ANNO QUINTO

GEORGII IV. REGIS.

Cap. lxxxvi.

An Act for amending and improving the Road from *Sacred Gate* in the Township of *Thorngumbald* to *Pattrington* Haven, and from the Guide Post in *Winestead* to the Township of *South Frodingham*, in the East Riding of the County of *York*.

[28th *May* 1824.]

WHEREAS an Act was passed in the First Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for amending the Road from* Sacred Gate *in the Parish of* Thorngumbald *to* Pattrington *Creek or Haven, and from the Guide Post in* Winestead *to* Frodingham Gate, *in or near Widow* Branton's *Farm, in the County of* York; *and for scouring and cleansing the said Creek or Haven;* whereby several Rates, Tolls, Tonnage or Duties, and Powers, were granted for repairing the said Road, and scouring and cleansing the said Creek or Haven, for the Term of Twenty-one Years, from the Twenty-fifth Day of *March* One thousand seven hundred and sixty-one, and from thence to the End of the then next Session of Parliament: And whereas the Trustees acting by virtue of and under the said Act, in pursuance of the Powers thereby to them given, borrowed several Sums of Money, amounting to Two thousand six hundred Pounds, upon the Credit of the said Act, which Money was applied towards repairing and amending the said Roads, and scouring and cleansing the said Creek or Haven: And whereas an Act was passed in the Twentieth Year of the Reign of His late 1 G. 3. c. 35.

20 G. 3. c. 89. late Majesty King *George* the Third, intituled *An Act to enlarge the Term and Powers of an Act passed in the First Year of the Reign of His present Majesty, intituled* ' *An Act for amending the Road from* Sacred ' Gate *in the Parish of* Thorngumbald *to* Pattrington *Creek or Haven, and* ' *from the Guide Post in* Winestead *to* Frodingham Gate, *in or near Widow* ' Branton's *Farm, in the County of* York; *and for scouring and cleansing the* ' *said Creek or Haven;*' whereby it is enacted, that the said recited Act should, so far as the same related to the said Roads, be continued from the Expiration thereof for the further Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament; and, so far as the said Act related to the said Creek or Haven, the same should and was thereby declared to be perpetual: And whereas an Act was passed in the Forty-third Year of the Reign of His said late Majesty King

43 G. 3. c. 71. *George* the Third, intituled *An Act to continue the Term and enlarge the Powers of Two Acts passed for amending the Road from* Sacred Gate *in the Parish of* Thorngumbald *to* Pattrington *Creek or Haven, and from the Guide Post in* Winestead *to* Frodingham Gate, *in or near Widow* Branton's *Farm, in the County of* York; whereby it is enacted, that the said Two before recited Acts, so far as related to the said Roads, and the now reciting Act, should thenceforth continue and be in force and be executed for the Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament: And whereas an Act was passed in the Third Year of the Reign of His present Majesty King *George* the Fourth,

3 G. 4. c. 126. intituled *An Act to amend the general Laws now in being for regulating Turnpike Roads in that Part of* Great Britain *called* England: And whereas an Act was passed in the Fourth Year of the Reign of His present Majesty,

4 G. 4. c. 95. intituled *An Act to explain and amend an Act passed in the Third Year of the Reign of His present Majesty, to amend the general Laws now in being for regulating Turnpike Roads in that Part of* Great Britain *called* England: And whereas the Trustees appointed under and by virtue of the said recited Acts of the First, Twentieth, and Forty-third Years of the Reign of His said late Majesty King *George* the Third, have from Time to Time proceeded to put the same in Execution, and have made great Progress in the Amendment of the said Roads; but the said Sum of Two thousand six hundred Pounds still remains due and owing, and cannot be paid off, nor can the said Roads be sufficiently and effectually amended, improved, and kept in Repair, unless the same are continued under the Management of Trustees, with Powers to collect Tolls, and other Powers by Law established for that Purpose; but the same cannot be effected without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said recited Acts of the First, Twentieth, and the Forty-third Years of the Reign of His said late Majesty King *George* the Third, so far as relates to the said Roads, shall be and the same are hereby repealed; and this Act shall commence and take effect in lieu thereof, and shall be put in Execution for and during the Term herein-after mentioned, for more effectually amending the Road from *Sacred Gate* in the Township of *Thorngumbald* to *Pattrington Haven*, and from the Guide Post in *Winestead* to the Township of *South Frodingham*, in the East Riding of the County of *York*.

Recited Acts of 1, 20, and 43 G. 3. repealed, and this Act to take effect.

Power to extend the Road to Sunk Island.

II. And be it further enacted, That it shall and may be lawful for the Trustees for executing the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty and this Act, to repair, enlarge, continue, and extend the said Road upon and along the East Side of the said Creek or Haven to the Extent or Termination thereof at a certain Channel or Place called the *North Channel*, dividing the Parish of *Patrington* from Lands belonging to the King's most Excellent Majesty, in Right of His Crown, called *Sunk Island*, at such Times and in such Manner as to the said Trustees shall from Time to Time seem fit, and to make the same of sufficient Breadth or Width, to the Judgment of the said Trustees, not exceeding Sixty Feet, and for that Purpose from Time to Time to take and use such Part or Parts of the Lands of *Arthur Maister* Esquire, called the *East Growths*, as shall be necessary for such Purposes, they the said Trustees and their Successors making such Compensation, by way of yearly Payment or Rent, for the several Quantities of Land so to be taken and made use of, as shall be agreed upon between the said Trustees and their Successors, and the said *Arthur Maister*; and in case any Difference shall arise between the said Parties concerning the Amount of any such yearly Payment or Rent, such Difference shall be determined by a Jury in such and the like Manner and Form as is ordered and directed by the said recited Acts of the Third and Fourth Years of His present Majesty, for the determining of Differences respecting the purchasing of Land for the like Purposes.

No Compensation to be paid for Land on which Road has been already made.

III. Provided always, and be it further enacted, That no Compensation shall be demanded or taken by the said *Arthur Maister* for any Part of the said *East Growths* which before the Time of the passing of this Act has been stoned, gravelled, and repaired as Road by the said Trustees for executing the said recited Acts hereby repealed, and which extends to the Distance of One hundred and seventeen Yards to the Southward of a certain Granary now in the Occupation of *Richard Burrill*, or his Undertenants.

Thirty-three Yards South of Burrill's Granary to be reserved to A. Maister.

IV. Provided also, and be it further enacted, That the said Trustees for executing the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty and this Act, and their Successors, shall not take or make use of the Margin of the said Creek or Haven for the Distance or Space of Thirty-three Yards adjoining next to the Southward of the last-mentioned Granary, but that the same shall be reserved to the said *Arthur Maister* for the future Erection of Granaries or Warehouses, but that the said Trustees and their Successors shall and may have and use the Margin of the said Creek or Haven along the Residue of the said Space or Distance of One hundred and seventeen Yards, without paying any greater Compensation for the same than for an equal Quantity of Land on the East Side of the said stoned or gravelled Road.

