ANNO QUINQUAGESIMO TERTIO

GEORGII III. REGIS.

Cap. 187.

An Act for enlarging the Term and Powers of an Act of King *George* the Second, and Two Acts of His preſent Majeſty, for repairing the Road from *Bowes*, in the County of *York*, to *Brough-under-Stainmore*, in the County of *Weſtmorland*; and for repairing and widening the Road from *Maiden Caſtle* to *Kaber Croſs*, and other Roads therein mentioned, in the ſaid Counties. [2d *July* 1813.]

WHEREAS an Act was paſſed in the Sixteenth Year of the Reign of His late Majeſty King *George* the Second, intituled *An Act for repairing the Road from* Bowes, *in the County of* York, *to* Brough-under-Stainmore, *in the County of* Weſtmorland: And whereas an Act was paſſed in the Ninth Year of the Reign of His preſent Majeſty, intituled *An Act for continuing and rendering more effectual an Act for repairing the Road from* Bowes, *in the County of* York, *to* Brough-under-Stainmore, *in the County of* Weſtmorland; *and for repairing and widening the Roads from* Maiden Caſtle *to* Kaber Croſs, *and alſo the Road from* Maiden Caſtle *to the Coal Works at* Taylor Rig, *and to* Tan Hill *and* King's Pitts; *and alſo the Road from* Barrows Brow *to* Middle Fell Dyke Nook, *in the ſaid Counties; and alſo from* Tan Hill *and* King's Pitts *to* Beck Crooks, *and* Punchatt Paſture Weſt Gate *to* Whaw Lane Head, *and by* Lilly Jocks *to* Reeth: And whereas another Act was paſſed in the Thirty-firſt Year of the Reign of His preſent Majeſty for enlarging the

16 G. 2. c. 3.

9 G. 3. Seſſ. 2. c. 75.

31 G. 3.

Terms and Powers of Two Acts of the Sixteenth Year of King *George* the Second, and the Ninth Year of His present Majesty, for repairing the Road from *Bowes*, in the County of *York*, to *Brough-under-Stainmore*, in the County of *Westmorland*; and for repairing and widening the Road from *Maiden Castle* to *Kaber Cross*, and other Roads therein mentioned, in the said Counties: And whereas considerable Sums of Money have been borrowed, and are now due and owing, upon the Credit of the several Tolls authorized to be collected upon the said Roads, by virtue of the said recited Acts; which Money cannot be paid off, nor can the said Roads be effectually amended and kept in Repair, unless the Term granted by the said Acts be further continued, and some of the Powers and Provisions thereof altered and enlarged, 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 Lord's Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said recited Acts of the Sixteenth Year of the Reign of King *George* the Second, and the Ninth and Thirty-first Years of the Reign of His present Majesty, and all and every of the Tolls, Duties, Powers, Authorities, Provisoes, Penalties, Forfeitures, Punishments, Exemptions, Provisions, Matters, and Things therein respectively contained, and are now in force, (except such as relate to Exemptions from Stamp Duties, and such as are hereby varied or altered) shall be and are hereby continued for and during the Term herein-after mentioned, in like Manner, and as fully and effectually, to all Intents and Purposes, as if the same were repeated and re-enacted in the Body of this Act; and that the additional Term hereby granted shall be and is hereby declared to be subject and liable to the Payment of all Monies due, or that shall hereafter become due, on the Credit of the said recited Acts and this Act, and of all Interest due and to grow due thereon.

Recited Acts to continue in force.

Additional Trustees.

