



ANNO SEPTIMO

# GEORGIIV. REGIS.

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## Cap. lxxxvii.

An Act for more effectually amending and keeping in repair the Road called The *Hulton Turnpike Road*, lying between *Knocket Wall Brook* and the *White Horse* in *West Houghton*, in the County Palatine of *Lancaster*. [5th May 1826.]

**W**HEREAS an Act was passed in the Thirty-third Year of the Reign of His late Majesty King *George the Third*, intituled *An Act for more effectually repairing, widening, and improving certain Roads leading to and from the Towns of Salford, Warrington, Bolton, and Wigan, and to certain Places called the Broad Oak in Worsley, and Duxbury Stocks; and also the Road from a Place called South Sea in Pendlebury to Agecroft Bridge, and from thence through Hilton Lane to Dawson Lane End; and also from Agecroft Bridge over Kersal Moor to Singleton Brook, all in the County Palatine of Lancaster*, whereby the said Roads were divided into several Districts or Divisions of Roads; and the Road lying between *Knocket Wall Brook* (being the Division between the Townships of *Worsley* and *Little Hulton*) and the *White Horse* in *West Houghton* in the said County Palatine of *Lancaster*, being the Road now included in this Act, constituted one of the said several Districts or Divisions of Roads: And whereas the Trustees acting under or by virtue of the said recited Act for the Repair or Maintenance of the District or Division of the Roads therein mentioned and thereby

[Local.] 26 X directed

33G.3.c.181.

directed or intended to be repaired and maintained, lying between *Knocket Wall Brook* (being the Division between the Townships of *Worsley* and *Little Hulton*) and the *White Horse* in *West Houghton* in the County Palatine of *Lancaster*, have borrowed several considerable Sums of Money on the Credit of the Tolls thereby authorized to be taken on the said District or Division of Road, which still remain due and owing and cannot be paid off, nor can the said Road be effectually amended, improved, and kept in repair, unless the Term and Powers of the said Act be enlarged and the Tolls increased: And whereas it is expedient that the said recited Act, as far as the same relates to the said District or Division of Road, should be repealed, and other more effectual Provisions made for the Repair and Maintenance of such District or Division of Road: And whereas an Act was passed in the Third Year of the Reign of His present Majesty King *George* the Fourth, intituled *An Act to amend the general Laws now in being for regulating Turnpike Roads in that Part of Great Britain called England*: And whereas an Act was passed in the Fourth Year of the Reign of His said present Majesty, intituled *An Act to explain and amend an Act passed in the Third Year of the Reign of His present Majesty, to amend the general Laws now in being for regulating Turnpike Roads in that Part of Great Britain called England*: And whereas an Act was passed in the Fifth Year of the Reign of His said present Majesty, intituled *An Act to enable Justices of the Peace for Ridings, Divisions, or Soles, to act as Trustees for repairing and maintaining Turnpike Roads*: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act the said recited Act of the Thirty-third Year of the Reign of His late Majesty King *George* the Third, so far as the same relates to the District or Division of Road herein-before mentioned shall be and the same is hereby declared to be repealed; and this Act shall from thenceforth commence and take effect, and be put in execution for and during the Term herein-after mentioned, for the Purpose of amending and keeping in repair the said Road, commencing at *Knocket Wall Brook*, which divides the Townships of *Worsley* and *Little Hulton*, and passing through and lying within the several Townships of *Little Hulton*, *Middle Hulton*, *Over Hulton*, and *West Houghton*, all in the Parish of *Dean*, to the *White Horse* in the Township of *West Houghton*, all in the County Palatine of *Lancaster*, and which shall be called "The *Hulton Turnpike Road*."

Recited Act of 33 G. 3. repealed, and this Act to take effect.

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

II. And be it further enacted, That this Act and the Tolls hereby granted shall be and the same are hereby made subject and liable to the Payment of all Monies which are now due and owing on the Credit of the Tolls authorized to be taken and collected upon the said District or Division of Road by virtue of the said recited Act hereby repealed, and of all Interest due and to grow due thereon, as fully and effectually to all Intents and Purposes as if such Monies had been borrowed and become due and owing on the Credit of this Act, or of the Tolls hereby authorized to be collected; and all

and every Person and Persons owing any Sum or Sums of Money on account of the said Road to the Trustees for executing the said recited Act hereby repealed, shall be liable to the Payment thereof to the Trustees herein-after appointed or directed to be appointed for executing this Act.

