ANNO QUINQUAGESIMO QUARTO

GEORGII III. REGIS.

Cap. 31.

An Act for continuing and amending Three Acts, One of His late Majesty, and Two of His present Majesty, for repairing the Road from *Middleton Tyas Lane* End to *Bowes*, in the North Riding of the County of *York*. [4th *May* 1814.]

WHEREAS an Act was passed in the Seventeenth Year of the Reign of His late Majesty King *George* the Second, intituled *An Act for repairing the Road leading from the End of* Middleton Tyas Lane, *over* Gatherly Moor, *to* Greta Bridge, *and from thence to* Bowes, *in the North Riding of the County of* York: And whereas another Act was passed in the Eleventh Year of the Reign of His present Majesty, intituled *An Act to continue and render more effectual an Act made in the Seventeenth Year of the Reign of His late Majesty, for repairing the Road from the End of* Middleton Tyas Lane, *to* Greta Bridge, *and from thence to* Bowes, *in the North Riding of the County of* York: And whereas another Act was passed in the Thirty-second Year of the Reign of His present Majesty, intituled *An Act to continue the Term of Two Acts of the Seventeenth Year of King* George *the Second, and the Eleventh Year of His present Majesty, for repairing the Road leading from the End of* Middleton Tyas Lane, *over* Gatherly Moor, *to* Greta Bridge, *and from thence to* Bowes, *in the North Riding of the County of* York: And whereas the Trustees authorized to

17 G. 2. c. 22.

11 G. 3. c. 63.

32 G. 3. c. 132.

put the ſaid recited Acts in Execution, have, in purſuance of the Powers in them veſted by the ſame Acts, or ſome of them, borrowed ſeveral Sums of Money on the Credit of the Tolls and Duties thereby granted; Part of which ſtill remains due and cannot be repaid, nor can the ſaid Road be effectually amended and kept in ſufficient Repair, unleſs the ſaid Acts be continued for a further Term, and the Tolls and ſome of the Powers thereby reſpectively granted, and now in force, be altered and increaſed: May it therefore pleaſe Your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid recited Acts, ſeverally paſſed in the Seventeenth Year of the Reign of His ſaid late Majeſty King *George* the Second, and in the Eleventh and Thirty-ſecond Years of the Reign of His preſent Majeſty, and all and every the Powers, Authorities, Penalties, Forfeitures, Clauſes, and Proviſions therein contained and now in Force, (except ſuch of them as relate to Exemptions from Stamp Duties, and alſo except ſo far as the ſame are varied, altered, or repealed) and alſo all and every the Powers, Authorities, Tolls, Penalties, Forfeitures, Clauſes, and Proviſions in this Act contained, ſhall be and continue in full Force and Effect for and during the Term hereinafter mentioned, for amending, improving, widening, altering, maintaining, and keeping in Repair the ſaid Road, leading from the End of *Middleton Tyas Lane* over *Gatherly Moor*, to *Greta Bridge*, and from thence to *Bowes* aforeſaid; which ſaid additional 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 the Credit of the ſaid recited Acts or any of them, and of ſuch Sum or Sums of Money as ſhall be borrowed for the Purpoſes of this Act, and all Intereſt due and to grow due for the ſame reſpectively.

Powers of former Acts continued.

Truſtees who have not acted as ſuch within Two Years, not to vote on the Election of any Officer.

II. And be it further enacted, That no Truſtee ſhall be capable of voting for or acting in the Nomination or Appointment of any Officer or Officers, to ſucceed upon a Vacancy to any Office or Place of Truſt, held under the Truſtees of the ſaid recited Acts and this Act, unleſs ſuch Truſtee ſhall have acted as a Truſtee in the Execution of the ſaid recited Acts or of this Act, at leaſt once within the Space of Two Years next preceding ſuch Vacancy; the only Evidence whereof ſhall be his having ſigned the Order Book of the ſaid Truſtees.

