



ANNO SEPTIMO & OCTAVO

GEORGIIV. REGIS.

Cap. xcix.

An Act for repairing the Road from the City of
York to *Kexby Bridge*, and from *Grimston* to the
upper End of *Stone Dale*, in the County of
York. [14th June 1827.]

WHEREAS an Act was passed in the Forty-seventh Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for more effectually repairing the Road from the City of York to Kexby Bridge, and from Grimston to the upper End of Stone Dale, in the County of York*: And whereas considerable Sums of Money have been borrowed and still remain due and owing upon the Credit of the Tolls by the said Act authorized to be collected on the said Road, and such Road cannot be effectually improved and maintained in repair, nor can the said Debt be discharged, unless the Term and Powers of the said Act are enlarged, some additional Powers granted, and the Tolls arising on the said Road increased: And whereas it would facilitate the Execution of the Purposes aforesaid if the said Act were repealed, and such of the Powers and Provisions thereof as it may be expedient to continue or amend, and the necessary and additional Powers and Provisions, were embodied and incorporated in One Act: And whereas an Act was passed in the Third Year of the Reign of His present Majesty, 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

47G.3.Sess.2.
c.133.

3 G.4. c.126.

[Local.] 27 L said

4 G. 4. c. 95. said present 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 said 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it is expedient that the said recited Act of the Forty-seventh Year of the Reign of His said late Majesty should be repealed, and that other Provisions should be made instead thereof: And whereas the several beneficial Purposes aforesaid cannot be effected without the Aid and Authority of Parliament: 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 Twenty-sixth Day of *August* next after the passing of this Act, the said recited Act passed in the Forty-seventh Year of the Reign of His said late Majesty shall be and the same is hereby declared to be repealed.

Recited Act
of 47 G. 3.
repealed;

and this Act
to commence
and take
effect.

II. And be it further enacted, That this Act shall from thenceforth commence and take effect and be put in execution, for and during the Term herein-after mentioned, for amending, widening, improving, and keeping in repair the present Road leading from the City of *York* to *Kexby Bridge*, and from *Grimston* to the upper End of *Stone Dale*, in the County of *York*.

Tolls liable to
Debts under
former Acts.

III. And be it further enacted, That this Act and the Term and Tolls hereby granted shall be and the same are hereby made subject and liable to the Payment of all Sums which have been borrowed or which are now due and owing on the Credit of the Tolls authorized to be taken by the said former Act hereby repealed, and to the Payment of all Interest due and to grow due thereon, as fully and effectually, to all Intents and Purposes, as if such Money had been borrowed or had become due and owing on the Credit or on Account of this Act; and all and every Persons and Person owing any Money to the Trustees for executing the said former Act hereby repealed, on account of the said Road, shall be liable to the Payment thereof to the Trustees for executing this Act; and such Money shall be applied by the Trustees for executing this Act to the Credit and on account of the said Road.

Contracts,
&c. to remain
in force.

IV. And be it further enacted, That all Conveyances, Bonds, Covenants, and Agreements, Contracts and Securities, made or entered into by any Person to or with the Trustees for executing the said former Act hereby repealed, or to or with any Person on their Behalf, on account of such Road, shall remain in full Force and Effect, and shall be and continue available in all Courts of Law and Equity, or before all or any of His Majesty's Justices of the Peace having Jurisdiction (as the Case may require), until the same shall be fully satisfied and performed on account of the Trustees acting under this Act; and all Lettings of Tolls, Orders, Contracts, Agreements, Bargains, and Notices, made, entered into, or given by the Trustees for

executing the said former Act hereby repealed, or by any Person on their Behalf, in pursuance of the Provisions and Directions thereof respectively, shall (so far as the same are not altered or avoided by this Act) remain in full Force and Effect, and be kept and observed by the Trustees acting under this Act, according to the Stipulations thereof respectively.

