



ANNO QUINTO

# GEORGIIV. REGIS.

\*\*\*\*\*

## Cap. ciii.

An Act for enlarging the Term and Powers of several Acts passed for repairing the Road from *Halifax* to *Sheffield* in the West Riding of the County of *York*, so far as relates to the First District of the Roads mentioned in the said Acts.  
[3d June 1824.]

**W**HEREAS an Act was passed in the Seventeenth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for repairing and widening the Road from the Town of Halifax in the West Riding of the County of York, to the Town of Sheffield in the same Riding*: And whereas another Act was passed in the Thirty-third Year of the Reign of His said late Majesty King *George* the Third, intituled *An Act for continuing the Term and altering and enlarging the Powers of an Act of Parliament of the Seventeenth Year of His present Majesty, for repairing and widening the Road from the Town of Halifax in the West Riding of the County of York, to the Town of Sheffield in the same Riding, so far as relates to the First District of the Roads mentioned in the said Act*: And whereas another Act was passed in the Fifty-eighth Year of the Reign of His said late Majesty King *George* the Third, intituled *An Act for enlarging the Term and Powers of Two Acts of His present Majesty for repairing the Road from Halifax to Sheffield in the West Riding of*  
[Local.] 27 A the  
17G.3.c.105.  
33G.3.c.142.  
58G.3.c.33.

*the County of York, so far as relates to the First District of the said Road from Halifax to Huddersfield: And whereas by the said recited Act of the Seventeenth Year of the Reign of His late Majesty King George the Third, the said Road from Halifax to Sheffield was divided into Three Districts; and it was by such Act declared, that the Road leading from Halifax to Huddersfield should constitute One of such Districts, and should be called The First District of Road: And whereas a considerable Sum of Money, borrowed on the Credit of the said Acts relating to the said First District of Road, and charged on the Tolls arising upon the said District of Road, cannot be repaid, nor can the said District of Road be properly amended and kept in repair, unless the Term and Powers of the said Acts are enlarged with respect to the said District of Road, some additional Powers are granted, and the Tolls arising on the same District of Road are increased: And whereas it would tend to the Accommodation of the Public and of the Persons residing in the Neighbourhood of the said Road, and the said District of Road might be materially improved and benefited if Power were granted to make and maintain a certain Diversion from the said District of Road in manner herein-after mentioned and described: And whereas it would facilitate the Execution of the Purposes aforesaid, if the said Acts relating to the said District of Road were repealed, so far as the same relate to the said District of Road, and if further and additional Powers and Provisions were granted and made: And whereas an Act was passed in the Third Year of the Reign of His present Majesty King*

3 G. 4. c. 126. *George the Fourth, 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*

4 G. 4. c. 95. *Year of the Reign of His 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 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 Third Thursday next after the passing of this Act the said several recited Acts of the Seventeenth, Thirty-second, and Fifty-eighth Years of the Reign of His late Majesty King George the Third, so far as the same relate to the said District of Road (and therein called *The First District*), shall be and the same are hereby declared to be repealed; and this Act shall thereupon commence and take effect, and be put in Execution for and during the Term herein-after mentioned, for the Purpose of more effectually repairing, amending, widening, improving, and keeping in repair the said District of Road; and such District of Road commences at a Place called the *Ward's End* in *Halifax* aforesaid, and passes through the Townships of *Skircoat* and *Southowram*, and through *Elland*, to a Place called *Ainley Top* in the Township of *Elland-cum-Greetland*, and from thence through the Township of *Fixby*, all in the Parish of *Halifax* in the said County of *York*, and from thence through *Fartown* to the*

Repeal of  
former Acts.



the *Beast Market* at *Huddersfield* in the Parish of *Huddersfield* in the said County of *York*; and of making and maintaining the Diversion from the said District of Road herein-after mentioned and described, (that is to say), a Diversion commencing at or near to a certain Place called *Ainley's* or *Ainley Top*, in the Township of *Elland-cum-Greetland* in the Parish of *Halifax* aforesaid, and to pass from thence through and into the several Parishes, Hamlets, Townships, or Place of *Fiaby*, otherwise *Rastrick-cum-Fiaby*, *Lindley Marsh*, and *Huddersfield*, and to terminate at or near to a certain Street or Place in the Town of *Huddersfield* called *Temple Street*.