Fence to be made adjoining to the Bridge.

V. Provided also, and be it further enacted, That it shall and may be lawful to and for the said *Arthur Maister* to place, erect, and maintain upon the Bank of the said North Channel, in a convenient Situation for the Road by this Act authorized to be made, a good and sufficient Fence of Posts, Rails, or other suitable Material, across such Part of the South

End

End of the said Road as shall not be occupied by the Bridge by this Act authorized to be erected, or the Approach thereto.

Land on the East Growths to revert to A. Maister.

VI. And be it further enacted, That if the Road on the East Bank of the said Creek or Haven shall become no longer useful to or be retained by the said Trustees for the Purposes of this Act, then and thenceforth all such Parts of the said *East Growths* as shall have been taken and used by the said Trustees, their Predecessors or Successors, for the Purposes aforesaid, shall revert to the said *Arthur Maister*, as fully and effectually as if this Act or any of the said recited Acts had never been passed.

This Act made subject to former Debts, &c.

VII. And be it further enacted, That this Act, and the Term and the Tolls hereby granted, shall be subject to the Payment of the said several Sums of Money, amounting to Two thousand six hundred Pounds, borrowed under the Authority of the said recited Act of the First Year of the Reign of His said late Majesty, upon the Credit of the Tolls, Tonnage, and Duties arising on the said Road, and on the said Creek or Haven, and also all other Sums of Money now owing on the Credit of the Tolls arising on the said Roads, and such other Sums of Money as shall hereafter be borrowed for the Purposes of this Act, and all Interest due and to grow due thereon.

Powers of the recited Acts of the 3 & 4 G. 4. extended to this Act.

VIII. And be it further enacted, That the said recited Act passed in the Third Year of the Reign of His present Majesty, and all and every the Powers, Provisions, Exemptions, Penalties, Forfeitures, Payments, Remedies, Matters, and Things therein contained (save and except such Parts thereof as are expressly varied, altered, or repealed by the said recited Act of the Fourth Year of the Reign of His present Majesty, or varied, altered, or otherwise provided for by this Act), and also the said recited Act passed in the Fourth Year of the Reign of His present Majesty, and all and every the Powers, Provisions, Exemptions, Penalties, Forfeitures, Payments, Remedies, Matters, and Things therein respectively contained, (save and except such Parts thereof as are expressly varied, altered, or otherwise provided for by this Act), shall respectively be as good, valid, and effectual for carrying this Act into Execution, as if the same had respectively been repeated and re-enacted in the Body of this Act.

Bonds, Agreements, &c. under former Acts, to remain good under this Act.

IX. And be it further enacted, That all Bonds, Covenants, Agreements, and Securities made or entered into by any Person or Persons, to or with any of the Trustees for executing the said recited Acts of the First, Twentieth, and Forty-third Years of the Reign of His said late Majesty King *George* the Third, according to the Provisions and Directions thereof respectively, 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; and all Contracts, Agreements, Demises, Mortgages, and Securities made or entered into by the Trustees for executing the said Acts hereby repealed, to or with any Person or Persons, shall remain in full Force and Effect, and shall be binding on the Trustees for executing this Act and the said recited Acts of the Third and Fourth Years of His present Majesty's Reign, and be observed and kept by them according to the Terms and Stipulations and Tenor thereof respectively, except as herein-after is mentioned.

X. And

Leases of Tolls to be void.

X. And be it further enacted, That all and every Demises and Demise, Leases and Lease, made and entered into by the said Trustees for executing the said recited Acts hereby repealed, of any Tolls to be collected or taken upon the said Road, either separately or jointly with any Tolls, Tonnage, or Duty to be collected and taken on the said Creek or Haven, shall from and after the passing of this Act be thenceforth no longer binding or of any Force or Effect.

Trustees.

XI. And be it further enacted, That all His Majesty's Justices of the Peace for the Time being acting for the East Riding of the said County of *York*, together with Sir *Thomas Aston Clifford Constable* Baronet, Sir *Tatton Sykes* Baronet, Sir *William Strickland* Baronet, *Richard Bethell*, *Richard Brigham*, *Robert Bell*, *Robert Bell* the younger, the Reverend *Charles Barker*, the Reverend *Francis Best*, the Reverend *Charles Bentinck*, *Henry Broadley*, *John Broadley*, *Robert Mackenzie Beverley*, *James Clifford*, *George Clifford*, *William Carlin*, the Reverend *Robert Croft*, the Reverend *Charles Constable*, the Reverend *Charles Cornelius Chambers*, *James Dunn*, *Isaac Dunn*, the Reverend *Jonathan Dixon*, *Francis Drake* Doctor in Divinity, *John Fewson*, *William Fewson*, *Charles Grimston*, *Oswald Grimston*, *Henry Grimston*, *Thomas Greenshaw*, *Thomas Blackborne Hildyard*, *William Hall*, *John Hutchinson*, the Reverend *Lamplugh Hird*, the Reverend *William Hildyard*, *William Iveson*, the Reverend *George Inman*, *Richard Lacy*, *George Liddell*, *Edward Lorrimar*, *John Linsdall*, *Robert Linsdall*, *Henry William Maister*, *John Maister*, *Arthur Maister*, *Robert Moyser*, the Reverend *John Mansfield*, *Edward Ombler*, *Thomas Joseph Owst*, *Joseph Robinson Pease*, *Robert Raikes*, *Joseph Storr*, *George Henry Sherwood*, the Reverend *Christopher Sykes*, *George Lowther Thompson*, *Thomas Thompson*, *Francis Watt*, *William Welfitt*, and *Thomas Wilson*, and their Successors, to be appointed according to the Directions of the said recited Act of the Third Year of the Reign of His present Majesty, and being duly qualified according to the Directions of the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty, shall be the Trustees for carrying into Execution the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty, and this Act.

Power to appoint additional Trustees.

XII. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered, at their First or Second Meeting to be holden under or by virtue of this Act, to elect any Number of Persons, being duly qualified as herein-before mentioned, not exceeding Five in the whole, to be Trustees for the Purposes of this and the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty, in addition to the Trustees hereby appointed; and such Trustees so elected, and being qualified according to the Directions of the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty, shall be and they are hereby invested with the same Powers and Authorities for executing this and the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty as if they had been herein named and appointed.

First Meeting of Trustees.

XIII. And be it further enacted, That the said Trustees for executing the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty and this Act, shall meet at the House of *John Escreet* in

in *Pattrington* aforesaid, or some other convenient Place near the said Road, on the Fourth *Saturday* next after the passing of this Act, and proceed to put the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty and this Act into Execution.

Old Officers, except the Treasurer, to continue until new ones elected.

XIV. And be it further enacted, That each and every Clerk, Receiver, Collector, Surveyor, and other Officer except the Treasurer, appointed under or by virtue of the said recited Acts hereby repealed, shall hold and enjoy their several and respective Offices and Employments until removed therefrom by the Trustees for executing this Act; and each and every such Clerk, Receiver, Collector, Surveyor, and other Officer, shall have the like Power and Authority for the Purposes of this Act, and for carrying the same into Execution, and shall be subject to the like Pains and Penalties, and to the like Power of Removal, and to the like Rules and Regulations in all respects whatsoever, as if he or they had been appointed by virtue of this Act.

