

within the Township and Parish of *Blackburn* aforesaid, commencing by a Junction with the present Turnpike Road between *Whalley* and *Blackburn* at or near a Place called *Bastfield Lane End*, and terminating at or near a certain Street in the Town of *Blackburn* called *Richmond Terrace*, would be of great public Utility: And whereas the Purposes aforesaid might be more conveniently effected if the said recited Act were repealed, and if further and other Powers and Provisions were granted and made in lieu thereof: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen'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 Day of the Commencement of this Act the said recited Act passed in the Fifty-ninth Year of the Reign of King *George* the Third shall be and the same is hereby declared to be repealed.

Recited Act repealed.

Repeal of recited Act not to revive former Acts thereby repealed.

II. Provided always, and be it further enacted, That the Repeal by this Act of the said recited Act of the Fifty-ninth Year of the Reign of King *George* the Third shall not extend to revive any former Acts relating to the said Roads which were repealed by the said recited Act, but the same Acts shall remain and be and are hereby declared to be repealed.

This Act to be put in execution for repairing, &c. the Roads herein mentioned.

III. And be it further enacted, That this Act shall be put into execution, for and during the Term herein-after mentioned, for the Purpose of repairing, maintaining, and improving the Road from the Market Cross in the Town of *Clitheroe* aforesaid, through Part of the Township of *Clitheroe*, and through the several Townships of *Pendleton*, *Wiswall*, *Whalley*, *Billington*, *Great Harwood*, *Rishton*, and *Little Harwood*, and through Part of the Township of *Blackburn* aforesaid, to *Salford Bridge* in the Town of *Blackburn*; and also the Road from or nearly from a certain Toll Gate erected upon the said Road called the *Pendleton Gate*, in the Township of *Pendleton* aforesaid, through Part of the said Township and Part of the Township of *Clitheroe* aforesaid, to the said Market Cross in the Town of *Clitheroe*; and also the Road from or nearly from the South End of *Whalley Bridge*, through the several Townships of *Billington*, *Wilpshire* otherwise *Wilpshire with Dinckley*, *Salisbury*, *Clayton-le-Dale*, *Mellor*, and *Osbaldeston*, and through Part of the Township of *Balderstone*, to a certain Inn or Public House called the *Dog and Partridge*, formerly in the Occupation of *Thomas Ashworth*, at or near *Mellor Brook*; and also the Road from or nearly from a certain Toll Gate erected upon the said Road called the *Brookhouse Gate*, in the Township of *Blackburn* aforesaid, through Part of the said Township, and also through the several Townships of *Little Harwood*, *Wilpshire* otherwise *Wilpshire with Dinckley*, and through Part of the Township of *Billington*, to or nearly to a certain Inn or Public House in the Township of *Billington* called the *Petre's Arms*, where the said Road communicates with the Road from *Whalley Bridge* to *Mellor Brook* aforesaid; and also for making and maintaining the said new Piece of Road within the Township of *Blackburn* aforesaid from *Bastfield Lane End* to *Richmond Terrace*, all in the County Palatine of *Lancaster*.

IV. And

IV. And be it further enacted, That the Tolls hereby granted and authorized to be taken on the said Roads shall be and the same are hereby declared to be subject and liable to the Payment of all Monies now due and owing on the Credit or on account of the said recited Act of the Fifty-ninth Year of the Reign of King *George* the Third, or any former Act or Acts for making or maintaining the said Roads or any of them, 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 had become due on the Credit of this Act and the Tolls hereby authorized to be collected; and all and every Person and Persons owing or who may owe any Sum or Sums of Money to the Trustees for executing the said recited Act hereby repealed, or for executing any former Act or Acts for making or maintaining the said Roads or any of them, shall be liable to the Payment thereof to the Trustees for executing this Act; and all Conveyances, Bonds, Mortgages, Covenants, Agreements, Contracts, and Securities duly and according to Law made or entered into or given by or to or with the Trustees for executing the said recited Act hereby repealed, or for executing any such former Act or Acts, shall be as available in all Courts of Law and Equity as if such Conveyances, Bonds, Mortgages, Covenants, Agreements, Contracts, and Securities were made or entered into by or to or with the Trustees for executing this Act; and all Bargains, Contracts, Agreements, or Notices duly and according to Law 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 Roads or to the Execution of the said Act shall be and remain in as full Force and Effect, and be observed and kept by the Trustees under this Act and by the other respective Parties to such Bargains, Contracts, Agreements, or Notices, according to the Terms, Stipulations, and the true and equitable Intent and Meaning thereof, notwithstanding the Repeal of the last-mentioned Act.

Tolls liable to Debts contracted under former Acts.

