



ANNO QUINQUAGESIMO OCTAVO

GEORGII III. REGIS.

Cap. xi.

An Act for continuing and amending an Act of His present Majesty, for repairing the Road from *West Cowgate*, near *Newcastle-upon-Tyne*, to the *Alemouth Turnpike Road*, in the County of *Northumberland*.
[17th March 1818.]

WHEREAS an Act was passed in the Thirty-seventh Year of the Reign of His present Majesty, intituled *An Act for more effectually amending, improving, and keeping in Repair the Road from the West Cowgate near the Town of Newcastle-upon-Tyne, through the West End of Kenton, Ponteland, Higham Dykes, Newham Edge, Belfay Mill, and South Middleton, to the North Side of the River Wanspeck, in the County of Northumberland, and also the Road leading from the said Road to the Alemouth Turnpike Road*; which said last-mentioned Road, extending One Mile and Three Furlongs or thereabouts, is a Continuation of the Line of the first-mentioned Road at the North Termination thereof: And whereas the Trustees appointed in and by virtue of the said Act have proceeded to put the same in Execution; but the said Road cannot be properly amended, improved, and kept in Repair, unless the said Act, which is near expiring, be continued for a further Term; and it is expedient that some of the Powers and Provisions of the said Act should be altered, amended, and enlarged, and that some further Powers and Authorities should be granted, for more effectually repairing and improving the said Road: 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,
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37 G. 3.
continued.

Commons, in this present Parliament assembled, and by the Authority of the same, That the said recited Act passed in the Thirty-seventh Year of the Reign of His present Majesty, and all and every the Tolls, Authorities, Powers, Privileges, Provisions, Regulations, Penalties, Clauses, Matters, and Things therein contained, and now in force (except so far as any of them are varied, altered, or repealed), shall be and continue in full Force, and be executed, for amending, improving, and keeping in Repair the said Road from the *West Cowgate* near *Newcastle-upon-Tyne*, through the West End of *Kenton*, *Ponteland*, *Higham Dykes*, *Newham Edge*, *Belsay Mill*, and *South Middleton*, to the *Alemouth Turnpike Road* in the Parish of *Hartburn* in the County of *Northumberland*, during the Term herein-after mentioned, as fully and effectually to all Intents and Purposes as if the same were herein particularly repeated and re-enacted; but this Act and the Tolls hereby granted shall be and are hereby made subject and liable to the Payment of all Monies which are now due and owing on the Credit or Security of the said recited Act, and of all Interest due and to grow due thereon respectively.

Trustees
appointed.