Tolls to be taken in lieu of the Tolls granted by former Acts.

III. And be it further enacted, That from and after the paſſing of this Act, the ſeveral Tolls and Duties granted and made payable by the ſaid recited Acts or any of them, ſhall ceaſe, and be no longer paid; and that in lieu thereof, there ſhall be demanded, received and taken, from thenceforth during the Continuance of this Act, at each and every Toll Gate and Turnpike which ſhall be continued or erected by virtue of this Act, the ſeveral Tolls and Duties herein-after mentioned, (that is to ſay;)

For every Coach, Chariot, Landau, Berlin, Hearſe, Chaiſe or Calaſh, drawn by Six or more Horſes, Mares, Geldings or Mules, the Sum of One Shilling and Sixpence; and drawn by Four Horſes, Mares, Geldings, or Mules, the Sum of One Shilling and One Penny Halfpenny; and drawn by Two Horſes, Mares, Geldings, or Mules, the Sum of Nine-pence:

For every Chaiſe or Chair drawn by One Horſe, Mare, Gelding or Mule, the Sum of Four-pence Halfpenny:

For every Waggon, Wain, Cart or Carriage, drawn by Five or more Horſes, Oxen, or Beaſts of Draught, the Sum of One Shilling and One Penny Halfpenny; and drawn by Four Horſes, Oxen, or Beaſts of Draught, Nine-pence; and drawn by Three Horſes, Oxen, or Beaſts of Draught, Seven-pence; and drawn by Two Horſes, Oxen, or Beaſts of Draught, Sixpence; and drawn by One Horſe, Ox, or Beaſt, Four-pence Halfpenny:

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

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

For every Drove of Calves, Hogs, Sheep or Lambs, the Sum of Three-pence Halfpenny *per* Score; and ſo in Proportion for every greater or leſs Number:

Which ſaid reſpective Sums of Money ſhall be demanded and taken in the Name of or as a Toll, and ſhall be and are hereby veſted in the Truſtees for the Time being for carrying the ſaid recited Acts and this Act into Execution, and ſhall be received and taken by ſuch Perſon or Perſons as the ſaid Truſtees ſhall authorize or appoint to receive the ſame, at the ſeveral Toll Bars erected or to be erected upon the ſaid Road; and ſhall be paid, levied, applied, diſpoſed of and aſſigned, for ſuch Uſes and Purpoſes, and in ſuch Manner as the Tolls and Duties granted by the ſaid recited Acts, or any of them, are thereby authorized and directed to be received, paid, levied, applied, diſpoſed of and aſſigned (except as by this Act is otherwiſe directed).

Number of Tolls limited.

IV. Provided always, and be it further enacted, That no more than Two full Tolls ſhall be demanded or taken from any Perſon or Perſons for paſſing and re-paſſing the ſame Day, to be computed from Twelve of the Clock at Night to Twelve of the Clock on the next ſucceeding Night, with the ſame Horſes, Cattle, Beaſts or Carriages, through all or any of the Toll Gates or Turnpikes to be continued or erected by virtue of this Act, upon or on the Sides of the whole of the ſaid Road; and that One of ſuch Tolls ſhall be taken between the End of *Middleton Tyas Lane* aforeſaid, and the End of the Seventh Mile therefrom; and that the other of ſuch Tolls ſhall be taken between the End of the ſaid Seventh Mile and the Town of *Bowes* aforeſaid.

Truſtees may leſſen the Tolls,

and re-advance the ſame.

V. Provided always, and be it further enacted, That it ſhall and may be lawful to and for the ſaid Truſtees for the Time being, or any Seven or more of them, from Time to Time, whenever they ſhall deem it expedient, to leſſen and reduce the Tolls and Duties hereby granted and made payable; and again to advance the ſame to any Sum or Sums not exceeding the ſeveral Sums granted by this Act; ſo as every ſuch Reduction be made with the Conſent of the Perſon or Perſons entitled to Two Third Parts of the Principal Money then due on Security of the ſaid Tolls.

