ANNO QUINQUAGESIMO QUARTO

GEORGII III. REGIS.

Cap. 56.

An Act for continuing and enlarging the Term and Powers of an Act for making a Road from *Stand Edge* within *Saddleworth*, in the County of *York*, to or near *Mump's Brook*, in the Townſhip of *Oldham*, in the Pariſh of *Preſtwich*, in the County of *Lancaſter*, and other Roads therein mentioned.

[18th *May* 1814.]

WHEREAS an Act was paſſed in the Thirty-ſecond Year of the Reign of His preſent Majeſty, intituled *An Act for making and maintaining a Road from or nearly from* Stand Edge *within* Saddleworth, *in the Weſt Riding of the County of* York, *to or near* Mump's Brook, *in the Townſhip of* Oldham, *in the Pariſh of* Preſtwich, *in the County Palatine of* Lancaſter; *and alſo a Road leading out of the ſaid intended Road, through or near* Dobcroſs, *to or near a Place called* Wall Hill, *in* Saddleworth *aforeſaid*; *and alſo another Road leading out of the ſaid firſt-mentioned Road, at or near a Place called* Shaw Hall, *to or near a Place called* Hollins, *all in* Saddleworth *aforeſaid*; which ſaid Act, it was thereby enacted (amongſt other Things), ſhould commence and have Continuance from the Firſt Day of *June* One thouſand ſeven hundred and ninety-two, for and during the Term of Twenty-one Years, and from thence to the End of the then next Seſſion of Parliament: And whereas the Truſtees appointed by or in purſuance of the ſaid Act, acting in the Truſts thereof, have

have made the ſaid ſeveral Roads, and have borrowed ſeveral conſiderable Sums of Money upon the Credit of the Tolls authorized to be collected by virtue of the ſaid recited Act, which now remain due and cannot be repaid; nor can the ſaid Roads be properly amended, improved, and kept in Repair, unleſs the Term of the ſaid Act be continued, and ſome of the Powers and Proviſions thereof altered, enlarged, and amended, 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 the ſaid recited Act, and all and every the Clauſes, Powers, Authorities, Proviſions, Penalties, Forfeitures, Pains, Puniſhments, Exemptions, Matters, and Things therein contained (except ſuch as are varied or altered), and alſo this preſent Act, ſhall, from and after the laſt Day of this preſent Seſſion of Parliament be, and are hereby declared to be in full Force and Effect, and ſhall have Continuance for and during the Term herein-after mentioned, in as full, ample, and beneficial Manner to all Intents and Purpoſes whatſoever, as if the ſame Clauſes, Powers, Authorities, Proviſions, Penalties, Forfeitures, Pains, Puniſhments, Exemptions, Matters, and Things contained in the ſaid former Act (except as before excepted), were repeated and re-enacted in the Body of this preſent Act; which ſaid additional Term hereby granted or created ſhall be, and is hereby declared to be ſubject and liable to the Payment of all Money due and owing, and which ſhall become due and owing, on the Credit of the ſaid former Act and this preſent Act.

Act continued.

Additional Truſtees.

