incidental to the Office of Returning Officer: Provided always, that it shall not be lawful for the said Sheriff to receive or execute the Writ except when there shall be no Person within the said Borough, City, or Town legally qualified and competent as Returning Officer to execute the same.

CAP. LVIII.

An Act to continue certain Turnpike Acts in *Great Britain*, and to make further Provisions concerning Turnpike Roads in *England*. [31st *July* 1854.]

'WHEREAS it is expedient to continue for limited Times the Acts herein-after specified, and to make further Provisions concerning Turnpike Roads in *England*:' 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, as follows:

All Turnpike Acts which will expire on or before the End of next Session continued to 1st Oct. 1855, &c., with certain Exceptions.

I. Every Act now in force for regulating, making, amending, or repairing any Turnpike Road in *Great Britain* which will expire on or before the End of the next Session of Parliament, shall be continued until the First Day of *October* One thousand eight hundred and fifty-five, and to the End of the then next Session of Parliament, except an Act of the Fifty-fourth of King *George* the Third, Chapter One hundred and eighty, "for repairing the "Road from *Potton* in the County of *Bedford*, and *Gamlingay* in the County of *Cambridge*, "to *Eynesbury* in the County of *Huntingdon*," and an Act of the Third Year of King *George* the Fourth, Chapter Sixty-four, "for amending and maintaining the Road from *Whitchurch* to *Ternhill* in the County of *Salop*," and except as herein-after mentioned.

Acts in Schedule to this Act continued till 1st Nov. 1855.

II. The Acts mentioned in the Schedule to this Act annexed shall continue in force until the First Day of *November* One thousand eight hundred and fifty-five, and no longer, unless Parliament shall in the meantime continue the same respectively.

Any Money applicable to Payment of Turnpike Debts may be applied in manner provided by 12 & 13 Vict. c. 87. with respect to Sinking Funds under that Act.

III. Where any Money arising from any Sinking Fund provided under any Local Turnpike Act, or from the Sale of Surplus Land, or from Compensation payable by any Company, Corporation, or Person, or from any other Source, is or may be applicable to the Payment of the Principal Debts owing on the Security of the Tolls of any Turnpike Road, or of any particular Class of such Debts, it shall be lawful for the Trustees or Commissioners of such Road, if they think fit, from Time to Time (so often as the Money so applicable amounts to the Sum of Two hundred Pounds, or to such other Sum as the said Trustees or Commissioners, with the Consent in Writing of One of Her Majesty's Principal Secretaries of State, may determine,) to apply the same in or towards the Discharge of such Debts or Class of Debts, in manner provided by the Act of the Session holden in the Twelfth and Thirteenth Years of Her Majesty, Chapter Eighty-seven, with respect to the Application of Monies arising from the Sums set apart as therein mentioned, in or towards the Discharge of Monies borrowed, charged, or secured, after the passing of that Act, and such Money may be so applied as aforesaid, notwithstanding the Provisions of any Local or other Act for the Payment of such Principal Debts rateably, or by Lot, or otherwise.

Power to Executors, &c. to consent.

IV. All Executors, Administrators, Guardians, Trustees, and all Committees of the Estates of Idiots and Lunatics, who as such are for the Time being entitled to any Money charged or secured on the Tolls of any Turnpike Road, may offer to accept and may accept under this Act such Composition in respect of such Money or any Part thereof as they in their Discretion may deem expedient, as if they respectively were so entitled in their own Right, discharged of all Trusts in respect thereof, and all Executors, Administrators, Guardians, Trustees, and Committees so consenting are hereby severally indemnified for so doing.

Tolls not to be charged without Consent of Secretary of State.

V. It shall not be lawful for the Trustees or Commissioners of any Turnpike Road to borrow any Money on the Credit of the Tolls of such Road, or to make any Mortgage, Charge, or Security of or upon such Tolls, without the previous Consent in Writing of One of Her Majesty's Principal Secretaries of State: Provided always, that this Enactment shall not be applicable

applicable where Power is given by any Local Act to borrow a limited Sum for a specific Object on Security of such Tolls, nor shall it prevent the Execution of Mortgages which may be given in lieu of Mortgages lost or cancelled, or otherwise for securing or further securing Money already charged on the Tolls of any Turnpike Road.

