



ANNO QUINQUAGESIMO NONO

GEORGI II. REGIS.

Cap. xii.

An Act for continuing and amending Three Acts of His late and present Majesty, for repairing the Road from *Kighley* to *Halifax*, in the West Riding of the County of *York*.

[31st March 1819.]

WHEREAS an Act was passed in the Twenty-sixth Year of the Reign of King *George* the Second, intituled *An Act for repairing and widening the Roads from Kighley to Wakefield and Halifax, and from Dudley Hill to Killinghall, and the South-west Corner of Harrowgate Inclosures; and more effectually to repair the Roads from Leeds to Halifax and Bowling Lane and Little Horton Lane; and for building a Bridge over the River Wharfe, at Pool, in the West Riding of the County of York*: And whereas another Act was passed in the Seventeenth Year of the Reign of His present Majesty, intituled *An Act for continuing the Term, and altering and enlarging the Powers of so much of an Act made in the Twenty-sixth Year of the Reign of His late Majesty King George the Second, for repairing certain Roads therein mentioned, as relate to the Roads from Kighley to Wakefield, and from Kighley to Halifax, and from Dudley Hill through Beckwithshaw to Killinghall, and from Beckwithshaw to the South-west Corner of Harrowgate Inclosures, in the West Riding of the County of York*: And whereas another Act was passed in the Thirty-fifth Year of the Reign of His present Majesty, intituled *An Act for continuing the Term and altering and enlarging the Powers of Two Acts of Parliament, passed in the Twenty-sixth Year of the Reign of King George the Second, and in the Seventeenth Year of the Reign of His present Majesty, for repairing and widening the Road from Kighley to*

26 G. 2. c. 83.
17 G. 3. c. 73.
35 G. 3. c. 151.

[Local.] 4 F Halifax,

Former Acts
continued.

Halifax, in the West Riding of the County of York, and several other Roads therein respectively described, so far as the said Acts relate to the Road from Kighley to Halifax aforesaid: And whereas the Trustees authorized to put the said Acts in Execution have borrowed several Sums of Money on the Credit of the Tolls arising upon the said Road from Kighley to Halifax, which still remain due and cannot be discharged; nor can the same Road be effectually amended, improved, and kept in repair, unless the said Acts be continued for a further Term; and it is expedient that the Tolls, and some of the Powers and Authorities thereby respectively granted, should be repealed, altered or enlarged: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the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 of the Twenty-sixth Year of the Reign of His said late Majesty, and the Seventeenth and Thirty-fifth Years of the Reign of His said present Majesty, and all the Authorities, Powers, Regulations, Penalties, Forfeitures, Punishments, Remedies, Directions, Clauses, Provisions, Matters and Things therein respectively contained and now in force, so far as the same severally relate to or concern the said Road from Kighley to Halifax (except such of them or such Parts thereof respectively as are hereby varied, altered or repealed, or as are repugnant to any of the Clauses or Provisions herein contained) shall be and continue in full Force and Effect, and shall be exercised, practised, and put in Execution for and during the Term herein-after mentioned, for amending, widening, improving, and keeping in repair the said Road from Kighley to Halifax, as fully and effectually, to all Intents and Purposes, as if the same were repeated and re-enacted in the Body of this Act with relation thereto; and this Act, and the Tolls hereby granted, shall be and are hereby declared to be subject and liable to the Payment of all Monies due and owing on the Security or Credit of the Tolls granted by the said former Acts, upon the same Road, and to all Interest due or to become due thereon respectively.

This Act not
to affect the
other Roads.

II. Provided always, and it is hereby enacted and declared, That this Act, or any Clause, Matter, or Thing herein contained, shall not extend to or affect the said former Acts, or any of them, or any Part or Parts thereof, so far as the same relate to or concern the Roads comprized in any other District than that from Kighley to Halifax aforesaid.

Trustees.

III. And be it further enacted, That *Gervase Alexander, Lewis Alexander, Robert Alexander junior, Edward Alexander, William Adams, James Akroyd junior, Jonathan Akroyd, John Anderton, George Anderton, Joshua Anderton, William Atkinson, Joseph Atkinson, John Atkinson, Samuel Armytage, Thomas Bates, William Bates, William Bates junior, Timothy Bates, George Beck Surgeon, John Beck, Benjamin Beck, Thomas Binns junior, John Binns, David Binns, Thomas Blackbrough, William Blakey, John Blakey, Peter Bould, James Booth, Thomas Boothroyd junior, John Bramley, Thomas Bradley, Rawden Briggs, Rawden Briggs junior, William Briggs Halifax, William Briggs Bradley, Thomas Briggs, John Briggs Guardhouse, Samuel Brooke, Sharp Brown, Copley Brown, George B. Brown, William Busfeild junior, Cottingley Bridge, Walker Busfeild, Isaac Butterfield, William Butter, the Right Honourable George Augustus Henry Cavendish commonly called Lord George Augustus Henry Cavendish, W. Cavendish,*

Cavendish, John William Cadney, John Chapman Clerk, Thomas Chapman, John Coates Clerk, James Charnock Clerk, Robinson Chippendale, Lodge Calvert, William Clayton junior, Charles Cartledge, William Carr Clerk, John Carr, Charles Carr, Holmes Clapham junior, John Clapham, Samuel Clapham, Joshua Clough, John Clough, John Cockcroft, John Cooke, George Cooke, Sunderland Cooke, Joshua Cowling Wellhead, John Cowling Woodside, Hiram Craven, John Craven junior, Kighley, John Craven Halifax, William Craven Halifax, William Corliss, Danson Richardson Currer, Dennis Davy, Charles Knowlton Dawson, Thomas Dawson Woolstapler, Joseph Dawson, John Dawson, John Dearden, Francis Drake, Thomas Dyson, Samuel Dyson, Scipio Dyson, Thomas Edwards, Henry Lees Edwards, John Edwards junior, John Edwards, Skircoat Henry Edwards, George Edwards, William Ellis junior, William Emmett junior, Woolstapler, Edward Emmet, Henry Emmet, Nelson Emmet, Emanuel Emmet, John Emmet Halifax, Thomas Emmet, John Emmet Birkenshaw, George Emmet Birkenshaw, Samuel Farrar, James Farrar, Thomas Fearnside, Henry Flesher, Abraham Flesher, Robert Firth, John Firth, Samuel Freeman, Benjamin Freeman, William Gath, William Garlick, John Garlick, Peter Garforth, Edwin Greenwood, John Greenwood Brighouse, Joseph Greenwood, George Greenwood, William Greenwood, James Greenwood of Wheatley Mills, Greenwood of Crofshills, William Greenup, George Greenup, George Haigh Mount, George Haigh junior, Thomas Haigh, John Haigh junior, Richard Haigh, William Haigh, William Haggas junior, James Hargreaves, William Hargreaves, Robert Heaton Pondon, Peter Hartley, Richard Hazworth, the Vicar of Halifax for the Time being, William Hodgson, Richard Hodgson Wheatley, Peter Kenyon Holden, Thomas Holmes, John Horsfall, John Garnett Horsfall, Jeremiah Horsfall, William Horsfall, Timothy Horsfall, Thomas Hirst Clayton, John Hirst Clayton, Samuel Ibbetson, John Ibbetson, Benjamin Ingham, William Irven, William Irven junior, George Kershaw, William Kershaw Shayhill, Riley Kitson, James Knight, John Knight, the Honourable Thomas Lester, William Lester Morton, Thomas Lodge, Henry Lodge, Benjamin Flesher Marriner, Thomas Midgley, Henry Mellin, Leonard Metcalfe, Richard Metcalfe, Thomas Milne, Samuel Milne, John Milne, James Milne, Benjamin Milne, John Mitchell, William Mitchell, Charles Mitchell, Abraham Moor, Richard Moulson M. D. John Newby, William Newsholme junior, William Netherwood, John Netherwood, Christopher Netherwood, James Edward Norris, Frederick Norris, William Norris, John Oates, Edmund Ogden, John Ogden, William Paget of Moorlands, Thomas Paget, William Paget Utley, Francis Paget, Robert Paley M. D. Thomas Parker Alkincoats, Captain Thomas Parker, Edward Parker, John Parr, Thomas Pearson, Thomas Pearson junior, William Pickles Willden, Bernard Pickles, John Pollard, George Pollard, Thomas Pollit, Joseph Priestley, Christopher Rawden, Christopher Rawson, John Ramsden, Thomas Ramsden, Joseph Ramsden, William Risbworth, Thomas Risbworth Thwaites, John Rhoads, Thomas Rhoades, John Richardson, John Röper, William Sedgwick, Samuel Sharpe, James Sharpe, Abraham Shackleton, Abraham Shackleton junior, John Shackleton, George Shaw Surgeon, George Shaw junior, Watson Samuel Scatchard, Thomas Smith Kighley, Berry Smith, Richard Smith Surgeon, Samuel Smith Eastburn, William Smith Woolstapler, Thomas Smith Woolstapler, William Spencer, Michael Stocks junior, Bently Stocks, William Sugden junior, John Sugden Kighley, John Sugden Bracken Bank, Joseph Sunderland, John Sutcliffe, William