II. And be it further enacted, That from and immediately after the ſaid laſt Day of this preſent Seſſion of Parliament, the Right Honourable *Charles William Wentworth* commonly called *Lord Viſcount Milton*, the Honourable *Henry Laſcelles*, the Reverend *John Buckley*, the Reverend *James Buckley*, *James Buckley* of *Uppermill*, *William Buckley* of *Uppermill*, *Edward Brown*, *George Bramall*, *Jeremiah Bramall*, *John Bramall*, *John Booth* of *Greenacres*, *John Booth* of *Aſhes*, *James Broadbent* of *Carr*, *John Broadbent* of *Marſlands*, *Thomas Brideoak*, *Thomas Beckett*, *Aſhëworth Clegg*, *John Taylor Clegg*, *Richard Clegg*, *Henry Critchley*, *Joſeph Harrop* of *Graſſcroft*, *John Harrop of Graſſcroft*, *James Harrop* of *Graſſcroft*, *Dauntſey Hulme*, *John Harrop* the Younger of *Dobcroſs*, *John Harrop* the Son of *Thomas Harrop* of *Dobcroſs*, *Daniel Harrop* of *Dobcroſs*, *Charles Harrop* of *Dobcroſs*, *Joſeph Harrop* of *Tamewater*, *Booth Harrop* of *Tamewater*, *John Hilton* of *Quick*, *Joſeph Jones* the Elder, *Joſeph Jones* the Younger, *William Jones*, *William Horton Lloyd*, *John Lees* of *Oldham*, *Edward Lees* of *Oldham*, *John Lees* the Younger of *Fairfield*, *James Lees* of *Aſhton-under-Lyne*, *William Lees* of *Clarkſfield*, *Joſeph Lawton* of *Dobcroſs*, *John Miller* of *Fairfield*, *John Platt* the Younger of *Heathfields*, Sir *Joſeph Ratcliffe* Baronet, *William Radcliffe* of *Boarſhirſt*, *John Roberts* the Elder, *John Roberts* the Younger, *Henry Roberts*, *James Ratcliffe* of *Boarſhirſt*, *John Ratcliffe* of *Boarſhirſt*, *John Ratcliffe* of *Croſs*, *John Booth*, *Joſeph Rowland*, *John Robinſon*, *William Ratcliffe* the Younger of *Croſs*, *John Ratcliffe* the Younger of *Stonebreaks*, *Joſeph Shaw* of *Delph*, *William Shaw* of *Uppermill*, *Joſeph Scott*, *Thomas Shaw*, *Giles Shaw*, *John Twenlow*, *James Taylor* of *Walkers*, *John Thackeray*, *William Wilberforce* Eſquire, *John Wrigley* of *Dobcroſs*, *Henry Whitehead* of *Dobcroſs*, *Benjamin Whitehead* of *Midgreave*, *William Whitehead*, *James Whitehead*, *Hugo Worthington*,

Worthington, *Samuel Wrigley*, and *James Wright* (being qualified according to the Directions of the ſaid former Act), ſhall be and are hereby appointed Truſtees, and ſhall act and be joined with the Truſtees appointed by or in purſuance of the ſaid former Act, or the ſurviving or continuing Truſtees for the Time being, for putting the ſaid former Act and this Act in Execution, and with ſuch Powers of appointing new Truſtees from Time to Time, and ſuch other Powers and Authorities as in the ſaid recited Act contained or expreſſed, as fully and effectually, to all Intents and Purpoſes, as if they had been originally appointed Truſtees in and by the ſaid former Act; and that the Meetings of the ſaid Truſtees, and all the Buſineſs of the Truſt, ſhall take place and be tranſacted at the ſame Times and Places, and in the ſame Manner, in all Reſpects, as if the Term of the ſaid recited Act was continuing.

Power to appoint additional Truſtees.

III. Provided always, and be it further enacted, That it ſhall be lawful for the Truſtees for the Time being acting under and by virtue of the ſaid recited Act and this Act, or any Five or more of them, at any Meeting or Meetings to be for that Purpoſe holden (with ſuch Notice and in ſuch Manner as in the ſaid recited Act is mentioned for the Election of new Truſtees in the Place of any Truſtee or Truſtees who ſhall die or refuſe to act), by Writing under their Hands, to elect at one Time or at ſeveral Times any Number of Perſons (not exceeding Ten) to be qualified as in the ſaid recited Act is mentioned, to be additional Truſtees to act in the Truſts of the ſaid recited Act and this Act; and the Perſons ſo to be elected as laſt mentioned, ſhall act jointly with the Truſtees acting by virtue of the ſaid recited Act and this Act, in the ſame Manner as if they had been appointed by this Act: Provided always, that this Power ſhall not in any Manner prejudice or affect the Power of appointing new Truſtees in Caſes of Death, or Refuſal to act, contained in the ſaid recited Act, and hereby intended to be continued.

Former Tolls repealed and others granted.

IV. And whereas the Tolls authorized to be taken on the ſaid Roads, empowered to be made, maintained, and kept in Repair by the ſaid recited Act, are inſufficient to pay the Intereſt due and owing thereon, and to keep the ſame in proper Repair, and for executing the ſeveral other Purpoſes of the ſaid recited Act and this Act; be it therefore enacted, That from and after the ſaid laſt Day of this Seſſion of Parliament, the Tolls payable in and by the ſaid recited Act ſhall ceaſe, determine, and be no longer paid; and that in lieu thereof, the following Tolls (but with Power to reduce and raiſe again ſuch Tolls, in the ſame or the like Manner as by the ſaid recited Act was and is contained and expreſſed relative to the Alteration of the Tolls thereby impoſed or created) ſhall be demanded and taken, before any Horſe, Mare, Gelding, Mule, Aſs, Beaſt, or other Cattle, Coach, Chaiſe, Waggon, Wain, Cart, or other Carriage whatſoever, be permitted to paſs through any Turnpike or Toll Gate, Side Bar or Side Gate, erected or to be erected by virtue of the ſaid recited Act or this Act, upon and acroſs the ſaid Roads, or any or either of them, or upon or acroſs any Lane, Road, or Way, leading into or out of the ſame, or any or either of them; (that is to ſay),

Tolls.

