



ANNO SECUNDO

GULIELMI IV. REGIS.

Cap. Ixix.

An Act to enable the Company of Proprietors of the *Manchester, Bolton, and Bury Canal Navigation and Railway* to alter some Parts of the said Canal Navigation, to alter and amend the Line of the said Railway, to make further collateral Branches thereto, and for amending the Powers and Provisions of the Act relating to the said Canal and Railway. [1st June 1832.]

WHEREAS by an Act passed in the Second Year of the Reign of His present Majesty King *William the Fourth*, intituled *An Act to enable the Company of Proprietors of the Canal Navigation from Manchester to Bolton and to Bury to make and maintain a Railway from Manchester to Bolton and to Bury in the County Palatine of Lancaster upon or near the Line of the said Canal Navigation, and to make and maintain a collateral Branch to communicate therewith*, the Persons who were the Proprietors of Shares of the said Navigation and Canal, together with such Persons as should become Proprietors of Shares of the said Canal Navigation and Railway in manner therein mentioned were united into a Company for making the said Navigation and Canal, and making and maintaining the said Railway, and were created a Body Politic or Corporate by the Name of the Company of Proprietors of the *Manchester,*
[Local.] 16 R Bolton,

1 & 2 W. 4.
c. 60.

Bolton, and *Bury Canal Navigation and Railway*, and by the said Act the said Company of Proprietors were empowered to drain and make dry so much of the said Canal Navigation as the said Company of Proprietors should think proper, and to make and maintain, in, upon, or near the Site thereof, or such Part thereof as should be so drained and made dry as aforesaid, a Railway or Railways, with proper Works and Conveniences adjoining thereto, for the Passage of Waggons and other Carriages properly constructed, commencing from the River *Irwell* at the Junction of the said Canal Navigation therewith in the said Township of *Salford*, and extending to and passing through or into the several Parishes of *Manchester*, *Eccles*, and *Prestwich-cum-Oldham*, *Bolton-le-Moors*, *Radcliffe*, *Middleton*, and *Bury*, and also extending to or passing through or into the several Townships, Hamlets, and Places of *Salford*, *Pendleton*, *Pendlebury*, *Clifton*, *Prestwich*, *Pilkington*, *Kearsley*, *Farnworth*, *Little Lever*, *Darcey Lever*, *Great Lever*, *Tong with Haulgh*, *Little Bolton*, *Great Bolton*, *Radcliffe*, *Ainsworth*, *Elton*, and *Bury*, in the said County of *Lancaster*, or some of them, and terminating at or near the Bridge called *Church Bridge* at the Town of *Bolton*, and also at or near the Bridge called *Bury Bridge*, at the Town of *Bury* aforesaid; and to make and complete a collateral Branch to lead from and out of the said intended Railway, commencing at or near *Clifton Aqueduct*, and extending to or passing through the Township of *Clifton* in the Parish of *Eccles*, and through the said Townships of *Kearsley* and *Farnworth* in the Parish of *Dean*; and by the said Act the said Company of Proprietors were authorized to raise and contribute, either amongst themselves or by the Means, Powers, and Authorities mentioned and granted by the said Act, the Sum of Two hundred and four thousand Pounds, for making, completing, and maintaining the said Railway and Works: And whereas since the passing of the said in part recited Act it hath been ascertained that a more advantageous Communication would be afforded to the Public between the several large and populous Towns and Places on the Line of the present Canal and the said intended Railway, if the Navigation of the said Canal were preserved, and if Powers were given to make and maintain several Deviations in the existing Line of the said Canal and intended Railway, and to make, set out, and maintain several Branches and new Lines thereto, and to extend the same in manner hereinafter mentioned and described: And whereas the King's most Excellent Majesty in Right of his Duchy of *Lancaster* is entitled to certain Lands in the Townships of *Salford*, *Pendleton*, and *Pendlebury*, over which the altered Line of Railway or some Part thereof is intended to pass: And whereas, in order to carry into effect the Alterations and Extensions of the said Main Line of Railway, and the several Branches thereto hereinafter mentioned, it is expedient that the said Company of Proprietors should have Powers to raise a further Sum of Money: And whereas it is expedient that some of the Provisions contained in the said Act of the Second Year of His said present Majesty's Reign should be repealed or altered, extended and explained, and that further Provisions should be made; but the several 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

the Authority of the same, That the said recited Act of the Second Year of the Reign of His said present Majesty, and all and every the Powers, Provisions, Restrictions, Exemptions, Penalties, Forfeitures, Payments, Rules, Remedies, Directions, Articles, Matters, and Things therein respectively contained, (except such of them and such Parts thereof as are varied, altered, repealed, or otherwise provided for,) shall extend and be construed to extend to this present Act, and shall operate and be in force for carrying this Act into execution in as full, ample, and beneficial a Manner, to all Intents and Purposes whatsoever, as if the same had been herein repeated and adapted to the Purposes of this present Act.

Extending Powers of former Act to this Act.

II. And be it further enacted, That so much of the said recited Act as authorizes the said Company of Proprietors to fill or stop up, drain and make dry, any Part of the said Canal Navigation, shall be and the same is hereby repealed.

Repeal of Power to drain the Canal.

III. And be it further enacted, That the said Company of Proprietors shall not abandon, fill up, destroy, or obstruct any Part or Parts of the said Canal extending from the said River *Irwell* to the Junction of the said Canal with the Summit Level of the same between *Bolton* and *Bury*, but the said Company of Proprietors shall, from Time to Time and at all Times for ever hereafter, keep open and maintain the same in good Repair and Condition, and fit for the Purposes of Navigation, together with the several Locks, Reservoirs, Tunnels, Weirs, Basins, Feeders, Bridges, Aqueducts, and other Works and Conveniences belonging thereto, and to the said Summit Level of the said Canal, for the full Use and Enjoyment of the whole Line of the Canal Navigation from *Manchester* to *Bolton* and to *Bury*, and for supplying the same with Water.

Company for ever to maintain the whole Canal Navigation;

IV. Provided nevertheless, and be it further enacted, That the said Company of Proprietors shall and may cause to be made any temporary Suspension of the Navigation of the said Canal which shall be rendered necessary and indispensable by reason of the making and laying down any Part of the said Railway hereby and by the said recited Act authorized to be made, in, near to, and in the more immediate Contiguity of the said Canal and of the Banks thereof respectively, and also by making such Alterations and Diversions of the Main Line of the said Canal as are hereby authorized to be made; provided that the said Company of Proprietors shall for the Information of all Parties concerned give Fourteen Days Notice by Advertisement in a public Newspaper published at *Manchester*, and in another Newspaper published at *Bolton*, (if any such Newspapers shall be then published in those Towns or either of them respectively,) of the Intention of the said Company to make such Suspension of the Navigation of the said Canal as aforesaid; and it shall not be lawful for the said Company at any Time to make or cause to be made any such Suspension of the Navigation of the said Canal as aforesaid, without having first given such Notice as aforesaid, nor for a longer Period of Time than Twenty-one Days upon any one Occasion, and that there shall be a Space of Six Weeks at the least of free and uninterrupted Navigation of the said Canal between each and every Interval of such Suspension thereof.

save any temporary Suspension while making the Railway or altering the Canal.

V. Pro-

Certain Parts of the Canal not to be raised above the Level of the Road.

V. Provided always, and be it further enacted, That no Part of the said Canal extending between the North-westerly Side of *Oldfield Road* and the next higher Level of the said Canal on that Side of the same Road, nor any Branch already made or hereafter to be made from the said Canal which doth or shall be or extend parallel with, along, or within the Distance of Two hundred Yards from the same Side of the said Road, nor any Embankment of the said Canal or of any such Branch, shall be raised nor the Water therein be impounded above or higher than the present Level of the same Road.

Company to make good Damages caused by Failure of Embankments of Canal.

VI. And be it further enacted, That if at any Time hereafter any Highway or Road, or any House, Building, Land, or Property whatsoever, shall be injured, damaged, or destroyed by or in consequence of the Failure of any Embankment or other Works of the said Canal, or the overflowing of the Water therein, then and in every such Case such Injury, Damage, or Destruction shall be made good or Compensation shall be paid to the full Amount thereof by the said Company; and in case the said Company shall refuse or neglect to make good such Injury, Damage, or Destruction, or to pay such Compensation for the same as aforesaid, then and in every such Case the Amount of such Injury, Damage, or Destruction, or of such Compensation for the same, shall and may be levied and recovered against the said Company, in Cases of Injury or Damage to any Highway or Road being Turnpike, and by the Trustees thereof in case of Injury or Damage to any Highway or Road not being Turnpike by the Surveyor of the Highways in the Parish, Township, Hamlet, or Place in which the same shall be situate; and in Cases of Injury, Damage, or Destruction of or to any House, Building, Land, or other Property, by the Owner, Tenant, or Occupier thereof, or of other the Person sustaining the same, by Distress and Sale of the Goods and Chattels of the said Company, together with the Charges of or relating to the hearing of the Complaint, and of such Distress and Sale, by Warrant under the Hands and Seals of any Two Justices of the Peace for the said County of *Lancaster*, which Warrant such Justices are hereby empowered to grant, or the same may be recovered from the said Company by such Trustees, Surveyor, Owner, Tenant, Occupier, or other Person, with full Costs of Suit, by Action of Debt or on the Case in any of His Majesty's Courts of Record at *Westminster*, or in the Court of Common Pleas at *Lancaster*, or in any other Court or Courts whatsoever; and the Amount of such Injury, Damage, or Destruction, or of such Compensation for the same, shall and may, on Application either of the said Trustees, Surveyor, Owner, Tenant, Occupier, or other Person aforesaid, or of the said Company, be ascertained and settled by such Two Justices as aforesaid, and the Signature of such Justices to the Amount so by them ascertained and settled as aforesaid shall be conclusive Evidence of such Amount in any Court or Courts whatsoever.

Company to preserve Communications from certain Cotton

VII. And be it further enacted, That before the said Railway shall be made between the said Canal and any of the several Cotton Factories or Mills which have been erected adjoining or near to the Banks of the said Canal between *Windsor Bridge* and *Oldfield Road* aforesaid, and before the Access from any such Factories or Mills to the said Canal shall

shall thereby be obstructed, the said Company of Proprietors of the said Canal and Railway shall at their own Expence make and at all Times thereafter maintain and keep in repair a Wood or Iron Bridge of the Width of Six Feet at the least from the Side of the said Canal over the said Railway to each such Factory or Mill between which and the said Canal the said Railway shall be so made, and thereby preserve a free and open Communication, for the Purpose of conveying Coals, Goods, and other Articles to and from the said Canal from and to each such Factory or Mill; and the said Company shall at the like Expence make a Passing Place or Turnout from the said Railway, and a Branch Railway therefrom to each such Factory or Mill, when requested by the Owner or Proprietor thereof respectively.

Factories to Canal, and to make Branches from Railway thereto.

VIII. And be it further enacted, That it shall be lawful for the said Company of Proprietors, and they are hereby authorized and empowered, to straighten, widen, or vary the present Line of the said Canal Navigation from *Bolton to Bury*, as herein-after is mentioned; (that is to say,) from the Bend in the said Canal on the North Side of a certain Place called *Strawberry Hill*, in the said Township of *Haulgh* or *Tong with Haulgh*, through the said Township, to the Bend in the said Canal on the South Side of the same Place, and also from the South Side of the Canal Embankment at *Fogg's Brook* in the Township of *Little Lever*, through the said Township, to the Lay-bye or Turning Places in the said Canal in *Little Lever*, and also to alter and remove the Main Line of the Canal from at or near the North Side of the Wooden Bridge opposite *Pollit's Row*, extending to and passing through or into the said Township of *Pendleton* to a Garden in the Occupation of *George Gardener* Esquire, near *Pendleton Bridge*, and also to alter and remove the Line of the said Canal from at or near the South Side of *Windsor Bridge* in the Township of *Salford*, extending to and passing through or into the Township of *Salford*, to the End of the Bend of the Canal opposite to the new Church in *Salford*, and also to make any other Amendments and Variations in the said Line of Canal Navigation in, through, or into the said several Parishes and Townships, or any of them, or any Part or Parts thereof, which may be necessary for carrying into effect the Provisions of the said recited Act and of this Act; and also to divert and alter the Course of the River *Tong* at the Bend of the said River, at or near *Lower Darley Bridge*, extending on the North Side to and passing through or into the Township of *Farnworth* in the said Parish of *Dean*.

Power to alter the Line of the Canal in some Places;

and to alter the Course of the River Tong.

IX. And be it further enacted, That it shall be lawful for the said Company of Proprietors and they are hereby authorized and empowered to make such Deviations from or Alterations in the Line of the said Railway by the said recited Act authorized to be made, and to make, set out, and maintain the several Branches and new Lines of Railway, and to extend the Main Line of Railway, and in such Manner and at such Places as are herein-after mentioned and set forth; (that is to say,) to divert, straighten, and otherwise improve the Main Line of the intended Railway prescribed by the said recited Act in the several Parishes and Townships following: The Parishes of *Manchester, Eccles, Prestwich* or *Prestwich cum Oldham, Dean, Middleton, Bolton* or *Bolton le Moors, Radcliffe*, and *Bury*, all within the County of *Lancaster*; and in the several Townships

Power to make certain Alterations in the Line of Railway.

[Local.]

16 S

or

or Places of *Salford, Pendleton, Pendlebury, Prestwich* or *Prestwich cum Oldham, Clifton, Farnworth, Pilkington, Darcey Lever, Little Lever, Great Lever, Haulgh* or *Tong with Haulgh, Great Bolton, Little Bolton, Radcliffe, Kearsley, Ainsworth, Elton, and Bury*, all in the said County of *Lancaster*, or some of them; one Deviation from the Line prescribed in the said recited Act to commence at or near *Fogg's Brook* Embankment in the Township of *Darcey Lever* in the Parish of *Bolton*, thence extending into and passing through the Townships of *Darcey Lever* and *Little Lever* in the Parish of *Bolton* and the Township of *Farnworth* in the Parish of *Dean* to at or near the North End of the *Prestolee Aqueduct* in *Little Lever*; another Deviation from at or near *Giant's Seat Locks* in the Township of *Pilkington* in the Parish of *Prestwich* or *Prestwich cum Oldham*, by crossing from thence the River *Irwell*, with a Sub-branch or Sub-branches thereto to join the collateral Branch authorized by the said recited Act, and extending through and passing into the Township of *Clifton* in the Parish of *Eccles* towards *Clifton Hall*, and thence to the North End of the Great Canal Embankment in the said Township of *Clifton*, and also from the South End of the said Embankment at or near *Agecroft* in the Township of *Pendlebury* in the said Parish of *Eccles*, extending to and passing through and into the several Townships of *Pendlebury* and *Pendleton* in the said Parish of *Eccles*, and in the Township of *Salford* in the Parish of *Manchester*, to or near to *Oldfield Lane* in the said Township of *Salford*; and also to make any other Amendments and Variations in the said Line of Railway in, through, or into the several Parishes and Townships aforesaid or any of them, or any Part or Parts thereof, which may be necessary or expedient for carrying into effect the Provisions of the said recited Act and of this Act; and further to extend the Main Line of Railway from *Church Wharf* on the Bank of the said Canal in the said Township of *Haulgh* or *Tong with Haulgh* in the Parish of *Bolton*, on, along, or near the Course of the River *Croal*, through or into the Townships of *Haulgh* or *Tong with Haulgh, Great Bolton, and Little Bolton*, in the Parish of *Bolton*, to a Bridge over the River *Croal* in *Bridge Street* in the Town and Township of *Little Bolton*, and also to extend the Line of Railway from the Wharfs on the Bank of the said Canal in *Oldfield Lane* in the said Township of *Salford* through and into the said Township of *Salford*, to, into, and through a Yard on the West Side of *New Bailey Street* and South Side of *Gore Street* in the said Township of *Salford*, to *New Bailey Street* aforesaid; and also to alter and straighten the *Bury Branch* of the said Railway by passing in a Line nearly direct from the North End of the proposed Tunnel in the Township of *Pilkington* and Parish of *Prestwich cum Oldham*, into and through the said Townships of *Pilkington* and of *Radcliffe* in the Parish of *Radcliffe*, to or near the Chapel of *Saint Thomas* in *Radcliffe*; and also to make and maintain a collateral Branch from and out of the Main Line of the said Railway from at or near *Strawberry Hill* in the said Township of *Haulgh* or *Tong with Haulgh*, extending to and passing through and into the said Township of *Great Lever* in the Parish of *Middleton* and the said Township of *Great Bolton* to or near *Bradshaw Gate* in the Town and Township of *Great Bolton*; and also to make and maintain a Railway or Railways, with proper Wharfs, Warehouses, Landing Places, Tunnels, Bridges, Culverts, Staiths, Shunts, Sidings, and Turnouts, Waiting Places, and other Works and Con-

veniences adjoining thereto or connected therewith, in, through, over, or upon all the said Parishes and Townships, with such Diversions, Alterations, Amendments, Variations, and Extensions as before mentioned; and the said Company of Proprietors are hereby authorized and empowered to abandon such Parts of the said Railway as were intended and authorized by the said recited Act to be made in the several Townships of *Salford, Pendleton, Pendlebury, Prestwich* or *Prestwich cum Oldham, Clifton, Pilkington, Kearsley, Farnworth, Little Lever, Darcey Lever, Great Lever, Haulgh* or *Tong with Haulgh*, within the several Parishes of *Manchester, Eccles, Prestwich cum Oldham, Dean, Radcliffe, and Bolton*, as by reason of the Deviations or Alterations aforesaid will be rendered useless and unnecessary; and all the Powers, Authorities, and Privileges by the said recited Act given to the said Company of Proprietors for making and maintaining such last-mentioned Parts of the said Railway shall, from and immediately after the making the Deviations or Alterations hereinbefore mentioned, cease, and be no longer in force.

