



ANNO QUADRAGESIMO PRIMO

GEORGI III. REGIS.

Cap. 82.

An Act for continuing for Twenty-one Years, and from thence to the End of the then next Session of Parliament, the Term, and enlarging the Powers of Two Acts, made in the Twenty-sixth Year of the Reign of His late Majesty King *George* the Second, and the Nineteenth Year of the Reign of His present Majesty, for repairing and widening the Roads from the East End of *Brough-under-Stainmore* in the County of *Westmorland*, by the End of *Appleby Bridge*, to *Eamont Bridge* in the said County. [20th June 1801.]

WHEREAS an Act was made in the Twenty-sixth Year of the Reign of His late Majesty King *George* the Second, intituled, *An Act for repairing and widening the Roads from the East End of Brough-under-Stainmore in the County of Westmorland, by the End of Appleby Bridge, to Eamont Bridge in the said County*, whereby certain Tolls, Powers, and Authorities, were given and granted to the Trustees therein named, for amending, widening, and keeping in Repair the said Roads; and which Act was to have Continuance for and during the Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament: And whereas another Act was made in the Nineteenth Year of the Reign of His present Majesty, for continuing the Term, and altering and enlarging the Powers, and rendering more effectual, the said recited Act of the Twenty-sixth Year of His late Majesty: And whereas the Trustees acting in the Execution of the said Acts, have borrowed upon the Credit of the Tolls authorized to be collected upon the said Roads, several considerable Sums of Money; which now remain due, and cannot be repaid, and the said Roads effectually amended and kept in good Repair, unless the Term and Powers of the said Acts be further continued; 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

Preamble.

[*Loc. & Per.*]

17 M—N

the

Acts further
continued.

the Authority of the same, That the said recited Acts, and all the Clauses, Powers, Authorities, Provisoos, Exemptions, Penalties, Forfeitures, Matters, and Things therein contained (except such as relate to Exemption from Stamp Duties) shall be and remain in full Force and Effect, and, together with this present Act, shall be put in Execution for the several Purposes thereby and hereby intended, for and during the Term herein-after granted, as fully and effectually in all Respects, and to all Intents and Purposes whatsoever, as if the same were expressly repeated and re-enacted in the Body of this present Act; which said Term hereby granted shall be and is hereby declared to be subject and liable to the Payment of all Money borrowed or to be borrowed, and now due or to grow due on the Credit of the said recited Acts and this Act, and all Interest due and to become due and payable for the same respectively.

Additional
Trustees.

II. And be it further enacted, That Michael Atkinson, Matthew Atkinson, George Atkinson, Richard Atkinson, Christopher Addison, Robert Addison, John Addison, the Reverend Hugh Atkinson, John Abbott of Thorp, John Atkinson of Thorp, Thomas Bateman, William Bland, Richard Brooks, Robert Bellas, Henry Brougham, John Bellas, Matthew Bell, William Bleamire, John Buchanan, Thomas Bland, Joseph Bland, Richard Bellas, Hugh Bellasis, John Bunn, the Reverend John Bowstead, the Reverend Lancelot Bellas, Thomas Banks, the Reverend Thomas Bellas, Richard Brown, John Christian Curwen, Christopher Crackanthorp Crackanthorp, John Carleton, John Chapelhow, Matthew Dalton, the Reverend James Coward, John Cleasby, John Dickenson, Henry Dent, Nicholas Dent Junior, Joseph Dickenson, John Dixon, John Dodd, Richard Hodgson Edmondson, John Ellwood, Edmund Ellwood, Thomas Ellwood, William Ellyatson, William Parwett Junior, William Fairer, John Fairer, the Reverend James Eletcher, the Reverend Richmond Fell, the Reverend John Mason Fenton, Robert Fawcett, William Fawcett Senior, Thomas Fothergill, the Reverend John Fisher, Thomas Gibson, John Gibson Esquire, George Gibson, William Harrison, John Hill of Crackanthorp, John Hill of Bank Foot, Richard Hill, Anthony Harrison, Thomas Harrison, Jonathan Horn, Edward Hasell, Thomas Heelis, Edward Heelis, the Reverend John Heelis, Christopher Holiday, Edward Holiday, George Harrison, Mason How, the Reverend Hugh Hill, Matthew Hewitson, John Hewitson, Thomas Holme, John Henderson, the Reverend James Holme, William Hogarth of Clifton, Robert Jackson, John Jackson, the Reverend John Jackson, Christopher Kilner, the Reverend William Kilner Senior, the Reverend William Kilner Junior, Thomas Lewis, the Reverend Lushington, the Reverend William Lowther D.D., John Morland, Michael Morland, Sir John Chardin Musgrave, Thomas Munkhouse, Joshua Marriott, Matthew Mattinson, John Mounsey of Pattendale, Esquire, the Reverend Thomas Myers, Thomas Mounsey of Thorp, Francis Naisbit, Robert Noble, John Nicholson of Thorp, James Orton, John Park, James Park, George Park, John Perkins, James Perkins, John Parkin, Thomas Parker, William Pootley of Shap, the Reverend William Phillips, William Stephenson Preston, Robert Robertson, Robert Robinson, John Richardson of Street House, William Robinson, Michael Robinson, Christopher Rudd, William Richardson, Robert Rudd, Thomas Robinson, Matthew Robinson, William Richardson of Brampton, John Rumney, Robert Richardson, Robert Rawes, Matthew Stephenson, William Salkeld, Thomas Salkeld, Thomas Strickland, Francis Sedgwick, John Shepherd, Edward Scott, Joseph Salkeld, John Sowerby, William Sowerby, Thomas Scarbrough, Edward Stephenson, William Jackson Smith, the Reverend Harrison Shaw, Thomas Teasdale, Joseph Thompson,

