ANNO QUINQUAGESIMO QUARTO

GEORGII III. REGIS.

Cap. 30.

An Act for continuing the Term and enlarging the Powers of an Act of the Thirty-third Year of the Reign of His present Majesty, for repairing and widening the Road from *Selby Ferry*, in the Parish of *Hemingbrough*, to the Town of *Market Weighton*, in the East Riding of the County of *York*.

[4th *May* 1814.]

WHEREAS an Act was passed in the Thirty-third Year of the Reign of His present Majesty, *George* the Third, intituled *An Act for repairing and widening the Road from* Selby Ferry, *in the Parish of* Hemingbrough, *to the Town of* Market Weighton, *in the East Riding of the County of* York: And whereas considerable Sums of Money have been borrowed, and are now due and owing upon the Credit of the Tolls authorized to be collected upon the said Road by virtue of the said Act; which Money cannot be paid off, nor can the said Road be effectually widened, altered, improved, and kept in Repair, unless some of the Powers and Provisions thereof are altered and changed, the Term enlarged, and the Tolls encreased: 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 33 G. 3. c. 159.

and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid recited Act, and all and every the Tolls, Powers, Authorities, Articles, Clauſes, Exemptions, Penalties, and Forfeitures, and the Manner of recovering and applying the ſame, and the Power of appealing therein contained (except ſuch as are altered, enlarged, or repealed), ſhall continue and be in full Force and Effect, and ſhall be executed for and during the Term hereinafter mentioned, as fully and effectually to all Intents and Purpoſes, as if the ſame were repeated and re-enacted in the Body of this Act; which ſaid additional Term hereby granted ſhall be ſubject and liable to the Payment of all Money now due and owing on the Credit of the ſaid Act, and for all Intereſt due, or to grow due, for the ſame reſpectively.

Power of former Act extended to this.

II. And be it further enacted, That the Honourable *Edward Robert Petre*, the Honourable *William Stourton*, the Honourable *Edward Stourton*, the Honourable *Charles Stourton*, Sir *Thomas Slingsby* Baronet, Sir *Thomas Clarges* Baronet, Sir *Mark Maſterman Sykes* Baronet, the Reverend *James Stillingfleet*, the Reverend *Edward Stillingfleet*, the Reverend *William Alderſon*, the Reverend *George Jon*, the Reverend *Francis Beſt*, the Reverend *John Turner*, the Reverend *Thomas Mounſey*, the Reverend *Ralph Spofforth*, *Richard Watt*, *Francis Watt*, *Marmaduke Conſtable Maxwell*, *Richard Arthur Worſop*, *William Simpſon*, *John Chaplin*, *John Foſter*, *Joſeph Foſter*, *Joſeph Dunnington*, *William Scholfield*, *John Scholfield*, *Robert Spofforth*, *Samuel Smith*, *William Burton*, *John Tomlinſon* junior, *Robert Leighton*, *Charles Weddall*, *George Lyon Weddall*, *Robert Plummer Weddall*, *John Harper*, *John Fothergill*, *John Fiſher*, *Thomas Fiſher*, *Thomas Leethem*, *Robert Myers*, *John Todd*, *Samuel Staniland*, *William Staniland*, *Stephen Staniland*, *John Clough*, *Samuel Varley*, *Edward Parker*, *Thomas Gould*, *Michael Clarkſon*, *Richard Waterworth*, *Toft Richardſon*, *John Harriſon* junior, *William Knapton*, *Joſeph Smith*, *Joſeph Smith* junior, *John Richardſon*, *John Watſon*, *John Ealand*, *John Croſkill*, *John Ramſdaile*, *William Clayton*, *William Clark*, *Joſeph Holmes*, *William Jewitt*, *Henry Edwards*, *Thomas Harper*, *Henry Bell* junior, *John Bell*, *George Blanſhard*, *James Blyth*, *Joſhua Kirlew*, *Leonard Robinſon*, *George Flint*, *James Audus*, *John Johnſon*, *James Ealand*, *James Linton*, and *Richard Thompſon*, ſhall, from and immediately after the paſſing of this Act, be added to and joined with the Truſtees appointed or to be appointed to put the ſaid former Act into Execution; and that the ſaid Truſtees hereby appointed, and the Survivors of them, being duly qualified in the Manner directed in the ſaid former Act, together with the Truſtees appointed by or in purſuance of the ſaid former Act, ſhall be and they are hereby authorized and empowered to put the ſaid former Act and this preſent Act into Execution.

