ANNO QUINQUAGESIMO SEPTIMO

GEORGII III. REGIS.

Cap. xxvii.

An Act for more effectually improving the Road from *Richmond*, in the County of *York*, to *Lancaſter*, in the County of *Lancaſter*, and the Road from *Richmond* to *Lucy Croſs*, and from *Gilling* to the Turnpike Road on *Gatherley Moor*, in the County of *York*. [23d *May* 1817.]

WHEREAS an Act was paſſed in the Twenty-fourth Year of the Reign of His late Majeſty King *George* the Second, intituled *An Act for repairing the Road leading from the Eaſt End of* Brumpton High Lane, *in the County of* York, *to the Town of* Richmond, *and from thence to and through the Towns of* Aſkrigge *and* Ingleton, *in the ſaid County, to the Town of* Lancaſter, *in the County of* Lancaſter: And whereas another Act was paſſed in the Twenty-ninth Year of the Reign of His ſaid late Majeſty, intituled *An Act for explaining, and making more effectual an Act paſſed in the Twenty-fourth Year of the Reign of His preſent Majeſty, for repairing the Road leading from the Eaſt End of* Brumpton High Lane, *in the County of* York, *to the Town of* Richmond, *and from thence to and through the Towns of* Aſkrigge *and* Ingleton, *in the ſaid County, to the Town of* Lancaſter, *in the County of* Lancaſter; *and alſo for repairing the Road leading from* Richmond *aforeſaid, through* Gilling, Melſonby, *and* Aldborough, *to* Lucy, *otherwiſe* Louſy Croſs; *and from* Gilling, *through* Gilling Town Lane, *to the Turnpike Road on* Gatherley Moor: And

24 G. 2. c. 17.

29 G. 2. c. 91. and

35G.3.c.157. recited.

whereas another Act was paſſed in the Thirty-fifth Year of the Reign of His preſent Majeſty, intituled *An Act for continuing the Term, and varying and altering the Powers of Two Acts paſſed in the Twenty-fourth and Twenty-ninth Years of the Reign of His late Majeſty King* George *the Second, for repairing the Road leading from the Eaſt End of* Brumpton High Lane, *to the Town of* Richmond, *and from thence to the Town of* Lancaſter; *and for repairing the Road leading from* Richmond, *through* Gilling, Melſonby, *and* Aldborough, *to* Lucy, *otherwiſe* Louſy Croſs; *and from* Gilling, *through* Gilling Town Lane, *to the Turnpike Road on* Gatherley Moor; *and for turning and diverting the ſaid Road from the Eaſt End of the Town of* Bainbridge, *to and through the Town of* Hawes, *and up the Vale of* Widdel, *to* Gearſtones *otherwiſe* Greyſtones, *and for making, widening, and keeping in Repair that Part of the ſaid Road; and for diſcharging the Truſtees from the Reparation of that Part of the ſaid Road which extends from the Eaſt End of the Town of* Bainbridge, *over the Mountain* Camm, *to* Greenſide Gate, *and from thence to* Gearſtones *otherwiſe* Greyſtones, *and alſo from the Reparation of that Part of the ſaid Roads which lies between the Eaſt End of* Brumpton High Lane *and the Town of* Richmond *aforeſaid:* And whereas the Truſtees appointed to put the ſaid Acts into Execution have, in purſuance of the Powers given them by the ſaid Acts, borrowed conſiderable Sums of Money on the Credit of the Tolls ariſing on the ſaid Roads, which ſtill remain due and owing, and cannot be repaid, and the ſaid Roads cannot be completely improved, repaired, maintained, and kept in Repair, unleſs the ſaid Acts (except as herein-after mentioned) are repealed, and further and other Powers given for thoſe Purpoſes, and the Tolls 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,

Recited Acts repealed.

That all the Tolls, Powers, Penalties, Forfeitures, Puniſhments, Exemptions, Clauſes, Proviſions, Matters, and Things contained in the ſaid ſeveral herein-before recited or mentioned Acts of Parliament and each and every of them (except ſuch Parts as are by the preſent Act expreſsly continued as herein-after mentioned) ſhall, from and after the Firſt Day of *June* One thouſand eight hundred and ſeventeen, be and the ſame are hereby repealed; and that thenceforth the ſeveral Tolls, Powers, Penalties, Forfeitures, Puniſhments, Exemptions, Clauſes, Proviſions, Matters and Things in this preſent Act contained, ſhall be levied, collected, received, impoſed, and put in Execution, and ſhall continue in force during the Term herein-after mentioned, for the Purpoſe of improving, repairing, and keeping in repair the preſent Turnpike Road leading from the ſaid Town of *Richmond*, in the County of *York*, to and through the Pariſhes, Townſhips, Towns, Villages, Hamlets, or Places of *Sleegill*, *Hipſwell*, *Hudſwell*, *Walburn*, *Bellerby*, *Leyburn*, *Preſton*, *Redmire*, *Eaſt Bolton*, *Carperby*, *Aſkrigge*, *Low Abbotſide*, *Bainbridge*, *Hawes*, *Widale*, *Gearſtones* otherwiſe *Greyſtones*, *Ingleton*, *Thornton-in-Lonſdale*, *Burton-in-Lonſdale*, *Cantsfield*, *Wrayton*, *Melling*, *Hornby*, *Claughton*, *Caton*, *Quernmore*, and *Bulk*, to the Town of *Lancaſter*, in the County Palatine of *Lancaſter*; and alſo the ſaid Turnpike Road leading from *Richmond* aforeſaid, through *Gilling*, *Melſonby*, and *Aldborough*, to *Lucy Croſs*; and from *Gilling*, through *Gilling Town Lane*, to the Turnpike Road on *Gatherley Moor*, all in the County of *York*.

For discharging Trustees from the Care of certain Parts of the Road.

II. Provided always, and be it further enacted, That the Trustees for the Care of the said Roads shall at all Times hereafter be exonerated and discharged from the Reparation, Care, and Management of that Road or Way, (which heretofore formed Part of the said Road from *Richmond* aforesaid to *Lancaster* aforesaid) extending from the East End of the Town of *Bainbridge* aforesaid, over the Mountain *Camm* to *Greenside Gate*, and from thence to *Gearstones* otherwise *Greystones* aforesaid; and also from the Reparation, Care, and Management of such other Roads or Ways, and Parts of Roads or Ways as were formerly Parts of the Roads intended to be repaired and improved by the said recited Acts passed in the Twenty-fourth and Twenty-ninth Years of the Reign of His said late Majesty King *George* the Second, and in the Thirty-fifth Year of the Reign of His present Majesty, but which do not now constitute or form Part of the said Turnpike Roads from *Richmond* aforesaid to *Lancaster* aforesaid, and from *Richmond* aforesaid, through *Gilling*, *Melsonby*, and *Aldborough*, to *Lucy Cross* aforesaid, and from *Gilling*, through *Gilling Town Lane*, to the Turnpike Road on *Gatherley Moor* aforesaid, by reason or on account of any Deviation, Diversion, or Alteration of or in the said Districts of Road, or any of them, or any Part thereof.

Debts contracted under former Acts secured by this Act.

III. And be it further enacted, That all and every Sum and Sums of Money which, on the Day appointed for the Commencement of this Act, shall be due and owing on the Credit of the said former Acts, or any of them, or on the Security of the Tolls thereby respectively granted, together with the Interest due thereon, shall stand and be charged and chargeable on the Term and Tolls by this Act granted, within the several Districts or Parts of the said Roads on which the same were or are respectively charged and chargeable at the Time of the passing of this Act, and may be recovered in like Manner as if the same had been lent or contracted on the Credit of this Act, or secured on the Tolls hereby granted; and that all and every Person and Persons owing any Sum or Sums of Money to the Trustees for executing the said former Acts, or their Clerks or Treasurers, shall be liable to the Payment thereof to the said Trustees, or their Clerks or Treasurers, and to the Trustees for executing this Act, or their Clerks or Treasurers; and all Bonds, Covenants, Agreements, Contracts, Leases, and Securities entered into by any Person or Persons to or with the Trustees, or their or any of their Clerks or Treasurers, for executing the said former Acts, or for the Payment of any Rent or Rents for Gates and Tolls, or on any other Account, shall remain in full Force and Effect, and shall be and continue available in all Courts of Law and Equity, until the same are fully satisfied and performed on account of and for the Benefit of the Trust under this Act.

Persons owing Money to continue liable; and all Bonds, Contracts, &c. to remain in full Force.

Districts of the Road described.

IV. And be it further enacted, That such Part of the said present Turnpike Road leading from *Richmond* aforesaid to *Lancaster* aforesaid, as lies between the South End of *Richmond Bridge* and a certain Place called *Widale Foot*, in the Parish of *Aisgarth*, in the North Riding of the said County of *York*, where a certain Boundary Stone is now placed and set, shall from henceforth be and be called the Eastern District or Division of the said Road; and that such Part of the said Road as lies between *Widale Foot* aforesaid and the said Town of *Lancaster*, shall from henceforth be and be called the Western District or Division of the said Road; and that the said Road from *Richmond* aforesaid, through *Gilling*, *Melsonby*, and

and *Aldborough*, to *Lucy Croſs*, and from *Gilling*, through *Gilling Town Lane*, to the Turnpike Road on *Gatherley Moor*, ſhall from henceforth be and be called the *Gilling* Diſtrict or Diviſion of the ſaid Road.

Truſtees for Eaſtern Diſtrict of Richmond and Lancaſter Road.

V. And be it further enacted, That ſuch of the ſeveral Perſons named and appointed Truſtees by the ſaid recited Acts, or any of them, as are now living and duly qualified within the Intent and Meaning of this preſent Act, and alſo the Honourable *Thomas Orde Powlett*, *Leonard Allen*, *William Alderſon*, *William John Anderſon*, *Oſwald Allen*, *Edward Allen*, *John Harriſon Allen*, *Richard Alderſon*, *Chriſtopher Alderſon Alderſon*, *John Beezon Baines*, *John Breare*, *William Chaytor*, *William Chaytor* the younger, *Matthew William Chaytor*, *John Clervaux Chaytor*, *Foſter Coore*, *John Clarkſon*, the Reverend *Jacob Coſtobadie* Clerk, *John Chapman*, *John Conſtantine*, *Chriſtopher Clarkſon*, *James Coulton*, *Chriſtopher Coulton*, *Jeremiah Coulton*, *William Dawes*, *James Dawes*, *Thomas Errington*, *James Ewbart*, *William Fothergill*, *John Hutton*, *Timothy Hutton*, *James Henry D'Arcy Hutton*, *John Harland*, *John Hammond*, *James Heſeltine*, *James Hodgson*, *John Horner Gilderſbeck*, *James King*, *Edward Lamb*, *Joſeph Lodge*, *George Metcalfe*, *John Metcalfe*, the Reverend *James Wood Metcalfe*, *James Metcalfe*, *John Metcalfe* of *Worton*, *John Mangle*, *Chriſtopher Maſon*, *Thomas Other*, *Thomas Place*, the Right Honourable *Frederic John Robinſon*, *Ralph Robinſon*, *Thomas Routh*, *John Robinſon*, *Chriſtopher Routh*, *Turner Straubenzee*, *Simon Thomas Scroope*, *Simon Thomas Scroope* the younger, *Chriſtopher Scott*, *William Thompſon*, *James Thwaite* of *Counterſide*, *James Thwaite* of *Bainbridge*, *John Thompſon*, *Edward Tenant*, *John Tomlinſon*, *Richard Thiſtlethwaite*, *William Terry* of *Carperby*, *Chriſtopher Topham* the younger, the Reverend *Jeffry Wood* Clerk, *Ottiwell Wood*, *John Rider Wood*, *James Willis*, *John Walter*, *Thomas Willan*, *John Whalley* of *Buſterſell*, the Reverend *James Whaley* of *Gayle*, *Woodcock Winſtanley*, *George Winn*, and their Succeſſors, to be elected in Manner herein-after mentioned, ſhall be and they are hereby appointed Truſtees for putting this Act into Execution within the ſaid Eaſtern Diſtrict or Diviſion of the ſaid Road, leading from *Richmond* aforeſaid to *Lancaſter* aforeſaid.

Truſtees for Weſtern Diſtrict.

VI. And be it enacted, That ſuch of the ſeveral Perſons named and appointed Truſtees by the ſaid recited Acts, or any of them, or who have been elected and appointed under the Authority of the ſaid Acts, or any of them, as are now living and duly qualified within the Intent and Meaning of this preſent Act, and alſo *Richard Atkinſon*, *Richard Atkinſon* the younger, *Thomas Albright*, *John Armſtrong*, *John Armſtrong* the younger, the Reverend *Thomas Armitſtead*, *John Baldwin*, the Reverend *Thomas Butler*, Rector of *Bentham*, the Reverend *Thomas Butler* of *The Ridding*, *John Bradſhaw*, *William Bradſhaw*, *Robert Bradſhaw*, *John Brockbank* the elder, *John Brockbank* the younger, *John Bond*, *James Booth*, *Joſiah Baxendale*, *William Birkbeck*, *Benjamin Birkbeck*, *William Gilliſon Bell*, *William Gilliſon Bell* the younger, *Thomas Burrow*, *Edward Burrow*, *George Burrow*, the Reverend *Edward Blackburn*, *Thomas Bowes*, *Giles Bleaſdale*, *Robert Burrow* of *Wrayton*, *Thomas Buttle*, *John Fenton Cawthorne*, *David Campbell* M. D., *Iſaac Capſtick*, *Thomas Croft* the younger, *Thomas Craven*, *Roger Carus*, *William Carus*, *James Carter*, *James Croft*, *Thomas Gardner Crosfield*, *Richard Crumbleholme*, *Thomas Clarkſon*, *John Dent*, *Edward Dawſon*, *John Dalton*, *John Dalton* the younger, *John Dilworth*, *John Dodſon*, *Joſeph Dockray*, *John Dowbiggin*, *Richard Dobſon*, *Thomas*

Thomas Edmondſon, Anthony Eidsforth, Richard Edmondſon, John Edmondſon, the Reverend *James Fenton, John Ford, John Ford* the younger, the Reverend *Thomas Hammond Foxcroft, James William Farrer, Oliver Farrer, Henry Faithwaite, Thomas Fenwick, Charles Gibſon, Charles Gibſon* the younger, *Thomas Greene,* the Reverend *John Gathorne, Robert Gillow, Thomas Giles, Samuel Gregson,* the Reverend *Robert Hodgson Greenwood, Joſeph Gibſon, William Gibſon, James Harriſon, James Harriſon* the younger, *Robert Heſketh, Richard Etherington, John Higgin, John Higgin* the younger, *Thomas Houſman Higgin, Iſaac Hodgson, William Houſman, William Hinde, Joſhua Hinde, Edmund Hornby, John Heaton, William Hall,* the Reverend *Robert Houſman, Richard Johnſon, Robert Inman, Thomas Inman, James Lodge, Edmund Foxcroft Lodge,* the Reverend *Anthony Liſter, Robert Lawſon, John Marſden, David Murray, John Murray, John Moore,* the Reverend *John Manby, Stephen Moore, Thomas Maſon, Richard Toulmin North, John Peart,* the Reverend *Robert Proctor, Thomas Parkinſon, John Park, John Parr,* the Reverend *Thomas Pooley, Charles Parker, John Proctor* the younger of *Bolton, Edmund Proctor, Robert Parkinſon,* the Reverend *Thomas Poſtlethwaite,* the Reverend *John Parker, Reginald Remington, Henry Remington, John Rigby* D.D., *Hornby Roughſedge, William Robinſon, Edward Rawlinſon* of *Biggins, Benjamin Satterthwaite, Thomas Satterthwaite, John Stout, William Sharp, John Sanderſon, Thomas Walling Saliſbury, Thomas Smith,* the Reverend *James Stainbank, Adam Thornborrow, Edmund Thornton,* the Reverend *John Tatham,* Vicar of *Melling, Edmund Tatham, Edward Tatham* of *Hipping Hall, Edward Tatham* Solicitor, *Richard Trotter Tatham, William Thompſon, John Tatham* of *Lowfields, William Turner, Jackſon Turner, Edward Tomlinſon, Anthony Tomlinſon, William Townſon, William Wilſon Carus Wilſon,* the Reverend *William Carus Wilſon, George Wright, John Marſden Wright, Robert Waddington, Richard Worſwick, Thomas Worſwick, George Wildman, Robert Henry Welch, John Welch,* the Reverend *Henry White,* the Reverend *William Waller, Henry Walmſley, John Webſter, Richard Willis, Richard Willock, John Whalley, John Edward Willan,* and their Succeſſors, to be elected as herein-after mentioned; and the Mayor, Recorder, and Aldermen of the Borough of *Lancaſter* aforeſaid for the Time being, and their Succeſſors, ſhall be and they are hereby appointed Truſtees for putting this Act into Execution within the ſaid Weſtern Diſtrict or Diviſion of the ſaid Road, leading from *Richmond* aforeſaid to *Lancaſter* aforeſaid.

Truſtees for Gilling Diſtrict.

VII. And be it further enacted, That the Honourable *Lawrence Dundas, Thomas l'Anſon,* the Reverend *Richard Moſeley Atkinſon,* the Reverend *John Atkinſon, Samuel Barrett Moulton Barrett,* the Reverend *John Barmby,* the Reverend *George Burrard, Sheldon Cradock, Chriſtopher Clarkſon, Thomas Lawrence Dundas,* the Reverend *James Dalton,* the Reverend *Chriſtopher Goodwill, D'Arcy Hutton, George Hartley, Francis Hartley, Anthony Hammond,* the Reverend *John Headlam, Robert Jacques, Henry Percy Pulleine,* the Reverend *Caleb Readſhaw,* the Reverend *James Robinſon, Thomas Stapleton, Leonard Raper Spenceley, Thomas Simpſon,* the Reverend *James Tate, John Wharton, Thomas Wycliffe, George Wilſon,* Lieutenant General *James Wharton, Henry Witham,* the Reverend *James Wharton, John York,* and their Succeſſors, to be elected in Manner hereinafter mentioned; and the Mayor, Recorder, and Aldermen of the Borough of *Richmond* aforeſaid for the Time being,

and their Succeſſors, ſhall and they are hereby appointed Truſtees for putting this Act into Execution within the ſaid Diſtrict of Road leading from *Richmond* aforeſaid, through *Gilling*, *Melſonby*, and *Aldborough*, to *Lucy Croſs* aforeſaid, and from *Gilling*, through *Gilling Town Lane*, to the Turnpike Road on *Gatherley Moor* aforeſaid.

Additional Number of Truſtees may be elected.

VIII. Provided always, and be it further enacted, That it ſhall be lawful to and for the ſaid Truſtees, or any Seven or more of them, for each of the ſaid Diſtricts of Road, and they are hereby reſpectively empowered, at any public Meeting to be held in purſuance of this Act, to elect any Number of additional Truſtees for the Purpoſes of this Act, for each of the ſaid Diſtricts reſpectively, not exceeding Ten in the whole for each of the ſaid Diſtricts, who, being duly qualified, ſhall have the ſame Power and Authority for executing this Act and the Powers hereby given, as if they had been hereby ſeverally nominated and appointed.

Power to appoint new Truſtees.

IX. And be it further enacted, That when and as often as any of the reſpective Truſtees hereby nominated and appointed for the ſaid ſeveral Diſtricts of Road, or who ſhall be elected and appointed in the Manner herein-after mentioned, ſhall die, or become Bankrupt or Inſolvent, or by Writing under their reſpective Hands decline or refuſe to act in the Execution of this Act, it ſhall be lawful for the ſurviving or remaining Truſtees for ſuch Diſtricts of the ſaid Roads reſpectively, and they or any Five or more of them are hereby authorized and empowered, from Time to Time, at any Meeting to be holden in purſuance of this Act, by Writing under their reſpective Hands, to elect and appoint ſome fit Perſon to be a Truſtee in the Room of every or any Truſtee ſo dying, becoming Bankrupt or Inſolvent, or declining or refuſing to act as aforeſaid, Ten Days previous Notice of the Time and Place of Meeting of the ſaid reſpective Truſtees for the ſaid reſpective Diſtricts of Road, for every ſuch Election, being given by the Clerk or Treaſurer herein-after directed to be appointed, by inſerting the ſame in ſome Newſpaper printed or generally circulated in the Parts adjoining to that Diſtrict of the ſaid Roads to which ſuch Election ſhall relate; and every Perſon who ſhall be elected and appointed a Truſtee purſuant to the Directions of this Act ſhall and may act with the ſurviving and remaining Truſtees for ſuch Diſtrict of the ſaid Roads, in the Execution of this Act, to all Intents and Purpoſes as if he had been named and appointed a Truſtee in and by this Act.

Qualification of Truſtees.

X. Provided always, and be it further enacted, That no Perſon ſhall be capable of acting as a Truſtee in the Execution of this Act unleſs he ſhall be in his own Right, or in the Right of his Wife, ſeiſed of or entitled to Meſſuages, Lands, or Hereditaments, for ſome Eſtate for Life, or of Inheritance in Poſſeſſion, of the clear yearly Value of One hundred Pounds above Reprizes, or ſhall be the Heir Apparent of ſome Perſon or Perſons ſeiſed of or entitled to Meſſuages, Lands, or Hereditaments of Inheritance, of the clear yearly Value of Six hundred Pounds above Reprizes, or ſhall be poſſeſſed of a Perſonal Eſtate alone, or a Real and Perſonal Eſtate together, of the Amount or Value of Two thouſand Pounds above what will be ſufficient to pay all his Debts; and if any Perſon not being ſo qualified ſhall preſume to act as a Truſtee in the Execution of this Act, every Perſon ſo offending ſhall forfeit and pay the Sum of One hundred Pounds to any Perſon or Perſons who ſhall ſue for the ſame, to be recovered in any of His Majeſty's Courts of Record at *Weſtminſter*, by Action of Debt or on the

Caſe, or by Bill, Suit, or Information, wherein no Eſſoign, Protection, or Wager of Law, or more than One Imparlance, ſhall be allowed; and every Perſon ſo proſecuted ſhall prove that he is qualified as aforeſaid, or otherwiſe ſhall pay the ſaid Penalty, on Proof being given of his having acted as a Truſtee in the Execution of this Act: Provided always, that all the Acts and Proceedings of any Perſon as a Truſtee in the Execution of this Act, previous to his being convicted of the ſaid Offence, ſhall be as valid and effectual as if ſuch Perſon had been duly qualified according to the Directions of this Act.

