ANNO QUINQUAGESIMO TERTIO

GEORGII III. REGIS.

Cap. 25.

An Act for continuing and amending an Act of His present Majesty, for repairing the Roads leading from *Bowes*, in the County of *York*, through *Barnard Castle* and *Bishop Auckland*, to join the great North Road near *Sunderland* Bridge, in the County of *Durham*. [1st *April* 1813.]

WHEREAS an Act was passed in the Thirty-second Year of the Reign of His present Majesty, intituled *An Act for enlarging and altering the Terms and Powers of Two several Acts of Parliament made and passed in the Twenty-first and Twenty-ninth Years of the Reign of His late Majesty King* George *the Second, for repairing the High Road from the Town of* Bowes, *in the County of* York, *to* Barnard Castle, *in the County of* Durham, *and from thence through* Staindrop *to* Newgate *in* Bishop Auckland, *and from* Newgate *along* Gibb Chair *to* Gaunloss *Bridge, and from thence by* Melderston Gill, *otherwise* Coundon Gill, *to the Turnpike Road near* Sunderland *Bridge, in the County of* Durham, *and for reducing the said Acts into one, and for the more effectually repairing and keeping in repair the said Road:* And whereas by virtue of the said recited Act, and of the said Two former Acts, the Trustees appointed and elected to put the same in Execution have, in pursuance of the Powers thereby given to them, borrowed several Sums of Money on the Credit of the Tolls thereby granted which cannot be repaid; nor can the said Road be effectually improved and kept in repair, unless the said recited Act (which is near expiring) be continued 32 G. 3. c. 135.

for a further Term; and it is expedient that further Tolls and Powers ſhould be granted for thoſe Purpoſes, and that the ſaid Act ſhould be amended and altered in other Reſpects; 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 aſ-

Former Act continued.

ſembled, and by the Authority of the ſame, That the ſaid Act of the Thirty-ſecond Year of the Reign of His ſaid preſent Majeſty, and all and every the Powers, Authorities, Penalties, Forfeitures, Clauſes, and Proviſions therein contained, (except ſo far as the ſame are hereby altered or repealed), and alſo the Tolls, Powers, Authorities, Clauſes, and Proviſions in this Act contained, ſhall be, and continue in full Force and Effect for and during the Term herein-after granted or mentioned, which ſaid Term hereby granted ſhall be, and is hereby declared to be, ſubject and liable to the Payment of all Sums of Money now due and owing upon Credit of the ſame Act, and of ſuch Sum or Sums of Money as ſhall be borrowed for the Purpoſes of this Act, and of all Intereſt due, and to grow due, for the ſame reſpectively.

Truſtees Names.

