



ANNO SEXTO

# GEORGII IV. REGIS.

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## *Cap. lxxxv.*

An Act for more effectually amending, improving, and keeping in Repair the Road from the Town of *Cockermouth* to the Town of *Maryport*, and from thence by *Allonby* to *Wigton*, and several other Roads therein mentioned, all in the County of *Cumberland*. [20th May 1825.]

**W**HEREAS that Part of the Highway or Road leading from the Market Town of *Cockermouth* to the Market Town of *Maryport*, which is situate between the *Carlisle* and *Cockermouth* Road and *Maryport* aforesaid; and from thence through the Villages of *Allonby* and *West Newton* to *Blackbeck Bridge* in the Parish of *Wigton*, the Road from the Market Town of *Workington* to *Maryport* aforesaid, and from thence through the Village of *Aspatria* to the first-mentioned Road at or near *Sandrow* in the Parish of *Brumfield*, and the Road from *West Newton* through the Villages of *Aspatria* and *Arkleby* to the Turnpike Road from *Carlisle* to *Cockermouth* aforesaid, upon *Moota*, all in the County of *Cumberland*, are much out of Repair, and cannot be effectually amended and kept in Repair by the ordinary Course of Law; and it would be of great Benefit and Advantage to the Owners and Occupiers of the adjoining Estates, and to the Public at large, if the same Roads were to be diverted, widened, improved, and made Turnpike; but the same cannot be effected without the Authority of Parliament: And

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whereas

whereas an Act was passed in the Third Year of the Reign of His present Majesty King George the Fourth, intituled *An Act to amend the general Laws now in being for regulating Turnpike Roads in that Part of Great Britain called England*: And whereas another Act was passed in the Fourth Year of the Reign of His said Majesty, intituled *An Act to explain and amend an Act passed in the Third Year of the Reign of His present Majesty, to amend the general Laws now in being for regulating Turnpike Roads in that Part of Great Britain called England*: And whereas another Act was passed in the Fifth Year of the Reign of His present Majesty, intituled *An Act to enable Justices of the Peace for Ridings, Divisions, or Sokes, to act as Trustees for repairing and maintaining Turnpike Roads*: And whereas it is expedient and would be convenient if the said Roads were divided into Three separate Districts, and if that Part of the Roads which is situate between *Cockermouth* and *Maryport* aforesaid, and from thence through the Villages of *Birkby* and *Crossby* to the Eastern Boundary of the Parish of *Crosscannonby*, should become and be the First of such Districts, to be called "The *Maryport* District;" and if the Road from *Workington* aforesaid, by *Allonby* and *West Newton*, to *Blackbeck Bridge* in the Parish of *Wigton*, should become and be the Second of such Districts, to be called "The *Wigton* District;" and if the Road from the said last-mentioned Road at *Sandrow* in the Parish of *Brumfield*, through the Village of *Aspatria*, to the Western Boundary of the said Parish of *Aspatria*, in the said County, and the Road from *West Newton* through the Villages of *Aspatria* and *Arkleby*, to the Turnpike Road from *Carlisle* to *Cockermouth* aforesaid, upon *Moota*, should become and be the Third and last of such Districts, and to be called "The *Aspatria* District;" and that separate Accounts of the Tolls to be collected and raised on each District, and of the Receipts and Payments upon each of the said Districts, should be kept by the Officers to be appointed by the said Trustees in pursuance of this and the said recited 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 from and after the passing of this Act, the several Roads herein-before mentioned and described shall be and become Turnpike, and the said recited Acts of the Third, Fourth, and Fifth Years of the Reign of His present Majesty, and all and every the Powers, Provisions, Exemptions, Penalties, Forfeitures, Payments, Remedies, Matters, and Things therein or in either of them contained (save and except such Parts thereof, or of either of them, as are expressly varied, altered, or otherwise provided for by this Act), shall be as good, valid, and effectual for carrying this Act into Execution, as if the same were repeated and re-enacted in the Body of this Act.

Powers of the recited Acts of 3, 4, & 5 G. 4. extended to this Act.

Appointment of Trustees.

II. And be it further enacted, That all His Majesty's Justices of the Peace for the Time being acting for the County of *Cumberland*, together with the Right Honourable *William* Lord Viscount *Lowther*, the Honourable *Henry Cecil Lowther*, *Sir Philip Musgrave* Baronet, *Sir Wastel Briscoe* Baronet, *Sir James Robert George Graham* Baronet, *Sir Frederick Fletcher Vane* Baronet, *Sir John Lowther* Baronet, *Francis Aglionby*, *Richard Atkinson*, *John Adcock*, *Thomas Addison*, *John Addison*, *Joseph Stamper Allanby*, *William Browne*, *John Benson* Clerk, *John Barwis* Clerk, *Thomas William*

