

ANNO QUADRAGESIMO SEXTO

GEORGII III. REGIS.

the first of the state of the first of the first of the state of the s

Cap. 103.

An Act for continuing and amending Two Acts, passed in the Thirty-second Year of King George the Second, and in the Fourteenth Year of His present Majesty, for repairing several Roads therein described, so far as the said Acts relate to the District of Road between Pateley Bridge and Grassington, in the County of York.

[3d July 1806.]

HEREAS by an Act, passed in the Thirty-second Year of the Reign of His late Majesty King George the Second, intituled, 32 G. 2. An Act for repairing and widening the High Road from Wetherby to Grassington, in the County of York, several Tolls and Powers were granted to Trustees for repairing the said Road during the Term therein mentioned, which said Road was divided into Three separate Districts, one of which comprized the Road between Pateley Bridge and Grassington aforesaid: And whereas by another Act, passed in the Fourteenth Year of 14 G. 3. the Reign of His present Majesty, the said first-mentioned Act was continued for a further Term, and some of the Provisions were thereby altered and enlarged: And whereas the Trustees appointed to put the said Acts in Execution, as to the said District of Road between Pateley Bridge and Grassington aforesaid, have, in pursuance thereof, borrowed considerable Sums of Money on the Credit and Security of the Tolls arising within the said District, which, with a considerable Arrear of Interest thereon, are still due, and cannot be paid off, nor can the said District of Road be kept in Repair, unless the said Acts be continued for a further Term, and the Powers and Authorities thereby granted be enlarged: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's Loc. & Per.] 23 R most/

Former Acts continued.

most Excellent Majes of and with the Americand Consent of the Lords. Spiritual and Genaphalt, and Carte in the City Belliament affem-bled, and by the Authority of the Later, the City bid recityd Acts, passed in the Thirty Leogent Car struck Resident of The Malife Walth & Ling George the Second and Mark Fourteend Fourth the Remark this persont Majesty, and all the Milthorines. Tolls Abruiers, Businesseges, Becomptions, Provisions, Planting Vand Charles therein coalsing the use in force (except luch of them as are repugnant to any of the Provisions contained in this Act, and as relate to Exemptions from Stamp Duties) so far as the same Acts relate to the said District of Road between Pateley Bridge and Graffington aforested, shall be and the same are hereby continued for and during the Term herein-after mentioned, as fully and effectually, to all Intents and Purpoles, as if the lame were herein particularly inserted. repeated and re-micked, but hibect neverhelelatot chef Amendment Variations, Alterations, and Advidons herein toptained; and this Act, and the Tolls hereby granted, shall be and the same are hereby made subject to the Payment of all Monies due and owing upon the Credit of the said former Acts, in respect of the said District, or that may hereaster be borrowed in pursuance ut this Ast, and all Interest mow due thereon and hereafter to grow due thereon respectively, such future Interest to be computed at such Rate as has already or shall hereaster be agreed upon between, the Parties.

Trusties.

H. And be it further epacted. That Robert Agglary, William Algebra, William Algore, William Algore, William Algore, William Algore, Junior, Henry Meack, Johnd Metek, Riebard Mosck, George Allanion Clerk, Richard. Moseley Atkinson Cle, kg. John Atkinson Lineans schnolist homes Atkinson Lincoln's Inn Fields, William Atkinson London, John Atkinson Malham, John Ackinson Junior, Henry Ackinson, William Askinson Kirkby, Richard Ackinson Skippeon, William Atkinson, I homas Atkinson, Walliam Baynes, John Baynes, George Baynes, George Baynes Junior, William Ball, Hole Bottom, Robert Benson, George Benson Clerk, John Benson, Abraham Ben-Ion, William Birtrubifile, Alexander Birtrubifile, Robert Birtrubifile, John Birkbeck, William Birkbeck, Sir Walter Blacket, Edward Blacket, John Blackburg, Blake, John Bolton, Richard Ramsden Branky, John Bramley, Thomas Brand Cirrix, John Brown, Edward Brown Landon, William Brown, William Brown Loudon, Henry Brown, Charles Brown, Lames Brown Clerk, James Brown, Johnson Aikinson Bussield, William Buck, Anthony Buck, Richard Calvert, William Calvert, John Calverts William Cour Clerk, John Carr, George Coyley Medical Doctor, Thomas Chamberlain, Abrokans Chamberlain, George Chamberlain, William Chrap Clerk, Robinson Chippendule, Thomas Chippendala Milliam Chippendale, Richard Chippendale, Edward Cleaver, John Coases, Thomas Cockfon, Thomas Cockfoit, John Cockfoott, Thomas Cockshort junior, Jahn Colton, Thomas Collins Doctor in Divinity, James Collins, Fames Collins Innior, James Constantine, Hoac Cook Clerk, John Coultbuill; George Craft Doctor in Divinity, John Crowder, Henry Owen Cantiffe, John Cunliffe, William Cunliffe, Elhis Gunliffe, James Dalton Clerk, Richard Dawson Clerk, Josias Dauson Clerk, John Day, Charles Detey, William Dousning, Thomas Duncombe, Robert Dynetey Clerk, John Dynetey. Lister-Elles, William Ellis, William Falsbaw, Francis Falsbaw, Watter Fasteles, James Fawtes, George Rerryman Clock, George Fletcher, Thomas Porster Ibomas Garforth, Thomas Garforth juniot, Peter Garforth,