Additional Truſtees.

III. And for continuing a ſufficient Number of Truſtees for the Purpoſe of putting this Act into Execution, be it further enacted by the Authority aforeſaid, That when and ſo often as any Truſtee ſhall die, or refuſe to act, it ſhall and may be lawful for the remaining Truſtees, or any Seven or more of them, by Writing under their Hands, from Time to Time to elect, nominate, and appoint one or more Perſon or Perſons to

Election of new Truſtees.

to be a Truſtee or Truſtees in the room or ſtead of ſuch Truſtee or Truſtees ſo deceaſed or refuſing to act; but Notice of the Time and Place of Meeting for every ſuch Election of new Truſtees ſhall be given by the Clerk or Clerks of the ſaid Truſtees, by affixing the ſame in Writing upon all the Turnpike Gates, to be erected by virtue of this or the ſaid recited Act, and alſo by inſerting the ſame in One of the *York* or *Leeds* Newſpapers, at leaſt Twenty Days before every ſuch Meeting; and all and every ſuch Perſon and Perſons as ſhall from Time to Time be ſo choſen and appointed, is and are hereby veſted with the ſame Powers for putting this and the ſaid recited Act into Execution, as if ſuch Perſon or Perſons had been named in and appointed a Truſtee or Truſtees by this Act.

Truſtees to take Security.

IV. And be it further enacted, That the ſaid Truſtees ſhall, and they are hereby required to take ſuch Security from the Treaſurer or Treaſurers, Receiver or Receivers, appointed or to be appointed in purſuance of the ſaid recited Act or this Act, for the faithful Execution of his or their reſpective Office or Offices, Truſt or Truſts, as the ſaid Truſtees, or any of them, ſhall think proper.

For diſcontinuing the preſent, and granting new Tolls.

V. And whereas Doubts have been entertained, whether the Tolls granted by the ſaid recited Act ſhould and ought to be taken at each of the Three principal Toll Bars, erected in purſuance of the ſaid recited Act, or whether the Amount thereof ſhould be divided and diſtributed amongſt and raiſed at the ſaid Three principal Toll Bars conjunctively, and only a Proportion thereof raiſed, collected, and taken at each of ſuch Three principal Toll Bars reſpectively: And whereas in caſe the ſaid Tolls be divided amongſt and taken at the ſaid Three principal Toll Bars collectively, the ſame will be inſufficient effectually to maintain and repair the ſaid Road, and pay off the ſaid Sum of Money borrowed on the Credit of the ſaid Tolls, and the Intereſt thereof, be it therefore further enacted, That the ſeveral Tolls now payable by virtue of the ſaid recited Act upon the ſaid Road, ſhall ceaſe, determine, and be no longer payable; and that inſtead thereof the following Tolls ſhall be demanded and taken at each and every of the Three principal Toll Bars, now erected upon or acroſs the ſaid Road, one whereof is now placed at or near *Barlby*, in the Pariſh of *Hemingbrough* aforeſaid; another whereof is placed at or near *Bubwith*, in the ſaid Eaſt Riding of the County of *York*; and the other whereof is placed at or near *Holme*, upon *Spalding Moor*, in the ſaid Eaſt Riding; (that is to ſay),

For every Coach, Landau, Chaiſe, Berlin, Hearſe, Chariot, Chair, Curricle, or Chaiſe Marine, drawn by Six Horſes, or other Beaſts of Draught, Three Shillings; and drawn by Four Horſes, or Beaſts of Draught, Two Shillings; and drawn by Two Horſes, or Beaſts of Draught, One Shilling; and drawn by One Horſe or Beaſt of Draught, Sixpence:

For every Horſe, Mare, Gelding, Mule, Aſs, Ox, or other Beaſt of Draught, drawing any Waggon, Wain, Cart or Carriage, laden with any Block or Blocks of Stone or Marble, or with Timber, or drawing any Millſtone or Millſtones, One Shilling; and for every other Waggon, Wain, Cart or Carriage, drawn by Seven or more Horſes, Oxen, or Beaſts of Draught, Two Shillings and Sixpence; and drawn by Five or Six

Horſes, Oxen, or Beaſts of Draught, Two Shillings; and if drawn by leſs than Five Horſes, Oxen, or Beaſts of Draught, then for every ſuch Horſe, Ox, or Beaſt of Draught, Sixpence:

For every Drove of Oxen or other Neat Cattle, the Sum of Ten-pence *per* Score, and ſo in Proportion for any greater or leſs Number; and for every Drove of Calves, Sheep, Lambs, or Swine, the Sum of Five-pence *per* Score, and ſo in Proportion for any greater or leſs Number; and for every Horſe, Mare, Gelding, Mule, or Aſs, laden or unladen and not drawing, the Sum of One Penny Halfpenny:

Which ſeveral and reſpective Tolls ſhall be, and the ſame are hereby veſted in the ſaid Truſtees, and the ſame and every Part thereof ſhall be collected, recovered, levied, paid, applied, aſſigned, and diſpoſed of in ſuch and the ſame Manner, and by ſuch Ways and Means, and with ſuch Remedies for Non-payment, or Evaſion thereof, and with ſuch Powers, Proviſions, Regulations, and Reſtrictions, as are contained in the ſaid recited Act, but ſubject to the Regulations, Alterations, and Exemptions in this Act contained.

Limitation of Number of principal Gates.

VI. And be it further enacted, That not more than Three principal Turnpikes or Toll Bars ſhall be erected or continued in, upon, or acroſs the ſaid Road, and that the ſame or any of them ſhall and may from Time to Time be removed and placed in a new Situation, ſo that Two of the ſaid principal Turnpikes or Toll Bars ſhall not be within the Space of Three Miles of each other.

Declaration to be made by Truſtees as to Side Gates.

VII. And be it further enacted, That in caſe any Side Gate now erected ſhall be continued, and alſo when any Side Gate or Side Gates ſhall be erected under the Powers of the ſaid recited Act, it ſhall, as ſoon as conveniently may be after the paſſing of this Act, or after the Erection of ſuch Side Gate or Side Gates, as the Caſe is, be declared by the ſaid Truſtees, or any Three or more of them, by Public Advertiſement in One or more of the *York* Papers, for what Turnpike or Toll Bar any Side Gate or Side Gates now erected, or hereafter to be erected, ſhall be a Check; and the ſaid Tolls payable at the Turnpike or Toll Bar, in reſpect of which the Side Gate ſhall be declared to be a Check, ſhall thenceforth be allotted wholly to ſuch Turnpike or Toll Bar, or ſuch Side Gate, or apportioned and divided between ſuch Turnpike or Toll Bar, and ſuch Side Gate, in ſuch Way as the ſaid Truſtees, or any Three or more of them ſhall from Time to Time direct in Manner aforeſaid, ſo as that Payment of the Tolls at ſuch Side Gate, or at ſuch Turnpike or Toll Bar, ſhall not extend to a double Charge, in caſe of paſſing through both the ſame Side Gate and ſuch Turnpike or Toll Bar in the ſame Day.

Exemption from Tolls.