X. And whereas a Map or Plan describing the Line of the intended Alterations of the Line of the said Canal Navigation, and the said intended Alteration of the Course of the said River *Tong*, and the said intended Deviations or Alterations and Extensions of the said Railway, and the Lands through which the same respectively are intended to be made or carried, together with a Book of Reference thereto, containing a List of the Names of the Owners or reputed Owners and of the Occupiers of such Lands, hath been deposited in the Office of the Clerk of the Peace for the said County of *Lancaster*; be it therefore further enacted, That the said Map or Plan and Book of Reference shall be kept by the said Clerk of the Peace, and all Persons interested in any Manner in such Lands or Grounds shall at all seasonable Times have Liberty to inspect the same, and take Copies thereof or Extracts therefrom, at their Pleasure, paying to the said Clerk of the Peace the Sum of One Shilling for every such Inspection, and after the Rate of Sixpence for every One hundred Words of such Copies of or Extracts from the same; and the said Map or Plan and Book of Reference, or true Copies thereof, or of so much thereof as relates to any Matter that may be in question, shall be and are hereby declared to be good Evidence in all Courts of Law or elsewhere; and the said Company of Proprietors in making the said intended Alterations of the said Canal Navigation and the Course of the said River *Tong*, and the said intended Deviations or Alterations and Extensions of the said Railway, shall not deviate more than One hundred Yards from the Course or Direction delineated on the said Map or Plan, or in such Manner as to extend into the Lands or Grounds of any Person or Persons not mentioned in the said Book of Reference.

Plan and Book of Reference of the altered Line to be kept by the Clerk of the Peace.

Not to deviate more than 100 Yards from Plan.

XI. Provided always, and be it further enacted, That if it shall be made to appear to any of His Majesty's Justices of the Peace acting in and for the said County of *Lancaster*, and be by them certified in Writing under their Hands, that the Messuages, Houses, Buildings, Lands, Tenements, or Hereditaments mentioned in the said Book of Reference or in the Schedule to this Act annexed, or any Part of the same respectively, or any of the Persons in whose Possession or Occupation the same or any Part thereof are or is stated to be, or that any other Person or Party interested

Omissions or Misnomers of Houses, and Buildings not to prevent the taking such Houses and Buildings.

interested therein, or any Part thereof, is or shall have been, by Mistake or otherwise, misnamed or incorrectly or insufficiently described, or that the Messuages, Houses, Buildings, Lands, or Hereditaments which by this Act it is intended shall be taken and used for the Purposes thereof, or any Part thereof, or the Owners or Proprietors thereof, or other Persons interested therein, or any of them, are or have been omitted or left out of the said Book of Reference and Schedule, or misnamed, or not otherwise noticed or described, such Mistake, Misnomer, incorrect Description, Omission, or Defect shall not prevent or retard the Execution of this Act, or otherwise prevent or impede the Purchase of the said Messuages, Houses, Buildings, Lands, Tenements, or Hereditaments, or any Part thereof, under this Act, but the same shall and may be valued, sold, purchased, conveyed, disposed of, and applied in the same Manner and under the same and the like Powers as are given by this Act and the said recited Act in other Cases, as fully and effectually as if the same were inserted and properly and accurately named in the said Book of Reference and in the said Schedule to this Act annexed.]

Houses and Gardens not to be used unless specified in the Schedule.

XII. Provided also, and be it further enacted, That nothing in this Act contained shall extend to authorize or empower the said Company of Proprietors, or any other Person or Persons, acting by or under their Authority, to take, use, injure, or damage, for the Purposes of this Act, any House or other Building which was erected or built on or before the Thirtieth Day of *November* One thousand eight hundred and thirty-one, or any Land or Ground which was then set apart and used as and for a Garden, Orchard, Yard, Paddock, Plantation, Planted Walk, or Avenue to a House, or any inclosed Ground planted as an Ornament or Shelter to a House, or planted and set apart as a Nursery for Trees, without the Consent in Writing of the Owners or Proprietors thereof or other Person interested therein respectively, other than and except such as are specified and mentioned in the Schedule to this Act annexed.

If Land not contracted for within Three Years, Power of purchasing to cease.

XIII. Provided always, and be it further enacted, That if the said Company shall not within the Space of Three Years, to be computed from the passing of this Act, agree for or cause to be valued and paid for, as in the said recited Act is mentioned, the Houses, Buildings, and other Premises which they are by this Act empowered to purchase (or so much thereof as shall be deemed necessary or proper for the Purposes of this Act), then, from thenceforth all the Powers which are hereby granted to them for such Purpose only shall cease and determine and be utterly null and void.

Restriction as to altering Line of Railway near *Agecroft Bridge*, without Consent, repealed.

XIV. And whereas it is enacted by the said recited Act that the said Company in making the said Railway should not deviate more than Ten Yards from the Direction thereof in that Part of the Line thereof which is situated between *Agecroft Bridge* and the next Bridge but One over which the said Canal is now made to the North of *Agecroft Bridge*, without the previous Consent in Writing of the adjoining Land Owners, and also of *Thomas Drinkwater* Esquire and *William Duckworth* Gentleman, therein particularly mentioned, and that the said Company should not raise the present Embankment, or make any other higher Embankment in lieu thereof, or make or erect any Buildings, Erections, or Works of any Description, or set up or maintain any fixed Engine upon or adjoining

joining to the Line of the said Railway between *Agecroft Bridge* and that Part of the said Railway which should be nearest to *Clifton Hall*, without such previous Consent in Writing as last aforesaid ; be it further enacted, That the Restrictions herein-before mentioned and recited shall be and the same are hereby repealed.

XV. And whereas the Line of the said Canal Navigation is now situate on the North-easterly Side of *Agecroft Hall*, and of the Gardens and Outbuildings belonging thereto, situate in the said Township of *Pendlebury* : And whereas it is proposed and intended that the Line of the said Railway authorized by the said recited Act and by this Act shall be made and carried in such a Manner as that a clear Portion of the present Back Occupation Road leading from the adjacent Turnpike Road in a parallel Direction with the said Canal towards and unto the Back Part of *Agecroft Hall* and the Farm House and Lands belonging thereto, in the Occupation of the Reverend *Richard Buck* Clerk and of *James Westbrooke*, of not less than Three clear Yards in Width, shall be preserved as an entire Road, to belong to the Owners and Proprietors for the Time being of *Agecroft Hall* and the Farm Houses and Lands belonging thereto, and that the said Railway shall be made on the North-eastern Side thereof, and between the said Road so to be left as aforesaid and the present Line of the said Canal ; be it therefore further enacted, That in laying down and making the said Railway authorized to be made by the said recited Act and this Act, or either of them, the said Company of Proprietors shall be and they are hereby required to cause the same to be so constructed as not to approach nearer to *Agecroft Hall* aforesaid, or the Gardens and Pleasure Grounds belonging thereto, than so far as shall leave the said Occupation Road on the South-westerly Side thereof of the clear Width of Three Yards at the least for the whole Length thereof, from the Northerly End of the said Occupation Road leading to a Close of Land, Part of the *Agecroft Hall* Estate, called the *Nearerwater Gate*, to the Farm Yard at the Easterly End of the Stable, Barn, and other Outbuildings at *Agecroft Hall* aforesaid, in the Occupation of the said *James Westbrooke*, and so that the said Railway shall not approach nearer to such Easterly End of the same Stable, Barn, and other Outbuildings than Forty Feet at the least, without the Consent in Writing of the Owners and Proprietors thereof.

Limiting the Approach of the Railway to *Agecroft Hall* Estate.

XVI. And be it further enacted, That the said Company of Proprietors shall at their own Expence erect and make a good and sufficient Wall of Brick or Stone of the Height of Eleven Feet at the least along the South-westerly Side of the said intended Railway, and on the Outside of the said intended Road herein-before described, to be of Three Yards in Width, from the Southerly Boundary of the Township of *Prestwich*, and adjoining the Township of *Pendlebury* aforesaid, to the Bridge by which the said Turnpike Road crosses the said Canal at or near *Agecroft* aforesaid, and so as to divide the said intended Railway from the said intended Occupation Road of Three Yards wide, and the said Stable, Barn, and other Outbuildings at or near *Agecroft Hall* aforesaid ; and that the said Company of Proprietors shall for ever afterwards maintain and keep the same Wall in good and sufficient Repair and Condition.

Company to erect a Wall between Railway and *Agecroft Hall* Estate.

Company to make a Pond in Agecroft Hall Estate, and supply the same with Water.

XVII. And be it further enacted, That the said Company shall and they are hereby required, before the said Railway shall be laid down and completed opposite to the Farm Yard and Homestead belonging to *Agecroft Hall* aforesaid, to make and construct, in such Part of the said Farm Yard as shall be fixed upon by the Owners and Proprietors thereof, a Pond or Reservoir, to the Satisfaction of such Owners and Proprietors, for the Purpose of watering Cattle in the said Farm Yard at *Agecroft Hall* aforesaid; and the said Company of Proprietors shall also, before the said Railway shall be so laid down and completed as aforesaid, make and construct One Sough or Culvert sufficient in Breadth and Depth, and to have a constant Communication with the said Canal, so as to provide a regular Supply of Water from the said Canal to the said Water Pond; and the said Company shall and they are hereby required at all Times thereafter to keep and maintain the said Sough or Culvert free, open, and uninterrupted, and in good and sufficient Repair and Condition.

Provisions for planting Embankments extended to this Act.

XVIII. And be it further enacted, That the Provisions in the said recited Act contained for making, forming, fencing, and maintaining Plantations on the Sides of the Embankment between *Agecroft Hall* and a certain Field mentioned in the said Act, being Part of the *Clifton Hall* Estate, shall be and are hereby extended to the Sides and Slopes of all Embankments made or to be made for the Purposes of the said Canal or Railway, or either of them, through, over, or upon the *Agecroft Hall* and *Clifton Hall* Estates, situate in the several Townships of *Pendleton*, *Prestwich*, *Pendlebury*, and *Clifton*, or either of them, or any Part or Parts of either of the same Estates.

The Company not to erect Buildings, &c. on the Agecroft Hall Estate, without Consent.

XIX. Provided always, and be it further enacted, That nothing in this Act or the said recited Act contained shall authorize or empower, or be deemed or construed to authorize or empower, the said Company of Proprietors to erect or set up any Buildings, Erections, or Works of any Description, or set up or maintain any fixed Engine upon or adjoining to the Line of the said intended Railway within the *Agecroft Hall* Estates aforesaid, without the previous Consent in Writing of the Owner for the Time being of the said Estates; save and except as to such several Parcels of Land, Part of the said *Agecroft* Estates, which the said Company of Proprietors shall be obliged to purchase from the Owners for the Time being of the said Estates, under the Provisions of the said recited Act and of this Act, and which shall not be required for the making and maintaining the said Railway.

Restrictions upon the Company as to Land near Agecroft Bridge.

XX. And be it further enacted, That the said Company shall not alter the present Line of the said Navigation between the Southerly End of the great Embankment belonging to the said Company in the said Townships of *Clifton* and *Prestwich* and the first Bridge in the said great Embankment to the North of *Agecroft Hall* in the said County of *Lancaster* over an Occupation Road, and shall not in making the said Railway deviate more than Fifty Yards from the Westerly Water Boundary of the said Canal on the said great Embankment between the Southerly End thereof and the said last-mentioned Bridge; and the said Company shall not raise the said great Embankment, or make any other Embankment upon or near to the Line of the said intended Railway between the Limits next

hereinafter mentioned of any greater Elevation than that of the said great Embankment, or erect or use any fixed or stationary Steam Engine between the Southerly End of the said great Embankment and that Part of the said intended Railway which shall be nearest to *Clifton Hall* in the said County of *Lancaster*.

XXI. Provided always, and be it further enacted, That nothing herein contained shall extend or be deemed or construed to extend to authorize or empower the said Company of Proprietors to deviate from the Line shewn in the said Plan and Book of Reference in the intended Deviation of the said Canal from *Windsor Bridge* to the End of the Bend of the Canal opposite the new Church in *Salford* more than Twelve Yards.

Not to deviate from Line near Windsor Bridge to Bend of Canal more than Twelve Yards.

XXII. And be it further enacted, That the said Company shall and they are hereby authorized and required, when and as soon as the said intended Deviation of the said Canal from *Windsor Bridge* to the End of the Bend of the Canal opposite the new Church in *Salford* is made and completed, to build a good and substantial Wall of not less than Six Feet high from the Towing Path along the Line of such intended Deviation, so as to fence the same off from the adjoining Land, and from Time to Time at their own Expence for ever thereafter keep the same in good and substantial Repair.

Company to erect a Wall along Deviation from Windsor Bridge.

XXIII. And be it further enacted, That the said Company of Proprietors shall not, in or by the Execution of any of the Powers hereby or by the said recited Act granted, occasion any Obstruction, Damage, or Injury to the Basin or Harbour for Boats near and adjoining to the Coal Pit called *Cooke's Pit*, in *Little Lever* aforesaid, in the Occupation of *Andrew Knowles*, and adjoining to the said Canal, but shall from Time to Time and at all Times hereafter keep open and maintain a free navigable Communication between the said Basin and the said Canal; and in case the said Company of Proprietors shall find it necessary, in the Execution of any of the Powers hereby or by the said recited Act granted, to interrupt, impede, alter, or destroy any of the Ways or Roads used by the said *Andrew Knowles* between the said Canal and the Pits of the said *Andrew Knowles* in *Little Lever* aforesaid called the *Lifting Engine Pit* and the *Fogg's Engine Pit* respectively, then and in every such Case the said Company of Proprietors shall with all reasonable Dispatch reinstate the same Ways and Roads, or make others as good and convenient in all respects in lieu thereof; and the said Company of Proprietors shall be liable to pay and shall pay to the said *Andrew Knowles*, his Executors, Administrators, and Assigns, reasonable Compensation in Money for all Damages sustained by him in consequence of any such Interruption, Impediment, Alteration, Destruction, or Change of or in any such Road or Way as aforesaid.

Company not to occasion any Obstruction to Coal Pits belonging to Mr. Knowles.

XXIV. And be it further enacted, That if any House, Building, or Wall shall fall, or any House, Building, Wall, or Property whatsoever shall be injured, damaged, or destroyed, by or in consequence of the making of the said Railway, then and in every such Case the said Company of Proprietors of the said Canal and Railway shall forthwith make full Compensation for the same to the Owner, Tenant, and Occupier thereof; and

Company to make Compensation for Out-buildings, &c. which shall fall or

be damaged
by making
Railway.

and such Compensation, with full Costs of Suit, shall and may be recovered by such Owner, Tenant, or Occupier from the said Company by Action of Debt or on the Case in any of His Majesty's Courts of Record at *Westminster*, or in the Court of Common Pleas at *Lancaster*, or in any other Court or Courts whatsoever.

Power to the
Chancellor
of the
Duchy of
Lancaster to
sell Land
to the
Company.

XXV. And whereas the King's most Excellent Majesty in Right of his Duchy of *Lancaster* is entitled to certain Lands in the Townships of *Salford*, *Pendleton*, and *Pendlebury*, over which the proposed Deviations of the existing Line of the said Railway are intended to pass: And whereas it may be expedient and proper that the Chancellor and Council of His Majesty's Duchy of *Lancaster*, on His Majesty's Behalf, should be authorized to sell and convey to the said Company such Lands, Buildings, and Hereditaments belonging to His Majesty in Right of his said Duchy as may be necessary to be purchased, taken, or used for the Purpose of making such Railway or other Works as aforesaid; be it therefore further enacted, That it shall be lawful for the Chancellor and Council of His Majesty's Duchy of *Lancaster* for the Time being to contract and agree with the said Company for the Sale of any Lands and Hereditaments which by the said Company shall be thought necessary to be purchased, taken, or used for the Purposes of this Act, on the Line of the said intended Railway or the Deviations therefrom, belonging to His Majesty, or His Heirs and Successors, in Right of His said Duchy, at or for such Price or Prices, and upon such Terms and Conditions as shall be settled and agreed upon between the said Chancellor and Council and the said Company; and upon Payment of such Sum or Sums of Money as shall be so settled and determined upon as and for the Price and Consideration for such Lands and Hereditaments it shall be lawful for the said Chancellor and Council of the said Duchy for the Time being, by any Deed or Writing under the Seal of the said Duchy, for and in the Name of His said Majesty, His Heirs and Successors, to grant and convey the same Lands and Hereditaments and the Fee Simple and Inheritance thereof, to the said Company, for the Uses and Purposes of this Act; which said Deed or Writing, under the Seal of the said Duchy, being enrolled in the Court of the Duchy Chamber of *Lancaster* within Twelve Calendar Months from the Date thereof, shall be effectual and sufficient to invest in the said Company the Fee Simple and Inheritance thereof for the Uses and Purposes of this Act, any thing contained in an Act passed in the First Year of the Reign of Queen *Anne*, intituled *An Act for the better Support of Her Majesty's Household, and of the Honour and Dignity of Her Crown*, or in any other Act, to the contrary thereof in anywise notwithstanding; and all and every Sum and Sums of Money to be paid as and for the Purchase or Consideration Money for the Lands and Hereditaments so to be sold and conveyed as last mentioned, under and by virtue of this Act, shall be paid by the said Company or their Treasurer into the Hands of the Receiver General of the said Duchy for the Time being, or his Deputy, and shall be by him paid, applied, and disposed of according to the Provisions and Regulations contained in an Act passed in the Forty-eighth Year of the Reign of His Majesty King *George* the Third, intituled *An Act to improve the Land Revenue of the Crown in England, and also of His Majesty's Duchy of Lancaster*, or any other Act or Acts now in force for that Purpose.

1 Ann. c. 7.

48 G. 3. c. 73.

XXVI. And

XXVI. And whereas by the said recited Act it is enacted that the said Company shall, and they are thereby required, at their own proper Costs and Charges, to make or cause to be made at convenient Distances along the said Railway Passing Places or Turnouts, for the Purpose of enabling Waggon, Carts, and other Carriages drawn along the said Railway to pass each other, and that there should not be fewer than Three such Passing Places or Turnouts in each Mile of the said Railway; be it further enacted, That so much of the said recited Act as directs that there shall not be fewer than Three Passing Places or Turnouts in each Mile of the said Railway, for the Purpose of enabling Waggon, Carts, and other Carriages drawn along the said Railway to pass each other, shall be and the same is hereby repealed.

Repeal of Provision respecting Turnouts and Passing Places.