II. And be it further enacted, That the Reverend *Richard Atkinson*, the Reverend *Hugh Atkinson*, *Matthew Atkinson*, *John Atkinson*, *George Alderson*, *Richard Atkinson*, *George Atkinson*, *Robert Addison*, *John Addison*, *Robert Addison* junior, the Reverend *Lancelot Bellas*, *Thomas Bellas*, *John Bellas*, *Thomas Briggs*, *Joseph Teasdale Burn*, *William Brass*, *Robert Bleakarn*, *Henry Brougham*, *James Brougham*, *Richard Bland*, *William Bland*, *John Bird*, *John Bland*, *Charles Bainbridge*, *John Brown*, the Reverend *William Bird*, *John Bushby*, *John Brownrigg*, *Richard Brown*, *Hugh Bellasis*, *John Bellasis*, *Thomas Dobson Bleaymire*, *William Crackanthorpe*, *William Coupland*, *John Colling*, *John Chapelhow*, *John Crosby*, *John Dickenson*, *John Dickson*, *Richard Dickson*, *John Dickson* of *Knock*, *Joseph Deacon*, the Reverend *Robert Deacon*, *Joseph Deacon*, *Henry Dent*, *Nicholas Dent*, *Joseph Dickenson* junior, *Thomas Ellwood*, *George Edwards*, *Christopher Ellerton*, *Christopher Ellison*, the Reverend *Richard Frankland*, the Reverend *Richmond Fell*, *William Fawcett*, *Robert Fawcett*, Sir *James Graham* Baronet, *Sandford Graham*, *Robert Gibson*, *Gilpin Gorst*, *John Gibson*, *George Gibson*, *Thomas Gibson*, *Edmund Hodgson*, *Brown Hodgson*, *William Hasell*, *Thomas Harrison*, *George Hutton*, *John Hindmoor*, *William Hopes*, *Thomas Hird* junior, *James Hutchinson*, *Simon Hutchinson*, *Christopher Hutchinson*, *William Hebson*, *John Henderson*, *Christopher Harrison*, *Thomas Heelis*, *Edward Heelis* junior, *Edward Hasell*, the Reverend *James Holme*, *Thomas Holme*, *George Harrison*, the Reverend *Edward Jackson*, *Robert Jackson*, *Joseph Jameson*, *John Jackson*, *Richard Jameson*,

Chriſtopher Kilner, the Honourable *William Lowther* commonly called *Viſcount Lowther*, the Honourable *Henry Cecil Lowther*, *Abraham Levy*, *Edward Lamb*, Sir *Henry Lawſon* Baronet, *Wilfred Lawſon*, the Reverend *John Langton Leech*, the Reverend *Henry Lowther*, *John Langhorn*, *Thomas Langhorn*, *James Lonſdale*, *John Liddle*, *Thomas Lowes*, Sir *Philip Muſgrave* Baronet, *Edmund Sexton Gorman Munkhouſe*, *John Bacon Sawrey Morrit*, *Edward Middleton*, the Reverend *Jonathan Moorhouſe*, *John Morland*, the Reverend *William Monkhouſe*, *John Morguſon*, *Thomas Maſon*, *Robert Nicholſon*, *John Nixon*, *John Newton*, *William Orton*, *Reginald Orton*, the Reverend *William Philips*, the Reverend *William Michael Stephenſon Preſton*, *George Park*, *Thomas Parker*, *Henry Percy Pullien*, *James Perkins*, *Anthony Preſton*, *Henry Robinſon*, *Matthew Robinſon*, *George Raw*, *Chriſtopher Raw*, *Chriſtopher Rudd*, the Reverend *John Rippon*, *George Rudd* junior, *Joſeph Slater*, *Thomas Sleddale*, *Thomas Sayer*, *Thomas Shaw* ſenior, *Thomas Shaw* junior, the Reverend *Thomas Shaw*, *John Sherlock*, *John Sedgwick*, *Leonard Spenſley*, *William Salkeld*, *Thomas Salkeld*, *John Salkeld*, *Richard Shepherd Stephenſon*, *John Shepherd* junior, *Thomas Teaſdale*, *George Thompſon*, *Richard Tinkler*, *Thomas Thompſon*, *Richard Tinkler* junior, *Joſeph Thompſon*, *Robert Thornborrow*, *Richard Wilſon*, *William Walton*, *John Wilſon*, the Reverend *John Waller*, the Reverend *Thomas Pym Williamſon*, the Reverend *Robert Whitehead*, *George Davenport Whitehead*, *William Whitehead*, *Thomas Watſon* junior, *John Wilſon*, *Thomas Wybergh*, *William Wybergh*, the Reverend *Richard Wilſon*, *James White*, *Jacob Wakefield*, *John Walton*, *John Wakefield*, *Robert Wilkinſon*, and *George Workman*, ſhall be Truſtees, and they are hereby added to and joined with the Truſtees appointed in or by virtue of the ſaid recited Acts, or either of them; and ſhall have the ſame Power and Authority to act in the Execution of the ſaid recited Acts, and of this preſent Act, as if they had been named or appointed Truſtees in or by virtue of the ſaid recited Acts, or either of them.