James Garforth, Thomas Gartham Clerk, Richard Greenwood, Robert Hargraves, Charles Harrison, William Harrison, Thomas Harrison, John Harrison, Thomas Harrison Medical Doctor, Hugh Hall, Reginald Hall, Richard Hartley, John Heaton, A.O. Hebden, Richard Heber, William Heber, Richard Heher, John Heelis, Edward Heelis, Thomas Heelis, Theodore Heelis, John Hitching, Anthony Hitching, Robert Hind, Richard Holmes, Gegrze Horner, Luke Horner, Thomas Hopper, Henry Hutchinson, Teasedale Hutchinson, Thomas Janson, Sir Henry Ibbotson, Sir John Ingilby, William Ingilby, Thomas Johnson, Stephen Johnson, Henry Johnson, John Ibbotson, Jonathan Kirkby, Jonathan Kirkby junior, William Kirkby, the Honourable Edward Lascelles, the Honourable Henry Lascelles, Hird Lamplugh Clerk, Marmaduke Lawson Clerk, Christopher Lawson, John Leyland, the Honourable Thomas Lister, John Lupton, Henry Lund, Joseph Mason, Joseph Mason junior, Thomas Mason, Joseph Mason Grassington, Thomas Metgalfe, John Mitchell, William Moorhouse, Thomas Moorhouse, William Moorhouse, Edward Moorhouse, Edward Moorbouse junior, James Moorhouse, Thomas Wilson Morley Clerk, Joseph Morley, John Moss, Christopher Mount, Robert Mount, John Muserove, Christopher Netherwood, William. Netherwood, the Honou able William Norton, Conyers Norton, John Oats Glerk, Roger Pickering, John Parkinson Winterburn, Thomas Parkinson, John Parkinsen junior, John Parkinson Otterbuin, Stephen Parkinson, John Parkinson, Joseph Parkinson, Thomas Parkinson Draughton, Tkomas Parker, James Parker, Thomas Payley, William Payley, William Payley junior, George Peacock, John Peart, John Penny Clerk, John Pering Clerk, Francis Petty, Edmund Place, John Preston Clerk, Thomas Preston, William Preston, John Preston, Robert Preston, William Preston, Bernard Preston, Christopher Prince, Robert Procter, Richard Procter, Robert Procter junior, John Proster Riddings, Richard Proster Cracoe, John Proster Bolton, William Procher, Jacob Ragg, Caleb Redshaw Clerk, William Reynard Clerk, Horner Raynard, Jesias Rimington, Walter Rimington, the Honourable Frederick Robinsan Sir William Robinson, Josias Robinson, William Roundell Clerk, Richard Roundell. Danson Currer Roundell, Henry Dawson Richardson Roundell, Saville Richardson Roundell, Siephen Ware Richardson Roundell, Thomas Rathmal, William Sampson Clerk, Benjamin Shiers, Benjamin Shiers junior, Thomas Shiers, Emanuel Shiers, Sir Thomas Slingsby Baroner, Charles Slingsby, William Sedgwick, John Slinger, Thomas Spencer, Edmund, Spencer, Robert Henry Stourton, George Smith, Richard Smith, Henry Smith, George Strickland, Joseph Stoney, William Strotber, David Swale, John Swale London, John Summers, Samuel Swire, Six Thomas Tancred, Thomas Tattersall, Anthony Taylor Newfield, William Taylor, Richard Taylor, John Taylor, Anthony Tay'or Airion, Peter Taylor, Stephen Tempest, Stephen Tempest junior, Cleaver Tempest, Hopper Tempest, Charles Tempest, Henry Tempest, John Tempest, Walter Tempest, Joseph Tennant, Robert Thomlinson Clerk, Jeo, rey Tennant, John Thornbill, Matthew Tillotson, Charles Tindall, William Tindall, William Topkam, Francis Trapps, Edward Upwin Clerk, Robert Darley Waddilove Clerk, Joseph Wade, William Wainman, Richard Wainman, Peter Watkinson, Richard Waddilove, Joseph Waddilove, Richard Waddilove junior, William Atkinson Wasney Clerk, Richard Ward, John Walker, Sir Thomas Wollaston White Baronet, William A. Armstrong U hite, Matthew Wilson, Lamplugh Wickham Clerk. Thomas Wilkinson, Henry Wilkinson, Thomas Wilkinson junior, Henry Wilkinson junior, Stephen Wilkinson, William Wilkinson. James Wilkinson, Joshua Windle, Henry Wigglesworth Clerk, Riehard Withnell Cierk, John Williams, Joseph Wilkes, John Wilson Clerk, Richard Richard Wood, Henry Wood, Richard Wood, William Wratball, Anthony Wratball, John Yorke, Thomas Yorke, John Yorke junior, Thomas Henry Torke, Edmund Yorke, and William Young, shall be and they are hereby appointed Trustees to put the said recited Act and this At into Execution, as to the said District between Pateley Bridge and Graffington aforesaid; and in case any of the Trustees hereby appointed shall die, or by Writing under their respective Hands decline or resule to act in the Execution of the Trusts hereby reposed in the said Trustees, then some other six and proper Person shall be elected and appointed a Trustee in the Place and Stead of every Trustee so dying, resusing, or declining to act as aforesaid, in the Manner provided or mentioned by the said first recited Act.

