



ANNO SEXTO

VICTORIÆ REGINÆ.

Cap. xvi.

An Act for more effectually repairing the Road from the Town of *Cockermouth* to the Town of *Maryport*, and other Roads therein mentioned, and for making a Branch Road connected therewith, all in the County of *Cumberland*.

[11th *April* 1843.]

WHEREAS an Act was passed in the Sixth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act for more effectually amending, improving, and keeping in repair the Road from the Town of Cockermouth to the Town of Maryport, and from thence by Allonby to Wigton, and several other Roads therein mentioned, all in the County of Cumberland:* And whereas considerable Sums of Money have been advanced upon the Credit of the Tolls authorized to be taken by the said Act, which Money still remains owing, and such Money cannot be paid off or the Interest thereof discharged, nor can the said Roads be effectually improved and kept in repair, unless further Powers are granted, and the Term of the said Act further continued: And whereas it would be of public Utility if the Trustees for executing this Act were empowered to make and maintain a new Turnpike Road from and out of the said Road leading from the Town of *Cockermouth* to the Town of *Maryport* at or near to a Place called

[*Local.*] 5 *M* *Westlands* 6 G. 4. c. 85.

Recited Act repealed, and this Act to be put in force.

Westlands Farm, in the Township of *Dovenby* in the Parish of *Bridekirk*, and extending from thence over and across the *Maryport and Carlisle* Railway, at or near to *Dearham Bridge* in the Township of *Birkby* in the Parish of *Croscannonby*, unto and as far as the Turnpike Road in the Townships of *Birkby* and *Crossby*, or one of them, in the Parish of *Croscannonby* aforesaid, which leads from *Wigton* by the Village of *Aspatria* to *Maryport*, all in the said County of *Cumberland*: And whereas it is expedient that the said recited Act should be repealed, and that further and more effectual Powers should be granted as well for repairing and improving the said present Roads, as also for making and maintaining the said proposed new Turnpike Road, but the Purposes aforesaid cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen'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 upon the Second *Tuesday* next after the passing of this Act the said recited Act of the Sixth Year of the Reign of His Majesty King *George* the Fourth shall be repealed, and that this Act shall thereafter be put into execution during the Term and for the Purposes herein-after mentioned.

All Arrears of Tolls and Monies due under recited Act vested in the Trustees under this Act.

II. And be it enacted, That all Monies due to and all Property and all Choses in Action vested in the Trustees under the Act hereby repealed shall, immediately on the Commencement of this Act, be vested in the Trustees for executing this Act; and such last-mentioned Trustees may sue for and recover the same, and act in respect thereof as effectually as if the same had been vested in them under the said recited Act; and they shall be liable to all the Debts and Engagements to which the Trustees under the recited Act were liable at the Repeal thereof.

Appointment of Trustees.

III. And be it enacted, That all Her Majesty's Justices of the Peace for the Time being acting for the County of *Cumberland*, together with *John Donald Allison*, *Francis Asbridge*, *Richard Atkinson*, *John Asbridge* the younger, *John Addison*, *William Bragg*, *Robert Benson*, *Alan Benson*, *Daniel Clift*, *John Curry*, *George Cowen*, *Richard Cooke*, *John Dand*, *John Dixon*, *Peter Dixon*, *George Dixon*, *Henry Dodgson*, *Joseph Ballantine Dykes* Clerk, *Lamplugh Brougham Dykes*, *John Donald Clerk*, *Isaac Dodgson*, *John Cowley Fisher*, *John Wilson Fletcher*, *Andrew Green*, *Humphrey Archer Hervey* Clerk, *Thomas Lamplugh Hervey* Clerk, *Joseph Huddleston*, *Jonathan Harris* the elder, *Jonathan Harris* the younger, *Joseph Harris*, *John Hudson*, *Joseph Jackson*, *John Kirkhaugh*, *John Lightfoot*, *Thomas Mawson*, *Peter Nicholson*, *John Nicholson*, *Robert Norman*, *William Paitson*, *Williamson Peile*, *William Paisley*, *Joseph Paisley*, *Abraham Robinson*, *George Rae*, *Robert Ritson*, *Nicholas Ross*, *John Rook*, *Charles Ray*, *Samuel Rigg*, *Samuel Rigg* of *Wigton*, *Matthew Smith*, *Humphrey Senhouse*, *John Steel*, *Joseph Smith*, *William Thornburn*, *Joseph Thornthwaite*, *Edward Tyson*, *Henry Teshmaker Thompson*, *Joseph Todd*, *Charles Thompson*, *Joseph Thompson* senior, *Timothy Twentymen*, *John Wood*, *John Walker*,