V. Provided also, and be it further enacted, That all Books kept for registering Mortgages and Assignments, and all Entries therein, and all Books of Proceedings of the Trustees acting in execution of the said recited Act, kept according to the Directions or Provisions of the said recited Act, and made Evidence thereby, shall be admitted in Evidence in all Courts, and by all Judges, Justices, and others; and all such Books, and also all Books of Accounts of Receipts and Disbursements, made under the said recited Act, and all Books for registering Mortgages or Assignments, made in pursuance thereof, shall be preserved and kept by the Clerk for the Time being to the Trustees for executing this Act, and shall at all seasonable Times be open to the Inspection of the said Trustees and any Creditor or Creditors of the Tolls, 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 respectively, without paying any thing for the same; and in case the said Clerk shall refuse to permit or shall not permit the said Trustees or such Creditors, or any of them, to inspect the said Book or Books, or to take such Copies or Extracts as aforesaid, such Clerk shall forfeit and pay any Sum of Money not exceeding Five Pounds.

Books under former Act to be Evidence.

VI. Provided always, and be it further enacted, That each and every Treasurer who shall have been appointed according to the Directions of the said recited Acts of the said Third and Fourth Years of the Reign of His present Majesty, and not contrary to the Provisions and Directions of this Act, and each and every Clerk, Collector, Surveyor, and other Officer appointed under and by virtue of the said former Act hereby repealed, shall hold and enjoy such their several and respective Offices and Employments until removed therefrom by the Trustees for executing this Act; and each and every such Treasurer, Clerk, Collector, Surveyor, and other Officer shall have the like Power and Authority for the Purposes of this Act, and for carrying the same into Execution, and shall be subject to the like Pains and Penalties, and to the like Power of Removal, and to the like Rules and Regulations in all respects whatsoever, as if he had been appointed by virtue of this Act.

Old Officers to continue.

VII. And be it further enacted, That the said recited Act passed in the Third Year of the Reign of His present Majesty, and all and every the Powers, Provisions, Exemptions, Penalties, Forfeitures, Payments, Remedies, Matters, and Things therein contained, (save and except such Parts thereof as are expressly varied, altered, or repealed by the said recited Act of the Fourth Year of the Reign of His present Majesty, or as are varied, altered, or otherwise provided for by this Act,) and also the said recited Act passed in the Fourth Year of the Reign of His said present Majesty, and all and every the Powers, Pro-

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

Provisions, Exemptions, Penalties, Forfeitures, Payments, Remedies, Matters, and Things therein respectively contained, (save and except such Parts thereof as are expressly varied, altered, or otherwise provided for,) and also the said recited Act passed in the Fifth Year of the Reign of His said present Majesty, and all and every the Powers and Provisions therein contained, shall respectively (so far as the same respectively are applicable to this Act, and as are not hereby varied, altered, or repealed, or otherwise provided for,) be as good, valid, and effectual for carrying this Act into Execution, as if the same had been respectively repeated and re-enacted in the Body of this Act.

Trustees
appointed.

