through, over, or upon which any of the Avenues, Ways, or Passages to be made by virtue or under the Authority of this Act, shall pass, or his, her, their or any of their Lessee or Lessees, Tenant or Tenants, to use any Shore or Shores, Drain or Drains, Watercourse or Watercourses, which shall be made, opened, or built, under any of the said Avenues, Ways, or Passages, or to make, build, or place any new or other Shore or Shores, Drain or Drains, Watercourse or Watercourses, under any of the said Avenues, Ways, or Passages, or to make and open any Street or Streets, Road or Roads, Way or Ways, Passage or Passages, into the said Avenues, Ways, or Passages authorized to be made under or by virtue of this Act, or to make any Vault or Vaults under the same Avenues, Ways, or Passages, or any of them, or to make or do any other Act or Thing for the Improvement or intended Improvement of any of the Land or Ground adjoining thereto, as he, she, or they might or could have been done previously to the passing of this Act; yet so nevertheless as not thereby to injure the said intended Bridge, or to narrow any such last-mentioned Avenues, Ways, or Passages, or to obstruct the same longer than may be absolutely necessary, and so as the Party or Parties who may be desirous of breaking the Surface of such Avenues, Ways, or Passages, or any of them, for any of the Purposes aforesaid, do and shall give Notice in Writing of such his, her, or their Desire, Three Days at the least before he, she, or they shall proceed therein, such Notice to be given or left at the said Toll House or Toll Houses, Toll Gate or Toll Gates, and so as no more of such Surface shall be disturbed

disturbed or displaced than shall be absolutely necessary for the Purposes aforesaid, and so as such Avenues, Ways, or Passages, or any of them, be not wholly obstructed or rendered impassable at any one Time, and so as the Party or Parties giving such Notice do and shall with all convenient Speed repair and amend any Damage to be done thereby, and replace the Surface of such Avenues, Ways, and Passages at his, her, or their own Expence, in the same Plight and Condition as they were in before any such Alteration therein; provided also, that no Avenue, Way, or Passage which shall be made by virtue or under the Authority of this Act, shall impede, obstruct, or injure a certain Way or Road called *Strangeways Road*, leading from *Strangeways Hall* to *Huntsbank Bridge*.

Penalty on throwing Rubbish on the Bridge.

LXXI. And be it further enacted, That if any Person or Persons shall, from and after the said Bridge shall be erected, throw, cast, or lay any Dust, Dirt, Ashes, Rubbish, Dung, or other Filth or Annoyance in or upon the said Bridge, every such Person and Persons being convicted thereof shall forfeit and pay any Sum not exceeding Two Pounds for every such Offence over and above the Charges of removing such Filth or Annoyance, which the said Surveyor or Surveyors is and are hereby authorized to remove; and all the said Forfeitures as well as the Charges of removing such Annoyances, which Charges the Court of Directors of the said Company, or any Three or more of them, are hereby authorized to settle and ascertain, shall by Warrant under the Hand and Seal of any One or more Justice or Justices of the Peace of the County of *Lancaster*, who is and are hereby authorized and required to grant the same, directed to the Constable or Peace Officer for the Parish or Place where the Offence shall be committed, be levied by Distress and Sale of the Goods and Chattels of the Person or Persons so offending, rendering the Overplus upon Demand (if any) after all Charges paid to the Person or Persons whose Goods and Chattels shall be distrained and sold, and in Default of such Distress or Non-payment of the said Penalty, the Offender or Offenders shall be committed to the Common Gaol, by any such Justice or Justices as aforesaid, by Warrant under his or their Hand and Seal or Hands and Seals, there to remain without Bail or Mainprize for any Time not exceeding Six Calendar Months: Provided nevertheless, that all and every Person and Persons so committed shall upon Payment of such Forfeitures and all Charges, be immediately released from his, her, or their Confinement.

Against drawing Timber.

LXXII. And be it further enacted, That if any Person or Persons shall draw or cause to be drawn upon the said Bridge any Tree or Piece of Timber, or any Stone otherwise than upon Wheel Carriages, or shall suffer any Part of any Tree or Piece of Timber which shall be conveyed upon any Wheel Carriage to trail upon any Part of the said Bridge to the Prejudice thereof, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

The whole of the Estimate to be subscribed before proceeding with the Act.