The Acts of unqualified Perſons, previous to Conviction, ſhall be valid.

XI. Provided alſo, That every Truſtee, before he ſhall act as ſuch (except in adminiſtering the following Oath), ſhall take an Oath before Two or more of the ſaid Truſtees (who are hereby empowered to adminiſter the ſame), in the Form following; that is to ſay,

Truſtees to take the following Oath.

'I [*inſert the Name of the Perſon taking the Oath*] do ſwear, [*or, being One of the People called Quakers*, do ſolemnly, ſincerely, and truly declare and affirm] that I am truly and *bonâ fide* in my own Right [*or* in the Right of my Wife, *as the Caſe may be*] ſeiſed of or entitled to Meſſuages, Lands, or Hereditaments, for ſome Eſtate for Life, or of Inheritance in Poſſeſſion, of the clear yearly Value of One hundred Pounds above Reprizes. [*And in caſe of an Heir Apparent,*] I [*inſert the Name of the Perſon taking the Oath*] do ſwear [*or, being One of the Perſons called Quakers*, do ſolemnly, ſincerely, and truly declare and affirm] that I am Heir Apparent to [*inſert the Name of the Perſon*], who, to the beſt of my Knowledge and Belief, is truly and *bonâ fide* ſeiſed of or entitled to Meſſuages, Lands, or Hereditaments of Inheritance, of the clear yearly Value of Six hundred Pounds above Reprizes. [*And in caſe of a Perſonal Eſtate alone, or Real and Perſonal Eſtate together,*] I [*inſert the Name of the Perſon taking the Oath*] do ſwear [*or, being One of the Perſons called Quakers*, do ſolemnly, ſincerely, and truly declare and affirm], that I am truly and *bonâ fide* poſſeſſed of a Perſonal Eſtate [*or*, of a Real and Perſonal Eſtate together, *as the Caſe may be*] of the Amount or Value of Two thouſand Pounds above what will be ſufficient to pay all my Debts; [*and in all Caſes the Oath or Affirmation ſhall conclude as follows*], and that I will truly and impartially, according to the beſt of my Judgment, execute and perform the ſeveral Powers, Authorities, and Truſts repoſed in me as a Truſtee, by virtue of an Act paſſed in the Fifty-ſeventh Year of the Reign of King *George* the Third, intituled [*here ſet forth the Title of this Act.*] So help me GOD.'

Except that in caſe of any of the People called *Quakers*, the Words 'So help me God,' are to be omitted.

XII. And be it further enacted, That the Election and Appointment of new Truſtees, and all other Orders, Acts, Proceedings, Matters, and Things, relative to the Execution of this Act, or any Power or Authority hereby granted, may be made, had, done, and executed by any Five or more of the ſaid reſpective Truſtees hereby nominated and appointed, or who ſhall hereafter be elected and appointed as aforeſaid, within the ſaid reſpective Diſtricts of Road, except only in the Caſes hereby particularly directed or authorized to be done or executed by any greater or leſs Number of Truſtees.

All Acts may be done by Five Truſtees, unleſs otherwiſe directed.

XIII. And

First and subsequent Meetings of Trustees for Eastern District, and for the Gilling District.

XIII. And be it further enacted, That the said Trustees for the said Eastern District of the said Road leading from *Richmond* aforesaid to *Lancaster* aforesaid, shall meet at the *Bolton Arms*, in the Town of *Leyburn*, in the North Riding of the said County of *York*, on the Day of the Commencement of this Act, or as soon after as conveniently may be; and that the Trustees for the said Road leading from *Richmond* aforesaid through *Gilling* to *Lucy Cross*, and from *Gilling* through *Gilling Town Lane* to the Turnpike Road on *Gatherley Moor*, called *The Gilling District*, shall meet at the Town Hall in *Richmond* aforesaid on the Day of the Commencement of this Act, or as soon after as conveniently may be, and shall then proceed to carry this Act into Execution; and that the said respective Trustees for the said several Districts of Road, or any Five or more of them, shall then and from Time to Time afterwards adjourn themselves to meet at the same Places, or at such other Place or Places near some Part of the said respective Districts of Road, and at such Times as they shall respectively from Time to Time order and direct (provided that no Adjournment shall be made for a longer Time than Three Calendar Months); and if at any Meeting appointed to be holden by virtue of this Act there shall not appear a sufficient Number of Trustees for each of the said Districts of Road to act, or to adjourn to another Day; or in case the Trustees for the said several Districts of Road respectively, at any Meeting assembled, shall not adjourn themselves, the Clerk of the said respective Districts of Road for the Time being shall from Time to Time, as often as such Case shall happen, by Notice to be advertised in some Newspaper printed near to or generally circulated within such of the said Districts of the said Roads where such Default shall be, at least Ten Days before the next intended Meeting, appoint the Trustees to meet at the Place where the last Meeting was appointed to have been holden, or at any other Place near any Part of the said Districts of Road on the Day Three Weeks after the Day on which such last Meeting was appointed to be held.

First and subsequent Meetings of Trustees for Western District.

XIV. And be it further enacted, That the said Trustees for the said Western District of the said Road, leading from *Richmond* aforesaid to *Lancaster* aforesaid, shall meet at the *Castle Inn* in *Hornby*, in the said County Palatine of *Lancaster*, (and in case the said *Castle Inn* should not be open, then at some other Inn or Public House at *Hornby* aforesaid), on the Day of the Commencement of this Act, or as soon afterwards as conveniently may be, for the Purpose of qualifying themselves to proceed in the Execution of this Act, and shall then adjourn themselves to meet at *Hornby* aforesaid, to proceed in the Qualification of such of the said Trustees who shall not previously have qualified, and to proceed to carry this Act into Execution, at such Time as they shall respectively from Time to Time order and direct: Provided always, that no Adjournment shall be made for a longer Time than Three Calendar Months, and that all subsequent Meetings for the said Western District shall be holden at *Hornby* aforesaid: Provided also, that the Trustees acting for the said Western District for the Time being shall and do adjourn to and hold Four Meetings for the general Purposes of this Act yearly and every Year during the Continuance of the Term herein-after granted, at the *Castle Inn*, or some other Inn or Public House in *Hornby* aforesaid, on the several Days herein-after mentioned; that is to say, on the First *Tuesday* in the Month of *January*, the First *Tuesday* in the Month of *April*, the First *Tuesday* in the Month of *July*, and the First *Tuesday* in the

the

the Month of *October*; and if at any Meeting so appointed to be holden, there shall not appear a sufficient Number of Trustees for the said Western District to act or to adjourn to another Day, or in case the Trustees for the same District, at any Meeting assembled, shall not adjourn themselves, the Clerk to the Trustees of the same District for the Time being, shall from Time to Time, as often as such Case shall happen, by Notice to be advertised in some Newspaper printed near to or generally circulated within the said Western District, at least Ten Days before the next intended Meeting, appoint and convene the Trustees to meet at *Hornby* aforesaid on the Day Three Weeks after the Day on which such last Meeting was appointed to be held: Provided also, that in case there shall be no regular Adjournment or Appointment of or by the said Trustees or their Clerk, for the holding of the said Meetings herein-before directed to be held at *Hornby* aforesaid on the First *Tuesday* in the said Months of *January*, *April*, *July*, and *October* respectively as aforesaid, yet nevertheless the said Trustees, acting for the said Western District for the Time being shall and may hold the said several Meetings respectively.

Meetings on Emergencies.

XV. Provided always, and be it further enacted, That if, after any Adjournment of the said respective Trustees for the said several Districts of Road, or any of them, it shall, on any Emergency, be thought necessary that an earlier Day of Meeting should be appointed than the Day to which the respective Meetings shall be adjourned, in that Case the Clerk to the Trustees of the said respective Districts of Road, being authorized by an Order in Writing signed by any Three or more of the said respective Trustees (although not assembled at a Meeting), mentioning the Time, Place, and Purpose of such Meeting, shall forthwith give Notice thereof in some Newspaper in the Manner herein-before respectively directed, and of the Time, Place, and Purpose mentioned in such Order (such Time not being less than Ten Days after such Notice), and such earlier Meeting shall and may be held accordingly; but nevertheless all such last-mentioned Meetings for the Eastern District of the said Roads shall be held at *Hawes* aforesaid, and all such last-mentioned Meetings for the Western District of the said Roads shall be held at *Hornby* aforesaid.

A General Yearly Meeting to be had.

XVI. And for the greater Satisfaction of all the said Trustees appointed or who may be appointed to put this Act into Execution, so far as relates to the said Two Districts of the said Road leading from *Richmond* aforesaid to *Lancaster* aforesaid; be it further enacted, That the said Trustees acting for both of the said Two separate Districts of the said last-mentioned Road, or any Five or more of them, shall and may yearly, and every Year, during the Continuance of this Act, hold one General Yearly Meeting, on the Third *Wednesday* in the Month of *July*, at *Ingleton* and *Hawes* aforesaid alternately, the First of such Meetings to be held at *Ingleton*; when all the Books and Accounts of the respective Clerk or Clerks, Treasurer or Treasurers, Surveyor or Surveyors, or other Officer or Officers acting in both the said Two separate Districts or Divisions of the said last-mentioned Road, shall be produced, inspected, and examined, in order to see the State and Situation of the Funds of each of the said Two last-mentioned Districts of Road; at all which Meetings whatsoever hereby authorized to be held the said respective Trustees shall pay and defray their own Expences.

Trustees to pay their own Expences

Accounts of Treaſurers under former Acts to be paſſed at the Firſt or Second Meeting, and brought to a new Account.

XVII. And be it further enacted, That at the Firſt or Second Meeting of the ſaid Truſtees for carrying this Act into Execution within the ſaid ſeveral Diſtricts of Road, or as ſoon after as conveniently may be, the Accounts of the Treaſurer or Treaſurers for the ſaid ſeveral Diſtricts of Road ſhall be produced to and examined and ſettled by the Truſtees for the ſaid ſeveral and reſpective Diſtricts, and the Balance of each Account ſhall be carried over to a new Account with the Truſtees acting in the Execution of this Act for the reſpective Diſtricts, who ſhall make ſuch Orders for the Diſpoſal of any Money that may appear to be in the Hands of ſuch Treaſurers reſpectively, agreeably to the true Intent and Meaning of this Act, or for reimburſing him or them, out of the Monies hereby authorized to be raiſed, any Money that may appear to be due to him or them, with lawful Intereſt during the Forbearance thereof, as they the ſaid Truſtees may think proper.

Truſtees to elect a Chairman at their Meetings.

XVIII. And be it further enacted, That whenever the ſaid Truſtees ſhall aſſemble to hold any Meeting under or in purſuance of this Act, (except the firſt Meetings hereby directed to be held for putting this Act into Execution, and the Qualification of Truſtees for the ſaid ſeveral Diſtricts of Road as aforeſaid) they ſhall, before they proceed to any other Buſineſs, elect, by a Majority of Voices of the Truſtees then preſent, one of the Truſtees then and there attending, to be and act as the Chairman of and for ſuch Meeting, and who ſhall preſide at and during ſuch Meeting accordingly.

How Orders of Truſtees are to be made and revoked.

XIX. And be it further enacted, That it ſhall be lawful for the ſaid reſpective Truſtees, or the Majority of them preſent at any Meeting which ſhall be held in purſuance of this Act, from Time to Time to make all neceſſary Orders, Directions, Appointments, Agreements, and Determinations, in the Execution of this Act; but no ſuch Order, Direction, Appointment, Agreement, or Determination ſhall be made, unleſs the Number of Truſtees by this Act reſpectively authorized to make the ſame ſhall be preſent, and the Majority of the Truſtees preſent ſhall concur therein; and no ſuch Order, Direction, Appointment, Agreement, or Determination ſhall be revoked or altered at any ſubſequent Meeting, unleſs Seven Truſtees at leaſt ſhall be preſent, and the Majority of them ſhall concur therein: Provided always, that in caſe of an Equality of Votes on any Queſtion, the Chairman ſhall have the caſting Vote, although he may have voted before on ſuch Queſtion: Provided alſo, that no Truſtee ſhall be capable of acting as ſuch during the Time he ſhall hold any Place of Profit or Employment, or be concerned or intereſted in any Contract or Contracts, or be a Leſſee or Farmer of the Tolls under this Act, nor in any Caſe where he is or ſhall be perſonally intereſted.

Truſtees not to hold any Place of Profit.

Truſtees in the Commiſſion of the Peace may act as Juſtices.

XX. And be it further enacted, That ſuch of the reſpective Truſtees for the Time being as are or ſhall be in the Commiſſion of the Peace for the ſaid Counties of *York* and *Lancaſter*, or either of them, ſhall or may act within their reſpective Diſtricts and Juriſdictions as Juſtices of the Peace in the Execution of this Act, notwithſtanding ſuch Juſtices being Truſtees as aforeſaid; and that any Mortgagee, or any Aſſignee of any Mortgage or other Security, or any Lender of Money upon the Credit of any of the Tolls granted by this Act, or receiving Intereſt for the ſame, ſhall not on that Account be deemed unqualified to act as a Truſtee.

XXI. Pro-

Trustees who have not acted in the preceding Three Years, not to vote on the Election of Officers.

XXI. Provided always, and be it further enacted, That after the First Nomination and Appointment of any Officers in pursuance of this Act, no Trustee shall be capable of voting or acting in any future Nomination or Appointment of any such Officer or Officers, upon Death or any other Vacancy, unless such Trustee shall have acted as a Trustee in the Execution of this Act at least once within Three Years next preceding the Time that such Vacancy shall happen, the only Evidence whereof shall be his having signed the Order Book of the said Trustees at some one of their public Meetings.

Appointing Officers.

XXII. And be it further enacted, That it shall be lawful for the said respective Trustees acting for the said several and respective Districts of Road, or any Seven or more of them, at any public Meeting to be held by virtue of this Act, by Writing under their Hands to appoint One or more Person or Persons, Collector or Collectors of the said Tolls, and One or more Person or Persons, Clerk or Clerks, Treasurer or Treasurers, Surveyor or Surveyors, of and for the said several and respective Districts of Road, and such other Officers as the said respective Trustees shall think necessary, within their said respective Districts, and such Collectors, Clerks, Treasurers, Surveyors, and other Officers, or any of them, from Time to Time to remove, and on the Removal, Death, or Resignation of any of them, to appoint others in their stead; and the said respective Trustees are hereby authorized to allow and pay to the several Collectors, Clerks, Treasurers, Surveyors, and other Officers so to be appointed, and to such Person or Persons as shall be assisting in the Execution of this Act, such Salaries and Allowances for their Trouble, Labour, and Service, as the said Trustees shall deem reasonable; and all such Officers and Persons shall from Time to Time, when thereunto required by the said respective Trustees, deliver to them, or such Person or Persons as they shall for that Purpose appoint, true, exact, and perfect Accounts in Writing, under their respective Hands, of all the Monies which they and every of them respectively shall have received to that Time by virtue of this Act, and how much thereof hath been paid and disbursed, and for what Purpose, together with the proper Vouchers for such Payments, and shall pay all such Monies as shall remain in their or any of their Hands to the said respective Trustees, or to such Person or Persons and for such Purposes as they shall respectively appoint to receive the same, and not otherwise; and if any such Officer or Person shall refuse or neglect to give such Account, or to produce and deliver up such Vouchers as aforesaid, or to pay the Money due upon such Account in Manner aforesaid, or to deliver up to the said Trustees, or to such Person or Persons as they shall appoint, within Ten Days after being thereunto required by the said Trustees respectively, all the Books, Accounts, Papers, and Writings in his Custody or Power relating to the Execution of this Act, then and in every or any of the said Cases, it shall be lawful for any Two or more Justices of the Peace for the County, Riding, Division, District, or Place within which the Officer or Person so making Default shall be or reside, and such Justices, upon Complaint thereof made to them by any Two or more of the said Trustees, are hereby authorized and required, to make Inquiry concerning such Refusal, Default, or Neglect, as well by the Confession of the Parties themselves respectively as by the Testimony of any credible Witness or Witnesses upon Oath (which Oath the said Justices or any of them are hereby empowered and required to administer without Fee or Reward); and if any such Officer or Person shall

How Officers are to account.

Penalty on Refusal.

shall be convicted of any of the Offences aforesaid, such Justices shall, upon such Conviction, commit him to the common Gaol or House of Correction of the same County, Riding, Division, District, or Place, there to remain without Bail or Mainprize until he shall have given or made such true and perfect Account and Payment as aforesaid, or until he shall have compounded and agreed with the said Trustees for any Balances or Sum or Sums of Money due from him (which Composition the said respective Trustees are hereby empowered to make), and shall have paid such Composition in such Manner as the said Trustees shall appoint, or until he shall have delivered up such Books, Accounts, Papers, and Writings as aforesaid, or make Satisfaction in respect thereof to the said Trustees; provided, that no Person who shall be committed for Default of Distress only, shall be detained in Prison by virtue of this Act for a longer Space of Time than Three Calendar Months.

Trustees may appoint temporary Collectors.

XXIII. Provided always, and be it further enacted, That when and as often as any Collector or Receiver or Lessee of the Tolls hereby granted, or any of them, shall neglect or be incapable of performing his Duty, or shall abscond or absent himself, it shall be lawful for any Five or more of the said respective Trustees, though not assembled at a Meeting of the Trustees appointed by virtue of this Act, to discharge such Collector or Receiver or Lessee; and in such Case, and also in case any Collector or Receiver or Lessee shall die, such Trustees as aforesaid shall and may nominate and appoint a proper Person to be a Collector or Receiver of the Tolls, to continue until the then next Meeting of the Trustees of the District, which Person so nominated and appointed shall have the like Power and Authority, and be answerable and accountable in the same Manner, in all respects, as if he had been nominated and appointed at a Meeting under and by virtue of this Act; and that if any Collector or Receiver or Lessee of the said Tolls, who shall be discharged from his said Office by virtue of this Act, or the Wife or Widow, or any of the Children, Family, or other Representatives of any Collector or Receiver or Lessee who shall die or be discharged, or any other Person, shall refuse to deliver up the Possession of any Toll-house or Building, with the Appurtenances, to be continued, erected, or set up by virtue of this Act, for the Space of Two Days after Demand thereof made, and Notice in Writing given for that Purpose by any Three or more of the said respective Trustees, then and in any of the said Cases it shall be lawful for any Justice or Justices of the Peace for the said Counties of *Lancaster* or *York*, upon Demand made by the said respective Trustees, or by any Person by them appointed, on their Behalf, by Warrant under his or their Hand and Seal or Hands and Seals, to order any Constable or other Peace Officer for the County, with such Assistance as shall be necessary, to enter such House or Building in the Day-time, and to remove the Person or Persons who shall be found therein, together with his, her, or their Goods, out of the same, and to put the said respective Trustees, or any Three of them, or their new appointed Officer, into the Possession thereof.

Treasurers must give Security.

XXIV. And be it further enacted, That the said respective Trustees shall and they are hereby required to take such Security from the Treasurer or Treasurers, Receiver or Receivers, Collector or Collectors, Surveyor or Surveyors, and from any other Officers to be appointed in pursuance or for the Purposes of this Act, for the faithful Execution of

of their reſpective Offices as the ſaid reſpective Truſtees ſhall think proper.

Truſtees may contract for Repairs.

XXV. And be it further enacted, That the ſaid reſpective Truſtees, or ſuch Perſon or Perſons as they ſhall for that Purpoſe appoint, are hereby empowered to contract with any Perſon or Perſons for making, altering, raiſing, diverting, turning, widening, and repairing the ſaid reſpective Roads, or any Part or Parts thereof reſpectively, or any Arches, Bridges, Culverts, Drains, Wing Walls, Abutments, Ramparts, or Banks upon the ſame, and for doing any other Work by this Act authorized to be done, in ſuch Manner and for ſuch Sum or Sums of Money as the ſaid reſpective Truſtees ſhall think proper; and all Contracts in Writing for any of the Purpoſes aforeſaid, which ſhall be entered into purſuant to an Order made at any Meeting by the ſaid reſpective Truſtees, ſhall be binding upon all Parties who ſhall ſign the ſame, his, her, and their Executors and Adminiſtrators, and that Actions and Suits may be maintained thereon, and Damages and Coſts recovered againſt the Parties failing in the Execution thereof.

Truſtees may ſue and be ſued in the Name of their Clerk or Treaſurer.