William Sutcliffe, Samuel Stead, John Stansfield, James Stansfield, Samuel Sykes, John Swallow, Stephen Taylor, Joseph Taylor, William Taylor, Stephen Tempest Broughton, Stephen Tempest junior, George Townend, William Townend, John Thomas, William Thomas, William Barnes Thompson, George Tweedy, Richard Bradley Wainman, William Wainman, William Wainman junior, Edward Wainhouse, William Wainhouse, Robert Wainhouse, John Whitley, John Walker, Joseph Walker, John Walker Ingrew, James Ward, William Atkinson Wasney Clerk, Wilkinson Wasney, Joseph Watkinson, Henry Watkinson, John Watkinson, Richard Williamson, John Williamson, James Wignall, William Wilkinson Springhead, Stansfield Wilkinson, John Wilkinson, Samuel Whitaker, Henry Wright, John Wright Horsforth, Joseph Wright Lower Laith, Lupton Wright, William Wright Oldfield, Joseph Wright, Joseph Wright Brunthwaite, and Thomas Wigglesworth Connenley, together with such other Persons, not exceeding the Number of Ten, as the said Trustees, or any Five or more of them, shall at their first or any subsequent Meeting nominate in that Behalf, shall be and they are hereby appointed Trustees for executing the said former Acts and this Act respectively, so far as they relate to the said Road from *Kigbley* to *Halifax* aforesaid; and all such new Trustees shall be added to and joined with the existing Trustees of the same Road, appointed by or in pursuance of the said former Acts or any of them.

Power to appoint new Trustees on Vacancies.

IV. And be it further enacted, That in case any of the Trustees named in or appointed or to be appointed by virtue of the former Acts and this Act, or any of them, shall die, or shall refuse, decline or become incapable to act in the Execution of this Act, it shall be lawful for any Five or more of the Trustees for the Time being, at any Meeting (whereof at least Ten Days previous Notice in Writing shall be affixed upon all the Toll Gates then erected upon the said Road, specifying that an Appointment of new Trustees is intended to be made at such Meeting) by Writing under their respective Hands and Seals, to nominate and appoint some other proper Person to be a Trustee in the Room of every Trustee so dying, or refusing, declining, or becoming incapable to act as aforesaid; and every Person nominated and appointed in any Manner as aforesaid (being duly qualified as herein-after mentioned) shall have the like Powers and Authorities to act as Trustees in the Execution of the said Acts and this Act, as the Trustees appointed by this Act.

Qualification of Trustees.

V. Provided always, and be it further enacted, That no Person shall be capable of acting as a Trustee in any Case in the Execution of the said recited Acts and this Act, unless he shall be in his own Right, or in the Right of his Wife, in the actual Possession and Enjoyment or Receipt of the Rents and Profits of Lands, Tenements or Hereditament, being Freehold or Copyhold, of the clear yearly Value of One hundred Pounds above Reprizes, or shall be Heir Apparent to some Person or Persons having a Real Estate of the clear yearly Value of One hundred and fifty Pounds, or shall have a Personal Estate of the Value of Four thousand Pounds, over and above what shall be sufficient to pay all his just Debts; and unless every such Person shall take and subscribe the Oath, or being One of the People called Quakers, an Affirmation, in the Presence of Two or more Trustees, who are hereby authorized to administer the same in the Form following; (that is to say,)

‘ I A. B.

‘ I *A. B.* do swear, That I am in my own Right [*or, in Right of my* The Oath.
 ‘ Wife] truly and *bona fide* seized of or entitled to, and in the actual
 ‘ Possession or Receipt of the Rents and Profits of Freehold or Copyhold
 ‘ Lands, Tenements or Hereditaments of the clear yearly Value of One
 ‘ hundred Pounds above Reprizes; [*and in case of an Heir apparent, I,*
 ‘ *A. B.* do swear, that I am Heir apparent of *C. D.* who, to the best of
 ‘ my Knowledge and Belief, is truly and *bona fide* seized of, or entitled
 ‘ to, and in the actual Possession or Receipt of the Rents and Profits of
 ‘ Freehold or Copyhold Lands, Tenements or Hereditaments of the clear
 ‘ yearly Value of One hundred and fifty Pounds above Reprizes; *and in*
 ‘ *case of Personal Estate, I, A. B.* do swear, that I am truly and *bona fide*
 ‘ possessed of a Personal Estate to the Amount or Value of Four thousand
 ‘ Pounds, over and above what shall be sufficient to pay all my just
 ‘ Debts]; and that I will truly and faithfully execute the Powers and
 ‘ Trusts reposed in me by virtue of an Act of Parliament passed in the
 ‘ Fifty-ninth Year of the Reign of His Majesty King *George* the Third,
 ‘ intituled [*here set forth the Title of this Act.*]

VI. Provided always, and be it further enacted, That no Trustee shall be capable of acting in the Execution of any of the Powers hereby given and granted during the Time he shall hold any Place of Profit, or be concerned in any Contract or Contracts, under this Act, or in any Case wherein he shall be personally interested, otherwise than as a Creditor, or who shall sell Wine, Cyder, Ale, Beer, or Spirituous Liquors, by Retail, under the Penalty in the said first recited Act provided or mentioned in that Behalf. No Trustee capable of acting if he holds a Place of Profit under this Act, or be personally interested.

VII. Provided always, and be it further enacted, That all Acts which shall have been done by any Person acting as a Trustee, who being duly qualified to act in the Execution of this Act, previous to his being convicted of such Offence, shall be as valid and effectual as if such Person had been duly qualified to act in the Execution of this Act. Acts of unqualified Trustees before Conviction to be valid.

VIII. Provided always, and be it further enacted, That it shall be lawful for the said Trustees, or any Five or more of them, and they are hereby empowered, at any Meeting or Meetings to be held in pursuance of this Act, to nominate and appoint any Number of the said Trustees, not being less than Three, as a Committee or Committees to examine into, inspect, regulate or state any Matter or Matters touching the Execution of this Act, which the said Trustees, or any Five or more of them, shall refer to such Committee or Committees, and such Committee or Committees shall be accountable to the Trustees at any Meeting for what they shall do therein, but no Money shall be expended or laid out by such Committee or Committees without the Order or Direction of the Trustees at a Meeting; and such Committee or Committees shall report what they have done therein from Time to Time, at the next or some other subsequent Meeting of the said Trustees, and shall meet at and adjourn from Time to Time, to any Time or Place, as they shall see Occasion; and the Report of such Committee or Committees shall be signed by them, and entered into the general Minute Book of Proceedings kept by the Clerk to the said Trustees, or in a separate Book or Books, as the said Trustees, or any Five or more of them, shall think fit; which separate Books may be referred to from the general Minute Books, and Orders from Time to Time made in pursuance Trustees may appoint Committees.

[Local.]

fuance of such Report or Reports shall refer to the Report on which the same was grounded: Provided that all such Committees shall at all their Meetings defray their own Expences.

How Orders of Trustees are to be made and revoked.