Offices of Clerk and Treasurer not to be held by the same Person.

XV. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees for executing the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty and this Act, to continue or appoint the Person who has been or may be appointed to act as their Clerk in the Execution of this Act, or the Partner of any such Clerk, or the Clerk or any Person in the Service or Employ of any such Clerk, to be the Treasurer for the Purposes of this Act, or to continue or appoint the Person who hath been or who may be appointed Treasurer, or the Partner of any such Treasurer, to be the Clerk to the said Trustees; and if any Person shall act in both the Capacities of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of any such Clerk, or the Clerk or any Person in the Service or Employ of any such Clerk, shall act as Treasurer, or being the Partner of any such Treasurer shall act as Clerk in the Execution of this Act, or if any such Treasurer shall hold any Place or Office of Profit or Trust under the said Trustees other than that of Treasurer, every such Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person or Persons who shall sue for the same, to be recovered with full Costs of Suit in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Plaint, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance, shall be allowed.

Officersunder former Acts to account to Trustees for executing this Act.

XVI. And be it further enacted, That every Person who shall have been employed to receive or who shall have received any Tolls or other Monies under or by virtue or on account of the Acts hereby repealed, or shall have in his or her Custody or Possession any Vouchers, Books, Accounts, Papers, Writings, or other Things relating to the said Roads to be repaired and maintained under or by virtue of this Act, or any of them, shall, when required so to do, account for and deliver the same to the said Trustees, or any Person or Persons appointed by them for that Purpose, in like Manner and under the like Penalties as are directed with respect to any Officer or Person appointed under or by virtue of this Act.

XVII. And

Books under former Acts to be Evidence.

XVII. And be it further enacted, That all and every Book and Books containing the Accounts and Proceedings of the Trustees for executing the said recited Acts of the First, Twentieth, and Forty-third Years of the Reign of His said late Majesty King *George* the Third, or containing any Orders or Agreements made or entered into by them, and made Evidence thereby, shall and may be given in Evidence in all Cases of Appeal, and in all Prosecutions, Suits, and Actions whatsoever, in such and the same Manner as if the said recited Acts had not been repealed.

Power to continue the present Gates and erect others.

XVIII. And be it further enacted, That the said Trustees for executing the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty and this Act, shall and may continue the several Turnpike or Toll Gates which now stand across or on the Sides of the said Roads, or from Time to Time remove the same or any of them, and set up and erect in lieu thereof, or in addition thereto, any other Turnpike or Toll Gates in, upon, across, or on the Side or Sides of any Part or Parts of the said Roads, as the said Trustees may deem expedient, and may also set up and erect a Toll House to each Turnpike or Toll Gate, with suitable Conveniences thereto, and may also inclose from the said Roads, or from any waste Land immediately adjoining such Toll Houses, convenient Garden Spots to such Toll Houses, not exceeding One-eighth Part of a Statute Acre to each Toll House, or may contract with any Person or Persons for the Purchase of any Land adjoining to the Place where any such Toll House or Toll Houses are or shall be built, for the Purpose, and not exceeding the Quantity of Land last-mentioned; and the said Trustees may cause all or any of such Turnpike or Toll Gates, Toll Houses, and other Buildings, from Time to Time to be taken down, removed, and set up again, or altered, in such Place or Places, across or on the said Roads, or on the Side or Sides thereof, in such Manner as the said Trustees shall judge proper.

Power to take Tolls.

XIX. And be it further enacted, That the respective Tolls following shall be demanded, taken, collected, and paid at the several and respective Turnpike or Toll Gates which have been or shall hereafter be set up and erected in, upon, across, or on the Sides of the said Roads; (that is to say),

Tolls.

For every Horse or other Beast, drawing any Coach, Chariot, Landau, Berlin, Chaise, Calash, Hearse, or Taxed Cart, or any such Carriage, if there shall be Six such Horses or Beasts, Two-pence Halfpenny each; if Four or Three such Horses or Beasts, Three-pence each; if Two such Horses or Beasts, Four-pence Halfpenny each; and if only One such Horse or Beast, Four-pence Halfpenny:

For every Horse or other Beast, drawing any Waggon, Wain, Cart, Dray, or any such Carriage, the Fellies of the Wheels whereof shall be of the Breadth of Six Inches, if there shall be Three or more such Horses or Beasts, Two-pence Halfpenny each; if there shall be Two such Horses or Beasts, Three-pence each; and if One such Horse or Beast, Four-pence:

For every Horse or other Beast, drawing any Waggon, Wain, Cart, Dray, or any such Carriage, the Fellies of the Wheels whereof shall be of the Breadth of Four Inches and an Half, and not of the Breadth

of

of Six Inches, if there shall be Three or more such Horses or Beasts, Three-pence each; if there shall be Two such Horses or Beasts, Four-pence each; and if only One such Horse or Beast, Five-pence:

For every Horse or other Beast, drawing any Waggon, Wain, Cart, or Dray, or any such Carriage, the Fellies of the Wheels whereof shall be of less Breadth than Four Inches and an Half, if there shall be Three or more such Horses or Beasts, Three-pence Halfpenny each; if there shall be Two such Horses or Beasts, Four-pence Halfpenny each; and if only One such Horse or Beast, Sixpence:

For every Horse or other Beast, drawing any Carriage not before described, Four-pence Halfpenny:

For every Horse or other Beast, laden or unladen, and not drawing, Three Halfpence; every Foal following the Dam being included with the Dam as One Horse:

For every Score of Oxen or Neat Cattle, Ten-pence, and so in proportion for any less Number; and,

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

Which said Tolls, and also the Tolls granted by the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty, shall be and the same are hereby vested in the said Trustees for executing the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty, and this Act, and the same and every Part thereof shall be collected, recovered, levied, paid, applied, assigned, varied, and disposed of, in such and the same Manner, and by such and the same Ways and Means, and with such Remedies for Nonpayment or Evasion thereof, and with such Powers, Provisions, Exemptions, and Restrictions as are contained in the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty and this Act.

Tolls to be paid but once a Day.

XX. Provided always, and be it further enacted, That no Person or Persons shall be subject to or charged with the Payment of any of the Tolls by this Act granted and made payable more than once in the same Day (to be computed from Twelve of the Clock at Night to Twelve of the Clock in the next succeeding Night), for passing or repassing with the same Horse, Beast, or Cattle through the same Turnpike, Toll Gate, Bar or Side Gate, continued or to be erected by virtue of this Act upon the said Roads; and all and every Person and Persons, having paid Toll once as aforesaid, upon producing a Note or Ticket of the Day, denoting such Payment, shall (except in the Case herein-after mentioned) be permitted to pass and repass through the same Turnpike, Toll Gate, Bar or Side Gate, continued or erected by virtue of this Act upon the said Roads, wherein such Payment shall have been made, at any Time or Times during the same Day, to be computed as aforesaid, with the same Horse, Beast, or Cattle, without paying any further or other Toll in respect thereof (except as herein-after mentioned).

