



ANNO QUINQUAGESIMO SECUNDO

GEORGI II. REGIS.

Cap. 39.

An Act for enlarging the Term and Powers of Two Acts of His present Majesty, for repairing the Road from *Brough Ferry* to *South Newbald Holmes*, in the East Riding of the County of *York*, and for amending the Road from *Brough* to *Welton*, in the same Riding. [25th March 1812.]

WHEREAS an Act was passed in the Eleventh Year of the Reign of His present Majesty King George the Third, intituled *An Act for repairing and widening the Road from the Low-water Mark of the River Humber, at or near Brough Ferry, in the Parish of Elloughton, in the East Riding of the County of York, to the North End of the Town of Brough, and from thence through South Cave to Coney Clappers, in South Newbald Holmes, in the said Riding:* And whereas another Act was passed in the Thirty-second Year of the Reign of His present Majesty, intituled *An Act for enlarging the Term and Powers of an Act passed in the Eleventh Year of the Reign of His present Majesty, intituled 'An Act for repairing and widening the Road from the Low-water Mark of the River Humber, at or near Brough Ferry, in the Parish of Elloughton, in the East Riding of the County of York, to the North End of the Town of Brough, and from thence through South Cave to Coney Clappers, in South Newbald Holmes, in the said Riding:'* And whereas the Trustees under the said Acts have proceeded in the Execution thereof, and have borrowed several Sums of Money upon the Credit of the said Tolls thereby granted,
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Former Acts
continued.

which Sums of Money, together with a large Arrear of Interest, remain now due and owing, and cannot be repaid, and the Road effectually amended and kept in Repair, unless the Term and Powers of the said Acts be continued and enlarged, and the Tolls increased: And whereas the Road communicating with and branching out of the said Turnpike Road from the North End of the Town of *Brough* aforesaid, to *Wilton* in the said East Riding, is in a very ruinous Condition, and cannot be sufficiently amended and kept in Repair by the ordinary Course of Law; and it would be of great Advantage to the Neighbourhood and to the Public, if the said Road were put under the Care and Management of the Trustees for executing the said recited Acts, and made Part of the Roads comprised in the said Acts: 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, and all the Clauses, Powers, Authorities, Provisions, Exemptions, Penalties, Forfeitures, Matters and Things therein contained, (except such Parts thereof as relate to Exemptions from Stamp Duties, and also such as are hereby varied, altered, or repealed), shall be and remain in full Force and Effect, and, together with this present Act, shall be put in Execution for and during the Term herein-after mentioned, as well for the Purpose of amending, widening, improving, and keeping in Repair the Road included in the said recited Acts, as for amending, widening, and keeping in Repair the said Road communicating with and branching out of the said Turnpike Road from the North End of the Town of *Brough* to *Wilton* aforesaid, as fully and effectually in all Respects, and to all Intents and Purposes, as if the said Acts, and the Clauses, Powers and Provisions therein respectively contained, were expressly repeated and re-enacted in the Body of this present Act, and as if the said additional Road had been Part of the Road included in the said Acts, but subject nevertheless to the Alterations and Amendments herein contained; and that this Act, and the Term and Powers hereby granted, shall be and are hereby declared to be subject and liable to the Payment of all Monies now due and owing, or which shall or may hereafter be borrowed and become due on the Credit of the said recited Acts and of this present Act, any or either of them, and all Interest due and to become due for the same respectively.

Trustees.

II. And be it further enacted, That Sir *Francis Boynton* Baronet, Sir *Henry Etherington* Baronet, Sir *William Pennyman* Baronet, Sir *Mark Masterman Sykes* Baronet, Sir *William Strickland* Baronet, Sir *Thomas Slingsby* Baronet, Sir *Henry Vavasour* Baronet, Sir *Francis Lindley Wood* Baronet, *Francis Best*, *Thomas Bowman*, *Charles Constable*, *Daniel Garnons*, *Francis Lundie*, *Miles Popple*, *John Petch*, *Edward William Stillingfleet*, and *Joshua Stopford*, Clerks, *Peter Acklam*, *George Atmar*, *Henry Barnard*, *Charles Barnard*, *Edward Barnard*, *Bryan Marshall Barber*, *John Barber*, *William Biass*, *Edward Blyth*, *John Butterick*, *William Brown*, *Francis Brough*, *John Carrick*, *John Dalton*, *John Dunkin*, *Henry Edwards*, *John Edwards*, *George Flint*, *Samuel Hall*, *Thomas Hesteden*, *William Harrison*, *John Inman*, *John Johnson junior*, *Simon Jewitt*, *Mark Key*, *Frank Kirby*, *Thomas Leason*, *Teavil Leason*, *Robert Leason*, *Robert Leighton*, *John Luckup*, *William Moss*, *John Metcalf*, *Henry Marr*, *Thomas Moss*, *Robert Osborne*, *Joseph Purdon*, *Robert Raikes*, *Thomas Ringrose*, *John Richardson*,
John