Qualification of Truitees.

III. And be it further enasted, That so much of the said first recited Act as prescribes or directs in what Manner the Trustees for executing the said Acts shall be qualified, shall, as to the said District between Paidley Bridge and Grassington atoresaid, be and the same is hereby repealed; and that from and after the Commencement of this Act, the Trustees for purting the said recired Acts and this Act into Execution, as to the same District, shall be qualified in the Manner herein-after mentioned; that is to lay, that no Perlon hereby appointed or hereafter to be appointed a Trustee for carrying this Act into Execution, shall be capable of acting as a Trustee in the Execution of this Act, unless he shall be in his own Right or in Right of his Wife, in the actual Possession and Enjoyment, or in the Receipt of the Rents and Profits of Lands, Tenements, or Hereditaments of the yearly Value of Fifty Pounds above Reprizes, or stall be Heir Apparent to lome Person or Persons having an Estate of the yearly Value of Two hundted Pounds, or possessed of or entitled to a Personal Estate to the Amount of One thousand five hundred Pounds, or of Real and Personal Estate together to the Amount of Two thousand Pounds; and I any Person not being so qualified, shall presume to act as a Trustee in the Execution of this Act, he shall forfeit and pay for every such Offence the Sum of Fifty Pounds, to any Person or Persons who shall or may inform and lue for the lame, to be recovered in any of His Majesty's Courts of Record, by Action of Debt, or on the Case, Bill, Plaint, or Information, wherein no Essoign, Protection, Wager of Law, or more than one Imparlance, shall be a lowed.

Meetings of Trustees.

- IV. And be it further enacted, That the Meetings of the Trustees for putting the said recited Acts and this Act into Execution, so far as relates to the said District between Pateley Bridge and Grossington aforesaid, shall, from and after the Commencement of this Act, be held alternately at Pateley Bridge and Grossington aforesaid, and not elsewhere; the First of which Meetings shall be held at the Crown Inn, in Pateley Bridge aforesaid.