Limiting the Number of Tolls.

XXI. Provided also, and be it further enacted, That no more than Four full Tolls shall be demanded and taken (except in the Case next herein-after mentioned) for the same Horses, Beast, or Cattle, for passing on the same Day throughout the whole of the said Roads.

XXII. And

Stage Coaches, &c. to pay every Time of passing.

XXII. And be it further enacted, That for or in respect of all Horses or other Beasts, drawing any Stage Coach, or any Stage Waggon, Van, Caravan, or other Stage Carriage carrying Passengers or Goods for Payment, Hire, or Reward, for which Toll shall have been paid, and which shall return on the same Day through the same Turnpike or Toll Gate, the Tolls hereby made payable shall be paid for repassing through such Toll Gate, in like Manner as if no Toll had been before paid; and the Tolls hereby made payable shall be paid for or in respect of all Horses or other Beasts drawing any Post Chaise and other Carriage travelling for Hire, for every Time of passing and repassing along the said Roads on the same Day with a fresh Hiring.

Application of the Tolls and other Monies.

XXIII. And be it further enacted, That out of the Money now in the Hands of the said Trustees, and out of the Tolls and other Money to be collected and levied under or by virtue of the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty and this Act, or out of the Monies to be borrowed on the Credit thereof, the Trustees for executing the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty and this Act shall in the first Place pay the Charges and Expences attending the obtaining this Act, and the said Trustees for executing the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty and this Act shall apply the Residue of the said Money for amending the said Roads, and also for keeping down, paying off, and discharging the Principal Money borrowed and taken up by virtue of any of the said recited Acts, or to be borrowed and taken up by virtue and upon the Credit of this Act, and otherwise for putting this Act in Execution, in such Manner as to the said Trustees shall seem requisite and expedient.

Power for the Commissioners of His Majesty's Woods, &c. to construct a Swivel Bridge over the North Channel.

XXIV. And whereas the present Communication between the said Lands belonging to the King's most Excellent Majesty in Right of His Crown, called *Sunk Island*, and the said Town of *Pattrington*, is very circuitous, making a Distance of about Fourteen Miles: And whereas it would be of great Advantage to the Occupiers and Tenants of the said Lands called *Sunk Island*, and to the Public in general, if Powers were given for constructing a Swivel Bridge over the said North Channel, to establish a Communication between the said Island and the said intended Piece of Road to be made and extended along the East Side of *Pattrington* Creek or Haven aforesaid, whereby the Communication between the said Island and the said Town of *Pattrington* would not exceed the Distance of Two or Three Miles; be it therefore enacted, That when the said Trustees for executing this Act shall have set out and commenced the said intended new Piece of Road along the East Side of the said Creek or Haven, to the Extent or Termination thereof at the said North Channel, it shall and may be lawful for the Commissioners of His Majesty's Woods, Forests, and Land Revenues, and they are hereby authorized and empowered to design, make, construct, and complete a Swivel Bridge of Cast Iron or other sufficient Materials across the said North Channel, from the Lands and Grounds on the South-west Side thereof, to the opposite Bank on the North-east Side of the same Channel in the said Parish of *Pattrington*, on the Spot where or opposite to where the said intended new Piece of Road shall extend or terminate, and to dig and make proper Foundations in the said North Channel, and on the Lands and

Grounds lying on each Side thereof, for the Supports and Abutments of the said Bridge, or to erect and set up such Piers of Pilework or otherwise, as may be necessary for uniting such Bridge with the Land on each Side of the said Channel, and to add to and raise the Approaches to the said Bridge on each Side of the said North Channel, in such a Manner as shall be necessary and proper for making, constructing, and completing the said Bridge, and to remove, take, and carry away any Impediment whatsoever which may in anywise tend to hinder the making, constructing, and completing of the said Bridge, and to execute all other things requisite and necessary, useful or convenient, for making or completing the said Bridge, but not so as to stop or in any way to impede or interrupt the Navigation of the said North Channel, and leaving a clear Waterway or Passage for all Vessels navigating the said Channel, of Twenty-four Feet at the least between the Two Abutments of the said Bridge, and leaving also such Arches, Openings, and Waterways on each Side of the said Abutments, as shall be necessary to admit the easy Flow and Ebb of the Tides in the said Channel; and further, for the Purpose aforesaid, the said Commissioners, their Surveyors, Agents, Workmen, and Servants, shall have full Power and Authority to land on either Side of the said North Channel, within Two hundred Yards of the Site of the said intended Bridge, all Materials and other Things to be used in and about the making, constructing, and completing and maintaining of the said Bridge, and there to work and use such Materials and Things, according as they the said Commissioners and the Persons to be employed by them shall think proper, without any previous Agreement with the Owner or Owners of the Property on which such Materials and other Things shall be landed, worked, or used, or with the Tenant or Tenants, Occupier or Occupiers thereof, doing as little Damage as may be, and making such Satisfaction as herein-after mentioned to the respective Owners and Occupiers of all Lands and Grounds, Tenements, and Hereditaments which shall be taken, altered, damaged, spoiled, or made use of for the Purposes of the said Bridge.

Power to make Approaches to the Bridge.

XXV. And be it further enacted, That in case the said intended new Piece of Road shall not be extended by the said Trustees to the North-east Bank of the said North Channel, so as to rest the said intended Bridge on the said Road, but shall terminate at any Distance from the said Bank, it shall and may be lawful for the said Commissioners of His Majesty's Woods, Forests, and Land Revenues to set out, make, and complete a proper Road as an Access and Approach to the said Bridge, from the Termination of the said intended Piece of Road to be made by the said Trustees, so as to connect the same, and allow the Use of the said new Piece of Road to the Inhabitants and Occupiers of *Sunk Island* aforesaid, and for those Purposes to enter upon the Lands between the said Bridge and the Termination of the said new Piece of Road to be made by the said Trustees, and to set out such Access and Approach, and to lay Materials thereon, and to do all other Acts, Matters, and Things, by themselves, their Servants and Workmen, necessary and proper for making and completing the Communication between the said Bridge and the Termination of the said extended Road, making Satisfaction as herein-after directed to the Owners or Occupiers of the Lands to be by them taken for that Purpose.

Bodies Politic and incapacitated Persons empowered to sell.