III. And be it further enacted, That all Bonds, Conveyances, Covenants, Agreements, Contracts, and Securities, made to or by, or entered into on account of the said Road by any Person or Persons to or with the Trustees for executing the said recited Act hereby repealed, so far as relates to the Road now included in this Act, shall remain in full Force and Effect, and be and continue available in all Courts of Law and Equity, until the same be fully satisfied and performed on account of the Trusts under this Act; and all Bargains, Contracts, Agreements, or Notices, made, entered into, or given by the Trustees for executing the said recited Act hereby repealed, with or to any Person or Persons for any Purpose relating to the said Road or to the Execution of the said Act, so far as the same relates to the said Road, shall remain in full Force and Effect, and be observed and kept by the Trustees under this Act, and by the other respective Parties to such Contracts, Agreements, or Notices, according to the Terms, Stipulations, and the true and equitable Intent and Meaning thereof, notwithstanding the Repeal of the said recited Act, so far as relates to the said District or Division of the said Roads now included in this Act.

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

IV. And be it further enacted, That all Books kept for registering Mortgages and Assignments, and all Entries therein, and all Books of Proceedings of the Trustees of the said last-mentioned District or Division of Road, kept according to the Directions or Provisions of the said recited Act of the Thirty-third Year of the Reign of His late Majesty King *George* the Third, or of any former Act, or any Act then in force, and made Evidence thereby, shall be admitted in Evidence in all Courts, and by all Judges, Justices, and others; all which Books, and also all Books of Accounts of Receipts and Disbursements made under the said recited Act hereby repealed, and all Books for registering Mortgages or Assignments made in pursuance thereof, shall be preserved and kept by the Clerk for the Time being to the said Trustees, and shall at all reasonable Times be open to the Inspection of the said Trustees, and any Creditor or Creditors of the Tolls, without Fee or Reward; and the said Trustees and Creditors, or any of them, shall and may take Copies of or Extracts from the said Book or Books, or any Part or Parts thereof respectively, without paying any thing for the same; and in case the said Clerk shall refuse to permit or shall not permit the said Trustees or such Creditors, or any of them, to inspect the said Book or Books, or to take such Copies or Extracts as aforesaid, such Clerk shall forfeit and pay any Sum of Money not exceeding Five Pounds.

Books of Proceedings under former Act to be Evidence; and, together with Books of Accounts, to be open to Inspection.

Penalty for Refusal of Inspection.

V. And be it further enacted, That the said recited Act passed in the Third Year of the Reign of His present Majesty, and all and every the Powers, Provisions, Exemptions, Penalties, Forfeitures, Payments,

Powers of recited Acts 3 & 4 G. 4. extended to this Act.

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

Trustees.

VI. And be it further enacted, That all His Majesty's Justices of the Peace for the Time being acting for the County Palatine of *Lancaster*; together with the Reverend *William Allen, Richard Ainsworth, John Ashworth, William Atkin, Robert Haldane Bradshaw, William Rigby Bradshaw, James Bradshaw, Moses Bury, William Barton of Farnworth, John Burgess, Ashton Burgess, the Reverend Egerton Arden Bagot, the Reverend Thomas Brocklebank, Ralph Boardman, George Blair, William Crompton, Matthew Corr Dawes, Peter Dorning, William Earle, Ellis Fletcher, Thomas France, James Fletcher, Matthew Fletcher, John Fletcher, Richard Gwillym, John Green, Thomas Green, Henry Halls, William Hulton, Thomas Howell, Thomas Heelis, John Hargreaves the elder, John Hargreaves the younger, Samuel Houghton, Thomas Gardner Horridge, John Horridge, Edward Samuel Horridge, John Jones, George Jones, the Honourable Lloyd Kenyon, Richard Kerfoot, James Kearsley, John Hodson Kearsley, Edward Kearsley, Thomas Kearsley, Robert Lansdale, Richard Lansdale, John Langshaw, John Mawdsley, John Pickup, John Pendlebury of Lostock, John Pendlebury the younger of West Houghton, John Pendlebury the younger of Over Hulton, Nicholas Pendlebury of Lostock, Gerard Pendlebury of Lostock, John Pennington, Richard Pennington, Thomas Seddon, James Sothern, John Smith, Robert Smith, Thomas Smith, Richard Smith, Henry Smith, William Speakman, William Speakman the younger, Thomas Bromiley William Sanderson, Richard Bromiley William Sanderson, Thomas Stonor, Thomas Stonor the younger, Charles Henry Stonor, Henry Tempest, John Walton, James Watkins, Richard Woodward, James Weston, and James Kyrke Watkins, and their Successors, being duly qualified according to the Provisions of the said recited Acts of the Third, Fourth, and Fifth Years of the Reign of His present Majesty, shall be and they are hereby appointed Trustees for amending and maintaining the said Road from *Knocket Wall Brook* to the *White Horse* aforesaid, and for otherwise putting the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty and this Act in execution.*