VI. In citing this Act in other Acts of Parliament and in legal Instruments it shall be sufficient to use the Expression "The Annual Turnpike Acts Continuance Act, 1854." Short Title.

VII. This Act shall not apply to *Ireland*. Extent of Act.

SCHEDULE.

An Act for enlarging the Term and Powers of an Act of King George the Second, and Two Acts of His present Majesty, for repairing the Road from Hedon to Hull, and other Roads therein mentioned, in the County of York. 52 G. 3. c. xxi.

An Act for repairing the Road from Chatham to Canterbury in the County of Kent. 52 G. 3. c. lxxxi.

An Act for enlarging the Term and Powers of an Act of His present Majesty, for repairing the Road from Canterbury Lane within the Liberty of the Town of Folkestone to a Place in the Parish of Folkestone called Mudshole, and other Roads therein mentioned, in the County of Kent. 54 G. 3. c. xiv.

An Act for making and maintaining certain Roads from the Town of Stroud and several other Places therein mentioned, all in the County of Gloucester. 54 G. 3. c. lxxx.

An Act to continue the Term and alter and enlarge the Powers of Two Acts of His present Majesty, for amending the Road from the Bottom of Galley Hill to the Cross in Clanfield in the County of Oxford. 55 G. 3. c. xxxviii.

An Act for making and maintaining a Turnpike Road from and out of the Turnpike Road at the Bottom of Coalbrook-Dale in the Parish of Madeley, into the Turnpike Road leading from Shiffnal to Shrewsbury, at or near a Place called Watling Street in the Parish of Wellington, all in the County of Salop. 57 G. 3. c. xii.

An Act for continuing and amending an Act of His present Majesty for repairing the Roads near the Towns of Hockerton, Kirklington, Southwell, Normanton, and Winkbourne, with a Branch from Kirklington to the Street-Gate Road and the Newark and Southwell Turnpike Road at Greet Bridge in the County of Nottingham. 58 G. 3. c. vii.

An Act to continue the Term and enlarge the Powers of several Acts for repairing the Roads from Basingstoke through Popham Lane, Sutton Scotney, and Stockbridge in the County of Southampton to a Place called Lobcomb Corner in the County of Wilts. 58 G. 3. c. lxxiii.

An Act to enlarge the Term and Powers of an Act of His late Majesty, for making and maintaining the Road from near Lightpill Gate in the Parish of Rodborough to near Birdlip in the Parishes of Brimpsfield and Cowley, or One of them, all in the County of Gloucester. 1 G. 4. c. xx.

An Act for more effectually improving the Road from Gateshead in the County of Durham to the Church Lane near Ryton Lane Head, and from the Bar Moor to the Hexham Turnpike Road near Dilston Bar, in the County of Northumberland, and other Roads therein described, and also for altering the Line of a certain Part of the first above-mentioned Road. 1 G. 4. c. xxx.

An Act to continue the Term and alter and enlarge the Powers of an Act of the Fortieth Year of His late Majesty's Reign, for repairing the Road leading from the Turnpike Road in Witney to the Road on Swerford Heath, and the Road leading from the Road from Woodstock to Birmingham, through Charlbury, to the Road from Chipping Norton to Burford, all in the County of Oxford. 1 G. 4 c. lxxxii.

An Act for repairing the Roads from Tetbury to Symondshall, from Frocester Hill to Dunkirk, and from the Latterwood to Nailsworth, and other Roads therein mentioned, all in the County of Gloucester. 1 & 2 G. 4. c. lxxxiii.

An Act for repairing, widening, and maintaining several Roads in the Counties of Dorset and Devon, leading to and through the Borough of Lyme Regis, and from the Turnpike Road on Uplyme Hill to the Turnpike Road at the Three Ashes in the Parish of Crewkerne in the County of Somerset. 1 & 2 G. 4. c. cviii.

3 G. 4. c. iii. An Act for more effectually repairing, widening, amending, and improving the Roads from Wigan to Preston in the County Palatine of Lancaster.