Walker, Thomas Walker, John Watson of Mosser, Christopher Hilton Wybergh Clerk, Peter Wybergh, William Wood, Jonathan Wood, Joseph Wood Clerk, and their Successors, being duly qualified to act as Trustees of Turnpike Roads in England, shall be Trustees for putting this Act into execution.

IV. And be it enacted, That it shall be lawful for the said Trustees, at any Meeting under this Act, to elect any Number of Persons duly qualified to act as Trustees of Turnpike Roads in *England*, not exceeding Three in the whole, to be Trustees for the Purposes of this Act, in addition to the Trustees hereby nominated, and such Trustees so elected shall have the same Powers and Authorities for executing this Act as if they had been hereby appointed.

Power to
appoint
additional
Trustees.

V. And be it enacted, That the said Trustees shall hold their first Meeting at the Court House in *Cockermouth*, or at some other convenient Place in the Neighbourhood of the said Roads, and shall then and from Time to Time thereafter adjourn to and meet at such Times and at such Places in the Neighbourhood of the said Roads as they shall think proper.

First Meet-
ing of Trus-
tees.

VI. And be it enacted, That the said Trustees may appoint Committees out of their own Number to take the Care and Management of any particular Part of the said Roads, or to execute any of the other Purposes of this Act, according to such Instructions and Regulations as shall be laid down by the said Trustees at any General Meeting; and the said Committees and their Surveyors may proceed and act according to such Appointment, but shall always be accountable according to the Instructions and Regulations so to be made.

Power to
appoint
Committees.

VII. And be it enacted, That this Act shall be put in execution for the Purpose of more effectually improving, maintaining, and keeping in repair the present Turnpike Road commencing at the *Carlisle* and *Cockermouth* Road to *Maryport*, and from thence through the Villages of *Allonby* and *West Newton* to *Blackbeck Bridge* in the Parish of *Wigton*; also the Road from the Town of *Workington* to *Maryport* aforesaid, and from thence through the Village of *Aspatria* to the said first-mentioned Road at or near *Sandrow* in the Parish of *Brumfield*, and also the Road from *West Newton* through the Villages of *Aspatria* and *Arkleby* to the Turnpike Road from *Carlisle* to *Cockermouth* aforesaid upon *Moota*; and for making and maintaining a new Turnpike Road from and out of the said Road leading from the Town of *Cockermouth* to the Town of *Maryport* at or near to a Place called *Westlands Farm* in the Township of *Dovenby* in the Parish of *Bridekirk*, and extending from thence over and across the *Maryport and Carlisle* Railway at or near to *Dearham Bridge*, in the Township of *Birkby* in the Parish of *Croscannonby*, unto and as far as the Turnpike Road in the Townships of *Birkby* and *Crossby*, or one of them, in the Parish of *Croscannonby* aforesaid, which leads from *Wigton* by the Village of *Aspatria* to *Maryport*, all in the said County of *Cumberland*.

Roads to
which this
Act is ap-
plicable.