Power to  
appoint  
additional  
Trustees.

VII. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered from Time to Time, at any of their Meetings, to elect and appoint any Number of Persons, being qualified according to the Directions  
and

and Provisions of the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty, (not exceeding Three in the whole in addition to the Number of Trustees herein named and appointed,) to be Trustees for the Purposes of this Act; and such Persons so elected and appointed shall be Trustees for the Purposes of this Act, and are hereby invested with the same Powers and Authorities for executing the said recited Acts of the Third and Fourth Years of His present Majesty's Reign, and this Act, as if they had been herein named.

VIII. And be it further enacted, That the Trustees for executing this Act shall hold their First Meeting at the House known by the Sign of the *Hulton Arms* in *Over Hulton* aforesaid, or some other convenient House or Place in *Little Hulton*, *Middle Hulton*, *Over Hulton*, or *West Houghton* aforesaid, on the Third *Wednesday* next after the passing of this Act, or as soon after as conveniently may be; and shall and may then, and from Time to Time after, adjourn to and meet at such Times, and at such Place or Places in the Neighbourhood of the said Road, as they shall think proper.

First Meeting of Trustees.

IX. Provided always, and be it further enacted, That each and every Treasurer who shall have been appointed consistently with the Provisions of the said recited Acts passed in the Third and Fourth Years of the Reign of His present Majesty, and not contrary to the Provisions or Directions of this Act, and each and every Clerk, Receiver, Collector, Surveyor, and other Officer appointed under and by virtue of the said recited Act hereby repealed, so far as the same relates to the Road now included in this Act, shall hold and enjoy such their several and respective Offices and Employments until removed therefrom by the Trustees for executing this Act; and each and every such Clerk, Receiver, Collector, Surveyor, and other Officer, shall have the like Power and Authority for the Purposes of this Act, and for carrying the same into Execution, and shall be subject to the like Pains and Penalties, and to the like Power of Removal, and to the like Rules and Regulations in all respects whatsoever, as if he had been appointed by virtue of this Act.

Old Officers to continue until removed by Trustees.

X. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees to continue or appoint the Person who hath been or who may be appointed to act as their Clerk in the Execution of this Act, or the Partner of any such Clerk; or the Clerk or any Person in the Service or Employ of any such Clerk, or the Clerk or any Person in the Service or Employ of the Partner of any such Clerk, to be the Treasurer for the Purposes of this Act, or to continue or appoint the Person who hath been or who may be appointed Treasurer, or the Partner of any such Treasurer, or the Clerk or any Person in the Service or Employ of any such Treasurer, or the Clerk or any Person in the Service or Employ of the Partner of any such Treasurer, to be the Clerk to the said Trustees; and if any Person shall act in both the Capacities of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of any such Clerk, or the Clerk or any Person in the Service or Employ of any such Clerk, or the Clerk or any Person in the Service or Employ of the Partner of any such Clerk, shall

Clerk not to act as Treasurer, and vice versa.

act as Treasurer, or being the Partner of any such Treasurer, or the Clerk or any Person in the Service or Employ of any such Treasurer, or the Clerk or any Person in the Service or Employ of the Partner of any such Treasurer, shall act as Clerk in the Execution of this Act, or if any such Treasurer shall hold any Place or Office of Profit or Trust under the said Trustees other than that of Treasurer, every such Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person or Persons who shall sue for the same, to be recovered, with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Plaint, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlançe, shall be allowed.