*William Briggs Clerk, Thomas Benson, John Benson, Joseph Birbeck, Joseph Burrow, Thomas Bouch, John Christian Curwen, Henry Curwen, John Christian, Ralph Cooke, Mordaunt Lawson Clennell, Daniel Clift, John Curry, Joseph Dykes Ballantine Dykes, Lancaster Dodgson Clerk, John Dodd Clerk, John Donald Clerk, Fretcheville Lawson Ballantine Dykes, Joseph Dobinson, John Dodgson, Thomas Dixon, John Dand, George Dawson, Peter Dixon, John Dixon, Peter Dixon the younger, George Dixon, Joseph Donald, Henry Dodgson, Robert Dand, Richard Ferguson, Rowland Fawcett, James Forster, Walter Fletcher Clerk, Edward Fawcett Clerk, John Fisher, John Fisher the younger, David Fletcher, William Fletcher, John Sanderson Fisher, John Wilson Fletcher, John Forster, Joseph Gilbanks, William Graham Clerk, John Gillbanks Clerk, Andrew Green, James Gardiner, Thomas Hartley, Milham Hartley, John Harrison, Peter How Clerk, Humphrey Archer Hervey Clerk, John Hodgson, Thomas Hartley the younger, John Hartley, Joseph Huddleston, Thomas Harrison, William Hodgson, Thomas Hudson, Joseph Hodge, Joseph Harris, Samuel Hall, John Hewson, Hylton Jolliffe, William James, Thomas Irwin, Samuel Irton, John Jefferson, Robert Jefferson, John Kirkbaugh, Wilfrid Lawson, John Henry Lowther, Henry Lowther Clerk, John Lightfoot, Richard Matthews Clerk, Nathaniel Nicholson, John Norman, Peter Nicholson, Philip Nelson, John Nicholson, John Peat, Joseph Parkin, John Paitson, William Michael Preston Clerk, William Pearson, John Lamplugh Raper, John Rudd Clerk, Thomas Richardson, William Rudd, John Rook, Charles Ray, Gustavus Richmond, John Reay, William Reay, Samuel Rigg, James Clarke Satterthwaite, Humphrey Senhouse, Hameshill, Humphrey Senhouse, Netherhall, Edward Stanley, James Spedding, James Steel, James Satterthwaite D. D., Edward Stanley Clerk, Humphrey Senhouse the younger, Joseph Steel, John Steel, John Stamper, Thomas Smith, Matthew Smith, William Swinburn, Miles Steel, Silas Saul, Henry Skelton, Daniel Jones Skelton, Joseph Sanderson, John Simpson, Henry Teshmaker Thompson, Joseph Todd, Benjamin Thompson, Charles Thompson, John Taylor, Timothy Twentymen, Thomas Tolson, John Thornthwaite, John Todd, Francis Fletcher Vane, William Wilson Carus Wilson, Thomas Wybergh, Richard Watts, John Wilson, Christopher Hilton Wybergh Clerk, William Wybergh, John Wybergh, Peter Wybergh, Joseph Wilkinson, Roger Williamson, John Walker, Thomas Walker, Kelsick Wood, Joseph Ratcliffe Wilson, John Ashley Whittaker, George Whittaker, John Watson, William Wood, and their Successors duly qualified, shall be and they are hereby appointed the Trustees for amending, widening, altering, improving, diverting, and keeping in Repair the said Roads, and for carrying into Execution this Act, and such of the Powers and Provisions of the said recited Acts as are not expressly varied, altered, or otherwise provided for by this Act.*

III. And be it further enacted, That it shall and may be lawful for the said Trustees at a Meeting to be held for that Purpose (of which Meeting and of the Purpose thereof Three Days Notice shall be given, as is directed by the said recited Acts respecting the Appointment of Trustees on Vacancies), to elect, nominate, and appoint any Number of fit Persons, not exceeding Three, to be Trustees for the Purposes of this Act, in addition to the Trustees hereby nominated and appointed; and such Trustees, so elected and appointed, and being qualified according to the Directions of the said recited Acts, shall be and they are hereby invested with

Power to  
appoint  
additional  
Trustees.

with the same Powers and Authorities for executing the said recited Acts and this Act, as if they had been named and appointed by this Act.

First Meeting of Trustees.

IV. And be it further enacted, That the said Trustees shall meet at the *Globe Inn* in *Cockermouth*, or at some other convenient Place, within Fourteen Days from the passing of this Act, or so soon after as conveniently may be, between the Hours of Ten in the Forenoon and Two in the Afternoon, and shall then proceed to carry the said recited Acts and this Act into Execution:

Treasurer and Clerk not to be the same Person.

V. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees to continue or appoint the Person or Persons who has been or may be appointed their Clerk or Clerks in the Execution of this Act, or the Partner or Partners of any such Clerk or Clerks, or the Clerk or Clerks or other Person or Persons in the Service or Employ of any such Clerk or Clerks, or of his or their Partner or Partners, the Treasurer or Treasurers for the Purposes of this Act; or to continue or appoint any Person or Persons who has been or may be appointed Treasurer or Treasurers, or the Partner or Partners of any such Treasurer or Treasurers, or the Clerk or Clerks or other Person or Persons in the Service or Employ of any such Treasurer or Treasurers, or of his or their Partner or Partners, the Clerk or Clerks to the said Trustees; and if any Person shall accept both the Offices of Clerk and Treasurer for the Purposes of this Act, or if any Person or Persons being the Partner or Partners of any such Clerk or Clerks, or the Clerk or Clerks or other Person or Persons in the Service or Employ of any such Clerk or Clerks, or of his or their Partner or Partners, shall accept the Office of Treasurer, or being the Partner or Partners of any such Treasurer or Treasurers, or the Clerk or Clerks or other Person or Persons in the Service or Employ of any such Treasurer or Treasurers, or of his or their Partner or Partners, shall accept the Office of Clerk in the Execution of this Act, or if any such Treasurer or Treasurers shall hold or accept any Place or Office of Trust or Profit under the said Trustees, other than that of Treasurer, every such Person so offending shall, for every such Offence, forfeit and pay the Sum of One hundred Pounds to any Person or Persons who shall sue for the same, to be recovered, with full Costs of Suit, 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 Impar lance, shall be allowed.

For erecting Turnpikes.

VI. And be it further enacted, That it shall be lawful for the said Trustees to erect and set up or build, or cause to be erected, set up, or built, upon, in, or across the Roads by this Act directed or authorized to be amended, widened, and maintained, or any Part thereof, and on the Sides thereof, when, where, and as they shall judge necessary, any Gate or Gates, Turnpike or Turnpikes, Side Gate or Side Gates, Side Bar or Side Bars, or Chain or Chains, and any Weighing Machine or Weighing Machines, and also One or more Toll House or Toll Houses, with Outhouses and Conveniences suitable thereto, at or near each Toll Gate and Weighing Machine; and to take in and inclose, on the Sides of the said Roads, suitable Garden Spots for such Toll House or Toll Houses,

Houses, not exceeding One-eighth Part of a Statute Acre each, as they shall think necessary, and from Time to Time to take down and remove or alter or discontinue the same, or any Part of them, as they the said Trustees shall think proper, and direct or appoint.

VII. And be it further enacted, That it shall be lawful for the said Trustees, or any Person or Persons appointed by virtue of this Act Collector or Collectors as aforesaid, to demand and take, or cause to be demanded and taken at the respective Turnpikes or Toll Gates to be erected by virtue of this Act, the Tolls following, before any Carriage, Horse, or other Beast or Cattle shall be permitted to pass through the same; that is to say,

For every Horse, Mule, Ass, or other Beast drawing any Coach, Landau, Berlin, Phaeton, Curricule, Chariot, Chaise, Calash, Hearse, Caravan, Gig, Chair, Car, or other such Carriage, the Sum of Four-pence:

For every Horse or other Beast drawing any Waggon, Wain, Cart, or other such like Carriage, the Fellies of the Wheels whereof are of the Breadth of Four Inches and a Half and upwards, the Sum of One Penny Halfpenny:

For every Horse or other Beast drawing any Waggon, Wain, Cart, or other such like Carriage, the Fellies of the Wheels whereof are of less Breadth than Four Inches and a Half, the Sum of Two-pence:

For every Horse, Mule, or Ass, laden or unladen, and not drawing, the Sum of One Penny; but that for every Horse, Mule, or Ass, or other Beast, drawing any Cart or other Carriage going empty for, or laden with, or returning empty after having been laden with Lime to be used for Manure only, and passing through any of the Toll Gates erected or to be erected by virtue hereof, there shall be demanded and paid the Sum of One Penny and no more:

For every Drove of Oxen, Cows, or Neat Cattle, the Sum of Ten-pence per Score, and so in proportion for any less Number:

And for every Drove of Hogs or Pigs, Calves, Sheep, or Lambs, the Sum of Five-pence per Score, and so in proportion for any less Number.

Which said respective Tolls (subject to the Restrictions and Exemptions in the said recited Acts and this Act contained) shall be demanded and taken before any Horse, Mule, or other Beast, Coach, Waggon, Cart, or other Carriage whatsoever, or Drove of Oxen or Neat Cattle, Calves, Sheep, Lambs, or Swine, be permitted to pass through any Turnpike, Toll Gate, or Bar erected or to be erected upon the said Roads by virtue of this Act; and upon Payment of any of the said Tolls, the Collector or Receiver at each Toll Gate shall deliver gratis to the Person paying such Toll a Note or Ticket denoting such Payment, and all such Notes or Tickets shall be provided by the said Trustees or their Lessees, and there shall be printed or specified thereon the Name of the Gate or Bar at which the Toll is received, and of the Gate or Gates or Toll Bars (if any) which shall be freed by such Payment: Provided always, that no more than One Penny shall be demanded and taken for every Horse, Mule, or other Beast drawing any Cart or other Carriage going empty for, or laden with, or returning empty after having been laden with Coals, in case such Horse, Mule, or other Beast drawing such Cart or Carriage shall not pass more than One Mile upon the said Roads: Provided also, that no Toll shall be demanded and taken for any Horse, Mule, or other

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Beast

Trustees may receive Tolls.