II. 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 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 present Majesty, and all and every the Powers, 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 by this Act), shall respectively be as good, valid, and effectual for carrying this Act into Execution, as if the same had respectively been repeated and re-enacted in the Body of this Act.

Application of the General Turnpike Acts to this Act.

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 the respective 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 Acts hereby repealed, or either of them, upon the said District of Road, and 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 Person and Persons owing any Sum or Sums of Money to the Trustees for executing the said former Acts, on account of the said District of Road, shall be liable to the Payment thereof to the Trustees for executing this Act.

Act made liable to Payment of all Monies due under former Acts.

IV. And be it further enacted, That all Conveyances, Bonds, Covenants and Agreements, Contracts and Securities, made or entered into by any Person or Persons to or with the Trustees for executing the said former Acts on account of such District of Road, shall remain in full Force and Effect, and shall be and continue available in all Courts of Law and Equity until the same 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 Acts on account of such District of Road, in pursuance

Contracts to remain in force.



suance of the Provisions and Directions thereof, 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.

Books relative to former Acts to be Evidence.

V. And be it further enacted, That all Books containing the Accounts and Proceedings of the Trustees acting in Execution of the said former Acts hereby repealed, and provided and kept by them, or by their Treasurer or Clerk under their Direction, according to the Provisions of such Acts, and made Evidence thereby, and also all Books to be kept for the Purposes of this Act, shall be admitted as Evidence in all Courts, and by all Judges, Justices, and others.

Arrears of Tolls and Property belonging to former Trustees vested in the Trustees named in this Act.

VI. And be it further enacted, That all Arrears of Tolls or Rents and other Monies due to, and all other Property, Real or Personal, and all Choses in and Rights of Action, either at Law or in Equity, vested in the Trustees of the said District acting in the Execution of the said former Acts, or any of them, shall immediately on the passing of this Act be vested in the Trustees named in or to be elected and appointed by virtue of this Act, or of the said several recited Acts passed in the Third and Fourth Years of His present Majesty, and such Trustees shall be and they are hereby authorized and empowered to receive and take Possession of the same, and for that Purpose to cause to be commenced and prosecuted any Action or Suit at Law or in Equity, and to act in respect thereof as effectually as if the same had become due to or had been vested in them under and by virtue of this Act, or of the said several recited Acts passed in the Third and Fourth Years of the Reign of His present Majesty.

Trustees.

VII. And be it further enacted, That all His Majesty's Justices of the Peace for the Time being, acting for the West Riding of the County of *York*, together with the Honourable *John Lumley Savile*, Sir *George Armytage* Baronet, Sir *Joseph Radcliffe* Baronet, *George Armytage* of *Kirklees Hall*, *George Armytage* of *Lightcliffe*, *William Archibald*, *Joseph Armytage*, *Benjamin Haigh Allen*, *Gervase Alexander*, *John Alexander*, *John Ashworth*, *Philip Howard Ashworth*, *Robert Abbott*, *John Abbott*, *William Adam*, *Thomas Adam*, *John Allinsson*, *Christopher Atkinson*, *Alexander Alexander*, *Joseph Atkinson*, *Thomas Bates* Clerk, *Thomas Burton* Clerk, *Rawdon Briggs*, *Rawdon Briggs* the younger, *William Briggs*, *Henry Briggs*, *John Battie*, *Peter Bould*, *Thomas Boothroyd*, *John Bray*, *Thomas Boothroyd* the younger, *Thomas Bradley*, *William Bradley*, *Copley Brown*, *Sharp Brown*, *George Buxton Brown*, *Godfrey Berry*, *James Brook*, *William Butter*, *James Cartledge*, *Charles Cartledge*, *William Coultas*, *Jonathan Crowther*, *John William Cadney*, *John Clay*, *John Cockcroft*, *Coultas*, *Samuel Clay*, *John Craven*, *William Craven*, *John Carter*, *Joshua Crossland*, *James Crosland*, *William Davy*, *John Dearden*, *John Dearden* the younger, *Thomas Francis Drake*, *Thomas Dyson*, *John Dyson*, *Thomas Fournis Dyson*, *Scipio Dyson*, *Thomas Edwards*, *Jeremiah Dyson*, *Henry Lees Edwards*, *John Edwards*, *George Edwards*, *Thomas Edwards*, *James Emmet*, *Edward Emmet*, *William Emmet* Paper Maker, *James Farrar*, *Samuel Farrar*, *Thomas Fearnside*, *Samuel Freeman*, *Robert Firth*, *John Fisher*, *William Greenup*, *George Greenup*,