XXVI. And be it further enacted, That the ſaid reſpective Truſtees for the ſaid ſeveral Diſtricts of Road may ſue and be ſued for or concerning any Thing which ſhall be done contrary to or by virtue or in purſuance of this Act, in the Name of their reſpective Clerk or Clerks, Treaſurer or Treaſurers, for the ſaid ſeveral Diſtricts of Road for the Time being; and that no Action or Suit to be brought or commenced by the Direction of or againſt the ſaid reſpective Truſtees, in the Name of the reſpective Clerk or Clerks, Treaſurer or Treaſurers, by virtue of this Act, ſhall abate or be diſcontinued by the Death or Removal of any ſuch Clerk or Clerks, Treaſurer or Treaſurers, or by the Act of ſuch Clerk or Clerks, Treaſurer or Treaſurers, without the Conſent of Five or more of the Truſtees acting for the ſaid ſeveral Diſtricts, to be expreſſed in Writing at ſome public Meeting of the ſaid Truſtees to be held for the ſaid reſpective Diſtricts; but that the reſpective Clerk or Clerks, Treaſurer or Treaſurers for the Time being to the ſaid Truſtees for the ſaid ſeveral Diſtricts of Road, ſhall be deemed to be Plaintiff or Defendant, Plaintiffs or Defendants, as the Caſe may be, in every ſuch Action; and every ſuch Clerk or Clerks, Treaſurer or Treaſurers, in whoſe Name or Names any Action or Suit ſhall be commenced, proſecuted, or defended in purſuance of this Act, ſhall be fully reimburſed and paid, out of the reſpective Monies to ariſe by virtue of this Act, all ſuch Coſts, Charges, Damages, and Expences, as by the Event or in conſequence of any ſuch Action or Proceeding he or they ſhall pay, bear, expend, or be put unto, or become chargeable with, by reaſon of his or their being ſo made Plaintiff or Plaintiffs, or Defendant or Defendants, as aforeſaid.

Books to be kept.

XXVII. And be it further enacted, That all Orders, Reſolutions, and Proceedings of the ſaid reſpective Truſtees, in the Execution of this Act, in the ſaid ſeveral Diſtricts of Roads, ſhall be reſpectively entered in a Book or Books to be kept for that Purpoſe by the Clerks of the ſaid ſeveral Diſtricts, and ſhall be ſigned by the ſame Number of Truſtees as are empowered to make or direct the ſame, and ſhall then be deemed original Orders and Proceedings; which Book or Books, as alſo the Book

hereby directed to be kept for regiſtering Mortgages and Transfers, ſhall and may be produced and read in Evidence in all Courts, and before all Judges, Juſtices, and other Perſons having Juriſdiction in the Premiſes.

Book of Accounts open to Inſpection.

XXVIII. And be it further enacted, That the ſaid Truſtees ſhall and they are hereby required from Time to Time to cauſe to be entered, in a Book to be kept by the Clerk to the ſaid Truſtees, true and regular Accounts of all Sums of Money received and expended by them in the Execution of this Act, and of the ſeveral Articles, Matters, and Things for which ſuch Sums of Money ſhall have been diſburſed, laid out, and paid; which Book ſhall, at all ſeaſonable Times, be open to the Inſpection of the ſaid Truſtees, or any Creditor or Creditors on the Tolls hereby or by the ſaid recited Acts granted, without any Fee or Reward; and the ſaid Truſtees and Creditors ſhall and may take any Copies or Extracts from ſuch Book, without paying any Thing for the ſame; and in caſe ſuch Clerk ſhall refuſe to permit ſuch Truſtees or Creditors, or any of them, to inſpect the ſame, or take Copies or Extracts as aforeſaid, ſuch Clerk ſhall forfeit and pay any Sum of Money not exceeding Ten Pounds.

Same Perſon not to act as Clerk and Treaſurer.

XXIX. Provided always, and be it further enacted, That it ſhall not be lawful for the ſaid Truſtees to continue or appoint the Perſon who has been or may be appointed to act as their Clerk in the Execution of the ſaid recited Acts or this Act, or the Partner of any ſuch Clerk, the Treaſurer for the Purpoſes of the ſaid recited Acts or this Act, or to continue or appoint the Perſon who has been or may be appointed Treaſurer, or the Partner of any ſuch Treaſurer, the Clerk to the ſaid Truſtees, for the Purpoſes of the ſaid recited Acts or this Act; and if any Perſon ſhall act in both the Capacities of Clerk and Treaſurer, for the Purpoſes of the ſaid recited Acts or this Act, or if any Perſon being the Partner of any ſuch Clerk ſhall act as Treaſurer, or being the Partner of ſuch Treaſurer ſhall act as Clerk in the Execution of this Act, every Perſon ſhall for every ſuch Offence forfeit and pay the Sum of Fifty Pounds to any Perſon or Perſons who ſhall ſue for the ſame, to be recovered in any of His Majeſty's Courts of Record at *Weſtminſter*, by Action of Debt or on the Caſe, or by Bill, Suit, or Information, wherein no Eſſoign, Protection, or Wager of Law, nor more than One Imparlance, ſhall be allowed.

Power to erect Toll Gates on Eaſtern Diſtrict of Richmond and Lancaſter Road.

XXX. And be it further enacted, That the ſaid Truſtees for the Eaſtern Diſtrict of the ſaid Road leading from *Richmond* aforeſaid to *Lancaſter* aforeſaid, or ſuch other Perſon or Perſons as they ſhall appoint, ſhall and may continue and erect and ſet up, or otherwiſe provide, Four Toll Gates or Turnpikes in, upon, or acroſs the ſame Eaſtern Diſtrict of the ſaid laſt-mentioned Road, at or in ſuch Places or Situations within the ſame Diſtrict at which the ſame are now ſet up or placed, or at ſuch other Places or Situations within the ſame Diſtrict as they the ſaid Truſtees for the ſame Diſtrict ſhall at any of their Meetings order and direct; and alſo ſuch and as many Toll Gates or Turnpikes on the Sides of the ſaid Eaſtern Diſtrict of the ſaid laſt-mentioned Road, and in, upon, or acroſs any Lane or Bye-way that doth or ſhall lead into or out of the ſame, as are now placed or ſet up in or acroſs the ſame, and as the ſaid Truſtees may at any Time hereafter during the Continuance of this Act think

proper to place or ſet up in or acroſs the ſame; and alſo ſhall and may continue, erect, or otherwiſe provide a Toll Houſe to each of the ſaid Toll Gates or Turnpikes, with ſuitable Buildings and other Conveniences thereto, and incloſe from the Sides of the ſaid laſt-mentioned Diſtrict of Road (where there is ſufficient Width to allow it), and purchaſe and take from the Fields or Incloſures adjoining or near to the Places where the ſaid Toll Houſes are or ſhall be erected, ſufficient and convenient Gardens for the ſame; and alſo ſuch and ſo many ſmall Pieces or Parcels of Ground as the ſaid Truſtees may think proper and neceſſary, for the Purpoſe of laying and breaking Stones upon for the Repairs of the ſaid laſt-mentioned Diſtrict of Road, not exceeding One Rood for each of the above Purpoſes, paying to the Lords of Manors or other Owners of ſuch Lands reaſonable Compenſation for the ſame.

Power to erect the Gates on the Weſtern Diſtrict of Richmond and Lancaſter Road.

XXXI. And be it further enacted, That the ſaid Truſtees for the Weſtern Diſtrict of the ſaid Road leading from *Richmond* aforeſaid to *Lancaſter* aforeſaid, or ſuch other Perſon or Perſons as they ſhall appoint, ſhall and may continue, erect, and ſet up or otherwiſe provide Four Toll Gates or Turnpikes in, upon, or acroſs the ſame Weſtern Diſtrict of the ſaid laſt-mentioned Road, at or in ſuch Places or Situations within the ſame Diſtrict at which the ſame are now ſet up or placed, or at ſuch other Places or Situations within the ſame Diſtrict as they the ſaid Truſtees for the ſame Diſtrict ſhall at any of their Meetings order and direct; and alſo ſuch and ſo many Toll Gates or Turnpikes on the Sides of the ſaid Weſtern Diſtrict of the ſaid laſt-mentioned Road, and in, upon, or acroſs any Lane or Bye-way that doth or ſhall lead into or out of the ſame, as are now placed or ſet up in or acroſs the ſame, and as the ſaid Truſtees may at any Time hereafter during the Continuance of this Act think proper to place or ſet up in or acroſs the ſame; and alſo the ſaid laſt-mentioned Truſtees ſhall and may erect and ſet up one other Toll Gate upon and acroſs that Part of the ſaid Weſtern Diſtrict of the ſaid Road as lies between a certain Place called *Newby Head* and the ſaid Place called *Gearſtones* otherwiſe *Greyſtones* aforeſaid, as they may think proper; and alſo ſhall and may continue, erect, or otherwiſe provide a Toll Houſe to each of the ſaid Toll Gates or Turnpikes, with ſuitable Buildings and other Conveniences thereto, and incloſe from the Sides of the ſaid laſt-mentioned Diſtrict of Road, and purchaſe and take from the Fields or Incloſures adjoining or near to the Places where the ſaid Toll Houſes are or ſhall be erected, ſufficient convenient Gardens for the ſame; and alſo ſuch and ſo many ſmall Pieces or Parcels of Ground as the ſaid Truſtees may think proper and neceſſary, for the Purpoſe of laying and breaking Stones upon for the Repairs of the ſaid laſt-mentioned Diſtrict of Road, not exceeding One Rood for each of the above Purpoſes, paying to the Lords of Manors or other Owners of ſuch Lands reaſonable Compenſations for the ſame; but nothing herein contained ſhall empower the ſaid Truſtees to take hereafter incloſed Lands for Gardens to any of the preſent Toll Houſes on the ſaid laſt-mentioned Diſtrict of Road; and it ſhall be lawful for the ſaid Truſtees, or any Perſon or Perſons by their Authority and Conſent, to collect, receive, and take at the ſaid Gate which may be erected or ſet up upon the ſaid Weſtern Diſtrict of the ſaid Roads, between the ſaid Places called *Newby Head* and *Gearſtones* otherwiſe *Greyſtones* aforeſaid, the ſame Tolls or Duties as they are hereby authorized and empowered to collect, take, and receive at any other of the

Gates

Gates erected and ſet up, or to be erected and ſet up, upon, or acroſs any other Part of the ſaid Weſtern Diſtrict of the ſaid Roads as herein-after is mentioned; but nevertheleſs nothing herein contained ſhall authorize the ſaid Truſtees, or any of them, or any Perſon or Perſons by their Authority, to collect, receive, or take any Tolls or Duties for or in reſpect of any Horſes, Oxen, Mules, Coaches, Chaiſes, Waggons, Carts, or other Carriages, Cows or Neat Cattle, Calves, Pigs, Sheep, or Lambs, which may paſs through the ſaid Toll Gate hereby authorized to be ſet up and erected acroſs the ſaid Weſtern Diſtrict of the ſaid Road, between the ſaid Places called *Newby Head* and *Gearſtones* otherwiſe *Greyſtones* aforeſaid, and which ſhall previouſly have paſſed through any other Toll Gate already ſet up and ſtanding, or which may at any Time hereafter be ſet up and ſtand, on any other Part of the ſaid Weſtern Diſtrict of the ſaid Road, or on the ſaid Eaſtern Diſtrict of the ſaid Road leading from *Richmond* aforeſaid to *Lancaſter* aforeſaid, the Drivers of which Horſes, Oxen, Mules, Coaches, Chaiſes, Waggons, Carts, or other Carriages reſpectively, ſhall produce to the Leſſee or Keeper of the ſaid Gate which may be erected and ſet up between the ſaid Places called *Newby Head*, and *Gearſtones* otherwiſe *Greyſtones* aforeſaid, Tickets certifying their having paſſed through any other Toll Gate on the ſaid Weſtern Diſtrict of the ſaid Road, or any Toll Gate on the ſaid Eaſtern Diſtrict of the ſaid Road, which Tickets the Leſſees or Keepers of the ſaid laſt-mentioned Gates are hereby required to grant on Demand *gratis*, and in caſe of every Refuſal ſhall forfeit a Sum not exceeding Twenty Shillings, to be recovered as herein-after mentioned: Provided nevertheleſs, that nothing herein contained ſhall authorize and empower the Truſtees for the Time being, acting for the ſaid Weſtern Diſtrict of the ſaid Roads, to erect or ſet up any Toll Gate or Turnpike upon or acroſs the Road or Way leading out of the ſaid Weſtern Diſtrict of Road, on the North-weſterly Side thereof, in the Townſhip of *Caton* aforeſaid, near to a certain Brook or Rivulet called *Eſkow Beck*, to and from the Bridge lately erected over the River *Lune*, near to a certain Place called the *Crook of Lune*.

Truſtees not to erect a Side Gate on the Road leading to the new Bridge at Crook of Lune.

Power to erect Toll Gates on the Gilling Diſtrict of Road.

XXXII. And be it further enacted, That the ſaid Truſtees for the Roads leading from *Richmond* aforeſaid, through *Gilling*, to *Lucy Croſs* aforeſaid, and from *Gilling* through *Gilling Town Lane* to the Turnpike Road on *Gatherley Moor* aforeſaid, or ſuch other Perſon or Perſons as they ſhall appoint, ſhall and may continue, erect, ſet up, or otherwiſe provide One or more Toll Gates or Turnpikes in, upon, or acroſs the ſaid laſt-mentioned Roads, at or in ſuch Places or Situations as they the ſaid Truſtees for the ſaid laſt-mentioned Roads ſhall at any of their Meetings order and direct; and alſo One or more Toll Gates or Turnpikes on the Sides of the ſaid laſt-mentioned Diſtrict of Roads, and in, upon, or acroſs any Lane or Bye-way that doth or ſhall lead into or out of the ſame laſt-mentioned Diſtrict of Roads or either of them, as the ſaid Truſtees ſhall think proper; and alſo ſhall and may continue, erect, or otherwiſe provide a Toll Houſe to each of the ſaid Toll Gates or Turnpikes, with ſuitable Buildings and other Conveniences thereto, and incloſe from the Sides of the ſaid laſt-mentioned Roads, and purchaſe and take from the Fields or Incloſures adjoining or near to the Places where the ſaid Toll Houſes are or ſhall be erected, ſufficient and convenient Gardens for the ſame; and alſo ſuch and ſo many ſmall Pieces or Parcels of Ground as the ſaid Truſtees may think proper and neceſſary for the Purpoſe of laying and breaking Stones upon

upon for the Repairs of the ſaid laſt-mentioned Diſtrict of Roads, not exceeding One-eighth of an Acre for each of the above Purpoſes, paying to the Lords of Manors or other Owners of ſuch Lands reaſonable Compenſation for the ſame.

Truſtees of Eaſtern Diſtrict may erect Side Gates in or near the Village of Bainbridge.

XXXIII. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Truſtees of the Eaſtern Diſtrict of the ſaid Road leading from *Richmond* aforeſaid to *Lancaſter* aforeſaid, to continue, or to erect or cauſe to be erected and ſet up, One or more Gate or Gates, Turnpike or Turnpikes, on the Side or Sides of the ſaid laſt-mentioned Road, in or near the Village of *Bainbridge*, and upon, in, or acroſs any Lane or Bye-way that does or ſhall lead into or out of the ſame, and at ſuch Gate or Gates, Turnpike or Turnpikes, to receive and take ſuch Tolls as are by this Act granted and made payable at any Turnpike or Turnpikes to be erected by virtue hereof.

Power to remove Toll Gates.

XXXIV. And be it further enacted, That it ſhall be lawful for the ſaid reſpective Truſtees, at their ſaid firſt Meetings herein-before reſpectively directed to be held, within or for the ſaid reſpective Diſtricts of Road, to order and direct in what Places or Situations the ſeveral Toll Gates or Turnpikes hereby authorized to be continued, erected, or ſet up, ſhall be reſpectively continued or erected and ſet up; and that afterwards it ſhall be lawful for the ſaid reſpective Truſtees, from Time to Time, when and as often as they ſhall think proper, to cauſe any of the Toll Gates or Turnpikes which now are or hereafter ſhall be erected in, upon, or acroſs, or on the Sides of the ſaid Roads, to be removed to, and erected in, upon, or acroſs, or on the Side of ſuch other Part or Parts of the ſaid ſeveral Diſtricts of Road as the ſaid ſeveral reſpective Truſtees for the ſame ſhall from Time to Time order and direct; but none of the ſaid Toll Gates or Turnpikes ſhall be removed as aforeſaid, unleſs Thirty Days previous Notice of the Intention to remove the ſame ſhall have been inſerted in ſome of the Newſpapers printed or moſt generally circulated in each of the ſaid reſpective Diſtricts; provided nevertheleſs, that nothing herein contained ſhall authorize the ſaid Truſtees, or any of them, to remove or erect or ſet up any Toll Gate or Turnpike, to, upon, or acroſs the ſaid Road leading to and from the ſaid Bridge lately erected over the River *Lune*, near to the *Crook of Lune*, as aforeſaid.

Toll-houſe, &c. veſted in the Clerk.

XXXV. And be it further enacted, That the Right, Intereſt, and Property of and in all the Toll Gates or Turnpikes, and Toll Houſes already erected, and which ſhall be erected and provided in purſuance of this Act, with the ſeveral Back-buildings, Gardens, Pieces of Land, and other Conveniences and Appurtenances thereunto belonging reſpectively, and the Materials of which the ſame ſhall conſiſt, and of and in the Ground for laying and breaking Stones, and all Stones, Utenſils, Implements, Materials, Matters, and Things, which ſhall be purchaſed or provided for the Purpoſes of this Act, ſhall be veſted in the reſpective Clerks of the ſaid ſeveral Diſtricts of Road for the Time being, who are hereby reſpectively empowered to ſell, aſſign, transfer, apply, and diſpoſe of the ſame as Occaſion ſhall require, and as the ſaid reſpective Truſtees for the ſaid reſpective Diſtricts of Road from Time to Time ſhall order, direct, and appoint, by any Order in Writing, to be entered in the Book of Proceed-

ings of the ſaid Truſtees; and under the like Order, Direction, and Appointment of the ſaid Truſtees, to bring, or cauſe to be brought, any Action or Actions, or to prefer and proſecute any Indictment or Indictments, againſt any Perſon or Perſons who ſhall dig up, break, pull down, ſteal, take, carry away, ſpoil, deſtroy, break, deface, obliterate, injure, or damage any of the ſaid Toll Gates, Turnpikes, or Toll Houſes, or any of the Buildings, Gardens, Grounds, or other Conveniences and Appurtenances thereunto belonging, or any of the Grounds, Stones, Implements, Materials, Matters, or Things aforeſaid, or any Bridges, Wing Walls, Ramparts, Battlements, Walls, Hedges, Fences, Mile Stones, or Guide Poſts, which ſhall be made and repaired by the ſaid Truſtees, or who ſhall do any Act to hinder or obſtruct any Perſon or Perſons employed by the ſaid reſpective Truſtees in the Execution of this Act; and in all ſuch Actions and Bills of Indictment reſpectively, it ſhall be, and be deemed to be, ſufficient to ſtate generally that the Article or Articles, Thing or Things, for or in reſpect of which an Action or Actions ſhall be brought, or Bill or Bills of Indictment preferred, is or are the Property of the Truſtees for maintaining and improving the Diſtrict of Road to which ſuch Action or Indictment ſhall relate, without further Deſcription or Addition, and without ſpecifying the Name or Names of all or any of the ſaid Truſtees: Provided always, that when and ſo often as any Toll Houſe or Toll Houſes, now or hereafter to be erected, ſhall at any Time be diſcontinued to be uſed as a Toll Gate or Turnpike for the Purpoſes of this Act, then and in every ſuch Caſe the Clerk for the Time being of the reſpective Diſtrict within which ſuch Diſcontinuance ſhall take place, by the Order and Direction of the ſaid Truſtees (by Order in Writing to be entered in the ſaid Book of Proceedings), ſhall ſell and convey ſuch Toll Houſe or Toll Houſes, with the Garden or Gardens, and other Conveniences and Appurtenances thereof; and that the ſame ſhall, in the firſt Place, be offered at a fair and reaſonable Price or Prices (in proportion to the Value of the Land adjoining thereto) to the Perſon or Perſons, from whom the Scite or Scites thereof was or were originally purchaſed, taken, and incloſed, his, her, or their Heirs or Aſſigns, in Manner herein-after mentioned.

Tolls to be taken on the Eaſtern Diſtrict of Road from Richmond to Lancaſter.

XXXVI. And be it further enacted, That the ſeveral Tolls herein-after particularly mentioned ſhall and may be demanded and taken at each and every of the Toll Gates or Turnpikes which ſhall be continued, erected, ſet up, or provided in purſuance of this Act, within or upon the Eaſtern Diſtrict of the ſaid Road, leading from *Richmond* aforeſaid to *Lancaſter* aforeſaid, or on the Side or Sides thereof, or in, upon, or acroſs any Lane or Bye-way leading into or out of the ſame Diſtrict of Road, before any Horſe, Cattle, or Carriage, upon which any Toll is by this Act impoſed, ſhall be permitted to paſs through the ſame; that is to ſay,

For every Coach, Chariot, Landau, Berlin, Chaiſe, Calaſh, Curricle, or Hearſe, drawn by Six or more Horſes or Mules, the Sum of Two Shillings and Sixpence; and if drawn by Four Horſes or Mules, the Sum of Two Shillings; and if drawn by Three Horſes or Mules, the Sum of One Shilling and Sixpence; and if drawn by Two Horſes or Mules, the Sum of Nine-pence:

For every Chaiſe, Chair, Gig, Whiſkey, Carr, or other Carriage on Springs, drawn by One Horſe or Mule, the Sum of Four-pence:

For every Taxed Cart the Sum of Three-pence:

For every Waggon, Wain, Cart, or other such Carriage, drawn by Eight Horses, Oxen, or Beasts of Draught, the Sum of One Shilling and Eight-pence; and if drawn by Six Horses, Oxen, or Beasts of Draught, the Sum of One Shilling and Sixpence; and if drawn by Five Horses, Oxen, or Beasts of Draught, the Sum of One Shilling and Four-pence; and if drawn by Four Horses, Oxen, or Beasts of Draught, the Sum of One Shilling and Two-pence; and if drawn by Three Horses, Oxen, or Beasts of Draught, the Sum of One Shilling; and if drawn by Two Horses, Oxen, or Beasts of Draught, the Sum of Sixpence; and if drawn by One Horse, Ox, or Beast of Draught, the Sum of Two-pence Halfpenny:

For every Cart or other Carriage with Two Wheels, going empty or unladen for or returning laden with Coal, Charcoal, or Cinders, the Sum of One Penny:

For every Cart or other Carriage with Four Wheels, going empty or unladen for or returning laden with Coal, Charcoal, or Cinders, the Sum of Two-pence:

For every Horse, Mule, or Ass or Beast, going unladen for or returning with Coal, Charcoal, or Cinders on its Back, the Sum of One Penny:

For every other Horse, Mule, or Ass, laden or unladen, and not drawing, the Sum of Three Halfpence:

For every Drove of Oxen, Cows, or Neat Cattle, per Score, the Sum of Five-pence:

For every Drove of Calves, Pigs, Sheep, or Lambs, per Score, the Sum of Two-pence Halfpenny:

And in the like Proportion for any greater or lesser Quantity of Oxen, Cows, Neat Cattle, Calves, Pigs, Sheep, or Lambs.

