

Acts further
continued.

Tolls collected, have been duly applied for the Purposes, and according to the Directions of the said Acts; but the said Sum cannot be repaid, nor can the said Road be effectually repaired and kept in Repair, unless the Term of the said Acts be further continued and the Tolls increased, and some of the Powers and Provisions thereof altered, amended, and 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, and all and every the Tolls, Powers, Authorities, Articles, Clauses, Exemptions, Penalties, and Forfeitures therein contained, (except such as are by this Act altered, enlarged, or repealed, and except such as relate to the Exemptions from Stamp Duties,) shall continue and be in full Force and Effect, and shall be executed for and during the Term herein-after mentioned, as fully and effectually to all Intents and Purposes as if the same were repeated and re-enacted in the Body of this Act; which said additional Term hereby granted shall be subject and liable to the Payment of all Money now due and owing on the Credit of the said Acts, and for all Interest due or to grow due for the same respectively.

Additional
Trustees.

II. And be it further enacted, That *Bryan Abbs, Henry Askew, Charles John Brandling, the Reverend Ralph Henry Brandling, Rowland Burdon the younger, Thomas Burn, William Beckwith, William Beckwith the younger, George Baker of Ellemore, John Burrell, Thomas Brunton, William Byers, the Reverend John Brewster, the Reverend Thomas Baker, Christopher Bramwell, Christopher Bramwell the younger, Benjamin Bray, John Carr the younger, Isaac Cookson, John Cookson, Thomas Cooke, Thomas Clerke, Thomas Collin, Christopher Chapman, Solomon Chapman, Abel Chapman, the Reverend Collinson, James Dunning, John Davison the younger, Edward Davison, Edward Davison the younger, Edward Dale, Edward Dale the younger, John Elliot, George Ward Errington, Cuthbert Ellison, William Eden, Cuthbert Eden, George Fenwick the younger, Thomas Fenwick, the Reverend John Thomas Fenwick, Addison Fenwick, Robert Fenwick, Marmaduke George Featherstonhaugh, George Featherstonhaugh, Henry Featherstonhaugh, William Featherstonhaugh, William Ferguson, Chipchase Grey, John Gregson, John Goodchild the younger of High Pallion, William Gray, Charles Gray, Edward Gray, Ralph Gowland, Robert Green, Robert Green the younger, the Reverend Gilfred Gates, Christopher Septimus Hill, Thomas Hill, the Reverend Henry Hilyard, Nathan Horn, Thomas Hudson, Thomas Horn the younger, William Horn, Robert Horn, William Hayton, Hyton Jolliffe, Thomas Jones, Thomas Jones the younger, James Jones, John George Lambton, Henry Lambton, Hedworth Lambton, Sir Gilfred Lawson Baronet, Sir Thomas Henry Liddell Baronet, Lewis Legg, John Legg, Sir William Loraine Baronet, Charles Lyon, Frederick Lumley, George Isaac Mowbray, Arthur Mowbray, Warren Maude, Francis Mascall, Richard Markham the younger, George Markham, Henry Markham, the Reverend William Nesfield, John Nesham, Robert Nicholson, Thomas Nelson, Bernard Ogden, John Biss Ogden, William Bernard Ogden, Stephen Pemberton M. B. John Pemberton, Robert Pemberton, Robert Pemberton the younger, William Peters, George Pocoke, the Reverend Robert Proffer D.D. the Reverend William Philpott, Matthew White Ridley, Thomas Richardson the younger,*

Henry

Henry Rudd, Robert Reay of Bishopwearmouth, Robert Reay the younger, John Wall, Christopher Robinson, Robert Eden, Duncombe Shaftoe, Thomas Shaftoe, the Reverend George Stephenson, John Stafford, John Smith, the Reverend George Scurfield, William Sleigh, William Stobart, Charles Simpson, Joseph Simpson, George Skipsey, Anthony Tilley, William Todd, Sir Henry Vane Tempest Baronet, Simon Temple, Edgar Temple, Becket Temple, Sir Hedworth Williamson Baronet, William Hamilton Williamson, Thomas Wade, Thomas Wake, Thomas Wake the younger, William Wake, the Reverend John Robinson Wallis, Thomas Wilkinson, Anthony Wilkinson, and Thomas Wheldon, shall, from and immediately after the passing of this Act, be added to and joined to the Trustees appointed or to be appointed to put the said former Acts into Execution; and that the said Trustees hereby appointed, and the Survivors of them, being duly qualified in the Manner directed by the said former Acts, together with the Trustees appointed by or in pursuance of the said former Acts, shall be and they are hereby authorized and empowered to put the said former Acts and this present Act in Execution.