II. And be it further enacted, That *John Murray Aynsley*, *Robert Launcelot Allgood*, *George Anderson*, *Ralph Atkinson*, *Thomas Allason Clerk*, *John Bartlam Clerk*, the Honourable and Reverend *John Horsely Beresford*, *Charles William Bigge*, *Thomas Hanway Bigge*, *Sir Francis Blake Baronet*, *Thomas Richard Beaumont*, *Thomas Wentworth Beaumont*, *George Baker*, *Matthew Bell*, *Rowland Burdon*, *Charles John Brandling*, *Robert William Brandling*, *Calverley Bewicke Bewicke*, *Christopher Blackett*, *William Bainbridge*, *William Batson*, *William Smith Batson*, *Robert Bell*, *Henry Bell*, *Thomas Bonner*, *Sir Thomas Burdon Knight*, *Dixon Brown*, *Thomas Richard Batson*, *Henry Hugh Bray*, *Bates*, *Sir Thomas John Clavering Baronet*, *Edward Collingwood*, *Charles John Clavering*, *Isaac Cookson junior*, *Nathaniel Clayton*, *John Blenkinsopp Coulson*, *William Guthbert*, *Ralph Carr*, *Thomas Clennell*, *William Clarke*, *William Couel*, *Robert Couel*, *Joseph Couel*, *William Crawford*, *Robert Crow*, *William Dent*, *John Davidson*, *Thomas Davidson*, *George Davison Clerk*, *William Dixon*, *Thomas Davison*, *George Dunn*, *Matthias Dunn*, *Noel Thomas Ellison Clerk*, *James Fenwick*, *Christopher Fenwick*, *Percival Fenwick*, *Joseph Forster*, *John Forster*, *George Forster*, *Ralph William Grey*, *Charles Edward Grey*, *Thomas Graham*, *Anthony Hedly Clerk*, *Thomas Harle*, *James Hepple*, *William Hepple*, *Anthony Hopper*, *Sanderson Ilderton*, *Francis Johnson*, *Christopher Jobson*, *Robert Jobling*, *John Kirsopp*, *Sir Charles Loraine Baronet*, *William Loraine the younger*, *Sir Thomas Henry Liddell Baronet*, *William Loraine*, *John Lambton Loraine*, *William Linskill*, *Edward Leighton*, *James Losh*, *Sir Charles Miles Lambert Monck Baronet*, *Charles Atticus Monck*, *Sir Ralph Milbank Baronet*, *Ralph Milbank*, *Thomas Meggison*, *Thomas Meggison the younger*, *Septimus Meggison Clerk*, *Simon Mewburn*, *Bartram Mitford*, *John Saville Ogle Clerk*, *Robert Ormston*, *William Ord of Fenham*, *William Ord the younger*, *William Orde of Nunny Kirk*, *Charles Ogle*, *Robert Pearson*, *Robert Pearson the younger*, *Charles Dalston Purvis*, *Sir Matthew White Ridley Baronet*, *John Reed*, *Christopher Reed*, *Francis Reed Clerk*, *Archibald Reed*, *William Rochester*, *Thomas Robson*, *Thomas Riddell*, *Ralph Riddell*, *Robert Robertson*, *Thomas Redman Clerk*, *Nicholas Ruddock*, *George Silvertop*, *Sir John Edward Swinburne Baronet*, *Edward Swinburne*, *George Dalston Shafto*, *Ralph Spearman*, *Robert Storey*, *Peter Shield*, *Thomas Stapleton*, *Thomas Shadforth*, *George Shadforth*,

forth, Sir John Trevelyan Baronet, John Trevelyan, Walter Trevelyan, Walter Calverley Trevelyan, Robert Hopper Williamson, Lionel Winship, and the Mayor, Recorder, Aldermen, and Sheriff of the Town and County of Newcastle-upon-Tyne for the Time being, shall be and they are hereby nominated and appointed Trustees for more effectually repairing and keeping in Repair the said Road, and for putting in Execution the several Powers and Authorities in and by this Act given and granted.

III. And be it further enacted, That it shall be lawful for the Trustees authorized to carry the said recited Act and this Act into Execution, at any of their Meetings to be holden in pursuance of the said recited Act or this Act, to elect and appoint any additional Number of Persons, not exceeding Ten in the whole, to be Trustees for the Purposes of the said recited Act and this Act; and the Trustees so elected and appointed shall be and are hereby vested with the same Powers and Authorities for executing the said recited Act and this Act as if they had been appointed such Trustees in this Act.

Power to appoint additional Trustees.

IV. And be it further enacted, That all Acts, Matters, and Things by the said recited Act and this Act authorized to be done and executed by the Trustees nominated and appointed by or by virtue of the said recited Act and this Act, or by any Five or more of such Trustees, shall and may be done and executed by any Three or more of such Trustees for the Time being.

All Acts may be done by Three Trustees.

V. And be it further enacted, That the said Trustees shall and they are hereby required from Time to Time, and at all Times during the Continuance of this Act, to order and direct a Book or Books to be provided and kept by their Clerk for the Time being, in which Book or Books such Clerk shall enter or cause to be entered true and regular Accounts of all Sums of Money received, paid, laid out, and expended for or on account of the said Road, and of the several Articles, Matters, and Things for which such Sums of Money shall have been disbursed, laid out, and paid; which Book or Books shall at all seasonable Times be open to the Inspection of the said Trustees or any of them, or any Creditor or Creditors on the Tolls hereby granted, without Fee or Reward; and the said Trustees and Creditors, or any of them, shall and may take Copies of or Extracts from the said Book or Books, or any Part or Parts thereof, without paying any Thing for the same; and in case any Clerk shall refuse to permit any of the said Trustees or Creditors to inspect the same Book or Books, or to take such Copies or Extracts as aforesaid, the Clerk so refusing shall forfeit and pay for every such Offence any Sum of Money not exceeding Five Pounds.

