



ANNO UNDECIMO

GEORGII IV. REGIS.

Cap. xxxi.

An Act for more effectually repairing and improving the Road from or near *Edenfield Chapel* to *Little Bolton*, and the Road leading from and out of the said Road at *Booth Pits* to or near *Bury Bridge*, in the County Palatine of *Lancaster*, and for making and maintaining Three several Branches of Road communicating therewith.

[8th April 1830.]

WHEREAS an Act was passed in the Thirty-seventh Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for amending, widening, altering, and keeping in repair the Road from or from near Edenfield Chapel, in the Township of Tottington Higher End, in the Parish of Bury, to the Township of Little Bolton, in the Parish of Bolton-in-le-Moors; and also for making and maintaining a Road from the said Road, at or near a Place called Booth Pits, in the Township of Tottington Lower End, to or near Bury Bridge, in the Township of Elton, in the said Parish of Bury, all in the County Palatine of Lancaster: And whereas an Act was passed in the Forty-ninth Year of the Reign of His said late Majesty King *George* the Third, intituled *An Act to continue the Term and enlarge the Powers of an Act of the Thirty-seventh Year of His present Majesty, for amending the Road from or near Edenfield Chapel to the Township of Little Bolton; and for making and main-**

37G.3.c.145.

49 G. 3. c. 96.

[Local.]

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taining

*taining a Road from the said Road, at or near Booth Pits, to or near Bury Bridge, in the County Palatine of Lancaster: And whereas the Trustees acting under and by virtue of the said recited Acts have proceeded to put the same into execution, and have borrowed several considerable Sums of Money on the Credit of the Tolls thereby authorized to be taken on the said Roads, which still remain due and owing, and cannot be paid off, or the Interest thereof discharged, nor can the said Roads be effectually amended, improved, and kept in repair, unless the Term granted and continued by the said Acts be further continued; and it would be more convenient to the said Trustees, and beneficial to the said Roads, if the said recited Acts were repealed, and if further and more effectual Provisions were granted instead thereof: And whereas the making and maintaining of the several Branch Roads herein-after mentioned and described, that is to say, a Branch of Road from and out of the said Road leading from *Edenfield Chapel* to *Little Bolton*, commencing at or near the *Bull's Head* Public House in *Bradshaw*, in the said County Palatine of *Lancaster*, and terminating at or near a certain Place called *Croston Brow*, in *Elton* aforesaid, to join and communicate with the said Road leading from *Booth Pits* to or near *Bury Bridge*; another Branch of Road from and out of the said Road leading from *Booth Pits* to or near *Bury Bridge*, commencing at or near a certain Field called the *Higher Meadow*, in the Occupation of *Jesse Norris*, situate in *Elton* aforesaid, and terminating at or near a certain Field called the *Five Acre*, in the Occupation of *William Wolstenholme*, situate in *Elton* aforesaid, to join and communicate with the said intended Branch of Road leading to or near *Croston Brow* aforesaid; and another Branch of Road from and out of the old Highway leading from the Village of *Tottington*, in the said County, to *Bury*, commencing at or near a certain Field called the *Long Lands*, in the Occupation of Messieurs *William Sudren* and *John Robinson*, situate in *Elton* aforesaid, and terminating at or near *Woolfold*, in *Tottington Lower End*, in the said County, to join and communicate with the said intended Branch of Road leading to or near *Croston Brow* aforesaid, would be very advantageous and convenient to the Public; but the Purposes aforesaid 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 upon the Fifth Day of *August* next after the passing of this Act, the said recited Acts of the Thirty-seventh and Forty-ninth Years of the Reign of His said late Majesty King *George* the Third shall be, and the same are hereby declared to be repealed, and null and void, to all Intents and Purposes whatsoever.*

Recited Acts repealed.

This Act to be put in force for the Purposes herein mentioned.

II. And be it further enacted, That this Act shall thereupon commence and take effect and be put into execution for and during the Term herein-after mentioned, for the Purpose of more effectually amending, widening, altering, improving, maintaining, and keeping in repair the Road leading from or near *Edenfield Chapel*, in *Tottington Higher End*, to the westerly End of *Turner Bridge*, in the Township