For every Horſe or other Beaſt of Draught, drawing a Carriage of any Deſcription, 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

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

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

Tolls vested in Trustees.

V. And be it further enacted, That all the Tolls to be collected by virtue of this Act, shall be and are hereby vested in the Trustees for the Time being, acting under and by virtue of the said recited Act and this Act, and shall be applied and assigned in such Manner, and in all other Respects subject to such Regulations as mentioned in the said recited Act, concerning or relating to the Tolls thereby created or imposed.

Only One Toll to be paid at One Gate in One Day.

VI. And be it further enacted, That if any Person shall have paid the Toll by this Act granted for the passing of any Horse, Beast, Cattle, or Carriage, through any Gate or Turnpike erected or to be erected by virtue of the said recited Act or this Act, such Person, upon producing a Note or Ticket denoting Payment of such Toll, shall be permitted to pass through the same Gate or Turnpike with the same Horse, Beast, Cattle, or Carriage, Toll free (in respect of such Horse, Beast, Cattle, or Carriage, for which he or she shall have so paid the Toll as aforesaid), on and through the same Day, to be computed from Twelve of the Clock in one Night, to Twelve of the Clock in the next succeeding Night, (which Notes or Tickets the Collectors of the Toll are hereby required to deliver *gratis* if demanded, on Receipt of the Toll).

No more than Three Tolls to be paid for the same Horse or Carriage, &c. in One Day (except as after mentioned).

VII. Provided also, and be it further enacted, That no more than Three Times the full Tolls aforesaid shall be demanded or taken from any Person or Persons for passing or repassing in or during one and the same Day, (to be computed as aforesaid) with the same Horses, Cattle, Beasts, or Carriages, through all or any of the said Turnpikes or Toll Gates erected or to be erected upon or across, or on the Side of the said Roads, or any of them, (except as herein-after mentioned), but when any Person or Persons shall in any One Day have passed through any Three or more of the Turnpikes or Toll Gates to be erected across, or on the Sides of the said Roads, with any Horses, Carriages, Beasts, or Cattle as aforesaid, and shall have paid Toll at Three of such Turnpikes or Toll Gates, such Person or Persons shall (upon producing a Note or Ticket, or Notes or Tickets, denoting that such Three Payments have been made), be permitted to pass through all or any and every other of the Turnpikes or Toll Gates erected or to be erected upon the said Roads, or any of them, with the same Horses, Carriages, Beasts, or Cattle as aforesaid, Toll free, during the same Day, to be computed as aforesaid, in which such Three Payments shall have been made, (save and except as to the Toll Gate erected or to be erected in that Part of the said Roads leading to the Place called *Hollins*).

Toll not to be paid oftener than Once, within the Distance of a Mile and Half, (except as after mentioned).

VIII. Provided always, and be it further enacted, That if any Turnpike or Toll Gate erected or to be erected upon the said Roads, or any of them, by virtue of this or of the said recited Act, be or shall be situate within the Distance of One Mile and a Half of any other Turnpike or Toll Gate erected or to be erected thereon as aforesaid, (except as herein-after excepted), the Tolls herein-before authorized to be taken, shall be demanded

manded and taken at One of ſuch Gates only; and in ſuch Caſe when any Perſon or Perſons ſhall have paid for any ſuch Horſes, Carriages, Beaſts, or Cattle at One of ſuch Turnpikes or Toll Gates, ſuch Perſon or Perſons ſhall (upon producing ſuch Note or Ticket as aforeſaid, denoting that ſuch Payment hath been made) be permitted to paſs with ſuch Horſes, Carriages, Beaſts, or Cattle, through any Turnpike or Toll Gate upon the ſaid Roads, which ſhall be ſituated within One Mile and a Half of ſuch Turnpike or Toll Gate, at which Toll ſhall have been paid as aforeſaid, Toll free, during the ſame Day, to be computed as aforeſaid, in which ſuch Toll ſhall have been paid (ſave and except the ſaid Toll Gate erected or to be erected upon that Part of the ſaid Roads leading to the Place called *Hollins*).