V. And be it further enacted, That all Her Majesty's Justices of the Peace for the Time being acting for the County Palatine of *Lancaster*, together with *Cable Ainsworth, John Alston, William Alston, Joseph Heywood Anderton Clerk, Thomas Ashton, William Bailey, Leonard Baldwin, James Barlow, Hugh Hornby Birley, Joseph Birley, Ralph Blegborough, John Brooks, Samuel Brooks, William Brooks, Ambrose Bulcock, John Bury, John Clegg, Robert Clegg, Walter Cockshott, James Cross, Robert Dobson Clerk, James Dodgson, Richard Edleston of Blackburn, Richard Edleston of Nantwich, William Feilden, James Fenton, John Fenton, Joseph Fenton, James Fisher, John Fleming, James Forrest, John Foster, Jeremiah Garnett the younger, Thomas Garnett, James Garstang, James Greenway, Henry Hargreaves of Blackburn, Henry Hargreaves of Mellor, John Hargreaves of Broadoak, John Hargreaves of Blackburn, Robert Hargreaves, Boulby Thomas Haslewood Clerk, Joseph Henderson, Robert Hopwood, Robert Hopwood the younger, John Hornby, Daniel Hornby, Robert Hornby Clerk, William Henry Hornby, John Hornby the younger, William Horsfall, Henry Hoyle, Philip Kershaw, George Langton, Felix Leach, Edmund Lomax, James Lomax, Thomas Lomax, William Lonsdale, Robert Mosley Master Clerk, Edmund Mercer,*

Trustees appointed.

James

James Neville, William Lister Oddie, Edward Parker, John Fleming Parker Clerk, Christopher Parkinson, William Pearce, Joseph Peel, Robert Peel of Hyndburn, Robert Peel of Church Bank, Henry Petre, James Pickup, Walter Posthumus Powell Clerk, D.C.L., George Preston, Thomas Preston, William Robinson, Joshua Smithson, Stephen Sparrow, Le Gendre Pierce Starkie, James Thomson, Thomas Starkie Thomson, Henry Thomson, Daniel Thwaites, William Townley, Robert Trappes, William Turner of Shrigley Park, William Turner of Haslingden, Christopher Bland Walker, John Ward, Robert Whalley, John Master Whalley Clerk, William Whalley, Charles Whitaker the younger, Robert Nowell Whitaker Clerk, Robert Whittle, John William Whittaker Clerk, D.D., John Wilkinson of Clitheroe, Leonard Wilkinson of Blackburn, Benjamin Wilson, James Wilson, and their Successors, being duly qualified to act as Trustees of Turnpike Roads in England, shall be and they are hereby appointed Trustees for repairing, improving, and maintaining in repair the said Roads, and for making and maintaining the said new Piece of Road, and for otherwise putting this Act into execution.

Power to
appoint
additional
Trustees.

VI. 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 duly qualified to act as Trustees of Turnpike Roads in *England* (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 this Act as if they had been herein named.

First Meet-
ing of
Trustees.

VII. And be it further enacted, That the Trustees for executing this Act shall meet at the House known by the Name or Sign of the *Whalley Arms Inn*, in the Town of *Whalley*, or at some other convenient Place in the Neighbourhood of the said Roads, on the *Third Saturday* next after the passing of this Act, or as soon after as conveniently may be, and proceed in the Execution of this Act, and shall and may then and from Time to Time after adjourn to and meet at such Times, and at such Place or Places upon or near the said Roads, as they shall think proper.

Power to
erect Toll
Gates, &c.

VIII. And be it further enacted, That all and every the several and respective Toll Gates, Turnpikes, Side Gates, Side Bars, Chains, and Toll Houses now standing and being in or upon or across or on the Sides of the said Roads, or any of them, shall remain and be continued until removed by any Order or Orders of the said Trustees; and it shall be lawful for the said Trustees to erect and set up or build, or to order and cause to be erected, set up, and built, upon, in, or across the said Roads, or on the Sides thereof, when, where, and as they shall judge necessary, any Toll Gate or Toll Gates, Turnpike or Turnpikes, Side Gate or Side Gates, Side Bar or Side Bars, Chain or Chains, or any 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 Toll Gate,

Gate, Turnpike, Side Gate, Side Bar, Chain, or Weighing Machine, and to take in and inclose on the Sides of the said Roads suitable Garden Spots for such Toll House or Toll Houses, 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, or to order and cause to be taken down and removed, or to alter or discontinue, the same or any of them, or any Part thereof respectively, as the said Trustees shall think proper and direct or appoint.