Allowing Truſtees to elect an additional Number.

III. And be it further enacted, That it ſhall be lawful to and for the ſaid Truſtees, or any Nine or more of them, and they are hereby empowered at any Time or Times to elect any Number of additional Truſtees, not exceeding Ten in the Whole, who ſhall have the ſame Power and Authority for executing the ſaid recited Acts and this Act as if they had been hereby nominated and appointed.

Qualification of Truſtees.

IV. Provided always, and be it further enacted, That no Perſon ſhall be capable of acting as a Truſtee in the Execution of the ſaid recited Acts or this preſent Act (ſave adminiſtering the Oath of Qualification herein-after mentioned) unleſs at the Time of his acting as ſuch he ſhall be in his own Right, or in the Right of his Wife, in the actual Poſſeſſion and Enjoyment and Receipt of the Rents and Profits of Lands, Tenements, or Hereditaments, being Freehold, Leaſehold, Copyhold, or Cuſtomary, of the clear yearly Value of One hundred Pounds above all Reprizes, or be Heir Apparent of a Perſon ſeiſed of the like Eſtate of the clear yearly Value of Two hundred Pounds, or poſſeſſed of or entitled to a Perſonal Eſtate to the Amount or Value of Two thouſand Pounds more than ſufficient to pay all his Debts; and unleſs the Perſon claiming to be ſo qualified ſhall take and ſubſcribe the following Oath, before he takes upon himſelf to act in the ſeveral Truſts and Authorities of this Act, except as aforeſaid; which ſaid Oath or Affirmation ſhall be in the Words following, *videlicet*.

'I *A. B.*

'I *A. B.* do ſwear, That I truly and *bona fide* am in my own Right [*or* in 'the Right of my Wife, *or* that ſome Perſon or Perſons in Truſt for 'me *or* my Wife is] in the actual Poſſeſſion and Enjoyment or Receipt of 'the Rents and Profits of Lands, Tenements, or Hereditaments of the 'clear yearly Value of One hundred Pounds above all Reprizes; or am 'Heir Apparent of a Perſon ſeiſed of the like Eſtate, of the clear yearly 'Value of Two hundred Pounds above all Reprizes; or poſſeſſed of a 'Perſonal Eſtate to the Amount or Value of Two thouſand Pounds over 'and above what will pay all my Debts. So help me GOD.'

And if any Perſon who ſhall be unqualified or hereby made incapable to act, ſhall nevertheleſs preſume to act, contrary to the true Intent and Meaning of this Act, every ſuch Perſon or Perſons ſhall for every ſuch Offence forfeit and pay the Sum of Fifty Pounds to any Perſon or Perſons who ſhall inform or ſue for the ſame, to be recovered in any of His Majeſty's Courts of Record at *Weſtminſter*, by Action of Debt, or on the Caſe, Bill, Suit, or Information, wherein no Eſſoign, Protection, or Wager of Law, or more than One Imparlance ſhall be allowed.

V. And be it further enacted, That the Truſtees appointed by the ſaid former Acts, and this preſent Act, ſhall, and they are hereby authorized and empowered, to erect Toll Gates and Toll Houſes, and take the Tolls and Duties following upon the reſpective Diſtricts of Road after mentioned, before any Horſe, Mare, Aſs, Cattle, Coach, Chariot, Landau, Berlin, Chaiſe, Calaſh, Chair, Waggon, Wain, Cart, or other Carriage whatſoever, ſhall be permitted to paſs through the ſame, inſtead of the Tolls and Duties directed to be paid by the ſaid former Acts, or any of them; that is to ſay,

Tolls from Bowes to Brough.