Accounts to be kept of Receipts and Disbursements, which shall be open to the Inspection of the Trustees and Creditors.

VI. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees to continue or appoint the same Person who has been or may be appointed to act as their Clerk in the Execution of this Act, or the Partner of any such Clerk, the Treasurer for the Purposes of the said recited Act and this Act, or to continue or appoint the Person who has been or may be appointed to act as their Treasurer, or the Partner of any such Treasurer, the Clerk to the said Trustees; and if any Person shall act in both the Capacities of Clerk and Treasurer for the Purposes

Same Person not to be Clerk and Treasurer.

Purposes of the said recited Act and this Act, or if any Person being the Partner of any such Clerk shall act as Treasurer, or being the Partner of such Treasurer shall act as Clerk in the Execution of the said recited Act and this Act, every Person so offending shall for every such Offence forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall sue for the same in any of His Majesty's Courts of Record at *Westminster* by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance, shall be allowed.

Number of
Tolls limited.

VII. Provided always, and be it further enacted, That no Person or Persons shall be liable to pay more than Two Tolls, nor each of the said Two Tolls more than one Time, for passing and repassing on the same Day, to be computed from Twelve of the Clock at Night to Twelve of the Clock the next succeeding Night, with the same Horse, Beast, Cattle or Carriage, through all the Toll Gates or Turnpikes erected or to be erected upon the said Road; any Thing in the said recited Acts or this Act to the contrary thereof notwithstanding.

Collector to
deliver
Tickets, specifying the
Gates freed
thereby.

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

Regulations
as to Toll
Collectors.

IX. And be it further enacted, That every Toll Collector, being appointed either by the said Trustees or by any Lessee or Lessees of the Tolls to collect the Tolls payable at any Turnpike or Toll Gate to be continued or erected by virtue of this Act, shall and he is hereby required to place his Christian Name and Surname, painted on a Board in legible Characters, in the Front or some other conspicuous Part of the Toll House or Toll Gate immediately on his coming on Duty, each of the Letters of such Names to be at least One Inch in Length, and of a Breadth in proportion, and shall continue the same so placed during the whole Time he shall be upon such Duty; and if any Collector of the same Tolls shall not place such Board as aforesaid, and keep the same there during the Time aforesaid; or shall demand or take a greater or less Toll from any Person than he shall be authorized to do by Law, or the Orders and Regulations of the said Trustees; or shall demand and take a Toll from any Person or Persons who shall be exempt from the Payment thereof, and claim such Exemption; or shall refuse to permit or suffer, or shall in any ways hinder any Person or Persons from reading such Christian Name or Surname; or shall refuse to tell his Christian Name or Surname to any Person or Persons who shall demand the same, on having paid the said Tolls or any of them; or shall, in Answer to such Demand, give a false Name or Names; or shall refuse or neglect to give a Ticket denoting the Payment of the Toll, and naming and specifying the several Gates freed by such Payment; or, upon the legal Toll being paid or tendered, shall unnecessarily detain or wilfully obstruct or hinder, or prevent any Passenger or Passengers from passing through any Turnpike or Toll Gate, or shall make use of any scurrilous or abusive Language to any Passenger or Passengers; then and in every such Case every such Toll Collector shall forfeit and pay for every such Offence such Sum, not exceeding Forty Shillings,

Shillings, as the Justice or Justices before whom the Information shall be laid shall adjudge; and such Penalty shall be recovered and applied as other Penalties are by the said recited Act and this Act directed to be recovered and applied.

X. And be it further enacted, That if any Dispute shall happen about the Quantity of Tolls due, or the Charges of keeping any Distress, it shall be lawful for the Collector or Person so distraining, to retain such Distress, or the Money arising from the Sale thereof, as the Case may happen, until the Quantity of the Tolls, or the Charges of the Distress and Sale, and of keeping the Distress, as the Case may happen, be ascertained by some Justice of the Peace for the County or District wherein the Cause of Dispute shall arise, who, upon Application made to him for that Purpose, shall examine the Matter by Oath of the Parties, or other Witness or Witnesses (which Oath such Justice is hereby authorized to administer), and shall determine the Quantity of the Tolls due, and shall award such Costs and Charges to either Party as to the said Justice shall appear right and proper; all which Costs and Charges shall and may be levied and recovered, in case of Non-payment thereof forthwith, by Warrant under the Hand and Seal of such Justice, rendering the Overplus (if any) on Demand, after deducting the Costs and Charges of making such Distress and Sale, to the Person or Persons whose Goods and Chattels shall have been so distrained and sold.