Exempting Carts, &c. and Horses, &c. carrying Coals, from any Toll, if not carried more than Half a Mile on the Eastern District of the Road.

XXXVII. Provided always, and it is hereby further enacted, That not any Toll or Duty shall be payable, paid, or taken at any of the Toll Gates or Turnpikes already set up or placed, or which may at any Time hereafter be set up or placed, on or across any Part of the said Eastern District of the said Road leading from *Richmond* aforesaid to *Lancaster* aforesaid, for any Waggon, Wain, Cart, or other Carriage, or for any Horse, Ox, Mule, or Ass, going empty or unladen for or returning laden with Coal, Charcoal, or Cinders, which shall not be drawn or carried more than Half a Mile upon the said last-mentioned District of Road; nor shall any Toll or Duty be payable, paid, or taken at any such last-mentioned Toll Gates or Turnpikes, for or in respect of any Horse, Ox, Mule, Ass, Cart, or Carriage, going unladen for or returning laden with Coal, Peat, or Turf, to be burnt within the Manor of *Bainbridge*, in the West Riding of the said County of *York*.

Exempting Persons residing at Raydaleside from Toll at Bainbridge.

XXXVIII. Provided also, and be it further enacted, That no Person or Persons now residing or dwelling, or who may, during the Continuance of this Act, reside or dwell at the Hamlets or Places called *Counterside*, *Carr End*, *Semer Water*, *Marside*, *Busk*, or *Raydaleside*, shall be subject or liable to the Payment of any Toll or Duty by this Act intended to be granted at the Gate or Turnpike which is now placed and set up, or which may during the Continuance of this Act be placed or set up, on the Side of the said Eastern District of the said Road, in or near to the Town or Village of *Bainbridge* aforesaid, and upon, in, or across any Lane or Bye-way that does or shall lead into or out of the same.

XXXIX. And

Tolls to be taken on the Weſtern Diſtrict of the Road from Richmond to Lancaſter.

XXXIX. And be it further enacted, That the ſeveral Tolls herein-after particularly mentioned ſhall and may be demanded and taken at each and every of the Toll Gates or Turnpikes which ſhall be continued, erected, ſet up, or provided in purſuance of this Act, within or upon the ſaid Weſtern Diſtrict of the ſaid Road leading from *Richmond* aforeſaid to *Lancaſter* aforeſaid, or on the Side or Sides thereof, or in, upon, or acroſs any Lane or Bye-way leading into or out of the ſame Diſtrict of Road (except the Road or Bye-way leading to and from the Bridge lately erected over the River *Lune* at the ſaid Place called the *Crook of Lune* as aforeſaid), before any Horſe, Cattle, or Carriage, upon which any Toll is by this Act impoſed, ſhall be permitted to paſs through the ſame; that is to ſay,

For every Coach, Chariot, Landau, Berlin, Chaiſe, Calaſh, Curricle, or Hearſe, drawn by Six or more Horſes or Mules, the Sum of Two Shillings and Sixpence; and if drawn by Four Horſes or Mules, the Sum of Two Shillings; and if drawn by Three Horſes or Mules, the Sum of One Shilling and Sixpence; and if drawn by Two Horſes or Mules the Sum of Nine-pence:

For every Chaiſe, Chair, Gig, Whiſkey, Carr, or other Carriage on Springs, drawn by One Horſe or Mule, the Sum of Four-pence:

For every Taxed Cart the Sum of Three-pence:

For every Waggon, Wain, Cart, or other ſuch Carriage, drawn by Eight Horſes, Oxen, or Beaſts of Draught, the Sum of One Shilling and Eight-pence; and if drawn by Six Horſes, Oxen, or Beaſts of Draught, the Sum of One Shilling and Sixpence; and if drawn by Five Horſes, Oxen, or Beaſts of Draught, the Sum of One Shilling and Four-pence; and if drawn by Four Horſes, Oxen, or Beaſts of Draught, the Sum of One Shilling and Two-pence; and if drawn by Three Horſes, Oxen, or Beaſts of Draught, the Sum of One Shilling; and if drawn by Two Horſes, Oxen, or Beaſts of Draught, the Sum of Sixpence; and if drawn by One Horſe, Ox, or Beaſt of Draught, the Sum of Two-pence Half-penny:

For every Cart or other Carriage with Two Wheels, going empty or unladen for or returning laden with Coal, Charcoal, or Cinders, the Sum of One Penny:

For every Cart or other Carriage with Four Wheels, going empty or unladen for or returning laden with Coal, Charcoal, or Cinders, the Sum of Two-pence:

For every Horſe, Mule, Aſs, or Beaſt, going unladen for or returning with Coal, Charcoal, or Cinders on its Back, the Sum of One Penny:

For every other Horſe, Mule, or Aſs, laden or unladen, and not drawing, the Sum of Three Halfpence:

For every Drove of Oxen, Cows, or Neat Cattle, per Score, the Sum of Five-pence:

For every Drove of Calves, Pigs, Sheep, or Lambs, per Score, the Sum of Two-pence Halfpenny:

And in the like Proportion for any greater or leſſer Quantity of Oxen, Cows, Neat Cattle, Calves, Pigs, Sheep, or Lambs.

Exemptions at Thornton Gate in favour of

XL. Provided always, and be it further enacted, That at the Toll Gate or Turnpike now erected and which may be continued in the Townſhip of *Thornton in Lonſdale* aforeſaid, in the ſaid County of *York*, or which may

may at any Time hereafter, during the Term hereby granted, be set up or erected at or near to the Town of *Ingleton*, in the West Riding of the said County of *York*, within or upon that Part of the said Western District of the said Road leading from *Richmond* aforesaid to *Lancaster* aforesaid, which lies in and a little on the easterly and westerly Sides of the said Town of *Ingleton*, and is united with the Turnpike Road from *Kirkby Kendal*, in the County of *Westmorland*, to *Keighley*, in the said County of *York*, the Tolls and Duties herein-after mentioned shall only be demanded, payable, received, and taken of, by, or from the several Persons who shall travel upon the said Turnpike Road from *Kirkby Kendal* aforesaid to *Keighley* aforesaid, and who shall not travel upon any further or other Part of the Roads intended by this Act to be repaired than what is united with the said Turnpike Road from *Kirkby Kendal* aforesaid to *Keighley* aforesaid, and lying in and near to the Town of *Ingleton* aforesaid; that is to say,

Horses, &c. travelling on the Kendal and Keighley Road, &c.

Tolls to be paid at the Thornton Gate.

For every Coach, Chariot, Landau, Berlin, Chaise, Calash, Curricle, or Hearse, drawn by Six or more Horses or Mules, the Sum of One Shilling and Three Halfpence; and if drawn by Four Horses or Mules, the Sum of Nine-pence; and if drawn by Two Horses or Mules, the Sum of Six-pence:

For every Chaise, Chair, or Gig, drawn by One Horse or Mule, the Sum of Two-pence Halfpenny:

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

For every Waggon, Cart, or other Carriage, laden with Lime, to be used for building or walling, and drawn by Four Horses, Oxen, or Mules, the Sum of Sixpence; and if drawn by Three Horses, Oxen, or Mules, the Sum of Four-pence; and if drawn by Two Horses, Oxen, or Mules, the Sum of Two-pence:

For every Cart or other Carriage laden with Lime, to be used for building or walling, or laden with Coal, Charcoal, Cinders, or other Fuel, if drawn by One Horse, Ox, or Beast of Draught, the Sum of One Penny:

For every Cart or other Carriage, laden with Coal, Cannel, Cinders, or Coke, or Turf or Wood for burning, and drawn by Three Horses, Oxen, or Beasts of Draught, the Sum of Four-pence; and if drawn by Two Horses, Oxen, or Beasts of Draught, the Sum of Three-pence:

For every Horse, Mule, or Ass, laden or unladen, and not drawing, the Sum of Three Halfpence:

For every Drove of Oxen, Cows, or Neat Cattle, *per* Score, the Sum of Five-pence:

For every Drove of Calves, Pigs, Sheep, or Lambs, *per* Score, the Sum of Two-pence Halfpenny:

And in the like Proportion for any greater or lesser Quantity of Oxen, Cows, Neat Cattle, Calves, Pigs, Sheep, or Lambs.

For preventing undue Exemptions from Toll at Thornton Gate.

XLI. And be it further enacted, That if any Perſon or Perſons ſhall at any Time or Times during the Continuance of this Act unduly and wrongfully, or by wilful Miſrepreſentation, claim and take Exemption from paying the higher Tolls or Duties hereby granted and made payable at the ſaid laſt-mentioned Toll Gate or Turnpike now erected, and which may be continued in the Townſhip of *Thornton in Lonſdale* aforeſaid, or which may at any Time hereafter be ſet up at or near to the Town of *Ingleton* aforeſaid, within or upon the Weſtern Diſtrict of the ſaid Road leading from *Lancaſter* aforeſaid to *Richmond* aforeſaid, or from paying any Toll or Duty at the ſaid laſt-mentioned Gate, every Perſon ſo offending, and being lawfully convicted thereof before any One Juſtice of the Peace acting for either of the ſaid Counties of *York* or *Lancaſter* reſpectively (who are hereby reſpectively authorized to have and take Juriſdiction in the Premiſes) ſhall forfeit and pay a Sum not exceeding Five Pounds, at the Diſcretion of the Juſtice before whom ſuch Offender ſhall be convicted, One Moiety whereof ſhall be for the Uſe of the Informer or Informers, and the other Moiety thereof ſhall be paid to the Treaſurer of the ſaid Weſtern Diſtrict of the ſaid Road, and applied for the Purpoſes of this Act in Manner herein-after mentioned.

Exempting Carts, &c. and Horſes, &c. carrying Coals, from any Toll, if not carried more than Half a Mile on the Weſtern Diſtrict of the ſaid Road.

XLII. Provided always, and it is hereby further enacted, That not any Toll or Duty ſhall be payable, paid, or taken at any of the Toll Gates or Turnpikes already ſet up or placed, or which may at any Time hereafter be ſet up or placed, on or acroſs any Part of the ſaid Weſtern Diſtrict of the ſaid Road leading from *Richmond* aforeſaid to *Lancaſter* aforeſaid, for any Waggon, Wain, Cart, or other Carriage, or for any Horſe, Ox, Mule, or Aſs, going empty or unladen for or returning laden with Coal, Charcoal, or Cinders, which ſhall not be drawn or carried more than Half a Mile upon the ſaid laſt-mentioned Diſtrict of Road.

Tolls to be taken on the Gilling Diſtrict of Roads.

XLIII. And be it further enacted, That the ſeveral Tolls herein-after particularly mentioned ſhall and may be demanded and taken at each and every of the Toll Gates or Turnpikes which ſhall be continued, erected, ſet up, or provided in purſuance of this Act, within or upon the ſaid Roads leading from *Richmond* through *Gilling* to *Lucy Croſs* aforeſaid, and from *Gilling* through *Gilling Town Lane* to the Turnpike Road on *Gatherley Moor* aforeſaid, intended to be called *The Gilling Diſtrict*, or on the Side or Sides thereof, or in, upon, or acroſs any Lane or Bye-way leading into or out of the ſaid laſt-mentioned Roads, before any Horſe, Cattle, or Carriage, upon which any Toll is by this Act impoſed, ſhall be permitted to paſs through the ſame; that is to ſay,

For every Coach, Chariot, Landau, Berlin, Chaiſe, Calaſh, Curricle, or Hearſe, drawn by Six or more Horſes, Mules, or Aſſes, the Sum of One Shilling and Sixpence; and if drawn by Four Horſes, Mules, or Aſſes, the Sum of One Shilling and Three-pence; and if drawn by Two Horſes, Mules, or Aſſes, the Sum of Nine-pence:

For every Chaiſe, Chair, Gig, or Car, and for every Taxed Cart, drawn by One Horſe, Mule, or Aſs, the Sum of Sixpence:

For every Waggon, Wain, Cart, or other ſuch Carriage, drawn by Six Horſes, Oxen, or Beaſts of Draught, the Sum of One Shilling and Sixpence; and if drawn by Five Horſes, Oxen, or Beaſts of Draught, the Sum of One Shilling and Three-pence; and if drawn by Four Horſes,

Oxen, or Beasts of Draught, the Sum of One Shilling; and if drawn by Three Horses, Oxen, or Beasts of Draught, the Sum of Ten-pence; and if drawn by Two Horses, Oxen, or Beasts of Draught, the Sum of Eight-pence; and if drawn by One Horse, Ox, or Beast of Draught, the Sum of Four-pence:

For every Horse, Mule, or Ass, laden or unladen, and not drawing, the Sum of Three Halfpence:

For every Drove of Oxen, Cows, or Neat Cattle, *per* Score, the Sum of Sixpence:

For every Drove of Calves, Hogs, Sheep, or Lambs, *per* Score, the Sum of Three-pence:

And in the like Proportion for any greater or lesser Quantity of Oxen, Cows, Neat Cattle, Calves, Hogs, Sheep, or Lambs.

Waggons, &c. having Wheels and Axletrees according to 55 Geo. 3. c. 119. to have an Abatement of One-fourth of Toll.

XLIV. And be it further enacted, That for all Waggons, Carts, or other Carriages having the Wheels of the Widths and Descriptions, and the Axletrees fixed as mentioned and set forth in and by an Act made in the Fifty-fifth Year of the Reign of His present Majesty, intituled *An Act to enable the Trustees of Turnpike Roads to abate the Tolls on Carriages, and to allow of their carrying extra Weights in certain Cases*, and for and in respect of the several Horses and other Beasts drawing the same respectively, there shall be allowed an Abatement of One-fourth Part of the Tolls hereby granted on the said Districts of Road.

Tolls may be varied.

XLV. And be it further enacted, That it shall be lawful for the said Trustees in their respective Districts aforesaid, from Time to Time, when and as often as they shall respectively think proper, to lessen or reduce all or any of the Tolls herein-before granted or made payable at all or any of the Turnpikes to be continued, erected, or provided by virtue of this Act, within any of the said Districts, and to raise the same again, so as they do not at any Time exceed the Tolls by this Act granted or made payable at the same Turnpikes; and so as every such Reduction be made with the Consent of the Person or Persons for the Time being entitled to Five-sixth Parts of the Money then due on the Security of the said Tolls; but no such Reduction shall be made unless Thirty Days previous Notice thereof shall be inserted in some Newspaper generally circulated within the District within which the said Toll shall be intended to be reduced or lessened.

Side Gates not to operate as a double Charge.

XLVI. And be it further enacted, That if under or by virtue of the Powers and Authorities hereby granted, any Toll Gates or Turnpikes shall be continued, erected, or set up on the Side or Sides of any of the said Districts of Road intended by virtue of this Act to be amended and repaired, or in, upon, or across any Lane or Bye-way that doth or shall lead into or out of the same, or any of them, yet the Trustees for the said several Districts of Road, or any of them, or any Person or Persons by their or any of their Appointment, shall not be authorized or empowered to receive or take any Tolls at any of such last-mentioned Toll Gates or Turnpikes, so as the same shall extend to or operate as a double Charge upon any Person, Cattle, or Carriage, in case of their passing through any other of the Toll Gates or Turnpikes which shall by virtue of this Act be continued, erected, or set up in or across the said Districts of Road intended by this Act to be amended or repaired, or any of them.

XLVII. And

Power for compelling Payment of Tolls.

XLVII. And be it further enacted, That the ſeveral and reſpective Tolls or Sums of Money by this Act granted, ſhall be demanded and taken by ſuch Perſon or Perſons as the ſaid reſpective Truſtees within the ſaid ſeveral Diſtricts of Road ſhall from Time to Time authorize and appoint to receive the ſame; and if any Perſon or Perſons ſubject or liable to the Payment of any ſuch Tolls, or any Part or Parts thereof, ſhall, after Demand thereof made by any Collector or Collectors, Leſſee or Leſſees, or other Perſon or Perſons authorized to receive the ſame, neglect or refuſe to pay the ſaid Tolls, or any of them, or any Part or Parts thereof, it ſhall be lawful for ſuch Collector or Collectors, Leſſee or Leſſees, or other Perſon or Perſons ſo authorized, to ſeize and diſtrain any Horſe or Cattle, Beaſt or Carriage, upon which any Toll is by this Act impoſed, or any of the Loading, Harneſs, or Accoutrements thereof reſpectively, except that no Bridle ſhall be taken without the Horſe; and if ſuch Tolls, and the reaſonable Coſts of ſuch Diſtreſs and keeping the ſame, ſhall not be paid within the Space of Four Days after the making ſuch Diſtreſs, the Perſon or Perſons ſo diſtraining ſhall and may, at any Time or Times thereafter, ſell the ſaid Horſe, Cattle, Beaſt, or Carriage, Loading, Harneſs, or Accoutrements, ſo diſtrained, or a ſufficient Part thereof, and out of the Monies which ſhall ariſe by ſuch Sale pay or retain ſuch Tolls, and all reaſonable Charges incurred by ſuch Seizure, Diſtreſs and Sale, returning the Overplus of the Money which ſhall ariſe by ſuch Sale, and what ſhall remain unſold (if any) upon Demand, to the Owner or Owners thereof.

For ſettling Diſputes concerning Tolls.

XLVIII. And be it further enacted, That if any Diſpute ſhall ariſe or happen concerning the Amount of any Toll claimed to be due, or the Charges occaſioned by any ſuch Diſtreſs for the ſame, or of the keeping of the ſame, it ſhall be lawful for the Perſon or Perſons ſo diſtraining to detain ſuch Diſtreſs, or the Money ariſing from the Sale thereof (as the Caſe may be), until the Amount of the Toll due, and the Charges of ſeizing, keeping, and ſelling ſuch Diſtreſs (as the Caſe may be), ſhall be aſcertained by ſome one Juſtice of the Peace acting for the County, Riding, Diviſion, or Diſtrict in which ſuch Diſtreſs ſhall be made, who upon Application made to him for that Purpoſe ſhall examine into the Matter on Oath of the Parties or other Witneſs or Witneſſes (which Oath ſuch Juſtice is hereby empowered to adminiſter), and ſhall determine the Amount of the Toll due, and ſhall award ſuch Coſts and Charges to either Party as to the ſaid Juſtice ſhall appear right and proper; all which Coſts and Charges ſhall and may be levied and recovered, in caſe of Non-payment thereof forthwith, by Warrant under the Hand and Seal of ſuch Juſtice, rendering the Overplus (if any) on Demand, after deducting the Coſts and Charges of making ſuch Diſtreſs and Sale, to the Perſon or Perſons whoſe Goods and Chattels ſhall be ſo diſtrained and ſold.

Collectors, &c. of Toll declared not incompetent Witneſſes.

XLIX. And be it further enacted, That in caſe any Diſpute, Complaint, Information, Suit, or Litigation ſhall ariſe touching or in anywiſe relating to the ſaid Tolls, or the Payment thereof, or any Exemption therefrom, the Leſſee or Leſſees thereof, or any other Perſon or Perſons appointed to collect the ſame, or any other Perſon or Perſons acting under the Authority of the ſaid reſpective Truſtees, ſhall not be incompetent, on account of his or her being the Leſſee or Leſſees of or appointed to collect ſuch Tolls, to give Evidence in any ſuch Diſpute, Complaint, Information, Suit, or Litigation.

L. And

Tickets to be provided.

L. And be it further enacted, That upon Payment of the Tolls by the ſaid Act granted, the Collector or Receiver thereof ſhall and he is hereby required to deliver *gratis* to the Perſon paying ſuch Tolls a Note or Ticket denoting ſuch Payment, and there ſhall be printed and ſpecified thereon the Names of the ſeveral and reſpective Gates freed by ſuch Payment.

Toll Collectors to put up their Names, &c.

