

ANNO QUADRAGESIMO TERTIO

GEORGII III. REGIS.

Cap. 50.

An Act for continuing the Term, and altering and enlarging the Powers of Two Act, paſſed in the Twenty-eighth Year of King *George* the Second, and the Twenty-firſt Year of His preſent Majeſty, for amending the Roads from the Weſt End of *Toller Lane* near *Bradford*, through *Haworth*, in the County of *York*, to a Place called *Blue Bell* near *Colne*, in the County of *Lancaſter*, and from a Place called *The Two Laws* to *Kighley*, in the ſaid County of *York*. [27th *May* 1803.]

WHEREAS an Act was made in the Twenty-eighth Year of the Reign of His late Majeſty King *George* the Second, intituled, *An Act for amending and widening the Roads from the Weſt End of* Toller Lane *near* Bradford, *through* Haworth, *in the County of* York, *to a Place called* Blue Bell *near* Colne, *in the County of* Lancaſter, *and from a Place called* The Two Laws *to* Kighley, *in the ſaid County of* York: 28 Geo. 2. And whereas another Act was made in the Twenty-firſt Year of the Reign of His preſent Majeſty, for continuing and amending the ſaid recited Act: 21 Geo. 3. And whereas the Truſtees for the Care and Management of the

the ſaid Roads have made great Progreſs in the Repair thereof, and for that Purpoſe have borrowed ſeveral conſiderable Sums of Money on the Credit of the Tolls authorized to be collected thereon, which, together with an Arrear of Intereſt, ſtill remain due; and the ſame cannot be repaid, and the ſaid Roads amended, and kept in Repair, unleſs the Term of the ſaid Acts (which is near expiring) be further continued, 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ſame, That, from and immediately after the Commencement of this Act, the Term granted by the ſaid recited Acts ſhall be repealed; and that the ſaid recited Acts, and all the Clauſes, Powers, Authorities, Proviſions, Exemptions, Penalties, Forfeitures, Matters, and Things therein contained, (except ſuch Parts thereof as are hereby varied, altered, or repealed, and alſo ſuch as relate to Exemption from Stamp Duties), ſhall be and remain in full Force and Effect, and, together with this preſent Act, ſhall be put in Execution for the ſeveral Purpoſes thereby and hereby intended, for and during the Term herein-after granted, as fully and effectually in all Reſpects, and to all Intents and Purpoſes whatſoever, as if the ſame were expreſsly repeated and re-enacted in the Body of this preſent Act; which ſaid Term hereby granted ſhall be and is hereby declared to be ſubject and liable to the Payment of all Monies now due and owing on the Credit of the ſaid recited Acts, or which ſhall or may hereafter be borrowed or become due on the Credit of the ſaid recited Acts and of this Act, and all Intereſt due and to become due for the ſame reſpectively.

Acts further continued.

Former Tolls to ceaſe.

II. And be it further enacted, That, from and after the Commencement of this Act, the Tolls payable in and by the ſaid recited Act of the Twenty-eighth Year of His late Majeſty, ſhall ceaſe, determine, and be no longer paid, and that in lieu thereof, the following Tolls ſhall be demanded and taken before any Horſe, Mare, Gelding, Mule, Aſs, Beaſt, or other Cattle, Coach, Waggon, Cart, or other Carriage whatſoever, be permitted to paſs through any Turnpike or Toll Gate erected or to be erected by virtue of the ſaid recited Acts or this Act, upon and acroſs the ſaid Roads, or upon and acroſs any Lane or Way leading into the ſame; (that is to ſay),

New Tolls to be paid.

For every Horſe, Mare, Gelding, Mule, or Aſs, laden or unladen, and not drawing, the Sum of Three-pence:

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

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

For every Coach, Chariot Landau, Berlin, Phaeton, Chaiſe, Chair, Curricle, Caravan, Calaſh, Hearſe, Horſe Litter, or other ſuch Carriage, drawn by Six or more Horſes, Mares, Geldings, or Mules, the Sum of Three Shillings; drawn by Four Horſes, Mares, Geldings, or Mules, the Sum of Two Shillings; and drawn by Two Horſes, Mares, Geldings, or Mules, the Sum of One Shilling:

For

For every Chaise, Chair, Whiskey, Gig, or other such like Carriage, drawn by One Horse, Mare, Gelding, or Mule, the Sum of Ninepence:

For every Four-wheeled Waggon, Wain, Cart, Dray, or other such Carriage, drawn by Seven or Eight Horses, Mares, Geldings, Oxen, or other Beasts of Draught, the Sum of Three Shillings; drawn by Five or Six Horses, Mares, Geldings, Oxen, or other Beasts of Draught, the Sum of Two Shillings; and drawn by Four or any less Number of Horses, Mares, Geldings, Oxen, or other Beasts of Draught, the Sum of One Shilling and Sixpence:

For every Two-wheeled Waggon, Wain, Cart, Dray, or other such Carriage, drawn by Five Horses, Mares, Geldings, Oxen, or other Beasts of Draught, the Sum of Two Shillings; drawn by Four Horses, Mares, Geldings, Oxen, or other Beasts of Draught, the Sum of One Shilling and Sixpence; drawn by Three Horses, Mares, Geldings, Oxen, or other Beasts of Draught, the Sum of One Shilling and Three-pence; drawn by Two Horses, Mares, Geldings, Oxen, or other Beasts of Draught, the Sum of One Shilling; and drawn by One Horse, Mare, Gelding, Ox, or other Beast of Draught, the Sum of Sixpence:

For every Waggon, Wain, Cart, Dray, or other such Carriage, going empty for or laden with Coals, drawn by Five or more Horses, Mares, Geldings, Oxen, or other Beasts of Draught, the Sum of One Shilling; drawn by Three or Four Horses, Mares, Geldings, Oxen, or other Beasts of Draught, the Sum of Nine-pence; drawn by Two Horses, Mares, Geldings, Oxen, or other Beasts of Draught, the Sum of Sixpence; and drawn by One Horse, Mare, Gelding, Ox, or other Beast of Draught, the Sum of Three-pence:

And for every Horse, Mare, Gelding, Mule, or Ass, laden or unladen, and not drawing, the Sum of One Penny:

Which said respective Tolls or Duties shall be and are hereby declared to be vested in the said Trustees; and they, or any Seven or more of them, or such Person or Persons as they shall authorize and appoint for that Purpose, shall have such and the same Powers, Authorities, and Remedies for apportioning, collecting, demanding, recovering, levying, assigning, transferring, leasing, reducing, advancing, and compounding for the Tolls and Duties hereby granted or made payable, as are in and by the said recited Act given and expressed, with respect to the Tolls thereby granted or made payable, so that the same do never exceed the Tolls herein-before granted; but Twenty-one Days Notice thereof at the least shall be given upon all the Toll Gates or Turnpikes which shall be then standing upon the said Road, previous to any such Alteration in the said Tolls; and that the said Tolls and Duties hereby granted or made payable shall be paid, applied, and disposed of to and for such Uses, Intents, and Purposes, as are in the said former Acts and this Act directed and appointed in that Behalf.

For securing Money already advanced, or to be borrowed on Security of the Tolls.

III. And be it further enacted, That the said Trustees, or any Seven or more of them, are hereby empowered by any Writing or Writings under their respective Hands and Seals, from Time to Time, to assign or mortgage the said Tolls, or any Part or Parts thereof, during the Continuance of this Act, as a Security or Securities to any Person or Persons who has or have already advanced any Sum or Sums of Money as aforesaid, or to their respective Executors, Administrators, and Assigns, or legal

legal Repreſentatives, and to ſuch Perſon or Perſons who ſhall or may hereafter advance any ſuch Sum or Sums of Money, their reſpective Executors, Adminiſtrators, and Aſſigns, for the Money ſo advanced or to be advanced, with Intereſt for the ſame reſpectively; which ſaid Writing or Writings may be made in the Form, or in the Words to the Effect following; (that is to ſay),

Form of Mortgage.

'BY virtue of an Act made in the Forty third Year of the Reign of His Majeſty King *George* the Third, intituled, [*Here ſet forth the Title of the Act*], We of the Truſtees for putting the ſaid Act into Execution, in Conſideration of the Sum of in Hand advanced and paid by *A. B.* of to the Treaſurer of the ſaid Roads, [*or*, formerly have been advanced in reſpect to the ſaid Roads, *as the Caſe may be*] do hereby grant, bargain, ſell, and demiſe unto the ſaid *A. B.*, his Executors, Adminiſtrators, and Aſſigns, ſuch Proportion of the Tolls to ariſe upon the ſaid Roads by virtue of the ſaid Act, and of the Turnpikes and Toll Houſes for collecting the ſame, as the ſaid Sum of doth or ſhall bear to the whole Sum advanced or to be advanced on the Credit thereof, to be had and holden from the Day of the Date hereof, for and during the Continuance of the ſaid Act, unleſs the ſaid Sum of with Intereſt for the ſame, after the Rate of Five Pounds for One hundred Pounds for a Year, ſhall be ſooner repaid and ſatisfied. Given under our Hands and Seals, this Day of in the Year of our Lord One thouſand eight hundred and

Copies to be entered.