Toll to be taken at the Gate on that Part of the Road leading to Hollins, notwithſtanding the above Proviſos;

IX. Provided nevertheleſs, and it is hereby further enacted and declared, That notwithſtanding any Thing herein-before contained, it ſhall be lawful for the ſaid Truſtees, or their Agent or Collector, to collect one Payment of One Half of the Toll aforeſaid, from all and every Perſon or Perſons paſſing with any Horſes, Carriages, Beaſts, or Cattle as aforeſaid, through the Turnpike or Toll Gate erected on that Part of the ſaid Roads which leads to the ſaid Place called *Hollins*, notwithſtanding any previous Payment of Toll by him or them in the ſame Day, or at any Toll Gate within the Diſtance before limited; and alſo, that the ſaid Tolls as herein-before mentioned ſhall be payable at the Gates on any other Part or Parts of the ſaid Road or Roads, notwithſtanding any previous Payment of Toll in the ſame Day at the ſaid Turnpike or Toll Gate erected or to be erected on that Part of the ſaid Roads which leads to the ſaid Place called *Hollins*, as if no ſuch Toll had been there paid.

and notwithſtanding Payment at that Gate, the ſame Tolls to be taken at the other Gates.

General Exemptions.

X. And be it further enacted, That ſo much of the ſaid recited Act as relates to the Exemptions from Tolls, ſhall be and the ſame is hereby repealed; and that none of the Tolls hereby authorized to be taken, ſhall be demanded, taken or paid at any of the Toll Gates erected or to be erected or continued upon the ſaid Road for any Horſes, Cattle, or Carriages, of whatſoever Deſcription, employed or to be employed in conveying the Mails or Letters and Expreſſes under the Authority of His Majeſty's Poſtmaſter General, either when employed in conveying, fetching, or guarding ſuch Mails or Expreſſes, or in returning therefrom; nor for the Horſes belonging to any Officers or Soldiers on their March or on Duty; nor for any Horſes, Cattle, or Carriages employed in carrying or conveying the Arms or Baggage of any Officers or Soldiers, or in carrying any ſick, wounded, or diſabled Officers or Soldiers; nor for any Waggon, Wain, Cart, or other Carriage whatſoever, or the Horſes or other Cattle drawing the ſame, which ſhall be employed in conveying any Ordnance, Barrack, or Commiſſariat, or other Public Stores of or belonging to His Majeſty, or for the Uſe of His Majeſty's Forces; nor from any Rector, Vicar, or Curate going to or returning from his own Pariſh Church or Chapel, or viſiting his ſick Pariſhioners; nor from any Perſon or Perſons going to or returning from his or their Parochial Church, Chapel, or other uſual Place of Religious Worſhip on *Sundays*, or on any other Day on which Divine Worſhip is or ſhall be ordered by Authority to be celebrated, or attending the Funeral of any Perſon or Perſons who ſhall die and be buried in the Pariſh, Hamlet or Place through which any Part of the ſaid Road hereby intended to be re-

paired lies; nor for any Horſes, Beaſts, Cattle, or Carriages uſed or employed for the Purpoſe only of carrying or conveying Perſons to or from any Election of a Knight or Knights of the Shire to ſerve in Parliament for the Counties of *Lancaſter* and *York*, or either of them; or any Surveyor or Surveyors of the ſaid Road, when attending his or their Duty on the ſaid Road; or for carrying or conveying Vagrants ſent by legal Paſſes; or for carrying or conveying Hay, Clover, Turnips, or Corn in the Straw to be laid or ſtacked up in any Barn or Yard held or uſed by the Occupier of the Land whereon the ſame grew, and being within the ſame Pariſh, nor going or returning empty when ſo employed; or for carrying or conveying any Dung, Soil, Mould, or Compoſt to be uſed for the manuring or improving of any Land, nor going or returning empty when ſo employed; nor for any Horſes, Beaſts, or Cattle paſſing in order to be uſed or employed only upon or for the Occupation of Land in the ſame Pariſh, Hamlet or Place, or drawing any Waggon, Cart, Plough, Harrow, or other Implement of Huſbandry in order to be ſo uſed or employed (unleſs the Carriage bearing any ſuch Plough, Harrow, or other Implement of Huſbandry, be alſo laden with any other Thing not hereby intended to be exempted from Payment of Tolls); nor for any Horſe, Beaſt, or Cattle paſſing to or from Paſture, upon any ſuch Land as laſt mentioned, or to or from Water, or for either of thoſe Purpoſes of Paſture or Water, going or paſſing not more than One Mile and a Half on the ſaid Road; nor for any Horſe, Beaſt, or other Cattle when going to or returning from being ſhoed or farried; nor for any Horſe, Beaſt, or Cattle uſed or employed for the Purpoſe only of carrying or conveying Materials for the making or repairing of any Highway or Public Road within any ſuch Pariſh, Hamlet, or Place as aforeſaid, nor going or returning empty when ſo employed; nor for any Horſe, Beaſt, Cattle, or Carriage which ſhall croſs the ſaid Road only, or ſhall not paſs more than One hundred Yards thereon; unleſs ſuch croſſing ſhall be with the Intent to avoid the Payment at any of the ſaid Turnpikes or Toll Gates, and the Payment of ſuch Tolls ſhall be thereby avoided; nor for any Horſe, Mare, or Gelding, furniſhed by or for any Perſon belonging to any Corps of Yeomanry or Volunteer Cavalry, and rode by them in going to or returning from any Place of Exerciſe, Inſpection, or Review, provided that ſuch Perſon is in the Uniform of his Corps, and has his Arms, Furniture, and Accoutrements according to the Regulations appointed for ſuch Corps, at the Time of claiming the Exemption; and if any Perſon ſhall claim and take the Benefit of any Exemption in this Act contained or provided for, not being entitled to the ſame, every ſuch Perſon ſhall, for every ſuch Offence, forfeit and pay the Sum of Fifty Shillings; and in all Caſes the Proof of Exemption ſhall lie upon the Perſon claiming the ſame.