XXVII. And whereas by the said recited Act, after reciting that for the greater Security of Passengers and other Persons travelling or using the said Railway it is expedient that the Locomotive Engines or other Power to be from Time to Time used in drawing or propelling Coaches, Waggon, and other Carriages upon and along the said Railway or Branch, for the Conveyance of Passengers in covered Coaches or Chaises, should be entirely under the Management and Controul of the said Company, it is further enacted, that no locomotive Engine or other Description of moving Power should at any Time be brought upon or used on the said Railway or Branch, for drawing or propelling such Coaches or Chaises, save and except the locomotive Engines or other Power belonging to and provided by the said Company, or such Person or Persons as might be from Time to Time especially licensed in that Behalf by the said Company, and every such locomotive Engine or other Power should be under the absolute Controul and Management of the said Company, their Engineers, Officers, and Servants: And whereas it is expedient, for the greater Security of Passengers and other Persons travelling upon or using the said Railway, that the locomotive Engines and other Power used not only in drawing or propelling Coaches, Waggon, and other Carriages along the said Railway for the Conveyance of any Passengers, but also those used in drawing or propelling any Waggon or other Carriages along the said Railway for the Carriage and Conveyance of any Goods, Wares, Merchandize, Stone, Coal, and other Minerals, should be entirely under the Management and Controul of the said Company; be it therefore further enacted, That no locomotive Engine or other Description of moving Power shall at any Time be brought upon or used on the said Railway or Branches by the said recited Act or by this Act authorized to be made, for drawing or propelling any Coaches, Chaises, Waggon, or other Carriages whatsoever, for the Conveyance of any Goods, Wares, Merchandize, Horses, Cattle, Pigs, Sheep, or other Live Stock, Stone, Coal, and other Minerals whatsoever, save and except the locomotive Engines or other Power belonging to or to be provided by the said Company, or such Person or Persons as may be from Time to Time especially licensed in that Behalf by the said Company; and every such locomotive Engine or other Power shall be under the absolute Regulation and Management of the said Company, their Engineers, Officers, and Servants, for such Purposes as aforesaid as they may from Time to Time determine upon.

No Locomotive Engines to be employed upon the Railway but such as are authorized or provided by the Company.

Extension of
Capital to
6,201
Shares.

XXVIII. And whereas it is by the said recited Act enacted that the Capital of the said Company, consisting of the said Canal Navigation and Works, and all other the Real and Personal Estate and Effects of the said Company of Proprietors, should be considered as divided into Four hundred and seventy-seven Shares: And whereas it is expedient that the said Capital of the said Company of Proprietors should hereafter be considered as divided into Six thousand two hundred and one Shares; be it therefore enacted, That the said Capital of the said Company of Proprietors shall hereafter be considered to be divided into Six thousand two hundred and one Shares.

Shares, how
to be divided.

XXIX. And be it further enacted, That the Person or Persons who is or are at the Time of passing this Act the Proprietor or Proprietors of One or more Share or Shares in the said Canal Navigation and Works shall be entitled to Thirteen Shares in the Capital of the said Company of Proprietors, for and in respect of each and every Share to which such Proprietor or Proprietors shall be so entitled at the Time of passing this Act; and the said Shares in the Capital of the said Company shall be and are hereby vested in the said Proprietor or Proprietors as aforesaid, in the Manner and Form and for the Benefit of the same Person or Persons, and upon the same Trusts, for the same Intents and Purposes, and with, under, and subject to the same Powers and Provisions respectively, as the Share or Shares so held by him, her, or them respectively in the said Canal Navigation and Works were held upon, for, and subject to at the Time of the passing of this Act; and all Bodies Politic, Corporate, and Collegiate, and all other Persons, who shall be in Possession of or entitled to such Share or Shares in the Capital of the said Company, and their respective Successors, Executors, Administrators, and Assigns, shall be entitled to and, subject to such Reservation as is hereinafter mentioned, shall receive, at such Times as the Committee of the said Company shall direct or appoint, the entire and net Distribution of a proportionate Part of the net Profits and Advantages that shall or may arise or accrue by the Rates, Tolls, and Duties, and other Sum and Sums of Money to be raised, recovered, or received by the said Company by the Authority of this or the said recited Act, according to the Number of Shares so by them respectively possessed.

Company
empowered
to extend
Calls for
204,000*l*.
raiseable by
Act 2 W. 4.
to the Shares
created by
this Act.

XXX. And whereas by the said recited Act it is enacted, that it should be lawful for the said Company of Proprietors to raise amongst themselves, rateably according to their several Shares in the said Company, any Sums of Money not exceeding in the whole the Sum of Two hundred and four thousand Pounds; and the said Company of Proprietors were thereby authorized and empowered, at any General or Special Meeting to be convened agreeably to the Directions contained in the said recited Act, or for their Committee, to make any Call or Calls for Money from the Proprietors of Shares in the said Company, in order to raise the said Sum of Two hundred and four thousand Pounds, in the Manner and subject to the Regulations thereinafter mentioned, so that no One Call should exceed the Sum of Ten Pounds for each Share in the said Navigation, and no Call to be made at a less Distance than Three Calendar Months from each other; which Money so called for should be paid to such Person or Persons and in such Manner as the said General or Special Meeting or Committee should

should from Time to Time appoint and direct; be it further enacted, That it shall be lawful for the said Company of Proprietors, or for their Committee for the Time being, to make such Call or Calls for Money from the Proprietor or Proprietors of a Share or Shares in the said Company (the Capital thereof being by this Act declared to be divided into Six thousand two hundred and one Shares), in the same Manner, and under such Regulations and Directions, and subject to such Powers, Provisions, and Restrictions as are enacted, and declared by the said recited Act touching the raising the said Sum of Two hundred and four thousand Pounds thereby authorized to be raised by the said Company, when the said Capital of the said Company was by the said recited Act declared to be divided into Four hundred and seventy-seven Shares only.

XXXI. And whereas by the said recited Act it is enacted, that it should be lawful for the said Company of Proprietors and they are thereby authorized to raise, pay, and contribute amongst themselves, proportionably and rateably according to their several Shares in the said Company, any Sum or Sums of Money not exceeding in the whole the Sum of Two hundred and four thousand Pounds; and certain Provisions are therein contained for making and enforcing Calls in respect thereof: And whereas the said Sum of Two hundred and four thousand Pounds will not be sufficient (as it is apprehended) to carry into effect the Extensions of the said Railway, together with the Deviations and Alterations of the Line of the said Railway, and of the said Canal Navigation and other Works by this Act authorized to be made; and it is expedient that the said Company of Proprietors shall be empowered to raise the further Sum of Forty-six thousand Pounds in addition to the said Sum of Two hundred and four thousand Pounds, for the Purpose of carrying into effect the several Objects of this Act, and the Works hereby authorized to be made; be it further enacted, That it shall be lawful for the said Company of Proprietors and they are hereby authorized to raise, pay, and contribute among themselves, proportionally and rateably according to their several Shares in the said Company, any further Sum or Sums of Money (over and above the said Sum of Two hundred and four thousand Pounds authorized to be raised by the said recited Act) not exceeding in the whole the Sum of Forty-six thousand Pounds; and it shall be lawful for the said Company of Proprietors, or for their Committee for the Time being, to make such Call or Calls for Money from the Proprietor or Proprietors of a Share or Shares in the said Company, in order to raise the said Sum of Forty-six thousand Pounds, and under such Regulations and Directions, and subject to such Powers, Provisions, and Restrictions, as are enacted and declared by the said recited Act touching the raising the said Sum of Two hundred and four thousand Pounds thereby authorized to be raised by the said Company; and such Sum or Sums of Money as shall be so paid in respect of every Share in the said Company shall be and the same is and are hereby declared to be consolidated with every such Share, and shall entitle the respective Owners thereof to a proportionally increased Share of the Profits and Advantages of the said Company.

Company authorized to raise amongst themselves an additional Sum of 46,000*l.*

XXXII. And

Power in
recited Act
to make
new Shares
repealed.

XXXII. And whereas by the said recited Act it is enacted, that it shall be lawful for the said Company of Proprietors and they are hereby authorized and empowered to raise the said Sum of Two hundred and four thousand Pounds, or such Part thereof as to them shall seem meet and convenient, by creating new or additional Shares, and disposing of the same in manner therein mentioned; be it further enacted, That so much of the said recited Act as authorizes and empowers the said Company of Proprietors to raise the said Sum of Two hundred and four thousand Pounds or any Part thereof by the Creation of any new or additional Shares in manner therein mentioned, and the Provisions therein contained for regulating the Disposition of such new or additional Shares, or in anywise relating thereto, shall be and the same are hereby repealed.

General
Committee
to consist of
Fifteen in
Number.

XXXIII. And whereas it is enacted by the said recited Act, that the said Company should, at their General Meetings, or when they should think proper, choose and elect Eleven Persons, respectively Proprietors of Two or more Shares in the said Company, as a General Committee to manage the Affairs of the said Company; be it enacted, That instead of the said Eleven Persons by the said recited Act authorized to be elected as the said Committee to manage the Affairs of the said Company the said Company shall and may, and they are hereby authorized and empowered, at their General Meetings, when necessary, or when they shall think proper, choose and elect Fifteen Persons, respectively Proprietors of Ten or more Shares in the said Company, as a General Committee to manage the Affairs of the said Company, with such Powers of Removal, nevertheless, and fresh Election, and with such Allowances and Compensation, as in the said recited Act are contained and expressed touching the said General Committee when limited to Eleven in Number.

Repealing
Clauses in
2 W. 4.
for making
a Bridge
over the
River Irwell
at Mount
Sion Print
Works.

XXXIV. And whereas by the said recited Act, after reciting that the said Railway was intended to be carried over the River *Irwell* at or near a Weir then erected across the said River for supplying with Water certain Print Works belonging to the Devises under the Will of *Eleanor* Countess of *Wilton* deceased, or their Lessees, situate and being at a Place called *Mount Sion* in the Parish of *Radcliffe*, it is enacted, that the Bridge for carrying the said Railway over the said River at or near the said Weir, and also over the Sluice or Feeder which conveys the Water from the said Weir to the said Print Works, and all the Works connected with the said Bridge, should be so made and constructed as that the same should not, either during the Erection thereof or at any future Period, interfere with, injure, or prejudicially affect the said Weir and Sluice or Feeder, or either of them, or the Wing Walls, Abutments, Sheeting Banks, or other Works or Conveniences of or belonging to or connected with the same respectively, and so as not to obstruct the free Passage of the Water along the Course of the said River and Sluice or Feeder respectively; and it was further enacted, that not more than One Pier for the Purposes of the said Bridge should be placed or built in the Bed of the said River, and that no Pier or Obstruction should be built or made in the Course or Bed of the said Sluice or Feeder, and that the Easterly End of each and every Pier to be built for the Purposes of the said Bridge should

should be at least Thirty Yards lower down the said River than the Westerly Ends of the present Wing Walls of the said Weir respectively; and that the said Company should erect and build, and for ever keep in good Repair and Condition, a good and substantial Stone Wall, with proper Foundations, on each Side of the said River, extending from the Westerly Ends of the said Wing Walls respectively to and to be connected with the Masonry of the said Bridge so to be built as aforesaid; and it was further enacted, that the said Company should and they were thereby required to make and construct on the Northerly Side of the said Sluice or Feeder an Arch or Culvert Twelve Feet wide at the least, with a clear Head Room of Sixteen Feet at the least for the whole Width thereof, if the said Devisees of the said Countess of *Wilton* should require the same, so as to afford the Means of Communication between the Lands belonging to the said Devisees lying on the Easterly and Westerly Sides of the said intended Railway, and also to make a Drain from the said Arch or Culvert to the said Feeder, for the Purpose of carrying the Water from the Road to be made through the said Culvert; and it was thereby further enacted, that the said Company should and they were thereby required to make and construct the said Railway in such a Manner as to cross the Road now leading from *Radcliffe Bridge* to the said Print Works at *Mount Sion* aforesaid within Three Feet of the present Level of the said Road, and also to make a convenient Cart Road into the Field lying between the said Road and the River *Irwell*, on the Easterly Side of the said Railway, and to erect and at all Times maintain a good and sufficient Gate, and also a Stile for Foot Passengers, on each Side of the said Railway where it should cross the said Road: And whereas by reason of the Deviations and Alterations of the Line of the said Railway authorized by this Act the Line of the said Railway intended by the said recited Act to be carried over the River *Irwell* near the said Weir erected across the said River for supplying with Water the said Print Works belonging to the Devisees of the said *Eleanor* Countess of *Wilton* deceased, or their Lessees as aforesaid, is intended to be abandoned and relinquished, and the said Railway is intended to be carried across the said River *Irwell* at a Place considerably distant from the said Print Works; be it therefore enacted, That so much of the said Act last above recited as makes Provision for a Bridge for carrying the said Railway over the said River at or near the said Weir, and for regulating the Construction of the said Bridge, and also for providing the Erection of an Arch over the Sluice or Feeder which conveys the Water from the said Weir to the said Print Works, and for regulating the crossing of the Road to the said Print Works at *Mount Sion* aforesaid by the said Railway, shall be and the same is hereby repealed.

XXXV. And be it further enacted, That the said Railway shall be carried over and across the said River *Irwell* by a Bridge with not more than One Pier in the Bed of the said River, and that the said Railway shall be carried across the Road now leading from *Radcliffe Bridge* to the Print Works and other Premises belonging to the Right Honourable the Earl of *Wilton* in *Radcliffe* aforesaid with such an Elevation as shall have Seventeen Feet at least clear Headway under the Arch of the Bridge or Viaduct sustaining the said Railway over and across the said Road, and the Span of such Arch shall be Thirty Feet in Width at the least.

Bridge over
the River
Irwell in
Radcliffe to
have One
Pier only.

[Local.]

16 X

XXXVI. And

Regulating
Level of the
Surface of
Bridges
from
Radcliffe to
Bolton.

Repealing
Clause in
1 & 2 W. 4.
c. 60. for
rebuilding
the Canal
Bridge.

Provision as
to the Road
from
Southsea to
Agecroft
Bridge.

XXXVI. And be it further enacted, That the Level of the Surface of any Bridge or Bridges for taking and conducting the said Railway under the Highways from *Radcliffe* to *Bolton*, and from *Radcliffe* to *Bury* in the Township of *Radcliffe* aforesaid, or either of them, shall not be raised above the present Level of the Surface of the said Highways respectively so as to have a greater Rise than One Foot in Thirty-six Feet.

XXXVII. And whereas by the said recited Act, after reciting that the Turnpike Road leading from *Southsea* in *Pendlebury* to *Agecroft Bridge*, maintained and kept in repair by virtue of an Act passed in the Seventh Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for more effectually repairing and improving several Roads leading to and from the Town of Salford, through Pendleton and other Places therein mentioned, in the County Palatine of Lancaster, and several other Roads therein mentioned, and for making and maintaining certain Diversions or new Lines of Road to communicate therewith*, was then carried over the said Canal by a Bridge; and it was intended, for the Purposes of the said Railway, to take down, alter, raise, and rebuild such Bridge, it was further enacted, that the Bridge for carrying the said Turnpike Road over the said Railway should be taken down, altered, and rebuilt in a good, firm, and substantial Manner, of Brick, Stone, or Iron, and proper Approaches should be made thereto, at the Expence of the said Company, and a good and sufficient Fence of not less than Four Feet in Height above the Surface of such Bridge on each Side of such Bridge, and a good and substantial Road over such Bridge, and over the Approaches thereto, should be made, by and at the like Expence, which Bridge and Fence should at all Times be kept in repair by the said Company, and such Bridge should be so constructed as to be in a direct Line with the said Road, and the Width of such Bridge between such Fences, and the Width of the Approaches thereto, should not be less than Forty-five Feet: And whereas it will be more convenient for the Purposes of the said recited Act and of this Act if the said Provisions for rebuilding the said Canal Bridge last above recited were repealed; be it further enacted, That so much of the said Act last recited as makes Provision for the rebuilding the said Bridge at *Agecroft* aforesaid, now being over the said Canal Navigation, in the Manner therein mentioned, shall be and the same is hereby repealed.

XXXVIII. And whereas the Company of Proprietors of the said Canal and Railway are by this Act required at all Times hereafter to preserve and keep open the Navigation of the said Canal, and it is expedient that the said Canal should be maintained in its present Line under the Bridge by which the said Turnpike Road leading from *Southsea* in *Pendlebury* to *Agecroft Bridge* is now carried over the said Canal, and it is intended to carry the said Railway by this Act and the said recited Act authorized to be made and completed under the said Turnpike Road near the same Bridge, and for that Purpose to raise the same Road upon and over such Bridge: And whereas the said Bridge by which the said Turnpike Road is now carried over the said Canal is not in a direct Line with the said Road, and it is inconvenient for public Passage over the same, and it will be necessary for carrying the Objects of this Act and the said recited Act into effect, to take down such Bridge, and to build another Bridge in lieu thereof; be it further enacted, That before the said Railway shall be carried

carried under the said Turnpike Road the said Company of Proprietors of the said Canal and Railway shall at their own Expence take down the said Bridge by which the said Turnpike Road is now carried over the said Canal, and shall instead thereof erect and build another good, firm, and substantial Bridge of Brick, Stone, or Iron, for carrying the said Turnpike Road over the said Canal, and shall also, at or before the like Time and at the like Expence, erect and build a good, firm, and substantial Bridge, of Brick, Stone, or Iron, for carrying the said Turnpike Road over the said Railway, both of which Bridges shall be so constructed as to be in a direct Line with the said Turnpike Road, and so as not in any Manner to deviate from such direct Line; and the said Company of Proprietors of the said Canal and Railway shall, at or before the like Time and at the like Expence, well and effectually raise the said Turnpike Road on each End of each of such Bridges respectively, for forming Approaches thereto, to such Distances therefrom as will prevent an Ascent of the said Road to the Top of either of such Bridges of more than One Inch in a Yard in any Part thereof; and also, as soon as the said Turnpike Road shall be so raised as aforesaid, shall, at the like Expence, well and effectually cover the said raised Road with good and well broken hard Materials, of the Thickness of Ten Inches, and erect and build a good, firm, and substantial Stone or Brick Battlement, of not less than Five Feet in Height from the Surface of such Road over such Bridges, on each Side of such Bridges, and a good and sufficient Wall or other Fence, to the Satisfaction of the Trustees of the said Turnpike Road, of not less than Four Feet in Height from the Surface of such Road, along each Side thereof, so far as the same shall be so raised as aforesaid, to join such Battlements; and the said Road over such Bridges and over the Approaches thereto shall not be of less Width than Twelve Yards between such Fences on each Side thereof; and the said Company of Proprietors of the said Canal and Railway shall at all Times for ever afterwards, at the like Expence, maintain and keep in good Repair the said Bridges and Battlements, and the Breast, Side Walls, or Embankments for the said Approaches, and the said Walls or Fences, in good Repair and Condition.