VIII. Provided always, and be it further enacted, That all and every the Exemption or Exemptions from the ſeveral Tolls and Duties granted and made payable by the ſaid recited Act ſhall ceaſe and be no longer allowed, and that in lieu thereof the ſeveral Exemptions from Tolls herein-after mentioned ſhall be allowed; (that is to ſay), that no Toll ſhall be demanded or taken upon the ſaid Road for any Horſe or Horſes, or other Beaſt or Cattle, or for any Waggon, Wain, Cart or other Carriage employed in carrying or conveying, or going empty to fetch, carry, or

or convey, or returning empty from carrying or conveying, having been employed only in carrying or conveying on the ſame Day any Stones, Bricks, Timber, Wood, Gravel, or other Materials for making or repairing the ſaid Road, or any other Highway, or for any Seed for ſowing the Ground; or any Hay, or Corn in the Straw, Hemp, Flax, Teaſels, Potatoes, Turnips, or any other Produce of the Soil of any Townſhips whatſoever, to be laid up or placed in the Houſes, Barns, Outhouſes, or Yards of any of the Inhabitants of the Townſhips or Pariſhes, or on the Lands of the Growers thereof in which the ſaid Road lies, or for any Horſe, Beaſt, or other Cattle or Carriage 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 Implements of Huſbandry, or any Mould, Dung, Compoſt or Manure, employed or uſed in Huſbandry for manuring or improving Lands, or any Lime or other Thing to be uſed or employed ſolely as Manure, in the Management of any Farm or Lands in any Pariſh whatſoever, or for any Horſes or other Beaſts going to or returning from Paſture or Watering Place, or going to be or returning from being ſhoed or farried, or going to or returning from Work in cultivating the Lands, or being otherwiſe actually employed in Huſbandry, or for any Horſe rode from one Part of a Farm to another Part of the ſame by the Occupier or his Servants; or for any Horſe or Carriage carrying or conveying any Perſon or Perſons going to or returning from his, her, or their proper parochial Church, Chapel, or other Place of Religious Worſhip on *Sundays*, or any other Day on which Divine Service is ordered by Authority to be celebrated, or going to or returning from attending the Funeral of any Perſon who ſhall die in or be buried in any of the Pariſhes in which the ſaid Road lies, or from any Clergyman going to viſit or returning from viſiting any ſick Perſon, or on other his Parochial or Miniſterial Duty; or for any Horſes or Carriages of whatever Deſcription employed or to be employed in conveying the Mails of Letters and Expreſſes under the Authority of His Majeſty's Poſtmaſter General, either when employed in conveying or guarding ſuch Mails or Expreſſes, or in returning back from conveying the ſame, or for the Horſe or Horſes of any Officers or Soldiers on their March or on Duty, or for any Horſe or Horſes or other Beaſt, or any Cart, Carriage, or Waggon employed in carrying or conveying or returning therefrom, having been employed only in carrying or conveying the Arms or Baggage of any ſuch Officers or Soldiers, or in carrying or conveying any ſick, wounded, or diſabled Officers or Soldiers; or for any Waggon, Wain, Cart, or other Carriage whatſoever, or the Horſe or Horſes, or other Cattle drawing the ſame, which ſhall be employed in conveying any Ordnance, or Barrack, or Commiſſariat or other Public Stores of or belonging to His Majeſty, or for the Uſe of His Majeſty's Forces, or returning from having been ſo employed; or for any Horſe, Mare, or Gelding furniſhed by or for any Perſon belonging to any Corps of Yeomanry or Volunteer Cavalry or Infantry, and rode by him in going to or returning from any Place appointed for and on the Days of Exerciſe, Inſpection or Review, provided that ſuch Perſon ſhall be dreſſed in the Uniform of his Corps, and ſhall have his Arms, Furniture and Accoutrements, according to the Regulations of ſuch Corps, at the Time of claiming the Exemption; or for Horſes, Carts, or Waggons travelling with

Vagrants, ſent by legal Paſſes, or returning after having been ſo employed; or for any Horſes, Coaches, or other Carriages going to or returning from any Election of a Knight or Knights of the Shire, to ſerve in Parliament, for the County of *York*, during the Time of ſuch Election, or on the Day before or Day after that Election ſhall begin and be concluded; and if any Perſon ſhall, by any fraudulent or colluſive Means whatſoever, claim or take the Benefit of any of the Exemptions aforeſaid, not being entitled to the ſame, every ſuch Perſon ſhall forfeit and pay for every ſuch Offence, any Sum not exceeding Five Pounds, nor leſs than Two Pounds; whereof One Moiety ſhall be paid to the Informer, and the other Moiety ſhall be applied to the Purpoſes of this Act, which ſaid Penalty ſhall be recovered before any Juſtice of the Peace for the Eaſt Riding of the ſaid County, on the Oath of One credible Witneſs, or the Confeſſion of the Party offending; and in Default of Payment thereof, at the Time ordered by ſuch Juſtice, it ſhall be lawful for ſuch Juſtice to commit ſuch Offender to the Houſe of Correction, for any Time not exceeding Three Months.