Carriages conveying Military Stores not to be ſubject to Penalties for Overweight.

XI. 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 of or belonging to His Majeſty, or for the Uſe of His Majeſty's Forces, ſhall be ſubject to any Penalty or Forfeiture for Overweight; nor ſhall any ſuch Waggon, Wain, Cart, or other Carriage, be ſtopped or detained by reaſon of any Weight therein, or of being drawn by any Number of Horſes or Oxen; but it ſhall be lawful for any Owner or Driver of any ſuch Waggon, Wain, Cart, or other Carriage, to put any Number of Horſes or Oxen to ſuch Waggon,

Wain,

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.

XII. And be it further enacted, That each and every Aſſignment or Aſſignments of any Mortgage or Mortgages already made, or hereafter to be made under the Authority of this or the ſaid recited Act, ſhall be in the Form following; with ſuch Variations as particular Circumſtances may require, and ſhall be endorſed on the Mortgage or Mortgages of which the ſame ſhall be an Aſſignment or Aſſignments, or one of them, and ſhall be ſealed and delivered by the aſſigning Party or Parties, in the Preſence of One or more credible Witneſs or Witneſſes.

Form of Aſſignment of Mortgage.

'I *A. B.* do transfer the within-written Mortgage, with all my Right to the Principal and Intereſt thereby ſecured, and to all Intereſt now due and hereafter to grow due thereon, unto *C. D.* his [her *or* their] Executors, Adminiſtrators, and Aſſigns. Dated this Day of *A. B.*'

'Witneſs, *E. F.*'

Aſſignments to be notified to the Officers within Sixty Days from Date of ſuch Aſſignments, and entered.

Charge for Entry.

All which Aſſignments or Transfers ſhall be produced and notified to the Clerk or Treaſurer to the ſaid Truſtees, within Sixty Days after the Date thereof, who ſhall cauſe an Entry to be made of ſuch Aſſignment, containing the Dates, Names, and Additions of the Parties, and Sums of Money therein mentioned, to be aſſigned and transferred in the Book or Books to be kept for entering the ſaid original Mortgages and Aſſignments; for which the Clerk or Treaſurer ſhall be paid the Sum of Two Shillings and Sixpence, and no more; and which ſaid Book or Books ſhall and may at all reaſonable Times be peruſed and inſpected without Fee or Reward; and after ſuch Entry made, and not otherwiſe, ſuch Aſſignment or Transfer ſhall entitle ſuch Aſſignee or Aſſignees to ſuch Mortgage or Aſſignment, and the Monies thereby ſecured and ſo aſſigned or transferred, and to the Benefit thereof and Payment thereon; and ſuch Aſſignee or Aſſignees, his, her, or their Executors or Adminiſtrators, ſhall and may in like Manner and Form aſſign and transfer the ſame again, and ſo *toties quoties*; and it ſhall be lawful for each and every ſuch Aſſignee, and his or her Executors or Adminiſtrators, to ſue for the Principal Monies and Intereſt veſted in him or her by virtue of any ſuch Aſſignment, in his, her, or their own Name or Names, as if he, ſhe, or they had been the original Mortgagee or Mortgagees in ſuch Mortgage or Mortgages named; and it ſhall not be in the Power of any Perſon or Perſons who ſhall have made any ſuch Aſſignment or Transfer of any Mortgage or Mortgages, to make void, releaſe, or diſcharge the ſame, or any Monies thereon.