VIII. And whereas a Map or Plan describing the Line of the said new Road and the Lands through which the same is intended to be made,

Map or Plan
deposited at
the Office of

the Clerk of the Peace to remain there and be open to Inspection.

made, together with a Book of Reference thereto containing a List of the Names of the Owners and Occupiers of such Lands, has been deposited at the Office of the Clerk of the Peace for the County of *Cumberland*; be it therefore enacted, That the said Map or Plan and Book of Reference shall remain in the Custody of the Clerk of the Peace for the said County, to the end that all Persons may at all seasonable Times inspect and peruse the same, and have Copies thereof or Extracts therefrom, paying to the said Clerk of the Peace the Sum of One Shilling for every such Inspection, and at the Rate of Sixpence for every One hundred Words of such Copies or Extracts; and the said Map or Plan and Book of Reference, or any Copy thereof respectively, or of any Part thereof respectively, certified by the said Clerk of the Peace or his Deputy for the Time being to be a true Copy thereof, shall be good Evidence in all Courts of Law or elsewhere.

Power to make new Road according to the Plan.

IX. And be it enacted, That it shall be lawful for the said Trustees to set out, make, and complete the said new Road herein-before described in the Line and through the Lands delineated in the Map or Plan, and described in the Book of Reference herein-before mentioned, of such Width as they may think proper, not exceeding Sixty Feet, together with such Footpaths, Bridges, Embankments, Ditches, Drains, Fences, and other necessary Works upon or near thereto as they may think requisite; and for the Purposes aforesaid to take possession of the Lands and Premises described in the said Map or Plan and Book of Reference, making Satisfaction for the same to the Owners thereof, and other Persons interested therein, for the Damage which such Owners or other Persons may respectively sustain thereby; and it shall be lawful for the said Trustees, and for their Surveyors and Workmen, from Time to Time to enter upon the said several Lands, and to stake out the same for the Purposes of this Act, at such Times and in such Manner as the said Trustees or Surveyors shall think necessary or expedient.

Trustees empowered to deviate from Plan to an Extent not exceeding One hundred Yards.

X. And be it enacted, That it shall be lawful for the said Trustees in making the said new Road to deviate from the Line delineated upon the said Map or Plan: Provided always, that no such Deviation shall extend to a greater Distance than One hundred Yards from the said Line, or into the Lands of any Person not described in the said Map or Plan or in the said Book of Reference, without the Consent, in Writing, of the Party in or through whose Lands any such Deviation shall be proposed to be made.

Lands marked on the Plan may be used notwithstanding Errors in the Book of Reference or Schedule.

XI. And be it enacted, That it shall be lawful for the said Trustees to make the said new Road in the Line in or through the Lands delineated upon the said Map or Plan, although such Lands, or the Situation thereof, or the Names of the Owners or Occupiers thereof, may happen to be omitted, mis-stated, or erroneously described in this Act, or in the Schedule thereto, or in the said Map or Plan, or in the said Book of Reference, in case it shall appear to any Two or more Justices of the Peace for the said County of *Cumberland* in Petty Sessions assembled, and be certified by Writing under their Hands, that such Omission or Mis-statement proceeded from Mistake; and the Certificate of the said Justices shall be deposited with and

and remain in the Custody of the said Clerk of the Peace for the Time being.

XII. Provided always, and be it enacted, That nothing herein contained shall extend or be construed to extend to authorize the said Trustees to affect, alter, remove, obstruct, or disturb any Waggon-way or Railway now formed or used for the Purpose of conveying Coal or other the Produce of any Collieries, Coal Mines, Stone Quarries, Lime Works, Brick or Tile Kilns, or Works within any Manor, by the Lord of any such Manor, his Lessee or Tenant, or by the Owner or Proprietor of any Colliery or Quarries, Coal Mines, Brick or Tile Kilns, or Works within any such Manor, or to prevent any such Lord, Owner, or Proprietor, or his Lessee or Tenant, from laying or using any such Waggon-way or Railway over or across the said Roads in such One or more Places as such Lord, Owner, or Proprietor, or his Lessee or Tenant, may please or require, doing as little Damage to the said Roads as may be: Provided always, that where any such Waggon-way or Railway shall cross the said Roads, the Ledge or Flanch of such Waggon-way or Railway shall not rise above the Level of the said Roads, nor be more than Three Quarters of an Inch below the Level of such Roads: Provided also, that it shall not be lawful for any Locomotive Engine to be used on any such Waggon-way or Railway.