From *Bowes*, in the County of *York*, to *Brough-under-Stainmore*, in the County of *Weſtmorland*,

For every Coach, Chariot, Landau, Berlin, Chaiſe, or Calaſh drawn by Six Horſes, Mares, or Geldings, the Sum of Three Shillings and Nine-pence:

For every Coach, Chariot, Landau, Berlin, Chaiſe, or Calaſh, drawn by Four Horſes, Mares, or Geldings, the Sum of Three Shillings:

For every Coach, Chariot, Landau, Berlin, Chaiſe, or Calaſh, drawn by Two or Three Horſes, Mares, or Geldings, the Sum of One Shilling and Sixpence:

For every Chaiſe, Calaſh, or Chair, drawn by One Horſe, Mare or Gelding, the Sum of Nine-pence:

For every Waggon, Wain, Cart, or Carriage, drawn by Four Horſes and Oxen, Horſes or Oxen, the Sum of Two Shillings and Three-pence:

For every Horſe or Horſes, Ox or Oxen, ſo drawing more than Four, the additional Sum of Four-pence Halfpenny:

For every Cart or Carriage, drawn by One Horſe, Mare, or Gelding, the Sum of Sixpence; if by Two, the Sum of One Shilling; and if by Three, the Sum of One Shilling and Sixpence:

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

For every Drove of Oxen, Cows or neat Cattle, the Sum of One Shilling and Three-pence *per* Score, and ſo in Proportion for any greater or leſſer Number.

And for every Drove of Calves, Hogs, Sheep, or Lambs, the Sum of Seven-pence Halfpenny *per* Score, and ſo in Proportion for any greater or leſſer Number.

And

And on the Road from or near *Grained Tree* to *Maiden Caſtle* aforeſaid, through *Kaber* to *Kaber Croſs*,

Tolls from Maiden Caſtle to Kaber Croſs, &c.

For every Coach, Chariot, Landau, Berlin, Chaiſe, or Calaſh, drawn by Six Horſes, Mares, or Geldings, the Sum of One Shilling and Ten-pence Halfpenny; and drawn by Four Horſes, Mares or Geldings, the Sum of One Shilling and Sixpence; and for every Coach, Chariot, Landau, Berlin, Chaiſe, Calaſh, or Chair, drawn by Two or Three Horſes, Mares, or Geldings, the Sum of Nine-pence:

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

For every Waggon, Wain, Cart, or Carriage, drawn by Four Horſes and Oxen, Horſe or Oxen, the Sum of Nine-pence:

For every Horſe or Horſes, Ox or Oxen, ſo drawing more than Four, the additional Sum of Three Halfpence for each:

For every Cart or Carriage, drawn by One Horſe, Mare, or Gelding, the Sum of Three-pence; if by Two, the Sum of Four-pence Halfpenny; and if by Three, the Sum of Sixpence:

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

For every Drove of Oxen, Cows, or neat Cattle, the Sum of Seven-pence Halfpenny *per* Score, and ſo in Proportion for any greater or leſſer Number:

For every Drove of Calves, Hogs, Sheep, or Lambs, the Sum of Three-pence Three Farthings *per* Score, and ſo in Proportion for any greater or leſſer Number.

And on the Road from *Maiden Caſtle* to the Coal Works at *Taylor Rig* and to *Tan Hill*, and alſo the Road from *Barrows Brow* to *Middle Fell Dyke Nook*, the like Tolls and Duties as are by this Act granted upon the ſaid laſt-mentioned Road from or near *Grained Tree* to *Maiden Caſtle* aforeſaid, through *Kaber* to *Kaber Croſs*:

And on the Diſtrict of the ſaid Road leading from the Houſe near to the ſaid Coal Works at *Tan Hill* called *Tan Hill Houſe*, to the Coal Works at *King's Pitts*, and to *Beck Crooks*, and *Punchatt Paſture Weſt Gate* to *Whaw Lane Head*, and by *Lilly Jocks* to *Reeth*, the like Tolls or Duties as are by this Act granted upon the ſaid Road from *Bowes* in the County of *York*, to *Brough* under *Stainmore* in the County of *Weſtmorland*.

Limitation of Tolls to be taken on each Line of Road.

VI. Provided always, and be it further enacted, That nothing in this or the ſaid recited Acts contained ſhall authorize or empower the demanding or taking of any of the Tolls aforeſaid of or from any Perſon or Perſons more than Once paſſing through all or any of the Turnpikes or Toll Gates to be erected acroſs or on the Sides of any or either of the ſaid reſpective Lines of Road, with the ſame Carriage, Horſe or Horſes, Mules, Beaſts, Oxen or other Cattle as aforeſaid, in one and the ſame Day, to be computed from Twelve of the Clock at Night to Twelve of the Clock in the ſucceeding Night; but that all and every Perſon and Perſons having paid the full Tolls hereby authorized to be taken at any One of the ſaid Gates or Turnpikes ſhall, upon producing a Note or Ticket denoting ſuch Payment, be permitted to paſs and repaſs any Number of Times Toll free during ſuch Day as aforeſaid with ſuch Carriage, Horſe or Horſes, Mules, Beaſts, Oxen, or other Cattle, through all the Turnpikes or Toll Gates

on either of the said Lines of Road respectively, all which Notes or Tickets the Collectors of the Tolls are hereby required to give *gratis* on the Receipt of the Tolls.