XXXIX. And be it further enacted, That in case the said Company shall fail to erect, build, and make the said Bridges, Battlements, Breast or Side Walls, Embankments and Fences, or any of them, or to make and complete the said Roads or Approaches, at the Times and in manner aforesaid, it shall be lawful for the said Trustees to erect, build, make, and complete the same; and in case at any Time the said Bridges, Battlements, Breast or Side Walls, Embankments and Fences, or any of them, shall be in a State of Decay or Dilapidation, and the said Company shall upon due Notice thereof in Writing from the said Trustees or their Clerk or Surveyor to the said Company, neglect to proceed to make good and repair such Decay or Dilapidation, it shall be lawful for the said Trustees immediately to proceed to make good and repair the same; and all the Costs, Charges, and Expences to be incurred by the said Trustees in erecting, building, making, and completing the said Bridges, Battlements, Breast or Side Walls, Embankments, Fences, Roads, and Approaches, and making good and repairing such Decays or Dilapidations as aforesaid, shall be borne by the said Company, and by them paid to the

Enabling
Trustees to
erect and
repair
Bridges, &c.
if Company
neglect to
do so.

said

said Trustees, on Demand made thereof by the said Trustees, or their Clerk, Treasurer, or Surveyor, from the said Company; and in default of Payment thereof for the Space of Twenty-eight Days next after such Demand the same shall and may be levied and recovered by Distress and Sale of the Goods and Chattels of the said Company, together with the Costs and Charges of or relating to the hearing of the Complaints and of such Distress and Sale, by Warrant under the Hands and Seals of any Two Justices of the Peace for the said County of *Lancaster*, which Warrant such Justices are hereby empowered to grant, or the same shall and may be recovered from the said Company by the said Trustees, with full Costs of Suit, by Action of Debt in any of His Majesty's Courts of Record at *Westminster* or in the Court of Common Pleas at *Lancaster*; and the Amount of the Costs, Charges, and Expences to be incurred by the said Trustees as aforesaid shall and may from Time to Time, on Application either of the said Trustees or of the said Company, be ascertained and settled by any Two such Justices as aforesaid, and the Signature of such Justices to the Amount so by them ascertained and settled as aforesaid shall be conclusive Evidence of such Amount in any Court or Courts whatsoever.

Company to widen the Bridge over the Canal in Oldfield Road.

XL. And be it further enacted, That the said Company shall, at or before the End of Three Years from the passing of this Act, at their own Expence, alter and widen the Bridge under which the said Canal is now taken under *Oldfield Road* in *Salford* aforesaid, and erect and build Battlements on each Side thereof of the Height of not less than Five Feet from the Surface of the Road, so that at all Times for ever thereafter the said Bridge shall be in a direct Line with the said Road; and the said Bridge, and the Road over the same between the Battlements of such Bridge, shall not be of less Width than Forty-four Feet, and every new and other Bridge for taking the said Canal under the said Road shall be of the like Description and of the like Width, and the said Road shall not be raised above its present Level by means of any Bridge for taking the said Road over the said Canal.

Repealing Provisions as to Windsor and other Bridges.

XLI. And whereas it is by the said recited Act further enacted and provided, that the said Railway should cross underneath the Highway in the Township of *Salford* leading between the *Crescent* and *Pendleton*, and underneath the Highway in the same Township called *Oldfield Road*, and underneath the High Road in the Township of *Pendleton* called *Ford Lane*, and the said Company should make a Bridge and Culvert of such Dimensions under and across the said Railway as in the said recited Act is mentioned, with such Directions, Provisions, and Restrictions touching the Preservation of the Levels of the Bridges called *Windsor Bridge*, *Oldfield Road Bridge*, and *Pendleton Bridge*, and also touching the Preservation of the Level of *Ordsall Lane* in the said Township of *Salford*, and also touching the proper erection of Bridges for carrying the said intended Railway under the said Highways and Roads as are in the said recited Act more particularly expressed and contained: And whereas it will be more convenient if the Powers and Provisions in the said recited Act contained touching the said Bridges called *Windsor Bridge*, *Oldfield Lane Bridge*, and *Pendleton Bridge*, and the Levels of the several Highways aforesaid, were repealed, and such further

Provisions made respecting the same as are hereinafter enacted; be it further enacted, That so much of the said recited Act as contains the Provisions before mentioned and recited touching the said Bridges called *Windsor Bridge*, *Oldfield Road Bridge*, and *Pendleton Bridge*, and the Preservation of the Levels of *Ordsall Lane* aforesaid, and of the said several Highways before mentioned, shall be and the same is hereby repealed.

XLII. And be it further enacted, That in crossing the public Road in the said Township of *Salford* leading between the *Crescent* and *Pendleton* the said Railway shall be taken underneath the same Road by means of a Bridge to be erected at the Expence of the said Company of Proprietors of the said Canal and Railway, which Bridge shall be of equal Width with the whole Width of the present Road there, including Footpaths, and shall be so constructed as to be in a direct Line with such Road, and shall be placed at no greater Distance than Fifteen Feet from the End towards *Pendleton* of the said Bridge called *Windsor Bridge*, under which the said Canal now crosses the same Road, and the Level of the Surface of the Bridge for taking the said Railway under the said Road shall not, nor shall the Road leading over the same Bridge, or forming the Approach thereto, at the End thereof towards *Pendleton*, be raised above the present Level of *Windsor Bridge*, nor shall *Windsor Bridge*, or the Road over the same, be raised above the present Level thereof; nor shall the Road forming the Approach to *Windsor Bridge* on the End thereof towards *Salford*, or any Part thereof, be raised or altered for all or any of the Purposes of this Act or the said recited Act; and if any Part of the said Road forming the Approach towards *Windsor Bridge* on the End thereof towards *Pendleton* shall be raised by means of such Bridge for taking the said Railway under the same, or for all or any of the Purposes of the said recited Act or this Act, the said Company shall immediately, at their own Expence, raise the same Road, and also the public Road called *Cross Lane*, leading into or branching out of the same, for the whole Width of the present Road, and including Footpaths, to such a Distance from *Windsor Bridge* aforesaid, and the said intended Bridge towards *Pendleton*, as will prevent an Ascent to the Top of such Bridges of more than after the Rate of One Foot in every Sixty Feet in Length thereof on any Part of such several Roads; and the said Company shall at the like Expence well and effectually cover the said raised Roads with good and well broken hard Materials, of the Thickness of Twelve Inches at the least; and as soon as the said intended Bridge shall be erected, the said Company shall, at their own Expence, erect and build a good, firm, and substantial Stone or Brick Battlement of not less than Five Feet in Height from the Surface of the Road on each Side of such Bridges, and to extend, not only over and between such Bridges, but for such further Distance, not exceeding Eight Yards in Length, at both Ends and on each Side thereof, as the Surveyors for the Time being of the Highways in the said Township of *Salford* shall consider necessary for public Security; and a good and sufficient Fence of not less than Four Feet in Height from the Surface of the Road along each Side of the said Roads, and to extend from such Battlements so far as the said Roads shall be raised, or along such Part thereof as the said Surveyors shall consider necessary for

Regulations as to Railway crossing the Road at Windsor Bridge in Salford.

public Security, with all requisite Breast or Side Walls or Embankments, and Steps for Access to such raised Roads where requisite for public Passage.

Regulations
as to Rail-
way crossing
Oldfield
Road in
Salford.

XLIII. And be it further enacted, That in crossing the public Road called *Oldfield Road*, in *Salford* aforesaid, the said Railway shall be taken underneath the said Road within the Distance of Twelve Yards from the Bridge by which the said Canal is now taken underneath the same Road, by means of a Bridge to be erected and made at the Expence of the said Company of Proprietors of the said Canal and Railway, which Bridge shall be of the whole Width of the present Road there, including Foot-paths, and shall be so constructed as to be in a direct Line with such Road; and the Level of the Road over such Bridge shall not by means thereof be raised above or sunk below the present Level there of the said Road; and the said Company shall at their own Expence erect and build a good, firm, and substantial Stone, Brick, or Iron Battlement on each Side of such Bridge, of not less than Five Feet in Height from the Surface of the said Road, throughout the entire Crossing of the same Railroad, and for such further Extent, not exceeding Five Yards in Length, at both Ends and on each Side thereof, as the Surveyors for the Time being of the Highways in the said Township of *Salford* shall consider necessary for public Security.

Regulations
as to Rail-
way crossing
Ordsall
Lane in
Salford.

XLIV. And be it further enacted, That in crossing the public Road in *Salford* aforesaid called *Ordsall Lane* the said Railway shall be taken over the same Road by means of a Bridge, to be erected at the Expence of the Company of Proprietors of the said Canal and Railway, which Bridge shall be constructed and built so as to leave a clear Roadway under the Opening or Arch of such Bridge in a direct Line with such Road, of not less than Thirty Feet in Width between the Piers of the said Bridge, and such Opening or Arch shall not be less than Sixteen Feet in Height for the whole Width of such Roadway; and on the Completion of such Bridge the said Company shall at their own Expence erect and maintain a good and sufficient Screen of not less than Six Feet in Height from the Surface of the Railway over the same Bridge, upon and along each Side thereof, throughout the entire Crossing of the same Road, and for the further Extent of Five Yards in Length at both Ends and on each Side of such Bridge.

Regulations
as to Rail-
way crossing
Irwell
Street in
Salford.

XLV. And be it further enacted, That in crossing *Irwell Street* in *Salford* aforesaid the said Railway shall be taken over the said Street by means of a Bridge to be erected at the Expence of the said Company of Proprietors of the said Canal and Railway, which Bridge shall be constructed and built so as to have a clear Roadway under the Opening or Arch of such Bridge, in a direct Line with such Street, of not less than Twenty-four Feet in Width between the Piers of the said Bridge, and such Opening or Arch shall not be less than Seventeen Feet in Height for the whole Width of such Roadway above the present Level of the said Street, and that the Piers of such principal Opening or Arch shall not exceed Two Feet in Thickness, and on each Side of the said Opening or Arch, on the Outside of the Piers thereof, there shall be made a public Footway of not less than Six Feet in Width, and the Opening above the same not

less than Twelve Feet in Height; and on the Completion of such Bridge the said Company shall at their own Expence erect and maintain a good and sufficient Screen of not less than Six Feet in Height from the Surface of the Railway over the same Bridge, upon and along each Side thereof throughout the entire Crossing of the same Street, and for the further Extent of Five Yards in Length at both Ends on each Side of such Bridge.

XLVI. And be it further enacted, That the said Company shall, at or before the End of Three Years from the passing of this Act, alter and widen the Bridge called *Pendleton Bridge*, under which the said Canal is now taken under the Road called *Ford Lane*, in *Pendleton* aforesaid, so that at all Times for ever thereafter the said Bridge shall be in a direct Line with the said Road, and so that the said Bridge, and the Road over the same between the Battlements of such Bridge, shall not be of less Width than Forty Feet, and every new and other Bridge for taking the said Canal under the said Road shall be of the like Description and of the like Width; and that in crossing the said Road the said Railway shall be taken underneath the same Road by means of a Bridge to be erected at the Expence of the said Company, which Bridge shall be so constructed as to be in a direct Line with the said Road, and shall be of the Width of Forty Feet at the least between the Battlements thereof; and the Level of the Surface of the Road over the said Bridges or any of them shall not be raised above the present Level of the said Road there; and the said Company shall, when and as such Bridges shall be so altered, widened, and built respectively, at their own Expence, erect and build a good, firm, and substantial Battlement of Brick or Stone, or both, of not less than Five Feet in Height from the Surface of the Road on each Side of such Bridges, and to extend, not only over such Bridges, but for such further Distance not exceeding Five Yards in Length at both Ends and on each Side thereof respectively, as the Surveyors for the Time being of the Highways in the said Township of *Pendleton* shall consider necessary for public Security, and shall, within the like Times and at the like Expence, construct and make a good Brick or Stone Culvert or Sewer under the said Canal and Railway where the same shall cross the said Road, of the internal Width and Height of Four Feet at the least, for the Passage of Water under the same.

Regulations as to *Pendleton Bridge*, and as to Railway crossing *Ford Lane* in *Pendleton*.

XLVII. And be it further enacted, That the said Bridges for taking the said Railway under the said Road in *Salford* aforesaid, between the *Crescent* and *Pendleton*, and under *Oldfield Road* in *Salford* aforesaid, and the said Bridges for carrying the said Railway over *Ordsall Lane* and *Irwell Street* in *Salford* aforesaid, and the said Bridge for taking the said Railway under *Ford Lane* in *Pendleton* aforesaid, and all other Bridges by which the said Railway shall cross any public Road in *Salford* or *Pendleton* aforesaid, shall be built in a good, firm, and substantial Manner of Brick, Stone, or Iron; and such several Bridges, and also all Bridges by which all or any of the public Streets or Roads in *Salford* and in *Pendleton* aforesaid are or shall be carried over the said Canal and Railway, and all and every the Battlements, Walls, Fences, and Screens on the Sides of and extending from such several Bridges, and on the Sides of the Approaches thereto, by this Act directed to be made, or which

Directions as to Bridges, &c. in *Salford* and *Pendleton*, and keeping the same in repair.

ought

ought to be made by the said Company of Proprietors of the said Canal and Railway, and all Breast or Side Walls and Embankments, and the Steps for Access thereto, and all Culverts or Sewers crossed by the said Canal or Railway, shall, from Time to Time and at all Times for ever, be maintained and kept in good Repair and Condition; and such Bridges shall be kept Drop dry by and at the Expence of the said Company, and shall from Time to Time, when and as often as Occasion shall require, be rebuilt, replaced, and reinstated with the like Materials and in the like Manner in all respects as hereinbefore mentioned, and at the like Expence; and in case the said Company shall fail to erect, build, make, and complete the several Roads, Approaches, Battlements, Walls, Fences, Screens, Breast or Side Walls, Embankments, Steps, Culverts, and Sewers, or any of them, which they are required to do by the said recited Act or this Act, in the said Townships of *Salford* and *Pendleton* respectively, it shall be lawful for the Surveyors for the Time being of the Highways in the said Townships of *Salford* and *Pendleton*, or either of them in which the same shall be or ought to be made, to erect, build, make, and complete the same; and in case, at any Time or Times hereafter, all or any of the said Bridges, Battlements, Walls, Fences, Screens, Breast or Side Walls, Embankments, Steps, Culverts, and Sewers shall be in a State of Decay or Dilapidation, the said Company shall and they are hereby required to make good and repair, or rebuild, replace, or reinstate the same, as Occasion shall require, forthwith upon Notice in Writing for that Purpose to the said Company, or any Clerk or other Officer thereof, from any One or more of the said Surveyors of the said Townships respectively, or their Clerk, or any other Person or Persons by their or any of their Order or Authority; and in case the said Company shall neglect for the Space of Twenty-eight Days after such Notice to proceed to make good and repair, or rebuild, replace, or reinstate, as Occasion shall require, the said Bridges, Battlements, Walls, Fences, Screens, Breast or Side Walls, Embankments, Steps, Culverts, and Sewers, or such of them as shall be in a State of Decay or Dilapidation as aforesaid, it shall be lawful for the said Surveyors of the said Townships respectively, from Time to Time immediately to proceed to make good and repair, or rebuild, replace, and reinstate the same, as Occasion shall require; and all the Costs, Charges, and Expences incurred by the said Surveyors of the said Townships respectively, in and about the several Matters aforesaid, shall be borne by the said Company, and by them paid to the said Surveyors of the said Townships respectively, on Demand thereof made to the said Company; and in default of Payment thereof for the Space of Twenty-eight Days next after such Demand made thereof as aforesaid, the same shall and may be levied and recovered by the said Surveyors of the said Townships respectively, by Distress and Sale of the Goods and Chattels of the said Company, together with the Charges of or relating to the hearing of the Complaint, and of such Distress and Sale, by Warrant under the Hands and Seals of any Two Justices of the Peace for the said County of *Lancaster*, which Warrant such Justices are hereby empowered to grant, or the same may be recovered from the said Company by the said Surveyors of the said Townships respectively, with full Costs of Suit, by Action of Debt or on the Case in any of His Majesty's Courts of Record at *Westminster*, or in the Court of Common Pleas at *Lancaster*, or in any other Court or Courts whatsoever; and the Amount of the Costs, Charges,
and

and Expences to be incurred by the said Surveyors of the said Townships respectively as aforesaid shall and may from Time to Time, on Application either of the said Surveyors or of the said Company, be ascertained and settled by any Two such Justices as aforesaid ; and the Signature of such Justices to the Amount so by them ascertained and settled as aforesaid shall be conclusive Evidence of such Amount in any Court or Courts whatsoever.