Act not to affect existing or prevent future Waggon-ways across Roads.

XIII. And be it enacted, That in case any Lands shall be hereafter purchased by the said Trustees for the Purpose of making or improving any Road mentioned in this Act, the Freehold and Inheritance in the Lands so purchased, in case the same shall be of Freehold Tenure, and in case the same shall be of any other Tenure the Estate and Interest therein, shall not (notwithstanding any Provisions in any of the Acts in force for regulating Turnpike Roads in *England*) by means of any such Purchase, or any Conveyance or Assurance made in pursuance thereof, be vested in the said Trustees, but such Freehold and Inheritance, or the Estate and Interest in such Lands, shall, notwithstanding such Purchase and Conveyance or Assurance, remain and be vested in the Persons in whom the same were vested immediately prior to such Purchase by the said Trustees; and the said Trustees shall by means of such Purchase and Conveyance or Assurance be entitled to a perpetual Right of Way in, over, or upon the Lands so purchased by them.

The Freehold and Inheritance of Lands to remain and be vested in the Persons of whom they are purchased.

XIV. Provided always, and be it enacted, That if at any Time any Land purchased by the said Trustees under the Authority of this Act shall not be wanted for the Purposes thereof, and the Road for which the same was purchased shall cease to be a Highway, then the Right of Way in or over the said Lands shall cease and be extinguished, and the Freehold and Inheritance in the said Lands in case the same shall be of Freehold Tenure, and the Estate and Interest in such Lands in case the same shall be of any other Tenure, shall be and remain in the Persons then entitled to the same, freed and discharged from such Right of Way.

The Right of Way to cease when Lands are not wanted.

Trustees to
have the
Power of
cutting.

XV. Provided also, and be it enacted, That the said Trustees shall have the same Power and Authority of cutting, digging, and using the Lands taken by them for the Purposes of this Act as the said Trustees would have had in case they had purchased the Fee Simple or the whole Estate and Interest in the said Lands.

Trustees re-
strained from
pulling down
Houses not
in Schedule.

XVI. Provided always, and be it enacted, That the Powers and Authorities given by this Act shall not authorize the said Trustees to take or pull down, or to use or injure any Dwelling House or other Building, or to take, use, or injure any Curtilage, Orchard, Garden, Yard, Park, Paddock, Lawn, Shubbery, planted Walk or Avenue to a House, or any inclosed Ground planted and set apart as a Nursery for Trees, or any Part thereof respectively (except such as are mentioned in the Schedule to this Act annexed), without the previous Consent in Writing of the Owner or Proprietor thereof and all other Persons interested therein.

Limiting the
Time for
purchasing
Property.

XVII. Provided also, and be it enacted, That in case the said Trustees shall not within the Space of Five Years from the Commencement of this Act pay for the Lands which they are by this Act authorized to take, then and from thenceforth all the Powers by this Act or by any other Act granted in relation to the taking of Lands for the Purpose of Turnpike Roads shall, so far as relate to the Lands herein-before authorized to be taken for the Purposes of this Act, cease and be utterly void, unless with the Consent of the Owners and Occupiers of such Lands respectively.

Present Tolls
continued
until the
1st of June.

XVIII. And be it enacted, That, notwithstanding the Repeal of the said recited Act, the several Tolls thereby granted and made payable shall continue to be paid at the Toll Gates or Toll Bars to be continued or erected on or on the Sides of the said Roads until the First Day of *June* next.