II. And be it further enacted, That *William Adair*, *George Allen*, *Bryan Abbs*, *John Adamſon*, *John Arden*, *Arthur Aylmer*, *John Addiſon*, The Right Honourable *Henry Vane* commonly called Lord Viſcount *Barnard*, *Rowland Burdon*, *John Drake Bainbridge*, *Thomas Bowes* (of *Bradley*), Doctor *Burges*, *William Beckwith*, *George Barrington* Clerk, *John Bacon* Clerk, *William Beckwith* (of *Herrington*), *Francis Blackburn* Clerk, *Reginald Bligh* Clerk, *Richard Bowſer*, *John Bourne*, *Robert Birkett* Clerk, *William Bainbridge*, *Thomas Bowneſs*, *William Neville Brocket*, *John Bourne* (of *Bowes*), *John Bell*, *Richard Bell*, *Joſeph Benning*, *William Chaytor*, *Robert Curry*, *Robert Curry* Junior, *John Curry*, *Thomas Chipchaſe*, *John Challoner* Clerk, *Ralph Carr*, *Sheldon Craddock*, *Sheldon Craddock* Junior, *Francis Conſtable*, *Robert Colling*, *Edward Daviſon* Clerk, *William Dobſon*, *Henry Dinſdale*, *James Dunning*, *Michael Dunn*, Sir *Robert Eden* Baronet, *Morton John Eden*, *William Enim*, *John Walton Elliott*, *George Edwards* M.D., *Henry Ewbank*, *John Ralph Fenwick* M.D., *Edward Fairleſs*, *Thomas Greenwell*, *John Stubbs Hale* Clerk, *Henry Hale* Clerk, *William Hutchinſon*, *John Hullock*, *James Hugonin*, *Francis Hugonin*, *James Hugonin* Junior, *John Harriſon*, *George Hodgſon*, *William Hodgſon*, *Henry Henderſon*, *William Hutchinſon*, *Henry Hildyard* Clerk, *Ralph Hodgſon*, *John Headlam* Clerk, *William Humphries*, *Thomas Humphries*, *George Lewis Hollingsworth*, *Thomas Harriſon* (of *Stubbhouſe*), *John Hugginſon*, *Robert Hugginſon*, *Colpitts Harriſon*, *Thomas Emmerſon Headlam*, *T. E. Headlam* Junior, *George Hutchinſon*, *Thomas Harriſon*, *Carr Ibbetſon*, *John Ingram*, *John Jackſon*, *William Kirton*, *Richard Kirton*, *Robert Kipling*, Sir *Henry Lawſon* Baronet, Sir *Thomas Liddell* Baronet, *Ralph John Lambton*, *John Lyon*, *Charles Lyon*, *William Lipſcombe* Clerk, *Newby Lowſon*, *John Lookup*, Sir *Ralph Milbanke* Baronet, *Henry Mills* Junior, *Sawrey Morritt*, *John Mowbray*, *Robert Wharton Middleton*, *Chriſtopher Maſon*, *Frederick Mundy* Clerk, *Robert Moſes* Junior, *William Nesfield* Clerk, *George Newby* Clerk, *John Newby*, *James O'Callahan*, *Thomas Ord*, *Benjamin Ord*, *Robert Page*, *Luke Prattman*, *Edward Poole*, *Matthew Ruſſell*, *Richard Richardſon* Clerk, *Henry U. Reay*, *Henry Richardſon* Clerk, *Chriſtopher Ramſhaw*, *R. D. E. Shafto*, *Thomas Goodfellow Shafto*, *Robert Surtees*, *Robert*

Robert Spencer Clerk, *Gordon Skelly*, *Luke Seymour*, *William Shields*, *Richard Sherwood*, *Thomas Sherwood*, *Thomas Scarth*, *Francis Sanderson*, *Robert Sanderson*, *Thomas Freshfield Scarth*, *George Silvertop*, *Richard Steel*, *Anthony Steel*, *Edward Shepherdson*, *John Trotter*, *Edward S. Thurlow* Clerk, *John Trotter* (of *Hall Garth*), *John Thornhill* Clerk, *William Usher*, the Honourable *William Vane*, *Samuel Viner* Clerk, *Richard Wharton*, *Thomas Wilkinson*, *John Wood*, *James Wilson* Clerk, *John Wear*, *Anthony Wood*, *Clement Wood*, *John Wooler*, *Henry Witham*, *Thomas Wheldon*, *Lewis Walton*, *Thomas Wilkinson* (of *Oswald House*), *John Wetherell*, *Thomas Zouch*, D.D., the Mayor of the City of *Durham* for the Time being, the Recorder of *Durham* for the Time being, the Auditor and Receiver General of the Lord Bishop of *Durham* for the Time being, the Steward or Keeper of the Castle of *Auckland* for the Time being, together with such other Persons, not exceeding Ten, as the said Trustees shall appoint, shall be, and they are hereby appointed Trustees for amending, widening, altering, repairing, and keeping in repair the said Road, and for putting in Execution the several Powers and Authorities in and by the said recited Act and this Act, given and granted; and for carrying into Effect the several Purposes thereof.

Regulations as to Trustees Meetings and Proceedings.