LXXIII. And whereas the probable Expences of building the said Bridge, and making the Avenues thereto, will, according to an Estimate thereof, amount to the Sum of Four thousand two hundred Pounds; and the Sum of Three thousand five hundred Pounds, being more than Four-fifth Parts of such Expences, has already been subscribed for defraying such Expences, by several Persons, under a Contract binding them, their Heirs, Executors, and Administrators, for Payment of the several Sums so subscribed

ſcribed by them reſpectively; be it therefore further enacted, That the whole of the ſaid Sum of Four thouſand two hundred Pounds ſhall be ſubſcribed in like Manner, before any of the Powers and Proviſions given by this Act ſhall be put in Force.

Penalties and Forfeitures how to be recovered and applied.

LXXIV. And be it further enacted, That all Penalties, Forfeitures, and Fines hereby inflicted or authorized to be impoſed (the Manner of levying and recovering whereof is not herein otherwiſe directed), ſhall, upon Proof of the Offences reſpectively before any One of His Majeſty's Juſtices of the Peace for the County or Place where the Offence or Offences ſhall be committed, either by the Confeſſion of the Party or Parties offending, or by the Oath of One or more Witneſs or Witneſſes (which Oath ſuch Juſtice is hereby empowered to adminiſter), be levied by Diſtreſs and Sale of the Goods and Chattels of the Party or Parties offending, by Warrant under the Hand and Seal of ſuch Juſtice, which Warrant ſuch Juſtice is hereby empowered to grant for ſuch Purpoſe, and the Overplus, after ſuch Penalties, Forfeitures, and Fines, and the Charges of ſuch Diſtreſs and Sale are recovered and deducted, ſhall be returned upon Demand unto the Owner or Owners of ſuch Goods and Chattels, and the Penalties, Forfeitures, and Fines, when paid or levied (if not otherwiſe directed to be applied by this Act) ſhall be from Time to Time paid to the Treaſurer or Treaſurers of the ſaid Company, and applied to the Purpoſes of this Act; and in caſe ſufficient Diſtreſs ſhall not be found, and ſuch Penalties and Forfeitures ſhall not be forthwith paid, it ſhall and may be lawful for any ſuch Juſtice of the Peace as aforeſaid, and he is hereby authorized and required, by Warrant or Warrants under his Hand and Seal, to cauſe ſuch Offender or Offenders to be committed to the Common Gaol of ſuch County, City, or Place, there to remain without Bail or Mainprize, for any Time not exceeding Six Months, unleſs ſuch Penalties, Forfeitures, and Fines, and all reaſonable Charges, ſhall be ſooner paid or ſatisfied.

Power to give Informer Part of the Penalties.

LXXV. Provided nevertheleſs, and be it further enacted, That it ſhall be lawful for the ſaid Company, from Time to Time, if they ſhall ſee Cauſe, to pay and apply ſuch Part of the ſaid Penalties, Forfeitures, and Fines, or any of them, to and for the Uſe of the Informer or Informers, or any Perſon or Perſons (not being a Witneſs or Witneſſes) aiding or aſſiſting in the Apprehenſion of any Offender or Offenders therein, or any of them, any Thing herein contained to the contrary thereof in anywiſe notwithſtanding.

Compelling Witneſſes to attend.

LXXVI. And be it further enacted, That if any Perſon or Perſons who ſhall be ſummoned as a Witneſs or Witneſſes to attend and give Evidence before any Juſtice of the Peace touching any Matter of Fact contained in any Information or Complaint for any Offence againſt this Act, either on the Part of the Proſecutor or the Perſon or Perſons accuſed, ſhall, on being paid or tendered a reaſonable Sum for his or her Loſs of Time, Coſts, Charges, and Expences, refuſe or neglect to appear at the Time and Place to be for that Purpoſe appointed, without a reaſonable Excuſe for his, her, or their Refuſal or Neglect, or appearing ſhall refuſe to be examined upon Oath, (or in caſe of a Quaker or Quakers on ſolemn Affirmation,) and to give Evidence before ſuch Juſtice of the Peace, then and in every ſuch Caſe every ſuch Perſon ſhall forfeit and pay for every ſuch Offence any Sum not exceeding Ten Pounds.

For securing transient Offenders.

LXXVII. And whereas Persons guilty of Offences against this Act may be transient Persons unknown to the Collectors and other Persons under this Act, be it further enacted, That it shall and may be lawful to and for the said Collectors, Surveyors, or other Officers respectively to seize and detain any such unknown Person or Persons guilty of any Offence against this Act, and to convey him or them before any One or more of the Justice or Justices of the Peace for the County or Place where any such Offence shall be committed, without any other Warrant or Authority than this Act for so doing.