Tolls.

Coals.

Lime.

Beast drawing any Cart or other Carriage going empty for, or laden with, or returning empty after having been laden with Lime for the Purpose of Manure only, in case such Horse, Mule, or other Beast drawing such Cart or Carriage shall not pass more than One Mile upon the said Roads.

Tolls to be paid but once a Day.

VIII. Provided always, and be it further enacted, That no more than One full Toll shall be demanded or taken in any One Day, (such Day to be computed from Twelve of the Clock in one Night to Twelve of the Clock in the next succeeding Night,) for passing with the same Horse or Horses, Beasts or Cattle, through the same Turnpike.

Tolls vested in Trustees.

IX. And be it further enacted, That all and every the Tolls by this Act authorized to be taken shall be, and are hereby declared to be vested in the said Trustees, and the same and every Part thereof shall be levied, collected, paid, applied, disposed of, and assigned in manner directed by the said recited Acts and this Act.

Trustees may lessen the Tolls.

X. Provided always, and be it further enacted, That the said Trustees are hereby authorized and empowered, at any Meeting to be holden for that Purpose, and of which Twenty-one Days Notice shall be given by Advertisement in some public Newspaper or Newspapers circulating in the Neighbourhood of the said Roads, from Time to Time to lessen or reduce, and again to raise and advance all or any of the several Tolls and Duties hereby granted and made payable, so that the respective Tolls so to be raised or advanced do not exceed in Amount the Tolls by this Act authorized to be taken, and provided that no such Reduction be made without the Consent of the Persons who shall be entitled to Four-fifth Parts of the Money which shall then be due upon the Credit of the Tolls; and such Tolls so reduced or advanced, and every of them, shall be collected, recovered, levied, and applied as the Tolls hereby granted and authorized to be taken are directed to be collected, recovered, levied, and applied.

Limiting the Number of Tolls to be taken on each Road.

XI. Provided always, and be it further enacted, That no more than One full Toll shall be demanded or taken in One Day, (such Day to be computed from Twelve of the Clock at Night to Twelve of the Clock in the succeeding Night,) for or in respect of the same Horses, Beasts, Cattle, or Carriages passing through all or any of the Toll Gates, Bars, or Turnpikes erected or to be erected across or on the Sides of such Part of the said Roads as is situate between *Cockermouth* and *Maryport*; nor shall more than One full Toll be demanded or taken in any One Day, (such Day to be computed as aforesaid,) for or in respect of the same Horses, Beasts, Cattle, or Carriages passing through all or any of the Toll Gates, Bars, or Turnpikes erected or to be erected across or on the Sides of such Part of the said Roads as is situate between *Allonby* and *Maryport*; nor shall more than Two full Tolls be demanded or taken in any One Day, (such Day to be computed as aforesaid,) for or in respect of the same Horses, Beasts, Cattle, and Carriages passing through all or any of the Toll Gates, Bars, or Turnpikes erected or to be erected across or on the Sides of such Part of the said Roads as is situate between *Allonby* and *Wigton*; nor shall more than One full Toll be demanded or taken in any One Day, (such Day to be computed as aforesaid,) for or in

respect

respect of the same Horses, Beasts, Cattle, and Carriages passing through all or any of the Toll Gates, Bars, or Turnpikes erected or to be erected across or on the Side of such Part of the said Roads as is situate between *Workington* and *Maryport*; nor shall more than Two full Tolls be demanded or taken in any One Day, (such Day to be computed as aforesaid,) for or in respect of the same Horses, Beasts, Cattle, and Carriages passing through all or any of the Toll Gates, Bars, or Turnpikes erected or to be erected across or on the Sides of such Part of the said Roads as is situate between *Sandrow* and *Maryport*; nor shall more than One full Toll be demanded or taken in any One Day, (such Day to be computed as aforesaid,) for or in respect of the same Horses, Beasts, Cattle, and Carriages passing through all or any of the Toll Gates, Bars, or Turnpikes erected or to be erected across or on the Sides of such Part of the said Roads as is situate between *West Newton* and the *Carlisle* Road upon *Moota*.