Power to
take Tolls.

XIX. And be it enacted, That upon and after the said First Day of *June* next it shall be lawful for the said Trustees to demand and take, at the several and respective Toll Gates or Toll Bars which shall by virtue of this Act be upon or on the Sides of the said Roads, such Tolls as the said Trustees at any of their Meetings shall direct, not exceeding the Sums following ; (that is to say,)

Tolls.

For every Horse or other Beast drawing any Coach, Landau, Berlin, Phaeton, Curricule, Chariot, Chaise, Calash, Hearse, Caravan, Gig, Chair, Car, or any other such Carriage upon Springs, whether made of Iron or Wood, or of what Material soever the same may be, the Sum of Four-pence :

For every Horse or other Beast drawing any Waggon, Wain, Cart, or other such like Carriage (unless going empty for or laden with or returning empty after having been laden with Lime to be used for Manure only, or unless going empty for, laden with, or returning empty after having been laden with Coals, in case such Horse or other Beast drawing such Waggon, Wain, Cart, or other such Carriage shall not pass more than One Mile upon the said Roads or any of them,) the Fellies of the Wheels whereof are of the Breadth

Breadth of Four Inches and a Half and upwards, the Sum of One Penny Halfpenny :

For every Horse or other Beast drawing any Waggon, Wain, Cart, or other such like Carriage (unless going empty for or laden with or returning empty after having been laden with Lime to be used for Manure only, or unless going empty for, laden with, or returning empty after having been laden with Coals, in case such Horse or other Beast drawing such Waggon, Wain, Cart, or other such Carriage shall not pass more than One Mile upon the said Roads or any of them,) the Fellies of the Wheels whereof are of less Breadth than Four Inches and a Half, the Sum of Two-pence :

For every Horse or other Beast drawing any Waggon, Wain, Cart, or other such like Carriage going empty for or laden with or returning empty after having been laden with Lime to be used for Manure only, provided such Horse or other Beast shall draw such Waggon, Wain, Cart, or other such Carriage more than One Mile on such Roads ; and for every Horse or other Beast drawing any Waggon, Wain, Cart, or other such like Carriage going empty for or laden with or returning empty after having been laden with Coal, in case such Horse or other Beast drawing such Waggon, Wain, Cart, or other such Carriage shall not pass more than One Mile upon the said Roads, or any of them, the Sum of One Penny : or every Horse, Mule, or Ass, laden or unladen, and not drawing, the Sum of One Penny :

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

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

Which said Tolls shall be taken before any Horse, Mule, Ass, Beast, or other Cattle or Carriage whatsoever shall be permitted to pass through any Toll Gate or Bar which shall be by virtue of this Act upon or across the said Roads or on the Sides thereof.

XX. And be it enacted, That in all Cases in which there shall be a fractional Part of a Halfpenny in the Amount of the Tolls by this Act authorized to be collected, the Sum of One Halfpenny shall be payable in lieu of such fractional Part. Fraction of a Halfpenny in Tolls.

XXI. And be it enacted, That all Horses and Cattle (except Horses or Cattle drawing any Stage Coach, Waggon, or other Stage Carriage as herein-after mentioned,) in respect whereof the Toll hereby authorized to be taken shall have been paid at any Toll Gate or Bar on any of the said Roads or on the Sides thereof, shall, upon a Ticket denoting such Payment being produced, be permitted in returning through the same Toll Gate or Toll Bar, and in going and returning through such other Gate or Bar (if any) as the Ticket for such Payment shall free, to pass Toll-free the same Day. Persons having paid Toll to return Toll-free.

XXII. Provided always, and be it enacted, That no more than One full Toll shall be demanded or taken in One Day for or in respect of the same Horses, Beasts, Cattle, or Carriages passing through all or any of the Toll Gates, Bars, or Turnpikes erected or to be erected Limiting the Number of Tolls to be taken on each Road.