IX. And be it further enacted, That it shall be lawful for the said Trustees, or any Five or more of them, present at any Meeting held in pursuance of this Act, from Time to Time to make all necessary Orders, Agreements and Determinations in the Execution of this Act; and no such Order, Agreement or Determination shall be made, unless the Majority of the Trustees present shall concur therein; and no such Order, Agreement or Determination shall be revoked or altered at any subsequent Meeting, unless Thirteen or more Trustees shall be present, nor unless the Number of Trustees revoking or altering any such Order, Agreement or Determination, shall exceed the Number of Trustees who made the same, nor unless Fourteen Days previous Notice in Writing shall be given to the Clerk, by Seven or more Trustees, of their Desire to have such Order, Agreement or Determination taken into Consideration at the next adjourned Meeting, with a View to revoke or alter the same; and the Clerk is hereby required, within Fourteen Days after he shall receive such Notice, to transmit a Copy thereof to the Trustees who were present when such Order, Agreement or Determination was made, and to affix a Copy of such Notice upon all the Turnpike Gates or Toll Bars then erected upon the said Road.

Same Person not to be Clerk and Treasurer.

X. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees to continue or appoint the Person who has been or may be appointed to act as their Clerk in the Execution of this Act, or any Partner of such Clerk, the Treasurer for the said recited Acts and this Act, or any of them, or to appoint the Person who has been or may be appointed such Treasurer, or any Partner of such Treasurer, the Clerk of the said Trustees; and if any Person shall act in both the said Offices of Clerk and Treasurer, or if any Person being a Partner of such Clerk shall act as Treasurer, or being a Partner of such Treasurer, shall act as Clerk in the Execution of the said recited Acts and of this Act, or any of them, every Person so offending shall for every such Offence forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall sue for the same, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Suit or Information, wherein no Essoign, Protection or Wager of Law, nor more than One Imparlance, shall be allowed.

Accounts of Receipts and Disbursements to be open to Trustees and Creditors;

and may take Copies.

XI. And be it further enacted, That the said Trustees shall and they are hereby required from Time to Time, and at all Times during the Continuance of this Act, to order and direct a Book or Books to be provided and kept by their Clerk for the Time being, in which Book or Books such Clerk shall enter, or cause to be entered, true and regular Accounts of all Sums of Money received, paid, laid out and expended, for or on account of the said Road, and of the several Articles, Matters and Things for which such Sums of Money shall have been disbursed, laid out and expended, which Book or Books shall at all seasonable Times be open to the Inspection of the said Trustees, or any Creditor or Creditors on the Tolls hereby granted, without Fee or Reward; and the said Trustees and Creditors shall and may make and take Copies of or Extracts from the said Book

Book or Books, or any Part or Parts thereof, without paying any Thing for the same; and in case the Clerk shall refuse to permit or shall not permit any such Trustee or Creditor to inspect the same, or to take Copies or Extracts as aforesaid, such Clerk shall forfeit and pay any Sum not exceeding Five Pounds.

XII. And be it further enacted, That so much of the said first recited Act as directs or requires any Receivers, Collectors, Surveyors or other Officers or Persons, to account upon Oath, and subjects them to any Penalty for refusing to verify their Accounts upon Oath, and as authorizes any Persons to administer any such Oath, shall be and the same is hereby repealed and made void.

Repeal of Power to require Officers to account on Oath.

XIII. And be it further enacted, That the several Collectors of the Tolls granted by this Act, shall, on Receipt of such Tolls, deliver to the Person or Persons paying the same, a Ticket or Tickets denoting such Payment, and specifying and naming therein the Gate or Gates to be freed from Toll by such Payment.

Collectors to deliver Tickets gratis.

XIV. And be it further enacted, That every Toll Collector, being a Lessee or Under-Lessee of the said Tolls, or being appointed either by the said Trustees, or by any Lessee or Lessees, or Under-Lessee or Under-Lessees, to collect the Tolls payable at any Turnpike Gate or Toll Bar, to be continued or erected by virtue of this Act, shall and he or she is hereby required to place his or her Christian and Surnames, painted on a Board in legible Characters, in the Front or in some other conspicuous Part of the Toll House or Toll Gate, immediately on his or her beginning to collect such Toll or coming on Duty; each of the Letters of such Names to be at least Two Inches in length, and of a Breadth in proportion, painted either in White Letters on a Black Ground, or Black Letters on a White Ground, and shall continue the same so placed during the Whole of the Time he or she shall collect such Toll or be upon such Duty; and if any Collector of such Tolls shall not place such Board as aforesaid, and keep the same there during the Time aforesaid, or shall demand or take more Toll than he or she is legally authorized to do, or shall demand or take any Toll from any Person or Persons who shall be exempt from the Payment thereof and claim such Exemption, or shall refuse to permit or suffer, or shall in anywise hinder any Person or Persons from reading such Christian or Surnames, or shall refuse to tell his or her Christian Name or Surname to any Person or Persons who shall demand the same on having paid the said Tolls, or any of them, or shall in answer to such Demand give a false Name or Names, or shall, on demand, refuse or neglect to give a Ticket denoting the Payment of the Tolls, and naming and specifying the Toll Gate or Toll Gates freed by such Payment, or upon the legal Toll being paid or tendered shall unnecessarily detain, or wilfully obstruct, hinder or prevent any Passenger or Passengers, Traveller or Travellers, from passing through any Turnpike or Toll Gate, or shall make use of any scurrilous or abusive Language to any Trustee, Treasurer, Clerk, Surveyor, or other Officer, or any Passenger or Passengers, Traveller or Travellers; then, and in every such Case, such Toll Collector shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Regulations as to Toll Collectors.

XV. Pro-

Penalty*on
obstructing
Collectors.

XV. Provided also, and be it further enacted, That if any Person or Persons shall at any Time assault, obstruct, hinder or molest any Collector who shall or may be employed by virtue or in Execution of this Act in the Performance of his or her Duty, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Power to
recover Possession of
Toll Houses;

XVI. And be it further enacted, That if the Lessee or Lessees, Farmer or Farmers, of any of the Tolls by the said recited Acts or this Act granted, or any Person or Persons claiming under him or them, after the Expiration of his, her, or their Lease, Contract, or Agreement, or after the same shall have become void for Non-payment of Rent, Non-performance of Covenants, or for any other Cause, or if any Collector after he shall have been discharged from his Office, shall for the Space of Ten Days next following refuse to deliver up the Possession of the Toll House or Toll Gate, and the Buildings and Appurtenances thereto belonging, in his, her, or their respective Holding or Occupation, it shall be lawful for any Justice of the Peace for the said West Riding, by Warrant under his Hand and Seal, to order a Constable or other Peace Officer, in the Day-time, with such Assistance as shall be necessary, to enter upon and take Possession of such Toll House or Toll Gate, Buildings and Appurtenances, and to remove such Lessee or Lessees, Farmer or Farmers, or other Person or Persons, with his or her Goods and Chattels therefrom, and to put the said Trustees or any Person or Persons acting under their Authority into Possession thereof; and in every such Case it shall be lawful for the said Trustees, or any Five or more of them, at a Meeting, whereof Notice shall be given upon all the Toll Gates or Toll Bars erected upon the said Road, and in some public Newspaper circulated in the Neighbourhood thereof, at least Twenty-one Days previous to such Meeting, to demise or let to farm the said Tolls to any other Person or Persons, or cause them to be collected in the same Manner as if no such former Demise, Contract, or Agreement had been made relative thereto.

and relet the
Tolls.

Former Tolls
to cease.

XVII. Provided always, and be it further enacted, That the several Tolls and Duties granted by the said recited Acts, or any of them, and now payable on the said Road from *Kighley* to *Halifax*, shall continue payable until the same shall be directed to cease by the Order of any Five or more of the said Trustees; and from thenceforth, in lieu thereof, the several Tolls and Duties herein-after mentioned shall be demanded and taken at each Turnpike, Toll Gate or Toll Bar, which shall be continued or erected by virtue of this Act, before any Horse, Mule, Ass, Beast, Cattle or Carriage upon which any Toll is by this Act imposed, shall be permitted to pass through the same; (that is to say),

New Tolls.