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

IX. 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 or Barrack, or Commiſſariat, or other Public Stores of or belonging to His Majeſty, or for the Uſe of His Majeſty's Forces, ſhall be ſubject to any Penalty or Forfeiture for Overweight, nor ſhall any ſuch Waggon, Wain, Cart or other Carriage, or the Horſe or Horſes drawing the ſame, while ſo employed, 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 the Owner or Driver of any ſuch Waggon, Wain, Cart, or other Carriage, to put any Number of Horſes or Oxen to ſuch Waggon, Wain, Cart or other Carriage, any Thing in any Act or Acts of Parliament relating to Highways or Turnpike Roads, or in this or the ſaid recited Act contained to the contrary notwithſtanding.

Power to borrow Money.

X. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Truſtees of the ſaid Road, or any Five or more of them, at any of their Public Meetings, to borrow and take up at Intereſt ſuch Sum or Sums of Money as they ſhall think proper, on the Credit of the Tolls hereby granted, and to give and grant Securities for the ſame, in the like Form and with the like Powers and Authorities, Rights of Aſſignment, Proviſoes and Conditions, and ſubject to the ſame Reſtrictions as are contained or expreſſed in the ſaid recited Act in reſpect of any Sum or Sums of Money borrowed under or by virtue thereof.

Leſſee to demand the Tolls.

XI. And be it further enacted, That during ſuch Time as the ſaid Tolls, or any Part or Parts thereof, ſhall be leaſed, demiſed, or in farm to any Perſon or Perſons whomſoever, it ſhall be lawful for the Leſſee or Leſſees, Farmer or Farmers thereof, to demand and take the ſaid Tolls, and to uſe all ſuch Means and Methods for the Recovery thereof, in caſe of Non-payment or Evaſion, as under or by virtue of the ſaid recited Act or this Act is directed.

XII. And

Trustees empowered to take Possession of Toll Houses, &c. in the Hands of Lessees, &c. in case of Non-performance of Conditions.

XII. And be it further enacted, That in case the Tolls arising from all or any of the Turnpikes or Toll Gates, Weighing Engine or Weighing Engines, erected or to be erected on the said Roads, shall at any Time or Times be demised or let to Farm to any Person or Persons whomsoever, and the Lessee or Lessees, Farmer or Farmers, to whom the said Tolls shall be respectively demised or let, shall neglect or refuse to perform the Terms and Conditions on which the same shall be so demised or let, or in case the Rent or Rents agreed to be paid by such Lessee or Lessees, Farmer or Farmers, or any Part or Instalment thereof, shall be in Arrear and unpaid for the Space of Four Days next after any of the Days on which the same ought to be paid, pursuant to the Contract or Agreement for letting the same; or if any Collector or Receiver of the Tolls, who shall be discharged from his said Office by the said Trustees, or the Wife or Widow, or any of the Family or Representatives of any Collector or Receiver who shall die, abscond, absent himself, or be discharged, or if any Person employed or in Possession under or in Trust for such Lessee or Lessees, Farmer or Farmers, Collector or Receiver, Wife, Widow, Family or Representatives, shall refuse to deliver up the Possession of any Toll House or Toll Houses, Weighing Engine or Weighing Engines, with the Buildings and Appurtenances thereto belonging, for the Space of Two Days next after Demand made thereof in Writing by any Three of the said Trustees, or by their Clerk or Treasurer, and left at such Toll House or in any Toll Houses, Weighing Engine or Weighing Engines, then, and in any of the said Cases, it shall be lawful for any One or more Justice or Justices of the Peace acting for the County or Riding in which the said Road is situated, by Warrant under his or their Hand and Seal, or Hands and Seals, to authorize any Person or Persons, with such Assistance as shall be necessary to enter into and upon the Possession of such Toll House or Toll Houses, Weighing Engine or Weighing Engines, and other Buildings and Premises, in the Day Time, and to remove the Person or Persons who shall be found therein, together with his, her, or their Goods out of the same, and from the Collection of the Tolls there payable, and to put the said Trustees, or any of their Officers, or any other Person or Persons appointed by the said Trustees, or any Three or more of them, into the Possession thereof; and on such Lessee or Lessees, Farmer or Farmers, or any Person or Persons employed by or in Possession under them being so put out of Possession as aforesaid, it shall be lawful for the said Trustees, or any Three or more of them, if they shall think fit, to vacate and determine the Contract or Agreement for leasing or letting the said Tolls to such Lessee or Lessees, Farmer or Farmers, and the same shall accordingly be utterly void to all Intents and Purposes as if such Demise, Contract, or Agreement, had never been made, (save as to the Covenants and Agreements for Payment of the Rent or Rents thereby reserved or made payable); and it shall be lawful for the said Trustees, or any Five or more of them, in any such Case to demise or let to farm the said Tolls again to any other Person or Persons in the same Manner as if no former Demise, Contract, or Agreement had been made or entered into relative to the same.