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

Post-chaises
to pay every
Time of pass-
ing with
fresh Hiring.

XXIII. Provided always, and be it enacted, That the Tolls hereby made payable shall be paid for all Horses or Cattle drawing any Post-chaise or other Carriage travelling for Hire, as often as a new Hiring shall take place, in the same Manner as if no previous Payment of Toll in respect of such Horses or Cattle had been made on the same Day.

Regulations
as to Stage
Coaches, &c.

XXIV. And be it enacted, That all Horses and Cattle drawing any Stage Coach, Waggon, or other Stage Carriage conveying Passengers or Goods for Hire or Reward, and any Carriage propelled or drawn by Steam or any other Power than Animal Power, in respect whereof the Toll hereby authorized to be taken shall have been paid at any Toll Gate or Bar, shall, upon a Ticket denoting such Payment being produced, be permitted to pass once Toll-free on the same Day through any other Gate or Bar which such Ticket would free in the Case of Horses or Cattle drawing any other Carriage; and no further or additional Toll shall be payable in respect of any Stage Coach or other such Carriage as aforesaid at any Toll Gate or Bar, the Payment at which shall be freed by such Ticket as aforesaid, on

account only of their conveying other Passengers, or of the Horses or Cattle drawing the same having been changed.

XXV. And be it enacted, That between the First Day of *November* in every Year and the First Day of *April* in the next succeeding Year, it shall be lawful for the said Trustees to demand at each Toll Gate Double the Toll hereby payable for every Horse, Mule, Ass, or other Beast of Draught drawing any Waggon or other Carriage, the Weight of which and of the Loading thereof shall exceed One Ton Ten hundred Weight if drawn by One Horse, and if drawn by more than One Horse shall exceed that Weight with the Addition thereto of Half a Ton Weight for each Horse above One.

Extra Weight to pay Double Toll between 1st of November and 1st of April.

XXVI. And be it enacted, That the several Toll Gates, Bars, and Toll Houses now standing or being upon the said present Turnpike Roads or on the Sides thereof shall be continued until removed by any Order of the said Trustees; and it shall be lawful for the said Trustees to order and cause to be set up in or across the said present Turnpike Roads, and also upon the new Road to be made and maintained by virtue of this Act, or on the Sides thereof, any Toll Gate or Bar, and to remove the present or any future Toll Gate or Bar, as they shall think proper.

Respecting Toll Gates.

XXVII. And be it enacted, That all Monies which shall be received by the said Trustees by virtue of this Act upon the said Roads included in the said recited Act hereby repealed shall be applied as follows; (that is to say,)

Application of Monies on old Line of Road.

Firstly, in paying and discharging the Expences of obtaining and passing this Act or incident thereto:

Secondly, in paying and discharging any Interest which may from Time to Time be owing in respect of any Money which may have been borrowed on the Credit of the Tolls authorized to be taken by the said former Act hereby repealed:

Thirdly, in paying the Expences of improving, maintaining, and keeping in repair such Roads, and in putting this Act into execution with reference thereto:

Fourthly, in reducing, paying off, and discharging the several Principal Sums which have been borrowed on the Credit of the Tolls authorized to be taken by the said former Act hereby repealed.

XXVIII. And be it enacted, That all Monies which shall be received by the said Trustees for or in respect of the said new Road authorized by this Act to be made shall be applied as follows; (that is to say,)

Application of Monies on new Road.

Firstly, in discharging the Expences of obtaining and passing this Act or incident thereto:

Secondly, in making, improving, maintaining, and keeping in repair the said new Road, and putting this Act into execution with reference thereto:

Thirdly, in paying and discharging any Interest which may from Time to Time become due and be owing in respect to any Money
[Local.] 5 O which

which may hereafter be borrowed on the Credit of the Tolls to be collected on the said new Road :

Fourthly, in reducing, paying off, and discharging any Principal Sums of Money which may be due on the Credit of the Tolls to be taken on the said new Road by this Act authorized to be made.