Power to  
erect and  
take down  
Toll Gates,  
Weighing  
Machines,  
&c.

XI. And be it further enacted, That it shall be lawful for the said Trustees, if they shall think proper, to continue or remove all and every or any of the Toll Gates or Turnpikes or Toll Houses now standing and being in, upon, across, or on the Sides of the Road now included in this Act, and also to erect and set up or build, or cause to be erected, set up, and built, upon, in, or across the said Road, or on the Sides thereof or any Part thereof, when, where, and as they shall judge necessary, any Gate or Gates, Turnpike or Turnpikes, Side Gate or Side Gates, Side Bar or Side Bars, Chain or Chains, Weighing Machine or Weighing Machines, and also One or more Toll House or Toll Houses, with Outhouses and Conveniences suitable thereto, at or near each Gate, Bar, Chain, or Weighing Machine, and to take in and inclose on the Sides of the said Road suitable Garden Spots for the same respectively, not exceeding One Eighth Part of a Statute Acre each, as they shall think necessary, and from Time to Time to take down and remove, alter or discontinue, the same Gate or Gates, Turnpike or Turnpikes, Side Gate or Side Gates, Side Bar or Side Bars, Chain or Chains, Weighing Machine or Weighing Machines, Toll House or Toll Houses, Outhouses, and Conveniences, or any of them, as they the said Trustees shall think proper and direct or appoint: Provided always, that no Toll Gate or Turnpike, Side Gate or Side Gates, Side Bar or Side Bars, Chain or Chains, Weighing Machine or Weighing Machines, shall be taken down or removed by Order of such Trustees, unless such Order be made by a Majority of the Trustees present at a Meeting at which Five Trustees at the least shall be present, and unless Notice of such Meeting, and of the Intention of taking down or removing such Toll Gate or Turnpike or Weighing Machine, signed by the Clerk or Clerks to the said Trustees, be affixed on all the Toll Gates or Turnpikes then erected on the said Road now included in this Act One Calendar Month at least before the Day of holding the Meeting at which such Order shall be made.

No Side Gate  
to be erected  
at Buckley  
Lane End.

XII. Provided always, and be it further enacted, That nothing in this Act contained shall authorize or empower the said Trustees to erect any Turnpike Gate or Toll House, Side Gate or Side Gates, at, upon, or across the End of a certain Lane called *Buckley Lane*, where the same communicates with the said Turnpike Road in *Little Hulton* nearly opposite the *Antelope's Head* Public House, which said

Lane called *Buckley Lane* is Part of the Turnpike Road authorized to be maintained and kept in repair by an Act passed in the Sixth Year of the Reign of His present Majesty, intituled *An Act for more effectually amending, widening, and maintaining the Road from Barton Bridge in the Parish of Eccles, through the Township of Worsley, to Moses Gate in the Township of Farnworth, and for making, repairing, and improving other Roads to communicate therewith, all in the County Palatine of Lancaster.*

XIII. And be it further enacted, That it shall be lawful for the said Trustees, or any Person or Persons appointed or continued, or to be appointed Collector or Collectors of the Tolls, to demand and take the Tolls herein-after mentioned at the several and respective Toll Gates or Turnpikes or Toll Houses, or Side Gates or Side Bars or Chains, which are or shall be standing and being, or continued or erected by virtue of this Act, in, upon, across, or on the Side or Sides of the said Road, or any Part or Parts thereof, and on every Day, such Day to be computed from Twelve of the Clock at Night to Twelve of the Clock in the next succeeding Night; (that is to say);

Power to  
take Tolls.

For every Horse, Mule, or other Beast, drawing any Coach, Stage Coach, Diligence, Van, Caravan, Sociable, Landau, Berlin, Chariot, Vis-a-Vis, Barouche, Phaeton, Chaise Marine, Calash, Curricule, Chair, Gig, Whiskey, Hearse, Litter, Chaise, or other such like Carriage, any Sum not exceeding Sixpence:

Tolls.