Old Mortgages may be called in and new ones granted.

XIII. And be it further enacted, That the ſaid Truſtees, or any Five or more of them, ſhall and may, if thereunto required, call in, receive, and cancel all or any of the Mortgages now ſtanding out, or which ſhall be ſtanding out at the Time of any ſuch calling in, and which ſhall have been made by virtue of this or the ſaid recited Act, and to give and execute another Mortgage or other Mortgages inſtead and in lieu thereof reſpectively, transferrable as herein-before mentioned.

Truſtees may leaſe Tolls.

XIV. And be it further enacted, That it ſhall and may be lawful for the ſaid Truſtees, or any Five or more of them, from Time to Time aſſembled

assembled at any Meeting or Meetings to be held for that Purpose, by Writing under their Hands, or under the Hand or Hands of their Clerk or Clerks, Treasurer or Treasurers for the Time being, by their Order to be made for that Purpose, to let or lease the Tolls arising by virtue of this Act, or any Part or Parts of such Tolls, unto any Person or Persons, for any Term not exceeding Three Years at One Time, for the best Rent that can or may be got for the same, payable at such Times, and under such Agreements, and unto such Person or Persons as the said Trustees, or any Five or more of them shall direct or appoint (of which Letting Fourteen Days Notice at least shall be given in Writing, to be fixed on each and every of the Turnpikes or Toll-gates which shall then be erected by virtue of this or the said recited Act upon the said Roads, and by inserting the same in some public Newspaper circulating in the Neighbourhood through which the said Roads pass); and the Rent or Monies reserved or arising by such Letting, shall be applied in such Manner as the Tolls so let or leased are directed to be applied.

Application of Compensation when exceeding 200*l.*

XV. And be it further enacted, That the Principal Money to arise from the Sale of any Lands, Tenements, or Hereditaments which shall be purchased for the Purposes of the said recited or this Act, of any Body Politic, Corporate, Ecclesiastical or Civil, Corporation Aggregate or Sole, not having the Power to sell without the Authority of this Act, Feoffees in Trust, Guardians, Committees or other Trustees, or from any Feme or Femes Covert, or other incapacitated Person or Persons, shall, in case the same 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 there, *ex parte* the Trustees for executing this Act, or any Five or more of them, 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 Incumbrances, or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments, standing settled therewith, to the same or the like Uses, Intents, and Purposes; or where such Money shall not be so applied, then the same shall be so 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, or 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 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, Tenements, or Hereditaments directed to be purchaſed, in caſe ſuch Purchaſe or Settlement was made.

Application when Money does not amount to 200l. and ſhall amount to or exceed 20l.

XVI. 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 ſuch Corporation, or to any Perſon or Perſons under Diſability or Incapacity as aforeſaid, ſhall be leſs than the Sum of Two hundred Pounds, and ſhall amount to or exceed the Sum of Twenty Pounds, then and in all ſuch Caſes the ſame ſhall, at the Option of the Perſon or Perſons for the Time being entitled to the Rents and Profits of the Lands, Tenements, 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 paid to his Account as aforeſaid, in order to be applied in Manner herein-after 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 any Five or more of the ſaid Truſtees for executing this or 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 any Manner herein-before directed, ſo far as the Caſe be applicable, without obtaining or being required to obtain the Direction and Approbation of the Court of Chancery.

Application of Compenſation when leſs than 20l.

XVII. 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 the Sum of 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 ſhall think fit; or in caſe of Infancy or Lunacy, then ſuch Money ſhall be paid to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Uſe and Benefit of ſuch Perſons or Perſon ſo entitled reſpectively.

In caſe of Refuſal to accept Purchaſe Monies, the ſame to be paid into the Bank.