3 G. 4. c. x. An Act for continuing the Term, and altering, amending, and enlarging the Powers of several Acts passed for repairing the Roads from Chappel Bar, near the West End of the Town of Nottingham, to Newhaven, and from the Four Lane Ends, near Oakerthorpe, to Ashbourne, and from the Cross Post on Wirksworth Moor, to join the Road leading from Chesterfield to Chapel-en-le-Frith, at or near Longston, in the County of Derby, and from Selstone to Annesley Wodehouse, in the County of Nottingham.

3 G. 4. c. lxi. An Act for amending and improving the Roads leading from Tiltup's Inn in the Parish of Horsley to or near Dudbridge in the Parish of Rodborough, and from the Bridge at Nailsworth to the Cross Post on Minchinhampton Common, and other Roads thereto adjoining, and for making a new Piece of Road from the said Bridge to the Cross in the Parish of Avening, all in the County of Gloucester.

3 G. 4. c. lxiii. An Act to enlarge the Term and Powers of several Acts, for repairing and widening the Road from the Market House in Tetbury to the Turnpike Road on Minchinhampton Common, and several other Roads therein mentioned, all in the County of Gloucester, so far as the same Acts relate to the Second District of Roads therein mentioned.

3 G. 4. c. lxvii. An Act for enlarging the Term and Powers of several Acts passed for repairing the Road from the Town of Guldeford to the Directing Post near the Town of Farnham in the County of Surrey.

3 G. 4. c. xc. An Act for more effectually repairing the Road from the Guide Post near the End of Drayton Lane near Banbury in the County of Oxford to the House called the Sun Rising, at the Top of Edge Hill in the County of Warwick.

3 G. 4. c. xcviii. An Act for making, widening, repairing, and maintaining certain Roads leading to and from the Town of Honiton in the County of Devon.

4 G. 4 c. viii. An Act for repairing and amending the Road from the City of Peterborough through Oundle and Thrapston to Wellingborough in the County of Northampton, and several other Roads near or adjoining thereto.

4 G. 4. c. xlix. An Act for more effectually repairing and improving the Yorkshire District of the Road from Keighley in the West Riding of the County of York to Kirkby-in-Kendal in the County of Westmoreland, and for making several Diversions therefrom, within the said West Riding of the County of York.

4 G. 4. c. lxxxv. An Act for more effectually repairing the Road from the South End of Brown's Lane in the Parish of Great Staughton, in the County of Huntingdon, to the Bedford Turnpike Road, in the Parish of Lavendon, in the County of Buckingham.

5 G. 4. c. xliv. An Act for making and maintaining a Turnpike Road from Colne in the County of Lancaster, to communicate with the Road leading from Clitheroe in the same County to Skipton in the County of York.

5 G. 4. c. xlvi. An Act for more effectually repairing the Road from the Trent Bridge in the County of the Town of Nottingham to Cotes Bridge in the County of Leicester.

5 G. 4. c. lvi. An Act for repairing the Lower Road from Greenwich to Woolwich in the County of Kent.

5 G. 4. c. lxxxii. An Act for making and maintaining a Turnpike Road from Roundhay Bridge to Collingham in the County of York.

5 G. 4. c. xcvii. An Act for repairing, widening, improving, and maintaining in repair the First District of Turnpike Roads leading to and from the Town of Bridport in the County of Dorset.

5 G. 4. c. cv. An Act for improving and more effectually repairing the Roads from the Town of Bolton-in-the-Moors to Nightingales in the Township of Heath Charnock, and for making a Branch Road from Little Bolton to or near the Crown in Horwich; and for enabling the Trustees therein named, together with the Trustees North and South of Yarrow, and the Trustees of the Road from Westhoughton to Duxbury Stocks, to make a new line of Road from Hole House Brow in the said Township to the Town of Chorley, and a Branch Road from Rawlinson Bridge to Halliwell Field in the same Township, and another Branch Road in the Township of Duxbury, all in the County Palatine of Lancaster.