VIII. And be it further enacted, That all His Majesty's Justices of the Peace for the Time being acting for the East Riding of the County of *York*, together with *Benjamin Agar, Robert Bower, Robert Bower the younger, John Brook, Robert Belt, Henry Stevens Belcombe, Henry Bland, William Bulmer Clerk, John Bulmer, Joshua Crompton, Gilbert Crompton, George Cholmley, John William Clough, William Cooper, George Champney, Robert Croft Clerk, Robert Dennison, Robert Dennison the younger, John Dales, William Dunslay, Henry Darley, John Daniel, William Henry Dixon Clerk, George Dodsworth, John Dunnington, William Dealtry Clerk, William Joseph Ellis, Andrew Ewbank Clerk, John Wilmer Field, Joshua Field, John Greame, James Graham, Isaac Grayson Clerk, Harrington Hudson, Robert Hudson, William Hutchinson Hearon, John Hotham, Henry Maister, Robert Markham Clerk, Marmaduke Constable Maxwell, Sir William Mordaunt Milner Baronet, Samuel William Nicoll, William Oldfield, Humphrey Osbaldeston, Cholmley Overend, George Peacock, Thomas Prickett, Edward Prest, William Prest, John Prest, Thomas Cutler Rudstone Read Clerk, Arthur Strickland, Eustace Strickland, Henry Eustace Strickland, Sir George Strickland Baronet, George Strickland, Sir Tatton Sykes Baronet, Thomas Smith, Isaac Spencer, Isaac Spencer the younger, Christopher Sykes Clerk, Thomas Simpson, Robert Sinclair, John Swan, George Swan, Paul Beilby Thompson, John Tweedy, Drumelzier Tweedy, Sir Henry Vavasour Baronet, William Venables Vernon Clerk, Sir Francis Lindley Wood Baronet, William Ware, Thomas Wilson, Joseph Bilton Siddal Sinclair Wilson, Thomas Wood Wilson, George Wilson, John Wood, James Wharton, William Worsley, Nicholas Edward Yarburgh, and their Successors, being duly qualified according to the Provisions and Directions contained in the said recited Acts of the Third, Fourth, and Fifth Years of the Reign of His present Majesty, shall be and they are hereby appointed the Trustees for carrying this Act and the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty into Execution.*

Power to ap-
point addi-
tional Trus-
tees.

IX. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered, at any Meeting from Time to Time to be held for that Purpose (of which Meeting and the Purpose thereof at least Fourteen Days Notice shall be given in manner by the said recited Act of the Third Year of the Reign of His present Majesty directed with respect to Meetings for the Appointment of Trustees on Vacancies), to elect and appoint any Number of Persons, not exceeding Three, to be Trustees for executing this Act and the said recited Acts of the Third and Fourth Years
of

of the Reign of His present Majesty, in addition to the Trustees herein named and appointed; and such additional Trustees so elected or appointed, as well as all Trustees to be from Time to Time elected and appointed in pursuance of and according to the Provisions of the said recited Act passed in the Third Year of the Reign of His present Majesty, in the place or stead of any Trustee or Trustees dying, resigning, or otherwise becoming incompetent or disqualified to act (being duly qualified according to the Provisions of the said Acts of the Third and Fourth Years of the Reign of His present Majesty), shall be and they are hereby invested with the same Powers and Authorities for executing this Act as if they had been herein named.

X. And be it further enacted, That the said Trustees shall hold their First Meeting for executing this Act at the Guildhall in the City of *York*, or some other convenient Place in the City of *York* aforesaid, upon the Twenty-sixth Day of *August* next after the passing of this Act, or as soon after as conveniently may be, and shall and may then, and from Time to Time thereafter, adjourn to and meet, at such Times and upon such Notices as they shall think proper, at some convenient House or Place in the said City of *York*, or at some Place upon the said Road within Seven Miles of the said City.

First Meeting of the Trustees.

XI. And be it further enacted, That it shall not be lawful for the Trustees for executing this Act to continue or appoint the Person who has been or may be appointed to act as their Clerk in the Execution of this Act, or the Partner of any such Clerk, or the Clerk of or other Person in the Service or Employ of such Clerk or of the Partner of such Clerk, to be the Treasurer for the Purposes of this Act, nor to continue or appoint the Person who has been or may be appointed Treasurer, or the Partner of any such Treasurer, or the Clerk of or other Person in the Service of or Employ of such Treasurer or of the Partner of such Treasurer, to be the Clerk for the Purposes of this Act; and if any Person shall act in both the Capacities of Clerk and Treasurer for the Purposes of this Act, or if any Person, being the Partner of such Clerk, or the Clerk of or other Person in the Service or Employ of such Clerk or of the Partner of such Clerk, shall act as Treasurer, or as Deputy of such Treasurer, or in any Manner officiate for such Treasurer, or being the Partner of such Treasurer, or the Clerk of or other Person in the Service or Employ of such Treasurer or of the Partner of such Treasurer, shall act as Clerk in the Execution of this Act, or as Deputy of such Clerk, or in any Manner officiate for such Clerk, or if any Treasurer shall hold any Place or Office of Profit or Trust under this Act (other than that of Treasurer), every such Person shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person 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.