LI. And be it further enacted, That all and every Toll Collector, appointed either by the ſaid reſpective Truſtees, or by any Leſſee or Leſſees under them, to collect the Tolls payable at any Turnpike or Toll-gate erected by virtue of the ſaid Act or this Act, ſhall and he is hereby required to place his Chriſtian and Surname, painted on a Board in legible Characters, in the Front or on ſome other conſpicuous Part of the Toll-houſe or Toll-gate, immediately upon his coming on Duty, each of the Letters of ſuch Name or Names to be at leaſt Two Inches in Length, and of a Breadth in proportion, and painted in White Letters on a Black Ground or Black Letters on a White Ground, and ſhall continue the ſame ſo placed during the whole Time he ſhall be upon ſuch Duty; and if any Collector of the ſaid Tolls ſhall not place ſuch Board as aforeſaid, and keep the ſame there during the Time aforeſaid, or ſhall demand or take a greater or leſs Toll from any Perſon or Perſons than he ſhall be authorized to do by virtue of the Powers of this Act, or ſhall demand and take a Toll from any Perſon or Perſons who ſhall be exempt from the Payment thereof, and claim ſuch Exemption, or ſhall refuſe to permit or ſuffer, or ſhall in anywiſe hinder any Perſon or Perſons from reading ſuch Chriſtian or Surname, or ſhall refuſe to tell his Chriſtian or Surname to any Perſon or Perſons who ſhall demand the ſame, on having paid the ſaid Tolls or any of them, or ſhall give a falſe Name or Names on ſuch Demand, or ſhall refuſe or neglect to give a Ticket denoting the Payment of the Toll and naming and ſpecifying the ſeveral Gates freed by ſuch Payment, or ſhall make uſe of any ſcurrilous or blaſphemous Language to any Perſon or Perſons travelling upon the ſaid Road, or ſhall without ſufficient Cauſe detain or delay any Perſon or Perſons travelling thereon, then and in every ſuch Caſe every ſuch Collector ſhall forfeit and pay any Sum not exceeding Forty Shillings for every ſuch Offence, as the Juſtice or Juſtices before whom the Information ſhall be laid ſhall adjudge; and ſuch Penalty ſhall be recovered and applied as other Penalties are by this Act directed to be recovered and applied.

Tolls not to be paid Twice within the Diſtance of Five Miles.

LII. Provided always, and be it enacted, That in caſe there are or ſhall be erected upon the ſaid Diſtricts of Road called the Eaſtern Diſtrict of the *Richmond* and *Lancaſter* Road, and the *Gilling* Diſtrict, or either of them, any Turnpike or Turnpikes at leſs Diſtance from each other than Five Statute Miles, then any Perſon or Perſons producing a Ticket denoting that the Toll has been paid (which Ticket the Collector of the Tolls is hereby required to deliver *gratis* on Receipt of the ſaid Toll, and on ſuch Ticket ſhall be named and ſpecified the ſeveral Gates freed by ſuch Payment) on the ſame Day (computing from Twelve of the Clock in one Night to Twelve of the Clock in the ſucceeding Night,) at one of ſuch Turnpikes, ſhall not pay Toll for the ſame Horſe, Cattle, or Carriage at any other Turnpike on the ſame Diſtrict of Road which ſhall be within Five Statute Miles of the former at which the Toll denoted by ſuch Ticket ſhall have been paid.

Directing how the Tolls are to be paid on the Weſtern Diſtrict of the Richmond and Lancaſter Roads.

LIII. And be it further enacted, That the ſeveral Tolls and Duties by this Act granted and impoſed, and authorized to be demanded and taken within that Part of the Weſtern Diſtrict of the ſaid Road leading from *Richmond* aforeſaid to *Lancaſter* aforeſaid, which lies between *Gearſtones* otherwiſe *Greyſtones* aforeſaid and the Town of *Lancaſter* aforeſaid, ſhall be paid in the Manner herein-after mentioned; that is to ſay, any Perſon being deſirous to paſs through any one of the Toll-gates or Turnpikes erected or to be erected, ſet up, and continued within, acroſs, or upon that Part of the ſaid laſt-mentioned Diſtrict of Road which lies between *Gearſtones* otherwiſe *Greyſtones* aforeſaid, and the Northerly End of the Town or Village of *Melling*, in the ſaid County of *Lancaſter*, with any Horſe, Cattle, Cart, Chaiſe, Coach, or other Carriage, Oxen, Cows, Neat Cattle, Calves, Pigs, Sheep, or Lambs, ſhall, before he or ſhe ſhall be allowed to paſs through ſuch Gate, pay the Toll or Duty by this Act impoſed and directed to be paid; and if the ſame Perſon ſhall, on the ſame Day (computing from Twelve of the Clock in one Night to Twelve of the Clock in the ſucceeding Night) be deſirous to paſs with the ſame Horſe, Cattle, Cart, Chaiſe, Coach, or other Carriage, Oxen, Cows, Neat Cattle, Calves, Pigs, Sheep, or Lambs, through the next or a ſecond Toll-gate or Turnpike erected or to be erected, ſet up, and continued upon that Part of the ſaid laſt-mentioned Diſtrict of Road which lies between *Gearſtones* otherwiſe *Greyſtones* aforeſaid and the Northerly End of the Town or Village of *Melling* aforeſaid, he or ſhe ſhall paſs through ſuch laſt-mentioned Toll-gate or Turnpike without paying any Toll or Duty, on producing a Ticket, certifying that he or ſhe has paid the Toll or Duty for the ſame Horſes, Cattle, or Carriages at the firſt Toll-gate or Turnpike he or ſhe may paſs upon that Part of the ſaid laſt-mentioned Diſtrict of Road which lies between *Gearſtones* otherwiſe *Greyſtones* aforeſaid and the Weſt End of the Town or Village of *Melling* aforeſaid, (the Leſſee or Keeper whereof is hereby required to give ſuch Ticket *gratis* on Demand, or forfeit any Sum not exceeding Twenty Shillings, to be recovered as herein-after mentioned, and laid out in repairing the ſaid laſt-mentioned Diſtrict of Road); and if any Perſon, being deſirous to paſs through any of the Toll-gates or Turnpikes erected or to be erected, ſet up, and continued within or upon that Part of the ſaid laſt-mentioned Diſtrict of Road which lies between the Northerly End of the Town or Village of *Melling* aforeſaid and the Town of *Lancaſter* aforeſaid, with any Horſe, Cattle, Cart, Chaiſe, Coach, or other Carriage, Oxen, Cows, Neat Cattle, Calves, Pigs, Sheep, or Lambs, ſhall, before he or ſhe ſhall be allowed to paſs through ſuch Gate, pay the Toll or Duty by this Act impoſed and directed to be paid; and if the ſame Perſon ſhall, on the ſame Day, (computing from Twelve of the Clock in one Night to Twelve of the Clock in the ſucceeding Night) be deſirous to paſs with the ſame Horſe, Cattle, Cart, Chaiſe, Coach, or other Carriage, Oxen, Cows, Neat Cattle, Calves, Pigs, Sheep, or Lambs, through the next or a ſecond Toll-gate or Turnpike erected or to be erected, ſet up, and continued upon or acroſs that Part of the ſaid laſt-mentioned Diſtrict of Road which lies between the Northerly End of the Town or Village of *Melling* aforeſaid and the Town of *Lancaſter* aforeſaid, he or ſhe ſhall paſs through ſuch laſt-mentioned Toll-gate or Turnpike without paying any Toll or Duty, on producing a Ticket (which Ticket the Leſſee or Keeper of ſuch Toll-gate or Turnpike is hereby directed to deliver *gratis* on Demand, or forfeit any Sum not exceeding Twenty Shillings, to be applied in repairing the ſaid laſt-mentioned Diſtrict of Road), certifying that he or

ſhe has paid the Toll or Duty for the ſame Horſes, Cattle, or Carriages at the firſt Toll-gate or Turnpike he or ſhe may paſs upon that Part of the ſaid laſt-mentioned Diſtrict of Road which lies between the Northerly End of the Town or Village of *Melling* aforeſaid and the Town of *Lancaſter* aforeſaid; and the like Mode of Payment of Tolls ſhall take place, prevail, and be adopted for and in reſpect of any Horſe, Cattle, Cart, Chaiſe, Coach, or other Carriage, Oxen, Cows, Neat Cattle, Calves, Pigs, Sheep, or Lambs, going or paſſing from *Lancaſter* aforeſaid to or towards *Gearſtones* otherwiſe *Greyſtones* aforeſaid, and from or to any intermediate Parts of the ſaid Weſtern Diſtrict of Road lying between the ſaid Town of *Lancaſter* and *Gearſtones* otherwiſe *Greyſtones* aforeſaid.

Tolls to be paid but once a Day, except there be a Change of Horſes, &c.

LIV. Provided always, and be it further enacted, That no Perſon or Perſons who ſhall have paid the Toll or Duty for paſſing through any of the ſaid Turnpikes or Toll-gates within any of the ſaid Roads or Diſtricts of Road, agreeably to the Orders and Directions herein-before contained, ſhall be liable to pay any Toll or Duty for repaſſing through the ſame Turnpikes or Toll-gates, or any of them, in ſuch Diſtrict, with the ſame Horſes, Cattle, Beaſts, and Carriages, the ſame Day, to be computed from Twelve of the Clock in one Night to Twelve of the Clock in the ſucceeding Night, ſuch Perſons producing a Ticket denoting the Payment of ſuch Toll (which Ticket the Collectors of the Tolls are hereby required to give *gratis*, upon the Payment of ſuch Toll); provided nevertheleſs, that if any Perſon or Perſons ſhall paſs through any of the ſaid Turnpikes or Toll-gates within any of the ſaid Diſtricts of Road, with any Coach, Chaiſe, Cart, or other Carriage, and ſhall pay the Tolls by this Act granted and made payable, and ſhall on the ſame Day (to be computed as aforeſaid) repaſs any of the ſame Turnpikes or Toll gates with the ſame Coach, Chaiſe, Cart, or other Carriage, but with different Horſes, or a different Horſe, ſuch Perſon or Perſons ſhall be liable again to pay the Tolls hereby granted and made payable.

Poſt-chaiſes to pay each Time of delivering a Stamp Office Ticket.

LV. And be it further enacted, That in caſe any Poſt-chaiſe, or other Carriage travelling for Hire from Poſt to Poſt, ſhall on the ſame Day (to be computed as herein-before directed) return through any Gate or Turnpike erected by virtue of this Act at which any Toll ſhall be payable, and ſhall deliver to the Gate-keeper the Stamp Office Ticket, as required by Law, then ſuch Poſt-chaiſe or other Carriage as aforeſaid ſhall be liable to pay Toll in ſuch and the like Manner as if ſuch Chaiſe or Carriage had not before paſſed through any Gate or Turnpike erected on the ſaid Road.

General Exemption from Tolls on all the Diſtricts of Road.

LVI. Provided alſo, and it is hereby further enacted, That none of the Tolls hereby granted or authorized to be taken ſhall be demanded, taken, or received at any of the Toll-gates erected or to be erected and continued upon any of the ſaid Diſtricts of Road, or any Road or Way leading out of or from the ſame, for or in reſpect of any Horſe or other Beaſt, Cart or other Carriage, when employed in carrying or conveying Stones, Lime, Gravel, Sand, or other Materials for repairing the ſaid Roads, or any Culvert, Bridge, or Rampart therein or thereon, or any Highway in any of the Townſhips through which the ſaid Roads do or may lead, or in any of the adjoining Townſhips; or in carrying or conveying any Earth, Soil, or Sand which ſhall have been collected or ſcraped off any of the ſaid Roads; or

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in carrying or conveying any newly made or gotten Hay or Clover, or newly reaped Corn in the Straw, Straw, Beans, Peas, Vetches, Turnips, Potatoes, or other Produce of Lands, to be laid up and used in the Houses, Outhouses, or Barns of the Owners or Occupiers thereof, and not for Sale, or to be exposed to Sale, or to be delivered in pursuance or performance of any Sale, or being unladen when so employed; or for or in respect of any Ploughs, Harrows, or other Implements of Husbandry; or for or in respect of any Carts, Waggons, or other Carriages employed in carrying or conveying any Lime, Dung, Mould, Compost, or Manure, to be employed in Husbandry for Manure of Lands, or returning empty from carrying or conveying the same; or in going empty or unladen for or returning laden with Limestone, Coals, Cinders, or Coke, to be used for burning Lime to be employed in tilling or manuring of Lands; nor shall any Toll be demanded or taken for any Bushes, Tops or Crops of Trees, to be carried from one Farm or Lands to other Farm or Lands in the Occupation of the same Person, provided such Bushes, Tops or Crops of Trees be used there and not sold; nor shall any of the said Tolls be taken of any Person residing in any Parish, Townships, or Hamlet through which the said Roads or any Part thereof do or shall lead, who shall pass through any Turnpike to or from Church, Chapel, or other Place of religious Worship on *Sunday*, or any other Day on which Divine Service is ordered by Authority to be celebrated, or when attending the Funeral of any Person who shall be buried in any such Parish, Township, or Hamlet; nor of any Clergyman going to or returning from visiting any sick Person at any Time, or upon other his parochial or ministerial Duty; or for or in respect of any Horses or Cattle going to or returning from Plough, Water, or Pasture within the several Townships or Hamlets to which they shall belong, or any of the neighbouring Townships or Hamlets, provided that such last-mentioned Exemption, as to Horses or Cattle going to or returning from Water or Pasture, shall only extend to such Horses or Cattle as shall be driven to or from Water or Pasture, and shall not pass upon the same Roads more than Two Miles in going to or returning from Water or Pasture; or for or in respect of the Horses or Cattle of any Inhabitant of any of the said Townships or Hamlets going to be shod or farried, or returning therefrom; nor shall any Toll or Duty be demanded or taken for any Horse or Carriage employed in conveying the Mails of Letters and Expresses under the Authority of His Majesty's Postmasters General, or their Deputies, either when employed in conveying such Mails or Expresses, or returning back from conveying the same; nor for any Carriage, Horse, or Beast which shall not pass above Two hundred Yards thereon; nor for the Horses of any Officers or Soldiers passing upon their March or upon Duty, nor for the Horses, Carts, Carriages, or Waggons employed in carrying or conveying the Arms or Baggage of any such Officers or Soldiers upon their March or upon Duty, or carrying any wounded, sick, or disabled Officers and Soldiers, or returning empty after having been so employed; 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; nor for any Horse furnished by or for any Persons belonging to any Corps of Yeomanry or Volunteer Cavalry respectively, and rode by him; nor Carriages conveying Volunteer Infantry in going to or returning from the Place appointed for and on the

Days

Days of Exercise, provided that such Person or Persons be dressed 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 as aforesaid; nor for any Horses, Carts, or Waggons travelling with Vagrants sent by legal Passes; and if any Person shall claim and take the Benefit of any of the Exemptions granted by this Act, not being entitled to the same, or if any Person being so entitled shall fraudulently and collusively extend the same to or for the Benefit of any Person or Persons not entitled thereto, every Person so offending, and being lawfully convicted thereof, shall forfeit and pay any Sum not exceeding Five Pounds, at the Discretion of the Justice or Justices before whom such Offender shall be convicted, and in all Cases the Proof of Exemption shall lie upon and be adduced by the Person claiming the same.

Penalty on Persons fraudulently claiming Exemptions.

LVII. 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 such 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 in this Act contained to the contrary notwithstanding.

Exempting Carriages with Stores from Charge for Overweight.

LVIII. And be it further enacted, That if any Person or Persons shall, in order to avoid Payment of the said Tolls or Duties, or any of them, with any Horse, Cattle, Beast, or Carriage, upon which any Toll or Duty is by this Act imposed, ride, go, or pass through any Land or Ground (except the Owner or Occupier thereof, or any of his or their Family or Servants), within the Distance of Two hundred Yards from any Toll Gate or Turnpike which shall be continued, erected, or provided by virtue of this Act, the same not being a public Road; or if any Owner or Occupier of any such Land or Ground shall knowingly permit or suffer any other Person or Persons, save and except the Servant or Servants of such Owner or Occupier, or any of his or her Family, with any Horse, Cattle, Beast, or Carriage, to pass through the same for the Purpose of evading the Payment of any of the Tolls, or any Part or Parts thereof; or if any Person or Persons shall give to or receive from any Person (other than a Lessee or Collector of the said Tolls), or shall forge or counterfeit, any Ticket by this Act directed to be given by a Lessee or Collector of the said Tolls, or shall forcibly pass through any such Toll Gate or Turnpike as aforesaid with any Horse, Cattle, Beast, or Carriage, or shall at any Time or Times take off or cause to be taken off any Horse, Cattle, or Beast, or any Loading from any Carriage, or shall load or unload any Goods, Wares, or Merchandize, or any Box, Bale, Pack, Truss, Package, or Parcel, or other Thing, with Intent to avoid or evade Payment of any of the said Tolls, or any Part or Parts thereof; or if any Person or Persons shall leave

To prevent evading of Tolls.

or cauſe to be left upon or near to any Part of the ſaid Roads, any Horſe, Cattle, Beaſt, or Carriage, in order to evade the Payment of any of the ſaid Tolls, or any of them, or any Part thereof; every Perſon offending in any of the Caſes aforeſaid, and being lawfully convicted thereof, ſhall forfeit and pay a Sum not exceeding Five Pounds, at the Diſcretion of the Juſtice or Juſtices before whom ſuch Offender ſhall be convicted, one Moiety whereof ſhall be for the Uſe of the Informer or Informers, and the other Moiety thereof ſhall be applied for the Purpoſes of this Act, in Manner herein-after mentioned.

Power to let the Tolls.

LIX. And be it further enacted, That the ſaid reſpective Truſtees for the ſaid ſeveral Diſtricts of Road, or any Seven or more of them, may and they are hereby empowered to demiſe, leaſe, and let to farm, and agree to demiſe, leaſe, and let to farm, the Tolls to be taken and become payable at any of the Turnpikes (by virtue of this Act to be continued or erected), with the Toll-houſe, Back-buildings, Garden, and Appurtenances belonging thereto, to any Perſon or Perſons who ſhall be willing to take or farm the ſame, for any Term not exceeding Three Years, at or for the greateſt Yearly Rent or Sum that can be obtained for the ſame, provided that Twenty-one Days previous Notice be given in ſome Newſpaper generally circulated within the Diſtrict within which the Toll-houſe intended to be let ſhall be ſituate, of ſuch intended Letting, and provided that all Lettings of the ſaid Tolls, Toll-houſes, and Appurtenances be made by public Bidding or Auction, to the higheſt Bidder, and provided a Memorandum in Writing be ſigned by the Perſon or Perſons who ſhall take ſuch Tolls, Toll-houſes, and Appurtenances, from Time to Time, and the Truſtees who may let the ſame, together with one or more Perſon or Perſons as Surety or Sureties with the Taker or Takers thereof, for better ſecuring the Payment of ſuch Rents; and in caſe the Rents or Sums of Money which ſhall be agreed to be paid for ſuch Tolls, Toll-houſes, and Appurtenances, which ſhall be ſo let or demiſed, or agreed to be let or demiſed, ſhall not be paid on the reſpective Days or at the Times when the ſame ſhall be made payable or agreed to be paid, then the ſame ſhall and may be reſpectively levied and recovered from the Takers or Leſſees thereof, and his and their Sureties, by the ſame Means and in the ſame Manner as are by this Act herein-before directed or provided for the accounting for the ſaid Tolls, and compelling Payment thereof, by the Collectors thereof, or for Monies had and received by any Perſon or Perſons, and unaccounted for, and unpaid; and any Seven or more of the ſaid Truſtees acting for the ſeveral Diſtricts aforeſaid, are hereby authorized to execute and grant Leaſes of the ſaid ſeveral Tolls, Toll-houſes, and Appurtenances which may be ſo let, or agreed to be let as aforeſaid, upon and ſubject to ſuch Covenants, Conditions, and Stipulations as they may think proper; but the ſaid Truſtees ſhall always require One or more Perſon or Perſons to join in ſuch Leaſes, as Surety or Sureties, with the Leſſee or Leſſees, for the better Payment of the Rents thereby to be reſerved and made payable; and all ſuch Rents ſhall be applied in ſuch Manner as the Tolls to be raiſed under this Act are hereby directed to be applied.

Leſſees or Perſons appointed by them may collect Tolls.

LX. And be it further enacted, That during ſuch Time as the Tolls, or any Part or Parts thereof, ſhall be leaſed, demiſed, or let to any Perſon or Perſons whomſoever, it ſhall and may be lawful to and for the Leſſee or Leſſees, Farmer or Farmers thereof, or ſuch other Perſon or Perſons as he

or they shall by Writing or Writings under his, her, or their Hand or Hands authorize or appoint, to demand and take the said Tolls so leased, demised, or farmed, with the like Powers for the Recovery thereof, to all Intents and Purposes whatsoever, as any Collector of the said Tolls appointed by the said Trustees is hereby authorized and empowered to demand, take, and recover the same; and such Lessee or Lessees, Farmer or Farmers, or other Person or Persons as aforesaid, shall be subject to the Regulations of this Act, and to the like Pains, Penalties, and Forfeitures, and shall be liable to the like Actions and Prosecutions, as any Collector of the said Tolls appointed by the said Trustees is liable to.

In case of Non-performance of Agreement, Trustees may take Possession of Toll-houses, &c.

LXI. And be it further enacted, That in case all or any of the Tolls arising by virtue of this Act shall be demised or let to farm, or agreed to be demised or let to farm, to any Person or Persons in any Manner whatsoever, and the Lessee or Lessees, Farmer or Farmers thereof, shall neglect or refuse to perform the Terms and Conditions on which the same shall be so demised or let, or agreed to be demised or let, or in case the Rent or Rents agreed to be paid by such Lessee or Lessees, Farmer or Farmers, shall be in arrear for the Space of Fourteen Days next after any of the Days on which the same ought to be paid, pursuant to the Agreement for demising or letting thereof, then and in either of those Cases it shall be lawful for any Justice of the Peace, by Warrant under his Hand and Seal, to order the Constable or other Peace Officer of the Township or District within which the Toll-house shall be situate, with such Assistance as shall be necessary, and they are hereby authorized, to put the respective Trustees, or any Person or Persons appointed by them, in the Possession of any Toll-house or Toll-houses, and the Buildings, Gates, and Appurtenances thereto belonging, and remove and put out such Lessee or Lessees, Farmer or Farmers of the Tolls, from the Possession thereof, and from the Collection of such Tolls; and that thereupon it shall be lawful for the said respective Trustees (if they shall think fit) to vacate or determine the Lease demising such Tolls, or the Contract or Agreement for demising or letting the said Tolls to such Lessee or Lessees, Farmer or Farmers, and the same shall be utterly void to all Intents and Purposes (save as to the Covenants or Agreements for the Payment of the Rent or Rents thereby reserved, or other unperformed or broken Covenants and Agreements on the Part of the Lessees), as if such Demise or Agreement had never been made; and it shall be lawful for the said respective Trustees, in every such Case, to demise or let to farm the said Tolls again, to any other Person or Persons, or cause them to be collected as if no former Demise, Contract, or Agreement had been made relative thereto.