For every Horse or other Beast drawing any Coach, Chariot, Landau, Berlin, Chaise, Phaeton, Curricule, Calash, Sociable, Chaise-marine, Vis-a-Vis, Caravan, Hearse, Litter, Chair, Whisky, Gig, Car, Taxed Cart, or other such Carriage, a Sum not exceeding Five-pence:

For every Horse or other Beast drawing any Waggon, Wain, Cart, Caravan, or other such Carriage, (not laden with or going empty for Coals, Cinders, or Lime for Manure) having the Sole or Bottom of the Fellies of the Wheels of less Breadth than Six Inches, a Sum not exceeding Sixpence:

For every Horse or other Beast drawing any Waggon, Wain, Cart, Caravan, or other such Carriage, (not laden with or going empty for Coals, Cinders,

Cinders, or Lime for Manure) having the Sole or Bottom of the Fellies of the Wheels of the Breadth of Six Inches or upwards, a Sum not exceeding Four-pence :

For every Horse or other Beast drawing any Waggon, Wain, Caravan, or other such Carriage, having the Sole or Bottom of the Fellies of the Wheels of the Breadth of Nine Inches, a Sum not exceeding Three-pence :

For every Horse, Mule, Ass or Beast, laden or unladen, and not drawing, nor going for or returning with Coals or Cinders, or with Lime for Manure, a Sum not exceeding Three Halfpence :

For every Drove of Oxen, Cows, or other Neat Cattle, a Sum not exceeding Nine-pence *per* Score, and so in proportion for any greater or less Number :

For every Drove of Calves, Sheep, Lambs or Swine, a Sum not exceeding Sixpence *per* Score, and so in proportion for a greater or less Number :

For every Horse or other Beast drawing any Waggon, Wain, Cart, or other such Carriage, laden with or going empty for Coals, Cinders, or Lime for Manure, having the Sole or Bottom of the Fellies of the Wheels of less Breadth than Six Inches, a Sum not exceeding Sixpence at the First Toll Gate, and a Sum not exceeding Three-pence at the Second Toll Gate, and a Sum not exceeding Three-pence at the Third Toll Gate, through which any such Horse, Beast and Carriage, laden as aforesaid, shall pass on the same Day :

For every Horse or other Beast drawing any Waggon, Wain, Cart, or other such Carriage, laden with or going empty for Coals, Cinders, or Lime for Manure, having the Sole or Bottom of the Fellies of the Wheels of the Breadth of Six Inches or upwards, a Sum not exceeding Five-pence at the First Toll Gate, and a Sum not exceeding Two-pence Halfpenny at the Second Toll Gate, and a Sum not exceeding Two-pence Halfpenny at the Third Toll Gate, through which every such Horse, Beast and Carriage, laden as aforesaid, shall pass on the same Day :

For every Horse, Mule, Ass or other Beast, not drawing, but going for or returning laden with Coals or Cinders, or with Lime for Manure, a Sum not exceeding One Penny :

For every Horse or other Beast drawing any Waggon, Wain, Dray, Cart, or other such Carriage, having the Fellies of the Wheels thereof of the Breadth of Six Inches or upwards, which shall roll an uneven Surface, either in consequence of one Strake of the Tire projecting beyond the others, or shall be uneven from any other Cause; or which shall have the interior Diameter of the Wheels vary from the exterior Diameter thereof, in a proportion of more than One-sixth Part of the Width of the Sole or Bottom of the Fellies, a further additional Toll or Sum equal to One-half Part of the original Toll :

And for every Horse, Beast, Cattle and Carriage which shall pass through any such Turnpike, Toll Gate or Toll Bar as aforesaid, on any *Sunday* (to be computed from Twelve of the Clock on *Saturday* Night to Twelve of the Clock on *Sunday* Night), an additional Toll or Sum equal to One-half Part of the Toll or Sum which might on the preceding *Saturday* be demanded and taken for the same respectively :

And for every Horse, Beast, Cattle or Carriage, which shall have passed and repassed during any Day through any Turnpike, Toll Gate or Toll Bar
 [Local.] 4 H Four Second Toll to be paid on the same Day

after passing
and repassing
Four Times.

Four Times, and shall again pass through such Turnpike, Toll Gate or Toll Bar on the same Day, a Second Toll shall be paid for such subsequent Passage, and so from Time to Time after again passing and repassing Four Times, as often as the Case shall happen :

Tolls vested
in the Trustees.

Which said respective Tolls and Duties hereby granted or made payable, shall be and are hereby declared to be vested in the Trustees of this Act for the Time being ; and they or any Five or more of them, or such Person or Persons as they shall authorize and appoint for that Purpose, shall have such and the same Powers, Authorities, and Remedies for apportioning, collecting, demanding, recovering, levying, assigning, transferring, leasing, reducing, advancing, and compounding for the Tolls and Duties hereby granted or made payable, as are in and by the said recited Acts, or any of them, given and expressed with respect to the Tolls thereby granted or made payable upon the same Roads.

Number of
Tolls limited.

XVIII. Provided always, and be it further enacted, That no more than Three full Tolls shall be demanded or taken from any Person or Persons for passing and repassing the same Day, to be computed as aforesaid, with the same Horses, Cattle, Sheep, Beasts or Carriages, through all or any of the Toll Gates or Turnpikes to be continued or erected by virtue of this Act.

Disputes as
to Tolls to be
settled by a
Justice.

XIX. Provided always, and be it further enacted, That if any Dispute shall arise concerning the Amount of Tolls due, or the Charges occasioned by any Distress, it shall be lawful for the Collector or Person distraining to retain such Distress, or the Money arising from the Sale thereof (as the Case may happen), until the Amount of Toll due, and the Charges of seizing, distraining, keeping or selling such Distress (as the Case may happen), shall be ascertained by a Justice of the Peace for the County, Riding or District wherein the Cause of Dispute shall arise, such Justice not holding any Place of Profit under this Act, who upon Application made to him for that Purpose, shall examine into the said Matter upon Oath of the Parties, or any Witness or Witnesses, and determine the Amount of the Toll due ; and it shall be lawful for such Justice to assess and award such Costs to be paid by either of the Parties to the other of them, as he shall think just and reasonable ; and in Case of Non-payment thereof on Demand, such Costs shall be levied by Distress and Sale of the Goods and Chattels of the Party liable to pay the same, by Warrant under the Hand and Seal of such Justice.

Penalty on
evading the
Tolls.

XX. And be it further enacted, That if any Person shall unload, or leave loaded in or upon any Cart, Waggon, Wain or other Carriage, Horse or Cattle, any Lime, Coals, Cinders, Stones, Slate, Flags, Timber, Wood, Goods, or other Articles whatsoever, near to or upon any Part of the said Road, before or after passing through any of the Toll Gates or Toll Bars upon the said Road, and shall afterwards fetch or lead away the same that Day, or any future Day, by a less Number of Horses or Beasts of Draught, or with fewer Carriages than brought the same, with Intent fraudulently to evade the Payment of any of the said Tolls, or any Part thereof ; or if any Person or Persons shall forcibly pass through any such Turnpike, Toll Gate or Toll Bar with any Horse, Mule, Cattle or Beast of Burden, without Payment of the Toll ; all and every such Person or Persons shall for every such Offence forfeit and pay any Sum not exceeding

ceeding Five Pounds, One Moiety, whereof shall be paid to the Informer, and the other Moiety to the Treasurer of the said Trustees, to be applied to the Purposes of this Act.