Sir Frederick Fletcher Vane Baronet, John Wilson, John Williamson, Matthew Willock, Thomas Wharton, Rowland Walton, John Walton, the Reverend Robert Whitehead, the Reverend Robert Watts, the Reverend John Waller, George Wheatley Esquire, and John Orfeur Yates, (being qualified according to the Directions of the said first-mentioned Act), shall be, and they are hereby added to and joined with the surviving and remaining Trustees appointed in or elected by virtue of the said recited Acts or either of them; and that the said several Persons herein-before named, together with those who were appointed or elected Trustees in or by virtue of the said recited Acts, shall be and they are hereby appointed Trustees to put the said recited Acts and this Act into Execution, as fully and effectually, to all Intents and Purposes, as if they had been appointed by the said recited Acts or either of them.

III. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands, Grounds, or Hereditaments purchased, taken, or used by virtue of the Powers of the said recited Acts and this Act for the Purposes thereof, which shall belong to any Corporation, Feme Covert, Infant, Lunatick, or Person or Persons under any Disability or Incapacity, as in the said first recited Act particularly mentioned, such Money shall, in case the same shall 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 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, Grounds, or other 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, Grounds, or other Hereditaments, or affecting other Lands, Grounds, or other 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, in the Purchase of other Lands, Grounds, or other 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, Grounds, or other 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, and 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 said Court, to the Person or Persons who would, for the Time being, have been entitled to the Rents and Profits of the Lands, Grounds, or other Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made.

Application
of Compen-
sation where
exceeding
Two hundred
Pounds.

IV. Provided

Application where the Compensation does not exceed Two hundred Pounds, and above Twenty Pounds.

IV. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands, Grounds, or other 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 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, Grounds, or other 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 Manner herein-before directed; or otherwise, the same shall be paid (at the like Option) to Two Trustees, to be nominated by the Person or Persons making such Option, and approved of by Five or more of the said Trustees (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 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 Twenty Pounds.

V. 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, Grounds, or other Hereditaments so purchased, taken, or used, for the Purposes of the said Acts and 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, her, or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

Expences of this Act how to be paid.

VI. And be it further enacted, That all Charges and Expences incident to or attending the obtaining and passing of this Act, shall be paid out of any Money already collected and received, or out of the first Monies hereafter to be collected or received by virtue of the said recited Acts or either of them, or of this Act.

Publick Act.

VII. And be it further enacted, That this Act shall be deemed, adjudged, and taken to be a Publick Act, and shall be judicially taken Notice of as such by all Judges, Justices, and other Persons whomsoever, without specially pleading the same.

Commencement and Continuance of the Act.

VIII. And be it further enacted, That this Act shall commence and take place from and after the Tenth Day of June One thousand eight hundred and one, and shall continue in Force for and during the Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament.

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