No more Money to be laid out than taken on any Road.

XXIX. And be it enacted, That no more Money shall be expended in the Repair of the said new Road comprised in this Act than shall be collected on such Road or borrowed on the Credit of the Tolls collected thereon.

No Tolls to be taken or Money laid out in Towns.

XXX. And be it enacted, That no Money shall be laid out on any Road comprised in this Act within the Limits of any Act of Parliament passed for the Improvement of any Town, nor shall any Money be collected therein.

Trustee or Clerk competent Witnesses in Actions.

XXXI. And be it enacted, That no Trustee or Clerk acting under the Authority of this Act, if not otherwise interested, shall be deemed incompetent to give Evidence, or shall be disqualified from giving Evidence, in any Action, Suit, or other Proceeding brought by or against him in such his Capacity of Trustee or Clerk, by reason of his being Plaintiff or Defendant in such Action, Suit, or Proceeding.

The Roads not exempt from any General Act.

XXXII. And be it enacted, That nothing herein contained shall be deemed to exempt the Roads comprised in this Act from the Provisions of any general Act relating to the Consolidation or other improved Arrangement of Turnpike Roads which may pass during the present or any future Session of Parliament.

Term of Act.

XXXIII. And be it enacted, That this Act shall commence on the Second *Tuesday* next after the passing thereof, and shall continue in force for the Term of Thirty-one Years, and from thence to the End of the Session of Parliament which shall then next follow.

Interpretation Clause.

XXXIV. And be it enacted, That in this Act the following Words and Expressions shall have the several Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction ; (that is to say,)

Words importing the Singular Number shall include the Plural Number, and Words importing the Plural Number shall include the Singular Number :

The Word " Person " shall be understood to include Corporation :

Words importing the Masculine Gender shall include Females :

The Word " Lands " shall be understood to include Messuages, Tenements, and Hereditaments.

Public Act.

XXXV. And be it enacted, That this Act shall be a Public Act, and shall be judicially taken notice of as such.

SCHE-

SCHEDULE.

Township of Dovenby, Parish of Bridekirk.

Description of Property.	Owner or reputed Owner.	Occupier.
Plantation - - -	William Browne, Esquire -	William Browne.
Ditto - - -	Ditto -	Ditto.
House and Croft -	James Cunningham -	Andrew Dockeray.
House, Garden, and Curtilage -	Mary Parsable -	John Dunglinson.
Mill and Mill Stream -	Ditto -	William Tiffin.

Township of Dearham, Parish of Dearham.

Garden - - -	Sarah Parsable -	Joseph Crosby.
Houses and Garden -	Sarah Parsable, Widow -	Joseph Crosby, Hannah Robert- son, Christopher Martin, and William Murray.
Coal Pit, Staithes, and Works -	George Carruthers -	John Dunglinson and Jonathan Ostle.
Dearham Beck - - -	The same -	The same.
House and Garden -	John Hayton -	John Johnstone.
Garden - - -	The same -	John Sandham.
Plantation - - -	John Walker -	John Walker.
Ditto - - -	Ditto -	Ditto.
Dearham Beck - - -	Ditto -	Ditto.
Saw Mill - - -	Ditto -	Isaac Hayston.
Woodland - - -	Mary Ballantine Dykes -	John Blackstock.
Ditto - - -	Ditto -	Ditto.
Ditto - - -	Ditto -	Ditto.
Garden - - -	Ditto -	Ditto.
Woodland - - -	Ditto -	Ditto.
Ditto - - -	Ditto -	Ditto.
Ditto - - -	Ditto -	Ditto.
Ditto - - -	Ditto -	Ditto.
Dearham Beck - - -	Ditto -	Ditto.
Coal Pit and Coal Works -	Ditto -	Wood & Co.

LONDON : Printed by GEORGE E. EYRE and ANDREW SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1843.

