ANNO UNDECIMO

Georgii III. Regis.

An Act to enlarge the Term and Powers of an Act, made in the Twenty-fifth Year of His late Majeſty, for repairing the Road from *Knareſbrough*, in the County of *York*, by *Longflatt Lane*, *Gouldſbrough Fields*, *Flaxby*, *Allerton*, *Mauleverer*, and *Scate Moor*, to *Greenhamerton*, in the ſame County; and for making the ſame a High Carriage Road.



HEREAS an Act was made in the Twenty-fifth Year of the Reign of His late Majeſty King George the Second, for repairing the Road from Knareſbrough, in the County of York, by Longflatt Lane, Gouldſbrough Fields, Flaxby, Allerton, Mauleverer, and Scate Moor, to Greenhamerton, in the ſame County, and for making the ſame a High Carriage Road, to be in Force for the Term of Twenty-one Years, and to the End of the then next Seſſion of Parliament: And whereas ſeveral Sums of Money have been borrowed on the Credit of the ſaid Act, which ſtill remain unpaid: And whereas the ſaid Road hath been in great Part repaired, but the Money ſo borrowed, and the Intereſt thereof, cannot be paid off within the ſubſiſting Term of the ſaid Act, nor can the ſaid Road

Preamble. Act 25 *Geo.* II. recited.

be compleated and kept in Repair, unleſs the Term and Powers of the ſaid Act be enlarged: May it therefore pleaſe Your Majeſty, that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid recited Act, and all Powers, Authorities, Proviſions, Regulations, Penalties, Forfeitures, Clauſes, Matters, and Things, therein contained, ſhall be and is and are hereby further continued from the Expiration of the ſaid former Act, and of the additional Term of Five Years, granted by an Act made in the Twenty-eighth Year of his ſaid late Majeſty, intituled, An Act to amend an Act made in the Twenty-ſixth Year of His preſent Majeſty, intituled, *An Act for the Amendment and Preſervation of the publick Highways and Turnpike Roads of this Kingdom, and for the more effectual Execution of the Laws relating thereto*; for and during the further Term of Twenty-one Years, and from thence to the End of the then next Seſſion of Parliament, as effectually to all Intents and Purpoſes, as if the ſame were repeated and re-enacted in the Body of this Act, but ſubject nevertheleſs to the Amendments, Alterations, Variations, and Additions, herein contained, and which ſhall commence and take Effect immediately from and after the Firſt Day of May, One thouſand ſeven hundred and ſeventy-one, and continue during the Term hereby continued and granted; and the additional Term hereby granted, ſhall be ſubject and liable to the Payment of all the Money now due, or which ſhall be borrowed on the Credit of the ſaid former Act, or this Act, and the Intereſt due, or to grow due thereon.

The Term of 25 *Geo* II. further continued.

And for the more eaſy and ſpeedy Execution of the ſaid Act, be it further enacted by the Authority aforeſaid, That the Right Honourable the Lord Viſcount Downe, in the Kingdom of Ireland; the Right Honourable Lord Viſcount Arundell Galway, in the Kingdom of Ireland; Sir Savile Slingſby, Sir James Ibbetſon, Sir Bryan Stapylton, Sir Thomas Tancred Baronets; Charles Allanſon, Edmund Barker junior, Thomas Barſtow Clerk, Oliver Coghill, James Collins the younger, John Denham, Benjamin Ferrand, Robert Harper, William Hucks, Thomas Kay Clerk, Daniel Laſcelles, William Meeke, William Meeke junior, Francis Meeke, Francis Meeke junior, Fletcher Norton, Edward Norton, Roger Pickering, Richard Roundell, William Richardſon, William Roundell Clerk, Thomas Turner, Slingſby Miles Staveley, Francis Shepherd, Henry Thompſon,

Additional Truſtees.

ſon, Thomas Thornton, Francis Trapps, Walter Vavaſour, William Wanley, Childers Walbank, and John Yorke; ſhall be, and they are hereby added to and joined with the Truſtees appointed or elected, for putting the ſaid former Act in Execution, and that the ſaid Truſtees, by and in purſuance of this Act, or of the ſaid former Act, appointed, or to be elected, and qualified as the ſaid former Act directs, ſhall be, and they are hereby nominated and appointed Truſtees, for repairing, amending, and keeping in repair the ſaid Road, and for putting in Execution this and the ſaid former Act.

Expences of paſſing the Act how to be paid.

And it is hereby further enacted, That the ſaid Truſtees, or any Seven or more of them, ſhall, out of the Monies which have ariſen by virtue of the ſaid former Act, or out of the Firſt Monies which ſhall be raiſed by virtue of the ſaid former Act, and of this Act, pay and diſcharge all the Coſts, Charges, and Expences, incident to and attending the obtaining and paſſing of this Act of Parliament.

Who liable to pay Statute-duty.