III. And be it further enacted, That Two Meetings at the least of the said Trustees for the Execution of this Act, shall be held at the Town of *Barnard Castle* aforesaid, in the Months of *September* and *October* in each Year; and that no Order, Agreement, or Determination of the said Trustees made at any of their Meetings, shall be revoked, altered, suspended, or rescinded, at any subsequent Meeting, unless Seven Trustees shall be present thereat, and a Majority of them shall agree to the revoking, altering, suspending, or rescinding such Order, Agreement, or Determination, and also unless Twenty-one Days Notice of the Time, Place, and Purpose of holding such subsequent Meeting shall have been duly published in One at least of the *Newcastle* and *York* Newspapers.

Clause in the 32 G. 3. restraining Trustees from erecting Toll Gates in certain Places repealed.

IV. And be it further enacted, That so much of the said recited Act of the Thirty-second Year of the Reign of His present Majesty, as in anywise restrains or prevents the said Trustees or any other Person or Persons, from erecting or placing any Turnpike or Toll Gate on any Part of the said Road, or on the Side or Sides thereof, between *Bishop Auckland* and *Sunderland* Bridge aforesaid, nearer to the Market Cross of *Bishop Auckland* aforesaid, than the Distance of Two Miles, or from erecting or placing any Turnpike or Toll Bar at *Tudhoe* Lane End, where the Four Roads from *Tudhoe*, *Bishop Auckland*, *Kirkmerrington*, and *Durham* meet, or in, upon, or across any Part of the said Road between *Tudhoe* Lane End aforesaid, and the said Turnpike Road leading from *Darlington* to *Durham*, or in or nearer to the Town of *West Auckland*, in the said County of *Durham*, than the Distance of One Mile and an Half, shall be, and the same is hereby repealed and made void; and that from and after the Commencement of this Act, it shall be lawful for the said Trustees, or any Seven or more of them, to erect any Turnpikes, Toll Gates, and Toll Houses, with necessary Appurtenances, in, upon, across, or on the Sides of any Part or Parts of the said Roads herein-before particularly described or mentioned, in such Manner, and to take such Tolls thereat respectively, as they are authorised to erect, and take upon, or in respect of any other Part or Parts of the Road comprised in this Act (except as is next herein-after provided to the contrary.)

V. Provide

No Toll Gates to be placed in certain Situations.

V. Provided, and be it further enacted, That no Toll Gate shall be placed, by virtue or under the Authority of this Act, nearer to the Towns of *Barnard Castle*, *Staindrop*, and *Bishop Auckland* aforesaid, or any of them, than the Distance of Half a Mile.

Former Tolls repealed.

VI. And be it further enacted, That from and after the First Day of *May* One thousand eight hundred and thirteen, the several Tolls and Duties granted and made payable by the said recited Act, shall cease and be no longer paid; and that in lieu thereof, there shall from thenceforth be demanded, received, and taken, the several Tolls and Duties hereinafter mentioned; (that is to say),

New Tolls granted.

For every Coach, Chariot, Landau, Berlin, Chaise, Curricle, or Hearse, drawn by Six Horses, or other Beasts of Draught, the Sum of One Shilling and Four-pence; and drawn by Four Horses, or other Beasts of Draught, the Sum of Eleven-pence; and drawn by Two Horses, or other Beasts of Draught, the Sum of Eight-pence:

For every Chaise or Chair, drawn by One Horse, or other Beast of Draught, the Sum of Sixpence:

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

For every Drove of Oxen, Cows, Calves, or Neat Cattle, the Sum of Three-pence Halfpenny *per* Score; and so in Proportion for a greater or less Number:

For every Drove of Hogs, Swine, Goats, Sheep, or Lambs, the Sum of Two-pence *per* Score; and so in Proportion for a greater or less Number:

For every Waggon, Wain, Cart, or other such Carriage, having the Sole or Bottom of the Fellies of the Wheels thereof of the Breadth or Gauge of Nine Inches at the least, and rolling a Surface of that Breadth so flat or level as not to deviate more than Half an Inch from a flat or level Surface, and drawn by Eight Horses, Oxen, or other Beasts of Draught, the Sum of One Shilling and Ten-pence Halfpenny; and drawn by Seven Horses, Oxen, or other Beasts of Draught, the Sum of One Shilling and Sixpence Halfpenny; and drawn by Five or Six Horses, Oxen, or other Beasts of Draught, the Sum of One Shilling and Four-pence; and drawn by Four Horses, Oxen, or other Beasts of Draught, the Sum of One Shilling; and drawn by Three Horses, Oxen, or other Beasts of Draught, the Sum of Nine-pence; and drawn by Two Horses, Oxen, or other Beasts of Draught, the Sum of Sixpence Halfpenny; and drawn by One Horse, Ox, or other Beast of Draught, the Sum of Two-pence:

For every Waggon, Wain, Cart, or other such Carriage, having the Sole or Bottom of the Fellies of the Wheels thereof of the Breadth or Gauge of Six Inches at least, and rolling a Surface of that Breadth, so flat or level as not to deviate more than Half an Inch from a flat or level Surface, and drawn by Five or Six Horses, Oxen, or other Beasts of Draught, the Sum of One Shilling and Sixpence; and drawn by Four Horses, Oxen, or other Beasts of Draught, the Sum of One Shilling and One Penny Halfpenny; and drawn by Three Horses, Oxen, or other Beasts of Draught, the Sum of Eleven-pence; and drawn by Two Horses, Oxen, or other Beasts of Draught, the Sum of Eight-pence; and drawn by One Horse, Ox, or other Beast of Draught, the Sum of Three-pence:

And

And for every Aſs, whether riding or drawing, laden or unladen, the Sum of One Halfpenny.

Which ſaid reſpective Tolls and Duties in and by this Act granted and made payable, ſhall be, and are hereby veſted in the Truſtees for the Time being, for carrying this Act into Execution; and ſhall be received and taken in ſuch Proportions and Manner, and paid, levied, reduced, or raiſed again, leaſed, mortgaged, applied, diſpoſed of, and aſſigned in ſuch Manner as the Tolls and Duties granted by the ſaid recited Act, are thereby authoriſed and directed to be received, taken, paid, levied, reduced, or raiſed again, leaſed, mortgaged, applied, diſpoſed of, and aſſigned reſpectively (except as by this Act is otherwiſe directed.)

Only Four Tolls to be taken for paſſing through all the Toll Gates.

VII. Provided always, and be it further enacted, That no more than Four Tolls ſhall be demanded or taken from any Perſon or Perſons for paſſing and repaſſing on the ſame Day, to be computed from Twelve of the Clock at Night, to Twelve of the Clock the next ſucceeding Night, with the ſame Horſe, Beaſt, Cattle, or Carriage, through all the Toll Gates or Turnpikes to be continued or erected by virtue of this Act.

For recovering Poſſeſſion of Toll Houſes.

VIII. And be it further enacted, That if any Leſſee of any of the Tolls by this Act granted, or any Gate-keeper ſhall refuſe to deliver up Poſſeſſion of any Turnpike Gate or Toll Houſe erected or to be erected upon, or on the Side of the ſaid Road, after the Expiration of his Leaſe or Term, or after Non-payment of all Arrear of Rent for Ten Days after Demand thereof, by the Surveyor of the ſaid Road, any Juſtice of the Peace for the County, Riding, or Diviſion, in which the Toll Houſe and Premiſes are ſituate, may by Warrant under his Hand and Seal order a Conſtable with ſuch Aſſiſtants as ſhall be neceſſary, to enter the Toll Houſe and Premiſes in the Day-time, and remove the Perſons who ſhall be found therein, together with their Goods, out of ſuch Premiſes.

Exemptions from Tolls.