XLVIII. And whereas it is by the said recited Act enacted, That nothing therein contained should extend or be construed to extend to authorize or empower the said Company of Proprietors to stop up or impede the Navigation of the said Canal from *Manchester* to *Bolton* and to *Bury*, or any Part thereof, until the said Company should at their own Expence have provided, made, and completed so much of the said collateral Branch Railway thereby authorized to be made, commencing at or near *Clifton Aqueduct*, and extending to or passing through the Township of *Clifton* in the Parish of *Eccles*, and through the Townships of *Kearsley* and *Farnworth* in the Parish of *Dean*, and the Township of *Great Lever* in the Parish of *Middleton*, as extended to certain Collieries and other Works called or known by the Names of *Clifton Colliery* and *Kearsley Colliery*, to where the same joined and communicated with the said intended Railway at or near the Aqueduct in *Clifton* aforesaid, upon or near the Site or Line of the said Canal ; and by the said recited Act, after reciting that as soon as the said Canal Navigation from *Manchester* to *Bolton* and to *Bury* was stopped up, the Canal then used by *Ellis Fletcher* for the Purpose of conveying the Coal raised from his Collieries at *Clifton* and *Kearsley* aforesaid into the said Canal Navigation would be no longer available to him for the Conveyance of such Coal from his said Collieries, and as the same were then conveyed by him without his paying any Rates or Duties for the same, it was reasonable he should be allowed to carry on the said Railway or Tramroad thereby authorized to be made, from his said Collieries and Works, into the Line of the said Railway or Railways from *Manchester* to *Bolton* and to *Bury*, Coals and other Articles to and from the same, without being subject or liable to pay any Rates or Tolls in respect thereof, it was by the said recited Act further enacted, that it should not be lawful for the said Company to demand or take, or cause to be demanded or taken, of or from the said *Ellis Fletcher*, or the Owner or Owners or the Occupier or Occupiers for the Time being of the said Collieries at *Clifton* and *Kearsley* aforesaid, then worked, any Rate or Toll whatsoever for the Use of the said Railway for the Conveyance of Coals or other Articles either to or from the said Collieries on the said Railway or Tramroad branching out of the said Railway or Railways from *Manchester* to *Bolton* and to *Bury* to his said Collieries : And whereas by reason of the said Canal Navigation from *Manchester* to *Bolton* and to *Bury* being by this Act directed and required to be for ever hereafter kept open and maintained for navigable Purposes, it is expedient that the several Provisions and Restrictions aforesaid should cease and be no longer in force ; be it therefore enacted, That so much of the said recited Act, and the Provisions therein contained and last above recited, which have Reference to the stopping up of the said Canal or some Part thereof, and which impose the Restriction aforesaid upon the said Company from taking or demanding any Rates or Tolls from the

Repealing
Clauses in
recited Act
enabling
Company
to make
Railroad to
certain Parts
of *Ellis
Fletcher's
Collieries*,
and exempt-
ing him from
Tolls.

[Local.]

16 Z

said

said *Ellis Fletcher*, and such other Owner or Owners, Occupier or Occupiers for the Time being of the said Collieries at *Clifton* and *Kearsley* aforesaid, for the Use of the said Railway thereby authorized to be made, for the Conveyance of Coals or other Articles either to or from the said Collieries on the said Railway branching out of the said Railway from *Manchester* to *Bolton* and to *Bury* at the said Collieries, shall be and the same is hereby repealed.

Repealing
Clauses
in 2 W. 4.
for making
temporary
Railway, &c.

XLIX. And whereas by the said recited Act it was further enacted, that the said Company of Proprietors should at all Times keep open and preserve the free Navigation of the said Canal and every Part of it, and should keep open and preserve the Towing Paths, Landing Places, Yards, Wharfs, Locks, Gates, Fences, Ways, Roads, Passages, Bridges, Aqueducts, Watercourses, and Works belonging to the Canal Navigation, until the said Company of Proprietors should also have completed and made fit for Public Use One Line of Railway, with proper Passing Places or Turnouts, Works, and Conveniences adjoining thereto or connected therewith, for the Passage of Waggon and other Carriages all the Way from *Bolton*, and to terminate at the Wharf of the Basin near the Junction of the said Canal with the River *Irwell* at *Salford*; and in case the said Canal Navigation or any Part of it, or any such Towing Path, Landing Place, or other Work, was interrupted or impeded at any Time, until such One Line of Railway, Passing Places, Works, and Conveniences all the Way from *Bolton*, and to terminate as aforesaid, should have been made and completed as aforesaid, then the said Company of Proprietors should forfeit and pay for every Day such Interruption or Impediment should continue the Sum of Thirty Pounds, to be recovered by every Person aggrieved and prejudiced by Action at Law in any of His Majesty's Courts of Record at *Westminster*; and in case a temporary Railway should be made for the Use of the Public before the permanent Railway thereby authorized to be made should be completed, it was by the said recited Act further enacted, that the Company of Proprietors should at all Times keep open and preserve the free Use and Passage of such temporary Railway and every Part of it, and should keep open and preserve all the Yards, Passages, Bridges, and other Works, until the said Company of Proprietors should have completed and made fit for Public Use the permanent Line of Railway, Passing Places, or Turnouts, Works, and Conveniences adjoining thereto or connected therewith, thereby authorized to be made, all the Way from *Bolton*, and to terminate at the Wharf of the Basin near the Junction of the said Canal with the River *Irwell* at *Salford*; and in case the said temporary Railway or any Part of it, or any such Yard, Bridge, or Work, was interrupted or impeded at any Time, until such permanent Line of Railway, Works, and Conveniences should have been made or completed as aforesaid all the Way from *Bolton* to terminate as aforesaid, then, in each or either of the said Cases, the said Company of Proprietors should forfeit and pay for every Day such Interruption or Impediment should continue the Sum of Thirty Pounds, to be recovered by every Person aggrieved or prejudiced by Action at Law in any of His Majesty's Courts of Record at *Westminster*. And whereas, inasmuch as by this Act the said Company of Proprietors are required for ever hereafter to keep open and maintain the Whole of the said Canal for the Purposes of Navigation, the Provisions in the said recited

recited Act contained and last above recited, requiring the Navigation of the said Canal not to be impeded until the temporary Railway thereby authorized to be made should be completed, under the Penalties by the said Act imposed, by reason of the Impediment thereby to be occasioned in default thereof, and also the said Provision in the said Act contained for preserving such temporary Railway until the said Company of Proprietors should have completed the permanent Line of Railway thereby authorized to be made from *Bolton*, to terminate at the Wharf of the Basin near the Junction of the said Canal with the River *Irwell* at *Salford*, will be rendered useless and unnecessary; be it further enacted, That so much of the said recited Act as makes Provision for the keeping open the said Canal Navigation until the Railway thereby directed shall have been made, and also for the keeping open the temporary Railway aforesaid until the permanent Railway thereby authorized shall have been made and completed, shall be and the same is hereby repealed.

L. And whereas by the said recited Act, after reciting that the Owners and Occupiers of Coal Pits and Collieries, and other Persons using the said Canal Navigation, had Boats used thereon, which, when the said Canal Navigation or any Part thereof should be stopped, and the said Railway made in its Place, would become useless; and also reciting, that the said Company had consented to make Compensation in Money to such Owners and Occupiers, and other Persons, for the Loss they would sustain by their Boats being so rendered useless; it was further enacted, that when and so often as any Boats then used upon the said Canal Navigation should become useless, and immediately, in consequence of the Stoppage of the said Canal Navigation, the said Company should and they were thereby required to make full Compensation and Satisfaction for all such Boats to the Owners thereof, and in case of any Dispute about the Amount of such Compensation and Satisfaction, or the Means of the Recovery thereof, the same should be ascertained, determined, recovered, and levied in the same Manner and under the same Regulations and Restrictions as Compensation or Satisfaction for any Materials or Costs for any Damage or Injury of any Nature or Kind soever done or committed by the said Company was therein directed to be ascertained, determined, recovered, and levied: And whereas it is expedient that the said Provision so made for Compensation to the Owners and Proprietors of Boats used on the said Canal Navigation should be repealed; be it further enacted, That so much of the said Act last above recited as requires the said Company to make Compensation and Satisfaction to the Owners and Occupiers of such Collieries, and other Persons, having and using Boats upon the said Canal Navigation, for the Loss they would have sustained respectively by their Boats being rendered useless in case of the said Canal being stopped and filled up under the Powers and Provisions of the said recited Act, shall be and the same is hereby repealed.

Repealing
Clause
in recited
Act granting
Compensa-
tion for
Boats.

LI. And whereas by the said recited Act, after reciting that several Cotton Factories, or Mills and Steam Engines for working the same, had been erected adjoining or near to the Banks of the said Canal, and such Steam Engines could be used only where cold Water could be obtained to condense their Steam, and Water for such Steam Engines had hitherto been supplied from the said Canal, and the Proprietors of such Factories,

Repealing
Clauses
in recited
Act requir-
ing Com-
pany to
provide

Mills,

condensing
Water for
Steam
Engines in
certain
Cotton
Factories
in case of
Canal being
drained.

Mills; and Steam Engines would be greatly inconvenienced if the Supply of Water for such Steam Engines were withdrawn, and large Quantities of Coal being required for such Steam Engines, the said Company might derive considerable Advantage from the Tonnage which would be payable for such Coal as might be carried upon or along the said Railway for the Use of such Steam Engines, and that by reason of the Conversion of the said Canal, or some Part or Parts thereof, into the Railway thereby authorized, the Current of Water which then flowed through the said Canal for the Supply of such Parts thereof as might remain a navigable Canal, and the necessary Lockage in the same, would be rendered of no Use, and the same Current of Water, or the greatest Part thereof, must of necessity flow to Waste, unless the same could be maintained and applied for the Use of such Steam Engines in the Cotton Factories in the Manner above mentioned, and that the said Company would be put to a very considerable Expence in making the necessary Works to continue the Supply of Water to the said Steam Engines, it was further enacted, that the said Company should and they were thereby required, at their own Costs and Charges, to construct and make, and at all Times thereafter to keep, maintain, and continue, over, under, or by the Side of the said Railway, such Arches, Tunnels, Culverts, Troughs, or other Passages for the Conveyance of Water as should be adequate to supply, and that the said Company should by such Means supply, a sufficient Quantity of cold Water for the Use and Consumption of all such Cotton Factories and Mills as at the Time of passing the said Act should be erected adjoining or near to the Banks of the said Canal, and of the Steam Engines which then did or should thereafter belong thereto, in as ample or beneficial a Manner in all respects as such Cotton Factories, Mills, and Engines were then supplied therewith respectively; and it should be lawful for the Owner or Occupier, or Owners or Occupiers of every such Cotton Factory or Mill, and of every such Steam Engine as aforesaid, at his or their own Costs and Charges, to make any Communication or Communications between any such Arches, Tunnels, Culverts, Troughs, or other Passages, and any such Steam Engine or Steam Engines, by means of One or more Metal Pipe or Metal Pipes so constructed as to prevent Leakage or Waste of Water, and to draw or take from such Arches, Tunnels, Culverts, Troughs, or other Passages such Quantities of Water as should be necessary for supplying such Steam Engine or Steam Engines as aforesaid with Water, for the sole Purpose of raising and condensing the Steam used for working such Engines as aforesaid, and for warming the said Cotton Factories or Mills; provided always, that the Owner or Occupier, or Owners or Occupiers of every such Steam Engine should, if so required by the said Company, return to such Arches, Tunnels, Culverts, Troughs, or other Passages, every Day on which any such Steam Engine should be worked, a Quantity of Water equal to the Quantity which should in each such Day be taken or drawn from such Arches, Tunnels, Culverts, Troughs, or other Passages (the unavoidable Waste thereof by raising and condensing such Steam only excepted), and that the Water to be so drawn and taken as aforesaid should be applied for the Purposes aforesaid, and for no other Use or Purpose whatsoever; and it was further enacted, that the said Company should and they were thereby required to construct, make, complete, and finish, or cause to be constructed, made, completed, and finished, such Arches, Tunnels,

nels, Culverts, Troughs, or other Passages, for the Conveyance of Water as aforesaid, and to supply the same with cold Water sufficient for the Use of such Steam Engines as aforesaid before the Water should be drawn from the said Canal, and that until the Water should be so drawn from the said Canal the said Company should permit the Owner or Occupier, or Owners and Occupiers of every such Cotton Factory, Mill, and Steam Engine as aforesaid, to draw and take, and the said Company should supply, cold Water from the said Canal for the necessary Use of such Steam Engines as aforesaid; and by the said recited Act it was further enacted, that it should be lawful for the said Company to ask, demand, take, recover, and receive, of and from the several Owners of the said Cotton Factories, Mills, or Engines, any Sums not exceeding the yearly Sums in respect of every Horse Power of such Steam Engines in the said recited Act particularly mentioned and provided, with such Powers and Remedies for the Recovery thereof respectively as are in the said recited Act also mentioned and contained; and by the said recited Act, after reciting that *Samuel Greg* of *Styall* within the County Palatine of *Chester*, Esquire, had then lately purchased from the said Company a Plot of Land, situate in *Salford* aforesaid, adjoining the said Canal, with certain special Privileges of taking Water from the said Canal for the Use of the Cotton Factory or Factories, Buildings, and Steam Engine or Engines to be erected and set up upon the said Plot of Land, of which special Privileges the said *Samuel Greg* would be deprived by the Conversion of the said Canal into a Railway as aforesaid, it was therefore further enacted, that as a Compensation to the said *Samuel Greg* for Deprivation of such Privileges granted to him by the said Company as aforesaid, the said Company should and they were thereby required, at their own proper Costs and Charges, to supply a sufficient Quantity of cold Water for the Use and Consumption of the Factory or Factories and Buildings then and thereafter to be erected upon the said last mentioned Plot of Land, and the Steam Engine and Engines for the Time being, belonging thereto, in like Manner and for such Purposes only as was therein-before mentioned with respect to the other Cotton Factories, and Steam Engines for working the same, erected adjoining or near to the Banks of the said Canal; and that the said *Samuel Greg*, his Heirs and Assigns, Owners and Occupiers for the Time being of the same Plot of Land, or the Buildings thereon, or any Part thereof, should have the like Power of taking such Water for the Purposes last aforesaid; provided always, that the yearly Sum to be charged to the said *Samuel Greg*, his Heirs and Assigns, by the said Company, should not exceed the yearly Sum therein mentioned for every Horse Power at which such Steam Engine then or thereafter to be erected or set up upon the said last mentioned Plot of Land, and supplied with cold Water as aforesaid, should be rated as aforesaid, and should not be more than Half the yearly Sum for each Horse Power charged by the said Company for the Time being in respect of the said other Cotton Factories, and Steam Engines for working the same, then erected adjoining or near to the Banks of the said Canal: And whereas by reason of the Provisions in this Act, contained for the said Canal being at all Times hereafter kept open and supplied with Water for navigable Purposes, as it existed and was maintained before the passing of the said recited Act, some of the Provisions last before mentioned and contained in the said Act are become unnecessary; be it therefore further enacted, That so

[Local.]

17 A

much

Owners of
Factories to
be permitted
to take
Water for
their Use.

much of the said Act last herein-before recited as requires the said Company to make any such Tunnels or other Passages for the Conveyance of Water for the Purpose of supplying the said Cotton Factories and Steam Engines with condensing Water as aforesaid, shall be and the same is hereby repealed: Provided always, that the said Company shall continue to permit and suffer the Owners or Occupiers of the said several Cotton Factories and Steam Engines as are now erected on the Banks of the Main Line of the said Canal in the Township of *Salford* to draw and take a sufficient Supply of cold Water from the said Canal for the Use and Consumption of such Factories and Steam Engines on the Terms and Conditions mentioned and contained in the said recited Act.

Company to
make a Road,
if required,
near Oldfield
Road.

LII. And whereas the said Railway is intended to be made over a certain Occupation Road granted to the said *Samuel Greg* by the said Company, between *Oldfield Lane* aforesaid and the said Plot of Land purchased by the said *Samuel Greg* from the said Company as aforesaid; be it therefore enacted, That in case the said *Samuel Greg*, his Heirs or Assigns, shall require the same, at any Time hereafter, and before the Expiration of One Year next after the said Railway shall be completed, but not otherwise, the said Company shall and they are hereby required, at their own Expence, to form, erect, and make, and for ever afterwards keep in repair a good and sufficient Road for all Purposes, of not less than Six Yards in Width, between the said Plot of Land and *Oldfield Lane* aforesaid, such new Road to be carried over the said Canal near the present Locks there by means of a good and sufficient Bridge, with proper Approaches thereto, and from the same Bridge to *Oldfield Lane* aforesaid, on the South-westerly Side of the said Canal, and such new Road to be in lieu of the said first mentioned Road which shall be for ever abandoned by the said *Samuel Greg*, his Heirs and Assigns, after such new Road shall be made and completed.

Mr. Greg
empowered
to take
Water from
the Canal to
supply the
Factories,
&c.

LIII. And be it further enacted, That it shall be lawful for the said *Samuel Greg*, his Heirs and Assigns, and the Occupier and Occupiers for the Time being of the said Plot of Land purchased by him from the said Company as aforesaid, and of the Cotton Factory and Factories and Buildings now and hereafter to be erected thereupon, from Time to Time and at all Times hereafter to draw and take from the said Canal such Quantities of Water as shall be necessary for supplying the Steam Engine or Engines for the Time being belonging to such Factory or Factories and Buildings with Water, for the sole Purpose of raising and condensing the Steam used for working such Engine or Engines, and for warming the same Factory or Factories and Buildings, without making any Compensation to the said Company for the same; provided that the said *Samuel Greg*, his Heirs or Assigns, or such Occupier or Occupiers as last aforesaid, drawing or taking Water from the said Canal for the Purposes last aforesaid, shall, if required by the said Company, return to the said Canal on every Day in which any such Engine or Engines shall be worked a Quantity of Water equal to the Quantity which shall on each such Day be taken or drawn from such Canal (the unavoidable Waste thereof by raising and condensing such Steam only excepted).

For protect-
ing the

LIV. And whereas it is enacted by the said recited Act, That whenever, in the working of any Mines of Coal, Stone, Slate, or Minerals, the

Owners or Lessees, or other Persons working the same, shall approach within Forty Yards of any Masonry or Building belonging to the said Company, the Owner, Lessee, or other Person directing the working of any such Mine should give such Notice in Writing to the said Company, and the said Company should deliver to such Owner, Lessee, or other Person a Declaration in Writing under their Common Seal, whether they should require the Coal under such Masonry or Building so lying within Forty Yards thereof, or so much thereof as the said Company should in such Declaration specify to be reserved for the Protection of such Masonry or Building, and the said Company were empowered to purchase the Coals, Stones, Slate, or other Minerals so reserved, as in the said recited Act is particularly mentioned and expressed; be it further enacted, That whenever, in the working or getting of any such Mines of Coal, Stone, Slate, or Minerals, the Owners or Lessees, or other Persons working the same shall approach within One hundred Yards of any Masonry or Building belonging to the said Company, the Owner, Lessee, or other Person working the same shall give such Notice thereof to the said Company, and the said Company shall, within such Time and in such Manner, deliver their Declaration in Writing, whether they require the Coal under such Masonry or Building so lying within One hundred Yards thereof to be reserved as aforesaid, and with such Powers of purchasing the same, as in the said recited Act are mentioned and expressed, in case of such Coal, Stone, Slate, or other Minerals lying within Forty Yards of such Masonry or Building belonging to the said Company.

Company's
Works from
the Opera-
tions of
Mines.