How Meetings may be ad-

V. And be it further enacted, That in case there shall not be a sufficient Number of the said Trustees present at any Meeting of the said Trustees, in pursuance of the said recited Aces and this Act, it shall be lawful for any Three or more of the said Trustees to adjourn such Meeting to the Place where the same ought to be held by alternate Rotation as aforesaid; and in default of a sufficient Number of the said Trustees meeting to act or to adjourn, or not adjourning as aforesaid, the Clerk of the said Trustees shall, by Notice in Writing to be affixed upon all the Toll Gates which shall be erected within the said District, at least Ten Days before the next Meeting.

Meeting, and by entering the same in the Book of Orders for the said District, appoint such Trustees to meet at such Piace as the succeeding Meeting of the said Trustees is hereby directed and appointed to be held by alternate Rotation, on that Day Three Weeks after the Day on which such last Meeting was appointed to have been held; and in case there shall not appear a sufficient Number of the said Trustees to act at such Meetings, or to adjourn as aforesaid, or in default of their adjourning, then the said Clerk, by affixing or causing to be affixed such Notice as af resaid, shall appoint such Trustees to meet at the Place where the next succeeding Meeting of the said Trustees is hereby directed and appointed to be held, on that Day Three Weeks next after the Day on which such last Meeting was appointed to have been held, and so from Time to Time the said - Clerk shall appoint a Meeting every Three Weeks, until a sufficient Number of the laid Trustees shall appear and meet to act, or shall appoint another Meeting by Adjournment; and the laid Trustees at their Meeting shall bear their own Expences.

VI. Provided, and be it further enacted, That no Trustee shall be capable of voting on the Election of any Officer or Officers to be appointed in pursuance of this Act, at any Time after the Expiration of Three Years, from the Day of the Commencement of this Act, unless he shall certain Cases. have acted as a Trustee in the Execution of this Act once at least within the Space of Three Years before the Time appointed for such Election.

Trustees restrained from voting on the Election of Officers in

VII. And be it further enacted, That if any Money shall be agreed or assessed to be paid for any Lands, Tenements, or Hereditaments pur- When amountchased, taken, or used by virtue of this Act, which shall belong to any ing to 2001. Body Politick, Corporate, or Collegiate, Corporation Aggregate or Sole, Feosses in Trust, Guardians, Committees, Trustees, Femes Covert, or other incapacitated Person or Persons, 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 Ules, Trults, Intents, and Purposes, and in the same Manner as the Hereditaments which shall be so purchased, taken, or used as aforesaid stood settled or simited; 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 unil such Purchase shall be made, the said Money shall, by Order of the Court of [Loc. & Per.] Chancery,

Application of

46° GEORGII IIIO TOP. 183.

Chaptery, upon Application thereto, be invested by the said Accountant General, in his Name, in the Purchase of 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 of 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.

Where the Compensation does not ex ceed 2001, and is not less than 201.

VIII. Provided always, and be it further enacted, That if any Money so agreed or assessed to be paid for any Lands, Tenements, or Herecutal ments, purchased, taken, or used for the Purposes aforesaid, and belonging totany Body Politick, or to any Person or Persons under any 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 afes the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Heieditaments so; purchaled, taken, or used, or of his, her, or their Guardian or Guardians, Committees, in case of Infancy or Lunacy, to be signified in Writing under their respective Hands, ben 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, for biherwise, the same shall be paid at the like Option to Two Trustees, to be nominated by the Person of Persons making such Option, and approved of by Three or more of the said Trustees, for executing this Medi, (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 atising thereon, may be applied in any Manner herein-before directed, so far as the Case shall be applicable, with out obtaining or being required to obtain the Direction or Approbation of the Court of Chancery.

Where less than 201. IX. Provided also, and best further enacted, That when such Money to agreed or esselled 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 slave been entitled to the Rents and Profits of the Hereditaments so purchased, taken, or need for the Purposes of this Ast, in such Manner as the said Trustees; or any Three or more of them, shall think sits or in olde of Insancy or Lunaey, then to his, her, or their Guardian or Guardians, Computees of Committees, to and for the Use and Benefit of such Person or Persons so encited respectively.