For every Horse, Mule, Ass, Ox, or Bullock, drawing any Waggon, Wain, or other such like Four-wheeled Carriage, having the Fellies of the Wheels thereof of less Breadth than Four Inches and a Half at the Bottom or Soles thereof, any Sum not exceeding Nine-pence:

For every Horse, Mule, Ass, Ox, or Bullock, drawing any Waggon, Wain, or other such like Four-wheeled Carriage, having the Fellies of the Wheels thereof of the Breadth of Four Inches and a Half or upwards, and less than Six Inches at the Bottom or Soles thereof, any Sum not exceeding Seven-pence Halfpenny:

For every Horse, Mule, Ass, Ox, or Bullock, drawing any Waggon, Wain, or other such like Four-wheeled Carriage, having the Fellies of the Wheels thereof of the Breadth of Six Inches or upwards at the Bottom or Soles thereof, any Sum not exceeding Sixpence:

For every Horse, Mule, Ass, Ox, or Bullock, drawing any Cart or other such like Two-wheeled Carriage, having the Fellies of the Wheels thereof of less Breadth than Four Inches and a Half at the Bottom or Soles thereof, any Sum not exceeding Sixpence:

For every Horse, Mule, Ass, Ox, or Bullock, drawing any Cart or other such like Two-wheeled Carriage, having the Fellies of the Wheels thereof of the Breadth of Four Inches and a Half or upwards, and less than Six Inches, at the Bottom or Soles thereof, any Sum not exceeding Five-pence:

For every Horse, Mule, Ass, Ox, or Bullock, drawing any Cart or other such like Two-wheeled Carriage, having the Fellies of the Wheels thereof of the Breadth of Six Inches or upwards at the Bottom or Soles thereof, any Sum not exceeding Four-pence:

For

For every Horse, Mule, or Ass, laden or unladen, and not drawing, any Sum not exceeding One Penny Halfpenny :

For every Ox or Head of Neat Cattle, the Sum of One Penny :

And for every Calf, Swine, Sheep, or Lamb, the Sum of One Halfpenny :

Which said respective Tolls or Sums of Money shall be demanded and taken as aforesaid, before any Horse, Mule, Ass, or other Beast or Cattle whatsoever, shall be permitted to pass through any such Toll Gate or Turnpike, or Side Gate or Side Bar or Chain ; and such several and respective Tolls or Sums of Money shall be and are hereby vested in the said Trustees, and shall be applied for the Purposes of this Act in manner herein-after directed.

Tolls to be paid but Once a Day.

XIV. Provided always, and be it further enacted, That if any Person shall have paid the Toll hereby authorized to be taken for the passing of any Horse, Beast, or Cattle through any one of such Toll Gates or Turnpikes, Side Gate or Side Gates, Side Bar or Side Bars, Chain or Chains, such Horse, Beast, or Cattle shall, upon a Ticket denoting the Payment thereof on that Day being produced, be permitted to pass Toll-free through the same Toll Gate, Turnpike, Side Gate, Side Bar, or Chain, and also through all other Toll Gates, Turnpikes, Side Gates, Side Bars, and Chains on the said Road, or on the Sides thereof, at any Time or Times during the same Day (such Day to be computed from Twelve of the Clock in one Night to Twelve of the Clock in the next succeeding Night) ; any thing in this Act contained to the contrary thereof in anywise notwithstanding.

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

XV. Provided always, and be it further enacted, That the Tolls hereby made payable for and in respect of all Horses or Beasts drawing any Stage Coach, Diligence, Van, Caravan, or Stage Waggon, or other Stage Carriage conveying Passengers or Goods for Pay, Hire, or Reward, shall be payable and paid every Time of passing or repassing through any of the Turnpikes, Toll Gates, or Side Gates.

Post Chaises, &c. to pay on every new Hiring.

XVI. Provided also, and be it further enacted, That the Tolls hereby made payable for and in respect of Horses or Beasts let out to Hire and drawing any Post Chaise or other Carriage, shall be payable and paid every Time of passing and repassing through any of the said Toll Gates, Turnpikes, or Side Gates, whenever any new or fresh Hiring thereof shall take place.

One Horse Carts may be weighed.