Carriages employed in His Majeſty's Ser-

VI. 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

vice, not subject to Regulations for Overweight.

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 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.

Exemptions from Toll.

VII. And be it further enacted, That all Exemptions from Toll, comprized in the said recited Acts or any of them shall cease; and in lieu thereof, the several Exemptions from Tolls herein-after 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, when going for, carrying or conveying, or returning empty after carrying or conveying Stones, 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 Materials for building or repairing any Houses or other Buildings within such Parishes, Townships, Districts or Places; or Hay, Corn in the Straw, or other Produce of Lands, not sold or disposed of, but for the Purpose of being laid up in the Houses, Out-houses, Barns, or Yards of the Owners thereof; or any Ploughs, Harrows, or other Implements of Husbandry to be used in the Cultivation of Lands; or any Lime, Dung, Compost or other Manure to be used or laid upon Lands, or going for, carrying or conveying, or returning empty after carrying or conveying, necessary Implements or Utensils, when employed in any such Manner as aforesaid; nor shall any Toll be demanded or taken for any Horses, Mares, Geldings, Mules, Asses, or Cattle, going to or returning from Work in cultivating the Lands within the same Parishes, Townships, Districts, or Places or any of them; nor for any Horses, Mares, Geldings, Mules, Asses, Cattle, Sheep, Lambs or Hogs, going to or returning from Pasture on the Commons or other grazing Grounds or Watering Places, or Blacksmiths Shops to be shod, or having been shod; 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 Places 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 shall any Toll be demanded or taken for any Horses or other Beasts of Draught, or Carriage, going to or returning from any Mill, with any Corn to be ground for the Use only of the Families to whom such Corn shall belong; 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

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 Knight or Knights of the Shire to ſerve in Parliament for the County of *York*, on the Day or Days of ſuch Election, or on the Day before or Day after ſuch Election ſhall begin and be concluded; 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 ſuch Perſon for every ſuch Offence ſhall forfeit and pay a Sum not exceeding Five Pounds.

Power for Bodies Corporate, &c. to ſell Lands.

VIII. And whereas by the ſaid Act made in the Seventeenth Year of the Reign of His late Majeſty King *George* the Second, Power is given to certain of the Truſtees therein named, to turn or alter the Way or Path of any Part of the ſaid Road, and to purchaſe or agree for any Lands or Grounds for that Purpoſe, in Manner therein mentioned; but no Power is given by any of the ſaid Acts to Corporations or Perſons under legal Diſabilities to ſell or convey any Lands or Tenements to the ſaid Truſtees; be it therefore enacted, That it ſhall be lawful for all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, and all Feoffees in Truſt, Executors, Adminiſtrators, Guardians, or other Truſtees whatſoever, for or on Behalf of any Infant, Femes Covert, *Ceſtuique* Truſts, and for all and every Perſon or Perſons whomſoever, who are or ſhall be ſeiſed, poſſeſſed of, or intereſted in any ſuch Lands or Tenements, either for their own Uſe and Benefit, or for the Uſe of or in Truſt for ſuch other Perſon or Perſons as aforeſaid, to ſell and convey to the ſaid Truſtees, or any Five or more of them, all or any of ſuch Lands and Tenements as Occaſion ſhall be or require; and all Sales and Conveyances which ſhall be ſo made ſhall, without any Fine or Fines, Common Recovery or Common Recoveries, be valid and effectual in the Law to all Intents and Purpoſes; any Law, Statute, Uſage, or any other Matter or Thing whatſoever, to the contrary notwithſtanding; and all the Lands which ſhall be ſo ſold and conveyed, ſhall from thenceforth be deemed a Common Highway and Part of the Road to be repaired under or by virtue of the ſaid recited Acts and this Act; and all ſuch Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Feoffees in Truſt, Executors,

Executors, Adminiſtrators, Guardians, and Truſtees, and all other Perſons, ſhall be and are hereby indemnified for what they ſhall do by virtue or in purſuance of this Act.