Township of *Little Bolton*, and the Road leading from and out of the said Road, at or near *Booth Pits*, in *Tottington Lower End*, to or near *Bury Bridge*, in *Elton*, all in the County Palatine of *Lancaster*; and also for making, maintaining, and keeping in repair a Branch of Road from and out of the said Road leading from *Edenfield Chapel* to *Little Bolton*, commencing at or near the *Bull's Head* Public House in *Bradshaw*, in the said County Palatine, and terminating at or near *Croston Brow*, in *Elton* aforesaid, to join and communicate with the said Road leading from *Booth Pits* to or near *Bury Bridge*; another Branch of Road from and out of the said Road leading from *Booth Pits* to or near *Bury Bridge*, commencing at or near a certain Field called the *Higher Meadow*, in the Occupation of *Jesse Norris*, situate in *Elton* aforesaid, and terminating at or near a certain Field called the *Five Acre*, in the Occupation of *William Wolstenholme*, situate in *Elton* aforesaid, to join and communicate with the said intended Branch of Road leading to or near *Croston Brow* aforesaid; and another Branch of Road from and out of the old Highway leading from the Village of *Tottington* to *Bury*, commencing at or near the said Field called the *Long Lands*, in *Elton* aforesaid, and terminating at or near *Woolfold* in *Tottington Lower End* aforesaid, to join and communicate with the said intended Branch of Road leading to or near *Croston Brow* aforesaid.

III. And be it further enacted, That all His Majesty's Justices Trustees. of the Peace for the Time being acting for the County Palatine of *Lancaster*, together with *Richard Ainsworth*, *Peter Ainsworth*, *John Horrocks Ainsworth*, *John Ashworth*, *Edmund Ashworth*, *Henry Ashworth*, *Edmund Ashworth* the younger, *Samuel Ashton*, *Richard Ashton*, *Robert Andrews*, *Giles Ashworth*, *Charles Ainsworth*, *Edward Bolling*, *William Bolling*, *John Bolling*, *Robert Barlow*, *William Barlow*, *Ralph Boardman*, *Stephen Blair*, *John Booth*, *Charles Barrett*, *Thomas Ridgway Bridson*, *William Balshaw*, *Edward Balshaw*, *John Baron*, *William Calrow*, *Thomas Calrow*, *William Crompton*, *James Cross*, *James Grundy Cross*, *John Crook*, *Jonathan Cooper*, *James Crompton*, *Richard Calrow*, *Richard Calrow* the younger, *John Cross*, *Thomas Cross*, *Robert Darbshire*, *Richard Denham*, *Charles James Darbshire*, *William Bower Dawes*, *Isaac Dobson*, *Benjamin Dobson*, *Edward Frere*, *Matthew Fletcher*, *Thomas Fogg Clerk*, *John Fletcher*, *John Fairclough*, *John Grundy*, *John Grundy* the younger, *Edmund Grundy* of *Bury*, *Edmund Grundy* the younger, *John Gorton*, *Thomas Gorton*, *William Grant*, *John Grant*, *William Goodlad*, *Thomas Greenhalgh*, *William Ford Hulton*, *Thomas Hardcastle*, *James Hardcastle*, *Thomas Hardcastle* the younger, *John Haworth*, *James Haslam*, *Samuel Houghton*, *Pitt Hewitt*, *William Heap Hutchinson*, *Thomas Hutchinson*, *Richard Hodgson*, *John Hutchinson*, *John Hutchinson* the younger, *James Hutchinson*, *William Hutchinson*, *James Hutchinson* the younger, *Samuel Heywood*, *Samuel Heywood* the younger, *Roger Holland*, *Robert Heywood*, *Thomas Howell*, *Benjamin Hick*, *Abraham Haigh*, *Richard Hall*, *William Hall*, *John Heywood*, *Thomas Potter Hutchinson*, *Edward Smalley Hutchinson*, *Richard Hamer*, *Daniel Hamer*, *Geoffrey Hornby Clerk*, *William Hardman*, *William Hardman* the younger, *George Matthew Hoare*, *Peter Richard Hoare*, *Thomas Horridge*,

Horridge, John Horrocks, Lawrence Horrocks, William Hampson of Radcliffe, John Hampson, William Hampson the younger, Stephen Heelis, John Isherwood, Andrew Knowles, Robert Knowles, Robert Kay of Holcome Mill, John Knowles of Turton, Joshua Knowles, James Lomax of Elton, James Lomax the younger, John Lum, Charles Lomax, John Moore of Bolton, John Mason, John Mawdsley, Thomas Norris of Redvales, Thomas Norris the younger, of Bury, Thomas Norris of Bury, Joseph Newbold, Allen Norris, Peter Ormrod of Bolton, James Ormrod, James Orrell, Oliver Ormrod, Charles Openshaw, Thomas Parker, Robert Parks, John Parks, Benjamin Rawson, Benjamin Rawson the younger, Peter Rothwell, John Rostron of Bolton, John Robinson, James Rothwell, Thomas Ramsbottam, John Rothwell, Peter Rothwell of Holcome, Thomas Ridgway, John Rostron of Holcome, Lawrence Rostron, John Rostron of Edenfield, Thomas Rushton, Thomas Rothwell, Le Gendre Nicholas Starkie, Thomas Sandiford, Samuel Scowcroft, Thomas Scowcroft, James Spencer Clerk, John Sandiford, James Scowcroft, James Slade Clerk, James Smith, George Slater, William Sudren, Thomas Sellkirk Clerk, William Garnett Taylor, George Taylor, Thomas Thwaites, John Turner, John Thomasson, Lawrence Wright, Thomas Wright, Henry Wright Clerk, Abraham Wood, John Winder, James Winder, John Woodcock, John Whitehead, James Hargreaves Willis, Samuel Woodcock, Richard Walker, Oliver Ormrod Walker, and their Successors, being qualified to act as Trustees of Turnpike Roads in England, shall be, and they are hereby appointed Trustees for putting this Act into execution.