Exemptions from Toll.

VII. And be it further enacted, That no Toll shall be demanded or taken for any Carriage, Horse or other Cattle going unladen for, or being laden with, or returning after having gone laden only with any Materials for repairing the said Road, or any other Highway or Road, or for any Carriage or Cattle carrying any Hay, Straw, or Corn in the Straw, not sold or disposed of, but passing to be laid up in the Houses, Outhouses, Barns, Yards, or Closes of any of the Inhabitants of the Parishes or Places through which any Part of the said Road doth or may lead; or for any Horses, Cattle or Carriages, employed in carrying or conveying, or going empty to fetch, carry or convey, or returning empty from carrying or conveying, having been employed only in carrying or conveying on the same Day any Ploughs, Harrows, or other Implements of Husbandry belonging to any of the said Inhabitants; or for any Cattle going to or from Plough or Harrow belonging to any of the said Inhabitants; or for any Carriage or Cattle carrying or returning empty from carrying any Coal, Turf, Peat, or other Fuel, or Lime, Marle, Dung, Mould, or Compost of any Kind whatsoever, to be employed in Husbandry, or for manuring or stocking of Land; or for any Horses or other Cattle, or Carriages employed in the conveying of any Person or Persons going to or returning from an Election of a Knight or Knights of the Shire to serve in Parliament for the said Counties of *York* or *Westmorland* on the Day of such Election, or on the Day before or Day after such Election shall begin or be concluded, or going to or returning on *Sundays*, or any other Days on which Divine Worship is ordered by Authority to be celebrated, from any Church, Chapel, or other Place of Religious Worship which shall be situate within the same Parish in which any Turnpike or Toll Gate shall be erected, or who shall attend the Funeral of any Person or Persons who shall die and be buried in any of the Parishes or Places in which the said Road hereby directed to be repaired lies; or from any Clergyman going to perform or returning from his Duty at any Church or Chapel, or to or from visiting his sick Parishioners; or for any Cattle or Carriage employed only in carrying Corn to, or Grist from, the nearest or such other Mill as before the passing of this Act hath most generally been used by the Owners of such Corn respectively; or for any Carriages or Horses employed in conveying the Mails of Letters and Expresses under the Authority of His Majesty's Postmaster General, either when employed in conveying or guarding such Mails or Expresses, or in returning from conveying or guarding the same; or for any Horse, Ox, Cow, Sheep, or other Cattle belonging to any Person or Persons residing in any of the Parishes or Places in which the said Road hereby directed to be repaired lies, going to or returning from any Pasture or Watering Places within the said Parishes, or going to or returning from being shoed or farried, or for any Horses belonging to Officers or Soldiers upon their March or upon Duty, or for any Horses, Cattle, or Carriages employed in carrying or conveying the Arms or Baggage of any such Officers or Soldiers, or any sick, wounded, or disabled Officers or Soldiers; or for any Horses, Carts, or Waggons, travelling with Vagrants sent by legal Passes; and that no Toll shall be demanded or taken for any Horse, Mare, or Gelding furnished by or for any Persons belonging to any Corps of Yeomanry

manry or Volunteer Cavalry, and rode by them in going to or returning from the Place appointed for and on the Days of Exercise, provided that such Persons shall be dressed in the Uniform of their respective Corps, and have their Arms, Furniture and Accoutrements according to the Regulations provided for such Corps respectively, at the Time of claiming such Exemptions as aforesaid; and if any Person shall, by any fraudulent or collusive Manner whatsoever, claim and take the Benefit of any of the Exemptions aforesaid, not being entitled to the same, such Person shall forfeit and pay for every such Offence any Sum not exceeding Forty Shillings, One Moiety whereof shall go to the Informer, and the other Moiety shall be applied to the Purposes of this Act.