IX. And be it further enacted, That all and every Exemption or Exemptions from the ſeveral Tolls and Duties granted and made payable by the ſaid recited Act, ſhall ceaſe and be no longer allowed; and that in lieu thereof the ſeveral Exemptions from Tolls hereinafter mentioned ſhall be allowed; that is to ſay, that no Toll ſhall be demanded or taken for any Horſe or Carriage paſſing through any of the Turnpikes or Toll Gates erected or to be erected upon or on the Sides of the ſaid Road, carrying or conveying Stone, Bricks, Lime, Timber, Wood, Heath, Chalk, Gravel, or other Materials to be uſed on or about the ſaid Road, or for repairing any Highways in the Pariſhes, Townſhips, Diſtricts, or Places which are liable to perform Statute Duty upon the ſaid Road, or returning empty when ſo employed, or carrying or conveying Hay, Corn in the Straw, or other Produce of Lands not ſold or diſpoſed of, nor any Ploughs, Harrows, or other Implements of Huſbandry to be uſed in the Cultivation of Lands, or any Lime or Manure to be uſed or laid upon Lands, or returning empty when ſo employed; nor ſhall any Toll be paid by any Rector, Vicar, or Curate, going to officiate, or returning from officiating at any Church, Chapel, or other Place of religious Worſhip, or, when viſiting his ſick Pariſhioners, or upon any other parochial or miniſterial Duty, or by any other Perſon or Perſons reſiding in the ſaid Pariſhes, Townſhips, Diſtricts, or Places, who ſhall paſs through the ſaid Turnpikes or Toll Gates to or from Church, Chapel, or other Place of religious Worſhip, or who ſhall

attend the Funeral of any Perſon or Perſons who ſhall die and be buried in any of the ſaid Pariſhes, Townſhips, Diſtricts, or Places; nor for any Horſes, Mares, Geldings, Mules, Aſſes, or Cattle, going to or returning from Work, in cultivating the Lands within the ſame, or any of them; nor for any Horſes, Mares, Geldings, Mules, Aſſes, Cattle, Sheep, Lambs, Goats, or Hogs, going to or returning from Paſture on the Commons or other grazing Grounds, or watering Places, or Blackſmith's Shops to be ſhod, or having been ſhod; nor for any Horſe or other Beaſt of Draught, or Carriage, employed in carrying or conveying any Furze, Peats, Turf, or Heather, for Fuel, or returning empty, having been ſo employed; nor for any Horſes or Carriages of whatſoever Deſcription employed, or to be employed in conveying the Mails of Letters and Expreſſes under the Authority of His Majeſty's Poſtmaſter General, either when employed in conveying, fetching, or guarding the ſame, or in returning back from conveying the ſame; or for the Horſes of Soldiers on the March, or on Duty; or Carriages, or Horſes or other Beaſts employed in carrying the Arms or Baggage of ſuch Soldiers; or for any Horſe, Mare, or Gelding, furniſhed by or for any Perſon belonging to any Corps of Yeomanry or Volunteer Cavalry, and rode by him in going to or returning from the Place appointed for and on the Days of Exerciſe, provided ſuch Perſons are in the Uniform of their reſpective Corps, and have their Arms, Furniture, and Accoutrements, according to the Regulations provided for ſuch Corps reſpectively, at the Time of claiming ſuch Exemption; nor for any Waggon, Wain, Cart, or other Carriage whatſoever, or the Horſe or Horſes, or other Cattle drawing the ſame, which ſhall be employed in conveying any Ordnance, Barrack, or Commiſſariat, or other public Stores, of or belonging to His Majeſty, or for the Uſe of His Majeſty's Forces; or for any Carriage, Horſe, or other Beaſt employed in the Conveyance of Vagrants travelling with legal Paſſes, or travelling with Vagrants ſent by legal Paſſes; nor for any Horſe or Carriage going to or returning from any Election of a Repreſentative or Repreſentatives to ſerve in Parliament for the Counties of *York* and *Durham*, or the Cities of *York* and *Durham* reſpectively, on the Day or Days of ſuch Election, or on the Day before or Day after every ſuch Election ſhall begin and be concluded; nor ſhall any of the Tolls or Duties hereby granted be demanded or received for any Carriages, Horſes, Mares, Geldings, or other Cattle, belonging to any Perſon or Perſons liable to perform Statute Duty upon any Part of the ſaid Road going for Lime, Coals, or Cinders, empty or unladen only; nor for any Waggon, Cart, or Carriage, Horſe, Mare, Gelding, or other Cattle, going empty or unladen for, or returning laden with Lime, Coals, or Cinders, or Stones for building, between the Twentieth Day of *April*, and the Thirtieth Day of *October* in each Year, unleſs they ſhall travel or go Two hundred Yards on the ſaid Road; nor of any Perſon or Perſons inhabiting or occupying Lands or Tenements within the Townſhip of *Staindrop*, for any Waggon, Wain, Cart, or Carriage, Horſe, Mare, Gelding, or other Cattle, going empty or unladen for or returning laden with Lime, Coals, Cinders, or Stones for Building, when the ſame ſhall not travel further on the ſaid Road than between *Staindrop Moor Beck*, and *Staindrop Church Bridge*, between the Twentieth Day of *April* and the Thirtieth Day of *October* in each Year; and if any Perſon ſhall claim and take the Benefit of any of the Exemptions aforeſaid, not being entitled thereto, or ſhall make uſe of any Fraud whatſoever, whereby the Payment of the ſaid Tolls or any Part thereof ſhall be evaded, every