Conviction of Offenders.

LXXVIII. And for the more easy and speedy Conviction of Offenders against this Act, be it further enacted, That all and every the Justice and Justices of the Peace before whom any Person or Persons shall be convicted of any Offence against this Act, shall and may cause the Conviction to be drawn up in the following Form of Words, or in any other Form of Words to the same Effect, as the Case shall happen; that is to say,

Form of Conviction.

'BE it remembered, That on the Day of in the Year of our Lord *A. B.* is convicted before me *C. D.*, [*or*, before us *C. D.* and *E. F.*,] One [*or*, Two] of His Majesty's Justices of the Peace for the County of [*specifying the Offence, and Time and Place when and where the same was committed, as the Case shall be.*] Given under my Hand and Seal, [*or*, our Hands and Seals,] the Day and Year first above mentioned.'

Distress not unlawful for want of Form.

LXXIX. And be it further enacted, That where any Distress shall be made for any Sum of Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be considered a Trespasser or Trespassers on Account of any Defect or want of Form in the Information, Summons, Conviction, Warrant of Distress, or the Appointment of the Collector or Collectors, Receiver or Receivers, Surveyor or Surveyors, or in any other Proceeding relating thereto, nor shall the said Party or Parties distraining be deemed or considered a Trespasser or Trespassers *ab initio*, on Account of any Irregularity which shall afterwards happen to be done by the Party or Parties so distraining in making such Distress; but the Person or Persons aggrieved by such Irregularity shall and may recover full Satisfaction for the special Damage which he, she, or they shall have sustained thereby, with usual Costs, and no more, in an Action of Trespass, or on the Case, at the Election of the Person or Persons so aggrieved.

Plaintiff not to recover without Notice, after Tender of Amends.

LXXX. Provided always, and be it enacted, That no Plaintiff or Plaintiffs shall recover in any Action to be commenced against any Person or Persons for any Thing done in pursuance of this Act, unless Notice in Writing shall have been given to the Defendant or Defendants, or left at his, her, or their last or usual Place or Places of Abode Thirty Days before such Action shall be commenced, of such intended Action, signed by the Attorney for the Plaintiff or Plaintiffs, specifying the Cause of such Action; nor shall the Plaintiff or Plaintiffs recover in such Action if Tender of good and sufficient Amends shall have been made to him, her, or them, or to his, her, or their Attorney, by or on the Behalf of the Defendant or Defendants, before such Action brought; nor if such Tender of Amends shall be made at any Time after the said Action brought, and before the Trial thereof, together with Costs of Suit to the Time of such last-mentioned Tender, but on Proof of such Tender on any Trial to be had in such Action, the

Plaintiff or Plaintiffs ſhall ſuffer Judgment, as in Caſes of Nonſuit, with Treble Coſts, to be recovered in the ſame Manner as any Defendant or Defendants may recover Coſts in any other Caſe by Law; or in caſe no ſuch Tender ſhall have been made, it ſhall and may be lawful to and for the Defendant or Defendants in any ſuch Action, by leave of the Court where ſuch Action ſhall depend, at any Time before Iſſue joined, to pay into Court ſuch Sum of Money as he, ſhe, or they ſhall think fit; whereupon ſuch Proceedings, Order, and Judgment ſhall be had, made, and given, in and by ſuch Court as in other Actions where the Defendant is allowed to pay Money into Court.

Allowing an Appeal.

LXXXI. And be it further enacted, That if any Perſon or Perſons ſhall think himſelf, herſelf, or themſelves aggrieved by any Order or Judgment made or given in purſuance of any Rule, Bye-Law, or Order of the ſaid Company of Proprietors, or of their Court of Directors, or by any Order, Judgment, or Determination of any Juſtice or Juſtices of the Peace, relating to any Matter or Thing in this Act mentioned or contained, then, and in every ſuch Caſe, ſuch Perſon or Perſons may, within Six Months next after ſuch Order, Judgment, or Determination ſhall have been made or given, appeal to the Juſtices of the Peace at the General or Quarter Seſſions of the Peace to be holden in and for the County, City, or Place in which the Cauſe of Appeal ſhall ariſe, (firſt giving Fourteen Days' Notice of ſuch Appeal to the Perſon or Perſons appealed againſt, and of the Nature and Matter thereof, and forthwith after ſuch Notice entering into a Recognizance before ſome Juſtice of the Peace for ſuch County, City, or Place, with Two ſufficient Sureties conditioned to try ſuch Appeal, and to abide the Order and Award of the ſaid Court thereon); and the ſaid Juſtices ſhall, in a ſummary Way, either hear and determine the ſaid Appeal at ſuch General or Quarter Seſſions, or if they think proper may adjourn the Hearing thereof to the next General or Quarter Seſſions of the Peace to be holden for ſuch County, City, or Place, and the ſaid Juſtices may, if they ſee cauſe, mitigate any Forfeiture or Fine, and may order any Money to be returned which ſhall have been levied in purſuance of ſuch Rule, Bye-Law, Order, Judgement, or Determination, and may alſo order and award ſuch further Satisfaction to be made to the Party injured as they ſhall judge reaſonable.