XII. Provided always, and be it further enacted, That for and in respect of all Horses or other Beasts drawing any Stage Coach, Gig, Car, Van, Caravan, or other Stage Carriage carrying Passengers or Goods for Payment, Hire, or Reward, for which Toll shall have been paid, and which shall return on the same Day through the same Turnpike Gate or Toll Bar, the Tolls hereby made payable shall be paid for repassing through such Gate or Bar, in like Manner as if no Toll had been before paid thereat; and that the Toll hereby made payable shall be paid for or in respect of all Horses or other Beasts drawing any Post Chaise or other Carriage carrying Passengers for Hire, for every Time of passing and repassing along the said Roads on the same Day, as often as a fresh Hiring thereof shall take place.

no toll to be paid for Stage Coaches, &c. to pay each Time of passing.

XIII. And be it further enacted, That the Trustees shall pay and apply the Monies already subscribed, and which may hereafter be borrowed on the Credit of this Act, (after Payment of the Charges and Expences incurred in, about, and relating to the obtaining and passing of this Act), in erecting and providing the Turnpikes, Toll Gates, and Toll Houses, and in amending, widening, diverting, improving, and keeping in repair the said Roads, and in executing the other Purposes of this and the said recited Acts, and to no other Use or Purpose whatsoever.

Application of Sums subscribed,

XIV. And be it further enacted, That all the Tolls which shall or may be collected or received under the Powers or Authorities of this Act within the said *Maryport* District shall be applied in erecting, providing, and keeping in repair the Turnpikes, Toll Houses, and other Buildings within the said *Maryport* District, in making, repairing, widening, turning, or altering the said Roads within the said *Maryport* District, and in paying off and discharging such Proportion of the Interest on the whole Sum of Money already subscribed and advanced, or on any Sums which shall or may hereafter be borrowed or taken up at Interest on Security of the Tolls hereby granted, as the Tolls to be received within the said District shall bear to the whole of the Tolls to be levied upon the whole of the Roads included in this Act, and in defraying all other necessary Costs, Charges, and Expences attending the Execution of this and the said recited Acts, in the like Share and Proportion.

Application of Tolls on the *Maryport* District.

XV. And

Application  
of Tolls on  
the Wigton  
District.

XV. And be it further enacted, That all Monies which shall or may be collected or received under the Powers or Authorities of this Act, within the said *Wigton* District, shall be applied in erecting, providing, and keeping in repair the Turnpikes, Toll Houses, and other Buildings within the said *Wigton* District, in making, repairing, widening, turning, or altering the said Roads within the said *Wigton* District, and in paying off and discharging such Proportion of the Interest on the whole Sum of Money already subscribed or advanced, or on any Sums which shall or may hereafter be borrowed or taken up at Interest on Security of the Tolls hereby granted, as the Tolls to be received within the said District shall bear to the whole of the Tolls to be levied upon the whole of the Roads included in this Act, and in defraying all other necessary Costs, Charges, and Expences attending the Execution of this and the said recited Acts, in the like Share and Proportion.

Application  
of Tolls on  
the Aspatria  
District.

XVI. And be it further enacted, That all Monies which shall or may be collected or received under the Powers or Authorities of this Act within the said *Aspatria* District, shall be applied in erecting, providing, and keeping in repair the Turnpikes, Toll Houses, and other Buildings within the said *Aspatria* District, in making, repairing, widening, turning, or altering the said Roads within the said *Aspatria* District, and in paying off and discharging such Proportion of the Interest on the whole Sum of Money already subscribed or advanced, or on any Sums which shall or may hereafter be borrowed or taken up at Interest on Security of the Tolls hereby granted within the same District, as the Tolls to be received within the said District shall bear to the whole of the Tolls to be levied upon the whole of the Roads included in this Act, and in defraying all other necessary Costs, Charges, and Expences attending the Execution of this and the said recited Acts, in the like Share and Proportion.

Separate  
Accounts to  
be kept.

XVII. And be it further enacted, That separate and distinct Accounts of the Tolls collected and raised within each of the said Districts, and of the Receipts and Payments, shall be kept by the proper Officers appointed by the said Trustees.

Roads to be  
made accord-  
ing to the  
Map or Plan  
deposited  
with the  
Clerk of the  
Peace.

XVIII. And whereas a Map or Plan, describing the Line of the said Roads, and the Lands and Hereditaments through or over which the same is to be made and carried, together with a Book of Reference containing a List of the Names of the Owners and Occupiers of such Lands and Hereditaments, have been deposited at the Office of the Clerk of the Peace for the said County; be it therefore enacted, That the said Map or Plan and the Book of Reference shall remain in the Custody of the Clerk of the Peace for the said County, to the End that all Persons may at all reasonable Times have Liberty to inspect and peruse the same, and to take Copies or Extracts thereof at their Will and Pleasure, paying the Clerk of the Peace the Sum of One Shilling for every such Inspection, and at the Rate of Sixpence for every One hundred Words of such Copies or Extracts of the said Map or Plan and Book of Reference; and that the said Trustees in making the said Roads shall not deviate more than One hundred Yards of Three Feet each from the Line described in the said Map or Plan, without the Consent and Approbation of the Person or Persons, Bodies Politic, Corporate, or Collegiate, through whose Lands such Deviation shall be made.