Power to
appoint
additional
Trustees.

IV. 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 be held for that Purpose, to elect and appoint any Number of Persons, not exceeding Three in the whole, to be Trustees for the Purposes of this Act, in addition to the Trustees hereby nominated and appointed, and such Trustees, so elected and appointed, shall be and they are hereby invested with the same Powers and Authorities for executing this Act as if they had been hereby nominated and appointed.

First Meeting
of Trustees.

V. And be it further enacted, That the said Trustees shall hold their First Meeting at the *Bank Inn*, in *Bolton-le-Moors*, in the County Palatine of *Lancaster*, or at some other convenient House or Place on the Fifth Day of *August* next after the passing of this Act, or as soon after as conveniently may be; and the said Trustees shall then and there proceed to carry this Act into execution; and shall and may then, and from Time to Time afterwards, adjourn to and meet at such Time and Times, and at such Place or Places, in the Neighbourhood of the said Roads, as they shall think proper.

No Money to
be laid out in
Repair of
Streets.

VI. And be it further enacted, That it shall not be lawful for the said Trustees to lay out or expend any Money received by or vested in them by virtue of this Act, in the Repair or Improvement of any of the Streets, Highways, or Pavements of any of the Towns through or into which the said Roads pass, nor shall any Toll be collected therein.

VII. And

VII. And be it further enacted, That it shall be lawful for the said Trustees, or any Person being a Lessee or Farmer or appointed or continued to be appointed Collector of the Tolls to be taken by virtue of this Act, to demand and take at each and every of the Toll Gates now erected or hereafter to be erected by virtue of this Act, (unless the said Trustees shall otherwise order and direct,) the several Tolls following; (that is to say),

For Six or more Horses or other Beasts drawing any Coach, Berlin, Landau, Chariot, Barouche, Phaeton, Chaise, Chair, Curricule, Sociable, Gig, Van, Caravan, Calash, Hearse, Litter, or other such Carriage, the Sum of Two Shillings: Tolls.

For Four or Five Horses or other Beasts drawing any such Carriage, the Sum of One Shilling and Sixpence:

For Two or Three Horses or other Beasts drawing any such Carriage, the Sum of Nine-pence:

For One Horse or other Beast drawing any such Carriage, the Sum of Sixpence:

For Seven or Eight Horses or other Beasts drawing any Waggon, Wain, or other such Four-wheeled Carriage, with Wheels of the Breadth of Nine Inches or upwards on the Bottom or Sole thereof, the Sum of Three Shillings and Nine-pence:

For Five or Six Horses or other Beasts drawing any such Waggon, Wain, or other such Four-wheeled Carriage, the Sum of Two Shillings and Sixpence:

For Four or any less Number of Horses or other Beasts drawing any such Waggon, Wain, or other such Four-wheeled Carriage, the Sum of One Shilling and Three-pence:

For Six or more Horses or other Beasts drawing any Waggon, Wain, or other such Four-wheeled Carriage, with Wheels of the Breadth of Six Inches as aforesaid, or upwards, and not so broad as Nine Inches, the Sum of Three Shillings and Two-pence:

For Four or Five Horses or other Beasts drawing any such Waggon, Wain, or other such Four-wheeled Carriage, the Sum of Two Shillings and Sixpence:

For Three or any less Number of Horses or other Beasts drawing any such Waggon, Wain, or other such Four-wheeled Carriage, the Sum of Two Shillings:

For Four or any greater or less Number of Horses or other Beasts drawing any Waggon, Wain, or other such Four-wheeled Carriage, with any of the Wheels of less Breadth than Six Inches, the Sum of Three Shillings and Nine-pence:

For Four or more Horses or other Beasts drawing any Cart or other such Two-wheeled Carriage, with Wheels of the Breadth of Nine Inches as aforesaid, the Sum of One Shilling:

For Three Horses or other Beasts drawing any such Cart or other such Two-wheeled Carriage, the Sum of Ten-pence:

For Two or a less Number of Horses or other Beasts drawing any such Cart or other such Two-wheeled Carriage, the Sum of Eight-pence:

For Four or more Horses or other Beasts drawing any Cart or other such Two-wheeled Carriage, with Wheels of the Breadth of Six Inches as aforesaid, the Sum of One Shilling and Three-pence:

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For

Tolls to be collected.