XXVI. And be it further enacted, That after any Lands, Grounds, or Hereditaments shall be set out and ascertained for building the said Bridge, or for making or constructing any Accesses or Avenues to the same or any Part thereof, or any of them, it shall and may be lawful for all Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Civil, Corporations Aggregate or Sole, and to and for all Tenants for Life, and Tenants in Fee Tail General or Special, or for Years determinable on any Life or Lives, whether in Possession, Reversion, Remainder, Expectancy or otherwise, and for all Husbands, Guardians, Trustees, and Feoffees in Trust for charitable or other Purposes, Committees, Executors, and Administrators, and all other Trustees and Persons whomsoever, not only for and on behalf of themselves, their Heirs and Successors, but also for and on behalf of their Cestuique Trusts, whether Infants, Issue unborn, Lunatics, Idiots, Femes Covert, or other Person or Persons, and to and for all Femes Covert who are or shall be seised, possessed of, or interested in their own Right, or entitled to Dower or other Interest therein, and for all and every other Person or Persons whomsoever who is or are or shall be seised, possessed of, or interested in any Lands, Grounds, or Hereditaments which shall be so set out and ascertained for the Purposes aforesaid, to contract for, sell, and convey the same and every Part thereof to the said Commissioners of His Majesty's Woods, Forests, and Land Revenues; and all such Contracts, Agreements, Sales, Conveyances, and Assurances shall be made at the Expence of the said Commissioners, and all such Sales, Conveyances, and Assurances shall be valid and effectual to all Intents and Purposes whatsoever, any Law, Statute, Usage, or Custom to the contrary thereof in anywise notwithstanding.

If Parties are dissatisfied, they may cause a Jury to be impannelled to decide the Matter.

XXVII. Provided always, and be it further enacted, That if any such Body Politic, Corporate, or Collegiate, or any Feoffee or Feoffees in Trust, Executors, Administrators, Husband, Guardian, Trustee, Committee, or any Feme Covert, or any other Person or Persons so interested or entitled as aforesaid cannot agree with the said Commissioners of His Majesty's Woods, Forests, and Land Revenues respecting the Purchase of any Lands, Tenements, or Hereditaments, or the Satisfaction to be made for any Damages that may be sustained from Time to Time by him, her, or them, by the making of the said Bridge or any Access or Approach thereto, and shall give Notice in Writing to the Secretary or Chief Clerk of the said Commissioners, requiring a Jury to be summoned for the Purpose of determining such Purchase or Satisfaction, or if any such Body Politic, Corporate, or Collegiate, or any Person or Persons so interested or entitled as aforesaid, shall, upon Notice in Writing given by the said Commissioners to the principal Officers of any such Body Politic, Corporate, or Collegiate, or to such Feoffee or Feoffees in Trust, Executors, Administrators, Husband, Guardian, Trustee, Committee, or other Person or Persons so interested or entitled as aforesaid respectively, or left at the last or usual Place or Places of his, her, or their Abode, or with the Tenant or Tenants, Occupier or Occupiers of Land or other Hereditaments to be made use of for the Purposes aforesaid, for the Space of Twenty-one Days next after such Notice, neglect or refuse to treat, or shall not agree with the said Commissioners, or by reason of Absence or otherwise shall be prevented from treating, or through Disability by Non-age, Coverture, or other Impediment, cannot treat for themselves, or make

such

such Agreement or Agreements as shall be necessary for the Purposes aforesaid, or shall not within the before-mentioned Space of Twenty-one Days produce and fully disclose the State and the Title to the Premises which he, she, or they respectively may claim therein, then and in every such Case the said Commissioners shall and they are hereby empowered and required, within Ten Days after the Receipt of such Notice by the Secretary or Chief Clerk of the said Commissioners, or after the Expiration of Twenty-one Days after the Delivery of such Notice (as the Case may be), to issue a Warrant under their Hands directed to the Sheriff of the County of *York*, and in case the said Sheriff or his Under Sheriff shall be interested in the Matter in question, then to any One of the Coroners of the County who shall not be so interested as aforesaid, and in case all the said Coroners of the said County shall be so interested as aforesaid, then to the last Person or Persons who filled the Office of Sheriff of the County of *York*, who shall not be interested as aforesaid, commanding such Sheriff, Under Sheriff, Coroner, or such other Person to impannel, summon, and return a Jury; and the said Sheriff, Under Sheriff, Coroner, or such other Person or Persons are and is hereby required accordingly to impannel, summon, and return a Jury of Twenty-four honest, sufficient, and indifferent Men, qualified according to the Laws of this Realm to be returned for the Trial of Issues at the Assizes, to appear before the Sheriff, Under Sheriff, Coroner, or such other Person or Persons, at such Time and Place as in such Warrant shall be appointed, such Time not being less than Twenty-one or more than Twenty-eight Days after such Warrant shall be served upon the said Sheriff, Under Sheriff, Coroner, or such other Person or Persons; and Fourteen Days Notice at least in Writing, under the Hands of the Commissioners, is hereby required to be given to such Owners, Proprietors, Occupiers, Corporations, Trustees, or any other Persons or Person as aforesaid, interested in any such Lands or other Hereditaments, or to be left at the respective Dwelling Houses or Places of Abode of such Person or Persons, or of the Head Officer or Officers of such Corporation, or at the House of the Tenant in Possession of such Lands or other Hereditaments, of the Time and Place of the said Jury being so impannelled, summoned, and returned; and the said Sheriff, Under Sheriff, Coroner, or such other Person or Persons are and is hereby required, out of the Persons so impannelled, summoned, and returned, or out of such of them as shall appear upon such Summons, to swear or cause to be sworn Twelve, who shall be the Jury for the Purposes aforesaid; and in default of a sufficient Number of Jurymen, the said Sheriff, Under Sheriff, Coroner, or such other Person shall return other honest, sufficient, and indifferent Men of the Standers-by, or that can speedily be procured to attend that Service (being qualified as last aforesaid) to make up the said Jury to the Number of Twelve; and it shall and may be lawful for all Persons concerned, by themselves, their Counsel and Solicitors, to attend and be heard, and to adduce Evidence before the said Sheriff, Under Sheriff, Coroner, or such Person or Persons respectively, and such Persons shall also have their lawful Challenges against any of the said Jurymen when they come to be sworn, but shall not challenge the Array; and the said Sheriff, Under Sheriff, Coroner, or such other Person or Persons is and are hereby required by a Summons or Notice to be signed by such Sheriff, Under Sheriff, Coroner, or other such Person or Persons, either previous to or at the Time of any such Meeting or Meetings, to call before them all and every Person or Persons who shall be thought necessary and proper to be examined as a Witness or Witnesses