L.V. Provided always, and be it further enacted, That in all Cases where the said Company of Proprietors shall purchase any Coals, Stones, Slate, or other Minerals so to be reserved within One hundred Yards of any Masonry or Building belonging to the said Company under the Powers and Provisions of the said recited Act and of this Act, the said Company of Proprietors shall and may and they are hereby required to permit the Owners or Owner, Lessee, or other Person working the Mines of such Coal, Stones, Slate, or other Minerals adjoining to such as shall be reserved and purchased as aforesaid, to make any Drifts, Air-roads, and Levels through the said Coal and other Minerals reserved and purchased as aforesaid, at a Distance of Thirty Yards at least from each other, for the better working such Mines of Coal and other Minerals, making a reasonable Compensation to the said Company for the Coal and other Minerals to be taken and used in making the said Drifts, Air-roads, and Levels.

Company to
permit
Owners of
certain
Mines to
make Drifts,
&c.

L.VI. And whereas it is enacted by the said recited Act, that in case of Refusal or Neglect of Payment of any Rates, Tolls, or Duties thereby authorized to be taken, or any Part thereof, on Demand, to the Person or Persons appointed to receive the same, the said Company (amongst other Remedies thereby provided) were empowered to seize the Goods or other Things for or in respect whereof any such Rates, Tolls, or Duties ought to be or ought to have been paid, or any Part thereof, and the Waggon or other Carriage, Boat or other Vessel, laden therewith, and detain the same until such Payment should be made, together with reasonable Charges for such Seizure or Detention; and if such Goods should not be redeemed within Twenty-one Days next after the taking thereof,

Power to
recover
Rates
extended to
Arrears of
Rates.

thereof, the same should be appraised and sold as the Law directs in Cases of Distress for Rent: And whereas it may be of Advantage to the said Company, and it may also tend to the Convenience of Persons using the said Canal Navigation and Railway, if the said Company were empowered to give Credit for such Rates, Tolls, or Duties, for a reasonable Time, and if the said Company were empowered to recover the Arrears of such Rates, Tolls, or Duties from the Parties liable thereto, in the same Manner as the said Rates, Tolls, or Duties are recoverable by the said recited Act; be it further enacted, That the Person or Persons duly appointed to receive the said Rates, Tolls, or Duties by the said Act authorized to be taken shall and may (if the General Committee of the said Company for the Time being shall think proper, and shall direct the same,) give Credit to any Person or Persons employing and navigating any Boats or other Vessels upon the said Canal, or employing any Waggons or other Carriages upon the said Railway and Branches, for the Amount of the Rates, Tolls, and Duties which may from Time to Time accrue and become due and payable from such Person or Persons liable as aforesaid (not exceeding the Space or Time of Six Calendar Months), and in case of Refusal or Neglect of Payment of such Rates, Tolls, or Duties, or the Arrears thereof as aforesaid, or any Part thereof, on Demand, to the Person or Persons appointed to receive the same as aforesaid, the said Company shall and may have such and the like Remedies by Action of Debt or upon the Case, or by Seizure, Distress, and Sale of the Goods or other Things for or in respect whereof any such Rates, Tolls, or Duties ought to be or ought to have been paid, or any Part thereof, and the Wagon or other Carriage, Boat or other Vessel, laden therewith, or any other Goods or other Things, Waggons or Carriages, Boats or other Vessels, of and belonging to the Parties or Party liable in this Behalf, which may be found lying or being upon the said Railway and Branches and Canal Navigation, or any Part or Parts thereof respectively, or which may be found lying or being upon any public or private Wharf, Yard, Lands, or Grounds belonging to the said Company of Proprietors, and which shall be the Property of the Party or Parties so being indebted for such Rates, Tolls, and Duties as aforesaid, and to detain the same until such Payment shall be made, together with such reasonable Charges for such Seizure and Detention, and with such Powers of Sale, and under such Restrictions, as are in the said recited Act mentioned and expressed touching the Recovery of the Rates, Tolls, and Duties by the said Act authorized to be taken.

Regulating
the Weights
to be drawn
by the Com-
pany's
Engines.

LVII. And whereas by the said recited Act the said Company of Proprietors are required to provide and supply, from the Time at which the said Railway thereby authorized should be opened for public Use, a sufficient Quantity of Waggons, Carriages, and locomotive Engines, or other adequate Power, to all Persons requiring the same, as in the said recited is Act particularly mentioned, for the Purpose of conveying Coals and other Minerals and Materials upon the said Railway and Branch thereby authorized, or any Part thereof, and with such Provisions and Restrictions as are in the said recited Act more particularly mentioned and expressed; be it further enacted, That the said Company of Proprietors and their Committee or Engineer for the Time being shall and may and they are hereby empowered to fix and determine the Weight
and

and Quantity of the Coals and other Minerals and Materials which shall be carried and conveyed in any Waggons and Carriages by Locomotive Engines or other Power so to be provided and supplied by the said Company, in proportion to the Horse Power of every such locomotive Engine, and the Strength of any other Power drawing or propelling the same, in such Manner as the said Company or their Committee or Engineer for the Time being shall authorize and direct.

LVIII. Provided always, and be it enacted, That the said Company of Proprietors shall not be liable to any Penalty or Penalties by the said recited Act imposed upon them for making Default in drawing or propelling Waggons or other Carriages by locomotive Engines or other Power as aforesaid, unless the Weight of the Loading of such Waggons or other Carriages taken collectively, and so required to be drawn or propelled as aforesaid, shall amount to Thirty-five Tons at the least for each and every such locomotive Engine to be used and employed as aforesaid, nor shall the said Company be liable to any such Penalty or Penalties as aforesaid in any Case where the Progress or Motion of such Locomotive Engine or other Power shall be delayed or impeded by any unavoidable Accident, provided the Cause of such Delay shall be remedied with all reasonable Dispatch.

Limiting the Penalty on the Company for not providing Power.

LIX. Provided also, and be it further enacted, That the said Company of Proprietors shall not be compelled or compellable to provide such Waggons, Carriages, locomotive Engines, or other Power as aforesaid at any Time or Times when the free and uninterrupted Passage of the said Railway and Branches by the said recited Act and this Act authorized to be made shall be obstructed and impeded by reason of any Accident happening to the same, or by reason of the repairing thereof respectively, provided the Time of such Obstruction of the Passage aforesaid shall not exceed Seven whole Days.

Company not to be compelled to provide Carriages when the Railway is obstructed.

LX. And be it further enacted, That the said Company shall, and they are hereby required to make, construct, and complete so much of the said intended collateral Branch authorized by the said recited Act, and the necessary Sub-Branches thereto authorized by this Act, commencing at or near *Clifton Aqueduct*, and extending to or passing in and through the Township of *Clifton* in the Parish of *Eccles*, and through the said Townships of *Kearsley* and *Farnworth* in the Parish of *Dean*, as shall extend from the Main Line of the said Railway authorized by this Act or the said recited Act to the Vitriol Works in the Township of *Kearsley* aforesaid, situated and being near unto and contiguous to the said collateral Branch, in such Time and Manner as that the same may and shall be ready for the Passage of Waggons and other Carriages upon the said last mentioned collateral Branch simultaneously with the Completion of the Main Line of the said Railway for the Passage of Waggons and other Carriages upon the same.

Kearsley Branch to be opened at the same Time with the Main Line.

LXI. And be it further enacted, That the said Company shall and they are hereby required to make, construct, and complete the said intended collateral Branch from and out of the main Line of the said Railway from at or near *Strawberry Hill* in the said Township of *Haulgh* or

Bradshaw Gate Branch to be opened at the same Time as the

[Local.]

17 B

Tong

Main Rail-
way.

Tong with Haulgh, through the Township of *Great Lever*, to or near *Bradshaw Gate* in the Township of *Great Bolton*, in such Time and Manner, so that the same may and shall be ready for the Passage of Waggons and other Carriages upon the said Branch Railway simultaneously with the Completion of the Main Line of the said Railway for the Passage of Waggons and other Carriages upon the same.

Power to
purchase
additional
Quantity of
Land for
Warehouses,
&c.

LXII. And whereas by the said recited Act the said Company were enabled to purchase, for the Purpose of providing Wharfs, Warehouses, and other Purposes in such Act mentioned, from any Person, Body Politic, Corporate, or Collegiate, Corporation Aggregate or Sole, who should be willing to sell the same, the several Quantities of Land therein mentioned for making the said Railway: And whereas it is expedient that the said Company should be empowered to purchase more Land for the Purposes of the said recited Act and of this Act; be it therefore enacted, That it shall be lawful for the said Company and they are hereby empowered to contract with any Body or Bodies Politic, Corporate, or Collegiate, Corporation or Corporations, Aggregate or Sole, and any other Person or Persons whomsoever (who shall be willing to sell the same), for the Purchase of any Lands, Messuages, Buildings, or Hereditaments not exceeding in the whole Fifteen Statute Acres (in addition to the Quantity of Land by the said recited Act authorized to be purchased), in such Place or Places as shall be deemed eligible and convenient for the Purpose of making, erecting, forming, and providing Stations, Yards, Staiths, Wharfs, Messuages, Warehouses, and other Buildings and Conveniences, and for the Purpose of receiving, lodging, depositing, or keeping Coal, Cattle, Goods, Merchandize, and other Things carried or conveyed, or intended to be carried or conveyed, upon the said Railway or the Branches therefrom, or for making convenient Roads, Avenues, or Ways leading thereto respectively, or for any Purposes whatsoever connected with the said Undertaking which the said Company shall deem expedient; and it shall be lawful for all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, and all other Persons whomsoever, to sell and grant or convey to the said Company and their Successors any Lands, Messuages, Buildings, and Hereditaments whatsoever, for the Purposes last aforesaid, or any of them, in like Manner, and with and subject to the like Powers, Provisions, Limitations, Reservations, and Restrictions (or so far as the same will apply) as are mentioned and contained in the said recited Act respecting the several Quantities of Land by the same Act authorized to be purchased.

Power to
resell any
Surplus of
such Lands.

LXIII. And be it further enacted, That it shall be lawful for the said Company to sell and dispose of all or any of the Houses, Lands, or Hereditaments hereby required or authorized to be purchased, or any Part or Parts thereof respectively, and from Time to Time to purchase other Lands or Hereditaments for the Purpose aforesaid, and again to sell and dispose of the same or any Part thereof, in like Manner as in the said recited Act is or are contained with respect to any Lands or Hereditaments therein mentioned or referred to.

Time
enlarged for
taking Land.

LXIV. And with a view to the Completion of the Purchase of Lands to be taken or appropriated for the Purpose of the said Railway and Branches under

under the Powers of the said recited Act and of this Act, be it enacted, That the Time by the said recited Act limited for the taking of Lands for the Purposes of the said Undertaking shall be extended and enlarged for the further Space or Term of Three Years, to commence and be computed from the passing of this Act: Provided always, that in case such Land shall not have been so taken within the said Term of Three Years, then and from thenceforth the Powers by the said recited Act or by this Act granted for the taking of such Lands shall cease and determine.

LXV. Provided always, and be it further enacted, That nothing in this Act or the said recited Act contained shall extend or be deemed or construed to extend to prejudice, diminish, alter, or take away any of the Rights, Liberties, Privileges, Powers, or Authorities vested in or enjoyed by the Commissioners or others acting in Execution of an Act passed in the Eleventh Year of the Reign of His late Majesty King *George the Fourth*, intituled *An Act for better cleansing, lighting, watching, regulating, and improving the Town of Salford, in the County Palatine of Lancaster*. Not to prejudice Rights of Commissioners under the Salford Improvement Act. 11 G. 4. c. 8.

LXVI. And be it further enacted, That the said Commissioners, and any other Person or Persons on their Behalf, shall have free and uninterrupted Access to all or any of the Main Pipes, Service Pipes, and Branch Pipes of or in any Manner connected with the Gas Works of the said Commissioners, which are now laid, or which may hereafter be laid previously to the making of the said Railway or altering the Line of the said Canal, for lighting the said Town of *Salford* or the Neighbourhood or Environs thereof, or any public or private Property; and that in case by the making the said Railway or altering the Line of the said Canal or any of the Works thereof respectively, it shall become necessary for the said Company to interfere with or disturb any of the said Pipes, or any other of the present or future and then existing Works of the said Commissioners, then and in every such Case the said Company shall give or cause to be given Notice in Writing to the said Commissioners in Manner following; that is to say, One Calendar Month's Notice before they interfere with or disturb any Main Pipe, Seven Days Notice before they interfere with or disturb any Street or Service Pipe, and Forty-eight Hours Notice before they interfere with or disturb any Branch Pipe for supplying Lamps, Houses, Shops, Warehouses, Offices, or other Buildings, either of a public or private Description, in order that full Time and Opportunity may be afforded to the said Commissioners to alter, raise, [take up, remove relay, or repair such of their said Pipes and Works as] may be necessary to be altered, raised, taken up, removed, relaid, or repaired for forming the said Railway or altering the Line of the said Canal and Works as aforesaid; and the said Gas Pipes and Works, and every of them, shall then be altered, raised, removed, taken up, or relaid by the said Commissioners, as may be necessary for the Purposes of the said Railway, Canal, and Works; and if in the Discretion of the said Commissioners it shall be necessary to substitute new Gas Pipes or Works in lieu of those removed for the Purposes of the said Railway, Canal, and Works as aforesaid, the said Commissioners may and they are hereby authorized so to do; and the Costs and Charges of Commissioners to have free Access to Gas Pipes, and Alterations required thereof to be done by them on Notice.

of and attending the altering, raising, taking up, removing, relaying, or repairing such of the said Gas Pipes and Works as may be necessary to be altered, raised, removed, taken up, or relaid, for the Purposes of the said Railway, Canal, and Works, and of substituting any such new Gas Pipes or Works as may be found necessary to be substituted as aforesaid, shall be borne by the said Company, and by them paid to the said Commissioners, on Demand thereof from the said Company or any Clerk or other Officer thereof; and in default of Payment thereof for the Space of Twenty eight Days next after such Demand made thereof as aforesaid, the same shall and may be levied and recovered by the said Commissioners by Distress and Sale of the Goods and Chattels of the said Company, together with the Charges of or relating to the Hearing of the Complaint, and of such Distress and Sale, by Warrant under the Hands and Seals of any Two Justices of the Peace for the said County of *Lancaster*, which Warrant any such Justices are hereby empowered to grant; or the same shall and may be recovered from the said Company by the said Commissioners, with full Costs of Suit, by Action of Debt or on the Case in any of His Majesty's Courts of Record at *Westminster*, or in the Court of Common Pleas at *Lancaster*, or in any other Court or Courts whatsoever; and the said Costs, Charges, and Expences of altering, raising, taking up, removing, relaying, or repairing such of the said Gas Pipes and Works, and of substituting any such new Gas Pipes or Works as aforesaid, shall and may from Time to Time, on Application either of the said Commissioners or of the said Company, be ascertained and settled by any Two such Justices as aforesaid, and the Signature of such Justices to the Amount so by them ascertained and settled as aforesaid shall be conclusive Evidence of such Amount in any Court or Courts whatsoever; and in case the said Commissioners shall not within a reasonable Time after Notice given as aforesaid alter, raise, take up, remove, relay, or repair such of their said Gas Pipes and Works as may be necessary to be altered, raised, taken up, relaid, or repaired as aforesaid, then and in every such Case the said Company may do the same; and further, in case any Injury or Damage shall be done to any of the said Gas Pipes or any other of the present or future and then existing Works or Property of the said Commissioners, by taking up, altering, relaying, or removing any of such Gas Pipes or Works as last aforesaid, then and in every such Case the Expence of making good such Injury and Damage shall be borne and paid by the said Company, and may be ascertained and settled and shall and may be recovered in the Manner herein directed with respect to the Costs and Charges of and attending the altering, raising, taking up, removing, relaying, or substituting any of the said Gas Pipes and Works as aforesaid.

For protect-
ing Gas
Pipes where
crossed by
Railway.

LXVII. And be it further enacted, That in every Case where the said Railway, Canal, and Works, or any Part thereof respectively, shall cross any of the Gas Pipes and Works of the said Commissioners, the said Company shall, at their own proper Costs and Charges, previous to the Formation of the said Railway and Alteration of the Line of the said Canal, make good and substantial Arches or Culverts of Brick or Stone over such of the said Pipes as may be crossed as aforesaid, and every of them, the better to enable the said Commissioners to have Access thereto for the Purpose of repairing, amending, or relaying the said
Pipes,

Pipes; and such Arches and Culverts shall be constructed of the internal Height of Four Feet at the least, and of the internal Breadth of Four Feet at the least; and the said Company, at the like Costs and Charges, shall for ever after the making of the said Arches or Culverts keep the same in good and substantial Repair; and in the event of the said Company failing to make or maintain such good and substantial Arches or Culverts as aforesaid, it shall be lawful for the said Commissioners to do the same; and the Costs and Charges thereof shall be borne by the said Company, and may be ascertained and settled and shall and may be recovered in the Manner herein directed with respect to the Costs and Charges of and attending the altering, raising, taking up, removing, relaying, or substituting any of the said Gas Pipes and Works as aforesaid.

LXVIII. And be it further enacted, That whenever in the said recited Act or in this Act any Word or Words is or are used importing the Masculine Gender only, such Word or Words shall extend to and shall be construed to include Females as well as Males, and a Body or Bodies Politic, Corporate, Collegiate, Corporation or Corporations Aggregate or Sole, as well as Individual, unless it be otherwise specially directed or provided for.

Rule for construction of certain Terms used in the Act.

LXIX. And be it further enacted, That all Costs, Charges, and Expences incident to and attending the obtaining and passing this Act, and of making the Surveys, Plans, and Estimates, and all other Costs concerning the same, shall be paid and discharged by the said Company out of the Money which shall be already belonging to them, or which shall arise or be received by virtue of the Powers of the said recited Act and of this Act.

For defraying Expences of the Act, &c.

LXX. 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.

Public Act.

The SCHEDULE to which this Act refers.

MAIN LINE. — TOWNSHIP OF SALFORD,

Parish of Manchester.