XXI. And be it further enacted, That from and after the Commencement of this Act, all Exemptions from Toll granted and allowed by the said recited Acts upon the said Road shall cease, and in lieu thereof the several Exemptions from Toll herein-after mentioned shall be allowed; (that is to say), that no Toll hereby authorized to be taken shall be demanded, taken or received, at any of the Toll Gates or Toll Bars continued or erected by virtue of this Act, for any Horse or other Beast of Draught, Cattle or Carriage whatsoever, when used or employed in carrying or conveying any Stone, Bricks, Timber, Wood, Heath, Gravel, Sand, or other Materials for making or repairing the said Road, or any Part thereof, or any other Highways or public Roads within any Parish, Township, Chapelry, Hamlet, Vill or Place, in which the said Road or any Part thereof doth or may lie, or for rebuilding, building or repairing any present or future Bridge or Bridges on the said Road under this Act, or going or returning unladen in that Employment, or when used or employed in carrying or conveying any Hay, Grass, Saintfoin, Fodder, Straw, or Corn in the Straw, Turnips or Potatoes, or other Produce of Lands, Peat, Turf, Ling, Bent, Furze, Gorse or Heath for Fuel, not sold or disposed of, nor going to be sold or disposed of or purchased, but passing to be laid up, placed in the Houses, Outhouses, Barns, Yards, or on the Lands of the Owners thereof, nor for carrying or conveying any Dung, Mould, Marle, Soil, Manure or Compost (other than Lime or Earth and Lime mixed) to be used only for the manuring of Lands and Gardens, or going or returning unladen in that Employment; nor for any Horse, Beast of Draught, Cattle or Carriage employed in carrying or conveying, or going to carry or convey, or returning empty from carrying or conveying, having been employed only in carrying or conveying any Plough, Harrow or other Implement of Husbandry, unless the Carriage bearing any such Implement of Husbandry be also laden with some other Things not hereby intended to be exempted from Payment of Toll; nor for any Horse, Beast or Cattle, nor for any Horses or Beasts of Draught, Mules, Asses or Cattle going to or returning from Work in cultivating the Lands within any of the said Parishes, Townships, Chapelries, Hamlets, Vills or Places aforesaid; nor for any Horse, Beast or Cattle, Calves, Sheep or Lambs, passing to or repassing from Water or Pasture, or when going to be or returning from being shod or farried, provided they do not travel beyond the Distance of Two Miles on the said Road; nor shall any Toll be paid by any Rector, Vicar or Curate, going to officiate or returning from officiating at any Church, Chapel, or other Place of Religious Worship, or when visiting his Sick Parishioners, or upon other Parochial or Ministerial Duty; or by any other Person or Persons residing in any of the Parishes, Townships, Chapelries, Hamlets, Vills or Places aforesaid; who shall pass through any of the said Turnpikes, Toll Gates or Toll Bars in going to or returning from his, her or their Parochial Church or Chapel, or other usual Place of Religious Worship tolerated by Law, 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 any Parish, Township, Chapelry, Hamlet or Place in which any Part of the said Road doth lie;

nor

General
Exemptions
from Toll.

nor for any Horse or Carriage belonging to or attending His Majesty or any of the Royal Family; nor for any Horses or Carriages, of whatsoever 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, fetching or guarding the same, or on returning from conveying the same; 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 the Arms or Baggage of any such Officers or Soldiers; nor for carrying any sick, wounded or disabled Officers or Soldiers, or returning empty after having been so employed; or for any Horse furnished by or for any Person belonging to any Corps of Yeomanry or Volunteer Cavalry, and rode by them; nor for any Carriage conveying Volunteer, Local or Militia Infantry in going to or returning from the Places appointed for and on the Days of Exercise, or other Duty; provided that such Persons are in the Uniform of their respective Corps, and have their Arms, Furniture and Accoutrements, according to the Regulations provided for such Corps respectively, at the Time of claiming such Exemption; nor for any Waggon, Wain, Cart, Military Car, or other Carriage whatsoever, or for the Horse or Horses, Beasts or 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 for any Horses, Mules, Asses or other Beasts or Carriage laden with Cloth, going to or returning from any Fulling Mill, or going unladen for or returning unladen, having carried Cloth to any Fulling Mill; nor for any Horse, Mule or Ass, or other Beast, Cattle or Carriage going to or returning from any Corn Mill, and employed in carrying any Corn, Grain, Malt, Meal or Flour for the Owner's own Use and Consumption in his, her or their Dwelling House, and not for Sale; nor for any Carriage, Horse or other Beast employed in the Conveyance of Vagrants sent by legal Passes, or returning therefrom; nor for any Horse, Cattle, Beast or Carriage whatsoever used or employed for the Purposes only of carrying or conveying any Person or Persons to vote or returning from voting at any Election of a Knight or Knights of the Shire to serve in Parliament for the said County of *York*, during the Time of such Election, or on the Day before or Day after such Election shall begin or be concluded: And if any Person shall claim and take the Benefit of any of the Exemptions aforesaid, not being entitled thereto, or shall make use of any Fraud whatsoever, whereby the Payment of any of the said Tolls or any Part thereof shall be evaded, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, One Half whereof shall go to the Informer, and the other Half thereof shall be applied for the Purposes of the said recited Acts and this Act.

Carriages on His Majesty's Service not to be subject to Regulations for Overweight.

XXII. Provided always, 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, Commissariat or other public Stores of or belonging to His Majesty, or for the Use of His Majesty's Forces, shall be subject to any Penalty or Forfeiture for Overweight; nor shall any such Waggon, Wain, Cart or other Carriage, or the Horse or Horses drawing the same, while so employed, be stopped or detained by reason of any Weight in or upon any such Waggon, Wain, Cart, or other Carriage,

riage, or of its 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 for drawing the same, any Thing in any Act or Acts of Parliament relating to Highways or Turnpike Roads or in this Act contained to the contrary notwithstanding.

XXIII. Provided always, and be it further enacted, That all Waggons, Carts, and other such Carriages, having the Wheels and Axletrees formed as directed by an Act passed in the Fifty-fifth Year of the Reign of His present Majesty, intituled *An Act to enable the Trustees of Turnpike Roads to abate the Tolls on Carriages, and to allow of their carrying extra Weights in certain Cases*, and the Horses and other Cattle drawing the same, shall have and enjoy the Privileges and Exemptions granted thereby.

Exemptions
by 55 G. 3.
not to be
affected.

XXIV. And be it further enacted, That it shall be lawful for the said Trustees, or any Five or more of them, upon Twenty-one Days Notice in Writing or Print being affixed on all the Toll Gates then erected on the said Road, and inserted in some Newspaper generally circulated in the Neighbourhood of the said Road, from Time to Time to demise or let to farm, or agree to demise or let to farm, all or any of the Tolls arising by virtue of this Act, and all or any of the Toll Houses, and the Conveniences and Appurtenances thereto belonging, for any Term not exceeding Three Years, by public Auction or Bidding, at the best Price or Rent that can be got for the same, payable monthly in advance, or at such other Time or Times as the said Trustees shall think proper, and under such Conditions and Agreements, and with such Sureties for the Payment thereof, as the said Trustees or any Five or more of them shall think fit, without the said Tolls being put up at the Rent at which they were last let, and without the Trustees having any other Meeting for the letting thereof, if the said Trustees, or any Five or more of them, shall be of opinion that there are a sufficient Number of Bidders to create a due Competition for the same; and at such letting the said Trustees present shall be entitled to one Bidding, either by themselves, or their Clerk, Treasurer, or other Officer or Person by them authorized; any Thing in any Law or Statute to the contrary thereof notwithstanding.

Tolls may be
leased at the
first Meeting.

XXV. And be it further enacted, That during such Time as the said Tolls or any Part thereof shall be leased, demised or let to any Person or Persons whomsoever, it shall and may be lawful to and for the Lessee or Lessees, Farmer or Farmers thereof, or such other Person or Persons as he or they shall authorize or appoint, to occupy and enjoy the Toll House or Toll Houses at which the said Tolls so let are to be collected and to arise, with all the Appurtenances and Conveniences to the same Toll House or Toll Houses belonging, for the Purpose of collecting such Tolls, and during so long Time only as such Lessee or Lessees, Farmer or Farmers, shall duly and regularly pay his, her, or their Rent or Rents, and perform the Covenants and Agreements and Conditions of such Lease, Demise or Letting, but no further or otherwise; and that such Lessee or Lessees, Farmer or Farmers, and the Person or Persons so to be by him, her or them appointed (such Rents and

Lessees, or
Persons ap-
pointed by
them, may
collect Tolls.

[Local.]

4 I

Covenants

Covenants being duly paid and performed) shall and may demand and take the said Tolls so leased, demised, farmed or let, with the like Powers for the Recovery thereof, to all Intents and Purposes whatsoever, as any Collector of the said Tolls, appointed by the said Trustees, is authorized and empowered to demand, take, and recover the same; and such Lessee or Lessees, Farmer or Farmers, Collector or Collectors, or other Person or Persons as aforesaid, shall be subject to the Regulations of this Act, and to the like Pains, Penalties and Forfeitures, and shall be liable to the like Actions and Prosecutions, as any Collector of the said Tolls appointed by the said Trustees is subject or liable to.

Application
of the Mo-
nies.