nesses upon Oath touching and concerning the Premises; and the said Sheriff, Under Sheriff, Coroner, or such other Person, may order and authorize the said Jury or any Three or more of them to view the Place or Places or Matter or Matters in question, if there be Occasion, and to use all other lawful Ways and Means, as well for his and their own as for the Jury's better Information in the Premises, as the said Sheriff, Under Sheriff, Coroner, or such other Person or Persons shall think fit; which Jury upon their Oaths (which Oaths, as well as the Oaths to such Person or Persons as shall be called upon as Witnesses, the said Sheriff, Under Sheriff, Coroner, or such other Person is hereby empowered and required to administer) shall enquire of, assess, and ascertain the Sum of Money to be paid for the Purchase of the Lands or other Hereditaments for the Purposes of making, constructing, and completing the said Bridge, and the Accesses and Approaches thereto, or the Recompence and Satisfaction to be paid for any Injury committed or Damage suffered in making and completing the same; and after the said Jury shall have inquired of, ascertained, and settled such Damages, Recompence, and Satisfaction, the said Sheriff, Under Sheriff, Coroner, or such other Person shall thereupon order the Sum or Sums of Money so assessed by the said Jury to be paid by the said Commissioners to the said Owners or Occupiers of or other Person or Persons interested in the said Lands or Hereditaments, according to such Verdict or Inquisition of the said Jury, and shall give Judgment for such Purchase Monies, Recompence, or Satisfaction to be assessed by such Jury; which said Verdict or Inquisition, Order, and Judgment thereon pronounced as aforesaid, shall be signed by the said Sheriff, Under Sheriff, Coroner, or such other Person, and shall be binding, final, and conclusive to all Intents and Purposes, against all Parties and Persons whomsoever claiming any Estate in Fee Simple and Fee Tail, for Life or Lives in Possession, Reversion, Remainder, Expectancy, or otherwise, their Heirs, Successors, Executors, and Administrators, Infants, Issue unborn, Femes Covert, Persons beyond the Seas, and under any other Disability whatsoever, Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Civil, Corporations Aggregate or Sole, as well as all other Persons whomsoever, and shall not be removed by Certiorari or other Process into any of His Majesty's Courts of Record at *Westminster*, or any other Courts; any Law or Statute to the contrary thereof notwithstanding.

Penalty on Sheriff or other Officers for Neglect.

XXVIII. And be it further enacted, That if any Sheriff, Under Sheriff, Coroner, or such other Person so directed to impannel, summon, and return a Jury as aforesaid, or his or their Deputy or Agent, shall make Default in the Premises, he or they shall for every such Offence forfeit and pay the Sum of Twenty Pounds, to be recovered by Action of Debt or on the Case in any of His Majesty's Courts of Record at *Westminster*, by the said Commissioners, or by such Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Civil, or any other Person or Persons interested in the Matter in question; and if any Persons so impannelled, summoned, and returned as aforesaid upon such Jury shall not appear, without some reasonable Excuse, or appearing shall refuse to be sworn on the said Jury, or being so sworn shall refuse to give or shall not give his Verdict, or shall in any other Manner wilfully neglect his Duty therein contrary to the true Intent and Meaning of this Act, he shall be liable and subject to the same Regulations and to the same Pains and Penalties for such Default, as if he had been impannelled, summoned,

and returned for the Trial of any Issue at the Assizes; and if any Person so summoned and required to give Evidence before the said Jury touching the Premises, after having been paid or tendered a reasonable Sum for his, her, or their Costs and Expences, shall neglect or refuse to appear, or shall not alledge a sufficient Excuse to the said Sheriff, Under-Sheriff, or Coroner, or such other Person, for not appearing, or appearing shall refuse to be sworn or examined or to give Evidence, then and in every such Case every such Person so offending, upon Proof thereof made before One of His Majesty's Justices of the Peace for the County of *York*, upon the Oath of One or more credible Witness or Witnesses, shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds, according to the Discretion of the said Justice.

For punishing Persons guilty of Perjury.

XXIX. And be it further enacted, That all and every Person or Persons who in any such Examination as aforesaid shall wilfully and corruptly give false Evidence, or otherwise forswear themselves before any such Jury, shall and may be prosecuted for the same, and upon Conviction thereof shall be subject and liable to such and the same Pains and Penalties as Persons guilty of Perjury are by the Laws in being subject and liable to.

No Claim for Damage sustained, unless Notice thereof be given within Six Months.

XXX. And be it further enacted, That the said Commissioners shall not be obliged or allowed by virtue of this Act to receive or take Notice of any Claim or Claims, Complaint or Complaints, to be made by any Person or Persons whomsoever, for any Injury or Damage by him, her, or them sustained or supposed to be sustained, unless Notice shall have been given thereof by or on behalf of such Person or Persons to the Secretary or Chief Clerk of the said Commissioners, within the Space of Six Calendar Months next after the Time of such supposed Injury or Damage shall have been sustained, or the doing or committing thereof shall have ceased.

Expence of Jury and Witnesses, by whom to be paid.

XXXI. And be it further enacted, That in each and every Case where a Verdict shall be given for more Money as a Recompence or Satisfaction for the absolute Sale of any Lands, Tenements, or other Hereditaments of or belonging to any Body or Bodies Politic, Corporate or Collegiate, Ecclesiastical or Civil, or to any Person or Persons unknown, or as a Compensation for any Damages done or to be done to any Lands, Tenements, Hereditaments, or other Property, than had been previously offered by or on behalf of the said Commissioners, or when any Verdict shall be found for any Damages when the Dispute is for Damages only, and where no Compensation or a smaller Sum shall be given by such Verdict than had been previously offered or tendered in respect thereof by or on behalf of the said Commissioners, or where by reason of Absence in Foreign Countries, or other Impediment or Disability as aforesaid, there shall not be found any Person or Persons at hand who may be legally capacitated to enter into a Contract with and make Conveyances to and receive Compensations from the said Commissioners, as herein-before mentioned, then and in all such Cases all the Expences of impannelling, summoning, and returning such Jury, and taking such Verdict, shall be settled by the said Sheriff, Under-Sheriff, Coroner, or such other Persons so impannelling, summoning, and returning such Jury, and taking such Verdict as aforesaid, and be defrayed by the said Commissioners; but if any Verdict shall be given for the same Sum as had been previously offered by or

on behalf of the Commissioners, or for a less Sum than had been so previously offered, or for Damages where the Dispute is for Damages only, or in case of such Refusal or Neglect to enter into Treaty with or make Conveyances to or receive Compensation from the said Commissioners, then and in all such Cases (except where by reason of Absence or otherwise any Person or Persons shall have been prevented from treating or agreeing as aforesaid, when such Costs and Expences shall be paid by the said Commissioners) the Costs and Expences of impannelling, summoning, and returning such Jury, and taking such Verdict, shall be borne and paid by the Body or Bodies Politic, Corporate or Collegiate, Ecclesiastical or Civil, or other Person or Persons with whom the said Commissioners shall have such Concerns, Disputes, or Controversies; which said Costs and Expences, having been so settled as aforesaid, 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 Body or Bodies Politic, Corporate or Collegiate, Ecclesiastical or Civil, or other Person or Persons as aforesaid, and the Payment or Tender of the Remainder of such Sum or Sums 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; and in case no Damages shall be given by such Verdict when the Dispute is for Damages only, or if the Damages given shall be insufficient for the Purpose of defraying such Costs and Charges, then such Costs and Expences, after having been so ascertained and settled as aforesaid, shall and may be recovered by the said Commissioners by such Ways and Means as are herein provided for the Recovery of any Penalty or Forfeitures imposed by this Act.

Lands to be vested in the Commissioners, on Payment or Tender of the Value or Amount of Damages.