Clerk not to be Treasurer, and vice versâ.

XII. Provided always, and be it further enacted, That if any Money shall be paid or agreed or awarded to be paid for the Purchase of any Lands, Tenements, or Hereditaments to be purchased, taken, or used

Application of Compensation Money if amounting to 200*l.*

1 G. 4. c. 35.

used by virtue of the Powers of this Act, which shall belong to any Body Politic, Corporate, or Collegiate, Ecclesiastical or Civil, Corporation Aggregate or Sole; Tenant for Life or in Tail, or to any Feoffee in Trust, Executor, Administrator, Husband, Guardian; Committee, or other Trustee for or on behalf of any Idiot, Lunatic, Feme Covert, or other Cestuique Trust, or to any Person or Persons whose Lands, Tenements, or Hereditaments are limited in strict or other Settlement, or to any Person under any other Disability or Incapacity whatsoever, 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 there *ex parte* the Trustees for executing this Act, pursuant to the Method prescribed by an Act passed in the First Year of the Reign of His present Majesty King *George* the Fourth, 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; and shall, when so paid in, there remain until the same shall (by Order of the said Court made upon a Petition to be preferred to the said Court 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,) be applied either in the Purchase or Redemption of the Land Tax, or in or towards the Payment or Discharge of any Debt or Debts, or other Incumbrances, affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments standing settled therewith, or to the same or the like Uses, Trust, Intents, or Purposes, as the said Court of Exchequer shall authorize to be purchased, redeemed, paid, or discharged, or such Part thereof as shall be necessary, or until the same shall, upon the like Application, be laid out in a summary Way, by Order of the said Court, in the Purchase of other Lands, Tenements, or Hereditaments, which shall be conveyed, limited, 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 and Settlement shall be existing undetermined or capable of taking effect; and in the meantime, and until such Order can be made, the said Money may, by Order of the said Court 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, or in Government or Real Securities; and in the meantime, and until the said Bank Annuities or Government or Real Securities shall be ordered by the said Court to be sold for the Purposes aforesaid; the Dividends or Interest and Annual Produce of the said Consolidated or Reduced Bank Annuities, or Government or Real Securities, shall from Time to Time be paid, by the 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 such Lands, Tenements, or Hereditaments so to be purchased, conveyed, and settled.

XIII. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands, Tenements, or Hereditaments to be purchased, taken, or used for the Purposes of this Act, and belonging to any Corporation, 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 or amount to 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 Cases of Infancy, Idiocy, Lunacy, or other Incapacity, with the Approbation of the said Trustees, or any Three or more of them, to be signified in Writing under their respective Hands, be paid into the said Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Exchequer, and be placed to his Account as aforesaid, in order to be applied in manner herein-before directed; or otherwise the same may be paid, at the like Option and with the like Approbation, to Two Trustees to be nominated by the Person or Persons who for the Time being would be entitled to the Rents and Profits of the Lands, Tenements, and Hereditaments so to be purchased and settled, such Nomination to be approved of by Three or more of the Trustees for executing this Act, and such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties; and the Money so paid to such Trustees, and the Dividends and Produce arising thereon and therefrom, shall be by them applied in like Manner as is herein-before directed with respect to the Money so to be paid into the Bank in the Name of the Accountant General of the Court of Exchequer, but without obtaining or being required to obtain any Order of the said Court touching the Application thereof.

Where less than 200*l.* and not less than 20*l.*

XIV. Provided also, and be it further enacted, That where such Money so agreed or awarded to be paid as last herein-before mentioned shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of such 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 this Act, for his, her, and their own Use and Benefit; or in case of Infancy, Idiocy, Lunacy, or other Incapacity, then such Money shall be paid to his, her, or their Guardian or Guardians, Committee or Committees, Trustee or Trustees, to and for the Use and Benefit of such Person or Persons respectively entitled thereto.