XVIII. 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 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 ſuch Perſon or Perſons to whom ſuch Sum or Sums of Money ſhall be ſo awarded as aforeſaid cannot be found, or if the Perſon or Perſons entitled to ſuch Lands, Tenements, or Hereditaments, be not known or diſcovered, then and in every ſuch Caſe it ſhall and may be lawful for the ſaid Truſtees, or any Five or more of them, to order the ſaid Sum or Sums of Money ſo awarded as aforeſaid, to be paid into the Bank of *England*, in the Name and with the Privity

of the Accountant General of the Court of Chancery, to be placed to his Account, to the Credit of the Parties intereſted in the ſaid Lands, Tenements, or Hereditaments [deſcribing them], ſubject to the Order, Controul, and Diſpoſition of the ſaid Court of Chancery; which ſaid Court, on the Application of any Perſon or Perſons making Claim to ſuch Sum or Sums of Money, or any Part thereof, by Motion or Petition, ſhall be and is hereby empowered, in a ſummary way of Proceeding or otherwiſe, as to the ſame Court ſhall ſeem meet, to order the ſame to be laid out and inveſted in the Public Funds, and to order 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 thereto, and to make ſuch other Order in the Premiſes, as to the ſaid Court ſhall ſeem juſt and reaſonable; and the Caſhier or Caſhiers of the Bank of *England*, who ſhall receive ſuch Sum or Sums of Money, is and are hereby required to give a Receipt or Receipts for ſuch Sum or Sums of Money, mentioning and ſpecifying for what and for whoſe Uſe the ſame is or are received, to ſuch Perſon or Perſons as ſhall pay any ſuch Sum or Sums of Money into the Bank as aforeſaid.

Where any Queſtion ſhall ariſe touching the Title to Money to be paid, the Perſon in Poſſeſſion of the Lands, &c. ſhall be entitled thereto.

XIX. 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 hereof, or to any Bank Annuities ſo 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, and 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.

The Court may order reaſonable Expences of Purchaſes to be paid by the Truſtees.

XX. 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 the ſaid recited Acts or 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 the ſaid recited Acts and 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, who ſhall from Time

Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

Lands not to be entered without Consent of Occupiers, or Order of Two Justices.

XXI. 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 Act, to dig, gather, take, or carry away any Materials for making or repairing the said Road, out of or from any inclosed Lands or Grounds, without the Consent in Writing of the Occupier or Occupiers of such Land or Ground being first had and obtained for that Purpose, or until Notice in Writing shall have been given to the Occupier of such Land or Ground, or left for such Occupier at his or her last or usual Place of Residence, to appear before any Two or more Justices of the Peace for the County in which such Land or Ground shall be situated, to shew cause why such Materials should not be had from such Land or Ground; and in case such Occupier shall attend pursuant to such Notice, the said Justices shall, if they think proper, authorize such Surveyor or other Person or Persons 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 refuse or neglect to appear by himself or herself, or his or her Agent, the said 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 or her Agent, had attended.

Penalty on obstructing the Execution of this Act.

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

For securing transient Offenders.

XXIII. And whereas Offences may be committed against this Act by Persons unknown to the Trustees, Collectors, Surveyors, or other Officers appointed to put this Act into Execution; be it therefore further enacted, That it shall be lawful for the said Trustees, Collectors, Surveyors, or other Officers respectively, and such other Person or Persons as he or they shall call to his or their Assistance, without any other Warrant or Authority than this Act, to seize and detain any such unknown Person or Persons who shall commit any such Offence or Offences, and to take him, her, or them, before any Justice of the Peace for the County or Place where the Offence or Offences shall be committed.

XXIV. And be it further enacted, That for the more speedy Conviction of Offenders against this Act, all and every the Justice and Justices of the Peace before whom any Person or Persons shall be convicted of any Offence against this Act, shall and may cause the Conviction to be drawn up in the following Form of Words, or in any other Form of Words to the same Effect:

Form of Conviction.

'County of } BE it remembered, That on the Day of
'to wit. } in the Year of His Majesty's Reign,
convicted before me
'one of His Majesty's Justices of the Peace for the County of *Lancaster*

[*or*,

'[*or*, York, *as the Caſe may be*], by virtue of an Act of Parliament made 'in the Fifty-fourth Year of the Reign of His Majeſty King *George* the 'Third, intituled *An Act* [*here ſet forth the Title of this Act, and ſpecify 'the Offence, and the Time and Place when and where the ſame was com-'mitted, as the Caſe may be*]. Given under my Hand and Seal [*or*, our 'Hands and Seals] the Day and Year aforeſaid.'

Statute Work.