XIX. Pro.



XIX. Provided always, and be it further enacted, That it shall be lawful for the said Trustees to make and divert the said Roads into, through, across, or over the several Lands and Hereditaments of any Person or Persons who is or are or may be Owner or Owners of Lands or Hereditaments over which the same is or are set out and described in the said Map or Plan as aforesaid, although the Name or Names of such Person or Persons may happen to be omitted or mis-stated in the said Book of Reference, in case it shall appear to any Two or more Justices of the Peace for the said County, and be certified by Writing under their Hands, that such Error or Omission proceeded from Mistake.

Lands marked in the Plan may be used, notwithstanding Errors in the Book of Reference.

XX. And be it further enacted, That nothing in the said Acts passed in the Third and Fourth Years of the Reign of His said present Majesty, or either of them, or this Act contained, shall empower or enable the said Trustees to take or pull down any Dwelling House or other Building, or enter upon, take, or use, for the several Purposes of this Act, any Garden, Yard, Paddock, or inclosed Ground planted for Ornament or Shelter to any House, or as a Nursery for Trees, without the Consent of the Owners and Proprietors thereof.

Trustees restrained from pulling down Dwelling Houses, &c. without the Consent of the Owner.

XXI. And whereas by the making of the proposed Line of Road from *Cockermouth* to *Maryport*, the Inhabitants of the Village of *Ellenborough*, and the Owners and Occupiers of various Lands and Tenements at and near *Broughton*, *Moorside*, and *The Folly*, in the Parish of *Bridekirk*, will be deprived of their Communication with the Turnpike Road: And whereas the making a Highway from the said Village of *Ellenborough* to the proposed Turnpike Road, and a Highway from or near the said Tenement called *The Folly*, to communicate with the proposed Turnpike Road, would not only be beneficial and convenient to the Public passing along the said Highways, but would be of great Benefit and Advantage to Persons residing in the said Village of *Ellenborough*, and to the Inhabitants of the said Parish of *Bridekirk*; be it therefore enacted, That it shall be lawful to and for the said Trustees, and they are hereby authorized to make the said Highway from the said Village of *Ellenborough*, and the said Highway from or near the said Tenement called *The Folly*, to join the said Turnpike Road; and when the said Highways are completed, the same shall for all Purposes be deemed, considered, and taken as common Highways, and be for ever thereafter repaired and kept in repair as other Highways are in the respective Townships or Divisions in which the same are respectively situate.

For making a Highway from *Ellenborough* to the Turnpike Road.

XXII. And be it further enacted, That in all Places throughout the said Roads respectively where any Entrance shall be from the said Roads to any Field, Garden, Yard, or other Land or Ground, or to any Building from the said Roads, or any of them respectively, or any Part thereof, such Entrance shall be properly covered with Stone, Gravel, or other hard Materials, and a proper Culvert or Drain made by or at the Expence of the Proprietor or Occupier of such Field, Garden, Yard, Land, Ground, or Building, so that such Roads may not be injured by Carriages or Horses passing to or from the same by such Entrance; and in case such Proprietor or Occupier shall neglect to cover with proper Materials such Entrance, or to make such Culvert or Drain, or to keep the

Entrances to Fields, &c. to be made with hard Materials.

same respectively in proper Order for the Space of Ten Days after Notice in Writing given to such Proprietor or Occupier, or left for him or her at his or her usual Place of Residence by the Surveyor of the said Trustees, or other Person appointed by them, requiring such Proprietor or Occupier so to make or repair the same, then it shall be lawful for the said Trustees or their Surveyor, or any other Person acting by or under their Authority, to cover such Entrance with Stone, Gravel, or other hard Materials, and to make such Culvert or Drain, or to repair the same respectively, as the Case may be, and the Expences thereof shall be reimbursed and paid to the said Trustees by such Proprietor or Occupier, as the Case may be; and in case of Nonpayment of such Expences within Ten Days after the same shall have been demanded by or on behalf of the said Trustees, then such Expences shall and may be recovered, together with the Costs and Charges attending the same, by Distress and Sale of the Goods and Chattels of such Proprietor or Occupier, by Warrant under the Hand and Seal or Hands and Seals of any Justice or Justices of the Peace of the County where the Lands shall lie, and which Warrant of Distress any such Justice or Justices is or are hereby authorized and empowered to grant, on Proof made before him or them, on Oath, of such Expence having been incurred, and of such Notice having been given as aforesaid; and any Overplus shall be returned on Demand to the Person or Persons whose Goods and Chattels shall have been so distrained and sold.