Penalty on Farmer or Renter demanding or taking more than the Toll leased.

XIII. And be it further enacted, That if any Person or Persons who shall be the Farmer or Renter of the Tolls hereby granted, or any Part thereof, shall take a greater or less Toll from any Person or Persons than what are authorized or directed by this Act, and the Terms of his, her, or their Contract, he, she, or they, shall, for every such Offence, forfeit

forfeit the Sum of Five Pounds, and ſhall alſo forfeit the Contract for renting the Tolls, if the ſaid Truſtees, or any Three of them, ſhall think fit to vacate the ſame; and every other Gatekeeper authorized to collect the Tolls who ſhall take a greater or leſs Toll than as aforeſaid, ſhall, for every ſuch Offence, forfeit the Sum of Two Pounds.

Application of Money awarded amounting to 200l.

XIV. 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 or the ſaid recited Act, for the Purpoſes thereof, which ſhall belong to any Corporation, Feme Covert, Infant, Lunatic, or other Perſon or Perſons under any other Diſability or Incapacity, ſuch Money ſhall, in caſe the ſame ſhall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account, *ex parte* the ſaid Truſtees, 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 and with 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 or capable of taking Effect; and in the mean Time, and until ſuch Purchaſe ſhall be paid, the ſaid Money ſhall, by Order of the ſaid High 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 ſaid Lands, Tenements, and Hereditaments ſo to be purchaſed under the Authority of this or the ſaid recited Act, in caſe ſuch Settlement or Purchaſe was made.

Where leſs than 200l.

XV. Provided always, and be it further enacted, That if any Money ſo agreed or awarded to be paid for any Lands, Tenements, and 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,

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 for his, her, or their Guardian or Guardians, Committee or Committees, in caſe of Infancy or Lunacy, to be ſignified in Writing under their reſpective Hands, be paid into the Bank of *England*, in the Name and with the Privity of the ſaid Accountant General of the High Court of Chancery, and to 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 Three Truſtees, to be nominated by the Perſon or Perſons making ſuch Option, and approved of by Five or more of the ſaid Truſtees for executing this and the ſaid recited 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 ſaid High Court of Chancery.

Where under 20l.

XVI. 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, Tenements, or Hereditaments ſo purchaſed, taken, or uſed, for the Purpoſes of this or the ſaid recited Act, in ſuch Manner as the ſaid Truſtees, or any Three or more of them, ſhall think fit; or in caſe of Infancy or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Uſe and Benefit of ſuch Perſon or Perſons ſo entitled reſpectively.