Tolls may be compounded for.

LXII. And be it further enacted, That the said Trustees or any Five or more of them, and their Lessee and Lessees, Collector and Collectors of the Tolls hereby granted and imposed, for the Time being, may and they are hereby empowered, from Time to Time, as they shall see convenient or think fit, to compound and agree, for any Term not exceeding One Year at one Time, with any Person or Persons passing or travelling through the Turnpike or Turnpikes to be continued or erected on the said several Districts of Road, for any Horses, Mules, Asses, or Oxen drawing any Coach, Berlin, Landau, Chariot, Calash, Chaise, Curricle, Gig, Chair, Taxed Cart, Waggon, Wain, Cart or other Carriage, or for any Horse, Ox, Ass, or Mule, or other Cattle, not drawing, for any Sum or Sums of Money, to be paid

paid Quarterly, or otherwiſe, from Time to Time after ſuch Agreement ſhall be made, in lieu of the Tolls hereby granted and impoſed.

Not to prejudice the Right of Toll of the Mayor of Richmond or the Lord of Hornby.

LXIII. Provided always, and it is hereby declared, That nothing herein contained ſhall extend or be conſtrued to extend to leſſen, prejudice, or take away the Right of the Mayor and Aldermen of the Borough and Corporation of *Richmond*, or their Succeſſors, or their Leſſee or Leſſees, to the Tolls and Duties paid or payable for Cattle or Goods paſſing or carried over *Richmond Bridge*, nor the Right of the Lord of the Honor and Manor of *Hornby* aforeſaid, his Heirs or Aſſigns, to any Tolls or Duties paid or payable within the ſaid Honor and Manor; but that the ſaid Mayor and Aldermen, and the Lord of the ſaid Honor and Manor of *Hornby*, and their and his Succeſſors, Heirs, and Aſſigns, ſhall and may have the ſame Right and Power to take and enjoy any ſuch Tolls, as fully and effectually as if this Act had not been made; nevertheleſs, it ſhall and may be lawful for the ſaid Truſtees, or any Five or more of them, acting in thoſe Diſtricts of the ſaid Road where the Towns of *Richmond* and *Hornby* reſpectively lie, and they are hereby empowered, to rent, farm, or take by Leaſe, by the Year or otherwiſe, all the ſaid Tolls and Duties, at any Sum not exceeding the yearly Sum of Twenty Pounds for each of the ſaid Towns.

Tolls, &c. to be received in the Gilling Diſtrict to be veſted in the Truſtees for that Diſtrict.

LXIV. And be it further enacted, That all the Monies which before the Day of the Commencement of this Act ſhall have been raiſed and produced upon the ſaid Road from *Richmond*, through *Gilling*, *Melſonby*, and *Aldborough*, to *Lucy Croſs* aforeſaid, and from *Gilling* through *Gilling Town Lane* to the Turnpike Road on *Gatherley Moor* aforeſaid, and which ſhall be undiſpoſed of on the Day of the Commencement of this Act, and alſo all the Monies which ſhall ariſe and be produced by or from the Tolls by this Act granted and made payable within the ſaid laſt-mentioned Diſtrict of Roads, together with the Monies which ſhall be borrowed upon the Credit thereof, and all other Monies which ſhall ariſe and be produced by virtue of this Act within or upon the ſaid laſt-mentioned Diſtrict of Roads, ſhall be veſted in the Truſtees for the Time being of the ſaid laſt-mentioned Diſtrict of Roads, and applied to and for the Uſes and Purpoſes, and in the Order and Manner following; that is to ſay, In the Firſt Place, in Payment of the Sum of Seventy Pounds in full of their Proportion of the Charges and Expences incident to or attending the obtaining and paſſing of this Act: In the Second Place, in paying the Intereſt accruing upon the ſeveral principal Sums of Money which now are or ſhall from Time to Time be due and owing on Mortgage or Security of the Tolls granted by the ſaid recited Acts or this Act within the ſaid laſt-mentioned Diſtrict of Road: In the Third Place, in defraying the Expences of erecting and providing Turnpikes, Toll Houſes, and other Buildings, and repairing the ſame, and of altering, widening, diverting, turning, and repairing and improving the ſaid laſt-mentioned Diſtrict of Roads, and purchaſing Lands for thoſe Purpoſes, and of executing the other Purpoſes of this Act: And laſtly, in reducing, paying off, and diſcharging ſuch ſeveral principal Sums as aforeſaid.

Directing how the Monies to be raiſed in the

LXV. And be it further enacted, That all the Monies which before the Day of the Commencement of this Act ſhall have been raiſed and produced upon or within the Eaſtern Diſtrict of the ſaid Road leading from *Richmond*

mond aforesaid to *Lancaster* aforesaid, and which shall be undisposed of on the Day of the Commencement of this Act, and also the Monies which shall arise and be produced by or from the Tolls by this Act granted and made payable within the said Eastern District of the said last-mentioned Road, together with the Monies which shall be borrowed upon the Credit thereof, and all other Monies which shall arise and be produced by virtue of this Act within or upon the said Eastern District of the said last-mentioned Road, shall be vested in the said Trustees of the said Eastern District of the said last-mentioned Road for the Time being; and that all the Monies which before the Day of the Commencement of this Act shall have been raised and produced upon or within the said Western District of the said last-mentioned Road, and which shall be undisposed of on the Day of the Commencement of this Act, and also all the Monies which shall arise and be produced by or from the Tolls by this Act granted and made payable within the Western District of the said last-mentioned Road, together with the Monies which shall be borrowed upon the Credit thereof, and all other Monies which shall arise and be produced by virtue of this Act within or upon the said Western District of the said last-mentioned Road, shall be vested in the said Trustees for the Time being of the said Western District of the said Road; and all the said Monies which shall be produced and raised by the Means aforesaid, shall be applied by the Trustees for both the said Two Districts of the said last-mentioned Road respectively, for the Uses and Purposes following; that is to say, In the First Place, in paying in equal Shares and Proportions all such Charges and Expences incident to or attending the obtaining and passing of this Act, which the said Sum of Seventy Pounds to be paid by the said Trustees of the said Road from *Richmond* through *Gilling* to *Lucy Cross*, and from *Gilling* through *Gilling Town Lane* to the Turnpike Road on *Gatherley Moor* as aforesaid, shall fall short of paying, and then in paying the Interest now due and hereafter to become due upon the several principal Sums of Money which now are or shall from Time to Time be due and owing on any Assignment, Mortgage, or Security of the Tolls granted by the said recited Acts, or any of them; and then the Trustees for the Eastern District of the said Road leading from *Richmond* aforesaid to *Lancaster* aforesaid, shall pay all the other Monies which shall from Time to Time, during the Continuance of this Act, be produced and raised by the Means aforesaid within the said Eastern District, in Manner following; that is to say, First, in discharging the Interest of all such principal Monies as may at any Time hereafter, during the Continuance of the Term hereby granted, be borrowed on the Credit of the Tolls and Duties hereby granted within the said Eastern District, under or by virtue of the Powers herein-after granted for that Purpose; Secondly, in discharging and defraying the Expences of erecting and providing Turnpikes, Toll Houses, and other necessary Buildings within the said Eastern District, and of repairing the same: Thirdly, in paying to the Surveyors of the Highways of the Townships through which the said Eastern District of the said Road passes, the annual Sum of One Halfpenny for each Yard of the said Eastern District of the said Road (Roads reparable *ratione tenuræ* excepted) which shall lie within each of the said Townships, in full of all Aid and Contribution whatever from the Funds of the Western District of the said Road, towards the Improvement and Reparation of the said Eastern District of the said Road, and which said Sum of One Halfpenny *per* Yard shall be applied by the Surveyors of the said Highways in the Reparation and Support of the respective Portions

Two Districts of the Richmond and Lancaster Road are to be applied.

of the ſaid Eaſtern Diſtrict of the ſaid Road lying within their reſpective Townſhips; and, Fourthly, in reducing, paying off, and diſcharging ſuch principal Sums of Money as are now owing upon any Aſſignment, Mortgage, or other Security of the Tolls granted and made payable by the ſaid recited Acts, or any of them, upon the Credit of the Tolls granted and made payable within both of the ſaid Two Diſtricts of Road leading from *Richmond* aforeſaid to *Lancaſter* aforeſaid; and then, Laſtly, in reducing, paying off, and diſcharging all ſuch principal Sums of Money as may at any Time hereafter, during the Continuance of the Term intended to be hereby granted, be borrowed on the Credit of the Tolls and Duties hereby granted within the ſaid Eaſtern Diſtrict, under or by virtue of the Powers hereinafter given for that Purpoſe: And the Truſtees for the Weſtern Diſtrict of the ſaid laſt-mentioned Road ſhall pay all the other Monies which ſhall from Time to Time, during the Continuance of this Act, be produced and raiſed by the Means aforeſaid within the ſaid Weſtern Diſtrict, in Manner following; that is to ſay, Firſt, in paying and diſcharging all Principal and Intereſt Money owing for or on account of applying to Parliament in the Year One thouſand eight hundred and twelve, to obtain an Act reſpecting all the ſaid Diſtricts of Road; Secondly, in diſcharging the Intereſt of all ſuch principal Money as may at any Time hereafter, during the Continuance of the Term hereby granted, be borrowed on the Credit of the Tolls and Duties hereby granted within the ſaid Weſtern Diſtrict, under or by virtue of the Powers herein-after granted for that Purpoſe; Thirdly, in diſcharging and defraying the Expences of erecting and providing Turnpikes, Toll Houſes, and other neceſſary Buildings within the ſaid Weſtern Diſtrict, and of repairing the ſame, and of improving, maintaining, and repairing the ſaid Weſtern Diſtrict of the ſaid laſt-mentioned Road; and when the ſaid Weſtern Diſtrict ſhall be ſufficiently improved and repaired, then in reducing, paying off, and diſcharging ſuch principal Sums of Money as are now owing upon any Aſſignment, Mortgage, or other Security of the Tolls granted and made payable by the ſaid recited Acts or any of them, upon the Credit of the Tolls granted and made payable within both of the ſaid Two Diſtricts of Road leading from *Richmond* aforeſaid to *Lancaſter* aforeſaid; and then, Laſtly, in reducing, paying off, and diſcharging all ſuch principal Sums of Money as may at any Time hereafter, during the Continuance of the Term intended to be hereby granted, be borrowed on the Credit of the Tolls and Duties hereby granted within the ſaid Weſtern Diſtrict, under or by virtue of the Powers hereinafter given for that Purpoſe.

Tolls not to be applied towards paving Richmond, Hornby, and Lancaſter.

LXVI. Provided always, and it is hereby further enacted and declared, That no Part of the Money to be raiſed by the Tolls to be collected by virtue of this Act, or to be borrowed on the Credit of the ſame, ſhall be laid out in paving or repairing the Streets, Roads, Pavements, or Cauſeways of or within the ſaid Towns or Boroughs of *Richmond*, *Hornby*, and *Lancaſter*, or either of them; any Thing herein contained to the contrary notwithſtanding.

For borrowing Money on the Security of the Tolls by Mortgage, &c.

LXVII. And be it further enacted, That it ſhall be lawful for the ſaid reſpective Truſtees, or any Seven or more of them, at any of their Meetings to be held in purſuance of this Act, within and for any of their Diſtricts aforeſaid, to borrow and take up at Intereſt, upon the Credit of the Tolls to ariſe by virtue of this Act within their reſpective Diſtricts, in ſuch Manner as they ſhall think proper, any Sum or Sums of Money they

ſhall think proper to borrow for all or any of the Purpoſes of this Act, during the Continuance thereof, giving Twenty-one Days previous Notice thereof, in Writing, to be affixed on all the Toll-gates or Turnpikes then erected acroſs the ſaid Roads within the Diſtrict for which the Monies may be intended to be borrowed, and to be publiſhed in ſome Newſpaper generally circulated in the Diſtrict within which the Tolls, on the Credit whereof Money may be propoſed to be borrowed, are collected; and they the ſaid reſpective Truſtees are hereby empowered from Time to Time, at any of their Meetings within and for their ſaid reſpective Diſtricts, by any Writing or Writings under their Hands, to aſſign over or mortgage the reſpective Tolls or Duties hereby granted, and to ariſe within their ſaid reſpective Diſtricts, or any Part or Proportion, Parts or Proportions thereof, during the Continuance of this Act, (the Charges of ſuch Aſſignments and Mortgages to be paid out of ſuch Tolls), as a Security or Securities to any Perſon or Perſons who ſhall advance ſuch Sum or Sums of Money, his, her, or their Truſtee or Truſtees, their reſpective Executors, Adminiſtrators, and Aſſigns, for the Money ſo to be advanced, with ſuch lawful Intereſt for the ſame as ſhall be agreed upon in that Behalf, which Mortgage ſhall be in the Form or to the Effect following; *videlicet*,

'BY virtue of an Act made in the Fifty-ſeventh Year of the Reign of His Majeſty King *George* the Third, intituled [*here ſet forth the Title of this Act*], We, Seven of the Truſtees for executing the ſaid Act, for that Diſtrict of the ſaid Roads in the ſaid Act mentioned, leading [*here deſcribe the Diſtrict for which the Money is intended to be borrowed*] in conſideration of the Sum of [*here inſert the principal Sum lent*] this Day paid to the Treaſurer of the ſaid Diſtrict of Roads, by [*here inſert the Name and Deſcription of the Lender of the Money*] do aſſign, during the Continuance of the ſaid Act, unto the ſaid [*here inſert the Name of the Lender of the Money*] ſuch Proportion of the Tolls to ariſe upon the ſaid Diſtrict of Roads as the ſaid Sum of [*here inſert the Money lent*] ſhall bear to the whole of the Principal Money, for the Time being, due on the Security of the ſaid Tolls, to hold the ſame unto the ſaid [*here inſert the Name of the Lender of the Money*] his Executors, Adminiſtrators, and Aſſigns, until the ſaid Sum of [*here inſert the Sum lent*] with Intereſt at the Rate of [*inſert the Rate of Intereſt agreed to be paid*] *per Centum per Annum*, ſhall be fully paid. Dated this Day of , in the Year of our Lord [*inſert the Date.*]'

Mortgages and Aſſignments to be entered in a Book by the Clerk.

And Copies of all ſuch Mortgages and Transfers ſhall be entered in a Book or Books to be kept for that Purpoſe, by the Clerk or Treaſurer of the ſaid reſpective Diſtricts of Road within which the ſaid Monies ſhall be ſo borrowed, and which ſaid Book or Books ſhall and may at all ſeaſonable Times be peruſed and inſpected by any Perſon intereſted therein, without Fee or Reward; and all Perſons to whom any Mortgage or Transfer ſhall be made as aforeſaid, ſhall, in proportion to the Sum or Sums of Money thereby ſecured, be Creditors on the Tolls by this Act granted, in equal Degree one with another, and ſhall have no Preference in reſpect to the Priority of advancing their Monies or of the Dates of their reſpective Securities.

Mortgagees may aſſign.

LXVIII. And be it further enacted, That all and every Perſon and Perſons to whom any ſuch Aſſignment or Aſſignments, Mortgage or Mortgages, or other Security or Securities of the ſaid Tolls, ſhall be made as aforeſaid,

aforesaid, or who shall be entitled to the same, is and are hereby empowered from Time to Time to assign over or transfer the same, or any Share thereof, and all or any Part of the Monies due thereon, to any Person or Persons whomsoever, by signing an Instrument to be annexed to such Security, or by Indorsement on the same, in the following Words or Words to the like Effect; *videlicet*,

Form of Transfer.

'I *A. B.* of, &c. [*here insert the Name and Description of the Person assigning*] do hereby transfer the within Mortgage [*if by Indorsement, or if by a separate Instrument*, a certain Mortgage] bearing Date the Day of [*here insert Date of the Mortgage*], of the Tolls arising on the District of Road from to , [*here insert the District on which the Money is owing*] authorized to be made and kept in repair, by virtue of an Act passed in the Fifty-seventh Year of the Reign of His present Majesty, intituled [*here set forth the Title of this Act*]; and all my Right and Title to the Principal Money and Interest thereby secured, unto *C. D.* of, &c. [*here insert the Name of the Assignee*] his Executors, Administrators, and Assigns. Dated the Day of [*insert the Date.*]'

No Creditor to have Preference of another.

LXIX. And be it further enacted, That no Preference shall be given to any Person or Persons who hath or have heretofore advanced any Sum or Sums of Money on the Credit of the said recited Acts, or who shall hereafter advance any Sum or Sums of Money on the Credit of this Act, his, her, or their Assignee or Assigns, in respect to the Priority of the Mortgage or Assignment, or of advancing such Sum or Sums of Money; but that as well all Persons to whom any such Mortgages or Assignments have already been made, as those to whom the same shall hereafter be made, his, her and their Assignee and Assigns, shall be (in proportion to the Sum or Sums therein mentioned) Creditors in this Act, and in equal Degree one with another.

For paying Creditors by Lot.

LXX. Provided always, and be it further enacted, That in case the said respective Trustees shall at any Time or Times be desirous of paying off any Portion of the Principal Monies due and owing upon the Credit of the said Roads, it shall and may be lawful for them, or any Seven or more of them, at any Meeting to be holden as aforesaid, Notice of such intended Meeting, and of the Purposes thereof, being first given, at least Fourteen Days preceding the same, by Advertisement in some Newspaper generally circulated within the said several Districts of Road, if they shall think fit, instead of paying the same rateably amongst all the Creditors, to determine by Lot to which of such Creditors the Whole or a Portion thereof shall be so paid, and to pay the same to such Creditor or Creditors only; any Thing herein contained to the contrary notwithstanding: Provided also, that any One of the Creditors may be paid by Consent of any Person ballotted.

Surveyors may dig Ground, &c.

LXXI. And be it further enacted, That it shall and may be lawful to and for the Surveyor or Surveyors, and such Person or Persons as he or they shall appoint, to dig, gather, and carry away any Gravel, Furze, Heath, Sand, Flints, Stones, or other Materials, out of any common River or Brook, or out of or from any Waste or Common, for repairing

pairing and amending the Roads aforesaid, within any Townſhip, Pariſh, or Place within which any Part of the ſaid Roads ſhall lie or be ſituate, or within any adjoining Townſhip, Pariſh, or Place, without paying any Thing for the ſame, ſuch Surveyor or Surveyors or other Perſons levelling or cauſing to be levelled all ſuch Holes and Pits where any Materials as aforeſaid ſhall be digged, gathered, or taken, and from whence the ſame ſhall be carried away, or making a ſafe and ſufficient Fence round all ſuch Holes or Pits; and where a ſufficient Quantity of Materials cannot be had from ſuch Rivers, Brooks, Waters, or Common, for repairing and amending the ſaid Roads, it ſhall and may be lawful for ſuch Surveyor or Surveyors, or other Perſons as aforeſaid, by Order of any Juſtice or Juſtices of the Peace for the ſaid Counties, to be made upon the Application of the ſaid Truſtees or any Five or more of them, to dig and gather ſuch Materials in, and carry the ſame out of and from the Lands or Grounds of any Perſon or Perſons (not being the Ground whereon any Houſe ſtands, or a Garden, Orchard, Yard or Park, Paddock, planted Walk, or Avenue to any Houſe, or a Piece or Parcel of Ground ſet apart or uſed as a Nurſery for Trees), where ſuch Materials are or may be found, and from Time to Time to carry away the ſame, or ſo much thereof as the ſaid Surveyor or Surveyors ſhall judge neceſſary for repairing and amending the ſaid Roads, paying ſuch Rates for ſuch Materials, and for the Damage done to the Owners and Occupiers reſpectively of the Lands or Grounds where and from whence the ſame ſhall be digged, gathered, or carried away, or over which the ſame ſhall be carried; as alſo for the Damage done to the Owners and Occupiers of any private Lands or Grounds, over which ſuch Materials gotten in any River, Brook, or Waſte Ground, ſhall be carried or conveyed, as the ſaid Truſtees or any Five or more of them ſhall adjudge reaſonable; and in caſe of Difference concerning the ſame, between ſuch Owners or Occupiers and the ſaid Truſtees touching ſuch Damages as aforeſaid, then Two Juſtices of the Peace acting in and for the ſaid Counties of *York* and *Lancaſter*, and in the Diſtrict wherein ſuch Materials ſhall have been taken or carried, ſhall and may adjudge, aſſeſs, and determine the ſame.

Notice to be given before Materials taken.

LXXII. Provided nevertheleſs, and be it further enacted, That it ſhall not be lawful for any Surveyor, or other Perſon or Perſons acting under the Authority of this Act, to dig, cut, gather, get, take, or carry away any Materials proper for repairing ſuch Roads, out of or from any incloſed Land or Ground, until Notice in Writing, ſigned by the Surveyor, ſhall have been given to the Owner or Occupier of the Premiſes from which ſuch Materials are intended to be taken, or left at the Houſe or laſt or uſual Place of Abode of ſuch Owner or Occupier, to appear before any One or more Juſtice or Juſtices of the Peace acting in and for the ſaid Counties, to ſhew Cauſe why ſuch Materials ſhall not be had from ſuch Lands or Grounds; and in caſe ſuch Owner or Occupier, or Agent, ſhall attend purſuant to ſuch Notice, but ſhall not ſhew ſufficient Cauſe to the contrary, ſuch Juſtice or Juſtices ſhall, if they think proper, authorize ſuch Surveyor or other Perſons to dig, gather, get, take, and carry away ſuch Materials, at ſuch Time or Times as to ſuch Juſtice or Juſtices ſhall ſeem proper; and if ſuch Owner or Occupier ſhall neglect or refuſe to appear, by himſelf or Agent, ſuch Juſtice or Juſtices may (upon Proof on Oath of the Service of ſuch Notice, and which Oath they or any of them are hereby empowered to adminiſter) make ſuch Order therein as he or they ſhall think

fit, as fully and effectually, to all Intents and Purposes, as if such Owner or Occupier, or his Agent, had attended.