For settling
Disputes con-
cerning Tolls.

XI. And be it further enacted, That it shall be lawful for the said Trustees from Time to Time, as they shall see convenient, to compound and agree, for any Term not exceeding Three Years at any one Time, with all or any of the Inhabitants of the several Parishes, Townships, or Places to or through which the said Road leads, for the passing of their Horses, Cattle, or Carriages through all or any of the Toll Gates or Turnpikes now erected or hereafter to be erected on the said Road, or on the Sides thereof respectively; which Composition Money shall be paid in Advance, and in Default thereof the Composition or Agreement with the Person or Persons making such Default shall from thenceforth be void; and such Composition Money shall be paid and applied in such Manner as the Tolls are hereby directed to be paid and applied.

Trustees may
compound for
Tolls.

XII. Provided always, and be it further enacted, That no Trustee for the Execution of this Act shall be capable of voting upon an Election on the Vacancy of any Office or Place of Trust held under the said Trustees unless such Person shall have attended some Meeting of the said Trustees and have acted there as a Trustee, within the Space of Two Years next preceding such Vacancy.

Trustees not
to vote for
Officers, un-
less they have
acted within
Two Years.

XIII. Provided always, and be it further enacted, That nothing in the said recited Act or this Act contained shall authorize the said Trustees or any of them to alter the Line or Direction of the Road comprized in the said recited Act and this Act, so as to deviate more than One hundred Yards from the present Line or Direction of such Road, without the previous Consent of the respective Owners of the Lands or Tenements through which such Deviation shall be made, whether such Owners be Bodies Politic, Corporate, or Collegiate, or Tenants in Fee Simple, Fee Tail, for Life or Lives, or for Years determinable on a Life or Lives, or of the

Road not to
deviate more
than One
hundred
Yards
through pri-
vate Lands
without Con-
sent.

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Husbands,

Husbands, Trustees, Guardians, Committees, or Attornies of or for such Owners; such Consents to be respectively testified in Writing under the Hands of the consenting Parties, or under the Seals of any of them being Corporations Aggregate.

Materials not to be taken from inclosed Ground without an Order of Two Justices.

XIV. Provided always, and be it further enacted, That it shall not be lawful for any Person or Persons, under Authority of the said recited Act or this Act, to dig, gather, take, and carry away any Materials for repairing and amending the said Road, in or from any inclosed or private Grounds or Quarries, without the Consent of such respective Owners of the Grounds or Quarries, until after Ten Days previous Notice in Writing, signed by the Surveyor or some other Officer of the said Trustees, shall have been given to such respective Owners and the Occupiers of the Lands and Grounds from which such Materials are intended to be taken, or left at the usual Place of Residence of such Owners or Occupiers respectively, requiring them to appear before Two or more Justices of the Peace acting for the County or District wherein such Lands are situate, at a certain Time and Place to be specified in such Notice, to shew Cause why such Materials should not be taken away; and such Justices, after hearing the Parties concerned, shall, if they think proper, authorize such Surveyor or other Officer to dig, gather, take, and carry away any such Materials, at such Time or Times and in such Manner as to such Justices shall seem proper; or if such respective Owners or Occupiers shall not by themselves or their respective Agents attend pursuant to such Notice, such Justices may make such Order therein as they shall think fit, in the same Manner as if such respective Owners or Occupiers had attended pursuant to such Notice.

Gates to swing inwards.

XV. And be it further enacted, That all Gates to be hereafter made and placed in any Field or Ground adjoining the said Road, shall be made and hung to open and swing inward towards such Field or Ground, and not towards the said Road; and that it shall be lawful for the said Trustees to order all such Gates as are now erected or may hereafter be erected, and open and swing outward towards the said Road, to be altered and made to open and swing inwards, as they the said Trustees shall think proper; and if any Occupier or Occupiers of the Lands upon which any Gate or Gates is or are or shall be constructed so as to open and swing outward towards the said Road, shall, after Ten Days Notice from the Surveyor of the said Road, requiring him, her, or them to alter any such Gate or Gates, and to make the same open and swing inwards, refuse or neglect to make such Alterations, every such Occupier or Occupiers shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Exemption from Tolls.