III. And whereas the Tolls granted by the said recited Acts have been found insufficient effectually to maintain and repair the said Road, and pay the Interest of the Money borrowed on the Credit of the said Tolls, be it therefore further enacted, That the several Tolls now payable by virtue of the said recited Acts upon the said Road, shall cease, determine, and be no longer payable, and that instead thereof the following Tolls shall be demanded and taken; (that is to say,)

For discontinuing the present Tolls, and granting new ones.

For every Coach, Chariot, Landau, Berlin, Chaise, Calash, or Hearse drawn by Six Horses, Mares, Geldings, Mules, or other Cattle, the Sum of Three Shillings:

For every Coach, Chariot, Landau, Berlin, Chaise, Calash, or Hearse, drawn by Four Horses, Mares, Geldings, Mules, or other Cattle, the Sum of Two Shillings:

For every Coach, Chariot, Landau, Berlin, Chaise, Calash, or Hearse, drawn by Three Horses, Mares, Geldings, Mules, or other Cattle, the Sum of One Shilling and Sixpence:

For every Coach, Chariot, Landau, Berlin, Chaise, Calash, Chair, or Hearse, drawn by Two Horses, Mares, Geldings, Mules, or other Cattle, the Sum of One Shilling:

For every Chaise or Chair drawn by One Horse, Mare, Gelding, or Mule, the Sum of Sixpence:

For every Waggon, Wain, Cart, or Carriage, having Wheels of less Breadth than Six Inches, drawn by Six Horses, Oxen, or Beasts of Draught, the Sum of Three Shillings; and drawn by Four Horses, Oxen, or Beasts of Draught, the Sum of Two Shillings; and drawn by Three Horses, Oxen, or Beasts of Draught, the Sum of One Shilling and Sixpence; and drawn by Two Horses, Oxen, or Beasts of Draught, the Sum of One Shilling; and drawn by One Horse, Ox, or Beast of Draught, the Sum of Sixpence:

For every Waggon, Wain, Cart, or Carriage, having Wheels of Six Inches Breadth, drawn by Six Horses, Oxen, or other Beasts of Draught, the Sum of Two Shillings; and drawn by Five Horses, Oxen, or Beasts of Draught, the Sum of One Shilling and Eightpence; and drawn by Four Horses, Oxen, or Beasts of Draught, the Sum of One Shilling and

Four.

Four-pence; and drawn by Three Horses, Oxen, or Beasts of Draught, the Sum of One Shilling; and drawn by Two Horses, Oxen, or Beasts of Draught, the Sum of Eight-pence; and drawn by One Horse, Ox, or Beast of Draught, the Sum of Four-pence:

For every Horse, Mare, Gelding, Mule or Afs, laden or unladen, and not drawing, the Sum of Three-pence:

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

For every Drove of Calves, Hogs, Sheep, or Lambs, the Sum of Four-pence *per* Score, and so in Proportion for any greater or less Number:

Which several Tolls shall be, and the same are hereby vested in the said Trustees; and the same and every Part thereof shall be collected, recovered, levied, paid, applied, assigned, varied, and disposed of in such and the same Manner, and by such Ways and Means, and with such Remedies for Non-payment or Evasion thereof, and with such Powers, Provisions, Regulations, and Restrictions, as are contained in the said recited Acts, but subject to the Regulations, Alterations, and Exemptions in this Act contained.

Exemptions
from Tolls.

IV. And be it further enacted, That all and every Exemption or Exemptions from the several Tolls and Duties granted and made payable by the said recited Acts, shall cease, and be no longer allowed, and that in lieu thereof, the several Exemptions from Tolls herein-after mentioned shall be allowed, (that is to say,) that no Tolls shall be demanded or taken for any Horse or Carriage passing through any of the Turnpikes or Toll Gates erected or to be erected upon the said Road, or the Sides thereof, carrying or conveying Stone, Bricks, Lime, Timber, Wood, Heath, Chalk, Gravel, or other Materials to be used on or about the said Road, or for the repairing any Highways in the Parishes, Townships, Districts or Places which are liable to perform Statute Duty upon any Part of the said Road, or returning empty when so employed, or carrying or conveying Hay, Corn in the Straw, or other Produce of the Lands, not sold or disposed of, or any Ploughs, Harrows, or other Implements of Husbandry to be used in the Cultivation of such Lands, or any Lime or Manure to be used or laid upon Lands, or returning empty when so employed (provided always that such last mentioned Exemption shall not extend to or include any Carriage or Carriages drawn by more than Three Horses, or having the Sole or Bottom of the Fellies of the Wheels thereof of a less Breadth or Gauge than Six Inches, between the First Day of *October* in any Year, and the First Day of *April* then next ensuing); nor for any Carriage or Carriages going for Dung or Manure, and carrying Milk only; nor shall any Toll be paid by any Rector, Vicar, or Curate, or licensed Minister, 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 any other his Parochial or Ministerial Duty, or by any other Person or Persons residing in the said Parishes, Townships, Districts or Places, who shall pass through the said Turnpikes or Toll Gates to or from Church, Chapel, or other Place of Religious Worship, or who shall attend the Funeral of any Person or Persons who shall die and be buried in any of the said Parishes, Townships, Districts, or Places through which the said Road passes; nor for any Horses, Mares, Geldings,