IX. And be it further enacted, That it shall be lawful for the Trustees for executing this Act absolutely to sell and dispose of any Toll House or Toll Houses standing and being upon the Sides of the said Roads, together with the Ground whereon the same may stand, and all Outhouses, Gardens, and Appurtenances belonging thereunto, whenever the same shall be considered by the said Trustees to be useless or unnecessary for the Purposes of this Act, to any Person or Persons whomsoever, either by public Auction or private Sale, at or for such Price or Prices as the said Trustees can obtain for the same; and in case of any such Sale being made as aforesaid, it shall be lawful for the said Trustees to convey the said Toll Houses, Gardens, and Premises to the Purchaser or Purchasers thereof: Provided always, that such and the like Preference and Priority of purchasing Premises so to be sold shall always be given to the Owner or Owners of the next adjoining Land as is by the Statute for regulating Turnpike Roads in that Part of *Great Britain* called *England* directed to be given in case of the Sale of any Piece or Pieces of Ground not wanted for the Purposes of a Turnpike Road.

Toll Houses becoming useless may be sold.

X. And be it further enacted, That, notwithstanding the Repeal of the said recited Act of the Fifty-ninth Year of the Reign of King *George* the Third, the several Tolls granted by the said Act shall be continued to be demanded, paid, and received at the several and respective Turnpikes, Toll Gates, Side Gates, Side Bars, or Chains on the said Roads comprised in this Act until Twelve of the Clock at Night on the Fifth Day of *August* next, when the Term of the existing Contracts of letting the Tolls will expire.

Present Tolls to be taken till 5th August next.

XI. And be it further enacted, That from and after Twelve of the Clock at Night of the said Fifth Day of *August* next the several Sums of Money or Tolls herein-after mentioned shall and may be demanded and taken at the several Turnpikes, Toll Gates, Side Gates, Side Bars, or Chains which shall be continued, set up, or erected upon, across, or by the Sides of the said Roads comprised in this Act, by the said Trustees, or by any Lessee or Lessees of the Tolls, or by any Person or Persons appointed or continued, or to be appointed by the said Trustees, or such Lessee or Lessees, Collector or Collectors of the Tolls; (that is to say,)

Tolls to be taken after 5th August.

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

[Local.]

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For

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

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

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

For every Horse or other Beast drawing any Cart or other such like Two-wheel Carriage having the Fellies of the Wheels of the Breadth of Six Inches or upwards at the Bottom or Soles thereof, any Sum not exceeding Sixpence :

For every Horse or other Beast drawing any Cart or other such like Two-wheel Carriage having the Fellies of the Wheels of the Breadth of Four and a Half Inches and less than Six Inches at the Bottom or Soles thereof, any Sum not exceeding Eight-pence :

For every Horse or other Beast drawing any Cart or other such like Two-wheel Carriage having the Fellies of the Wheels of less Breadth than Four and a Half Inches at the Bottom or Soles thereof, any Sum not exceeding Nine-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 Ten-pence, and so in proportion for any greater or less Number :

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

For every Carriage moved or propelled by Steam or Machinery, or by any other Power than Animal Power, any Sum not exceeding Two Shillings :

For every Dog drawing any Cart, Carriage, or other Vehicle, the Sum of One Penny :

Which said several and respective Tolls or Sums of Money, and also the Half Tolls herein-after mentioned, shall be demanded and taken as aforesaid before any Horse, Mule, Ass, Beast, or other Cattle, Coach, Chariot, Chaise, Waggon, Wain, Cart, or other Carriage, or any Dog drawing as aforesaid, shall be permitted to pass through any such Turnpike, Toll Gate, Side Gate, Side Bar, or Chain ; and such several and respective Tolls or Sums of Money shall be payable and paid for each Time of passing, subject to the Provisions herein-after contained ; and the same shall be and are hereby vested in the Trustees of the said Roads, and shall be applied for the Purposes of this Act in manner herein-after directed :

Limiting the
Number of
Tolls to be
taken at the

XII. Provided always, and be it further enacted, That no more than Four full Tolls in the whole shall be demanded or taken in any One Day (to be computed from Twelve of the Clock at Night to
Twelve

Twelve of the Clock in the succeeding Night) at one and the same Toll Gate, Turnpike, Side Gate, Side Bar, or Chain on any of the said Roads, for or in respect of the same Horse, Beast, Cattle, or Carriage passing through the same (except in the Cases herein-after mentioned and provided for); and also that any Horse, Beast, Cattle, or Carriage (except as herein-after mentioned) shall be allowed to return and pass once Toll-free in the same Day (to be computed as aforesaid) through the same Toll Gate, Turnpike, Side Gate, Side Bar, or Chain in respect of each one Payment of Toll, on a Ticket being produced denoting such Payment to have been made. same Gate in One Day.