XVII. And whereas it frequently happens that Carts drawn by One Horse, passing along the said Road, carry a greater Weight than is by Law allowed for Carts drawn by Two or more Horses ; be it therefore enacted, That all Carts passing along the said Road, drawn by One Horse only, shall and may be weighed at any Weighing Machine now erected or to be erected on the said Road, and the like additional Tolls demanded, received, and recovered, for the Overweight thereof, as are by Law payable in respect of the Overweight of Carts drawn by Two or more Horses ; and all the Powers, Regulations, and Penalties now in force relating to the weighing of Waggons, Carts, and other Carriages drawn by more than One Horse,



Horse, shall be applicable to Carts passing on the said Road drawn by One Horse only, and to the Drivers, Masters, and Owners thereof.

XVIII. And be it further enacted, That no Toll shall be demanded or taken for any Horse, Beast, Cattle, or Carriage, carrying or conveying any Wood, Frith, or Furze for Fuel, not sold or disposed of or passing to be sold or disposed of, but to be laid up in the Houses, Outhouses, or Yards, or on the Lands of the Growers thereof; or of carrying or conveying any Draining Stone, Dung, Lime, or other Manure, to be used only for draining, improving, or manuring Lands, or going or returning empty in that Employment; nor for any Horse, Beast, or Cattle used or employed for the Purpose only of carrying or conveying Gravel, Stones, Sand, Bricks, Timber, Wood, or other Materials for the repairing and improving the said Road hereby directed to be repaired, or any other Highway or public Road within any Township, Chapelry, Hamlet, or Place in which any Part of the Road directed to be repaired and improved by this Act lies, or for building, rebuilding; or repairing any present or any future Bridge or Bridges on the said Road; nor for carrying or conveying Potatoes grown in any such Parish or Township as aforesaid, to be laid up or deposited in the Warehouses, Barns, or Bartons of or belonging to the Owner of such Potatoes, and not for Sale; and if any Person or Persons shall claim or take the Benefit of any of the Exemptions aforesaid, or any of the Exemptions granted by the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty, and now in force, not being entitled to the same, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, and in all Cases the Proof of Exemption shall lie upon the Person claiming the same; and such Penalties shall be levied and recovered (together with the necessary Costs and Charges of levying the same) by the same Ways and Means and in like Manner as any Penalty or Forfeiture for fraudulently or collusively claiming or taking the Benefit of any Exemption from Toll, or other Exemption on any Turnpike Road, may be levied or recovered; one Half of such Penalties shall be paid to the Informer, and the other Half shall be paid to the Treasurer to the said Trustees, and applied or disposed of for the Purposes of this Act.

General Exemptions from Toll.

Penalty on fraudulently taking the Benefit of Exemptions.

XIX. And be it further enacted, That all Demises or Leases of the Tolls arising on the said Road by this Act authorized to be repaired, and all Bonds or other Securities which have been given for Payment of the Rents reserved by such Leases respectively, and for the Performance of the Covenants and Agreements in such Leases contained on the respective Lessees Part, shall respectively continue in force until the First Meeting of the Trustees under this Act, on which Day the said respective Leases, Bonds, or other Securities aforesaid shall cease and determine in the same Manner as if such Leases, Bonds, or other Securities had expired by Effluxion of Time (save as to the Obligations, Covenants, or Agreements for Payment of Rent and Performance of Covenants in such Leases, Bonds, or Securities on the respective Lessees or Obligors Part to be observed and performed during the Continuance of such Leases,

As to present Leases of Tolls.

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Bonds,

Bonds, or Securities by virtue of this Act); and until such Determination of such Leases respectively the respective Lessees thereof shall be entitled to collect and receive from the Commencement of this Act the respective Tolls by the said recited Act granted and made payable.

Compensation for vacating Leases.

XX. And be it further enacted, That in case any of the Lessees of the said Tolls shall claim to be entitled to any Compensation or Satisfaction for or on account of such Continuance or Determination of his or their Lease or Leases as aforesaid, then if the said Trustees and such Lessee or Lessees cannot agree as to the Amount of such Compensation or Satisfaction, such Lessee or Lessees may sue for and recover the same by Action of Debt or on the Case in any of His Majesty's Courts of Record at *Westminster*.

Application of the Tolls and Money to be borrowed.