For Three Horses or other Beasts drawing any such Cart or other such Two-wheeled Carriage, the Sum of One Shilling :

For Two or a less Number of Horses or other Beasts drawing any such Cart or other such Two-wheeled Carriage, the Sum of Eight-pence :

For Three or more Horses or other Beasts drawing any Cart or other such Two-wheeled Carriage, with Wheels of less Breadth than Six Inches as aforesaid, the Sum of Two Shillings :

For Two Horses or other Beasts drawing any such Cart or other such Two-wheeled Carriage, the Sum of One Shilling and Three-pence :

For One Horse or other Beast drawing any such Cart or other such Two-wheeled Carriage, the Sum of Eight-pence :

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

For every Score of Oxen or Neat Cattle, the Sum of One Shilling, and so in proportion for any less Number :

For every Score of Calves, Sheep, Lambs, or Swine, the Sum of Six-pence, and so in proportion for any less Number :

For every Four-wheeled Carriage, not drawn by any Horse or other Beast, but propelled or moved by Machinery, the Sum of Two Shillings and Sixpence :

And for every Two or Three-wheeled Carriage not drawn by any Horse or other Beast, but propelled or moved by Machinery, the Sum of One Shilling.

Fractional Part of a Halfpenny in Tolls.

VIII. And be it further enacted, That in all Cases where there shall be a fractional Part of a Halfpenny in the Calculation or Amount of the Tolls by this Act granted or authorized to be collected, or any of them, the Sum of a Halfpenny shall be demanded and taken in lieu of such fractional Part.

One Third Part only of the Toll to be paid between Dunsters and Bury Bridge.

IX. Provided also, and be it further enacted, That no more than One Third Part of the Tolls hereby imposed shall be demanded or taken at any Toll Gate erected or to be erected across the said Road from *Booth Pits* to *Bury Bridge* for any Horse, Cattle, Beast, or Carriage, which shall only pass or repass upon so much of the said last-mentioned Road as lies between the Northerly Side of *Dunsters*, in *Elton* aforesaid, and *Bury Bridge* aforesaid.

Tolls to be paid but once a Day at the same Gate.

X. Provided also, 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 or Horses, Cattle, Beast, Carriage or Carriages, through any of the Toll Gates continued or to be erected by virtue of this Act, the same Horse or Horses, Cattle, Beast, Carriage or Carriages shall (upon a Ticket denoting the Payment thereof on that Day being produced) be permitted to pass Toll-free (except as herein-after mentioned) through the same Toll Gate, and also through such other Gate or Gates (if any) as the Ticket for such Payment shall free, at any Time or Times, and from Time to Time, during the Remainder of the same Day, (such Day to be computed from Twelve of the Clock in the preceding Night to Twelve of the Clock in the next succeeding

succeeding Night,) anything herein contained to the contrary thereof in anywise notwithstanding.

XI. Provided always, and be it further enacted, That no more than Six full Tolls (except as herein-after provided to the contrary) shall be demanded or taken for or in respect of the same Horses, Beasts, Cattle, or Carriages, in any One Day, for passing and repassing through all or any of the Toll Gates erected or to be erected across or upon the Sides of the said Roads, (that is to say,) not more than Three full Tolls on the said Road leading from *Edenfield Chapel* to *Little Bolton*, nor more than One full Toll on the said Road leading from *Booth Pits* to or near *Bury Bridge*, nor more than Two full Tolls on the remaining Part of the Roads comprised in this Act.

Limiting the Number of Tolls to be taken on the same Day on the whole Line.

XII. And be it further enacted, That no more than Three full Tolls shall be demanded, taken, collected, or paid at all or any of the Toll Gates erected or to be erected across or on the Sides of the said Road leading from *Edenfield Chapel* to *Little Bolton*, in respect of the Horses or other Beasts drawing any Stage Coach, Van or Caravan, Stage Waggon or other Stage Carriage conveying Passengers or Goods for Hire or Reward; but that all and every the Horses and Beasts drawing any such Stage Coach, Van or Caravan, Stage Waggon or other Stage Carriage (in respect of the Horses or other Beasts drawing which Three full Tolls shall have been already paid at any of the said Toll Gates) shall once pass on the same Day Toll-free through all and every other the said last-mentioned Toll Gates, notwithstanding the Horses or other Beasts drawing the same through the said other Toll Gates, or any of them, shall not be the same Horses or Beasts in respect of which such Tolls shall have been already paid.

Stage Coaches, &c. not to pay more than Three full Tolls for once passing on the Edenfield and Little Bolton Road.