XXXII. And be it further enacted, That upon Payment or legal Tender of such Sum or Sums of Money as shall have been contracted and agreed for between the Parties, or adjusted and determined by the said Commissioners, or assessed by such Juries in manner respectively as aforesaid, for the Purchase of any such Lands or other Hereditaments, to the Proprietor or Proprietors of such Lands or other Hereditaments, or to such other Person or Persons as shall be interested therein or entitled to receive such Purchase Money, or his, her, or their Agent or Agents, at any Time within Ten Days after the same shall have been actually so agreed for, determined, or assessed, or depositing the same in the Bank of *England* in manner by this Act directed, it shall and may be lawful for the said Commissioners, and their Agents, Workmen, and Servants, immediately to enter upon such Lands, Tenements, and other Hereditaments, together with the yearly Profits thereof, and all the Estate, Use, Trust, and Interest of any Person or Persons therein shall from thenceforth be vested in the said Commissioners, to and for the Purposes herein-before in this Act mentioned.

Verdicts of Juries to be recorded.

XXXIII. And be it further enacted, That the said Judgments and Verdicts so given shall be transmitted to and be kept by the respective Clerks of the Peace, or other Person or Persons having the Custody of the Records of the Quarter Sessions of the said County of *York*, when such Verdicts shall have been given, and shall be deposited with and be deemed Records of such Quarter Sessions respectively to all Intents and Purposes, and the same or true Copies thereof shall be allowed to be good Evidence

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in all Courts whatsoever, and all Persons shall have Liberty to inspect the same, paying for such Inspection the Sum of One Shilling, or to have Copies thereof, paying for every Copy the Sum of Sixpence for every One hundred Words, and so in proportion for any greater or less Number of Words.

Bargains and Sales to have the Force of Fines and Recoveries.

XXXIV. And be it further enacted, That all Bargains and Sales whatsoever, to be made of any such Lands, Tenements, and Hereditaments as shall be purchased by the said Commissioners by virtue of and for the Purposes of the said Bridge, and which shall be duly acknowledged and enrolled in the High Court of Chancery within Six Calendar Months after the making thereof, shall have the like Force, Effect, and Operation in Law, to all Intents and Purposes, as any Fine or Fines, Recovery or Recoveries whatsoever would have had, if levied or suffered by the Bargainer or Bargainers, or any Person or Persons seised of or entitled to any Estate or Interest in the Premises, in trust for such Bargainer or Bargainers, in any legal Manner or Form whatsoever.

Bridge to be made and maintained at the Expence of the Crown.

XXXV. And be it further enacted, That the said Bridge and the Approaches thereto shall be made, constructed, and completed, and for ever after repaired and maintained by the Commissioners of His Majesty's Woods, Forests, and Land Revenues, at the sole Costs and Expences of His Majesty, His Heirs and Successors; and it shall and may be lawful for the said Commissioners, in making, constructing, and completing the said Bridge and the Approaches thereto, and in repairing and maintaining the same, to exercise and put in force all the Powers, Authorities, and Provisions in this Act and the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty contained, for the obtaining Materials, which may be exercised and put in force by the Trustees for executing this Act for obtaining Materials for making, repairing, and maintaining the Roads hereby placed under their Care and Management.

Persons to be appointed for opening and shutting the Bridge.

XXXVI. And be it further enacted, That as soon as the said Swivel Bridge and the Approaches thereto shall be completed, the Care and Management of the said Bridge, and the opening and re-closing thereof shall be committed to the Harbour Master, or other proper Officer appointed or to be appointed from Time to Time by the Trustees acting in the Execution of the said recited Act of the First Year of the Reign of His said late Majesty relating to the said Haven; which said Harbour Master or other proper Officer shall attend at all Times when necessary for the Purpose of opening the said Bridge for the passing and repassing of all Vessels navigating the said Channel, and of closing and securing the said Bridge after the passing of such Vessels; and such Harbour Master shall not open or permit or suffer the said Bridge to be opened at any other Times, or for any other Purposes, than for the necessary Passage of such Vessels, or continue the same open for any longer Time than during the necessary Passage of any such Vessel or Vessels, save only at the Request of His said Majesty, His Heirs or Successors, or his or their Surveyors, Engineers, Artificers, or other Persons duly authorized by the said Commissioners of His Majesty's Woods, Forests, and Land Revenues, to the Intent that the free Passage over the said Bridge by all Persons, Cattle, and Carriages,

riages to and from the Lands of His said Majesty called *Sunk Island*, may not be prevented or delayed at any other Time or Times, or during any longer Time than shall be necessary for the Passage of any Vessel or Vessels navigating the said North Channel; and for and in consideration of such Care and Management, and of the diligent opening and re-closing of the said Bridge, the said Harbour Master, or other proper Officer so to be appointed by the said last-mentioned Trustees, shall have and receive from His said Majesty the yearly Sum of Thirty Pounds, to be paid at the Feast of *Saint Michael the Archangel*; and if at any Time or Times such Harbour Master, or other Officer to be appointed as aforesaid, shall refuse or neglect to open or shut such Bridge, and in consequence of any such Neglect or Refusal any Vessel navigating the said North Channel, or any Person or Persons travelling or passing on the said Road, shall be stopped or impeded, or in case the Person or Persons navigating any such Vessel shall not, on such Swivel Bridge being opened, immediately pass through the same, every Person so offending shall forfeit and pay any Sum not exceeding Ten Pounds, to be recovered in the same Manner as other Penalties imposed by this Act, or the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty, are to be recovered.

Penalty for evading Toll on going to Sunk Island.

XXXVII. And be it further enacted, That from and after the Time of the erecting of such Bridge as aforesaid, for the Passage of His said Majesty's Subjects to and from *Sunk Island* and *Pattrington* aforesaid, it shall not be lawful for any Person or Persons, with Horses, Cattle, or Carriages, to go or pass by any other Road to and from the Parish of *Pattrington* and *Sunk Island* aforesaid, than by the Turnpike Road, and through the Toll Bar of the said Trustees; and all and every Person and Persons who shall travel by or make use of any other Road, and evade the Payment of the Tolls by this Act intended to be collected upon the said Turnpike Road, shall be subject and liable to all the Pains and Penalties of this or any of the said recited Acts charged and imposed upon Persons evading Payment of Toll, and to all the Powers and Remedies given and provided in and by this and the said recited Acts for enforcing and recovering of all such Pains and Penalties: Provided always, that nothing in this Act contained shall authorize or empower any Person or Persons to land from or put on board of any Vessel any Goods, Wares, or Merchandize whatsoever, upon or near to the said Bridge, or other Part of the said North Channel, between *Sunk Island* and *Pattrington* aforesaid, whereby to evade the Payment of the Tolls, Tonnage, and Duties imposed in and by the said recited Acts of the First and Twentieth Years of the Reign of His said late Majesty, but that the Owners, Masters, or Commanders of all such Vessels so delivering and receiving on board any such Goods, Wares, or Merchandize, shall be liable to the Payment of all such Tolls, Tonnage, and Duties in respect of such Vessels, and to the Powers and Remedies for the recovering and enforcing the Payment thereof, as are given and granted to the said Trustees in and by the said last-mentioned Acts.