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such Person for every such Offence shall forfeit and pay a Sum not exceeding Five Pounds.

Carriages employed in His Majesty's Service not to be subject to Regulations for Overweight.

X. And be it further enacted, That no Person owning or driving, or causing to be driven, any Waggon, Wain, Cart, or other Carriage, provided for the Service of His Majesty's Forces, or conveying any Ordnance, Barrack, Commissariat, or other public Stores of or belonging to His Majesty, or for the Use of His Majesty's Forces, shall be subject to any Penalty or Forfeiture for Overweight; nor shall any Waggon, Wain, Cart, or other Carriage, be stopped or detained by reason of any Weight in any such Waggon, Wain, Cart, or other Carriage, or of being drawn by any Number of Horses or Oxen; but it shall be lawful for any Owner or Driver of any such Waggon, Wain, Cart, or other Carriage, to put any Number of Horses or Oxen to such Waggon, Wain, Cart, or other Carriage, any Thing in any Act or Acts of Parliament relating to Highways or Turnpike Roads, or in this Act contained, to the contrary notwithstanding.

Application of Compensation, when amounting to 200l.

XI. And be it further enacted, That if any Money shall be agreed or assessed to be paid for any Lands, Tenements, or Hereditaments purchased, taken, or used by virtue of the said recited Act or this Act, which shall belong to any Body Politic, Corporate, or Collegiate, Corporation Aggregate or Sole, Feoffees in Trust, Guardians, Committees, Trustees, Femes Covert, or other incapacitated Person or Persons, such Money shall, if the same amount to the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account, *ex parte* the Trustees for executing this Act, to the Intent that such Money shall be paid under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way, by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments, in the Purchase of the Land Tax, or the Discharge of any Debt or Debts, or such other Incumbrance or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments, standing settled to the same or the like Uses, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Messuages, Lands, Tenements, or Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Hereditaments which shall be so purchased, taken, or used as aforesaid, stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined, and capable of taking Effect; and in the mean Time, and until such Purchase shall be made, the said Money shall, by Order of the said Court of Chancery, upon Application thereto, be invested by the said Accountant General in his Name, in the Purchase of Three *per Centum* Consolidated or Three *per Centum* Reduced Bank Annuities; and in the mean Time, and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of the said Consolidated or Reduced Bank

Annuities shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Lands, Tenements, and Hereditaments, so hereby directed to be purchased, in case such Purchase or Settlement were made.

Application where the Compensation is less than 200l. and exceeds 20l.

XII. Provided always, and be it further enacted, That if any Money so agreed or assessed to be paid for any Lands, Tenements, or Hereditaments purchased, taken, or used for the Purposes aforesaid, and belonging to any Body Politic, or to any Person or Persons under any Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Hereditaments, so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank of *England*, in the Name and with the Privity of the said Accountant General of the High Court of Chancery, and be placed to his Account as aforesaid, in order to be applied in Manner herein-before directed; or otherwise the same shall be paid, at the like Option, to Two Trustees, to be nominated by the Person or Persons making such Option, and approved of by Two or more of the said Trustees for executing this Act; such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties, in order that such Principal Money, and the Dividends arising thereon, may be applied in any Manner herein-before directed, so far as the Case be applicable, without obtaining or being required to obtain, the Direction or Approbation of the Court of Chancery.