XIII. And be it further enacted, That no more than One full Toll shall be demanded, taken, collected, or paid at all or any of the Toll Gates erected or to be erected across or on the Sides of the said Road leading from *Booth Pits* to or near *Bury Bridge*, in respect of the Horses or other Beasts drawing any Stage Coach, Van or Caravan, Stage Waggon or other Stage Carriage conveying Passengers or Goods for Hire or Reward, but that all and every the Horses and Beasts drawing any such Stage Coach, Van or Caravan, Stage Waggon or other Stage Carriage, (in respect of the Horses or other Beasts drawing which a Toll shall have been already paid at any or either of the said Toll Gates,) shall once pass on the same Day Toll-free through all and every other the said last-mentioned Toll Gates, notwithstanding the Horses or other Beasts drawing the same through the said other Toll Gates, or any of them, shall not be the same Horses or Beasts in respect of which such Toll shall have been already paid.

Nor more than One full Toll for once passing on the Road from Booth Pits to Bury Bridge.

XIV. And be it further enacted, That no more than Two full Tolls shall be demanded, taken, collected, or paid at all or any of the Toll Gates erected or to be erected across or on the Sides of the Remainder of the Roads comprised in this Act, in respect of the Horses or other Beasts drawing any Stage Coach, Van or Caravan, Stage

Nor more than Two full Tolls for once passing on the Remainder of the Roads

comprised in
this Act.

Stage Waggon or other Stage Carriage conveying Passengers or Goods for Hire or Reward, but that all and every the Horses and Beasts drawing any such Stage Coach, Van or Caravan, Stage Waggon or other Stage Carriage, (in respect of the Horses or other Beasts drawing which Two full Tolls shall have been already paid at any of the said Toll Gates,) shall once pass on the same Day Toll-free through all and every other the said last-mentioned Toll Gates, notwithstanding the Horses or other Beasts drawing the same through the said other Toll Gates, or any of them, shall not be the same Horses or Beasts in respect of which such Tolls shall have been already paid.

Tolls on
Stage
Coaches,
Post Chaises,
&c.

XV. Provided always, and be it further enacted, That the Tolls hereby made payable for or in respect of any Horses or Beasts drawing any Stage Coach, Van or Caravan, Stage Waggon or other Stage Carriage conveying Passengers or Goods for Hire or Reward, or for or in respect of any Stage Coach, Van or Caravan, Stage Waggon or other Stage Carriage propelled or moved by Machinery, used for the same Purpose, shall be payable and paid every Time of passing or repassing along the said Roads, or any of them; and the Tolls hereby made payable for or in respect of any Horses or Beasts let out to Hire, or any Horses or Beasts drawing any Post Chaise or other Carriage let out to Hire, or any Carriage propelled or moved by Machinery, which shall be let out to Hire, shall be payable and paid every Time of passing or repassing along the said Roads, or any of them, whenever a fresh Hiring thereof shall take place.

No Toll to
be collected
on the Road
in the District
of Tonge,
or Money
expended in
the Repair
thereof.

XVI. Provided always, and be it further enacted, That no Toll shall be demanded or taken by virtue of this Act, upon or on the Sides of such Part of the said Road leading from *Edenfield Chapel* to *Little Bolton* as lies in the District of *Tonge*; nor shall any of the Tolls to be collected or received by virtue of this Act, or any of the Money borrowed or raised on the Credit thereof, be expended in the Repair of any Part of the said Road lying within the said District of *Tonge*.

One Horse
Carts may be
weighed.

XVII. And whereas it frequently happens that Carts drawn by One Horse passing along the said Roads 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 Roads drawn by One Horse only shall and may be weighed at any Weighing Machine now erected or to be erected on the said Roads, 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, Penalties, Matters, and Things now in force relating to the weighing of Carts drawn by more than One Horse shall be applicable to Carts passing on the said Roads drawn by One Horse only, and to the Drivers, Masters, and Owners thereof.

New
Branches of
Road may
be made.

XVIII. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered, to make and complete the said several Branches of Road herein-before mentioned

mentioned and described according to the several Maps or Plans herein-after referred to, in such Manner as to them shall seem right and proper.

XIX. And whereas Maps or Plans describing the Line of the said respective Branches of Road so proposed to be made, and the Messuages or Tenements, Lands and Hereditaments through or over which the same are to be made and carried, together with Books of Reference, containing Lists of the Names of the Owners or reputed Owners and Occupiers of such Messuages or Tenements, Lands and Hereditaments, have been deposited in the Office of the Clerk of the Peace for the said County Palatine of *Lancaster*; be it therefore further enacted, That the said Maps or Plans and Books of Reference shall remain in the Custody of the said Clerk of the Peace, to the End that all Persons may at all seasonable Times have liberty to inspect and peruse the same, and to take Copies and Extracts therefrom at their Will and Pleasure, paying to such Clerk of the Peace the Sum of One Shilling for every such Inspection, and at the Rate of Sixpence for every One hundred Words of such Copies or Extracts of the said Maps or Plans and Books of Reference; and the said respective Trustees, in making the said respective Branches of Road, shall not deviate more than One hundred Yards from the respective Lines thereof described in the said Maps or Plans respectively, without the Consent in Writing of the Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, over and through whose Messuages or Tenements, Lands and Hereditaments, such Deviation or Deviations shall be made; provided nevertheless, that the said Branch of Road leading from the *Bull's Head* in *Bradshaw* shall not cross or pass upon any Part of the old Highway leading from *Walshaw Lane* past *Bolholt* Print Works to *Bury*.