XXVI. And be it further enacted, That all the Monies which shall arise and be received from the Tolls and otherwise, by virtue of this Act, and not herein otherwise appropriated, shall be applied to the several Purposes, and in the Order and Manner following; (that is to say), in the First Place, in paying the Expences of preparing and passing this Act, and incident thereto; in the Second Place, in paying the Interest accruing upon the several Principal Sums, which prior to the First Day of *March* One thousand seven hundred and ninety, have been lent or advanced, and now remain due upon any Mortgage or Security made in pursuance of the said former Acts, or any of them, equally without any Preference or Priority among each other; in the Third Place, in paying the Interest accruing upon the several Principal Sums, which subsequent to the said First Day of *March* One thousand seven hundred and ninety, have been lent or advanced, and now remain due, or which at any Time hereafter shall be lent or advanced upon any such Mortgage or Security as aforesaid, equally and without any Preference or Priority among each other; in the Fourth Place, in defraying the Expences of repairing, maintaining, and keeping in good Repair and Condition the said Road, and in paying the Salaries to Officers, and the other annual or current Expences in carrying the said recited Acts and this Act into Execution, (except those herein-after mentioned); in the Fifth Place, in widening, altering, and improving the said Road, as the said Trustees, or any Five or more of them, shall think expedient; in the Sixth Place, in reducing, paying off, and discharging such several Principal Sums as prior to the said First Day of *March* One thousand seven hundred and ninety, have been lent and advanced upon such Mortgages or Securities as aforesaid, equally and without any Preference or Priority among each other; and lastly, in reducing, paying off, and discharging such several Principal Sums as subsequent to the said First Day of *March* One thousand seven hundred and ninety, have been lent or advanced, or at any Time hereafter shall be lent or advanced, upon such Mortgages or Securities as aforesaid, equally and without any Preference or Priority among each other.

An Action of
Ejectment
may be sup-
ported by
One Mort-
gagee.

XXVII. And be it further enacted, That if any Mortgagee or Mortgagees of the said Tolls, Toll Gates, and Toll Houses, shall seek to obtain the Possession of the said mortgaged Premises, in order to pay himself, herself, or themselves, the Principal Money and Interest, or any Part thereof, due to him, her, or them, it shall be competent for him, her, or them, as Lessor or Lessors of the Plaintiff, and upon his, her, or their Demise only, and without uniting in such Demise the other Mortgagees of the said Premises, to obtain such Possession; but the Person or
Persons

Persons who shall obtain the Possession thereof shall not apply the Tolls which may consequently be received by him, her, or them, to his, her, or their own exclusive Use and Benefit, but to and for the Use and Benefit of all the said Mortgagees of the said mortgaged Premises, *pari passu*, and in proportion to the several Sums which may be due to them as such Mortgagees; subject nevertheless to such Priority as herein-before is mentioned concerning such Mortgages and Securities as were made prior to the First Day of *March* One thousand seven hundred and ninety.

XXVIII. Provided always, and be it further enacted, That the said Trustees, in diverting, altering, or improving any Part of the said Roads, under the Powers of the said recited Acts and this Act, shall not deviate more than One hundred Yards of Three Feet each, from the present Line, without the Consent and Approbation in Writing of the Person or Persons, Body or Bodies Politic, Corporate or Collegiate, through whose Lands or Grounds such Deviation shall be made.

Deviations not to exceed more than 100 Yards from the present Road.

XXIX. And be it further enacted, That it shall be lawful for the Surveyor or Surveyors of the said Road for the Time being, and such other Person or Persons as shall be employed by such Surveyor or Surveyors, to gather, dig, take and carry away any Stone, Gravel, Sand, or other Materials proper for repairing the said Road, out of and from any Commons or Waste Grounds, Common Rivers and Brooks, in any Parish or Place in or through which the said Road lies or passes, or any adjoining Parish, Township or Place, without paying any Thing for the same, such Surveyor or other Person or Persons levelling the Ground from whence such Materials shall be taken, or sufficiently fencing off such Pits, so that the same may not be dangerous to Passengers or Cattle; and in case such Materials cannot conveniently be had in such Commons or Waste Grounds, Common Rivers or Brooks, within convenient Distances, then to dig, gather, take and carry away any such Materials as aforesaid, in, upon, out of, or from and over any other Lands or Grounds in any Parish, Township, or Place in or through which the said Road lies or passes, or any adjoining Parish, Township or Place, (not being a Garden, Orchard, Yard, Park, Paddock, or a Plantation, or a Nursery for Trees) making such Compensation and Satisfaction for such Materials, and for the Damage done to the Owners or Occupiers of the Lands and Grounds from whence the same shall be dug, gathered, taken and carried away, or over which the same, or any other Materials gotten in any Waste Grounds, Common Rivers or Brooks, or private Grounds, shall be conveyed, as any Two or more Justices of the Peace acting in and for the said West Riding shall, in case of Difference between such Owners or Occupiers and the said Trustees, judge reasonable.

Surveyors to get Materials, making Compensation.

XXX. Provided nevertheless, and be it further enacted, That it shall not be lawful for any Surveyor or Surveyors, or other Person under the Authority of this Act, or any other Statute now in force, to take and carry away Stone or other Materials for repairing the said Road out of or from any inclosed Lands or Grounds, until Notice in Writing shall have been given to the Owner or Occupier of the Premises from which such Materials are intended to be taken, or left for any such Owner or Occupier at his usual Place of Residence, to appear before any Two Justices of the Peace acting for the Riding, Liberty or District where such Lands are situate,

Surveyors not to carry away Materials out of private Grounds, without giving Notice to the Occupiers.

fituate, at a certain Time and Place to be specified in such Notice, to shew Cause why such Materials shall not be had or taken out of or from such Lands and Grounds; and such Justices, after hearing the Parties concerned, shall, if they think meet, authorize any such Surveyor or Surveyors, or other Person or Persons, to dig, gather, take, and carry away such Stone and other Materials at such Time or Times as to such Justices shall seem proper; and if such Owner or Occupier shall neglect or refuse to appear by himself or his 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 Owner or Occupier, or his Agent, had attended.

Power to take down a Workshop at the Entrance into Halifax.

XXXI. And whereas it will be an Accommodation to the Public to widen the said Road at or near the North Entrance of the Town of *Halifax* aforesaid; and for that Purpose it is expedient that a small Workshop and other Buildings at *Dean Clough*, belonging to and occupied by *James Oates*, be taken down, and the Sites thereof and Part of the adjoining Plot of Ground belonging to and occupied by the said *James Oates* be laid into the said Road, but the said Trustees have not sufficient Powers to compel the Sale of the said Buildings to them for the Purposes aforesaid; be it therefore further enacted, That it shall be lawful for the said Trustees, or any Five or more of them, to widen the said Road at the North Side of the Entrance into the Town of *Halifax* from *Kighley* aforesaid, and for that Purpose to purchase, take, and use the said Workshop and Buildings, with the adjoining Plot of Ground, belonging to and occupied by the said *James Oates*, or so much of the said Ground as the said Trustees, or any Five or more of them, shall deem necessary to purchase for the Purpose aforesaid, without the Consent of the said *James Oates*, or the Owner or Occupier thereof for the Time being; full and adequate Recompence and Satisfaction being made to the Owner and Occupier thereof, to be settled and adjusted, in case of Difference, in such Manner as by the said recited Acts and this Act, or any of them, are directed with respect to the Purchase of Lands taken or used for the Purposes of this Act.

Application of Compensation if amounting to 200l.

XXXII. And be it further enacted, That the Principal Money to arise from the Sale of any Lands, Tenements or Hereditaments which shall be purchased, taken, or used, for the Purposes of the said recited Acts and this Act, of any Bodies Corporate, Ecclesiastical or Civil, Corporation Aggregate or Sole, Tenant for Life or Tenant in Tail, Feoffees in Trust, Guardians, Committees or other Trustees, or from any Femes or Feme Covert, or other incapacitated Person or Persons, 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 there, *ex parte* the Trustees for executing this Act, 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 or Profits of the said Lands 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 or Hereditaments, or affecting other Lands or Hereditaments stand-
ing

ing 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 laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Lands 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 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, and capable of taking Effect; and in the meantime and 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 meantime 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 and Hereditaments so to be purchased, in case such Purchases or Settlements were made.

XXXIII. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands 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 amount to or exceed the Sum of Twenty Pounds, then and in all 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 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 placed to his Account as aforesaid, in order to be applied in the Manner herein-before directed; or otherwise the same shall be paid, at the like Option, to Three or more Trustees, to be nominated by the Person or Persons making such Option, and approved by the said Trustees (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 therefrom may be applied in the Manner herein-before directed, so far as the Case shall be applicable, without obtaining or being required to obtain the Direction or Approbation of the Court of Chancery.

Where less than 200l. and above 20l.