*Greenup, John Greame, Henry Horatio Greame, Thomas Greenwood, James Greenwood, Henry Greenwood, Richard Greenwood, William Greenwood, Thomas Horton, Thomas Joshua Horton, Joseph Haigh, John Holroyd, Benjamin Holroyd, William Holroyd, John Haigh, John Haigh the younger, George Haigh, John Haigh of Mount, Richard Haigh, John Haigh Woolstapler, John Haigh the younger, Samuel Hall, John Hirst, William Hoyland, Thomas Holmes, Peter Kenyon Holden, Rowland Houghton, Frederick Hudson, Thomas Harby, John Hodgson, Samuel Hodgson, Joseph Hodgson, George Kershaw, Thomas Kershaw, Riley Kitson, Samuel Knight Clerk, William Knight, William Mitchell, Francis Maude, Benjamin Mellor, James Milne, James Moore, William Moore, William John Moore, John Milner, Richard Moulson, William John Norris, James Edward Norris, George Naylor, Thomas Preston, George Pollard, Robert Payley, Charles Pitchforth, Thomas Pollett, Robert Parker, William Rawson, Christopher Rawson, Stansfield Rawson, William Henry Rawson, John Rawson, Jeremiah Rawson, Thomas Samuel Rawson, Edward Ramsden, Rowland Ramsden, Thomas Ramsden, John Richardson, Joseph Rushforth, Richard Walker Rushforth, Henry Rushworth, James Roberts, John Rothwell, William Rothwell, Christopher Saltmarsh, Watson Samuel Scatcherd, James Stansfield, Samuel Stead, Thomas Sutcliffe of Ovendon, John Sutcliffe, Joseph Shaw, George Shaw, Edward Shaw Clerk, Thomas Sladin, John Staveley, George Smith, Joshua Smithson, John Swallow, William Stocks, William Stocks the younger, Shakespear Sykes, Thomas Carr Steward, Thomas Thornhill, James Thompson, James Thompson the younger, William Barnes Thompson, Samuel Walker of Helliwell Green, John Walker of Crownest, John Walker of Mearclough Bottom, John Waterhouse, Joshua Whittell, Benjamin Whitelly, John Waterhouse the younger, Samuel Waterhouse, William Waterhouse, Robert Wainhouse, Edward Wainhouse, William Wainhouse, William Wigney, and their Successors, being duly qualified according to the Provisions of the said recited Acts passed in the Third and Fourth Years of the Reign of his present Majesty, shall be and they are hereby appointed the Trustees for carrying this Act into Execution.*

VIII. 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 of the Purpose thereof Ten Days Notice shall be given in manner by the said recited Acts or either of them directed with respect to Meetings for the Appointment of Trustees on Vacancies), to elect and appoint any Number of Persons not exceeding Fifteen in the Whole to be Trustees for executing this Act, in addition to the Trustees herein named and appointed; and such additional Trustees so elected and appointed, being duly qualified according to the Provisions of the said recited 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 named in this Act.

Power to  
appoint ad-  
ditional  
Trustees.

IX. And be it further enacted, That the Trustees acting in Execution of this Act shall meet together at the *White Swan Inn at Halifax* aforesaid,

First Meet-  
ing of Trus-  
tees.

[Local.]

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aforesaid,



aforesaid, or at some other convenient Place upon or near to the said District of Road, on the Third *Thursday* 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 after adjourn to and meet at such Times and at such Places upon or near to the said Road as they shall think proper.

Old Officers  
to continue  
until re-  
moved by  
Trustees.