Penalty on damaging Footways, or causing Nuisances or Obstructions on the Road.

LXXIII. And be it further enacted, That the said respective Trustees may cause Footpaths, not exceeding Eight Feet in Breadth, to be made along the Sides of the said respective Roads, in such Places as will conveniently admit of the same, and shall cause all Sign Posts, Sign Irons, Pent Houses, Shew Boards, Throughs in Walls, Spouts and Gutters, projecting into the said Footpaths, and all Posts, Rails, and other Obstructions thereon, to be taken down and removed; and if any Person or Persons shall ride upon any Footway adjoining the said Roads, or shall lead or drive any Horse, Ass, or any Carriage on such Footway, or shall cause any Damage to be done thereto, or shall put or turn any Horse, Mule, Ass, Ox, Bull, Cow, Calf, Sheep, Lamb, Boar, Sow, or Pig, into or upon the said Roads, or the Sides thereof, or any Part thereof; or if any Horse, Mule, Ass, Ox, Bull, Cow, Calf, Sheep, Lamb, Boar, Sow, or Pig, shall be found loose, straying, or depasturing upon the said Roads, or the Sides thereof, or any Part thereof; or if any Person driving any Coach, Chaise, Waggon, Cart, or other Carriage upon such Roads, and meeting another Coach, Chaise, Waggon, Cart, or other Carriage, shall not keep his Carriage on the left or near Side of such Road; or if any Person shall in any Manner wilfully prevent any other Person or Persons from passing him upon any such Road, or the Coach, Chaise, Waggon, Cart, or other Carriage under his Care; or if any Person shall make or assist in making any Fire or Fires, commonly called Bonfires, or shall set fire to, or let off, or throw any Squib, Rocket, Serpent, or other Firework or Fireworks, or play at Football or Skittles, or any other Game or Games, on any Part or Parts of such Roads; or if any Person shall leave any Coach, Chaise, Waggon, Wain, Cart, or other Carriage, Plough or other Instrument of Husbandry, in or upon the said Roads or the Sides thereof, either with or without any Horse or Beast of Draught harnessed or yoked thereto, without some reasonable Cause, to be allowed by the Justice of the Peace before whom the Person so offending shall be summoned or conveyed, in order to his or her Conviction, (save and except with regard to such Waggon, Wain, Cart, or other Carriage, during such reasonable Time as the same shall be loading or unloading, and standing as near to the Side of the said Roads as conveniently may be), every Person so offending in any of the Cases aforesaid, or the Owner of such Cattle so found trespassing, shall forfeit and pay a Sum not exceeding Twenty Shillings to the Surveyor of the District of Road in which any of the said Offences shall be committed, to be applied by him in repairing the said Road.

For preventing Obstructions on the Road.

LXXIV. And be it further enacted, That no Dung, Ashes, Compost, Manure, Timber, Wood, or other Things shall be unloaded, laid down, or left upon the said respective Roads, or the Sides thereof, or upon any Moor, Common, or Waste Ground, nearer to the Centre of the said Roads than Thirty Feet, upon Pain that every Person so offending, and being lawfully convicted thereof before One of His Majesty's Justices of the Peace for the said Counties of *York* or *Lancaster*, acting for the District wherein the Offence shall be committed, shall forfeit and pay a Sum not exceeding Forty Shillings; and if after the Removal of such Dung, Ashes, Compost, Manure, Timber, Wood, or other Thing as aforesaid, any

Perſon ſhall offend again in like Manner, every Perſon ſo offending again, and being lawfully convicted thereof, ſhall forfeit and pay a Sum not exceeding Five Pounds.

For prohibiting Soil, &c. being taken from the Sides of the Road.

LXXV. And be it further enacted, That if any Perſon or Perſons ſhall at any Time or Times hereafter dig or take away from the Sides of the ſaid ſeveral Diſtricts of Road or any of them any Soil, Earth, Marl, or Clay, ſo as to narrow the ſaid ſeveral Diſtricts of Road, or any of them, or to render them, or any of them, dangerous or inconvenient to Perſons or Carriages travelling on the ſaid ſeveral Diſtricts of Road or any of them, he or they ſhall forfeit and pay any Sum not exceeding Five Pounds, at the Diſcretion of any Two Juſtices of the Peace for the ſaid Counties of *York* and *Lancaſter* reſpectively, acting within that Diſtrict of the ſaid Roads where ſuch Offence may be committed.

Gates to open inwards.

LXXVI. And be it further enacted, That no Gate of any Park, Paddock, or Field ſhall be made to open towards the ſaid Roads, or ſhall be ſuffered to continue ſo to open, unleſs the Hanging-poſts thereof ſhall be Thirty Feet at the leaſt from the Centre of the Road; and the Occupier or Occupiers of every Park, Paddock, or Field, the Gate whereof ſhall open towards the ſaid Road, ſhall, within Fourteen Days after Notice from the Surveyor or Surveyors of the ſaid Roads, cauſe ſuch Gate to be altered in ſuch a Manner as that no Part of the Gate, when open, ſhall project over any Part of the ſaid Road, and in Default thereof the ſaid Surveyor or Surveyors is and are hereby authorized to cauſe ſuch Gate to be taken down, and afterwards fixed up in the Manner herein-before directed; and the Perſon or Perſons making Default ſhall, upon Complaint made to any Juſtice of the Peace for the ſaid Counties of *York* and *Lancaſter*, and on Conviction thereof, on the Oath of One credible Witneſs, pay to ſuch Surveyor or Surveyors ſuch Sum as the ſaid Juſtice ſhall direct for defraying the Expence of ſuch Alteration, and ſhall alſo forfeit and pay any Sum not exceeding Forty Shillings for his or their Default therein.

Surveyors empowered to remove ſudden Obſtructions without Notice.

LXXVII. And be it further enacted, That it ſhall be lawful for the ſaid reſpective Surveyor and Surveyors, and ſuch Perſon or Perſons as he or they ſhall appoint from Time to Time, without giving any previous Notice, to remove all ſuch Trees, Roots of Trees, and other Things as ſhall ſuddenly fall, ſlide, or be blown down from any Hedge, Bank, or Land, into or upon any Part of the ſaid reſpective Roads by this Act authorized to be repaired, ſo as to narrow or obſtruct the Paſſage along the ſame, and to carry and place the ſame on any Waſte Ground near thereto, ſo as the ſame be no Annoyance to Travellers, and as little inconvenient as poſſible to the Owners of ſuch Trees, Roots of Trees, and other Things as aforeſaid; and ſuch reſpective Surveyor or Surveyors ſhall forthwith give Notice thereof to the Owners or Occupiers of the Lands from whence ſuch Earth, Trees, Roots, or other Things ſhall ſo ſlide or fall, or be blown down as aforeſaid; and the Charges of carrying away the ſame (to be ſettled by the ſaid reſpective Truſtees or any Five or more of them) ſhall be reimburſed and paid to ſuch Surveyor or Surveyors by ſuch Owners or Occupiers, and be recovered in ſuch Manner as the Penalties and Forfeitures for Offences againſt this Act are hereby directed to be recovered.

LXXVIII. And

Power to divert the Road, and to Corporations, &c. to ſell.

LXXVIII. And be it further enacted, That it ſhall be lawful for the ſaid reſpective Truſtees, and they are hereby authorized and empowered, to make and repair, and from Time to Time to widen, divert, turn, ſhorten, vary, and alter the Courſe, Line, or Path of any Part or Parts of the ſaid Roads; and every Variation may be of any Width, through any Lands, Grounds, or Hereditaments whatſoever, not exceeding Thirty Feet, excluſive of the Ditches and Fences on each Side thereof, (not being the Scite of or Ground whereon any Houſe or Houſes ſtand, or planted Walk, Yard, Garden, Park, Paddock, or Avenue to any Houſe,) and to take Land for Toll Houſes and Gardens, and Grounds for laying and breaking Stones, firſt making Satisfaction to the Owners and Occupiers thereof, and Perſons intereſted therein, for the Damages they may ſuſtain thereby; and for that Purpoſe it ſhall be lawful for the ſaid reſpective Truſtees to treat, contract, and agree with the Owners and Occupiers of, and Perſons intereſted in any Lands, Ground, or Hereditaments, for the Purchaſe or Exchange thereof, or for the Loſs or Damage ſuch Owners, Occupiers, or Perſons may ſuſtain by the making, widening, turning, or altering the Courſe, Line, or Path of any Part or Parts of the ſaid reſpective Roads, through ſuch Lands, Grounds, or Hereditaments; and it ſhall be lawful for all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Tenants for Life, or in Fee Tail general or ſpecial, Huſbands, Guardians, Truſtees, Feoffees in Truſt, Committees, Executors, Adminiſtrators, and all other Truſtees and Perſons whomſoever, not only for and on Behalf of their Ceſtuique Truſts, whether Femes Covert, Infants, Iſſue unborn, Lunatics, Ideots, or other Perſon or Perſons whomſoever, who are or ſhall be poſſeſſed of or intereſted in any ſuch Lands, Grounds, or Hereditaments, to contract with the ſaid reſpective Truſtees for the Satisfaction to be made for ſuch Damages as aforeſaid, and to ſell and convey unto them all or any of ſuch Lands, Grounds, or Hereditaments, or any Part thereof, for the Purpoſes aforeſaid; and all Contracts, Sales, and Conveyances which ſhall be ſo made, ſhall be valid to all Intents and Purpoſes, any Law, Statute, Uſage, or other Matter to the contrary notwithſtanding; and all ſuch Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Huſbands, Guardians, Truſtees, Feoffees, Committees, Executors, Adminiſtrators, and all other Perſons whomſoever, ſhall be and are hereby indemnified for what they or any of them ſhall do by virtue or in purſuance of this Act.

In diverting Roads, not to deviate more than One hundred Yards.

LXXIX. And be it further enacted, That it ſhall not be lawful for the ſaid Truſtees, in diverting, turning, varying, or altering the Courſe or Path of any Part of the Roads comprized in the ſaid Acts, to deviate more than One hundred Yards from the preſent Line or Courſe thereof, without the Conſent in Writing of the Owners or reputed Owners and Occupiers for the Time being of the Lands and Grounds which may be affected by any ſuch Diverſion or Alteration; any Thing in the ſaid recited Acts contained to the contrary thereof in anywiſe notwithſtanding.

Recompence to be ſettled by a Jury in certain Caſes.

LXXX. And be it further enacted, That if any ſuch Owners, Proprietors, Occupiers, Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Truſtees, or any other Perſon or Perſons intereſted in any ſuch Lands or Grounds, upon Notice in Writing to him, her, or them given, or left at the reſpective Dwelling-houſes or Places of Abode of ſuch Perſon or Perſons, or of the principal Officer or Officers of ſuch Bodies Politic,

Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, or at the Houſe of the Tenant in Poſſeſſion of the Lands or Grounds ſo to be taken in and added to any Part of the ſaid reſpective Roads, or unto or through which any Part or Parts of ſuch Roads is or are to be turned or altered as aforeſaid, ſhall, by the Space of Ten Days after ſuch Notice given or left as aforeſaid, neglect or refuſe to treat, or ſhall not agree as to the Satisfaction or Damage to be made or paid for ſuch Lands or Grounds or other the Premiſes, or by reaſon of Abſence ſhall be prevented from treating, then and in every or any ſuch Caſe the ſaid Truſtees ſhall cauſe it to be inquired into and aſcertained by and upon the Oaths of a Jury of Twelve indifferent Men of the County in which the Lands or Grounds ſo to be taken in and added to any Part of the ſaid reſpective Roads, or into or through which any Part or Parts of ſuch reſpective Roads is or are to be turned or altered as aforeſaid, ſhall reſpectively lie, (which Oaths any One or more of the ſaid reſpective Truſtees is and are hereby empowered and required to adminiſter) what Damages will be ſuſtained by, and what Recompence and Satisfaction ſhall be made to ſuch Owners, Occupiers, or other Perſon or Perſons intereſted, for or on account of the taking of ſuch Lands and Grounds into the ſaid reſpective Roads, or of turning or deviating any Part or Parts of ſuch Roads into or through the ſame Lands or Grounds; and in order thereto the ſaid reſpective Truſtees are hereby empowered and required, from Time to Time, as Occaſion ſhall require, to ſummon and call before the ſaid Jury, and examine upon Oath, all and every Perſon and Perſons whomſoever, who ſhall be thought neceſſary and proper to be examined as a Witneſs or Witneſſes, touching or concerning the Premiſes, (which Oath any one or more of the ſaid Truſtees is and are hereby empowered to adminiſter); and they ſhall alſo order and cauſe the ſaid Jury to view the Places in queſtion, if there be Occaſion, and uſe all other lawful Ways and Means, as well for their own as for the Jury's better Information in the Premiſes, as the ſaid reſpective Truſtees ſhall think fit; and after the ſaid Jury ſhall have inquired of, aſcertained, and aſſeſſed and ſettled ſuch Damage, Recompence, and Satisfaction, the ſaid Truſtees ſhall thereupon order the Sum or Sums of Money ſo aſſeſſed by the Jury to be paid to the Owners or Occupiers or other Perſons intereſted in the ſaid Lands or Grounds, according to ſuch Verdict or Inquiſition of the ſaid Jury, which ſaid Verdict or Inquiſition and Order, ſo had and made, ſhall be final, binding, and concluſive to all Intents and Purpoſes, againſt and upon all Parties and Perſons whomſoever, claiming any Eſtate in Fee-ſimple or Fee-tail, or for Life or Lives, or Years, in Poſſeſſion, Reverſion, Remainder, or otherwiſe, their Heirs, Succeſſors, Executors, Adminiſtrators, Infants, Iſſue unborn, Femes Covert, Perſons beyond the Seas, Lunatic or Idiot, or under any other Diſability whatſoever, Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, as well as all other Perſons whomſoever; and for the ſummoning and returning ſuch Jury or Juries, any Five or more of the Truſtees acting for the ſaid ſeveral Diſtricts of Road reſpectively, are hereby empowered to iſſue their Warrant or Warrants, under their Hands and Seals, to the Sheriff of ſuch of the ſaid Counties wherein ſuch Lands or Grounds do lie; or in caſe ſuch Sheriff, or his Deputy or Deputies, ſhall be anywiſe intereſted in the Matter in queſtion, then to ſome One of the Coroners of ſuch of the ſame Counties not intereſted therein, thereby commanding and requiring ſuch Sheriff or Coroner to impannel, ſummon, and return a Jury of Twenty-four honeſt and

indifferent Men, qualified according to Law to be returned for Trials of Iſſues in His Majeſty's Courts of Record at *Weſtminſter*, to appear before any Five or more of the Truſtees acting for the ſaid ſeveral Diſtricts of Road reſpectively, at ſuch Time and Place as in ſuch Warrants ſhall be appointed; and the ſaid Sheriff, his Deputy or Deputies, or the ſaid Coroner, is and are hereby required to impannel, ſummon, and return ſuch Number accordingly, and out of the Perſons ſo impannelled, ſummoned, and returned, or out of ſuch of them as ſhall appear upon ſuch Summons, the ſaid reſpective Truſtees for the ſaid ſeveral Diſtricts of Road reſpectively, or any Five or more of them, ſhall ſwear or cauſe to be ſworn Twelve, who ſhall be a Jury for the Purpoſes aforeſaid; and in Default of a ſufficient Number of Jurymen, the ſaid Sheriff, his Deputy or Deputies, or the ſaid Coroner, ſhall return other honeſt and indifferent Men of the Standers-by, or that can be ſpeedily procured to attend that Service, (being qualified as laſt aforeſaid), to the Number of Twelve; and all Perſons concerned ſhall have their lawful Challenges againſt any of the ſaid Jurymen when they come to be ſworn, but they ſhall not challenge the Array; and the ſaid reſpective Truſtees acting in the Premiſes ſhall have Power from Time to Time to impoſe any reaſonable Fine or Fines on the ſaid Sheriff, his Deputy or Deputies, Bailiffs or Agents, or on ſuch Coroner, making Default in the Premiſes, and on any of the Perſons that ſhall be ſummoned and returned on ſuch Jury and ſhall not appear, or who ſhall refuſe to be ſworn on the ſaid Jury, or being ſo ſworn refuſing to give or not giving their Verdict, or in any other Manner wilfully neglecting their Duty therein, contrary to the true Intent and Meaning of this Act; and on any of the Perſons who, being required to give Evidence before the ſaid Jury touching the Premiſes, ſhall refuſe or neglect to appear, or appearing ſhall refuſe to be ſworn and give Evidence; provided, that no ſuch Fine ſhall exceed the Sum of Twenty Pounds upon any ſuch Sheriff, his Deputy or Deputies, or Coroner, or the Sum of Ten Pounds on any other Perſons for any one Offence.

For paying Expenſes of Juries.

LXXXI. And be it further enacted, That in caſe any Jury or Juries, to be ſummoned and ſworn purſuant to the Authority of the ſaid recited Acts or of this Act, or any of them, ſhall give in and deliver a Verdict or Aſſeſſment for more Money as a Recompence or Satisfaction for the Right, Intereſt, or Property of any Perſon or Perſons in any Lands, Grounds, or Hereditaments which may be taken for the Purpoſes of widening, turning, or altering the ſaid Roads, or for any Loſs or Damage to be by him, her, or them ſuſtained thereby, than what ſhall have been agreed to and offered and tendered by the ſaid Truſtees, before the ſummoning and returning of the ſaid Jury or Juries, as a Recompence or Satisfaction for any ſuch Right, Intereſt, or Property, or for any Loſs or Damage as aforeſaid, then and in ſuch Caſe the Coſts and Expenſes of ſummoning and maintaining the Jury and Witneſſes, and all other Expenſes attending the hearing and determining of ſuch Differences, ſhall be borne and paid by the Treaſurer to the ſaid reſpective Truſtees, out of any Money which ſhall then be in his Hands, or out of the Monies to be received by virtue of this Act; but if any Jury or Juries ſo ſummoned and ſworn as aforeſaid ſhall give in and deliver a Verdict or Aſſeſſment for no more or for leſs Money than ſhall have been agreed to and offered and tendered by the ſaid reſpective Truſtees, before the ſummoning or returning of the ſaid Jury or Juries,

as a Recompence and Satisfaction for any such Right, Interest, or Property in any such Lands, Grounds, or Hereditaments, or Loss or Damage as aforesaid, then the Costs and Expenses of summoning and maintaining the said Jury and Witnesses, and all other Expenses aforesaid, shall be borne and paid by the Person or Persons with whom the said Trustees shall have such Controversy or Dispute; which said Costs and Expenses, having been ascertained and settled by some Justice of the Peace for the County, Riding, District, or Place wherein the Cause of Dispute shall arise, not interested in the Matter in question (who is hereby authorized and required to examine, ascertain, and settle the same), shall and may be deducted out of the Money so assessed and adjudged, as so much Money advanced to and for the Use of such Person or Persons; and the Payment or Tender of the Remainder of such Monies shall be deemed and taken, to all Intents and Purposes, to be a Payment or Tender of the whole Sum or Sums so assessed and adjudged; otherwise such Costs and Expenses (in case the same be not paid upon Demand after being so ascertained and settled as aforesaid) may be recovered by the Clerk or Clerks to the said respective Trustees, by the Ways and Means herein provided for the Recovery of Penalties and Forfeitures: Provided always, that in all Cases where any Person or Persons shall by reason of Absence have been prevented from treating, such Costs shall be borne and paid by the said respective Trustees in Manner aforesaid.

How the Purchase Money agreed upon or assessed is to be paid.

LXXXII. And be it further enacted, That every Sum of Money by way of Recompence and Satisfaction, which shall be agreed for or assessed as aforesaid, shall be paid out of the Monies which shall arise and be produced by virtue of this Act to the Parties or Persons respectively entitled thereto, or to their Agents; and upon Payment thereof, or upon depositing the same in the Bank of *England* for the Use of such Parties or Persons in Manner hereby directed, all Owners and Occupiers of and Persons interested in such Lands or Grounds shall from thenceforth be divested of all Right, Title, Claim, and Property of, into, or out of the same; and such Lands or Grounds shall be taken and laid into and made Part of the said Roads in such Manner as the said Trustees shall direct, and shall be by them, or by such Person or Persons as they or any Five or more of them shall appoint, sufficiently drained, ditched, fenced, and set out for that Purpose, and shall from thenceforth to all Intents and Purposes whatsoever become and for ever afterwards be a common Highway, and shall be deemed Part of the respective Roads to be repaired by virtue of this Act, and shall be repaired accordingly; and after such new Road shall be completed, the Lands constituting the former Road, or any Part thereof, unless leading over some Moor, Common, or Waste Ground, or to or through some Town, Village, or Hamlet to or through which such new Road doth not lead or pass, shall be vested in the said respective Trustees for the Time being, and such Trustees shall sell and convey the same for the best Prices that can be gotten, and the Money arising by such Sale shall be applied for the Purposes of this Act; and the said respective Trustees are hereby empowered to give in Exchange any Part or Parts of the Lands constituting the former Road for any Part or Parts of such new Road; and the Sale or Sales, Conveyance or Conveyances, Exchange or Exchanges, to be made of such Lands or Grounds, being executed by any Five or more of the said respective Trustees, shall be good and effectual in Law, to all Intents and Purposes whatsoever.