XXXIV. 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 and Hereditaments so purchased, taken, or used as aforesaid, in such Manner as the said Trustees 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.

Where Compensation under 20l.

[Local.]

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XXXV. And

Purchase
Money to be
paid into the
Bank of
England, in
certain Cases.

XXXV. 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 or Hereditaments, to be purchased, taken or used 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 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 or Hereditaments be not known or discovered, then and in every such Case it shall and may be lawful for the said Trustees 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 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 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 and 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 Sum or Sums of Money into the Bank as aforesaid.

In case of
disputed
Titles.

XXXVI. 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 thereof, or to any Bank Annuities to be purchased with any such Money, or to the Dividends or Interests of any such Bank Annuities, the Person or Persons who shall have been in Possession of any 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 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 High Court of Chancery; and the Dividends or Interest of such Bank Annuities shall be paid, applied and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Lands, Tenements or Hereditaments, or to some Estate or Interest therein.

Court may
order Ex-

XXXVII. Provided also, and be it further enacted, That where by reason of any Disability or Incapacity of the Person or Persons, or Corporation,

poration, entitled to any Lands, Tenements, or Hereditaments to be purchased under the Authority of 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 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 of this Act, or so much of such Expences as to the said Court shall seem 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.

pences to be paid by Trustees.

XXXVIII. And be it further enacted, That no Person shall encroach upon the said Road, by making or causing to be made any Dwelling-house, Coal-house, Pig-stye, Barn, Stable, Comb-shop, Wash-house, Cow-house, Cart-house, Privy, or other Building whatsoever, Wall-fence, Hedge or Ditch, within Thirty Feet of the Centre of the said Road; and it shall be lawful for the said Trustees, or any Five or more of them, to cause such Dwelling-houses, Buildings, Walls, Fences, Hedges and Ditches, which shall or may hereafter be so erected, built or made, to be taken down or filled up, at the Expence of the Person or Persons to whom the same shall belong; and it shall be lawful for any Justice or Justices of the Peace of the said Riding, upon Proof thereof to him or them made by the Oath of a credible Witness, to levy as well the Expences of taking down such Dwelling-house or other Building, Walls, Fences and Hedges, as of filling up such Ditches as aforesaid, by Distress and Sale of the Offender's Goods and Chattels, rendering the Overplus to the Owner or Owners on Demand.

For preventing Encroachments.

XXXIX. And be it further enacted, That no Gate of any Park, Paddock, Field or Inclosure whatsoever, adjoining the said Road, shall be made to open into or towards any Part of the said Road, or suffered to continue so to open, except the hanging Post thereof shall be Thirty Feet at least from the Centre of such Part of the said Road; and that it shall be lawful for the said Trustees, or any Five or more of them, at a Meeting, to order all such Gates as are now hung or erected, or may hereafter be hung or erected, and which open and swing outward towards the said Road, to be altered and made to swing inwards; and if any Occupier or Occupiers of the Lands upon which any Gate or Gates is or are or shall be constructed so as to open and swing outwards towards the said Road, contrary to the Meaning of this Act, shall not within Fourteen Days after Notice to him, her, or them given, either personally or in Writing, from the Clerk or Surveyor of the said Road, cause such Gate to be hung so that the same shall not open outward or swing towards the said Road, or so that no Part of the Gate when open shall project over any Part of the said Road, or any Footpath or Causeway belonging thereto, the Clerk or Surveyor of the said Road is hereby authorized to cause the Gate to be hung according to the Intention of this Act, and the Person or Persons guilty of such Neglect or Default shall, upon Complaint made thereof to any Justice of the Peace acting in and for the said Riding, and Proof of such Neglect or Default by the Oath of One credible Witness, pay to such Clerk or Surveyor such Sum as the said Justice shall direct, to defray the Expence of making the Alteration and hanging such Gate, and shall also forfeit and pay a further Sum not exceeding Forty Shillings.

Gates to open inwards.

XL. And

To prevent
Nuisances.

XL. And be it further enacted, That if any Person or Persons shall wilfully or negligently injure, destroy, break down, or otherwise damage, or shall ride on, or drive or lead any Horse, Beast, Cattle, or any Cart, Waggon, Wain, Dray or other Carriage, or haul, draw, carry, pass, or wheel any Hurry, Truck, Wheelbarrow, Hand-Cart, Pack-wherry, Sack-hurry or Sledge, over and upon any Footpath or Causeway made or to be made on the Side or Sides of the said Road, or any Part thereof; or shall wilfully or negligently damage or destroy any of the Flags or Stones, Hedges, Fences, Walls, Bur and Breast Walls, Bridges, Battlements or Gates, on the Sides of the said Road; or if any Driver of any Waggon or other Carriage shall wilfully or carelessly break or damage any of the Posts, Rails, Paling or Stones, which may be erected for the Security of the said Footpaths or Causeways; or shall in or upon any Part of the said Road, or by the Side or Sides thereof, or in any exposed Situation near thereto, kill, slaughter, finge, scald, burn, dress, flay, skin or cut up, or suffer to remain thereon, any Horse, Beast, Swine, Sheep, Calf, Lamb, or other Cattle, or any Carrion or dead Carcase of any Animal; or cause any Blood to run from any Slaughterhouse, Building, Butcher's Shop or Shambles, into the said Road; or burn, dress or sweep any Piece or Pieces of Cork; or hoop any Wheels, fire, cleanse, wash or scald any Cask or Casks, Tubs, Barrels, or any other wooden Vessel, on any Part of the said Road; or shall hew, saw or cut, or cause to be hewn, sawn or cut, any Stone, Wood or Timber; or shall shoe, farry or bleed any Horse, Mule, Ass or Beast, on the said Road, except in the Case of Accidents; or if any Person driving any Pigs or Swine upon the said Road, shall suffer the same to root up or damage the said Road, or any Part thereof, or the Hedges, Fences, Banks, or Copse on either Side thereof; or if any Person or Persons shall leave or suffer any Horse, Cattle, Sheep, Beast, Mule, Ass or Pig, to be loose or to remain grazing or feeding on the said Road or the Sides thereof; or if any Person driving any Coach, Chaise, Whisky, Gig, Waggon, Cart, Wain, Dray, Sledge or other Carriage, upon the said Road, and meeting another Coach, Chariot, Chaise, Whisky, Gig, Curricule, Waggon, Wain, Cart, Dray, Sledge or other Carriage, or any Horse, Cattle or Beast, shall not keep his Carriage on the Left or near Side of the Road; or if any Person shall in any Manner wilfully prevent any other Person from passing him, her, or them upon the said Road, or the Horse, Beast, Coach, Chaise, Gig, Whisky, Waggon, Wain, Cart or other Carriage, under his, her, or their Care; or if any Driver of any Waggon, Cart, Dray, Sledge or other Carriage, used for the carrying of Goods and Merchandize, shall ride on the Shafts or Thills, or on any Part of such Waggon, Cart, Dray, Sledge or other Carriage, or on any of the Horses drawing the same, upon any Part of the said Road; or if any Person shall haul or draw, or cause to be hauled or drawn, upon any Part of the said Road, any Tree or Piece of Wood, Timber or Stone, or other Article, otherwise than wholly upon wheeled Carriages, or shall suffer any Part of any Tree, Piece of Timber, Wood, Stone, or other Article which shall be carried upon wheeled Carriages, to drag upon any Part of the said Road, to the Prejudice thereof; or if any Person shall make or assist in making any Fire or Fires, commonly called Bonfires, or shall set fire to, throw, or let off any Gunpowder, Gun, Pistol, Cannon, Squib, Cracker, Rocket, Serpent, Fireworks, or wantonly discharge any Fire Arms whatsoever, or play at Football on any Part of the said Road, or within Sixty Feet of the Centre thereof; or if
any

any Person or Persons shall leave any Waggon, Wain, Cart or other Carriage, in, upon, or on the Side of the said Road, either with or without any Horse or Beait of Draught harnessed or yoked thereto, except in Cases of Accident, or for the Purpose of loading or unloading the same, and then for no longer Time than shall be necessary, and to be placed as near to one Side of the said Road as conveniently may be; or if any Person shall lay any Wool Packs, or other Packages, Hides, Skins, Felts, or any Piece of Timber, Wood, Trees, Stones, Slates, Flags, Bricks, Tiles, Pigs of Lead, Iron, Hogsheds, Tubs, Barrels empty or full, Baskets, West or Woof Skeps, Coals, Cinders, Carts, Carriages, Wheels, Hay, Straw, Manure, Muck, Dung, Compost, Lime, Ashes, Earth, Soil, Marl, Mud, Rubbish and Filth; or make and dig any Saw Pits or other Pits, or erect or use any Cinder or Pot Oven, Brick or Lime Kilns, or other Matter or Thing whatsoever, on any Part of the said Road, or on the Side or Sides thereof, or on the Footpaths or Causeways adjoining the said Road, to the Prejudice or Injury thereof, or to the Annoyance, Hindrance or Prejudice of any Person or Persons travelling thereon; or shall lay or place on the Walls or Fences of the said Road, for any Purpose whatsoever, any Wool, Yarn, Woollen Cloth, Linen, Cotton; or shall tenter or stretch and dry any Warp or Warps within the Fences thereof, nearer than Sixty Feet from the Centre of the said Road, or shall do any other Damage or Injury to the said Road, or any Part thereof, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