Application of Compenſation when amounting to 200l.

IX. 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 Acts and this Act, or any of them, 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 or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the 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 Land Tax, or the Diſcharge of any Debt or Debts, or ſuch other Incumbrances, 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.

X. 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 Corporate, 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

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 Five 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 where the Money is leſs than 20l.

XI. 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 Acts and this Act, or any of them, 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, her, 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.

XII. 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 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 Intereſt of the Perſon or Perſons making Claim thereunto, and to make ſuch other Order in the Premiſes as to the ſaid Court ſhall ſeem juſt and reaſonable; and the Caſhier or Caſhiers of the Bank of *England*, who ſhall receive ſuch Sum or Sums

of

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.

XIII. 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, ſo 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.

XIV. 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 for 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.

Materials not to be taken from incloſed Grounds without an Order from Two Juſtices

XV. Provided always nevertheleſs, and be it further enacted, That it ſhall not be lawful for any Perſon or Perſons under the Authority of the ſaid recited Acts and this Act, or any of them, to dig, gather, take, and carry away any Materials for repairing and amending the ſaid Road, in or from any incloſed or private Grounds or Quarries, without the Conſent of the Owners and Occupiers of ſuch Grounds or Quarries, until after Ten Days previous Notice in Writing, ſigned by the ſaid Surveyor or ſome other Officer of the ſaid Truſtees, ſhall have been given to the reſpective Owners or Occupiers of the Lands or Grounds from which ſuch Materials are intended to be taken, or left at the uſual Place of Reſidence of ſuch Owners or Occupiers reſpectively, requiring them to appear before Two or more Juſtices of the Peace acting for the County, Riding, or Diſtrict wherein the ſaid Lands are ſituate, at a certain Time and Place, to be ſpe-

cified in such Notice, to shew cause why such Materials should not be taken away; and such Justices, after hearing the Parties concerned, shall, if they think proper, authorize such Surveyor or other Officer to dig, gather, take and carry away any such Materials at such Time or Times, and in such Manner, as to such Justices shall seem proper; or if such respective Owners or Occupiers shall not by themselves or their respective Agents attend pursuant to such Notice, such Justices may make such Order therein, as they shall think fit, in the same Manner as if such respective Owners or Occupiers had attended pursuant to such Notice.

Regulations as to Performance of Statute Duty.

XVI. And be it further enacted, That so much of the said recited Acts as relates to the Performance of Statute Labour on the said Road, 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 comprized in the said recited Acts, or any Part thereof, shall still remain liable thereto; and it shall be lawful for any Two or more Justices of the Peace within their respective Jurisdictions, and they are hereby empowered and required, 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 Compensation for such Statute Work as aforesaid, shall be by him, her, or them paid to the said Trustees or their Treasurer or Treasurers; and in order thereunto, it shall be lawful to and 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 Fourteen 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 or 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 to be 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 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 the 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 Acts or any of them 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 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 Roads, 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 wilfully give in falſe or imperfect Liſts, every ſuch Surveyor ſo offending ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Ten Pounds.

Recovery and Application of Penalties under this Act.

XVII. And be it further enacted and declared, That all Penalties, Forfeitures, and Fines, by this Act impoſed or authorized to be impoſed, ſhall be recovered and applied in ſuch Manner as any Penalties, Forfeitures, or Fines are by the ſaid recited Acts directed to be recovered and applied.

Expences of obtaining and paſſing this Act.

XVIII. And be it further enacted, That the Coſts, Charges, and Expences incident to and attending the preparing, obtaining, and paſſing of 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 the ſaid recited Acts, or out of the firſt Money to be raiſed by virtue of this Act, in preference to all Payments whatſoever.

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.

XX. And be it further enacted, That this Act ſhall commence upon the Day the ſame ſhall receive the Royal Aſſent, 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.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's moſt Excellent Majeſty. 1814.