



ANNO QUADRAGESIMO TERTIO

GEORGI III. REGIS.

Cap. 5.

An Act to continue and enlarge the Terms and Powers of Three Acts, made in the Sixteenth and Twenty-second Years of the Reign of His late Majesty King *George* the Second, and in the Twenty-fourth Year of the Reign of His present Majesty, for repairing the High Road from *Boroughbridge*, in the County of *York*, to *Catherick*, in the same County, and from thence to *Piers-bridge*, on the River *Tees*.
[24th March 1803.]

WHEREAS, by Three Acts made in the Sixteenth and Twenty-second Years of the Reign of His late Majesty King *George* the Second, and in the Twenty-fourth Year of the Reign of His present Majesty, for repairing the High Road from *Boroughbridge* in the County of *York*, to *Catherick*, in the same County, and from thence to *Piers-bridge*, on the River *Tees* (being One of the High Roads from *London* to *Edinburgh*), several Tolls and Duties were granted and made payable, and divers Powers and Authorities were given, for repairing the said Road; which said Acts were to have Continuance for Three successive Terms of Years therein respectively mentioned: And whereas, by virtue and in pursuance of the said recited Acts, the Trustees appointed to put the same in Execution have proceeded therein, and borrowed several Sums of Money on the Credit of the Tolls and Duties thereby granted, Part of
[Loc. & Per.]

16 and 22
Geo. 2. & 24
Geo. 3.

which still remains due, and cannot be repaid, nor can the said Road be effectually amended and kept in sufficient Repair, unless the Tolls and Powers granted by the said Acts be enlarged, and continued for a further Term: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said recited Acts, severally passed in the Sixteenth and Twenty-second Years of the Reign of His said late Majesty King *George* the Second, and in the Twenty-fourth Year of the Reign of His present Majesty, and all and every the Powers, Authorities, Penalties, Forfeitures, Clauses, and Provisions, therein contained (except such of them as relate to Exemptions from Stamp Duties, and also except so far as the same are hereby varied, altered, or repealed), and also this present Act, shall be and continue in full Force and Effect, for and during the further Term hereinafter mentioned; which said additional Term hereby granted shall be and is hereby declared to be subject and liable to the Payment of all Sums of Money now due and owing upon the Credit of the said Acts, or any of them, and of such Sum or Sums of Money as shall be borrowed for the Purposes of this Act, and all Interest due and to grow due for the same respectively.

Powers of former Acts continued.

II. And be it further enacted, That, from and after the Twenty-second Day of *November* One thousand eight hundred and three, the several Tolls and Duties granted and made payable by the said recited Acts, or any of them, shall cease, and be no longer paid; and that, in lieu thereof, there shall be demanded, received, and taken, from thenceforth during the Continuance of this Act, the several Tolls and Duties hereinafter mentioned; that is to say,

For every Coach, Chariot, Landau, Berlin, Chaise, Calash, or Hearse, drawn by Six or more Horses, Mares, Geldings, or Mules, the Sum of Five Shillings and Four-pence; and for every such Carriage, drawn by Four Horses, Mares, Geldings, or Mules, the Sum of Four Shillings; and for every such Carriage, drawn by Two Horses, Mares, Geldings, or Mules, the Sum of Two Shillings and Eight-pence; and for every Chair, or other such Two-wheeled Carriage, drawn by Two Horses, Mares, Geldings, or Mules, the Sum of Two Shillings; and drawn by One Horse, Mare, Gelding, or Mule, the Sum of One Shilling:

For every Waggon, Wain, or other Four-wheeled Carriage (except when employed in carrying or conveying Coals or Cinders, and except Carriages having the Sole or Bottom of the Fellies of all the Wheels thereof, of the Breadth or Gauge of Six Inches or more, and so flat or level as not to deviate more than Half an Inch from a flat Surface, and having the interior Diameter of each Wheel not deviating from the exterior Diameter thereof more than One Sixth Part of the Breadth of the Sole or Bottom of the Felly), drawn by Six Horses, Oxen, or other Beasts of Draught, the Sum of Eight Shillings; and drawn by Four Horses, Oxen, or other Beasts of Draught, the Sum of Seven Shillings; and drawn by Three Horses, Oxen, or other Beasts of Draught, the Sum of Five Shillings and Four-pence; and drawn by Two Horses, Oxen, or other
Beasts

Tolls to be taken in lieu of the Tolls granted by former Acts.

Beasts of Draught, the Sum of Four Shillings; and for every Cart or other Two-wheeled Carriage (except when employed in carrying or conveying Coals or Cinders, and except Carriages having the Sole or Bottom of the Fellies of all the Wheels thereof of the Breadth or Gauge of Six Inches or more, and so flat or level as not to deviate more than Half an Inch from a flat Surface, and having the interior Diameter of each Wheel not deviating from the exterior Diameter thereof more than One Sixth Part of the Breadth of the Sole or Bottom of the Felly), drawn by Three Horses, Oxen, or other Beasts of Draught, the Sum of Four Shillings; and drawn by Two Horses, Oxen, or other Beasts of Draught the Sum of Two Shillings and Eight-pence; and drawn by One Horse, Ox, or other Beast of Draught, the Sum of One Shilling and Four-pence:

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

For every Drove of Oxen, Cows, or Neat Cattle, the Sum of One Shilling and Sixpence *per* Score, and in that Proportion for any greater or less Number; and for every Drove of Calves, Hogs, Sheep, or Lambs, the Sum of Nine-pence *per* Score, and in that Proportion for any greater or less Number:

For every Waggon, Wain, Cart, or other Carriage (except Carriages having the Sole or Bottom of the Fellies of all the Wheels thereof of the Breadth or Gauge of Six Inches or more, and so flat or level as not to deviate more than Half an Inch from a flat Surface and having the interior Diameter of each Wheel not deviating from the exterior Diameter thereof, more than One Sixth Part of the Breadth of the Sole or Bottom of the Felly, when employed in carrying or conveying Coals or Cinders only, at any Time between the Thirtieth Day of *April* and the Thirty-first Day of *October*, in every Year, drawn by Four or more Horses, Oxen, or other Beasts of Draught, the Sum of Three Shillings and Sixpence; and drawn by Three Horses, Oxen, or other Beasts of Draught, the Sum of One Shilling and Four-pence; and drawn by Two Horses, Oxen, or other Beasts of Draught, the Sum of One Shilling; and drawn by One Horse, Ox, or other Beast of Draught the Sum of Eight-pence; and Double those Tolls during the Remainder of the Year; and for every Waggon, Wain, Cart, or other Carriage, whether employed in carrying or conveying Coals or Cinders, or in any other Manner, having the Sole or Bottom of the Fellies of all the Wheels thereof of the Breadth or Gauge of Six Inches or more, and so flat or level as not to deviate more than Half an Inch from a flat Surface, and having the interior Diameter of each Wheel not deviating from the exterior Diameter thereof more than One Sixth Part of the Breadth of the Sole or Bottom of the Felly, a Toll, or Sum of Money equal to One Half of the Toll or Sum of Money hereinbefore imposed or authorized, to be taken for the like Carriages with Wheels otherwise constructed.

Which said Tolls and Duties in and by this Act granted and made payable as aforesaid, shall be and are hereby vested in the Trustees for the Time being, for carrying the said recited Acts, and this Act, into Execution, and shall be received and taken at the several Toll Bars erected or to be erected upon the said Road, in such Parts and Proportions, and shall be paid, levied, applied, disposed of, and assigned for such Uses and Purposes,

Purposes, and in such Manner as the Tolls and Duties granted by the said recited Acts, or any of them, are thereby authorized and directed to be received, paid, levied, applied, disposed of, and assigned (except as by this Act is otherwise directed).

Trustees may
lessen the Tolls.

and re-ad-
vance the
same.

III. Provided always, and be it further enacted, That it shall and may be lawful to and for the said Trustees for the Time being, or any Seven or more of them, at any publick Meeting holden for the Execution of this Act, and they are hereby authorized and required, from Time to Time whenever they shall deem it expedient, to lessen and reduce the Tolls and Duties hereby granted and made payable, and again to advance the same, so as every such Reduction be made with the Consent of the Person or Persons entitled to Two Third Parts of the Money then due on Security of the said Tolls, and so as the same do not at any Time exceed the Tolls and Duties hereby granted.

Trustees who
have not acted
as such in Two
Years, not to
vote on the
Election of
any Officer.

IV. And be it further enacted, That no Trustee shall be capable of voting for, or acting in the Nomination or Appointment of any Officer or Officers to succeed upon a Vacancy to any Office or Place of Trust, held under the Trustees of the said Road, unless such Trustee shall have acted as a Trustee in the Execution of the said recited Acts, or of this Act, within the Space of Two Years next preceding such Vacancy.

Application
of Compen-
sation when
amounting to
200^l.

V. And be it further enacted, That if any Money shall be agreed or assessed to be paid for any Lands, Tenements, or Hereditaments purchased, taken, or used by virtue of this Act, which shall belong to any Corporation, Feme Covert, Infant, Lunatick, or Person or Persons under any Disability or Incapacity, such Money shall, if the same amount to the Sum of Two hundred Pounds, with all convenient Speed, be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account *ex parte* the Trustees for executing this Act, to the Intent that such Money shall be paid, 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 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 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 Messuages, 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 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

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 Product 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 hereby directed to be purchased, in case such Purchase or Settlement were made.

VI. Provided always, and be it further enacted, That if any Money so agreed or assessed to be paid for any Lands, Tenements, or Hereditaments, purchased, taken, or used for the Purposes aforesaid, and belonging to any Corporation, or to any Person or Persons under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds and shall 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 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 Three or more of the 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 any 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.

Application when the Compensation is less than 20% and exceeds 20%

VII. Provided also, and be it further enacted, That when such Money so agreed or assessed to be paid as herein-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 Hereditaments so purchased, taken, or used for the Purposes of this 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.

Application when the Money is less than 20%

VIII. And be it further enacted, That the Expences of obtaining and passing this Act, shall be paid out of the first Monies to be raised by virtue of the said recited Acts, and of this Act.

Costs of this Act to be first paid.

[*Loc. & Per.*]

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IX. And

Commence-
ment and
Continuance
of the Act.

Publick Act.

IX. And be it further enacted, That this Act, shall commence upon the First Day of *May* One thousand eight hundred and three, and shall continue in Force until the First Day of *May* One thousand eight hundred and twenty-four, and from thence until the End of the then next Session of Parliament; and the same shall be adjudged, deemed, and taken to be a publick Act, and shall be judicially taken Notice of as such, by all Judges, Justices, and other Persons whomsoever, without the same being specially pleaded.

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