XIII. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees, or any Collector or Collectors of the Tolls, to demand or take, for or in respect of the same Horses, Beasts, Cattle, or Carriages (except in the Cases herein-after mentioned and provided for), for passing and repassing at any Time or Times in any One Day (to be computed as aforesaid) through all or any of the Toll Gates, Turnpikes, Side Gates, Side Bars, or Chains along the whole Lines of the said Roads, more than the several Payments of Tolls following; that is to say, from *Clitheroe* to *Blackburn* Four full Tolls, and from *Whalley* to *Mellor Brook* Three full Tolls. Limiting the Number of Payments on the Lines of the Roads.

XIV. Provided always, and be it further enacted, That in case the Toll in this Act mentioned shall have been paid any Number of Times in any One Day, in respect of any Horse or Horses or other Beast or Beasts drawing any Waggon, Wain, Cart, or other Carriage of any Description, for passing through all or any of the Toll Gates, Turnpikes, Side Gates, Side Bars, or Chains on the said Roads or any of them, and any such Horse or Horses or other Beast or Beasts shall be afterwards employed on the said Roads or any of them, during the same Day, in drawing a different Waggon, Wain, Cart, or other Carriage from that which they were employed in drawing when such Payment was made, every such Horse or Beast so drawing shall, notwithstanding any such Payment, be again liable to Toll in respect of being employed in drawing such different Waggon, Wain, Cart, or other Carriage, as if no Toll had been previously paid for the same. Horses, &c. drawing different Carriages to be again subject to Toll.

XV. Provided also, and be it further enacted, That the Tolls hereby made payable for or in respect of Horses or Beasts drawing any Stage Coach, Diligence, Van, Caravan, or Stage Waggon or other Stage Carriage or Cart, and also for and in respect of every Carriage moved or propelled by Steam or Machinery, or by any other Power than animal Power, conveying Passengers or Goods for Pay, Hire, or Reward, shall be paid and payable every Time of passing or repassing along the said Roads or any of them: Provided always nevertheless, that no further or additional Toll shall be payable in respect of any Horses or Beasts drawing any Stage Coach, Diligence, Van, Caravan, Stage Waggon, or other Stage Carriage or Cart, on account only of the Horses or Beasts drawing the same having been changed between any Gates freeing each other by Tickets. Horses drawing Stage Coaches, &c.

XVI. Pro-

Horses
drawing Post
Chaises, &c.

XVI. Provided also, and be it further enacted, That the Tolls hereby made payable for or in respect of Horses or Beasts let out to Hire for riding, or for drawing any Post Chaise or other Carriage, shall be payable and paid every Time of passing along the said Roads, or any of them, whenever a new Hiring thereof shall take place.

Regulating
the Weights
on Carts
drawn by
One Horse.

XVII. And for regulating the Weights to be allowed to Carts or other such Carriages which shall be drawn upon the said Roads by One Horse or Beast only, be it further enacted, That the Weights to be allowed to Carts or other such Carriages drawn by One Horse or Beast shall never exceed the Weights following; (that is to say,) from the First Day of *April* to the Thirtieth Day of *September* (both Days inclusive) One Ton and Ten Hundred Weight for each such Cart or Carriage and the Lading thereof, and from the First Day of *October* to the Thirty-first Day of *March* (both Days inclusive) One Ton and Eight Hundred Weight for each such Cart or Carriage and the Lading thereof, any Law or Statute to the contrary thereof notwithstanding.

Authorizing
the weighing
and gauging
of the Wheels
of One-horse
Carts.

XVIII. And be it further enacted, That all Carts or other such Carriages drawn by One Horse or other Beast, passing along or upon the said Roads or any of them, shall and may be weighed at any Weighing Machine or Weighing Machines erected upon or on the Sides of the said Roads or any of them, and the Breadth of the Wheels thereof at the Bottom or Soles of the Fellies shall and may be measured and gauged, and the like additional Toll and Penalties for Overweight shall be demanded, paid, and recovered as may by any Statute now in force be demanded, paid, and recovered for Overweight in respect of Carts and other Carriages drawn by Two or more Horses or Beasts, any Law or Statute to the contrary thereof notwithstanding.

Horses, &c.
drawing Road
Materials in
Carriages
with narrow
Wheels to be
liable to Toll;

XIX. Provided always, and be it further enacted, That no Exemption allowed by any Law or Statute now in force from Payment of Tolls on any Turnpike Road for or in respect of any Horse or other Beast drawing any Waggon, Wain, Cart, or other Carriage laden with or employed in leading or conveying any Materials for making or repairing any Highway, or for building, rebuilding, or repairing any Bridge, shall be allowed in respect of the Tolls by this Act granted when such Waggon, Wain, Cart, or other Carriage shall have the Fellies of the Wheels thereof of a less Breadth than Four and a Half Inches, any Law or Statute to the contrary notwithstanding.

or if the
Materials are
to be used
in distant
Townships.