The Plans lodged with the Clerk of the Peace to be opened to Inspection, and new Branches to be made according thereto.

XX. Provided always, and be it further enacted, That it shall be lawful for the said Trustees to make the said Branches of Road into, through, across, or over the several Messuages or Tenements, Lands and Hereditaments of any Person or Persons who is or are or may be Owner or Owners of the Messuages or Tenements, Lands and Hereditaments over which the same or any of them are or is set out and described in the said Maps or Plans as aforesaid, although the Name or Names of such Person or Persons may happen to be omitted or mis-stated in the Books of Reference, in case it shall appear to any Two or more Justices of the Peace for the said County, and be certified in Writing under their Hands, that such Error or Omission proceeded from Mistake.

Misnomers not to prevent the Execution of this Act.

XXI. And whereas for the Purpose of making, widening, altering, diverting, and otherwise improving the Roads comprised in this Act, or some of them, it may be necessary to purchase, take, and use (among other Messuages or Tenements, Lands and Hereditaments,) the several Messuages or Tenements, Buildings, Gardens, Yards, Paddocks, Plantations, and other Premises specified or mentioned in the Schedule to this Act annexed; be it therefore enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered, for any of the Purposes aforesaid, to purchase, take,

Trustees empowered to take down certain Buildings, &c.

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and

and use all or any of the Messuages or Tenements, Houses, Buildings, Gardens, Yards, Paddocks, Plantations, and other Premises mentioned in the said Schedule to this Act, or such Part or Parts thereof as to the said Trustees shall seem necessary, and to pull down such Buildings, or any Part thereof, and to lay the Site or Sites thereof into the said Roads; but full and ample Compensation shall be made to the several Parties interested therein for the same, and for the Damage they shall sustain thereby.

Power of purchasing Buildings, &c. limited to Five Years.

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

The Road between Tottington and Croston Brow to be paved Eight Yards wide.

XXIII. And be it further enacted, That so much of the said Branch of Road leading from the *Bull's Head* Public House in *Bradshaw* to *Croston Brow* as lies between the Village of *Tottington* and *Croston Brow* aforesaid, shall be paved in a substantial Manner to the Width of Eight Yards at the least, with good set Stones, of the Size and Quality generally used and approved of in such Cases.

For preventing Injury to Feeder of the Manchester Canal.

XXIV. And whereas the said Branch of Road from the *Bull's Head* Public House in *Bradshaw* to *Croston Brow* is intended to pass over the Sluice or Feeder for conveying Water from the River *Irwill* to the Reservoir in the Parish of *Radcliffe*, belonging to the Company of Proprietors of the Canal Navigation from *Manchester* to *Bolton*, and to *Bury*, by means of a Bridge or Culvert, and the said Branch of Road leading from the *Higher Meadow* to the *Five Acre* in *Elton* is intended to pass upon or near the Surface or Side of an Embankment and Aqueduct belonging to the said Sluice or Feeder, and it is expedient to provide against Obstructions being thereby occasioned to the free Supply of Water to the said Canal, or Injury to any of the Works belonging to the said Navigation; be it therefore enacted, That in making the said Branch of Road from the *Bull's Head* Public House to *Croston Brow*, it shall be lawful for the said Trustees, and they are hereby authorized and required, out of the Tolls collected on the said Branch of Road or of any Money borrowed on the Credit thereof, to erect a good, firm, and substantial Bridge or Culvert of Brick, Stone, or Iron, over the said Sluice or Feeder, with proper Approaches thereto, the Span of the Arch whereof shall be so constructed as to allow a Stream of Water, Fifteen Feet in Breadth and Four Feet in Depth, to flow through it at all Times uninterruptedly; and that if the said Branch of Road from the *Higher Meadow* to the *Five Acre* in *Elton* shall pass upon the Surface or Side of the said Embankment or Aqueduct, then the said Trustees are hereby authorized and required to make such Road so and in such Manner as not to hinder or prevent the said Company of Proprietors from making or keeping the said Sluice or Feeder of such

Width and Depth as to allow at all Times a free Passage of a Stream of Water of the Width and Depth before-mentioned to flow through the same; and for ever after the making of such Road the said Trustees are hereby authorized and required to repair and keep in repair such Part or Parts of the said Embankment and Aqueduct as shall be made use of or interfered with by the said Trustees for the Purposes of this Act.