XVI. And be it further enacted, That from and after the Commencement of this Act all Exemptions from Tolls granted by the said recited Act shall cease and be no longer allowed; and that in lieu thereof the several Exemptions from Toll herein-after mentioned shall be allowed; (that is to say), that no Toll shall be demanded or taken for any Horse, Cattle, Beast, or Carriage employed in carrying or conveying, or going empty to carry or convey, or returning empty from carrying or conveying, having been employed only in carrying or conveying on the same Day, any Stones, Bricks, Timber, Wood, Gravel, or other Materials for repairing the

the said Road, or any of the Highways within the Parishes, Townships, or Hamlets in which any Part of the said Road lies, or Hay, Straw, or Corn in the Straw only, not sold or disposed of, or conveying to be sold, but passing to be laid up or placed in the Outhouses or on the Lands of the Owners; or for any Horse, Cattle, Beast, or Carriage employed in carrying or conveying, or going empty to carry or convey, or returning empty from carrying or conveying, having been employed only in carrying or conveying, any Ploughs, Harrows, or Implements of Husbandry, or any Lime, Dung, Mould, or Compost to be used for the Manurance or Improvement of Lands, or any Furze, Peats, Turf, or Heather for Fuel; or for any Horses or Cattle going to or returning from Pasture or Watering-places, or going to be or returning from being shod and farried; or from any Person going to or returning from his or her proper Parochial Church or Chapel, or other Place of Religious Worship tolerated by Law, on a *Sunday*, or upon any other Day on which Divine Service is ordered by Authority to be celebrated, or attending the Funeral of any Person that shall die and be buried in any of the said Parishes; or from any Clergyman going to or returning from visiting any sick Person, or upon other his Parochial or Ministerial Duty; or for any Horse, Cattle, or Carriage, of whatever Description, employed or to be employed in conveying the Mails of Letters and Expresses under the Authority of His Majesty's Postmaster General, either when employed in conveying, fetching, or guarding such Mails or Expresses, or in returning back from conveying the same; or for any Horse, Cattle, or Beast attending any Soldiers upon the March or on Duty, or any Horses, Cattle, Beasts, or Carriages conveying their Arms or Baggage; nor for any Wagon, 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, or Commissariat or other Public Stores of or belonging to His Majesty, or for the Use of His Majesty's Forces; or for any Horse, Cart, Carriage, or Beast employed in the Conveyance of Vagrants sent by legal Passes, or returning therefrom; and that no Toll shall be demanded or taken for any Horse, Mare, or Gelding furnished by or for any Person or Persons belonging to any Corps of Yeomanry or Volunteer Cavalry, and rode by him or them in going to or returning from the Place appointed for and on the Days of Exercise, provided that such Persons shall be dressed 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 Exemptions as aforesaid; or for any Horse or Carriage carrying or conveying any Person or Persons going to vote or returning from voting at any Election of a Knight or Knights of the Shire to serve in Parliament for the County of *Northumberland*, on the Day or Days of such Election, or on the Day before or Day after such Election shall begin or be concluded; and if any Person or Persons shall in any fraudulent or collusive Manner whatever, claim or take the Benefit of any of the Exemptions by this Act granted, not being entitled to the same, every Person so offending shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds, one Moiety whereof shall go to the Informer, and the other Moiety thereof shall be applied for the Purposes of the said Act and this Act.

XVII. And be it further enacted, That no Person owning or driving or causing to be driven any Waggon, Wain, Cart, or other Carriage pre-
vided

Carriages
employed in
His Majesty's

Service not
to be subject
to Regula-
tions for
Overweight.

vided for the Service of His Majesty's Forces, or conveying any Ordnance, Barrack; Commissariat, or other Public Stores of or belonging to His Majesty, or for the Use of His Majesty's Forces, shall be subject to any Penalty or Forfeiture for Overweight; nor shall any such Waggon, Wain, Cart, or other Carriage, or the Horse or Horses drawing the same, while so employed, be stopped or detained by reason of any Weight in any such Waggon, Wain, Cart, or other Carriage, or of being drawn by any Number of Horses or Oxen, but it shall be lawful for the Owner or Driver of any such Waggon, Wain, Cart, or other Carriage, to put any Number of Horses or Oxen to such Waggon, Wain, Cart, or other Carriage; any Thing in the said recited Act or this Act, or in any other Act or Acts of Parliament relating to Highways or Turnpike Roads, contained to the contrary notwithstanding.