No. on Plan.	Owners.	Lessees.	Occupiers.	Description of Property.
1	Charles William Newman	-	Thomas Slack	{ House, Yard, and Outbuildings.
	Ditto	-	Messieurs Jones, Lane, and Co.	{ Stable.
	Ditto	-	Thomas Tysack	{ Workshop.
	Ditto	-	John Kershaw	{ Weaving Room, and Part open Yard.
	Ditto	-	Unoccupied	{ Saw Pits, Timber Yard, and Remainder of Building.
	Ditto	-	John Merrett, underletting to George Walmesley	{ Coalyard, and Outbuilding.
	Ditto	-	Unoccupied	{ Open Yard.
2	Thomas Burgess	-	Thomas Butterworth	{ Cottage and Outconvenience.
	Ditto	-	John Gale	{ Ditto.
	Ditto	-	Esther Morton	{ Ditto.
	Thomas Proctor	-	John Rose	{ Ditto.
	Ditto	-	Mary Sharp	{ Ditto.
	Ditto	-	James Moore	{ Ditto.
	Ditto	-	William Goldsmith	{ Ditto.
	Thomas Burgess	-	Thomas Cox	{ Ditto.
	Ditto	-	Nathan Docker	{ Ditto.
	Ditto	-	William Blore	{ Ditto.
	Ditto	-	John Earl	{ Ditto.
	Ditto	-	Anne Forsett	{ Ditto.
	James Munday	-	Thomas Hart	{ Cottage and Outconvenience, and Part Court.
	Ditto	-	Thomas Chorlton	{ Ditto.
	Ditto	-	Isaac Bradshaw	{ Ditto.
Ditto	-	William Seddon	{ Ditto.	
Ditto	-	John Morris	{ Ditto.	
Ditto	-	Henry Eccles	{ Ditto, and Joiner's Shop and Yard.	
Ditto	-	Thomas Waller	{ Cottage, Outconvenience, and Yard.	
Ditto	-	Thomas Berry	{ Do.	
Ditto	-	John Crossley	{ Do.	

SCHEDULE — continued.

No. on Plan.	Owners.	Lessees.	Occupiers.	Description of Property.
2	James Munday	-	Elizabeth Clare	{ Cottage, Outconvenience, and Yard.
	Ditto	-	Thomas Moore	{ Cottage and Outconvenience.
	Ditto	-	Thomas Williams	Ditto.
	Ditto	-	John Jones	Ditto.
	Ditto	-	Robert Deakin	Ditto.
	William Ingham	-	Himself	{ House, Yard, and Outconvenience.
	Ditto	-	Thomas Evans	Two Cellars.
	Ditto	-	Joseph Tetlow	{ Cottage and Outconvenience.
	Ditto	-	John Torr	Two Cellars.
	Ditto	-	Ellen Wilde	{ Cottage and Outconvenience.
	Ditto	-	Nicholas Downing	Two Cellars.
	Ditto	-	Matthew Wilcock	{ Cottage and Outconvenience.
	Ditto	-	Peter Hardman	Two Cellars.
	Ditto	-	Thomas Hyde	{ Cottage and Outconvenience.
	Ditto	-	Francis Nares	Ditto.
	Ditto	-	William Millwood	Ditto.
	John Wrigley	-	Unoccupied	Ditto.
	Ditto	-	William Alberts	Two Cellars.
	Ditto	-	Thomas Dixon	{ Cottage and Outconvenience.
	Ditto	-	Unoccupied	Two Cellars.
	Ditto	-	Ann Beal	{ Cottage and Outconvenience.
	Ditto	-	Betty Ramsbottom	Two Cellars.
	Ditto	-	William Hill	{ Cottage and Outconvenience.
	Ditto	-	John Gibbons	Ditto.
	Ditto	-	Unoccupied	Ditto.
	James Munday	-	Richard Lowde	Ditto.
	Ditto	-	John Garlick	Ditto.
	Ditto	-	John Hempstock	Ditto.
	Ditto	-	Richard Mee	Ditto, and Yard.
	Ditto	-	William Murray	{ Cottage and Outconvenience.
	Ditto	-	Ann Roberts	Ditto.
	William Ingham	-	David Milnes	Ditto.
	Ditto	-	James Ashcroft	Ditto.
	Ditto	-	Edward Seaborne	Ditto.
	John Wrigley	-	Unoccupied	Ditto.
	Ditto	-	John Davis	Ditto.
	Ditto	-	Thomas Hilton	Ditto.
	Ditto	-	Mary Young	Cellar.
	Thomas Burgess	-	Elizabeth Maycock	{ Cottage and Outconvenience.
	Ditto	-	Peter Macartey	Ditto.
	Ditto	-	Peter Shaw	{ House, Outconvenience, and Yard.

SCHEDULE — continued.

No. on Plan.	Owners.	Lessees.	Occupiers.	Description of Property.
2	Thomas Burgess	- - -	William Chaliner	{ House, Outconvenience, and Yard.
	Ditto	- - -	John Percival	{ Ditto.
	Henry Burgess	- - -	James Lord	{ Ditto.
	Ambrose Yates and Silas Dumville	- - -	Robert Kitchen	{ Ditto.
	Ditto	- - -	William Barker	{ House and Shop, Outconvenience and Yard.
	Ditto	- - -	Thomas Owen	{ House, Outconvenience, and Yard.
	Ditto	- - -	Ann Hartley	{ Ditto.
	Ditto	- - -	John Whitehead	{ Cottage, Outconvenience, &c.
	Ditto	- - -	William Ashcroft	{ Ditto.
	Ditto	- - -	Edward Bagnell	{ Ditto.
	Ditto	- - -	James Moss	{ Ditto.
	Ditto	- - -	John Mather	{ Ditto.
	Ditto	- - -	John Walker	{ Ditto.
	Ditto	- - -	Ambrose Yates	{ Ditto.
	William Houghton	- - -	John Hughes	{ Ditto.
	Ditto	- - -	William Billington	{ Ditto.
	Ditto	- - -	Christopher Leigh	{ Ditto.
	Ditto	- - -	John Normanton	{ Ditto, Shop, and ditto.
	Ditto	- - -	Joseph Scott	{ Cottage, Outconvenience, &c.
	James Munday	- - -	John Ryley	{ Ditto.
Ditto	- - -	Thomas Spencer	{ Two Cellars.	
Ditto	- - -	Thomas Smith	{ Cottage and Outconvenience, &c.	
Ditto	- - -	Thomas Marland	{ Two Cellars.	
Ditto	- - -	James Walker	{ Cottage and Outconvenience.	
Ditto	- - -	James Brundrett	{ Two Cellars.	
Ditto	- - -	Jane Cross	{ Cottage and Outconvenience, &c.	
Ditto	- - -	Catharine Allen	{ Two Cellars.	
Ditto	- - -	John Ashton	{ Cottage and Outconvenience, &c.	
Ditto	- - -	Paul Catterall	{ Ditto.	
7	Trustees of the National School	- - -	- - -	{ National School.
	Trustees of the New Jerusalem Chapel	- - -	- - -	{ School and Chapel Yard.
	Ditto	- - -	John Walker	{ Cottage; &c.
9	Robert Haldane Bradshaw Esquire, Trustee of the late Duke of Bridgewater	- - -	{ John Isherwood, underletting to George Kirkley	{ Garden.
	Ditto	- - -	Ditto	{ Slate Yard, Stable, &c.
10	Ditto	- - -	Ditto	{ Slate Yard, Stable, &c.

SCHEDULE — continued.

No. on Plan.	Owners.	Lessees.	Occupiers.	Description of Property.
11	Robert Haldane Bradshaw Esquire, Trustee of the late Duke of Bridgewater	-	James White	Timber Yard.
	Ditto	-	J. B. Brockbank	Marble Yard, &c.
13	Ditto	-	Matthew Davis	Garden.
	Ditto	-	William Lomas	Ditto.
14	Ditto	-	Susannah Cowburn	{ Cottage, Outbuilding, and Garden.
	Ditto	-	Thomas Mather	{ Garden.
	Ditto	-	{ Edward Rowland, underletting to Thomas Ward	{ Garden and Shed.
	Ditto	-	Samuel Heap	{ Cottage, Outbuilding, and Garden.
	Ditto	-	Edward Rowland	{ Garden.
	Ditto	-	William Ingham	{ Ditto.
15	Ditto	-	John Williamson	{ Cottage, Outbuilding, Garden, and Occu- pation Road.
16	John Heygate	-	Himself	{ Two Gardens and Pleasure Ground.
	John Ollivant, Thomas Ollivant, and James Open- shaw, as the Trustees of Wil- liam Hutchinson	-	John Benjamin Smith	{ Garden.
	Bernard Hartley Green	-	John Allen	Ditto.
	John Bateman	-	Henry Hargreaves	Ditto.
17	Robert Haldane Bradshaw Es- quire, Trustee of the late Duke of Bridgewater	John Isher- wood, Occu- pier, under- letting to	James Cameron	Garden & Shed.
	Ditto	-	Unoccupied	Garden.
	Ditto	-	{ John Preston, who underlets to Joseph Taylor, Thomas Atkin- son, and Mark Middleton	{ Three Gardens and Outhouse.
	Ditto	-	John Greenhalgh	{ Garden and Green- house.
	Ditto	-	Joseph Taylor	{ Garden and Shed.
	Ditto	-	Unoccupied	{ Garden and Outhouse.
	Ditto	-	John Fisher	{ Ditto.
	Ditto	-	John Bell	{ Ditto.
19	Ditto	-	Edward Collins	{ Ditto.
	Ditto	-	Thomas Yates	{ Two ditto.
	Ditto	-	William Howarth	{ Garden and Outhouse.
	Ditto	-	William Coop	{ Two ditto.
	Ditto	-	William Thompson	{ Garden and Outhouse.

[Local.]

17 D

SCHEDULE — *continued.*

No. on Plan.	Owners.	Lessees.	Occupiers.	Description of Property.
20	Robert Haldane Bradshaw Es- quire, Trustee of the late Duke of Bridgewater	John Isherwood, underletting to	{ Richard Green- wood	{ Garden and Out- house.
	Ditto		William Upton	Garden.
	Ditto		{ William Wools- tencroft	{ Cottage, Outbuilding, and Garden.
	Ditto		{ James Smith, again under- letting to John Dracup	{ Garden and Out- house, Part of ditto.
21	Ditto		John Notts	{ Cottage, Outbuild- ings, and Garden.
	Ditto		Joseph Preston	{ Cottage, Garden, and Outbuildings.
23	William Stevenson		Henry Pimblett	{ Open Field, Ponds, &c. partly used as a Brickfield.
25	Canal and Rail- way Company		John Bridge	{ Stone Wharf and Counting-house.
	Ditto		{ Edward and Wil- liam Bolling	{ Coalyard and Count- ing-house.
26	William Stevenson		{ William Cart- wright	{ Blacksmith's Shop.
	Ditto		John Kirkman	Cottage.
	Ditto		Thomas Jones	{ Cottage, Stable, Gar- den, and Home- stead.
28	Canal and Rail- way Company		{ Thomas Brown- bill, William Bromilow, & Co.	{ Two Coal Yards and Outbuildings.
	Ditto		{ John Beeby Brock- bank	{ Office and Wharfs.
	Ditto		{ Thomas Williams, or Fogg's Colliery Company	{ Office, Stable, Coal Wharf, &c.
29	Edmund Taylor the Mortgagee (in Possession) of Benjamin Green		Unoccupied	{ Dwelling House and Open Ground.
	Ditto		John Prince	{ Cottage and Out- buildings, &c.
	Ditto		{ William Derbyshire, underletting to Abner Waller	{ Ditto.
	Ditto		Unoccupied	Stable and Homestead.
	Ditto		George Bennett	Ditto.
	Ditto		Unoccupied	Ditto.
	Ditto		{ Thomas Williams, underletting to James Chadwick	{ Cottage and Privy.
	Ditto		Thomas Williams	Stable and Homestead.
	Ditto		Unoccupied	Coalyard.

SCHEDULE — continued.

No. on Plan.	Owners.	Lessees.	Occupiers.	Description of Property.
30	Robert Bailey, as Trustee for Charles and Robert Clegg	}	George Thomas	{ Cottage, &c. and Part Privy and Court.
	Ditto		Sarah Jones	Ditto.
	Ditto		Catharine Gosridge	{ Ditto.
	Ditto		David Bailey	Ditto.
	Ditto		Unoccupied	Ditto.
	Ditto		Walter Chaplain	Ditto.
	Ditto		William Latham	Ditto.
	Ditto		John Fogg	Ditto.
	Ditto		Sarah Worsley	{ Cottage and Part Privy and Court.
	Ditto		William Moss	Ditto.
	Ditto		James Johnson	Ditto.
	Ditto		Samuel Thornhill	{ Ditto.
	Ditto		Joseph Jackson	Ditto.
	Ditto		Ann Heyworth	Ditto.
	Ditto		John Williamson	{ School and Part Privy and Court.
	Ditto		Ellen Johnson	Cottage, &c. ditto.
	32		Robert Curwen	}
Ditto		John Tracy	Cottage, &c.	
Ditto		James Ball	Ditto.	
Ditto		Unoccupied	Ditto.	
Ditto		Richard Beswick	Ditto.	
Ditto		Lydia Scott or Howarth	{ Ditto.	
Ditto		Sarah Newton	Ditto.	
Ditto		James Knight	Ditto.	
Ditto		John Boardman	Ditto.	
Ditto		Unoccupied	Ditto.	
Ditto		James Dawson	Ditto.	
Ditto		John Massey, underletting to Francis Simister	{ Hatter's Workshop.	
Ditto		Ellen Kellet	Cottage, &c.	
Ditto	John Massey	{ Small Public House, Hatter's Workshop, Privy, and Homestead.		
Ditto	Matty Johnson	{ Coalyard and Outbuilding.		
33	James Smith & John Rawson	}	Themselves	{ Mill, Dyehouses, Outbuilding, and Yard.
	Ditto		Ann Howarth	Cottage, Yard, &c.
	Ditto		John Calverley	Ditto.
	Ditto		Thomas Robinson	Ditto.
	James Smith and John Rawson		{ James Harrison	Cottage, Yard, &c.

SCHEDULE — continued.

No. on Plan.	Owners.	Lessees.	Occupiers.	Description of Property.
34.	Mrs. Ann Whitehead		William Stretch	Cottage.
	Ditto		William Taylor	Ditto.
	Ditto		Samuel Horrocks	Ditto.
	Ditto		Jeremy Mahony	Ditto.
	Ditto		Edward Redman	Ditto.
	Ditto		Thomas Diggles	Ditto.
	Ditto		John Wilson	Ditto.
	Ditto		James Scott	Ditto.
	Ditto		John Ryley	Ditto.
	Ditto		John O'Brien	Ditto.
	Ditto		James M'Cormick	Ditto.
	Ditto		James M'Main	Ditto.
	Ditto		Alexander Sinclair	Cellar.
	Ditto		William Savage	Cottage, &c.
	Ditto		Margaret Don- neley	Ditto.
	Thomas Slater		Isaac Deakin Booth	Ditto, and Hatter's Workshop.
	Ditto		John Britton	Cottage, &c.
	Ditto		William Goff	Ditto.
	Ditto		John Hines	Ditto.
	Ditto, and Wil- liam Eccles in Part		Thomas Hilton and Company	Garden, Plantation, Ponds, and Part of Mill.
36	Canal Company		George Pennington	Cottage, Gardens, and Outbuildings.
	Ditto		Ditto, underlet- ting to Edward Wright, William Ratcliffe, Jona- than Chapman, John Walker, Thomas Mason, and Henry Mack- land	Small Gardens and Sheds.
37	George Jones		Himself	Wharfs and Railroad.
38	Ditto		Ditto	Joiner's Shop, Yard, and Blacksmith's Shop and Warehouses.
	Ditto		John Fitzgerald Esquire	Cottage.
40	William Acton		James Cunningham	Two Crofts.
41	Ditto		Ditto	Garden.
	Ditto		John Aldred	Cottage and Garden.
	Ditto		Unoccupied	Ditto.
	Ditto		Robert Travis	House, Garden, and Outbuildings.
	Ditto		Elizabeth Ryan	Ditto.
	Ditto, or Duchy of Lancaster			Open Land or Road, and Town's Pump.
42	John Heap		Charles Taylor	Cottage, &c.
	Ditto		Thomas Duxbury	Ditto.

SCHEDULE — continued.

No. on Plan.	Owners.	Lessees.	Occupiers.	Description of Property.
	John Heap	-	Isadore Brown	Cottage, &c.
	Ditto	-	Thomas Ditchfield	Cellar.
	Ditto	-	Robert Mercer	Cottage, &c.
	Ditto	-	John Eastwood	Ditto.
	Ditto	-	James Reid	Ditto.
	Ditto	-	Hannah Woolstencroft	{ Small Public House and Cellar.
	Ditto	-	Lot Grundy	{ House, Painter's Shop, and Outhouse.
	Ditto	-	Thomas Birch	Cottage, &c.
	Ditto	-	John Kerfoot	Ditto.
	Ditto	-	William Aldred	Ditto.
	Ditto	-	Richard Bennett	Ditto.
	Ditto	-	Jean Rigby	Ditto.
	Henry Gibb	-	Himself	Shed and Stoneyard.
44	Earl of Derby	James Johnson	James Johnson	{ Workshops, Cottages, and Timber Wharf.
	Ditto	Ditto	Messieurs Lever	Stone Wharf.
45	William Slater and Thomas Sherratt, as Trustees and Executors of John Sherratt	-	Mrs. Sherratt	{ Plantation and Pleasure Grounds.
	Ditto	-	Peter Morris	Cottage, &c.
	Ditto	-	Thomas Boardman	Ditto.

TOWNSHIP OF PENDLETON.

Parish of Eccles.

1	William Slater and Thomas Sherratt, as Trustees and Executors of John Sherratt	-	Mrs. Sherratt	{ Billiard Room, Garden, and Plantation, and Part Accommodation Road.
1 b	Thomas Hardman, Colonel Ford, William Fox, and Reverend John Glowes, as Trustees of Salford Chapel	James Johnson	Himself	Brick Ground.
3	Ditto	Ditto	George Burgess	Garden.
4	John Leaf	-	Joseph Smith	Plantation.
6	Henry Moulton	-	Himself	Gardens and Plantation.
8	Mrs. Hewitt	-	Robert Brandt Esquire	House and Garden.
10	George Gardner	-	Himself	Park and Plantation.
11	Ditto	-	Ditto	{ Garden, Plantation, and Outbuildings.
12	Duchy of Lancaster	George Gardner	Ellen Ashworth	{ Dwelling House, Two Gardens, and Outbuildings.