When less than 20*l.*

XV. 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, Tenements, or Hereditaments to be purchased, taken, or used under or by virtue of the Powers 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 awarded as aforesaid cannot be found, or if the Person or Persons entitled to such Lands, Tenements, or Hereditaments be not known

In case of not making out Titles, &c.

known or discovered; then and in every such Case it shall be lawful for the said Trustees to order the said Sum or Sums 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 of Exchequer, 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, Controul, and Disposition of the said Court; which said Court, on the Application of any Person making claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall be and is hereby empowered, in a summary Way of Proceeding or otherwise, as to the same Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest of the Person or Persons making claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England* who shall receive such Sum 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 therein 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 of *England* as aforesaid.

Persons in Possession to be deemed entitled.

XVI. 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 said Court of Exchequer, in pursuance of this Act, for the Purchase of any Lands, Tenements, or Hereditaments, or of any Estate, Right, Title, or Interest in any Lands, Tenements, or Hereditaments to be purchased in pursuance of this Act for the Purposes aforesaid, or to any Bank Annuities or Government or Real Securities to be purchased with any such Money, or the Dividends or Interest of any such Bank Annuities or Government or Real Securities, the Person or Persons who shall have been in Possession of such Lands, Tenements, or Hereditaments at the Time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, or Hereditaments, according to such Possession, until the contrary shall be shown to the Satisfaction of the said Court; and the Dividends or Interest of the Bank Annuities or Government or Real Securities to be purchased with such Money, and also the Capital of such Bank Annuities or Government or Real Securities, 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.

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

XVII. 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, taken, or used under the Authority of this Act, the
Purchase

Purchase Money for the same shall be required to be paid into the said Bank of *England*, or to be applied in the Purchase of other Lands, Tenements, 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 out of the Monies to be received by virtue of this Act, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

XVIII. And be it further enacted, That it shall be lawful for the said Trustees to continue all and every or any of the Toll Gates or Turnpikes, Side Gates, Bars, Chains, Toll Houses, and Weighing Machines now standing and being in or upon or across the said Road, or on the Sides thereof, and to remove the same or any of them, and also to erect and set up or build, or cause to be erected, set up, or built, in lieu thereof and in addition thereto, upon, in, or across the said Road or any Part thereof respectively, or upon the Sides thereof respectively, or any Part thereof, when, where, and as they shall judge necessary, any Gate, Turnpike, Side Gate, Side Bar, Chain, or Weighing Machine, and also One or more Toll House or Toll Houses, with Outhouses and Conveniences suitable thereto, at or near such Gate, Bar, Chain, or Weighing Machine, and to take in and inclose on the Sides of the said Road suitable Garden Spots for the same respectively, not exceeding One Half of a Statute Acre each, as they shall think necessary; and from Time to Time to take down and remove or alter and discontinue the same or any of them, as they the said Trustees shall think proper, and direct or appoint.

Power to continue the present Gates and erect others.

XIX. And be it further enacted, That from and after the Twenty-sixth Day of *August* next after the passing of this Act it shall be lawful for the said Trustees, or for any Person under their Authority, to demand and take the following Tolls at each and every Turnpike, Toll Gate, Side Bar, or Chain to be continued, erected, or placed by virtue of this Act in, upon, across, or on the Sides of the said Road; (that is to say,)

Power to take Tolls.

For every Horse or other Beast drawing any Coach, Stage Coach, Berlin, Landau, Barouche, Chariot, Chaise, Chaise Marine, Chair, Curricle, Phaeton, Calash, Sociable, Car, Gig, Hearse, or Litter, not exceeding the Sum of Eight-pence:

Tolls.