XX. And be it further enacted, That no Exemption allowed by any Law or Statute now in force from Payment of Tolls on any Turnpike Road shall be allowed in respect of the Tolls by this Act granted for or in respect of any Horse or other Beast drawing any Waggon, Wain, Cart, or other Carriage laden with or employed in leading or conveying any Materials for making or repairing any Highway, unless such Materials are to be used for making or repairing any Highway within some Township, Hamlet, or Place which is or may be liable to contribute to the Repair of some Part of the
Roads

Roads comprised in this Act, any Law or Statute to the contrary notwithstanding.

XXI. Provided always, and be it further enacted, That it shall be lawful for the said Trustees to cause to be demanded and taken, for every Horse or other Beast drawing any Waggon, Wain, Cart, or other Carriage having the Fellies of the Wheels thereof of the Breadth of Four and a Half Inches or upwards, and employed upon any Part of the Roads comprised in this Act in leading or conveying any Materials for making or repairing any Highway, during the Winter Months, (that is to say,) between the Thirtieth Day of *September* in one Year and the First Day of *April* in the next succeeding Year, any Sum of Money as Toll not exceeding One Half of the Sum or Toll herein-before authorized to be demanded and taken in respect of any Horse or Beast drawing any Waggon, Wain, Cart, or other Carriage not so employed, or laden in any other Manner, and according to the Breadth of the Fellies of the Wheels of any such Waggon, Wain, Cart, or other Carriage respectively, any Exemption allowed by the General Turnpike Acts, or any Law or Statute, to the contrary notwithstanding.

Carriages laden with Road Materials to be liable to Half Toll during the Winter Months.

XXII. Provided also, and be it further enacted, That all the Powers, Provisions, Regulations, and Penalties imposed by any Law or Statute now in force or hereafter to be made relating to the measuring and gauging of the Breadth of Wheels, and the weighing of any Carts and other Carriages, or relating to the Owners or Drivers of such Carts and other Carriages, shall be applicable and shall extend and be deemed and taken to extend to all Carts and other Carriages passing over or along the said Roads which by the Provisions herein-before contained are made liable and subjected to the Payment of Tolls, and to the Owners and Drivers thereof.

Regulations and Penalties relating to weighing of Carriages to extend to Carriages subjected to Tolls by the preceding Clauses.

XXIII. And be it further enacted, That all the Monies which shall have been raised and produced by virtue of the said recited Act of the Fifty-ninth Year of the Reign of King *George* the Third, hereby repealed, on account of any of the Roads comprised in this Act, and which shall be remaining undisposed of on the Day of the Commencement of this Act; and also all the Monies which shall arise and be produced by and from the Tolls by this Act granted and made payable on all the several Roads comprised in this Act, with the Monies which have been or shall be borrowed on the Credit thereof, and all other Monies which shall arise and be produced by virtue thereof, shall be applied to and for the several Uses, Intents, and Purposes and in the Order and Manner following; (that is to say,) in the first place, in the Payment and Discharge of all the Costs, Charges, and Expences which shall have been incurred in applying for, preparing, obtaining, and passing this Act, and otherwise relative thereto respectively; secondly, (after Payment of the necessary Expences from Time to Time for Books, Advertisements, Salaries of Officers, and other necessary current Expences incidental to the Execution of this Act,) in paying and discharging the Interest now or hereafter to accrue and become due upon or by virtue of any

Application of Tolls.

[Local.]

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Mortgages

Mortgages or Securities which have been already made and granted of the Tolls or Duties heretofore payable on the same Roads or any of them, and of any Mortgages or Securities which shall hereafter be made and granted of the Tolls or Duties hereafter to become payable on the said Roads; in erecting and providing, altering and repairing, Turnpikes, Toll Gates, Toll Bars, and Toll Houses, with suitable Outbuildings, upon, across, and by the Sides of the said Roads; in making the said new Piece of Road from *Bastfield Lane End* to *Richmond Terrace* aforesaid; in defraying the Expence of diverting, altering, widening, improving, repairing; and keeping in repair the said Roads; and in reducing, paying off, and discharging the several Principal Sums of Money which have been borrowed or secured in pursuance of and for the Purposes of the said Act of the Fifty-ninth Year of the Reign of King *George* the Third, or any former Act or Acts thereby repealed, and also the several Principal Sums of Money which may hereafter be borrowed by the Trustees for executing this Act, and all other Debts and Sums of Money now owing and which may hereafter become due and owing by or on account of the said Roads.