Exempting Carriages conveying King's Stores, &c. from Penalties for Overweight.

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

Tolls may be varied or reduced.

IX. And be it further enacted, That the said Trustees or any Seven or more of them may, if they think fit, at any Time or Times during the Continuance of this present Act, lessen all or any Part of the Tolls and Duties by this present Act granted and made payable, and upon all or such Part or Parts of the said Roads respectively as the said Trustees, or any Seven or more of them, shall think proper, and may again advance and raise such Tolls or any Part thereof so as not to exceed the Tolls granted and made payable by this Act; and the Tolls so lessened or reduced or raised again shall be collected and recovered in the same Manner as the Tolls granted by the said former Acts respectively are directed to be collected and recovered, and shall be paid and applied in the same Manner and to or for the same Purposes respectively.

Application of Money awarded above 200*l.*

X. 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 this Act, for the Purposes thereof, which shall belong to any Corporation, Feme Covert, Infant, Lunatic, or Person or Persons under any Disability or Incapacity, as in this 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 there, *ex parte* the Trustees for executing this Act, to the Intent that such Money shall be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way, by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, or

Hereditaments, in the Purchaſe of the Land Tax, or towards the Diſcharge of any Debt or Debts, or ſuch other Incumbrance, or Part thereof, as the ſaid Court ſhall authorize to be paid, affecting the ſame Lands, Tenements or Hereditaments, or affecting other Lands, Tenements or Hereditaments, ſtanding ſettled therewith, to the ſame or the like Uſes, Intents, or Purpoſes; or where ſuch Money ſhall not be ſo applied, then the ſame ſhall be laid out and inveſted, under the like Direction and Approbation of the ſaid Court, in the Purchaſe of other 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 mean Time, and until ſuch Purchaſe ſhall be made, the ſaid Money ſhall, by Order of the 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, Tenements, and Hereditaments, ſo hereby directed to be purchaſed, in caſe ſuch Purchaſe or Settlement were made.

Where leſs than 200l. and above 20l.

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

Where leſs than 20l.

XII. Provided always, 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 ſuch Caſes the ſame ſhall be applied to

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 ſaid Truſtees, or any Five or more of them, ſhall think fit; or in caſe of Lunacy or Infancy, 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.

Money allowed for Lands, &c. purchaſed, how to be charged and tendered.

XIII. And be it further enacted, That in caſe the Perſon or Perſons to whom ſuch Sum or Sums of Money ſhall be ſo ordered to be paid as aforeſaid, ſhall not be able to make a good Title to the Premiſes, to the Satisfaction of the ſaid Truſtees, or any Five or more of them; or ſhall refuſe to execute ſuch Conveyance or Conveyances, or in caſe ſuch Perſon or Perſons to whom ſuch Sum or Sums of Money ſhall be ſo ordered to be paid as aforeſaid, cannot be found; or if the Perſon or Perſons entitled to ſuch Lands, Tenements, or Hereditaments, be not known or diſcovered, then and in every ſuch Caſe it ſhall be lawful for the ſaid Truſtees, or any Five or more of them, to order the ſaid Sum or Sums of Money ſo awarded to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to his Account to the Credit of the Parties intereſted in the ſaid Lands, Tenements, or Hereditaments, (deſcribing them), ſubject to the Order, Controul, and Diſpoſition of the ſaid Court, which ſaid Court on the Application of any Perſon or Perſons making claim to ſuch Sum or Sums of Money, or any Part thereof, by Motion or Petition, ſhall be, and is hereby empowered, in a ſummary Way of Proceeding, or otherwiſe as to the ſame Court ſhall ſeem meet, to order the ſame to be laid out and inveſted in the Public Funds, or to order Diſtribution thereof, or Payment of the Dividends thereof, according to the reſpective Eſtate or Eſtates, Title, or Intereſt of the Perſon or Perſons making Claim thereunto; and to make ſuch other Order in the Premiſes as to the ſaid Court ſhall ſeem juſt and reaſonable; and the Caſhier or Caſhiers of the Bank of *England*, who ſhall receive ſuch Sum or Sums of Money, is and are hereby required to give a Receipt or Receipts for ſuch Sum or Sums, mentioning and ſpecifying for what and for whoſe Uſe the ſame is or are received, to ſuch Perſon or Perſons as ſhall pay any ſuch Sum or Sums of Money into the Bank as aforeſaid.