John Robinson junior, Leonard Robinson, George Richardson, Watson Stickney, Henry Sykes, Daniel Sykes, John Sykes, Nicholas Sykes, George Schonswar, Henry Schonswar, Thomas Smith, Samuel Shaw, John Spicer, Henry Thompson, William Todd, John Todd, James Shaw Williamson, Samuel Watson, Thomas Watson, Henry Watson, John Wilberfoss, Francis Wood, and John Wray, being qualified according to the Directions of the said recited Acts, shall be and they are hereby appointed Trustees, and, they together with the Trustees appointed in or elected by virtue of the said recited Acts or either of them, shall be and they are hereby declared Trustees for putting the same and this Act in Execution.

III. And be it further enacted, That in case it shall at any Time hereafter Meetings happen that no Adjournment or Appointment for a Meeting of the said Trustees shall be made in pursuance of the said recited Acts, or in case any Meeting shall be adjourned for a longer Space of Time than by Law allowed, then or in either of the said Cases, it shall be lawful for the Clerk to the said Trustees for the Time being, to cause Notice in Writing under his Hand to be affixed in some conspicuous Place in the Market Place of *South Cave* aforesaid, and on all the Turnpike Gates erected upon or across the said Roads, or to be inserted in some Newspaper printed and circulated in that Part of the Country, appointing the Trustees to meet at such Place upon or near the said Roads as he shall think fit, at any Time not exceeding Twenty-one Days, nor less than Ten Days from the Time of affixing such Notice; and if no Adjournment, Notice, or Appointment for Meeting shall be made or given by the Clerk, then it shall be lawful for any Five or more of the Trustees to cause Notice in Writing to be affixed upon all the said Turnpikes, appointing the Trustees to meet at such Time and at such Place near the said Roads as such Five Trustees shall think proper, not exceeding as to Time Twenty-one Days, nor less than Ten Days from the Time of affixing such Notice, all which Meetings shall be deemed legal Meetings to every Intent and Purpose whatsoever.

IV. And be it further enacted, That the said Trustees shall and they or any Five or more of them are hereby required to take sufficient Security Treasurer to give Security from every Treasurer and Receiver to be appointed by virtue of the said recited Acts or this Act, for the due and faithful Execution of his Office, and may if they think fit also take such Security from any Clerks, Surveyor or other Officer, as shall be by them nominated and appointed by virtue of this or the said former Acts, for the due Execution of their respective Offices, as they the said Trustees or any Five or more of them shall think proper, and may by and out of the said Tolls allow and pay to such Clerks, Treasurers, Collectors, Surveyors, and to such other Persons as shall be aiding or assisting them in their respective Offices, or that shall be in any Manner employed in the Execution of this Act, such Salaries, Rewards and Allowances, for their respective Attendance, Care and Service, as to the said Trustees or any Five or more of them shall seem reasonable.

V. And whereas the Amount of Tolls authorized by the said recited Acts to be taken on the said Road, have been found insufficient for the Purposes of the said recited Acts; be it therefore enacted, That from and after the Sixth Day of *April* One thousand eight hundred and twelve, the Repealing former Tolls, and granting new ones. said

said Tolls granted or authorized by the said recited Acts to be taken, shall be and the same are hereby declared to be repealed, and shall from that Time cease, determine, and be no longer paid or payable; and that upon and from and after the said Sixth Day of *April* One thousand eight hundred and twelve, it shall be lawful for the said Trustees, or any Person or Persons appointed or to be appointed Collector or Collectors by virtue of the said recited Acts or this Act, to demand and take the several Tolls and Duties following, at each and every of the several and respective Turnpikes or Toll Gates, or Toll Houses, or Turnpike or Toll Gate or Toll House, which is or shall be erected upon, across, or on the Sides of the said Road, by virtue of the said recited Acts or this Act, and on every Day, such Day to be computed from Twelve of the Clock at Night, to Twelve of the Clock in the next succeeding Night; (that is to say),

Tolls.