Application  
of Compen-  
sation Money  
if amounting  
to 200*l.*

1 G. 4. c. 35.

XXIII. 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 the said recited Acts or this Act, for the Purposes thereof, which shall belong to any Corporation, Feme Covert, Infant, Lunatic, or Person or Persons under any Disability or Incapacity, as in the said recited Acts or this Act particularly mentioned, 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 Court of Exchequer, to be placed to his Account, *ex parte* the Trustees for executing the said recited Acts or this Act, and pursuant to the Method prescribed by an Act of the First Year of the Reign of His present Majesty, intituled *An Act for the better securing Monies and Effects paid into the Court of Exchequer at Westminster on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes*, and the General Orders of the said Court, and without Fee or Reward, 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, and Hereditaments, in the Purchase of the Land Tax, or towards the Discharge of any Debt or Debts, or other Incumbrances, or any Part thereof, as the said Court shall authorize to be paid, affecting the same Lands, Tenements, and Hereditaments, or affecting other Lands, Tenements, and Hereditaments standing settled therewith to the same or the like Uses, Trusts, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court,

Court, in the Purchase of other Lands, Tenements, or Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Lands, Tenements, or Hereditaments which shall be so purchased, taken, or used as aforesaid stood settled or limited, or such of them as at the Time of making such Conveyance or 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 said Court of Exchequer, upon Application thereunto, 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 said Lands, Tenements, or Hereditaments by the said recited Acts or this Act directed to be purchased, in case such Purchase or Settlement were made.

XXIV. 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 Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall amount to or exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank in the Name and with the Privity of the said Accountant General of the Court of Exchequer, to be placed to his Account as aforesaid, in order be applied in manner before directed; or otherwise the same shall be paid, at the like Option, to Three Trustees, to be nominated by the Person or Persons making such Option, and approved of by Three or more of the said Trustees for executing the said recited Acts and this Act, (such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties,) in order that such principal Money, and the Dividends arising thereon, may be applied in manner herein-before directed, so far as the Case may be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court.

When less than 200*l.* and amounting to 20*l.*

XXV. Provided also, and be it further enacted, That where such Money so agreed or awarded to be paid as last 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 the said recited Acts and this Act, in such Manner as the said Trustees shall think fit; and in case of Infancy or Lunacy, then to his, her, or their

When less than 20*l.*

their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

Directions in Cases of not making out Titles.

XXVI. And be it further enacted, That in case any 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 the said recited Acts or 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 such Person or Persons to whom such Sum or Sums of Money shall be so awarded as aforesaid cannot be found, or if the Person or Persons entitled to such Lands, Tenements, or Hereditaments be not known or discovered, then and in every such Case it shall and may be lawful to and 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 said Court, 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, or Disposition of the said Court; 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, to order the same to be laid out and invested in the Public Funds, and to order the 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 the same, 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 of *England* as aforesaid.

Respecting disputed Titles.

XXVII. 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 Exchequer in pursuance of the said recited Acts or this Act, for the Purchase of any Lands, Tenements, or Hereditaments to be purchased in pursuance of the said recited Acts, or this Act, or to any Bank Annuities to be purchased with any such Money, or to the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in the Possession of such Lands, Tenements, or Hereditaments at the Time of such Purchase, and all Persons claiming under 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 Court; 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

or Persons was or were lawfully entitled to such Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

XXVIII. 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 the said recited Acts or this Act, the Purchase Money for the same shall be required to be paid into the Court of Exchequer, and to be applied in the Purchase of other Lands, Tenements, and Hereditaments, to be settled to the like Uses in pursuance of the said recited Acts or 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 the said recited Acts or this Act, or so much of such Expences as the said Court shall deem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Trustees, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

Court of Exchequer may order Trustees to pay Expences.

XXIX. And be it further enacted, That all Costs, Charges, and Expences incident to and attending the obtaining and passing of this Act, together with lawful Interest from the Time of advancing the same to the Time of Payment, shall in the first place be paid and defrayed out of any Monies received and collected or borrowed by virtue of this and the said recited Acts.

Expences of obtaining Act to be paid out of Tolls.

XXX. And be it further enacted, That all and every Person or Persons who have already subscribed, or who shall hereafter agree to subscribe any Money towards making, amending, widening, or altering the said Roads or any of them, or for carrying this Act into Execution, shall, after Ten Days previous Notice in Writing under the Hand of the Clerk or Clerks to the said Trustees for that Purpose to him, her, or them given, or left at his, her, or their Dwelling House or usual Place of Abode, and they are hereby required to pay the Sum or Sums of Money so subscribed within such Time and Times, and in such Parts and Proportions as is or are expressed in the Writing subscribed by them, or as the said Trustees or any Five or more of them at any Meeting on such Roads shall order and direct; and the same shall be paid at such Place or Places, and to such Person or Persons, as the said Trustees shall by any Writing under their Hands authorize to receive the same; and if any Person or Persons shall neglect or refuse to pay the same, or such Part thereof as may be required in such Notice as aforesaid, it shall be lawful for the said Trustees to sue for the same in the Name of their Clerk or Clerks, Treasurer or Treasurers, and to recover the same in any of His Majesty's Courts of Record, by Action of Debt or on the Case, or by Bill, Plaint, or Suit, wherein no Essbign, Protection, or Wager of Law, nor more than One Imparlance, shall be allowed, together with full Costs of Suit.