In caſe of not making out a good Title, or Perſons cannot be found, the Purchaſe Money to be paid into the Bank, ſubject to the Order of Chancery or Petition.

XVII. 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 this or the ſaid recited Act, ſhall refuſe to accept the ſame, or ſhall not be able to make a good Title to the Premiſes, to the Satisfaction of the ſaid Truſtees, or any Five or more of them, or in caſe the Perſon or Perſons to whom ſuch Sum or Sums of Money ſhall be ſo awarded 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 as aforeſaid, to 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, 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 High Court of Chancery; which ſaid Court, on the Application of any Perſon or Perſons making Claim to ſuch Sum or Sums of Money, or any Part thereof, by Motion or Petition, ſhall be, and is hereby empowered, in a ſummary Way of Proceeding, or otherwiſe, as to the ſaid Court ſhall ſeem meet, to order the ſame to be laid out and inveſted in the Public Funds, and to order Diſtribution thereof on Payment of the Dividends thereof, according to the reſpective Eſtate or Eſtates, Title or Intereſt, of the Perſon or

Perſons making Claim thereunto, and to make ſuch other Order in the Premiſes as to the ſaid Court ſhall ſeem juſt and reaſonable; and the Caſhier or Caſhiers of the Bank of *England*, who ſhall receive ſuch Sum or Sums of Money is and are hereby required to give a Receipt or Receipts for ſuch Sum or Sums of Money, mentioning and ſpecifying for what and for whoſe Uſe the ſame is or are received, to ſuch Perſon or Perſons as ſhall pay any ſuch Sum or Sums of Money iuto the Bank as aforeſaid.

In caſe of diſputed Titles.

XVIII. 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 High Court of Chancery, in purſuance of this Act, for the Purchaſe of any Lands, Tenements or Hereditaments, or of any Eſtate, Right, Title, or Intereſt in any Lands, Tenements, or Hereditaments to be purchaſed in purſuance of this or the ſaid recited Act, or to any Bank Annuities to be purchaſed with any ſuch Money, or the Dividends or Intereſts of any ſuch Bank Annuities, the Perſon or Perſons who ſhall have been in the 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 High 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 may order reaſonable Expences to be paid by the Truſtees.

XIX. Provided always, and be it further enacted, That where by reaſon of any Diſability or Incapacity of the Perſon or Perſons, or Corporation entitled to any Lands, Tenements, or Hereditaments to be purchaſed under the Authority of this or the ſaid recited Act, the Purchaſe Money of the ſame ſhall be required to be paid into the High Court of Chancery, and to be applied in the Purchaſe of other Lands, Tenements, or Hereditaments, to be ſettled to the like Uſes in purſuance of this or the ſaid recited Act, it ſhall be lawful for the ſaid High Court of Chancery to order the Expences of all Purchaſes from Time to Time to be made in purſuance of the ſaid recited Act, or this Act, or ſo much of ſuch Expences 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 or the ſaid recited Act, who ſhall from Time to Time pay ſuch Sums of Money for ſuch Purpoſes as the ſaid Court ſhall direct.

Surveyor not to carry away Materials out of private Grounds without giving Notice to the Occupier.

XX. Provided nevertheleſs, and be it further enacted, That it ſhall not be lawful for any Surveyor, or any other Perſon or Perſons under the Authority of this or the ſaid recited Act, or any other Statute now in being, to take and carry away Materials for repairing the ſaid Road from any incloſed Lands or Grounds until Notice in Writing ſhall have been given to the Occupier of the Premiſes from which ſuch Materials are intended to be taken, or left for ſuch Occupier, at his uſual Place of Reſidence, to appear before Two Juſtices of the Peace, acting for the County or Riding where ſuch Lands are ſituated, to ſhew Cauſe why ſuch Materials ſhall not be

be had from ſuch Lands or Grounds; and in caſe ſuch Occupier ſhall not attend purſuant to ſuch Notice, the ſaid Juſtices ſhall, if they think meet, authorize ſuch Surveyor or other Perſon to dig, gather, take, and carry away, ſuch Materials, at ſuch Time or Times as to ſuch Juſtices ſhall ſeem proper; and if ſuch Occupier ſhall neglect or refuſe to appear by himſelf or his Agent, ſuch Juſtices ſhall and may make ſuch Order therein as they ſhall think fit, as fully and effectually to all Intents and Purpoſes as if ſuch Occupier or his Agent had attended.