Tolls not to be applied in the Repair of any Road unless there be a Toll Gate continued thereon.

XXIV. Provided always, and be it further enacted, That no Money arising from any of the Tolls mentioned in this Act shall be applied in or towards the Repair of any Road authorized to be repaired by this Act unless some Toll Gate, Toll Bar, or Turnpike shall be erected and continued upon such Road or on the Side thereof, nor unless the said Tolls shall be demanded and taken thereat pursuant to the Powers and Provisions of this Act: Provided also, that no more Money shall be expended by the said Trustees in or towards the Repair of any such Road than shall be collected thereat, or borrowed on the Credit of the Tolls collected thereon.

Trustees not to apply any Money in Repair of Roads in Towns, or if repairable under any Local Act.

XXV. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees to apply or expend any of the Monies now in the Hands of the Treasurer of the said Trustees, or any Money which shall be borrowed on the Credit of this Act, or any Money to arise from any of the Tolls by this Act granted, in the Repair of any Road or Way in the Towns of *Clitheroe*, *Whalley*, and *Blackburn*, or any of them, or in any Town the Roads or Ways in which are directed to be repaired under the Powers or Provisions of any Local Act of Parliament, or to collect any Tolls by virtue of this Act therein.

A new Piece of Road may be made.

XXVI. And be it further enacted, That it shall be lawful for the said Trustees and they are hereby authorized and empowered to make the said new Piece of Road from *Bastfield Lane End* to *Richmond Terrace* aforesaid of such Width or Dimensions as they shall think proper, not exceeding Sixty Feet, together with such Footpaths, Causeways, Embankments, and Fences as they shall think necessary or expedient; and for such Purpose it shall be lawful for the said Trustees, and all Persons acting under their Authority, and they are hereby authorized and empowered, to enter upon and to take and use and pull down and lay open the Lands, Houses, Buildings, Tenements, and Hereditaments mentioned or described, or intended so to

be, in the Map or Plan and Book of Reference herein-after mentioned, or in the Schedule to this Act annexed, making or tendering Satisfaction to the Owners or Proprietors of and Persons interested in any private Lands, Houses, Buildings, or Tenements for the same, or for any Loss or Damage they may sustain thereby.

XXVII. Provided always, and be it further enacted, That the Tolls by this Act granted shall be payable in respect of the passing of any Horse, Beast, Cattle, or Carriage through any Toll Gate or Turnpike erected or to be erected on such Part and Parts of the Roads by this Act authorized to be repaired or made, or on the Sides thereof, as now is or are or as shall from Time to Time be at any Time hereafter made or open for the Use of the Public, although the whole of the Roads by this Act authorized to be made is not or shall not be at any Time hereafter made and completed; and that all Persons who, by virtue of any Law or Statute relating to Turnpike Roads or Highways in *England*, would be liable to the Repair of the said Roads when wholly made and completed, shall be and are hereby declared to be liable to the Repair of so much thereof as is or are now made or open to the Public, and also to the Repair of such other Part and Parts of the Roads comprised in this Act as shall from Time to Time be made or open to the Public, although the whole of the Roads by this Act authorized to be made is not now or shall not be at any Time hereafter made and completed.

Declaring that the Tolls may be collected, and that the Liabilities for repairing Roads shall be enforced, although the whole Road be not completed.

XXVIII. And whereas a Map or Plan describing the Line of the said intended new Piece of Road, and the Lands, Buildings, Hereditaments, and Premises through or over which the same is to be carried, together with a Book of Reference containing the Names of the Owners or reputed Owners, Lessees, and Occupiers of such Lands, Buildings, and Hereditaments, hath been deposited at the Office of the Clerk of the Peace for the said County Palatine of *Lancaster*; be it therefore enacted, That the said Map or Plan and Book of Reference shall remain in the Custody of the Clerk of the Peace for the said County, to the end that all Persons may at 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 the Clerk of the Peace the Sum of One Shilling for every such Inspection, and at the Rate of Sixpence for every One hundred Words of such Copies or Extracts of the said Map or Plan and Book of Reference; and that the said Trustees in making such new Piece of Road shall not deviate more than One hundred Yards from the Line thereof described in the said Map or Plan without the Consent and Approbation in Writing of the Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, over and through whose Lands and Grounds such new Road shall be made.

Map deposited with the Clerk of Peace to remain there and be open to Inspection.

Limiting Deviation from Plan.

XXIX. Provided always, and be it further enacted, That it shall be lawful for the said Trustees to make the said new Piece of Road into, through, across, or over, and to take and use, the several Lands, Buildings, Tenements, Hereditaments, and Premises of any Person or Persons who is or are or may be Owner or Owners, or Occupier or Occupiers of Lands, Buildings, Tenements, Hereditaments, and Premises

Misnomers not to prevent Execution of Act.