Reſpecting diſputed Titles.

XIV. Provided always, 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 Chancery, in purſuance of this Act, for the Purchaſe of any Lands, Tenements, or Hereditaments, or of any Eſtate, Right, or Intereſt in any Lands, Tenements, or Hereditaments to be purchaſed in purſuance thereof, or to any Bank Annuities to be purchaſed with any ſuch Money, or to the Dividends or Intereſt of any ſuch Bank Annuities, the Perſon or Perſons who ſhall have been in Poſſeſſion of ſuch Lands, Tenements, or Hereditaments, at the Time of ſuch Purchaſe, and all Perſons claiming under ſuch Perſon or Perſons, or under the Poſſeſſion of ſuch Perſon or Perſons, ſhall be deemed and taken to have been lawfully entitled to ſuch Lands, Tenements, or Hereditaments, according to ſuch Poſſeſſion, until the contrary ſhall be ſhewn to the Satisfaction of the ſaid Court of Chancery; and the Dividends or Intereſt

of the Bank Annuities to be purchaſed with ſuch Money, and alſo the Capital of ſuch Bank Annuities, ſhall be paid, applied and diſpoſed of accordingly, unleſs it ſhall be made appear to the ſaid Court that ſuch Poſſeſſion was a wrongful Poſſeſſion, and that ſome other Perſon or Perſons was or were lawfully entitled to ſuch Lands, Tenements, or Hereditaments, or to ſome Eſtate or Intereſt therein.

Court of Chancery to direct the Payment of Expences.

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

Statute Work.

XVI. Provided always, and be it further enacted, That all Perſons who by Law are or ſhall be liable to do Statute Work, or are or ſhall be chargeable towards repairing and amending the ſaid Road, ſhall ſtill remain liable thereto in like Manner as heretofore; and it ſhall and may be lawful to and for any Two or more Juſtices of the Peace for the ſaid Counties of *York* or *Weſtmorland*, in their reſpective Juriſdictions, and they are hereby required and empowered, upon Application made to them by the ſaid Truſtees, or by their Clerk or Surveyor, by their Order, yearly to adjudge and determine what Part or Proportion of the Statute Work ſhall every Year be done upon the ſaid Road by the Inhabitants of the reſpective Pariſhes or Places in which the ſaid Road lies, and alſo what Proportion of the Money received by the Surveyor or Surveyors of the Highways of every ſuch Pariſh or Place, in lieu of and as a Compoſition for ſuch Statute Work, as aforeſaid, ſhall be by him, her, or them paid to the ſaid Truſtees, or to their Treaſurer; and in order thereunto it ſhall and may be lawful to and for ſuch Juſtices, from Time to Time to ſummon the Surveyor or Surveyors of the Highways for every ſuch Pariſh or Place, to bring in Liſts before ſuch Juſtices, at ſome Place to be expreſſed in ſuch Summons (within Ten Days after the ſerving of ſuch Summons), of the Names of the ſeveral Perſons who within ſuch Pariſh or Place are by Law ſubject and liable to do Statute Work for that Year, or to the Payment of any Money in lieu of or as a Compoſition for ſuch Statute Work, diſtinguiſhing the Nature of the Work to be done, whether with Teams or Draughts, or otherwiſe, and alſo the Amount of the reſpective Sums to be paid; which Liſts of Names ſhall be made in ſuch Manner, and under ſuch Regulations and Reſtrictions as is, are, or may be directed by any Law or Statute in force and effect for the Repairs of the public Highways; and out of ſuch Liſts the ſaid Juſtices ſhall and may allot, appoint, and order ſuch and ſo many of the Perſons who ſhall appear to be ſubject and liable to Statute Work as aforeſaid, to do ſuch Number of Days Statute Work in every Year upon the ſaid Roads as the ſaid Juſtices ſhall think reaſonable, and the ſame ſhall be done on ſuch Days and at ſuch Times