In case of not making out Titles, etc.

or if Persons cannot be found, Purchase Money to be paid into the Bank,

X. And he it further enached, That in case the Person or Persons to below any Sum or Sums of Money shall be awarded or assessed for any Lands Tenements, or Hereditaments to be parthased by writte of this Assahall refuse to accept the same, or shall not be able to make a good Title to the Premises to the Satisfastion of the said Trustees. Or in case the Person of Persons to whom such Sum or Sums of Money shall be so awarded or assessed as atoresaid cannot be sound, or it she Person on Revious entitled

entitled to such Lands, Tenements, or Hereditaments, he not known or discovered, then and in every such Case it shall be lawful for the said Trustres to order the Sum or Sums of Money so awarded or ass. If d 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 laid Court of Chancery; which subject to the said Court, on the Application of any Person or Persons making Claim Court of to fuch Sum or Sums of Money, or any Part thereof, by Motion or Chancery, on Petition, shall be and is hereby empowered in a summary Way of Pro- Motion or Petition. ceeding, or otherwise, as to the same Coult shall seem meet, to order the same to be laid out and invested in the Publick Funds, and to order Distribution thereof, or Parment of the D vi lends thereof, according to the respective Estate or Estates, Title or Interest, of the Person or Person's making Claim thereunts, and to make fuch other Order in the Premiles as to the said Court shall seem just and reasonable, and the Gashier or Cashiers of the Bank of England, who shall receive such Sun or Sums of Money, is and are hereby required to give a Receipt or Receipts for fuch 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 Sums or Sums into the Bank as aforefaid.

XI. Provided always, and be it further enacted, That where any Question Where any shall arise touching the Title of any Person to any Money to be paid Question shall into the Bank of England in the Name and with the Privity of the Ac- the Right to countant General of the Court of Chancery, in pursuance of this Act, for fach Money. the Purchase of any Lands, Tenements, Hereditaments, or of any Estate, Right, or Interest in any Lands, Tenements, or Heredicaments to be purchased in pursuance thereof, or to any Bank Annuities to be purchased with any such Money, or to the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in Possession of such Lands, Tenements, and 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 be lawfully entitled to such Lands, Tenements, or Hereditaments, according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court of Chancery; and the Dividends or Interest of the Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied, and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to fuch Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

XII. Provided also, and be it further enacted, That where, by reason The Court of any Disability or Incapacity of the Person or Persons, or Corporation, entitled to any Lands, Tenements, or Hereditaments to be purchased under the Authority of this Act, the Purchase Money for the lame shall be required to be paid into the said Court, and to be applied in the Purchaie of other Lands or Hereditaments to be settled to the like Uses in pursuance of this Act, it shall be lawful for the said Court to order the Expences of all Purchases from Time to Time to be made in pursuance

may order reasonable Expences of Purchale- to be paid by the Truitees. 46° GEORGII III. Capitò3.

of this Act, or so much of such Expences as the 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 to Time pay such Sums of Money for such Purposes as the said Court shall direct.

MowExpences
of Act to be
Paid.

XIII. And be it further enacted by the Authority aforesaid, That the Expences, Costs, and Charges which shall attend the soliciting, obtaining, and passing of this Act, and incurred preparatory thereto, shall be paid and defrayed out of the first Monics which shall arise or be received from the Tolks to be taken within the said District, or otherwise, by virtue of the said recited Acts and this Act, or any of them.

Commencement and Continuance of the Act.

Publick Act.

XIV. And be it further enacted. That this Act shall commence upon the First Day of August One thousand eight hundred and six, and continue in sorce until the First Day of August One thousand eight hundred and twenty-seven, and from thence to the End of the then next Session of Parliament; and this Act 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.

LONDON: Printed by George Eyre and Andrew Strahan, Printers to the King's most Excellent Majesty. 1806.

The state of the s Alterial Land and the second of the second o 2 The Line in . A. The Control of th The second of th a carrier are constructed to the contract of t of the boll of the best of belleting ente de la finalitation de la company de la missing the first public or determined to the state of th madine place and the second state of the second second state of the second s Tolking the state of the state and the second of the second o the may meet up and a little an