LXXXIII. Pro-

No Building to be damaged, or Garden Ground, &c. to be taken for the Purposes of this Act.

LXXXIII. Provided always, and be it further enacted, That nothing in this Act contained shall empower the said respective Trustees or any of them, or any other Person or Persons, to pull down or damage any Dwelling House, or to take, use, injure, damage, or possess any Ground contiguous thereto, having been used as a Garden, Yard, Walk, or Avenue to a House, or Plantation or Nursery of Trees, without the Consent in Writing of the Owner or Owners of every such Dwelling House or other Building, Garden, Yard, Walk, Avenue, or Plantation or Nursery of Trees, respectively, his, her, or their Agent or Agents, under their respective Hands for that Purpose first had and obtained.

Directing Pieces of old Road to be offered for Sale to the Proprietors of the adjoining Lands.

LXXXIV. Provided always, and be it further enacted, That the said respective Trustees, before they shall sell and dispose of any Piece or Pieces of old Road, or any of the Toll Houses which may be discontinued and may be offered for Sale, with the Gardens, Land, and other Conveniences thereunto belonging, or any Ground purchased for laying or breaking Stones as herein-before mentioned, by virtue of the said recited Acts or this Act, or any of them, shall first offer the same to the Person or Persons whose Land shall adjoin thereto, at a fair and reasonable Price; and in case such Person or Persons respectively shall not then and thereupon agree, or shall refuse to purchase the same respectively, any Affidavit to be made and sworn before a Master Extraordinary of the High Court of Chancery, or before One of His Majesty's Justices of the Peace for the County, Riding, or Division wherein such Piece or Pieces of old Road, Toll Houses, or Ground shall lie, by some Person or Persons not interested, stating that such Offer was made by or on Behalf of the said Trustees, and that such Offer was not then and thereupon agreed to, or was refused by the Person or Persons to whom the same was offered, shall be sufficient Evidence and Proof that such Offer was made and not agreed to, or was refused by the Person or Persons to whom such Offer was made (as the Case may be); and in case such Person or Persons shall be desirous of purchasing the same, and he, she, or they and the said Trustees shall differ and not agree with respect to the Price thereof, in such Case the Price or Prices thereof shall be ascertained by a Jury in Manner herein-before directed with respect to disputed Value of Lands to be purchased by the said Trustees in pursuance of this Act; and the Expense of hearing and determining such Difference shall be borne and paid in like Manner as herein directed with respect to Purchases made by the said respective Trustees, *mutatis mutandis*; and the Money to arise by the Sale or Sales which may be made by the said respective Trustees as aforesaid, shall be applied to the Purposes of this Act, but the Purchaser or Purchasers thereof shall not be answerable or accountable for any Misapplication or Nonapplication of such Money: Provided also, that no Person shall act as a Trustee in any Case relating to the contracting for or purchasing of any Lands, Grounds, or Hereditaments wherein he shall be personally interested.

Trustees not to act where interested.

Roads discontinued not to be repaired.

LXXXV. Provided also, and be it further enacted, That in case the ancient or former Road over any Moor or Waste Grounds shall, by virtue of this Act, be turned or diverted, the Inhabitants of the Parish, Township, Riding, Division, or Hamlet, wherein the ancient or former Road which shall be thereby left or discontinued, shall be situate, shall not be obliged to repair such ancient or former Road, unless the same leads to some Town, Village, or Hamlet with which the new Road doth not communicate.

LXXXVI. And

Re-inveſting Purchaſe Monies when exceeding 200l.

LXXXVI. And be it further enacted, That if any Money ſhall be agreed or awarded to be paid for any Lands, Tenements, or Hereditaments purchaſed, taken, or uſed by virtue of the Powers of the ſaid recited Acts or this Act, or any of them, for the Purpoſes thereof, which ſhall belong to any Body Politic, Corporate or Collegiate, or to any Feoffee in Truſt, Executor, Adminiſtrator, Huſband, Guardian, Committee, or Truſtee, for or on Behalf of any Infant, Idiot, Lunatic, Feme Covert, or Ceſtuique Truſt, or to any other Perſon whoſe Lands, Tenements, or Hereditaments are limited in ſtrict or other Settlement, or to any Perſon under any other Diſability or Incapacity whatſoever, ſuch Money ſhall, in caſe the ſame ſhall 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 applied, 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 or Redemption of the Land Tax, or towards 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 therewith, to the ſame or the like Uſes, Intents, or Purpoſes; and where ſuch Money ſhall not be ſo applied, the ſame ſhall be laid out and inveſted, under the like Direction and Approbation of the ſaid Court, in the Purchaſe of other Lands, Tenements, or Hereditaments, which ſhall be conveyed or ſettled to, for, and upon ſuch and the like Uſes, Truſts, Intents, and Purpoſes, and in the ſame Manner, as the Lands, Tenements, and 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 meantime 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 Pounds *per Centum* Conſolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the meantime and until the ſaid Bank Annuities ſhall be ordered by the ſaid Court to be ſold for the Purpoſes aforeſaid, the Dividends or 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 Lands, Tenements, and Hereditaments ſo hereby directed to be purchaſed, in caſe ſuch Purchaſe or Settlement were made.

If leſs than 200l. and amounting to 20l.

LXXXVII. Provided always, and be it further enacted, That if any Money ſo agreed or awarded to be paid for any Lands, Tenements, or Hereditaments purchaſed, taken, or uſed for the Purpoſes aforeſaid, and belonging to any Corporation, 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 or amount to the Sum of Twenty Pounds, then, and in all ſuch Caſes ſuch Money ſhall, at the Option of the

the Perſon or Perſons for the Time being entitled to the Rents and Profits of the Lands, Tenements, or 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, in the Name and with the Privity of the ſaid Accountant General of the High Court of Chancery, and to be placed to his Account as aforeſaid, in order to be applied in Manner hereinbefore 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 (ſuch Nomination or 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 hereinbefore directed, ſo far as the Caſe may be applicable, without obtaining or being required to obtain the Direction or Approbation of the ſaid Court of Chancery.

Under 20l.

LXXXVIII. Provided alſo, and be it further enacted, That when ſuch Money ſo agreed or awarded to be paid as next 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 Lands, Tenements, or Hereditaments ſo purchaſed, taken, or uſed for the Purpoſes of 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, 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, &c.

LXXXIX. And be it further enacted, That in caſe the Perſon or Perſons to whom any Sum or Sums of Money ſhall be awarded for the Purchaſe of any Lands, Tenements, or Hereditaments, to be purchaſed by virtue of the ſaid recited Acts or this Act, or any of them, 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 ſuch Perſon or Perſons to whom ſuch Sum or Sums of Money ſhall be ſo awarded 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 and may be lawful to and for the ſaid Truſtees, or any Five or more of them, to order the ſaid Sum or Sums of Money ſo awarded 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, Control, 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 he is hereby empowered, in a ſummary way of Proceeding or otherwiſe, as the ſaid 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 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.

Where any Question shall arise touching the Title, the Person in Possession shall be deemed the Owner.

XC. 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 to be purchased in pursuance of this Act, or to any Bank Annuities to be purchased with such Monies, or to the Dividends or Interests of any such Bank Annuities, the Person or Persons who shall have been in Possession of such Lands, Tenements, or 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 have been lawfully entitled to such Lands, Tenements, or 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 such 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 of Chancery to order the Expenses to be paid by the Trustees.

XCI. Provided always, 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 by the said Trustees 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, Tenements, 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 Expenses of all Purchases from Time to Time to be made in pursuance of this Act, or so much of such Expenses as the said Court shall deem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Trustees or any Five or more of them, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

Persons liable and Lands chargeable to the Repair of Roads and Bridges, to continue so.

XCII. Provided always, and be it further enacted, That where any particular Part or Parts of the said respective Roads, or any Bridges, Arches, Culverts, Wing Walls, Battlements, Ramparts, Drains, Sewers, or Watercourses, lying in and upon the same Roads or any Part or Parts thereof, have been accustomed or ought to be repaired and maintained by any particular Person or Persons, Bodies Politic or Corporate, by reason of the Tenure of any Lands, Tenements, or Hereditaments, or otherwise, or by any County, Division, Riding, Parish, Township, or District therein, or otherwise howsoever, all and every such Part or Parts of the said Roads, and all such Bridges, Arches, Culverts, Wing Walls, Battlements, Ramparts, Drains, Sewers, and Watercourses, or any Part or Parts thereof, shall from Time to Time be maintained and kept in Repair by such Person or Persons,

Perſons, Bodies Politic and Corporate, County, Diviſion, Riding, Pariſh, Townſhip, or Diſtrict reſpectively, in ſuch Manner as the ſame ought to have been reſpectively maintained and kept in Repair in caſe this Act had not been made.

For the Performance of Statute Work, &c.

XCIII. Provided always, and be it enacted, That all Perſons who by Law are liable to do and perform Statute Work on any Part of the ſaid reſpective Diſtricts of Road within the Pariſhes, Townſhips, or Places through which the ſaid Roads, or any Parts thereof, do or may paſs, ſhall be liable to do and perform the ſame on the ſaid ſeveral Diſtricts of Road; and it ſhall and may be lawful to and for any Two or more Juſtices of the Peace for the ſaid Counties of *York* and *Lancaſter* reſpectively, and they are hereby empowered and required, upon Application made to them by the ſaid reſpective Truſtees, or by their 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 ſeveral Diſtricts of Road by the Inhabitants of the reſpective Pariſhes, Townſhips, or Places in which the ſaid Roads do lie, and alſo what Proportion of the Money received by the Surveyor or Surveyors of the Highways of every ſuch Pariſh, Townſhip, 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 their Treaſurer or Treaſurers, or their Surveyor or Surveyors, for the ſaid ſeveral and reſpective Diſtricts of Road; and in order thereunto, it ſhall and may be lawful to and for ſuch Juſtices from Time to Time to ſummon the Surveyor or Surveyors of the Highways for every ſuch Pariſh, Townſhip, or Place, through which the ſaid ſeveral Diſtricts of Road do or ſhall paſs, within the reſpective County, Riding, or Diſtrict within which ſuch Juſtices ſhall act, to bring in Liſts before ſuch Juſtices, at ſome Place within the reſpective Diſtricts for which ſuch Juſtices ſhall act, to be expreſſed in ſuch Summons, (within Fourteen Days after ſerving ſuch Summons) of the Names of the ſeveral Perſons who, within ſuch Pariſh, Townſhip, 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 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 ſo paid; which Liſts of Names ſhall be made in the Manner, and under ſuch Regulations and Reſtrictions, as is, are, or may be directed by any Law or Statute in Force and Effect for the Repairs of the public Highways in that Part of the United Kingdom of *Great Britain* and *Ireland* called *England*; 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 and perform ſuch Number of Days of Statute Work in every Year upon the ſaid reſpective Diſtricts of Road within ſuch Pariſh, Townſhip, or Place, within the County, Riding, or Diviſion for which ſuch Juſtices ſhall act, as ſuch reſpective Juſtices ſhall think juſt and reaſonable; and the ſame ſhall be done on ſuch Days and at ſuch Times, (not being Hay-time or Harveſt) and in ſuch Parts of the ſaid Roads, 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 Money in lieu of or as a Compoſition for Statute Work as aforeſaid, to pay ſuch

Proportion

Proportion thereof as the ſaid Juſtices ſhall think proper, to the ſaid reſpective Truſtees, or their reſpective Treaſurer or Treaſurers, Surveyor or Surveyors, at ſuch Time or Times as they 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 this Act authorized or directed to be recovered; and each and every Perſon who ſhall neglect or refuſe to do and perform ſuch Statute Work as aforeſaid, after Notice in Writing given to or left for him, her, or them at his, her, or their laſt or uſual Place or Places of Abode for that Purpoſe, by any Surveyor of the ſaid reſpective Truſtees, ſhall, for every Day of his 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 and liable to by any Law or Statute in Force and Effect for the Repair of the public Highways in that Part of the United Kingdom of *Great Britain* and *Ireland* called *England*; and if any Perſon who ſhall come 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 or Surveyors to the ſaid Truſtees, ſuch Surveyor or Surveyors is and are hereby empowered to remove and turn off the Perſon who ſhall be found idle or negligent as aforeſaid; and in that Caſe every ſuch Perſon ſending ſuch Labourer, Team, or Draught, ſhall be ſubject and liable to the reſpective Forfeitures and Payments aforeſaid, as if ſuch Team or Draught had not been ſent to work on any Part of the ſaid Roads; all which Forfeitures ſhall be paid to the reſpective Treaſurers to the ſaid Truſtees within that Diſtrict of the ſaid Roads where the ſame ſhall happen or be incurred, and applied towards amending the ſaid Roads; and in caſe the Surveyor or Surveyors of the Highways for any of the ſaid Pariſhes, Townſhips, or Places, ſhall refuſe or wilfully neglect to give in ſuch Liſts as aforeſaid, or ſhall knowingly or willingly give in falſe or imperfect Liſts, every ſuch Surveyor or Surveyors ſo offending ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Ten Pounds.

Penalty on obſtructing the Execution of this Act.

XCIV. And be it further enacted, That if any Perſon or Perſons ſhall aſſault, interrupt, or hinder, or cauſe to be aſſaulted, interrupted, or hindered, any Collector of the Tolls, or Leſſee or Leſſees of the Tolls, or any Surveyor or Surveyors, or any other Perſon or Perſons by them or any of them or by the ſaid reſpective Truſtees to be employed in the Execution of this Act, every ſuch Perſon ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Ten Pounds.

How Penalties, Forfeitures, and Fines are to be recovered and applied.

XCV. And be it further enacted, That all Penalties, Forfeitures, and Fines by this Act impoſed or authorized to be impoſed (the Manner of levying and recovering of which is not herein otherwiſe particularly provided for or directed), ſhall, upon Proof of the Offences and Conviction of the Offenders reſpectively before any One or more Juſtice or Juſtices of the Peace for the County, Riding, Diviſion, or Diſtrict wherein ſuch Offences ſhall reſpectively be committed, either by the Confeſſion of the Party or Parties offending, or by the Oath of One or more credible Witneſs or Witneſſes (which Oath any ſuch Juſtice is hereby authorized and empowered to adminiſter), be levied by Diſtreſs and Sale of the Goods

and Chattels of the Party or Parties offending, by virtue of a Warrant or Warrants under the Hand and Seal or Hands and Seals of such Justice or Justices, (which Warrant or Warrants such Justice or Justices is and are hereby authorized and required to grant); and the Overplus, after such Penalties, Forfeitures, and Fines, and the Charges of such Distress and Sale, are deducted, shall be returned on Demand to the Owner or Owners of such Goods and Chattels; and all such Penalties, Forfeitures, and Fines, (if not otherwise directed by this Act), shall be paid to the said respective Trustees or their Treasurer, and applied for the Purposes of this Act; and in case sufficient Distress shall not be found, and such Penalties, Forfeitures, and Fines shall not be forthwith paid, such Justice or Justices respectively is and are hereby authorized and required, by Warrant or Warrants under his or their Hand and Seal or Hands and Seals, to cause such Offender or Offenders to be committed to the Common Gaol or House of Correction for such County, Riding, Division, or District, there to remain without Bail or Mainprize for any Time not exceeding Three Calendar Months, unless such Penalties, Forfeitures, and Fines, and all reasonable Charges attending the Recovery thereof, shall be sooner paid and satisfied.

Transient Offenders may be apprehended.

XCVI. And whereas Offences may be committed against this Act by Persons unknown to the Trustees, Lessees or Collectors of Tolls, Surveyors, or other Officers or Persons employed in the Execution thereof; be it therefore further enacted, That it shall and may be lawful for the said respective Trustees, Lessees, Collectors, Surveyors, Officers, or other Persons respectively, and such other Person or Persons as he or they shall call to his or their Assistance, without any Warrant or other Authority than this Act, to seize and detain any such unknown Person or Persons who shall commit any such Offence or Offences, and to convey him, her, or them before any Justice of the Peace for the County, Riding, Division, or District where the Offence or Offences shall be committed.

Conviction.

XCVII. And, for the more easy Conviction of Offenders against this Act, be it enacted, That the Justice or Justices of the Peace, before whom any Person or Persons shall be convicted of any Offence against this Act, may cause the Conviction to be drawn up in the Form, or in the Words to the Effect following, *mutatis mutandis*, as the Case shall happen to be, or shall require:

'[*Name of the County*], (to wit.) BE it remembered, That on [*Time of Conviction*], at [*Place of Conviction*], *A. B.* [*Name of Offender*] of [*Addition of Offender*], was duly convicted before me [*or* us], [*Name and Style of convicting Justice or Justices*], for that the said *A. B.* [*Name of Offender*], on [*Time of committing Offence*], did [*here state the Offence against the Act according to the Fact*], contrary to the Form of the Statute made in the Fifty-seventh Year of the Reign of His Majesty King *George* the Third, intituled [*here set forth the Title of this Act*]; and I [*or* we] do therefore declare and adjudge that the said *A. B.* [*Name of Offender*] hath forfeited for his said Offence the Sum of [*insert the Penalty or Fine*], or [*as the Case may be*], shall be committed to [*Place of Imprisonment*], for the Space of [*Time of Imprisonment*]. Given under my Hand and Seal [*or* our Hands and Seals, *as the Case may be*], the Day and Year first above written.'

XCVIII. And

Proceedings not to be quashed for Want of Form.

XCVIII. And be it further enacted, That no Order made touching or concerning any of the Matters in this Act contained, or any Proceedings to be had touching the Conviction of any Offender or Offenders against this Act, shall be quashed for Want of Form, or be removed or removable by *Certiorari*, or any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster*; and that where any Distress shall be made for any Sum or Sums of Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers, on account of any Defect or Want of Form in the Summons, Conviction, Warrant of Distress, or other Proceedings relating thereto; nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers *ab initio* on account of any Irregularity which shall be afterwards committed by the Party or Parties distraining, but the Person or Persons aggrieved by such Irregularity shall and may recover full Satisfaction for the special Damage in an Action upon the Case; but no Plaintiff or Plaintiffs shall recover in an Action for such Irregularity as aforesaid, if Tender of sufficient Amends hath been made by or on the Behalf of the Party distraining before such Action brought.

Appeal to the Quarter Sessions.

XCIX. And be it further enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any Matter or Thing which shall be done in pursuance of this Act, for which no particular Relief hath been herein-before provided, (save and except the Verdict of the Jury, and any Determination, Proceeding, Matter, or Thing herein-before directed to be final), such Person or Persons may, within Thirty Days next after the Cause of Complaint shall arise, appeal to the Justices of the Peace at their General or Quarter Sessions of the Peace to be holden for the County, Riding, Division, or District wherein the Cause of Appeal shall arise, such Appellant or Appellants first giving or causing to be given Ten Days Notice in Writing, of his, her, or their Intention to bring such Appeal, and of the Causes or Matters thereof, to the Clerk or Clerks, Treasurer or Treasurers of the said respective Districts of Road, and within Four Days next after such Notice entering into a Recognizance before some Justice of the Peace for the County, Riding, Division, or District within which the Cause of Appeal shall arise, with Two sufficient Sureties, conditioned to try such Appeal, and abide the Order of the Justices at such General or Quarter Sessions, and to pay such Costs as shall be awarded against him, her, or them by such Justices; and such Justices at their said Sessions, on due Proof of such Notice having been given as aforesaid, and of the entering into such Recognizance, shall proceed to hear and finally determine the Causes and Matters of such Appeal in a summary Way, and award such Costs to the Party appealing or appealed against as they shall think proper; and their Determination shall be final, binding, and conclusive to all Intents and Purposes whatsoever.

Limitation of Actions.

C. And be it further enacted, That no Action or Suit shall be commenced against any Person or Persons for any Thing done or pretended to be done in pursuance of this Act, until after Twenty Days Notice thereof shall be given to the respective Clerk or Clerks, Treasurer or Treasurers of the said respective Districts of Road, nor after a sufficient Satisfaction or Tender thereof hath been made to the Party or Parties aggrieved, nor after the Expiration of Six Calendar Months next after the Fact or Offence

fence being committed; and every such Action or Suit shall be laid or brought in the County in which the Cause of Action shall happen, and not elsewhere; and the Defendant or Defendants in every such Action shall or may, at his, her, or their Election, plead specially, or the General Issue, and give this Act and the special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act; and if the same shall appear to have been so done, or that such Action or Suit shall have been brought before Twenty Days Notice thereof was given as aforesaid, or after a sufficient Satisfaction made or tendered as aforesaid, or after the Expiration of the Time limited for bringing the same as aforesaid, or shall be brought in any other County, then the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if such Plaintiff or Plaintiffs shall be nonsuited, or discontinue his, her, or their Action or Suit after the Defendant or Defendants shall have appeared, or if upon Demurrer Judgment shall be given against the Plaintiff or Plaintiffs, then the Defendant or Defendants shall recover Treble Costs, and have such Remedy for the same as any Defendant hath in any other Cases by Law.

Coal and other Mines reserved to Lords of Manor, &c.

CI. Provided always, and be it enacted, That nothing herein contained shall extend or be construed to extend to take away, diminish, or prejudice the Right of the Lord of any Manor or Manors, or of any other Person or Persons who is or are or shall or may be entitled to any Coal or other Mines or Minerals, through whose Manors or Lands the said Road doth or shall hereafter pass, from seeking, digging for, working, winning, taking, or carrying away the same, so as that the said Road be not in anyways injured or prejudiced thereby, any Thing herein contained to the contrary thereof in anywise notwithstanding.

Public Act.

CII. 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 this Act.

CIII. And be it further enacted, That this Act shall commence and take place from the First Day of *June* One thousand eight hundred and seventeen, and shall continue in force for and during the Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament.

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