Enforcing Payment of Money subscribed.

XXXI. And whereas *Humphrey Senhouse* Esquire is Lord of the Manor of *Ellenborough* in the Parishes of *Dearham* and *Crosscannonby*, through which Part of the said Roads pass, and entitled to the Collieries and Coal Mines lying within and under the same; be it therefore enacted, That nothing herein contained shall extend, or be construed to extend, to authorize

Saving the Rights of Mr. Senhouse.

the said Trustees to affect, alter, or remove, obstruct or disturb the said *Humphrey Senhouse*, his Heirs or Assigns, or his or their Lessee or Lessees, Tenant or Tenants, of, in, or to the Waggonway or Waggonways now laid, or of, in, or to his and their Right to lay and continue any other Waggonway or Waggonways, Railway or Railways, in, over, across, or upon the said Manor, or any Part or Parts thereof, or the Lands or Tenements within the same, from the said Collieries and Coal Mines to and from the Harbour or Town of *Maryport* aforesaid, Part or Parts of the said Manor, without the Consent of the said *Humphrey Senhouse*, his Heirs and Assigns, first had and obtained: Provided always, that where the said Waggonway or Waggonways, Railway or Railways, shall cross the said Roads or any of them, the Ledge or Flanch of such Waggonway or Railway, for the Purpose of guiding the Wheels of the Carriages, shall not rise above the Level of the said Roads, nor be more than Three Quarters of an Inch below the Level of such Roads.

Saving the  
Rights of  
Mr. Dykes.

XXXII. And whereas *Joseph Dykes Ballantine Dykes* Esquire is Lord of the Manors of *Gilcrux, Warthole, and Allerby*, in the said County, and entitled to the Collieries and Coal Mines lying within and under the same; be it therefore enacted, That nothing herein contained shall extend to hinder or prevent the said *Joseph Dykes Ballantine Dykes*, his Heirs or Assigns, or the future Lord or Lords of the said Manors of *Gilcrux, Warthole, and Allerby*, or his or their Heirs or Assigns, Lessees or Tenants, or any of them, from laying any Waggonway or Railway over and across the said Roads, in such One or more Places as the said *Joseph Dykes Ballantine Dykes*, his Heirs or Assigns, or the future Lord or Lords of the said Manors, or his, her, or their Lessee or Lessees, Tenant or Tenants, or any of them, may please or require, he or they doing as little Damage to the said Roads as possibly may be: Provided always, that where the said Waggonway or Waggonways, Railway or Railways, shall cross the said Roads, or any of them, the Ledge or Flanch of such Waggonway or Railway, for the Purpose of guiding the Wheels of the Carriages, shall not rise above the Level of the said Roads, nor be more than Three Quarters of an Inch below the Level of such Roads.

Saving the  
Rights of  
Lords of  
Manors.

XXXIII. And be it further enacted, That nothing herein contained shall extend to hinder or prevent the Lord or Lords of the Manors of *Dearham, Great Broughton, Little Broughton, Seaton, Aspatria, Oughterside, Plumland, and Arkleby*, or his or their Heirs or Assigns, Lessees or Tenants, or any of them, from laying any Waggonway or Railway over and across the said Roads, in such One or more Places as the said Lord or Lords, or the future Lord or Lords of the said Manors, or his, her, or their Lessee or Lessees, Tenant or Tenants, or any of them, may please or require, he or they doing as little Damage to the said Roads as possibly may be: Provided always, that where the said Waggonway or Waggonways, Railway or Railways, shall cross the said Roads, or any of them, the Ledge or Flanch of such Waggonway or Railway, for the Purpose of guiding the Wheels of the Carriages, shall not rise above the Level of the said Roads, nor be more than Three Quarters of an Inch below the Level of such Roads.

XXXIV. And

XXXIV. And be it further enacted, That this Act shall be deemed **Public Act.** 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.

XXXV. And be it further enacted, That this Act shall commence **Term and** upon the passing thereof, and shall be and continue in force for **Continuance** Twenty-one Years, and from thence to the End of the then next Session of Par- **of this Act.**liament.

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THE UNIVERSITY OF CHICAGO

Department of Chemistry  
5780 South Ellis Avenue  
Chicago, Illinois 60637

Dear Sirs:  
I am writing to you regarding the matter of the  
grant application for the year 1967-68.

I have reviewed the application and find it  
to be in good order. I am enclosing herewith  
a copy of the grant agreement for your  
signature.

#

I am sure that you will find the grant  
to be satisfactory. If you have any questions,  
please do not hesitate to contact me.

Very truly yours,  
[Signature]

Enclosure

Yours faithfully,  
[Signature]

cc: [Name]

cc: [Name]

cc: [Name]