XXV. And be it further enacted, That ſo much of the ſaid recited Act as relates to the Performance of Statute Labour on the ſaid Road ſhall be and the ſame is hereby repealed; and 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 like Manner as heretofore; and it ſhall be lawful for any Two or more Juſtices of the Peace for the Counties of *York* and *Lancaſter*, within 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 Statute Work ſhall every Year be done upon the ſaid Road by the Inhabitants of the reſpective Pariſhes, Hamlets, or Places, in which the ſaid Road lies, and alſo what Proportion of the Monies received by the Surveyor or Surveyors of the Highways, of every ſuch Pariſh, Hamlet, or Place, in lieu of or as a Compoſition for ſuch Statute Work as aforeſaid, ſhall be by him, her, or them paid to the ſaid Truſtees, or to their Treaſurer or Treaſurers; 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, Hamlet, or Place within their reſpective Juriſdictions, 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, Hamlet, 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 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 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 in 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 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 authorized or directed

to be recovered; and each and every Perſon who ſhall refuſe or neglect to do 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 Road, ſhall be found idle or negligent by any Surveyor to the ſaid Truſtees, ſuch Surveyor is hereby empowered to remove and diſcharge 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 amending the ſaid Road; and if any Surveyor of the Highways for any of the ſaid Pariſhes, Hamlets, or Places, ſhall refuſe or wilfully neglect to give in ſuch Liſts as aforeſaid, or ſhall knowingly and 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.

Truſtees to compound for Statute Work.

XXVI. Provided always, and be it further enacted, That it ſhall and may be lawful for the ſaid Truſtees, or any Five or more of them, to compound and agree by the Year or otherwiſe, with the Poſſeſſors, Occupiers, Grantees, Truſtees, Feoffees, or Committees of Lands, Tenements, and Hereditaments, who are and ſhall be liable to or chargeable with the Repair of any Part of the ſaid Road, or of any Bridge, Arch, or Sewer, or with any Perſon or Perſons for the Performance of his, her, or their Statute Work thereon; and alſo that it ſhall and may be lawful for the Surveyor or Surveyors of the Highways of any of the ſaid Pariſhes, Townſhips, or Places, by and with the Conſent of the Majority of the Inhabitants of ſuch Pariſhes, Townſhips, or Places, firſt had at any Veſtry or other public Meeting of ſuch Inhabitants, to compound and agree for a certain Sum of Money, by the Year or otherwiſe, in lieu of the Statute Work to be done upon any Part or Parts of the ſaid Road; all which Compoſition Monies ſhall be from Time to Time paid in Advance, and ſhall be applied in Repair of the ſaid Road; and all ſuch Highway Surveyors ſhall be reimburſed the Money ſo by them paid, in ſuch Manner as Surveyors of the Highways are by Law to be reimburſed the Monies by them expended in buying Materials for repairing the Highways.

For paying the Expences of the Act.

XXVII. And be it further enacted, That all the Charges and Expences incident to and attending the obtaining and paſſing of this Act, and of putting the ſame in Execution, ſhall, in the firſt place, be paid, borne, and diſcharged out of any Monies already collected or borrowed, or to be collected or borrowed, or raiſed by virtue of the ſaid recited Act or this preſent Act, or both of them; and after Payment of ſuch Charges and Expences as aforeſaid, the ſaid Monies ſhall be applicable and applied, ſecondly, towards paying and defraying the Charges and Expences of

keeping in Repair the Toll-houſe and Toll-houſes, and Toll-gates, already erected on the ſaid Roads, and of erecting or building and keeping in Repair any new or other Toll-houſe or Toll-houſes, Turnpike or Turnpikes, or Toll-gate or Toll-gates, which ſhall be hereafter erected on the ſaid Roads, or any of them; and thirdly, towards paying off ſuch Principal Monies as have been, or hereafter ſhall be borrowed on the Credit of the Tolls collected or to be collected by virtue of the ſaid recited Act or of this Act, and all Intereſt due or to grow due for ſuch Principal Monies; and fourthly, all the Reſidue or Surplus of the Monies to be collected, borrowed, or raiſed as aforeſaid, (after anſwering the ſeveral Purpoſes herein-before provided for,) ſhall be applicable and applied for or towards repairing, widening, diverting, and amending the ſaid Roads, and to or for no other Uſe or Purpoſe whatſoever.

Public Act.

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

Act to continue for 21 Years.

XXIX. Provided always, That this Act ſhall commence from the laſt Day of this Seſſion of Parliament, and ſhall continue thenceforth for Twenty-one Years, and from thence to the End of the next Seſſion of Parliament, and no longer.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's moſt Excellent Majeſty. 1814.