XXV. And be it further enacted, That all Monies subscribed or to be subscribed in respect of the said Branch of Road leading from the *Bull's Head* Public House in *Bradshaw* to *Croston Brow*, and the said Branch of Road leading from the *Long Lands* in *Elton* to *Woolfold* in *Tottington Lower End*, shall be applied in making the same, and in purchasing Lands and Hereditaments for that Purpose; and that (subject and without Prejudice thereto, and also save and except as is herein-after mentioned) all the Monies which shall have been raised and produced by virtue of the said recited Acts, or either of them, and which shall remain undisposed of at the Commencement of this Act, and also all the Tolls and other Monies to be collected, borrowed, or received by virtue of this Act, shall be applied and disposed of in manner following, (that is to say,) in the first place, in payment of the Expences of procuring and passing this Act, and of all incidental Charges relating thereto; secondly, in paying and satisfying the Salaries and Compensation to be made to Officers and other Persons assisting in the Execution of this Act, and in erecting and providing, altering and repairing Toll Gates, Weighing Machines, and Toll Houses, with suitable Outbuildings, upon, across, and by the Sides of the said respective Roads, and in paying the Interest and Principal of all such Sums of Money as have been advanced by the Treasurer of the Roads comprised in the said recited Acts, or as have been borrowed for the Use of the same Roads upon the individual Security of any of the Trustees acting under the said recited Acts, or either of them; thirdly, in paying the Interest of all such other Sums of Money as are now due and owing under the Authority and upon the Credit of the said recited Acts, or either of them; fourthly, in making the said Branch of Road leading from the *Higher Meadow* to the *Five Acre* in *Elton*, and in purchasing Lands and Hereditaments for that Purpose, and in completing the making of the said Branch of Road leading from the *Bull's Head* Public House in *Bradshaw* to *Croston Brow*, and the said Branch of Road leading from the *Long Lands* in *Elton* to *Woolfold* in *Tottington Lower End*; fifthly, in paying the Interest of the several Sums of Money which may be subscribed, advanced, or borrowed under or by virtue of this Act; sixthly, in paying the said Principal Monies now due and owing under the Authority and upon the Credit of the said recited Acts, or either of them, or which may be subscribed, advanced, or borrowed under or by virtue of this Act; and lastly, in defraying the Expences of widening, altering, diverting, improving, repairing, and keeping in repair all the said Roads, and otherwise putting this Act into execution.

Application
of the
Monies.

XXVI. Provided always, and be it further enacted, That none of the Tolls authorized to be taken by virtue of this Act, or any of the Money

No Tolls, &c.
to be laid out
on Roads,

unless Toll
Gates are
erected
thereon.

Money to be borrowed upon the Credit thereof, shall be laid out or expended in the Amendment, Repair, or Improvement of any of the said Roads directed to be amended, repaired, or improved by virtue of this Act, if there be no Toll Gate erected thereupon respectively, and Tolls taken thereat, nor shall any greater Sum of Money be expended in the Repair of any of such Roads than shall be collected at the Toll Gates to be erected thereon, or borrowed on the Credit of the Tolls thereof, or received as Composition for Statute Duty thereon.

Tolls arising
under former
Acts not to
be applied in
making the
Branches to
Croston
Brow and
Woolfold.

XXVII. Provided also, and be it further enacted, That no Part of the Tolls arising or to arise from the said Roads comprised in the said recited Acts, or either of them, shall be applied in making the said Branch of Road leading from the *Bull's Head* Public House in *Bradshaw* to *Croston Brow*, or the said Branch of Road leading from the *Long Lands* in *Elton* to *Woolfold* in *Tottington Lower End*, any thing herein-before contained to the contrary thereof in anywise notwithstanding.

Public Act.

XXVIII. 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.

Term of Act.

XXIX. And be it further enacted, That this Act shall commence and take effect upon the said Fifth Day of *August* next after the passing thereof, and shall thenceforth continue and be in force for and during the Term of Thirty-one Years, and from thence to the End of the then next Session of Parliament.

The SCHEDULE referred to by the foregoing Act.