Application when the Money is less than 20l.

XIII. Provided also, and be it further enacted, That when such Money so agreed or assessed to be paid as herein-before mentioned shall be less than Twenty Pounds, then, and in all such Cases the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Hereditaments so purchased, taken, or used for the Purposes of the said recited Act or this Act, in such Manner as the said Trustees, or any Five or more of them, shall think fit; or in case of Infancy or Lunacy, then to his or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

In case of not making out Titles.

XIV. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be awarded or assessed for any Lands, Tenements, or Hereditaments, to be purchased by virtue of this Act, shall refuse to accept the same, or shall not be able to make a good Title to the Premises, to the Satisfaction of the said Trustees, or any Five or more of them; or in case the Person or Persons to whom such Sum or Sums of Money shall be so awarded or assessed as aforesaid cannot be found, or if the Person or Persons entitled to such Lands, Tenements, or Hereditaments, be not known or discovered, then and in every such Case it shall be lawful for the said Trustees, or any Five or more of them, to order the Sum or Sums of Money so awarded or assessed as aforesaid, to be paid into the Bank of *England*, in the Name and

and with the Privity of the Accountant General of the Court of Chancery, to be placed to his Account, to the Credit of the Parties intereſted in the ſaid Lands, Tenements, or Hereditaments [deſcribing them], ſubject to the Order, Controul, and Diſpoſition of the ſaid Court of Chancery; which ſaid Court, on the Application of any Perſon or Perſons making Claim to ſuch Sum or Sums of Money, or any Part thereof, by Motion or Petition, ſhall be and is hereby empowered, in a ſummary Way of Proceeding, or otherwiſe, as to the ſame Court ſhall ſeem meet, to order the ſame to be laid out and inveſted in the Public Funds, and to order Diſtribution thereof, or Payment of the Dividends thereof, according to the reſpective Eſtate or Eſtates, Title or Intereſts, of the Perſon or Perſons making Claim thereunto, and to make ſuch other Order in the Premiſes as to the ſaid Court ſhall ſeem juſt and reaſonable; and the Caſhier or Caſhiers of the Bank of *England*, who ſhall receive ſuch Sum or Sums of Money, is and are hereby required to give a Receipt or Receipts for ſuch Sum or Sums of Money, mentioning and ſpecifying for what and for whoſe Uſe the ſame is or are received, to ſuch Perſon or Perſons as ſhall pay any ſuch Sum or Sums of Money into the Bank as aforeſaid.

Perſons in Poſſeſſion preſumptively entitled.

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

The Court may order reaſonable Expences of Purchaſes to be paid by the Truſtees.

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

to Time pay such Sums of Money for such Purposes as the said Court shall direct.

Regulations as to Performance of Statute Duty.