An Act for making and maintaining a Turnpike Road from Cainscross, through Stroud, over Rodborough and Minchinhampton Commons, to the Town of Minchinhampton, with several Branches therefrom, all in the County of Gloucester. 6 G. 4. c. xxiii.

An Act for making a Turnpike Road from the Hope Turnpike in the Leominster and Hereford Road to or nearly Burley Gate in the Hereford and Bromyard Turnpike Road, and from thence to a Place called the Trumpet in the Ledbury and Hereford Turnpike Road, all in the County of Hereford. 6 G. 4. c. xxvi.

An Act for making and maintaining a Turnpike Road from Trebarwith Sands, on the Sea Shore, to Condolden Bridge on the Road leading from Bossiney to Camelford, all in the County of Cornwall. 6 G. 4. c. lxxxiv.

An Act for more effectually repairing and improving the Roads from Sheet Bridge to Portsmouth, and from Petersfield to the Alton and Alresford Turnpike Road near Ropley in the County of Southampton; and for making and maintaining a new Branch of Road to communicate therewith. 6 G. 4. c. lxxxvii.

An Act for repealing Two Acts for repairing the Roads from Little Sheffield in the County of York to Sparrow Pit Gate in the County of Derby; and also an Act for making a Road from Bannèr Cross in the West Riding of the County of York to Fox House in the County of Derby; and for consolidating the Trusts of certain Roads mentioned in the said Acts; and for amending and making certain other Roads to communicate therewith; and for other Purposes relating thereto. 6 G. 4. c. cxliv.

An Act for making and maintaining a Turnpike Road from the Town of Kingston-upon-Hull, through the Town of Hessle, to the East End of the Town of Ferriby, all in the County of the Town of Kingston-upon-Hull. 6 G. 4. c. clii.

An Act for making and maintaining a Turnpike Road from Cannock in the County of Stafford to Penkridge in the same County. 7 G. 4. c. ix.

An Act for amending and maintaining the Road leading from the Turnpike Road on Farrard's Common in the Parish of Bradford, through Holt and Melksham, to Homan's Stile in the Parish of Lacock in the County of Wilts, and the Road leading therefrom to the Bath Turnpike Road upon Kingsdown Hill in the same County. 7 G. 4. c. xviii.

An Act for more effectually repairing and improving the Road from West Houghton to near Halliwell Field, in the Township of Heath Charnock in the County of Lancaster. 7 G. 4. c. lxxxii.

An Act for making and maintaining a Turnpike Road from Gomersal to Dewsbury in the West Riding of the County of York, with Two Branch Roads therefrom. 7 G. 4. c. xciii.

An Act for repairing the Road from Alford to Boston, and from thence to Cowbridge in the Township of Frithville, in the County of Lincoln. 7 & 8 G. 4. c. xvii.

An Act for more effectually repairing and improving the Road from Wadhurst to the Turnpike Road at Lamberhurst Down, both in the County of Sussex, and from the Turnpike Road at Pullen's Hill to West Farleigh Street, both in the County of Kent. 9 G. 4. c. xvii.

An Act for making and maintaining a Turnpike Road from the Bridport Turnpike Road at Allington, through Broadwindsor and Drimpton in the County of Dorset, to the Crewkerne Turnpike Road at or near Clapton Bridge, and also from Hewish Toll Gate to the Crewkerne Turnpike Road at or near Roundham Corner in the Parish of Crewkerne in the County of Somerset. 9 G. 4. c. xix.

CAP. LIX.

An Act to allow Verdicts on Trials by Jury in Civil Causes in *Scotland* to be returned although the Jury may not be unanimous. [31st *July* 1854.]

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, as follows: From and after the passing of this Act, if upon the Trial by Jury of any Civil Cause in the Court of Session in *Scotland* the Jury are unable to agree upon a Verdict, and if after having been kept in Deliberation for a Period of Six Hours, Nine of the said Jury shall agree, the Verdict agreed to by such Nine may be returned as the Verdict of the Jury, and shall be taken and shall have the same Force and

If Jury unable to agree, and if after Six Hours Nine of the Jury agree, the Verdict of such Nine to be taken.