(not being Hay-time or Harveſt) and in ſuch Parts of the ſaid Roads as the ſaid Truſtees, or their Surveyor or Surveyors, ſhall from Time to Time order, direct, or appoint; and the ſaid Juſtices ſhall and may alſo order and direct the Perſons who by ſuch Liſts ſhall appear and be ſubject and liable to the Payment of any Money in lieu of or as a Compoſition for Statute Work as aforeſaid, to pay ſuch Proportion thereof as the ſaid Juſtices ſhall think proper, to the ſaid Truſtees or their Treaſurer, at ſuch Time or Times as they the ſaid Juſtices ſhall direct; and in Default of Payment thereof, the ſame ſhall and may be recovered by Diſtreſs and Sale of the Goods and Chattels of the reſpective Perſons liable to the Payment thereof, in like Manner as any Penalty is by the ſaid recited Acts or this Act authorized or directed to be recovered; and each and every Perſon who ſhall neglect or refuſe to do ſuch Statute Work as aforeſaid after Notice in Writing given to or left for him, her, or them, at his, her, or their laſt or uſual Place or Places of Abode for that Purpoſe, by any Surveyor of the ſaid Truſtees, ſhall for every Day of his, her, or their Default, or the Default of any Labourer or Labourers, Team or Teams, Draught or Draughts, Horſe or Horſes, Beaſt or Beaſts, to be provided by him, her, or them, be ſubject and liable to ſuch Pains, Penalties and Forfeitures, as ſuch Perſon or Perſons may be ſubject or liable to by any Law or Statute in force and effect for the Repair of the public Highways; and if any Perſon who ſhall come to work as a Labourer, or ſhall be ſent with any Team or Draught to work on the ſaid Roads, ſhall be found idle or negligent by any Surveyor to the ſaid Truſtees, ſuch Surveyor is hereby empowered to remove and turn off the Perſon who ſhall be found idle or negligent as aforeſaid; and in that Caſe every ſuch Perſon ſhall be ſubject and liable to the reſpective Forfeitures and Payments aforeſaid, as if he had neglected or refuſed to come, or ſuch Team or Draught had not been ſent to work on any Part of the ſaid Road; all which Forfeitures ſhall be paid to the Treaſurer to the ſaid Truſtees, and applied towards the amending the ſaid Road; and in caſe the ſaid Surveyor or Surveyors of the Highways for any of the ſaid Pariſhes or Places, ſhall refuſe or wilfully neglect to give in ſuch Liſts as aforeſaid, or ſhall knowingly or wilfully give in falſe or imperfect Liſts, every ſuch Surveyor ſo offending ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Five Pounds.

Statute Work may be compounded for.

XVII. Provided always, and be it further enacted, That the ſaid Truſtees, or any Five or more of them, may and are hereby authorized and empowered to compound and agree with any Perſon or Perſons who are to repair by reaſon of their Tenure, or otherwiſe, and with the ſeveral Inhabitants or Occupiers of Lands, Tenements, or Hereditaments within the ſeveral Towns, Pariſhes, Hamlets, and Places through which the ſaid Road hereby intended to be repaired, or any Part or Parts thereof, do or ſhall lead, for the Repairs thereof, and for the ſeveral Days Statute Work, or other Work to be by him, her, or them reſpectively done upon the ſaid Road, at and for ſuch Rates and Sums of Money, by the Year or otherwiſe, as they the ſaid Truſtees, or any Five or more of them, and the Inhabitants or Occupiers reſpectively ſhall agree upon, which ſaid Money ſhall be paid to the ſaid Truſtees, or any Five or more of them, or to ſuch Perſon as they ſhall appoint, and be laid out in the Repairs of the ſaid Road.

XVIII. And

For paying the Expences of this Act.

XVIII. And be it further enacted, That all Charges and Expences incident to or attending the obtaining and passing of this Act, shall be paid by the said Trustees, or any Five or more of them, out of the first Money to be collected or received by virtue of the said recited Acts and this Act, or any of them, upon the said Roads, or out of any Monies borrowed or to be borrowed on the Credit thereof, in the same Proportion and Manner, and between and amongst the respective Divisions or Districts therein mentioned, as the said Money due upon the Credit of the said recited Acts or either of them is directed to be paid.

Public Act.

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

Commencement and Continuance of this Act.

XX. And be it further enacted, That this Act shall commence and take Effect upon the passing thereof; and that the said recited Acts, (subject to the Alterations and Amendments herein contained) and this Act, shall from thenceforth 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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