Statute Labour.

Juſtices to determine Differences touching Statute Work.

XXI. 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, or any Part thereof, ſhall ſtill remain liable thereto in the like Manner as heretofore; and it ſhall be lawful for any Two or more Juſtices of the Peace for the ſaid Eaſt Riding of the County of *York*, and they are hereby empowered and required (upon Application made to them for that Purpoſe 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 or as a Compoſition for ſuch Statute Work, ſhall be by him or them paid to the ſaid Truſtees, or their Treaſurer; and in order thereunto, it ſhall be lawful 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 Four 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 Liſt 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 Repair of the Public Highways; and out of ſuch Liſts the ſaid Juſtices ſhall or may allot, appoint, and order ſuch and ſo many of the Perſons who ſhall appear to be ſubject and liable to do Statute Work as aforeſaid, to do ſuch Number of Days Statute Work in every Year upon the ſaid Road as the ſaid Juſtices ſhall think reaſonable, and the ſame ſhall be done on ſuch Days, and at ſuch Times, (not being Hay Time or Harveſt), and on ſuch Parts of the ſaid Road, as the ſaid Truſtees, or their Surveyor or Surveyors, ſhall from Time to Time order, direct, and appoint; and the ſaid Juſtices ſhall and may alſo order and direct the Perſons who by ſuch Liſts ſhall appear to be ſubject and liable to the Payment of any Money in lieu of or as a Compoſition for Statute Work as aforeſaid, to pay ſuch Proportion thereof, as the ſaid Juſtices ſhall think proper, to the ſaid Truſtees or their Treaſurer, at ſuch Time or Times as the ſaid Juſtices ſhall direct; and in Default of Payment thereof, the ſame ſhall or may be recovered by Diſtreſs and Sale of the Goods and Chattels of the reſpective Perſons liable to the Payment thereof, in like Manner as any Penalty is by this Act, or the ſaid recited Act, authorized 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 ſigned by the Surveyor or Surveyors to the ſaid Truſtees,) ſhall for every Day of his, her, or their Default, or the Default of any Labourer or Labourers Team or Teams, Draught or Draughts, Horſe or Horſes, Beaſt or Beaſts, ſo to be provided by him, her, or them, be ſubject and liable to ſuch Penalties, Pains, 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 who ſhall be ſent with any Team or Draught to work on the ſaid Road, 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 Penalties as 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 or Treaſurers to the ſaid Truſtees, and applied towards 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 Liſt 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 Ten Pounds, nor leſs than Five Pounds.

For paying the Expence of the Act.

XXII. And be it further enacted, That the Coſts, Charges, and Expences incident to and attending the procuring and the paſſing of this Act ſhall be paid and defrayed out of the Money ariſing from the Tolls and Duties by the ſaid herein-before recited Act, and from the additional Tolls by this preſent Act authorized to be collected and levied on the ſaid Road, or out of the Monies to be borrowed on the Credit of ſuch Tolls and Duties reſpectively; and if any Perſon ſhall advance any Money towards or in full Diſcharge of the Fees or other Expences of obtaining this Act, the ſame ſhall be repaid by the ſaid Truſtees out of the firſt Monies which ſhall come to the Treaſurer's Hands by virtue of this Act or the ſaid recited Act, together with lawful Intereſt for the ſame.

Public Act.

XXIII. 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.

XXIV. And be it further enacted, That the ſaid recited Act, (ſubject to the Alterations and Amendments in this Act contained), and this Act ſhall continue and be in force for and during the Reſidue now to come of the Term granted by the ſaid recited Act, and from the Expiration thereof for and during the further Term of Twenty-one Years, and from thence to the End of the then next Seſſion of Parliament.

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