X. 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 Third and Fourth Years of the Reign of His present Majesty, and each and every Clerk, Collector, Surveyor, and other Officer appointed under and by virtue of the said recited Acts of the Seventeenth, Thirty-second, and Fifty-eighth Years of the Reign of His late Majesty, 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.

Clerk and  
Treasurer not  
to be the  
same Person.

XI. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees to appoint the Person who 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, the Treasurer for the Purposes of this Act, or to appoint the Person who may be appointed Treasurer, or the Partner of any such Treasurer, 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 any such Clerk, or the Clerk of or other Person in the Service or Employ of such Clerk, shall act as Treasurer, or being the Partner of such Treasurer shall act as Clerk in the Execution of this Act, or if any Treasurer shall hold any Place 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 or Persons who shall sue for the same, to be recovered, together 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, Complaint, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance, shall be allowed.

Branch may  
be made.

XII. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered to make the said Diversion or Branch in, upon, over, or through any private Lands or Grounds, of such Width as they shall think proper, not exceeding Forty-two Feet, together with such Footpaths, Causeways, Bridges, Culverts, Fences, Ditches, and Drains as they shall think necessary or expedient; and for such Purpose or Purposes to pull down or take and use or lay into the said Road any Houses, Buildings, Tenements, or Hereditaments mentioned in the Schedule



to this Act annexed, making Satisfaction to the Owners thereof, and Persons interested therein for the same, or for the Damage they may sustain thereby; and also in, upon, over, or through any Commons or Waste Grounds, without making any Satisfaction for such Commons or Waste Grounds; and it shall also be lawful for the said Trustees, and for their Surveyors or Surveyor and Workmen, from Time to Time to enter upon the Lands and Premises through which or whereupon such Road, Footpaths, Causeways, Fences, Ditches, and Drains is or are intended to be made or pass, and also upon any adjoining Lands or Grounds, and to stake out the same in such Manner as the said Trustees shall think necessary or expedient, without being deemed a Trespasser or Trespassers, and without being subject or liable to any Fine, Penalty, or Punishment for entering or continuing upon such Lands or Premises respectively for any of the Purposes of this Act; and if any Person shall pull up, remove, or destroy any of such Stakes or other Marks used for the Purposes aforesaid, every Person so offending shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds.

XIII. And whereas a Map or Plan describing the Line of the Diversion from the said District of Road, and the Lands through which the same is intended to be carried, together with a Book of Reference, containing a List of the Names of the Owners and Occupiers of such Lands, have been deposited at the Office of the Clerk of the Peace for the West Riding of the County of *York*; be it therefore enacted, That the said Map or Plan and Book of Reference shall remain in the Custody of the said Clerk of the Peace, to the End that all Persons may at all seasonable Times have Liberty to inspect and peruse the same, and to take Copies thereof or Extracts therefrom at their Will and Pleasure, paying to the Clerk of the Peace the Sum of Five Shillings for every such Inspection, and at the Rate of One Shilling for every Seventy-two Words of such Copies of or Extracts from the said Map or Plan and Book of Reference, and the said Trustees in making the said Diversion shall not deviate more than One hundred Yards from the Line described in the said Map or Plan, without the Consent in Writing of the Person or Persons through whose Lands such Deviation shall be made.

Plan deposited with Clerk of the Peace may be inspected.

XIV. Provided always, and be it further enacted, That it shall be lawful for the said Trustees to make the said Diversion of Road into, through, across, and over the several Lands or Grounds of any Person or Persons who is or are or may be the Owner or Owners of any Lands or Grounds set out and described in the said Map or Plan as aforesaid, although the Name or Names of such Person or Persons may happen to be omitted or mis-stated in the said Book of Reference, in case it shall appear to any Two or more Justices of the Peace for the said West Riding of the County of *York*, and be certified accordingly by Writing under their Hands, that such Omission or Mis-statement proceeded from Mistake.

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

XV. Provided also, and be it further enacted, That the Powers and Authorities hereby given to the said Trustees to make such Diversion of Road shall not extend to the pulling down or making use of any Dwelling

Dwelling Houses, &c. not to be injured.