XLI. And be it further enacted, That so much of the said recited Statute Acts 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 Road comprized in this Act or any Part thereof, shall remain liable thereto; and it shall be lawful for any Two or more Justices of the Peace acting in and for the said West Riding, and they are hereby empowered and required, upon Application made to them by the said Trustees, or any Five or more of them, or by their Treasurer, Clerk or Surveyor, by their Order, and also upon giving at least Fourteen Days Notice in Writing of such Application to the Surveyors of the Highways of each and every Township or Hamlet liable to be affected thereby, 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, Townships or Places in which the said Road doth lie, and also what Proportion of the Money received by the Surveyor or Surveyors of the Highways of every such Parish, Township, or Place, in lieu of or as a Composition for Statute Work as aforesaid, shall be by him, her, or them paid to the said Trustees or their Treasurer, and in order thereto, it shall be lawful for such Justices from Time to Time to summon the Surveyor or Surveyors of the Highways of every such Parish, Township or 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,

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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 for the Repair of the public Highways; and out of such Lists the said Justices shall or may allot, appoint, and order such and so many of the Persons who shall appear to be subject and liable to 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 any Five or more of them, 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 Surveyor or Surveyors of the Highways of every such Parish, Township, or Place, to be by him or them paid 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 authorized to be recovered; and each and every Person who shall neglect or refuse to do and perform such Statute Work as aforesaid (after Ten Days 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 to the said Trustees) shall for every Day of his, her, or their Default, or the Default of any Labourer or Labourers, Team or Teams, Draught or Draughts, Horse or Horses, Beast or Beasts, 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 for the Repair of the public Highways; and if any Person who shall come or be sent 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 dismiss 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 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 Surveyor or Surveyors of the Highways of any of the said Parishes, Townships or Places, shall refuse or wilfully neglect to give in such Lists as aforesaid, or shall knowingly or wilfully give in false or imperfect Lists, or shall refuse or neglect to pay over such Composition Money or any Part thereof in Manner aforesaid, every such Surveyor so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Trustees may
compound for
Statute
Work.

XLII. Provided always, and be it further enacted, That it shall be lawful for the said Trustees, or any Five or more of them, and they are hereby authorized and empowered, to compound or agree by the Year or otherwise, with any of the Inhabitants or Occupiers of Lands, Tenements,

ments, or Hereditaments, of or in any of the Parishes, Townships, Hamlets, Districts, Divisions or Places which are or 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, for a certain Sum of Money in lieu of the whole or any Part of their Statute Work, or to compound and agree by the Year with the Surveyor of the Highways for any such Parishes, Townships, Hamlets, Districts, Divisions or Places, for and in lieu of the whole or any Part of the Statute Work liable to be performed by such Inhabitant within the same respectively, 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 the Repair of the said Road; and all such 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 Money by them expended in buying Materials for repairing Highways.

XLIII. And whereas Offences may be committed against this Act or the said recited Acts, by Persons unknown to the Trustees, Collectors, Surveyors, or other Officers appointed to put the same into Execution; be it therefore further enacted, That it shall be lawful for any One or more of the said Trustees, or their Clerk, Treasurer, 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 Warrant or other Authority than this Act, to seize and detain any such unknown Person or Persons who shall commit any such Offence or Offences, and take him, her, or them before any Justice or Justices of the Peace for the said Riding, near to the Place where the Offence or Offences shall be committed, or where such Offender or Offenders shall be seized or apprehended; and such Justice or Justices shall, and is and are hereby required and empowered to proceed immediately to the hearing and determining of the said Complaint in a summary Way; and upon the Conviction of the Offender or Offenders, it shall be lawful for the Justice or Justices to commit him, her, or them to the House of Correction or Common Gaol for the said County, Riding or District, there to remain for any Time not exceeding One Month, unless he, she, or they shall sooner pay the respective Penalties by him, her, or them incurred for such Offence or Offences, together with the Costs and Charges attending the Conviction and Commitment.

Power to
detain un-
known Per-
sons guilty
of Offences.

XLIV. And be it further enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any Thing done in pursuance of the said recited Acts or this Act, and for which no particular Mode of Relief hath been already appointed, such Person or Persons may, within Fourteen Days next after such Cause of Complaint shall arise, appeal to the Justices of the Peace at their next General Quarter Sessions to be holden for the said Riding, unless such Complaint shall arise within Twenty-eight Days preceding such Session, in which Case such Appeal may be brought at the Second Session after such Cause shall arise; and the said Justices are hereby authorized and required to take cognizance thereof, and to hear and determine such Complaint or Complaints, and if they see Cause shall and may, by Order of such Sessions, mitigate at their Discretion all or any Part of the Penalties or Forfeitures laid upon

Appeal to
the Quarter
Sessions.

or

or incurred by the Party or Parties complaining, or vacate or set aside the Conviction or Convictions, and set the Parties at liberty, or otherwise may ratify or confirm the same, with such Costs as to them in their Discretion shall seem reasonable; and the said Justices are hereby authorized and required to levy by their Order or Warrant such Costs so awarded, by Distress and Sale of the Goods and Chattels of the Person or Persons who shall refuse to pay the same; and for want of sufficient Distress to commit such Person or Persons to the Common Gaol for the said Riding, for any Time not exceeding Six Calendar Months, or until Payment of such Costs: Provided always, that the Person or Persons so appealing as aforesaid, shall and is and are hereby required to give Notice in Writing to the Clerk of the said Trustees, of such, his, her or their Intention of bringing and prosecuting an Appeal, Fourteen Days before the said Quarter Sessions; and shall before such Notice given enter into a sufficient Recognizance before One or more Justice or Justices of the Peace for the said Riding, with Two sufficient Securities, with a Condition to prosecute such Appeal, and to pay all Costs in case such Appeal shall be determined against the Party or Parties so appealing.

Trustees and Officers competent Witnesses.

XLV. And be it further enacted, That in all Civil or Criminal Proceedings whatsoever relating to the said Road, no Person by reason of being a Trustee, Creditor, or Mortgagee, Farmer, Lessee or Collector of the Tolls, Clerk, Treasurer, Surveyor, or other Officer or Servant of, or other Person employed by the said Trustees, or any of their Officers, or any Inhabitant of any Township, Parish, Hamlet, or Place through which the said Road doth or shall pass, shall, by reason or on account of any of the Matters aforesaid, be incompetent to give Testimony or Evidence in any such Proceeding.

Expences of Act how to be paid.

XLVI. And be it further enacted, That the Costs, Charges, and Expences incident to and attending the procuring, obtaining, and passing of this Act, together with lawful Interest from the Time of advancing the same until the Time of Payment, shall be paid and satisfied by the said Trustees; and that it shall be lawful for the said Trustees, or any Five or more of them, and they are hereby required, to order and direct the Payment of the said Charges and Expences, with Interest as aforesaid, out of the first Monies that shall be collected, borrowed, or received by virtue of the said recited Acts and this Act, in preference to all other Payments and Disbursements whatsoever.

Public Act.

XLVII. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken Notice of as such by all Judges, Justices, and others, without being specially pleaded.

Commencement and Continuance of this Act.

XLVIII. And be it further enacted, That this Act shall commence on the Day of the passing of this Act, and shall continue in force for the Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament.

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