Premises over which the same is set out and described in the said Map or Plan, or which are mentioned or intended so to be in the Schedule to this Act annexed, although such Lands, Buildings, Tenements, Hereditaments, or Premises, or the Name or Names of such Person or Persons, may happen to be erroneously described, omitted, or mis-stated in the said Book of Reference or Schedule, in case it shall appear to any Two or more Justices of the Peace for the said County, and be certified by Writing under their Hands, that such Error, Omission, or Mis-statement proceeded from Mistake, or was not wilful; and such Certificate shall be deposited with and remain in the Custody of the Clerk of the Peace for the said County.

Houses, &c. not to be injured, except such as are mentioned in the Schedule.

XXX. Provided always, and be it further enacted, That the Powers and Authorities hereby given for making the said new Piece of Road shall not extend or be construed to extend to empower or authorize the said Trustees to take or pull down any Dwelling House or other Building, or to take in or make use of any Curtilage, Garden, Yard, Park, Paddock, Lawn, Shrubbery, planted Walk or Avenue to a House, or any inclosed Ground planted and set apart as a Nursery for Trees, or any Part thereof respectively, without the Consent in Writing of the Owner or Proprietor thereof, or other Person interested therein, first had and obtained, except such as are mentioned in the Schedule to this Act annexed.

Limiting to Three Years the Power to take certain Property.

XXXI. Provided also, and be it further enacted, That in case the said Trustees shall not purchase the Buildings, Lands, Tenements, and Hereditaments mentioned in the Schedule to this Act annexed within the Space of Three Years from the passing of this Act, all the Powers granted by this Act to the said Trustees for purchasing, 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 of the Owners or Proprietors thereof for the Time being.

Trustees may purchase or hire Land whereon to lodge Materials.

XXXII. And for providing proper Places whereupon the Materials used for the Repairs of the Roads comprised in this Act may be deposited and broken, and whereupon the Ground, Earth, Stone, and other Substances necessary to be removed for the Purpose of reducing the Inequalities and Heights upon any of the said Roads, and making the same sufficiently level and commodious, and also the worn Materials may be laid, and also for the Purpose of providing the necessary Materials for filling up any Hollows or Cavities in any of the said Roads, be it also enacted, That it shall and may be lawful for the said Trustees, or any Five or more of them, to treat, contract, and agree with the several Owners, Proprietors, and Occupiers of and Persons interested in and entitled unto any Lands, Grounds, or Hereditaments adjoining to the said Roads, or any Part thereof, for the Purchase or Hire of so much thereof as they shall think necessary for any of the Purposes last herein-before mentioned, and out of the Monies to arise upon the said Roads, or any Part or Parts thereof, or out of any Money to be borrowed on the Credit thereof, to pay such Sum or Sums of Money as shall be agreed upon for such Lands or Hereditaments.

XXXIII. And

XXXIII. And be it further enacted, That in case any Lands shall be purchased by the said Trustees for the Purposes of this Act, the Freehold and Inheritance of and in the Lands so purchased shall not (notwithstanding any Provision in any of the Acts in force for regulating Turnpike Roads in *England*) by means of any such Purchase, or any Conveyance made in pursuance thereof, be vested in the said Trustees, but that the Freehold and Inheritance of and in the Lands so purchased shall, notwithstanding such Purchase and Conveyance, remain and be vested in the Person or Persons in whom the same were vested immediately prior to such Purchase by the said Trustees; and the said Trustees shall by means of such Purchase and Conveyance, or either of them, be entitled to a perpetual Right of Way in, over, or upon the Lands so purchased by them.

The Freehold and Inheritance of Lands to remain and be vested in the Persons of whom they are purchased.

XXXIV. Provided always, and be it further enacted, That if at any Time any Lands purchased by the said Trustees for the Purposes of the Roads mentioned in this Act, or any of them, shall not be wanted for the same, then and in such Case the Right of Way in, over, or upon the said Lands shall cease, determine, and be extinguished, and the Freehold and Inheritance of the said Lands shall be and remain in the Person or Persons then entitled to the same, freed and discharged of and from such Right of Way.

The Right of Way to cease when Land is not wanted.

XXXV. Provided also, and be it further enacted, That the said Trustees shall have such and the same Power and Authority of cutting and digging and otherwise using the Lands and Hereditaments taken by them for the Purposes of this Act, and also of erecting any Toll Houses or other Buildings or of building any Bridge thereon, as fully and effectually to all Intents and Purposes as the said Trustees would have had in case they had purchased the Fee Simple of the said Lands and Hereditaments.