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

For every Waggon, Wain, Cart, or Carriage drawn by Five or more Horses, Mares, Geldings, Oxen or other Cattle, the Sum of Two Shillings; for every such Carriage drawn by Three or Four Horses, Mares, Geldings, Oxen or other Cattle, the Sum of One Shilling and Sixpence; for every such Carriage drawn by Two Horses, Mares, Geldings, Oxen or other Cattle, the Sum of Nine-pence; for every such Carriage drawn by One Horse, Mare, Gelding or other Cattle, the Sum of Sixpence:

For every Horse, Mare, Gelding, Mule or Ass, laden or unladen, and not drawing, (provided that every Mare and Foal shall pay the Toll as One Horse), the Sum of Three Halfpence:

For every Drove of Oxen, Cows or Neat Cattle, the Sum of One Shilling and Three-pence *per* Score; and so in Proportion for any less Number:

For every Drove of Calves, Hogs, Swine, Sheep and Lambs, the Sum of Ten-pence *per* Score; and so in Proportion for any less Number.

And the said respective Tolls shall be demanded and taken before any Horse or Horses or other Beasts or Cattle, or any Carriage whatsoever, be permitted to pass through any such Turnpike or Toll Gate; and the said Tolls, and all Monies to be collected or received by virtue of this Act, shall be vested in the said Trustees, and applied according to the Directions of and for the Purposes expressed in the said first herein-before recited Act and this Act; and if any Person or Persons subject to the Payment of any of the said Tolls, shall after Demand thereof made, neglect or refuse to pay the same or any Part thereof, it shall be lawful for the Person or Persons appointed to collect such Tolls, by himself or themselves, or taking such Assistance as he or they shall think necessary, to seize and distrain any Horse or Horses or other Cattle, together with the Saddles, Gear, Harness or Loading of any such Horse or other Cattle, or any Carriage with its Loading upon which such Toll is hereby imposed, or any of the Goods or Chattels of the Person or Persons refusing or neglecting to pay the same; and if such Tolls and the reasonable Charges of such Seizure and
Distress,

Distress, shall not be paid within the Space of Five Days after such Seizure and Distress made, the Person or Persons so seizing and distraining may sell the Cattle, Goods and Chattels so seized and distrained, or a sufficient Part thereof, returning the overplus Money (if any) and what shall remain unpaid upon Demand to the Owner thereof, after such Tolls and the reasonable Charges occasioned by such Seizure and Distress and Sale shall be deducted.

VI. Provided always, and be it further enacted, That no more than Two Tolls shall be demanded or taken of or from any Person or Persons for or in respect of the same Horse or Horses, Beast or Beasts, or Cattle or Carriages, for passing along the whole of the said Roads or either of them in any One Day, to be computed as aforesaid.

Limiting
Number of
Tolls.

VII. Provided always, and be it further enacted, That no Toll shall be demanded or taken 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 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 of the Roads in the Townships or Parishes in which any Part of the said Road lies; or Hay, Turnips, Straw, or Corn in the Straw only, not sold or disposed of, but passing to be laid up or placed in the Houses, Barns, Out-houses or Yards, or on the Lands of the Owners thereof; 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, (Lime only excepted), employed in Husbandry for manuring or improving Lands, or any other Thing employed in the Management of any Farm or Lands; or for any Horses or other Beasts going to or returning from Pasture or Watering-place, or going to be or returning from being shod or farried, or from 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 on 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 and 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

Exemptions
from Toll.

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any

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 said County of *York*, on the Day or Days of such Election, or the Day before or Day after such Election shall begin or 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, one Moiety whereof shall be paid to the Informer, and the other Moiety shall be applied to the Purposes of this Act.

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

VIII. And be it further enacted, That no Person owning or driving, or causing to be driven any Waggon, Wain, Cart or other Carriage, provided for the Service of His Majesty's Forces, or conveying any Ordnance 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, while so employed, or the Horse or Horses drawing the same, 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 Acts contained, to the contrary notwithstanding.

For borrow-
ing Money.

IX. And be it further enacted, That it shall be lawful for the said Trustees, or any Seven or more of them, at their first or any subsequent Meeting to be held in pursuance of this Act, to borrow and take up at Interest upon credit of the Tolls arising by virtue of this Act, such Sum or Sums of Money as they or any Seven or more of them shall think fit, and may and are hereby empowered to demise or mortgage the said Tolls or any Part or Parts thereof, and the Turnpikes and Toll-Houses for collecting the same, (the Costs and Charges of which Mortgage to be paid out of such Tolls) as a Security to any Person or Persons, or their Trustees, who shall advance such Sum or Sums of Money by Writing under their Hands in Manner and Form or to the Effect and according to the Directions contained in the said first herein-before recited Act; all which Mortgages shall be entered and registered, and the same shall be transferable and assignable and subject to all the Directions and Provisions contained

in

in the same Act; and the Person or Persons from Time to Time possessed thereof or entitled thereto, shall be Creditors upon the said Tolls, and have and be entitled to the same Privileges, Benefits and Advantages in every Respect, according to the Amount of the Sum or Sums of Money which shall be advanced under or by virtue of this Act, as the Creditors under the said former Acts have or shall be entitled to.

X. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands, Tenements, or Hereditaments, purchased, taken, or used, by virtue of the Powers of this or the said recited Acts, 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 made, 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 Acts, in case such Purchase or Settlement was made.

Application
of Money
when amount-
ing to 200l.

XI. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands, Tenements, or Hereditaments purchased, taken, or used for the Purposes aforesaid, and belonging to any Corporation, or to any Person or Persons under Disability or In-

Where less
than 200 l.
and exceed-
ing 20 l.

capacity 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 of *England*, 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 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
201.

XII. 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 Acts, in such Manner as the said Trustees, or any Five 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 Per-
sons cannot
be found,
the Purchase
Money to be
paid into the
Bank, subject
to the Order
of the Court.

XIII. 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 Acts, 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, Control, 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,

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 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 into the Bank as aforesaid.

XIV. Provided always, and be it further enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the 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 Acts, or to any Bank Annuities to be purchased with any such Money, or the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in Possession of such Lands, Tenements, or Hereditaments, at the Time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, or Hereditaments, according to such Possession, until the contrary shall be shewn to the Satisfaction of the said 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.

Where any Question shall arise as to the Title to Money.

XV. Provided also, and be it further enacted, That where by Reason of any Disability or Incapacity of the Person or Persons or Corporation entitled to any Lands, Tenements, or Hereditaments, to be purchased under the Authority of this or the said recited Acts, the Purchase Money for 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 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 Acts 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 Acts, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

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

XVI. 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

Statute Work.

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remain

remain liable thereto in 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 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 and Place to bring in Lists before such Justices, at some Place to be expressed in such Summons (within Ten Days after the serving of such Summons), of the Names of the several Persons who within such Parish or Place are by Law subject and liable to do Statute Work for that Year, or to the Payment of any Money in lieu of or as a Composition for such Statute Work, distinguishing the Nature of the Work to be done, whether with Teams or Draughts or otherwise, and also the Amount of the respective Sums to be paid; which Lists of Names shall be made in such Manner, and under such Regulations and Restrictions as is, are, or may be directed by any Law or Statute in force or effect for the Repair of the public Highways; and out of such Lists such 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 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 Acts 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, Beatt 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 or 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 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 Lists as aforesaid, or knowingly or wilfully give in false or imperfect Lists, every such Surveyor so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

XVII. And be it further enacted, That it shall be lawful for the Surveyor or Surveyors of the said Roads, having an Order in Writing of the said Trustees, or any Five or more of them, for that Purpose, to make any Causeway or Causeways, in, upon, or along the Side or Sides of the said Roads, or either of them, or any Part or Parts thereof, and to make, erect, and keep in Repair Arches, Trunks, Tunnels and Walls of Brick or other Materials.

Power to
make
Causeways.

XVIII. And be it further enacted, That all Persons who have subscribed or who shall subscribe to pay any Money for or towards the defraying the Expences of procuring this Act, and carrying the same into Execution, shall and they are hereby required and made liable, subject and compellable to pay such Sum and Sums of Money so subscribed accordingly; and in default of Payment thereof, or of any Part thereof, it shall be lawful for the said Trustees to sue for and recover the same in the Name of any Two or more of the said Trustees, or in the Name of their Clerk or Treasurer, in any of His Majesty's Courts of Record, by Action of Debt or upon the Case.

Subscribers to
pay their
Subscriptions.

XIX. And be it further enacted, That the Charges and Expences incurred in and about the obtaining and passing of this Act, together with Interest for the same, from the Time of the same being incurred, shall be paid and discharged out of the Money now in the Treasurer's Hands, or out of the first Monies that shall arise by virtue of the said former Acts and this Act, in preference to all other Payments and Disbursements whatsoever.

How Ex-
pences of ob-
taining this
Act paid.

XX. 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.

Public Act.

XXI. And be it further enacted, That the Term granted and continued by the said recited Acts shall, upon the Sixth of *April* One thousand eight hundred and twelve, cease and determine; and that the said Acts (subject to the Alterations, Additions and Amendments, in this Act contained) and this Act, shall from thenceforth continue and be in force, and be executed for and during the Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament.

Commence-
ment and
Continuance
of this Act.