XVII. And be it further enacted, That so much of the said recited Act as relates to the Performance of Statute Labour on the said Roads shall be, and the same is hereby repealed; and that all Persons who by Law are or shall be liable to do Statute Work, or are or shall be chargeable towards repairing and amending the Road, comprised in the said recited Act, or any Part thereof, shall still remain liable thereto, in like Manner as heretofore; and it shall be lawful for any Two or more Justices of the Peace within their respective Jurisdictions, and they are hereby required and empowered, upon Application made to them by the said Trustees, or any Five or more of them, or by their Treasurer, Clerk or Surveyor, by their Order, yearly to adjudge and determine what Part or Proportion of the Statute Work shall every Year be done upon the said Road by the Inhabitants of the respective Parishes or Places in which the said Road lies, and also what Proportion of the Money received by the Surveyor or Surveyors of the Highways of every such Parish or Place, in lieu of or as a Composition for such Statute Work as aforesaid, shall be by him, her, or them paid to the said Trustees or to their Treasurer or Treasurers; and in order thereunto, it shall be lawful for such Justices from Time to Time to summon the Surveyor or Surveyors of the Highways of every such Parish or Place, to bring in Lists before such Justices, at some Place to be expressed in such Summons, (within Fifteen Days after the serving of such Summons) of the Names of the several Persons who within such Parish or Place are by Law subject and liable to do Statute Work for that Year, or to the Payment of any Money in lieu of or as a Composition for such Statute Work, distinguishing the Nature of the Work to be done, whether with Teams or Draughts or otherwise, and also the Amount of the respective Sums to be paid; which Lists of Names shall be made in such Manner, and under such Regulations and Restrictions, as are or may be directed by any Law or Statute in Force for the Repairs of the Public Highways; and out of such Lists the said Justices shall and may allot, appoint, and order such and so many of the Persons who shall appear subject and liable to Statute Work as aforesaid, to do such Number of Days Statute Work in every Year upon the said Road, as the said Justices shall think reasonable, and the same shall be done on such Days, and at such Times (not being Hay-time or Harvest) and on such Parts of the said Road as the said Trustees or any Five or more of them, or their Surveyor or Surveyors shall from Time to Time order, direct, and appoint; and the said Justices shall and may also order and direct the Persons who by such Lists shall appear to be subject and liable to Payment of any Money in lieu of, or as a Composition for Statute Work as aforesaid, to pay such Proportion thereof, as the said Justices shall think proper, to the said Trustees or their Treasurer, at such Time or Times as the said Justices shall direct, and in Default of Payment thereof, the same shall and may be recovered by Distress and Sale of the Goods and Chattels of the respective Persons liable to the Payment thereof, in like Manner as any Penalty is by the said recited Act authorized or directed to be recovered; and each and every Person who shall neglect or refuse to do such Statute Work as aforesaid, (after Notice in Writing given to or left for him, her, or them, at his, her, or their usual Place or Places of Abode for that Purpose, by any Surveyor to the said Trustees), shall for every Day of his, her, or their

their Default, or the Default of any Labourer or Labourers, Team or Teams, Draught or Draughts, Horſe or Horſes, Beaſt or Beaſts, to be provided by him, her, or them, be ſubject and liable to ſuch Pains, Penalties, and Forfeitures, as ſuch Perſon or Perſons may be ſubject or liable to by any Law or Statute in Force for the Repair of the Public Highways; and if any Perſon who ſhall come or be ſent to work as a Labourer, or ſhall be ſent with any Team or Draught to work on the ſaid Road, ſhall be found idle or negligent by any Surveyor to the ſaid Truſtees, ſuch Surveyor is hereby empowered to remove and diſmiſs the Perſon who ſhall be found idle or negligent as aforeſaid; and in that Caſe every ſuch Perſon ſhall be ſubject and liable to the reſpective Forfeitures and Payments aforeſaid, as if he had neglected or refuſed to come, or ſuch Team or Draught had not been ſent to work on any Part of the ſaid Road; all which Forfeitures ſhall be paid to the Treaſurer to the ſaid Truſtees, and applied towards amending the ſaid Road; and in caſe the Surveyor or Surveyors of the Highways for any of the ſaid Pariſhes or Places ſhall refuſe or wilfully neglect to give in ſuch Liſts as aforeſaid, or ſhall knowingly and willingly give in falſe or imperfect Liſts, every ſuch Surveyor ſo offending ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Five Pounds.

Expences of the Act.

XVIII. And be it further enacted, That the Expences of obtaining and paſſing this Act, together with legal Intereſt for Money advanced by any Perſon or Perſons for that Purpoſe, ſhall be paid out of the Money already raiſed by virtue of the ſaid recited Act, or out of the firſt Money to be raiſed by virtue of this Act.

Public Act.

XIX. And be it further enacted, That this Act ſhall be deemed and taken to be a Public Act, and ſhall be judicially taken Notice of as ſuch by all Judges, Juſtices, and others, without being ſpecially pleaded.

Commencement and Continuance of the Act.

XX. And be it further enacted, That this Act ſhall commence upon the ſaid Firſt Day of *May* One thouſand eight hundred and thirteen, and ſhall continue in Force for the Term of Twenty-one Years, and from thence to the End of the then next Seſſion of Parliament.

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