ings, Mules, Asses, or Cattle, going to or returning from Work in cultivating the Lands within the same, or any of them; nor for any Horses, Mares, Geldings, Mules, Asses, Cattle, Sheep, Lambs, Goats, or Hogs, going to or returning from Pasture on the Commons, or other Grazing Grounds or Watering Places, or Blacksmiths' Shops to be shod, or from having been shod; nor for any Horse or other Beast of Draught or Carriage employed in carrying or conveying any Furze, Peat, Turf, or Heather, for Fuel, or returning empty having been so employed; 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 in returning back from conveying the same; nor for the Horses of Soldiers on the March or on Duty, or Carriages or Horses or other Beasts employed in carrying the Arms or Baggage of such Soldiers; nor for any Horse, Mare, or Gelding, furnished by or for any Person belonging to any Corps of Yeomanry or Volunteer Cavalry, and rode by him in going to or returning from the Place appointed for or on the Days of Exercise, provided 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, or other Carriage whatsoever, or the Horse or Horses or other Cattle drawing the same, which shall be employed in conveying any Ordnance, Barrack, Commissariat, or other publick Stores of or belonging to His Majesty, or for the Use of His Majesty's Forces; nor for any Carriage, Horse, or other Beast employed in the Conveyance of Vagrants travelling with legal Passes, or travelling with Vagrants sent by legal Passes; nor for any Horse going to or returning from any Election of a Knight or Knights of the Shire to serve in Parliament for the County of *Durham*, on the Day or Days of such Election, or on the Day before or Day after such Election shall begin and 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 the said Tolls or any Part thereof shall be evaded, every such Person for every such Offence shall forfeit and pay any Sum not exceeding Five Pounds.

V. 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, or Commissariat, or other publick 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 Waggon, Wain, Cart, or other Carriage be stopped or detained by reason of any Weight of any such Waggon, Wain, Cart, or other Carriage, or of being drawn by any Number of Horses or Oxen; but it shall be lawful for any Owner or Driver of any such Waggon, Wain, Cart, or other Carriage, to put any Number of Horses or Oxen to such Waggon, Wain, Cart, or other Carriage, any Thing in any Act or Acts of Parliament relating to Highways or Turnpike Roads, or in this Act or the said recited Acts, or any of them, contained to the contrary notwithstanding.

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

VI. And be it further enacted, That so much of the said recited Acts as relates to the Performance of Statute Labour on the said Road, shall

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Regulations as to Performance of Statute Duty, be,

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 Roads comprised in the said recited Acts, or any Part thereof, shall still remain liable thereto in like Manner as heretofore; and it shall be lawful for any Two or more Justices of the Peace within their respective Jurisdictions, and they are hereby required and empowered upon Application made to them by the said Trustees appointed or elected, or to be hereafter appointed or elected by virtue of the said recited Acts or by this Act, or any Five or more of them, or by their Treasurer, Clerk, or Surveyor, by their Order, yearly to adjudge and determine what Part or Proportion of the Statute Work shall every Year be done upon the said Roads by the Inhabitants of the respective Parishes or Places in which the said Roads lie, and also what Proportion of the Money received by the Surveyor or Surveyors of the Highways of every such Parish or Place, in lieu of or as a Compensation for such Statute Work as aforesaid, shall be by him, her, or them paid to the said Trustees, or to their Treasurer or Treasurers; and in order thereunto, it shall be lawful for such Justices, from Time to Time to summon the Surveyor or Surveyors of the Highways of every such Parish 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, 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 Repairs of the publick Highways; and out of such Lists the said Justices shall and may allot, appoint, and order such and so many of the Persons who shall appear subject and liable to Statute Work as aforesaid, to do such Number of Days Statute Work in every Year upon the said Roads 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 Roads, as the said Trustees 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 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, not exceeding the Proportion of Labour, to the said Trustees or their Treasurer, at such Time or Times as the Justices shall direct; and in Default of Payment thereof, the same shall and 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 the said recited Acts authorized or directed to be recovered; and each and every Person who shall neglect or refuse to do such Statute Work as aforesaid, after Notice in Writing given to or left for him, her, or them, at his, her, or their 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 publick Highways; and if any Person who shall come or be sent to work as a Labourer, or shall be sent with any Team or Draught to work on the said Roads, 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 Payments 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 Roads, all which Forfeitures shall be paid to the Treasurer to the said Trustees, and applied towards amending the said Roads; and in case the Surveyor or Surveyors of the Highways for any of the said Parishes or Places shall refuse or wilfully neglect to give in such Lists as aforesaid, or shall knowingly and wilfully give in false or imperfect Lists, every such Surveyor so offending shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds.