[Local.]

SCHEDULE — continued.

No. on Plan.	Owners.	Lessees.	Occupiers.	Description of Property.
14	John Brettargh	-	John Brettargh	{ Dwelling House, Shop, Garden, Homestead, Wharf, Road, &c.
	Ditto	-	Edward Feathers	Cottage and Homestead.
	Ditto	-	James Marsden	Ditto.
	Ditto	-	John Kerr	Ditto.
	Ditto	-	Evan Evans	Ditto.
15	Thomas Jeffries	-	Himself	{ Dwelling House, Dye-works, Outhouses, and Yard.
	Ditto	-	Benjamin Wood	Cottage.
	James Kay	-	Himself	{ Mill, Yard, and Out-buildings.
	Joseph Stelfox, Edwin Ford, Richard Stelfox, and William Broome	-	R. Hobson	Cottage and Garden.
17	Duchy of Lancaster	{ Overseers of } Pendleton - }	Overseers of Pen- dleton	{ Workhouse, Out- buildings, Yard, &c.
19	James Brooks	-	William Heywood	Cottage and Garden.
	Ditto	-	William Smith	Ditto.
	Ditto	-	Joseph Blomerley	Ditto.
	Ditto	-	Elijah Linger	Ditto.
	Ditto	-	Himself	{ Dwelling House, Homestead, and Outbuildings.
	Ditto	-	Joseph Hulme	Cottage and Garden.
	Ditto	-	John Hooley	Cottage, &c.
	Ditto	-	William Inman	Ditto.
	Ditto	-	Unoccupied	Cottage and Garden.
	Ditto	-	John Retford	Cottage.
	Ditto	-	Thomas Hardman	Ditto.
	Thomas Crompton	-	James Hulme	Cottage, &c.
	Ditto	-	Robert Robinson	Ditto.
	John B. Wroe	-	Himself	Orchard.
22	Nathan Whitlow	-	John Shaw	{ Dyehouse, Sizing- works, Gardens, Outbuildings, and Cottage, Stable, &c.
	Ditto	-	George Mathers	Cottage.
	Ditto	-	Daniel Johnson	Ditto.
	Ditto	-	Sarah Edwards	Ditto.
	Ditto	-	Robert Daniel	Ditto.
TOWNSHIP OF PENDLEBURY,				
<i>Parish of Eccles.</i>				
2	{ The Reverend Richard Buck and Elizabeth Hull	Andrew Knowles	Andrew Knowles	{ Engine House, Coal Works, &c.

SCHEDULE — continued.

No. on Plan.	Owners.	Lessees.	Occupiers.	Description of Property.
3	The Reverend Richard Buck and Elizabeth Hull	-	Thomas Taylor	Dwelling House, Barns, Stables, Crofts, Homestead, and Outbuildings.
	Ditto	-	George Garner	Cottage, Outbuildings, and Garden.
6	Ditto	-	James Thornley	Cottage, Garden, &c.
7	Ditto	Andrew Knowles	Andrew Knowles	Engine House and Coalworks, Outbuildings, &c.
12	Ditto	Peter Clare	Peter Clare	Plantation.
17	Ditto	-	James Westbrooke	Homestead.
18	Ditto	-	Reverend Richard Buck	Plantation on the North easterly Side of the Occupation Road.
20	Ditto	-	Ditto, and James Westbrooke	Occupation Road.

TOWNSHIP OF CLIFTON,

Parish of Eccles.

7	Benjamin Gaskell	-	Joshua Radford	Dwelling House (Clifton Hall), Outbuildings, Homestead, Garden, and Pleasure Ground.
8	Ditto	-	Adam Kay	Dwelling House, Stables, and Outbuildings, Homestead, and Garden.
10	Ditto	-	Ditto, underletting to Thomas Caldwell, George Reid, and Jonathan Rushton	Three Dwellings, Outbuildings, and Gardens.
11	Richard Edensor Heathcote	-	Joseph Reid	Cottage and Garden.
	Ditto	-	Joseph Taylor	Dwelling, Barn, Outbuildings, Garden, Homestead, and Road.
14	Ditto	-	James Worrall	Cottage and Garden.
15b	Ditto	-	Joseph Taylor	Orchard.
		-	Himself	Plantation.
16	Ditto	-	Charles Leigh	Dwelling House, Barns, Stables, Shed, Orchard, and Homestead.

SCHEDULE — *continued.*

No. on Plan.	Owners.	Lessees.	Occupiers.	Description of Property.
21	Richard Edensor } Heathcote }	Ellis Fletcher -	Ellis Fletcher -	Canal (private).
24	Ditto -	- - -	Charles Leigh, underletting to George Lomax -	Cottage and Orchard.
25	Ditto -	Ellis Fletcher -	Ellis Fletcher, un- derletting to Peter Thornley and John Worrall -	Two Cottages.
	Ditto -	- - -	Peter Thornley and John Worrall -	Two Gardens.
	Ditto -	Ellis Fletcher -	Charles Leigh, un- derletting to Peter Thornley and John Worrall -	Ditto.
27	Ditto -	- - -	Abram Wolsten- croft -	Cottage.
28	Ditto -	- - -	Ditto -	Garden.
31	Ditto -	Ellis Fletcher -	Ellis Fletcher -	Canal (private).
32	Ditto -	- - -	Himself -	Woodland.
35	Ditto -	- - -	Ditto -	Plantation.
38	Ditto -	- - -	Robert Barrett -	House, Homestead, and Orchard.
42	Ditto -	- - -	William Wall- work, underlet- ting to James Hollows -	Private Railroad.
44	Ditto -	- - -	James Hollows -	Quarry.
46	Ditto -	- - -	Himself -	Plantation.
	Ditto -	- - -	James Hollows -	Private Railroad.
47a	Ellis Fletcher -	- - -	Himself -	Boatbuilder's Yard, Outbuildings, Sheds, &c.
48	Ditto -	- - -	Ditto -	Canal (private).
48a	Ditto -	- - -	Ditto -	Blacksmith's Shop.
53	Ditto -	- - -	Ditto -	Feeder to Canal.
54	Ditto -	- - -	Ditto -	Plantation.

TOWNSHIP OF PILKINGTON,

Parish of Prestwich cum Oldham.

2	Earl of Derby -	- - -	Himself -	Rough Ground and Woodland.
3	Ditto -	Canal Company	Ditto -	Ditto.
7	Ditto -	Ditto -	Canal Company -	Joiner's Shop and Sawpit.
	Ditto -	Ditto -	Thomas Stopport	Cottage and Garden.

SCHEDULE — continued.

TOWNSHIP OF LITTLE LEVER,				
<i>Parish of Bolton-le-Moors.</i>				
No. on Plan.	Owners.	Lessees.	Occupiers	Description of Property.
1	Benjamin Rawson	- - -	J. B. Brockbank	{ Stonewharf, Rail- way, &c.
4	Ditto	- - -	William Sterrot	{ Croft and Plantation.
	Ditto	Canal Company	Henry Giles	{ Cottage and Garden.
6	Ditto	- - -	Himself	{ Plantation, Pond, and Road leading to Darley Bridge.
8	Trustees of the Bolton Free School	- - -	Gideon Grime	{ Two Cottages, Out- buildings, and Gar- den.
	Ditto	- - -	William Rushton	{ Cottage, ditto.
	Ditto	- - -	George Swift	{ Ditto.
	Ditto	- - -	John Hickson	{ Cottage.
10	Richard Wood- ward, Trustee of the late Thomas Heywood Rat- cliffe	- - -	Gideon Grime	{ James Fletcher Plantation.
16	Robert Andrews	- - -	Andrew Knowles	{ Ponds and Coalworks.
	Ditto	- - -	Ditto, underlet- ting to George Ripley	{ Cottage and Garden.
19	Ditto	- - -	Andrew Knowles	{ Boatyard, Black- smith's Shop, &c.
22	Thomas Griffiths and Thomas Wil- liams, as Trus- tees of the late Terrick Jones	- - -	Thomas Williams	{ Boatyard, and Build- ings.
23	Ditto	- - -	Ditto	{ Plantation.

TOWNSHIP OF FARNWORTH,

Parish of Dean.

2	Benjamin Rawson	-	Himself	-	Plantation.
---	-----------------	---	---------	---	-------------

TOWNSHIP OF DARCEY LEVER,

Parish of Bolton-le-Moors.

1	Thomas Griffiths and Thomas Wil- liams, as Trus- tees of the late Terrick Jones	- - -	Messrs. Troutbeck and Clough	-	{ Chemical Works and Land.
4	Ditto	- - -	Thomas Williams	-	{ Coalworks.
7	Ditto	- - -	Ditto	-	{ Outbuilding.

[Local.]

SCHEDULE — *continued.*

TOWNSHIP OF HAULGH or TONG WITH HAULGH,

Parish of Bolton-le-Moors.

No. on Plan.	Owners.	Lessees.	Occupiers.	Description of Property.
1	Earl of Bradford	- - -	Himself -	Plantation.
3	Ditto	John Livesey -	Thomas Holmes -	{ Small Croft and Plantation.
4	Ditto	Ditto -	{ Ditto, and under-letting to William Norris -	{ Cottage and Garden.
5	Ditto	- - -	{ Messrs. Heyes, Hamer, and Jackson -	{ Ponds, &c.
1	Ditto	- - -	John Smith -	{ Croft, House, Barn, Outbuildings, Garden, and Homestead.
2	Ditto	- - -	Unoccupied -	House and Garden.
4	Ditto	- - -	Himself -	Plantation.
5	Ditto	John Livesey -	{ John Livesey and Company -	{ Paper Works, Ponds, Lands, Road to Works, &c.
6	Ditto	Ditto -	Ditto -	{ Feeder to Livesey's Mill.
8	Ditto	- - -	{ Samuel Welch - Amy Davenport - Unoccupied - George Piggot -	{ Small Plots of Land used at present for drying Clothes, &c.
10	Ditto	- - -	Samuel Welch -	{ Land betwixt River Croal and Canal.

TOWNSHIP OF GREAT BOLTON,

Parish of Bolton-le-Moors.

1	Bishop of Chester	{ Earl of Bradford - -	{ Jane Pilkington and Ormerod Pilkington, as Executors of John Pilkington Esquire, under-letting to Margaret Horrocks	{ Cottage, Land, &c.
---	-------------------	------------------------	---	----------------------

SCHEDULE — continued.

No. on Plan.	Owners.	Lessees.	Occupiers.	Description of Property.
1	Bishop of Chester	Earl of Bradford	Elijah Pollett - James Lever - George Charnley - John Lawson - Thomas Hardcastle - John Adams - Thomas Dobson - James Carrodus - John Baron, underletting to Thomas Frankland - James Lee - Robert Hilton -	Small Gardens.
2	Ditto	Canal Company	Robert Barns -	House, Garden, and Outbuilding.
3	Ditto	Earl of Bradford	-	Open Land, and Road to Grammar School.
4	Gabriel Newton and Ellis Crompton -	-	John Thompson - John Hatch - William Rooks -	Cottage, Blacksmith's Shop, &c. Cottage, Cellar, &c. Cottage and Outbuildings.
6	Mrs. De Manneville -	-	Josiah Hardcastle	Weaving Shops and Outbuildings.
7	Edward Berwick	-	Jonathan Dearden Richard Deutson William Todd -	Three Cottages.
8	Trustees of Marsden's Charity -	Thomas Rush-ton and Thomas Hardcastle, Executors of James Lever -	Peter Turner -	Cottage.
9	Richard Thorneley and Mary Thorneley, Widow, and their Children, William, James, and Betty Thorneley, and Mary and Richard Eckersley -	-	Robert Shepperd	Cottage, &c.
9	Earl of Bradford	Nancy Brayshaw	Mary Settle -	Public House, &c.
	Ditto	Ditto	Lawrence Settle and Edward Gordon -	Brewery.
11	John Moore, Robert Barlow, Thomas Gregson, and Sarah Gordon, as Executors of — Gordon -	-	William Kitchen	Public House and Stable.

SCHEDULE — continued.

No. on Plan.	Owners.	Lessees.	Occupiers.	Description of Property.
11	John Moore, Robert Barlow, Thomas Gregson, and Sarah Gordon, as Executors of — Gordon		Thomas Gregson	Warehouse.
	James Scowcroft and Legendre Pierce Starkie	James Scowcroft, Lessee of Mr. Starkie	James Scowcroft	Building Land.
12	Mrs. Fogg, Mrs. Chadwick, Rev ^d . Thomas Fogg, and James Fogg, as Executors of the late Thomas Fogg		Edward and William Bolling	Pond and Mill Yard.
	James Scowcroft		Andrew Hodson	Cottage.
	Ditto		Alice Parker	Ditto.
	Ditto		John Mear	Ditto.

TOWNSHIP OF LITTLE BOLTON,

Parish of Bolton-le-Moors.

1	Gabriel Newton and Ellis Crompton		William Redford, late John Gorton	Public House, Stable, Garden, &c.
	Ditto		Robert Wardle	Four Cottages, &c.
	Ditto		Mary Aspinall	
	Ditto		Richard Taylor	
	Ditto		Mrs. Thompson	
	Ditto		J. Hatch	Dye House, &c.
	Ditto		William Sixsmith	Cottage, &c.
	Ditto		Charlotte Livesey	Ditto.
	Ditto		Isabella Bromiley	Ditto.
3	John Butler		Himself	Foundry House, &c. and open Land.
5	Thomas Tipping		James Hardman	Cottage, &c.
	Ditto		Unoccupied	Ditto.
	Ditto		Richard Bridge	Ditto.
	Ditto		William Law	Ditto.
	Ditto		Walter Carden	Ditto.
	Ditto		George Yates	Ditto.
	Ditto		Thomas Hickson	Ditto.
	Ditto		Jane Gothlin	Ditto.
	Ditto		James Chadwick	Ditto.
	Ditto		James Morris	Ditto.
	Ditto		John Goodall	Ditto.
	John Crompton		Charles Liptrop	Ditto.
	Ditto		Henry Openshaw	Ditto.
7	Richard Ainsworth	John Crompton	Joseph Lunter	Shop and House.
	Ditto		Unoccupied	Ditto.

SCHEDULE — continued.

No. on Plan.	Owners.	Lessees.	Occupiers.	Description of Property.
8	Richard Ainsworth	- - - -	William Goodfellow	} Shop and House. } Shop. } Millpond and Land. } Cottage.
	Ditto	- - - -	John Ashall	
	Ditto	John Crompton	John Crompton	
9	Ditto	- - - -	Unoccupied	} Mill, Millyard, Land, } &c.
	Ditto	Thomas Cullen	Thomas Cullen	
10	Ditto	- - - -	Ditto, underletting to Morrison	} Six Cottages, &c.
	Ditto	Ditto	Yorke, George Milligan, John Brunell, unoccupied, George Cullen, unoccupied	
	Ditto	Ditto	Ditto, underletting to Margaret MacLean and Ralph Leyland	
10	Ditto	{ Bolton Gas Company	{ Themselves	{ Gasometer, &c. and Land.
11	Ditto	- Thomas Sharples	Thomas Sharples	{ House, Sizehouse, } and Land.

BURY BRANCH. — TOWNSHIP OF PILKINGTON,

Parish of Prestwich cum Oldham.

2	Earl of Derby	{ John Taylor and Richard Tickill, as Executors of Robert Unsworth	Matty Unsworth William Isherwood Thomas Eckersley	{ Three Cottages and } Three Gardens.
4a	Ditto	- - - -	John Taylor	{ House, Garden, and } Outbuildings.
5	Ditto	- - - -	Ditto	Barn, Croft, and Road.
13	Earl of Wilton	- - - -	Betty Oakes	Plantation.
16	Earl of Derby	- - - -	Seth Hampson	{ Dwelling House, &c. } Orchard, Garden, } and Plantation.

TOWNSHIP OF RADCLIFFE,

Parish of Radcliffe.

3	Earl of Wilton	- - - -	Himself	Plantation.
6	Ditto	- - - -	Thomas Barlow	Woodland.
9	Ditto	Robert Milburne	Robert Milburne	Dyehouse, Garden, &c.
12	Ditto	- - - -	James Allen	{ House, Barn, Garden, } and Homestead.

SCHEDULE — *continued.*BRANCH TO BRADSHAWGATE. — TOWNSHIP OF HAULGH
or TONG WITH HAULGH,*Parish of Bolton-le-Moors.*

No. on Plan.	Owners.	Lessees.	Occupiers.	Description of Property.
1	Earl of Bradford	Messrs. Heyes, Hamer, and Jackson	Themselves	Land, Ponds, &c.
3	Ditto	Ditto	Ditto	Goit.
6	Ditto	John Livesey	John Livesey	Garden.
7	Ditto	Ditto	Ditto	{ Ditto, Outbuildings, and Goit.
8	Ditto	Ditto	Ditto	Plantation.

TOWNSHIP OF GREAT BOLTON,

Parish of Bolton-le-Moors.

2	Robert Lever	- - -	William Balshaw	Garden.
3	Ditto	- - -	Ditto	Ditto.
4	Ditto	- - -	Himself	Plantation and Stream.
5	Robert Rowbottom	- - -	James Warden	Garden.
6	Earl of Bradford	- - -	Thomas Booth	Nursery.
9	Ditto	- - -	Himself	Plantation.
13	Ditto	- - -	John Walmsley	Garden.
14	Ditto	- - -	John Stones	Ditto.
	Ditto	- - -	John Walmsley	Ditto.
17	Ditto	- - -	Himself	Plantation.
18	Ditto	{ The Executors of the late Matthew Corr Dawes	{ Themselves	{ Garden and Pleasure Ground.
	Ditto	- - -	Himself	Plantation.
19	Ditto	James Black	James Black	Garden.
	Ditto	- - -	Charles Nuttall	Ditto.
	Ditto	- - -	Himself	Plantation.
	Ditto	{ The Executors of the late Matthew Corr Dawes	{ Unoccupied	Ditto and Garden.
	Ditto	- - -	Himself	Ditto.
23	Ditto	- - -	Himself	Building Land.
25	Ditto	- - -	Samuel Welch	{ Building Ground, Sheds, &c.