And Copies of all ſuch Mortgages ſhall be entered in a Book or Books, to be kept for that Purpoſe by the Clerk or Treaſurer to the ſaid Truſtees, which Book or Books ſhall and may at all ſeaſonable Times be peruſed and inſpected, without Fee or Reward; and all Mortgages and Aſſignments which ſhall be made in the Form and Manner aforeſaid, and hereafter mentioned, ſhall be good, valid, and effectual in the Law to all Intents and Purpoſes; and it ſhall be lawful for all and every Perſon and Perſons to whom any Mortgage or Security already made, or who is, are, or ſhall be entitled to the Money thereby ſecured, or which ſhall hereafter be made as aforeſaid, his, her, and their Executors and Adminiſtrators reſpectively, by Writing or Writings under their ſeveral Hands and Seals, to aſſign and transfer his, her, and their Right, Title, and Intereſt, in and to ſuch Mortgage or Security, and the Principal Money and Intereſt thereby ſecured, to any other Perſon or Perſons whomſoever; which Aſſignment and Transfer may be made in the Form, or in the Words to the Effect following; (that is to ſay),

Form of Transfer.

'I *A. B.* of [*or*, I *C. D.* of Executor, or Adminiſtrator of *A. B.* late of *or otherwiſe, as the Caſe may happen to be*], in Conſideration of the Sum of to me paid by *E. F.* do hereby aſſign and transfer unto the ſaid *E. F.*, his Executors, Adminiſtrators, and Aſſigns, a certain Mortgage or Security, bearing Date the Day of in the Year of our Lord under the Hands and Seals of of the Truſtees for putting into Execution an Act of Parliament, paſſed in the Forty-third Year of the Reign of His Majeſty King

'King *George* the Third, intituled, [*Here set forth the Title of the Act*] with
'all my Right and Title to the Principal Sum of
'thereby secured, and all Interest now due and hereafter to grow due
'thereon. Dated this Day
'in the Year of our Lord One thousand eight hundred and

Which Transfer or Assignment shall be produced and notified to the said Clerk or Treasurer, within Three Calendar Months next after the Day of the Date thereof, who shall cause an Entry or Memorandum to be made of such Transfer or Assignment, containing the Date, Parties Names, and Sums of Money therein mentioned to be transferred, in the Book or Books so to be kept for that Purpose as above mentioned, for which Entry the said Clerk or Treasurer shall be paid the Sum of Two Shillings and Sixpence, and no more; and after such Entry made, such Assignment or Transfer shall entitle such Assignee or Assignees, his, her, or their Executors, Administrators, and Assigns, to the full Benefit of such Mortgage or Security; and every such Mortgage or Security may be again assigned and transferred in like Manner, and so from Time to Time, as often as Occasion shall require; and it shall not be in the Power of any Person or Persons, other than the Person or Persons to whom the same shall be last transferred, his, her, or their respective Executors or Administrators, to release, discharge, or make void the original Mortgage or Security so transferred as aforesaid, or the Monies due thereon, or any Part thereof. Transfers to be entered.

IV. And be it further enacted, That the said Trustees may sue and be sued for or concerning any Thing to be done by virtue or in pursuance of this Act, in the Name of their Clerk or Treasurer for the Time being; and that no Action or Suit, to be brought or commenced by the Direction of or against the said Trustees by virtue of this Act, in the Name of their Clerk or Treasurer, shall abate or be discontinued by the Death or Removal of any such Clerk or Treasurer, or by the Act of such Clerk or Treasurer, without the Consent of the said Trustees; but that the Clerk or Treasurer for the Time being to the said Trustees shall be deemed to be Plaintiff or Defendant, as the Case may be, in every such Action; and every such Clerk or Treasurer, in whose Name any Action or Suit shall be commenced, prosecuted, or defended in pursuance of this Act, shall be fully reimbursed and paid out of the 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 shall pay, bear, expend, or be put unto, or become chargeable with, by reason of his being made Plaintiff or Defendant as aforesaid. Trustees may sue and be sued in the Name of their Clerk or Treasurer. Clerk or Treasurer to be reimbursed Expences.

V. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands, Grounds, or Hereditaments purchased, taken, or used by virtue of the Powers of the said recited Acts and this Act for the Purposes thereof, which shall belong to any Corporation, Feme Covert, Infant, Lunatick, or Person or Persons under any Disability or Incapacity, as in the said first recited Act 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 High Court of Chancery, to be placed to his Account *ex parte* Application of Compensation Money when amounting to 200*l.*

the Truſtees for executing the ſaid Acts and 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, Grounds, or other Hereditaments, in the Purchaſe 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, Grounds, or other Hereditaments ſtanding ſettled therewith, to the ſame or the like Uſes, Truſts, Intents, or Purpoſes; or where ſuch Money ſhall not be ſo applied, then the ſame ſhall be laid out and inveſted, under the like Direction and Approbation of the ſaid Court, in the Purchaſe of other Lands, Grounds, or other 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, Grounds, or other Hereditaments which ſhall be ſo purchaſed, taken, or uſed as aforeſaid, ſtood ſettled or limited, or ſuch of them as at the Time of making ſuch Conveyance and Settlement ſhall be exiſting undetermined and capable of taking Effect; and in the mean Time, and until ſuch Purchaſe ſhall be made, the ſaid Money ſhall by Order of the ſaid Court of Chancery, upon Application thereto, be inveſted by the ſaid Accountant General in his Name, in the Purchaſe of Three Pounds *per Centum* Conſolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the mean Time, and until the ſaid Bank Annuities ſhall be ordered by the ſaid Court to be ſold for the Purpoſes aforeſaid, the Dividends and annual Produce of the ſaid Conſolidated or Reduced Bank Annuities ſhall from Time to Time be paid, by Order of the ſaid Court, to the Perſon or Perſons who would for the Time being have been entitled to the Rents and Profits of the Lands, Grounds, or other Hereditaments ſo hereby directed to be purchaſed, in caſe ſuch Purchaſe or Settlement were made.

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

VI. Provided always, and be it further enacted, That if any Money ſo agreed or awarded to be paid for any Lands, Grounds, or other 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 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, Grounds, or other 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 be placed to his Account as aforeſaid, in order to be applied in Manner herein-before directed, or otherwiſe the ſame ſhall be paid, at the like Option, to Two Truſtees to be nominated by the Perſon or Perſons making ſuch Option, and approved of by Five or more of the ſaid Truſtees, (ſuch Nomination and Approbation to be ſignified in Writing, under the Hands of the nominating and approving Parties), in order that ſuch Principal Money, and the Dividends ariſing thereon, may be applied in any Manner herein-before directed, ſo far as the Caſe be applicable, without obtaining or being

being required to obtain, the Direction or Approbation of the Court of Chancery.

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

VII. Provided alſo, and be it further enacted, That where 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, Grounds, or other Hereditaments ſo purchaſed, taken, or uſed for the Purpoſes of the ſaid Acts and this Act, in ſuch Manner as the ſaid Truſtees, or any Five or more of them, ſhall think fit; or in caſe of Infancy or Lunacy, then to his or their Guardian or Guardians, Committee or Committees, to and for the Uſe and Benefit of ſuch Perſon or Perſons ſo entitled reſpectively.

For paying the Expences of the Act.

VIII. And be it further enacted, That the Coſts, Charges, and Expences incident to and attending the procuring and obtaining of this Act, ſhall be paid and ſatisfied by the ſaid Truſtees; and that it ſhall be lawful for the ſaid Truſtees, or any Five or more of them, and they are hereby directed and required, to order and direct the Payment of the ſaid Charges and Expences out of the Firſt Monies that ſhall be collected or received by virtue of the ſaid recited Acts and this Act, in Preference to all other Payments and Diſburſements whatſoever.

Publick Act.

IX. And be it further enacted, That this Act ſhall be deemed and taken to be a publick Act, and ſhall be judicially taken Notice of as ſuch by all Judges, Juſtices, and other Perſons whomſoever, without ſpecially pleading the ſame.

Commencement and Continuance of the Act.

X. And be it further enacted, That this Act ſhall commence and take place from and immediately after the Firſt Day of *July* One thouſand eight hundred and three, 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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