The Trustees to have the same Power of using the Land as if they had purchased the Fee Simple thereof.

XXXVI. And be it further enacted, That it shall be lawful for the said Trustees, and their Surveyor or Surveyors or other Person or Persons by them appointed, and they are hereby authorized and empowered, to make such Ditches, Drains, or Watercourses, and of such Depth and Breadth as they shall consider expedient, for the Purpose of keeping the said Roads dry, and conveying the Water from the same into or through any Lands or Grounds adjoining or lying near to the said Roads (not being a Garden, Orchard, Park, Paddock, planted Walk or Avenue to a House), and also such sufficient Bridges, Arches, Culverts, Trunks, Tunnels, or Plats, as shall be requisite or necessary, at the Expence of the said Trustees, out of the Monies to be received by virtue of this Act, any thing in any Law or Statute contained to the contrary notwithstanding; and all Ditches, Drains, and Watercourses, Bridges, Arches, Culverts, Trunks, Tunnels, or Plats, to be made on the Sides of the said Roads or any of them in pursuance of this Act, shall, when so made and completed by the said Trustees, be for ever afterwards scoured, cleansed, and kept open, repaired and maintained, by the Occupiers respectively of the adjoining Lands or Grounds; but all such Arches, Culverts, Trunks, Tunnels, or Plats as shall cross or pass through, under, or over the said Roads or any of them shall be scoured,

Ditches, Drains, Bridges, &c. by whom to be made and cleansed,

[Local.]

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cleansed,

cleansed, and kept open, repaired and maintained, by the said Trustees, subject to the Provisions of any Law or Statute relating to Turnpike Roads in *England*.

Public Act. XXXVII. 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.

Commence-
ment and
Continuance
of Act. XXXVIII. And be it further enacted, That this Act shall commence on the Third *Saturday* after the passing thereof, and shall 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 to which the Act refers.

In the Township and Parish of Blackburn.

No. on Plan.	Owners or reputed Owners.	Lessees.	Occupiers.	Description of Property.
1	Mr. Thomas Dugdale	- - -	Mr. Thomas Dugdale	Vacant Land.
2	Same - - -	- - -	Matthew Byrne and James Kenyon.	Yard.
3	Same - - -	- - -	Miss Ann Baron	Yard.
4	Same - - -	- - -	John Hargreaves	Dwelling House and Garden.
5	Same - - -	- - -	Miss Ann Baron	Dwelling House.
6	Mr. Sidney Price	- - -	Mr. Sidney Price	Dwelling House.
7	John Feilden and Joseph Feilden, Esquires.	Mr. Sidney Price	Same - - -	Garden.
8	Mr. Henry Bolton	- - -	Edmund Pilling	Dwelling House and Yard.
9	Same - - -	- - -	Thomas Cookson	Dwelling House.
10	Same - - -	- - -	Edmund Pilling	Workshop.
11	Same - - -	- - -	Robert Clarkson	Dwelling House.
12	Same - - -	- - -	Thomas Dewhurst	Dwelling House and Yard.
13	Same - - -	- - -	John Johnson	Dwelling House.
14	Same - - -	- - -	William Bolton	Dwelling House.
15	James Barlow, Esquire	- - -	James Sefton	Dwelling House.
16	Mr. James Forrest	- - -	Matthew Byrne	Dwelling House.
17	Mr. Lawrence Hacking	- - -	William Cunliffe	Dwelling House.
18	Same - - -	- - -	Unoccupied	Dwelling House.
19	Same - - -	- - -	William Pughe	Dwelling House.
20	Same - - -	- - -	James Kenyon	Dwelling House.
21	Same - - -	- - -	James Fielding	Dwelling House.
22	Same - - -	- - -	Thomas Hacking	Dwelling House.
23	Same - - -	- - -	Deborah Chambers	Dwelling House.
24	Same - - -	- - -	William Frankland	Dwelling House.
25	Same - - -	- - -	John Bradley	Dwelling House.
40	The Archbishop of Canterbury.	John Feilden and Joseph Feilden, Esquires.	William Beardsworth	Barn.
41	Same - - -	Same	Michael Harwood	Cottage.
42	Same - - -	Same	William Beardsworth	Barn.
43	Same - - -	Same	Rosa Shorrocks	Cottage.
44	Same - - -	Same	William Beardsworth	Dwelling House and Garden.
45	Same - - -	Same	George Mercer	Cottage.
46	Same - - -	Same	Thomas Ainsworth	Cottage and Garden.
47	Same - - -	Same	John Sharples	Cottage and Garden.
48	Same - - -	Same	William Beardsworth	Garden.
49	Same - - -	Same	Same - - -	Farm-yard.
53	Same - - -	Same	Same - - -	Barn.

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