Punishing Persons destroying Works.

XXXVIII. And be it further enacted, That if any Person or Persons shall wilfully and maliciously, during the building and constructing of the said Bridge, or after the Completion thereof, to the Prejudice of the said Under-

Undertaking, break, thrown down, or destroy any of the Works to be erected and made for completing or supporting the said Bridge, every Person so offending, being thereof lawfully convicted, shall be adjudged guilty of Felony, and shall be transported to One of His Majesty's Plantations abroad for the Term of Seven Years, or in Mitigation thereof the Court by or before whom such Person shall be tried and convicted may award such Sentence as the Law directs in Cases of Petit Larceny.

Materials vested in Commissioners.

XXXIX. And be it further enacted, That all Stones, Lead, Iron, Wood, Bricks, Gravel, and other Materials and Implements which shall be purchased or provided by the said Commissioners of His Majesty's Woods, Forests, and Land Revenues, for the Purposes of the said Bridge and the Accesses thereto, shall belong to and be the Property of, and the same are hereby vested in the said Commissioners; and the said Commissioners shall and may cause to be brought any Action or Actions, or direct the preferring of any Bill or Bills of Indictment, as the Case may require, against any Person or Persons who shall steal or carry away, detain, spoil, injure, or destroy the several Articles and Things hereby vested in them the said Commissioners as aforesaid, or any of them, or any Part thereof; and in all such Actions and Bills of Indictment respectively it shall be deemed and taken to be sufficient to state generally that the Article or Articles, Thing or Things, for or on account of which such Action or Actions shall be brought, or Bill or Bills of Indictment preferred, is or are the Property of the Commissioners of His Majesty's Woods, Forests, and Land Revenues, without particularly stating or specifying the Name or Names of all or any of the said Commissioners, and the said Commissioners shall have Power and Authority from Time to Time to sell and dispose of for the Purposes aforesaid all or any of the said Articles and Things, or any Part of the same respectively, to such Person or Persons and in such Manner as the said Commissioners shall think proper.

Application of Compensation when exceeding 200*l.*

XL. 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 of the Third and Fourth Years of the Reign of His said present Majesty, and this Act, for the Purposes thereof respectively, which shall belong to any Corporation, Feme Covert, Infant, Lunatic, or Person or Persons under any other Disability or Incapacity as in the said Acts particularly mentioned, such Money shall, in case the same shall amount to the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Exchequer, to be placed to his Account *ex parte* the Trustees for executing this Act, pursuant to the Directions of an Act passed in the First Year of the Reign of His present Majesty King *George* the Fourth, intituled *An Act for the better securing Monies and Effects paid into the Court of Exchequer at* Westminster *on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes*, and the General Orders of the said Court, and without Fee or Reward; 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

1 G. 4. c. 35.

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, and Hereditaments, in the Purchase of the Land Tax, or 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, and Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Lands, Tenements, or Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the 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 Court of Exchequer 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 and annual Produce of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, and Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made.

Application when the Compensation is less than 200*l.* but not less than 20*l.*

XLI. 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 Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall amount to or exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Lands, Tenements, and Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank of *England* in the Name and with the Privity of the said Accountant General of the Court of Exchequer, and 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 the said Trustees (such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties), in order that such Principal Money, and the Dividends arising thereon, may be applied in manner hereinbefore directed, so far as the Case be applicable, without obtaining

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or being required to obtain the Direction or Approbation of the said Court.

Application where the Money is less than 20*l.*

XLII. And be it further enacted, That where such Money so agreed or awarded to be paid as 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, and Hereditaments so purchased, taken, or used for the Purposes of this Act, in such Manner as the Trustees 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, Money to be paid into the Bank.

XLIII. 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 Acts and this Act, shall refuse to accept the same, or shall not be able to make a good Title to the Premises to the Satisfaction of the said Trustees, or 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 for the said Trustees 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 Exchequer, to be placed to his Account to the Credit of the Persons interested in the said Lands, Tenements, or Hereditaments [describing them], subject to the Order, Controul, and Disposition of the said Court; which said Court, on the Application of any Person or Persons making claim to such Sum and Sums of Money, or any Part thereof, by Motion or Petition, shall be and is hereby empowered, in a summary Way of Proceeding or otherwise, as to the same Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order the 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 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 who shall pay any such Sum or Sums of Money into the Bank as aforesaid.

Where any Questions shall arise touching the Title to Money, Persons in Possession to be deemed entitled.

XLIV. And be it further enacted, That where any Question shall arise touching the Title of any Person 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 Exchequer, in pursuance of the said Acts and this Act, for the Purchase of any Lands, Tenements, or Hereditaments, or of any Estate, Right, or Interest in any Lands, Tenements, or Hereditaments to be purchased in pursuance of the said Acts and this

this Act, or to any Bank Annuities to be purchased with any such Money, or the Dividends or Interest of any Bank Annuities, the Person or Persons who shall have been in Possession of such Lands, Tenements, and Hereditaments at the Time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, or Hereditaments, according to such Possession, until the contrary shall be shown to the Satisfaction of the said Court; and the Dividends or Interest of the said 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 Exchequer may order reasonable Expences of Purchases to be paid by Trustees.

XLV. And be it further enacted, That where by reason of any Disability or Incapacity of the Person or Persons, or Corporations, entitled to any Lands, Tenements, Hereditaments, and Premises to be purchased under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the Court of Exchequer, 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 Expences of such last-mentioned Purchases from Time to Time to be made in pursuance of this Act, or so much thereof as the said Court shall deem reasonable, to be paid by the said Trustees out of the Monies to be received by virtue of this Act, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

Saving the Rights of the Lord of the Manor of Pattrington.

XLVI. Provided always, and be it further enacted, That nothing in this or the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty shall extend or be construed to extend to defeat, lessen, or prejudice any Right or Title which the Lord or Lords, Lady or Ladies of the Manor of *Pattrington* hath or ought to have at any Time before the passing of the said recited Acts hereby repealed, and particularly the said Act passed in the First Year of the Reign of His said late Majesty, had, either as Lord or Lords of the said Manor, or as Owner or Owners of the Lands adjoining upon the said Creek or Haven, or passed over in the Way thereunto, or in any otherwise or Right whatsoever to any Haven Dues, Corn Dues, Tolls, or other Dues, Duties, or Profits whatsoever, arising, accruing, and becoming payable at *Pattrington* Haven aforesaid, or elsewhere within the said Manor of *Pattrington*, but that the Lord or Lords, Lady or Ladies of the said Manor for the Time being, shall have and enjoy the same Right and Title to all such Haven Dues, Corn Dues, Tolls, Dues, Duties, and Profits, as he, she, or they had or could have had in case the said recited Acts or this Act had not been passed.

Public Act.

XLVII. 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 of this Act.

XLVIII. And be it further enacted, That this Act shall commence and take effect from the passing thereof, and shall continue and be in force and be executed 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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