Application
of Money
when
amounting
to 200l.

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

XIX. Provided always, and be it further enacted, That if any Money Where less than 20*l.* and above 20*l.* so agreed or awarded to be paid for any Lands or Hereditaments purchased, taken, or used for the Purposes aforesaid, and belonging to any Corporation, or to any Person or Persons under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall amount to or exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents or Profits of the Lands or Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank in the Name and with the Privy 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 or more Trustees, to be nominated by the Person or Persons making such Option, and approved by the said Trustees (such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties), in order that such Principal Money and the Dividends arising therefrom may be applied in 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.

XX. Provided also, and be it further enacted, That where the Money Where less than 20*l.* so agreed or awarded to be paid as next before mentioned shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands and Hereditaments so purchased, taken, or used as aforesaid, in such Manner as the said Trustees shall think fit; or in case of Infancy or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, to or for the Use and Benefit of such Person or Persons so entitled respectively.

XXI. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be awarded for the Purchase of any Lands or Hereditaments to be purchased by virtue of this Act, shall refuse to accept the same, or shall not be able to make a good Title to the Premises to the Satisfaction of the said Trustees, or in case the Person or Persons to whom such Sum or Sums of Money shall be so awarded as aforesaid cannot be found, or if the Person or Persons entitled to such Lands or Hereditaments be not known or discovered, then and in every such Case it shall be lawful for the said Trustees to order the said Sum or Sums of Money so awarded as aforesaid to be paid into the Bank of *England*, in the Name and with the Privy of the Accountant General of the Court of Chancery, to be placed to his Account to the Credit of the Parties interested in the said Lands or Hereditaments (describing them), subject to the Order, Controul, and Disposition of the said Court of Chancery; which said Court, on the Application of any Person or Persons making Claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall be and is hereby empowered, in a summary Way of Proceeding or otherwise, as to the same Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof, or Payment

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ment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest of the Person or Persons making Claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England*, who shall receive such Sum and Sums of Money, is and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying for what and for whose Use the same is or are received, to such Person or Persons as shall pay any Sum or Sums of Money into the Bank as aforesaid.

In case of
a disputed
Title.

XXII. 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 Privy of the Accountant General of the Court of Chancery, in pursuance of this Act, for the Purchase of any Lands, Tenements, or Hereditaments, or of any Estate, Right, or Interest in any Lands, Tenements, or Hereditaments to be purchased in pursuance thereof, or to any Bank Annuities to be purchased with any such Money, or to the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in Possession of any such Lands, Tenements, or Hereditaments at the Time of such Purchase, and all Persons claiming under such Person and Persons, or under the Possession of such Person or Persons, shall be deemed and taken to be lawfully entitled to such Lands, Tenements, or Hereditaments, according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court of Chancery; and the Dividends or Interest of such Bank Annuities shall be paid, applied, and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

Court may
order reason-
ableExpences
of Purchases
to be paid by
the Trustees.

XXIII. Provided also, and be it further enacted, That where by reason of any Disability or Incapacity of the Person or Persons or Corporation entitled to any Lands, Tenements, or Hereditaments to be purchased under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the said Court, and to be applied in the Purchase of other Lands or Hereditaments to be settled to the like Uses in pursuance of this Act, it shall be lawful for the said Court to order the Expences of all Purchases from Time to Time to be made in pursuance of this Act, or so much of such Expences as to the said Court shall seem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Trustees, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

Mines, &c.
to continue
the Property
of the
Owners.

XXIV. And be it further enacted, That all Mines, Minerals, Coal, Lead and Fossils, lying under any Ground to be made use of for the Purposes of this Act, shall continue to be the Property of the Person or Persons who from Time to Time would have been seized of or entitled to the same in case this Act had not been made; and in case the Owner of any such Ground shall require a Certificate from the said Trustees of the Quantity and Situation of Ground so made use of, the said Trustees or any Three or more of them are hereby empowered and required to
grant

grant such Certificate *gratis*; and such Certificate may be enrolled in the Office of the Clerk of the Peace of the said County of *Northumberland*; and a true Copy thereof, signed by such Clerk of the Peace or his Deputy, shall be deemed legal Evidence of the same.