Description of Property.	Township.	Owners or reputed Owners.	Lessees.	Occupiers.
<i>Edenfield and Little Bolton Road.</i>				
House - -	Bradshaw -	John Isherwood, Esq.	Thomas Scowcroft	Hugh Boyle.
Public House -	Ditto -	Ditto -	Ditto -	Eli Smith.
House and Shop -	Ditto -	Ditto -	Ditto -	Thomas Scowcroft.
House - -	Ditto -	Ditto -	Ditto -	James Almond.
Ditto - -	Ditto -	Ditto -	- -	John Torkington.
Ditto - -	Ditto -	Ditto -	- -	William Slater.
Barn and Garden -	Ditto -	Ditto -	- -	Eli Smith.
House - -	Ditto -	Ditto -	{ Messrs. John, Samuel, and Thomas Scowcroft - - }	James Chadwick.
House and Barn -	Ditto -	Ditto -	Ditto - -	Thomas Scowcroft.
<i>Booth Pits and Bury Bridge Road.</i>				
Cottage - -	Elton -	The Earl of Derby	Martha Hulme -	Wm. Robinson.
Ditto - -	Ditto -	Ditto -	Ditto - -	Jane Work.
Ditto - -	Ditto -	Ditto -	John Hutchinson	John Holt.
Ditto - -	Ditto -	Ditto -	Ditto - -	Daniel Hopkinson.
House, Garden, Yard and Necessary -	} Ditto -	Ditto -	James Hutchinson	Edward Birtwisle.
House, Yard, and Gardens - -	} Ditto -	Ditto -	Ditto - -	Joseph Rudman.
Orchard - -	Ditto -	Ditto -	Thomas Norris -	Joseph Rudman.
Garden - -	Ditto -	Ditto -	Ditto - -	Squire Rudman.
Ditto - -	Ditto -	Ditto -	Ditto - -	Benjamin Naiden.
Cottage - -	Ditto -	Ditto -	Ditto - -	Thomas Duckworth.
Ditto - -	Ditto -	Ditto -	Ditto - -	William Radcliffe.
Ditto - -	Ditto -	Ditto -	Ditto - -	Joseph Pollitt.
House, Loom Shop, Barn and Yard -	} Ditto -	Samuel Powell -	- - -	Jane Shaw.
<i>Branch of Road from Bull's Head to Croston Brow.</i>				
Orchard and Garden	{ Tottington Lower End }	Samuel Lennox -	- - -	Samuel Lennox.
Road and Necessary Garden and Fold -	Ditto -	Ditto -	- - -	Ditto.
Garden - -	Ditto -	William Barlow -	- - -	Jacob Morris.
Ditto - -	Ditto -	{ Thomas Smalley Potter - - }	- - -	John Smith.
Ditto - -	Ditto -	{ Arthur Potter's Trustees - - }	- - -	Ditto.
Wheelwright's Shop	Ditto -	Henry Gorton -	- - -	Thomas Irlam.
Blacksmith's Shop and Room over -	} Ditto -	Ditto -	- - -	{ James Wilkinson and Abraham Crosley.
Stable - -	Ditto -	Joseph Gorton -	- - -	George Scarnall.
Part of House -	Ditto -	James Cooper -	- - -	James Cooper.
Ditto - -	Ditto -	{ Executors of William Holt - }	- - -	Nancy Kay.
Ditto - -	Ditto -	James Wrigley -	- - -	James Wrigley.
Loom Shop -	Ditto -	George Turner -	- - -	John Cooper.
Part of House -	Ditto -	Ditto -	- - -	George Duckworth.

[Local.]

Description of Property.	Township.	Owners or reputed Owners.	Lessees.	Occupiers.
Land and Garden -	{ Tottington	} James Kay - -	- - -	Ann Brooks.
Part of House -	Lower End			Ditto - -
Garden - -	Ditto -	Ditto - -	- - -	Ditto.
Coal House and Yard	Ditto -	Edward Pilkington	- - -	Edward Pilkington.
Plantation - -	Ditto -	{ Executors of John	} - - -	{ Richard Hall and
Barn and Shippon -	Ditto -	Grimshaw - -		
Barn - - -	Ditto -	Ditto - -	- - -	Ditto.
Fold - - -	Ditto -	Samuel Powell	- - -	John Roscow.
Plantation - -	Ditto -	Ditto - -	- - -	Ditto.
Ditto - - -	Ditto -	{ Executors of John	} - - -	{ Richard Hall and
Ditto - - -	Ditto -	Grimshaw - -		
Garden - - -	Ditto -	Robert Nuttall	- - -	Thomas Roscow.
Two Cottages, Ne-	} Tottington	William Kay - -	- - -	{ Charles Hill and
cessary, and Garden				
Garden - - -	Ditto -	John Baker - -	- - -	Mary Booth.
Coal House and	} Ditto -	William Goodlad -	- - -	Charles Lomax.
Orchard - - -				
Garden - - -	Ditto -	Ditto - -	- - -	Charles Lomax.
Garden and Wall -	Ditto -	Ditto - -	- - -	Robert Haworth.
Garden - - -	Ditto -	Ditto - -	- - -	Robert Spencer.
Ditto - - -	Ditto -	Ditto - -	- - -	Richard Cunliff.
Ditto - - -	Ditto -	Ditto - -	- - -	Charles Chadwick.
Necessary	Ditto -	Ditto - -	- - -	
Size House, Wall,	} Elton -	The Earl of Derby	Richard Calrow -	John Ogden.
and Yard - - -				

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