Limitation of Actions.

LXXXII. Provided always, and be it further enacted, That no Action or Suit ſhall be brought againſt any Perſon or Perſons, Body or Bodies Politic Corporate, or Collegiate, for any Thing done in purſuance of this Act, after Three Calendar Months after the Fact committed; and every ſuch Action or Suit ſhall be laid, brought, and tried in the Place where the Cauſe of Action ſhall ariſe, and not elſewhere, and the Defendant or Defendants in every ſuch Action or Suit, may, at his, her, or their Election, plead ſpecially, or the General Iſſue, and give this Act and the Special Matter in Evidence at any Trial to be had thereupon, and that the ſame was done in purſuance and under the Authority of this Act; and if the ſame ſhall appear to be ſo done, or that ſuch Action or Suit ſhall have been brought before Thirty Days' Notice ſhall have been given, or after a ſufficient Satisfaction made and tendered as aforeſaid, or after the Time limited for bringing the ſame as aforeſaid, or ſhall be brought in any other Place than as aforeſaid, then and in every ſuch Caſe the Jury ſhall find for the Defendant or Defendants, and upon ſuch Verdict, or

or if the Plaintiff or Plaintiffs ſhall be nonſuited, or diſcontinue his, her, or their Action or Suit, after the Defendant or Defendants ſhall have appeared, or if upon Demurrer Judgment ſhall be given againſt the Plaintiff or Plaintiffs, then the Defendant or Defendants ſhall recover Treble Coſts, and ſhall have ſuch Remedy for recovering the ſame as any Defendant or Defendants hath or have for his, her, or their Coſts in any other Caſes by Law.

Public Act. LXXXIII. 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.

The SCHEDULE to which this Act refers.

A Dwelling Houſe, Brew-houſe, and Out-buildings, Yard, and vacant Land, with the Appurtenances in *Salford* aforeſaid, belonging to the Right Honourable *Thomas* Lord *Ducie*, and in the Occupation of Mr. *Charles Rowland* as Tenant at Will.

A vacant Plot of Land in *Cheetham* aforeſaid, on the North-eaſterly Side of the River *Irwell*, and oppoſite to Mr. *Rowland*'s Brewery aforeſaid, alſo belonging to the ſaid *Thomas* Lord *Ducie*, now in the Occupation of Mr. *John Waterworth*, as Tenant at Will.

A vacant Plot of Land, and a Dwelling Houſe, on the South-weſt Side of the River *Irwell*, adjoining to an intended Avenue to the ſaid Bridge, and belonging to Mr. *Charles Rowland*.

Seven Gardens, ſituate in *Cheetham* aforeſaid, belonging to the ſaid *Thomas* Lord *Ducie*, and now in the ſeveral Occupations of *Samuel Foxley*, *Joſeph Maſon*, *Ralph Winder*, *George Greenwood*, *William Fazakerley*, *William Dixon*, and *George Whitehead*, as Tenants at Will.

A Hat Shop or Building, with the Appurtenances, ſituate in *Cheetham* aforeſaid, belonging to the ſaid *Thomas* Lord *Ducie*, and now in the Occupation of *Samuel Foxley* and *John Stanley*, as Tenants at Will.

A Stable, with the Appurtenances, ſituate in *Cheetham* aforeſaid, alſo belonging to the ſaid *Thomas* Lord *Ducie*, and now in the Occupation of *Joſeph Greenhalgh*, as Tenant at Will.

Alſo Two other vacant Plots of Land, ſituate in *Cheetham* aforeſaid, alſo belonging to the ſaid *Thomas* Lord *Ducie*, and now unoccupied.

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