VII. 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 said recited Acts or this Act, which shall belong to any Body Politick, Corporate or Collegiate, Corporation Aggregate or Sole, Feoffees in Trust, Guardians, Committees, Trustees, Femes Covert, or other incapacitated Person or Persons, such Money shall, if the same amount to the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account *ex parte* the Trustees for executing the said Acts and this Act, to the Intent that such Money shall be paid under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments, in the Purchase of the Land Tax or the Discharge of any Debt or Debts, or such other Incumbrance or Part thereof as the said Court shall authorize to be paid affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments, standing settled to the same or the like Uses, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested under the like Direction and Approbation of the said Court in the Purchase of other Messuages, Lands, Tenements, or Hereditaments, which shall be conveyed and settled to, for and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Hereditaments which shall be so purchased, taken, or used as aforesaid stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking Effect; and in the mean Time, until such Purchase shall be made, the said Money shall, by Order of the said Court of Chancery upon Application thereto, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the mean Time, and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid by Order of the

Application
of Compensation when
amounting
to 200l.

the said Court to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Lands, Tenements, and Hereditaments, so hereby directed to be purchased in case such Purchase or Settlement were made.

Application where Compensation is less than 200l. and exceeds 20 l.

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

Application where the Money is less than 20 l.

IX. Provided also, and be it further enacted, That when any such Money so agreed or awarded to be paid as herein-before mentioned shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Hereditaments so purchased, taken, or used for the Purposes of the said recited Acts or this Act, in such Manner as the said Trustees, or any Five or more of them, shall think fit; or in case of Infancy or Lunacy, then to his or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

In case of not making out Titles, &c.

X. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be awarded or assessed, for 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 any Five or more of them, or in case the Person or Persons to whom such Sum or Sums of Money shall be so awarded or assessed as aforesaid cannot be found, or if the Person or Persons entitled to such Lands, Tenements, or Hereditaments, be not known or discovered, then and in every such Case it shall be lawful for the said Trustees to order the Sum or Sums of Money so awarded or assessed as aforesaid, to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his

Account,

Account, to the Credit of the Parties interested in the said Lands, Tenements, or Hereditaments, [*describing them,*] subject to the Order, Control, and Disposition of the said 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 or invested in the Publick 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 Order in the Premises as to the same Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England*, who shall receive such Sum or Sums of Money, is and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying for what and for whose Use the same is or are received, to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank as aforesaid.

XI. Provided always, and be it further enacted, That where any Question shall arise, touching the Title of any Person or Persons to any Money to be paid into the Bank of *England* in the Name and with the Privy of the Accountant General of the Court of Chancery, in pursuance of the said recited Acts and 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 Interest of any such Bank Annuities, the Person or Persons who shall have been in Possession of such Lands, Tenements, and Hereditaments at the Time of such Purchase, and all Persons claiming under such Person or Persons, shall be deemed and taken to be lawfully entitled to such Lands, Tenements, and Hereditaments according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court of Chancery; and the Dividends or Interest of the Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

Persons in Possession shall be deemed entitled, until the contrary be shewn.

XII. 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 and 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 the said recited Acts and 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 and 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.

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

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XIII. And

If Lessee of
Tolls refuse
to deliver up
Toll House,
&c.

XIII. And be it further enacted, That if any Lessee of the Tolls to be demanded and taken by virtue of this Act, shall refuse to deliver up Possession of any Turnpike Gate or Toll House erected or to be erected upon or by the Side of the said Roads, after the Expiration of his Term or Lease, it shall be lawful for any Justice of the Peace for the said County of *Durham* to remove such Lessee from the Possession of such Turnpike Gate and Toll House, in such Manner as by Law is provided in the Cases of Toll Gatherers or Collectors of Tolls holding over Possession after being discharged from their Offices.

Expences of
this Act.

XIV. And be it further enacted, That the Expence of obtaining and passing this Act, together with legal Interest for Money advanced by any Person or Persons for that Purpose, shall be paid out of the Money already raised by virtue of the said recited Acts, or out of the first Money to be raised by virtue of this Act.

Publick Act.

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

Term and
Continuance
of this, and
of the former
Acts.

XVI. And be it further enacted, That this Act shall commence upon the passing thereof, and shall continue and be in force, and be executed for and during the Residue now to come and unexpired of the Term granted by the said recited Acts; and from the Expiration thereof, for and during the further Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament.

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