For every Horse, Mule, or other Beast drawing any Waggon, Wain, Cart, Van, Caravan, or other such Carriage, having the Fellies of the Wheels thereof of the Breadth of Six Inches or upwards at the Bottom or Soles thereof, not exceeding the Sum of Eight-pence:

For every Horse or other Beast drawing any Waggon, Wain, Cart, Van, Caravan, or other such Carriage, having the Fellies of the Wheels thereof of the Breadth of Four and a Half Inches and less than Six Inches at the Bottom or Soles thereof, not exceeding the Sum of One Shilling:

For every Horse or other Beast drawing any Waggon, Wain, Cart, Van, Caravan, or other such Carriage, having the Fellies of the

[*Local.*]

27 N

Wheels

Wheels thereof of less Breadth or Gauge than Four and a Half Inches at the Bottom or Sole thereof, not exceeding the Sum of One Shilling and Three-pence :

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

For every Ass drawing any Carriage, not exceeding Four-pence :

For every Ox, Cow, or Neat Cattle, the Sum of One Penny :

For every Calf, Swine, Sheep, or Lamb, the Sum of One Halfpenny :

Which said several and respective Tolls or Sums of Money shall and may be demanded and taken as aforesaid before any Horse or other Beast or Cattle, Coach, Waggon, Cart, or other Carriage whatsoever shall be permitted to pass through any such Toll Gate or Turnpike, Side Gate, Side Bar, or Chain ; and such several and respective Tolls or Sums of Money shall be and are hereby vested in the said Trustees, and shall be applied for the Purposes of this Act in manner hereinafter directed.

Tolls to be paid but Once a Day.

XX. Provided also, and be it further enacted, That if the Tolls hereby authorized to be taken shall have been paid for the passing of any Horse, Cattle, Beast, or Carriage through any of such Toll Gates or Turnpikes, Side Bars or Side Gates, such Horse, Cattle, Beast, or Carriage shall (upon a Ticket being produced denoting the Payment thereof on that Day) be permitted to pass and repass Toll-free through such other Gate or Gates (if any) as the Ticket for such Payment shall free, (such Ticket to be made and furnished according to the Requisitions and Provisions of the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty and of this Act,) at any Time during the same Day (such Day in all such Cases to be computed from Twelve of the Clock at Night to Twelve of the Clock in the next succeeding Night); any thing herein contained to the contrary thereof in anywise notwithstanding.

Limiting the Number of Tolls to be taken.

XXI. Provided always, and be it further enacted, That no more than Four full Tolls shall be demanded or taken of or from any Person, for or in respect of the same Horses or other Beasts, or Cattle or Carriages, in any one Day (to be computed from Twelve o'Clock in the preceding Night to Twelve o'Clock in the next Night), for passing or repassing through all the several Toll Gates or Toll Bars erected or to be erected on the whole Line of the said Road.

Stage Coaches, &c. to pay every Time of passing :

XXII. Provided also, and be it further enacted, That for and in respect of all Horses or other Beasts of Draught drawing any Stage Coach, or any Stage Waggon, Van, Caravan, Cart, or other Stage Carriage carrying Passengers or Goods for Payment, Hire, or Reward, along the said Road, the Tolls hereby made payable shall be paid for each and every Time of passing or repassing.

Post Chaises, &c. on every new Hiring.

XXIII. Provided also, and be it further enacted, That the Tolls hereby made payable shall be paid for or in respect of all Horses or Beasts of Draught let out to Hire and drawing any Post Chaise or other Carriage, for every Time of passing along the said Road, whenever any new Hiring thereof shall be made.

XXIV. Provided also; and be it further enacted, That the said Tolls shall be payable at each and every Turnpike, Toll Gate, Side Bar, and Side Gate erected on the said Road, in respect of Horses or other Beasts of Draught drawing any Waggon, Wain, Cart, Van, Caravan, or such like Carriage, for each Time during the same Day that any such Horse or other Beast of Draught shall pass through any of the said Turnpikes, Toll Gates, Side Bars, or Side Gates, drawing any other Waggon, Wain, Cart, Van, Caravan, or such like Carriage, than that which such Horse, Ass, or other Beast of Draught was employed in drawing at any former Time during the same Day, and at which Tolls shall have been paid.

Horses, &c. drawing different Waggon, &c.