XXV. And be it further enacted, That so much of the said recited Act as relates to the Performance of Statute Labour on the said Road shall be and the same is hereby repealed; and that, from and after the Commencement of this Act, all Persons who by Law are or shall be liable to do Statute Work, or are or shall be chargeable towards repairing and amending the said Road, or any Part or Parts thereof, shall still remain liable thereto; 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 for that Purpose by the said Trustees, or by their Clerk or Surveyor by their Order, or by the respective Surveyors of the Highways of any Parish, Township, or Hamlet through which the said Road passes), yearly to adjudge and determine what Part or Proportion of the Statute Work shall every Year be done upon the said Road by the Inhabitants of the respective Parishes, Townships, or Places in which the said Road lies, and also what Proportion of the Money received by the Surveyor or Surveyors of the Highways of any such Parish, Township, or Place respectively, in lieu of or as a Composition for such Statute Work as aforesaid, shall be by him, her, or them paid to the said Trustees or 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, Township, or Place, to bring in Lists before such Justices at some Place to be expressed in such Summons (within Ten Days after the serving of such Summons), of the Names of the several Persons who within such Parish, Township, or Place are by Law subject and liable to do Statute Work for that Year, or to the Payment of any Money in lieu of or as a Composition for such Statute Work (distinguishing the Nature of the Work to be done, whether with Teams or Draughts or otherwise, and also the Amount of the respective Sums to be paid); which Lists of Names shall be made in such Manner and under such Regulations and Restrictions as is, are, or may be directed by any Law or Statute in force for the Repair of the Public Highways; and out of such Lists such Justices shall and may allot, appoint, and order such and so many of the Persons who shall appear to be subject and liable to do Statute Work as aforesaid, to do such Number of Days Statute Work in every Year upon the said Road as the said Justices shall think reasonable; and the same shall be done on such Days and at such Times (not being Hay-time or Harvest), and on such Parts of the said Road, as the said Trustees or their Surveyors or Surveyor 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 or liable to the Payment of any Money in lieu of or as a Composition for Statute Work as aforesaid, to pay such Proportion thereof as the said Justices shall think proper to the said Trustees or their Treasurer, at such Time or Times as the said Justices shall direct; and in Default of Payment thereof the same shall 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 Act authorized to be recovered;

vered ; and each and every Person who shall neglect or refuse to do such Statute Work as aforesaid (after Notice in Writing given to or left for him, her, or them, at his, her, or their last or usual Place or Places of Abode for that Purpose, signed by the Surveyor or Surveyors to the said Trustees) shall for every Day of his, her, or their Default, or the Default of any Labourer or Labourers, Team or Teams, Draught or Draughts, Horse or Horses, 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 Public Highways ; and if any Person who shall come to work as a Labourer, or who shall be sent with any Team or Draught to work on the said Road, shall be found idle or negligent by any Surveyor to the said Trustees, such Surveyor is hereby empowered to remove and turn off the Person who shall be found idle or negligent as aforesaid ; and in that case every such Person shall be subject and liable to the respective Forfeitures and 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 Road ; all which Forfeitures shall be paid to the Treasurer to the said Trustees, and applied towards amending the said Road ; and in case the Surveyor or Surveyors of the Highways for any of the said Parishes, Townships, or Places, shall refuse or wilfully neglect to give in such Lists as aforesaid, or shall knowingly or wilfully give in false or imperfect Lists, every such Surveyor so offending shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds.

Paying the
Expences of
this Act.

XXVI. And be it further enacted, That all the Charges and Expences attending the obtaining and passing of this Act, with lawful Interest upon any Sum or Sums of Money which shall be borrowed or advanced for the Payment thereof, shall be paid out of the Money already raised by virtue of the said recited Act, or out of the first Money to be raised by virtue of this Act, in preference to any other Payment whatsoever.

Public Act.

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

Continuance
of this Act.

XXVIII. And be it further enacted, That this Act shall commence upon the First Day of *August* One thousand eight hundred and eighteen, 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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