And be it further enacted by the Authority aforeſaid, That the reſpective Surveyor or Surveyors for the Time being, within all and every the Townſhip and Townſhips, in which the ſaid Road doth lie, ſhall yearly and every Year, from and after the Firſt Day of May, One thouſand ſeven hundred and ſeventy-one, within Ten Days after Demand made to him or them in Writing by the Turnpike Surveyor or Surveyors, appointed in purſuance of the ſaid former Act, or of this Act, give and deliver to the ſaid Turnpike Surveyor or Surveyors, an exact Liſt or Account in Writing, under his or their Hands, of the Chriſtian and Surnames of all and every Perſon and Perſons in the reſpective Townſhips, who are by Law chargeable towards repairing the Road in any of the ſaid Townſhips, and ſhall ſet forth and ſpecify in ſuch Liſt, what each Perſon is reſpectively chargeable with, for, and towards the ſame; and the ſaid Townſhip Surveyor or Surveyors for the Time being reſpectively, within Ten Days after Notice ſhall be given them, or either of them, by the ſaid Turnpike Surveyor or Surveyors, of the Time when, and how many of the Perſons ſo chargeable, as in the ſaid former Act is mentioned, he or they would have to do ſuch their reſpective Statute or Days-work, ſo adjudged or appointed in and by the ſaid former Act, in or upon any Part or Parts of the ſaid Road, ſhall ſummon and give Notice thereof to the ſaid Perſon or Perſons ſo chargeable; and if any Townſhip Surveyor or Surveyors ſhall neglect or refuſe to do as they are hereby required and directed, he or they

for every such Neglect or Refusal, shall forfeit and pay the Sum of Five Pounds.

Exemption from Tolls.

Provided always, and it is hereby declared, That no Person or Persons shall be charged with any of the Tolls and Duties by the said former Act, or this Act, granted, for the passing of any Cattle or Carriage through any of the Turnpikes erected, or to be erected, upon the said Road, laden with, or returning empty or unladen, after having been laden only with any Stones, Gravel, or other Materials for repairing the said Road; or with any Dung, Mould, Soil, or Compost of any Nature or Kind whatsoever, for manuring of Gardens or Lands; or with any Hay or Corn in the Straw, to be laid up in the Houses, Outhouses, or Backsides of the respective Inhabitants, Land-owners, or Land-holders in the several Townships in which the said Road doth lie, but not to exempt any Carts or Carriages laden with any Hay or Straw for Sale; nor shall any Toll or Duty be demanded or paid for any Ploughs, Harrows, or other Implements of Husbandry, in order to the using or repairing the same, or any other Thing whatsoever, employed in Husbandry, or for manuring or stocking of Land in the said several Townships wherein the said Road doth lie; nor shall any Toll or Duty be demanded or taken of or from any Person or Persons residing in any of the Parishes, Townships, or Hamlets in which the said Road, or any Branch thereof, doth lie, who shall pass through the said Turnpikes to Church, Chapel, or other Places of religious Worship on Sundays, or who shall attend the Funeral of any Person or Persons who shall die or be buried in any of the said Townships; nor for any Post-horse carrying the Mail or Packet; nor for any Horse or Cattle going to or returning from Water or Pasture; or for the Horses of any Soldiers passing, who are upon their March, or for Carts, Waggons, or Carriages, at the same Time attending; or for Horses, Carts, Waggons, or Carriages, travelling with Vagrants sent by Passes, or returning after having been so employed.

No Victualler, &c. to hold any Place of Profit.

And be it further enacted by the Authority aforesaid, That no Victualler, or Retailer of Beer, Ale, Cyder, or Spirituous Liquors, shall hold any Place of Profit under the said former Act, or this Act.

Limitation of Actions.

And be it further enacted by the Authority aforesaid, That no Action or Suit shall be commenced against any Person or Persons for any Thing done in pursuance of this Act, or of the said former Act, until Ten Days Notice thereof shall be given to the Clerk or Clerks of the

said

said Trustees, or after sufficient Satisfaction or Tender thereof shall have been made to the Party or Parties aggrieved; or after Six Calender Months next after the Fact committed; and that every such Action or Suit shall be laid and brought in the County of York, and not elsewhere; and the Defendant or Defendants in such Action or Suit shall and may at his or their Election plead specially, or the General Issue not guilty, and give this Act, or the said former Act, and the Special Matter in Evidence at any Trial to be had thereupon; and that the same was done in pursuance of and by the Authority of this Act, or of the said former Act: And if it shall appear so to be done, or that such Action or Suit shall be brought before Ten Days Notice shall be given thereof as aforesaid, or after sufficient Satisfaction made or tendered as aforesaid, or after the Time limited for bringing the same as aforesaid, or shall be brought in any other County than as aforesaid; then the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall be nonsuited, or discontinue his, her, or their Action after the Defendant or Defendants shall have appeared; or if, upon Demurrer, Judgement shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall and may recover Treble Costs, and have the like Remedy for the same as any Defendant or Defendants have or hath, or may have in any other Cases by Law. General Issue. Treble Costs.

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

FINIS.