XXV. And whereas it frequently happens that Carts drawn by One Horse, passing along the said Road, carry a greater Weight than is by Law allowed for Carts drawn by Two or more Horses; be it therefore enacted, That all Carts passing along the said Road drawn by One Horse only, shall and may be weighed at any Weighing Machine erected or to be erected on the said Road, and the like additional Toll demanded, received, and recovered for the Overweight thereof as is by Law payable in respect of the Overweight of Carts drawn by Two or more Horses; and all the Powers, Regulations, and Penalties now in force relating to the weighing of Waggons, Carts, and other Carriages drawn by more than One Horse, shall be applicable to Carts passing on the said Road drawn by One Horse only, and to the Drivers, Masters, and Owners thereof.

Carts drawn by One Horse may be weighed.

XXVI. And be it further enacted, That in case the said Trustees can at any Time borrow or take up any Sum or Sums of Money at a lower Rate of Interest than the Mortgages, Assignments, or Securities which shall then be in force shall bear, it shall be lawful for the said Trustees from Time to Time to borrow and take up such Sum and Sums of Money at such lower Rate of Interest, and therewith to pay off and discharge any of the Mortgages, Assignments, or Securities bearing a higher Rate of Interest as aforesaid.

Power to borrow Money at lower Interest to discharge Securities at higher.

XXVII. And be it further enacted, That all the Monies collected or received or to be borrowed under or by virtue of this Act shall be applied by the said Trustees in manner following; (that is to say,) in the first place, in paying and discharging all the Costs, Charges, and Expences of obtaining and passing this Act, or in anywise relating thereto; and in the next place, in Payment of the Salaries of the Clerks, Treasurers, Surveyors, and other Officers; and in the next place, in keeping down the Interest on the Principal Monies which by the said recited Act already have been, or which by virtue of and under the Powers of this Act may be advanced or borrowed on the Credit thereof, and also in repairing, altering, widening, and amending the said Road, and in defraying the necessary Expences attending the Execution of this Act; and lastly, in repaying the Principal Monies already advanced or borrowed or hereafter to be advanced or borrowed for the Purposes of the said recited Act or this Act.

Application of Tolls and other Monies.

XXVIII. And be it further enacted, That Ditches, Drains, or Watercourses, of a sufficient Depth and Breadth for keeping the said Road dry and conveying the Water from the same, shall be made by

Ditches, Drains, &c. to be made and cleansed.

by the said Trustees, or their Surveyor or other Officer, on the Sides of the said Road, and also, where necessary, into or through any Fields, Lands, or Grounds adjoining to or lying near the said Road (not being a Yard, Garden, Orchard, Park, Paddock, planted Walk, or Avenue to a House), at the Expence of the said Trustees, out of the Monies to be received by virtue of this Act; and sufficient Bridges, Arches, Culverts, Trunks, Tunnels, or Plats shall be made by the said Trustees, or the Surveyor or other Officer, where any Carriageways or Footways lead into or out of or across the said Road, also at the Expence of the said Trustees, out of the Monies aforesaid, any Law or Statute to the contrary notwithstanding; and all such Ditches, Drains, and Watercourses, Bridges, Arches, Culverts, Trunks, Tunnels, or Plats, when made and completed by the said Trustees, shall for ever afterwards be scoured, cleansed, and kept open, repaired and maintained, by the Occupiers of the adjoining Fields, Lands, or Grounds; but all such new Bridges, Arches, Culverts, Trunks, Tunnels, and Plats, as shall cross or pass in or under the said Road, shall be scoured, cleansed, and kept open, repaired and maintained, by the said Trustees, subject to the Provisions of the said recited Act of the Third Year of the Reign of His present Majesty.

Public Act.

XXIX. 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.

**Commence-
ment and
Continuance
of this Act.**

XXX. And be it further enacted, That this Act shall commence upon the Twenty-sixth Day of *August* next after the passing hereof, and shall continue and be in force for and during the Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN,
Printers to the King's most Excellent Majesty. 1827.