XXI. And be it further enacted, That out of the Monies already received by virtue of the said recited Act hereby repealed on account of the Road now included in this Act, and now in the Treasurer's Hands, or out of the first Money which shall arise or be received from the Tolls by this Act granted or otherwise, the said Trustees shall in the first place pay and discharge all the Costs and Expences relative to the obtaining and passing of this Act, with Interest for the same; and the Remainder of all such Monies shall from Time to Time be applied in the second place in keeping down the Interest of the Principal Money due and owing on the Credit of the Tolls arising on the said Road now included in this Act by virtue of the said recited Act hereby repealed, and which may be borrowed on the Credit of this Act, and in erecting Turnpikes, Toll Houses, Side Gates, Side Bars, Chains, and Weighing Machines, and in amending, making, altering, turning, widening, improving, and keeping in repair the said Road, and in otherwise putting this Act into Execution; and lastly, in repaying the Principal Monies now due and owing or hereafter to be borrowed on the Credit of the Tolls by this Act granted, and to and for no other Use or Purpose whatsoever.

Application of Purchase Money when amounting to 200*l*.

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

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

XXIII. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands, Tenements, or Hereditaments to be purchased, taken, or used for the Purposes of the said Road, and belonging to any Corporation, or to any Person or Persons under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed or amount to the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy, Idiocy, Lunacy, or other Incapacity, with the Approbation of the said Trustees or any Five or more of them, to be signified in Writing under their respective Hands, be paid into the Bank of

When less  
than 200l.  
and above 20l.

England

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

Where under  
20l.

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

In case of not  
making out a  
good Title,  
&c. the  
Money to be  
paid into the  
Bank.

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

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

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

In case of  
disputed  
Titles.

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

Court may  
order reason-  
able Ex-  
pences to  
be paid by  
Trustees.

Entrances to  
Fields, &c.  
to be made  
with hard  
Materials.

XXVIII. And be it further enacted, That in all Places throughout the said Road hereby directed to be repaired, where any Entrance shall be from the said Road to any Field, Garden, Yard, or other Land or Ground, or to any Buildings, from the said Road or any Part thereof, such Entrance shall be properly covered with Stone, Gravel, or other hard Materials, and a proper Culvert or Drain made by or at the Expence of the Proprietor or Occupier of such Field, Garden, Yard, Land, Ground, or Building, so that such Road may not be injured by Carriages or Horses passing to or from the same by such Entrance; and in case such Proprietor or Occupier shall neglect to cover with proper Materials such Entrance, or to make such Culvert or Drain, or to keep the same respectively in proper Order for the Space of One Calendar Month after Notice in Writing given to such Proprietor or Occupier, or left for him or her at his or her usual or last Place of Residence by the Surveyor to the said Trustees, or other Person appointed by them, requiring such Proprietor or Occupier so to make or repair the same, then it shall be lawful for the said Trustees or their Surveyor or any other Person acting by or under their Authority, to cover such Entrance with Stone, Gravel, or other hard Materials, and to make such Culvert or Drain, or to repair the same respectively, as the Case may be, and the Expences thereof shall be reimbursed and paid to the said Trustees by such Proprietor or Occupier, as the Case may be; and in case of Nonpayment of such Expences within Fourteen Days after the same shall have been demanded by or on behalf of the said Trustees, then such Expences shall and may be recovered, together with the Costs and Charges attending the same, by Distress and Sale of the Goods and Chattels of such Proprietor or Occupier, by Warrant under the Hand and Seal or Hands and Seals of any Justice or Justices of the Peace of the County of *Lancaster*, and which Warrant of Distress any such Justice or Justices is or are hereby authorized and empowered to grant on Proof made before him or them on Oath of such Expence having been incurred, and of such Notice having been given as aforesaid, and any Overplus shall be returned, on Demand, to the Person or Persons whose Goods and Chattels shall have been so distrained and sold.

Public Act.

XXIX. 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 such by all Judges, Justices, and others, without being specially pleaded.

Commence-  
ment and  
Continuance  
of this Act.

XXX. And be it further enacted, That this Act shall commence and take effect on the passing thereof, and shall continue and be in force for Twenty-one Years, and from thence to the End of the then next Session of Parliament.

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