Dwelling House or other Building, or to the taking in or making use of any Orchard, Garden, Yard, Paddock, Park, Plantation, Planted Walk or Avenue to a House, or any inclosed Ground planted and set apart as a Nursery for Trees, or of any Part of the same respectively, without the Consent in Writing of the Owner or Proprietor thereof first had and obtained, other than and except such as are mentioned in the Schedule hereunto annexed.

Power to make Branch Road with Consent of Owners and Occupiers.

XVI. Provided also, and be it further enacted, That it shall be lawful at any Time after the passing of this Act, for the Trustees acting under the Execution hereof to make and maintain a Branch Turnpike Road from *Ainley Hill Top* to a certain Place called the *Yew Tree*, all in the Townships of *Fixby* and *Lindley* in the Parishes of *Halifax* and *Huddersfield* aforesaid: Provided nevertheless, that such Diversion shall not be made without the Consent in Writing of all and every the Owners and Occupiers of the Lands and Grounds through which the same Road shall pass.

Application of Compensation Money amounting to 20l.

1 G. 4. c. 35.

XVII. 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 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 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 to the same or like Uses, Trusts, Intents, and Purposes as the said Court of Exchequer shall authorize to be purchased or paid, 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



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 Time being have been entitled to the Rents and Profits of such Lands, Tenements, or Hereditaments so to be purchased, conveyed, and settled.

XVIII. 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 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 case 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, or 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.

Application  
of Compensation Money  
when less  
than 200*l.*  
and not less  
than 20*l.*



Application  
of Compen-  
sation Money  
when less  
than 20*l*.

XIX. 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 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, Idiotcy, 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.

In case of not  
making out  
Titles, the  
Money to be  
paid into the  
Bank.

XX. 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 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.

Where any  
Question  
shall arise  
touching the  
Title to any  
Money.

XXI. 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 Govern-



ment or Real Securities to be purchased with any such Money, or to 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 shewn 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.

XXII. 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 Money for the same shall be required to be paid into the 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 the said Court shall deem 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.

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

XXIII. And be it further enacted, That every Lessee or Tenant for Years or at Will, and every other Person in Possession of any Lands, Buildings, Houses, Tenements, or Hereditaments which shall be purchased by virtue and for the Purposes of this Act, shall deliver up the Possession of such Premises to the said Trustees, or to such Person or Persons as they shall appoint to take Possession of the same; upon having Notice from the said Trustees or their Clerk, or such Person or Persons so to be appointed by them, to quit the same at such Time or Times as shall be required by such Notice, they the said Trustees, or such Person or Persons, making such Satisfaction or Compensation to every such Tenant or Lessee as aforesaid; in case he or she shall be required to quit before the Expiration of his, her, or their Term in the said Premises, as the said Trustees shall deem just and reasonable; and in case any Difference or Dispute shall arise as to or concerning the same, such Satisfaction and Compensation shall be settled and ascertained by a Jury, and the Expences thereof be paid by the Party or Parties, in such and the like Manner, and under the same Regulations, as the Satisfaction and Compensation to be made by the said Trustees for the Purchase of any Lands; Tene-

Lessees and Tenants at Will to deliver up Possession of Property in their Occupation.



Tenements, or Hereditaments is and are herein-before directed to be settled, ascertained, and paid, in case of any Difference or Dispute about the same; and such Person or Persons in Possession shall, at such Time or Times as he, she, or they shall be required by the said Trustees, peaceably and quietly deliver up the Possession of the said Premises to the said Trustees, or to the Person or Persons authorized by them to take Possession thereof; and if any such Person or Persons so in Possession as aforesaid shall refuse to deliver up such Possession, then and in every such Case it shall be lawful for the said Trustees, or any Three or more of them, to issue their Precept or Precepts to the Sheriff of the said County of *York* to deliver Possession of the said Premises to such Person or Persons as shall in such Precept or Precepts be nominated to receive the same; and the said Sheriff is hereby required to deliver Possession of the said Premises accordingly, and to levy such Costs as shall accrue from the issuing and Execution of such Precept or Precepts by Distress and Sale of the Goods and Chattels of the Person or Persons refusing to deliver up Possession as aforesaid.

Power to  
erect Toll  
Gates, Turn-  
pikes, Side  
Gates,  
Weighing  
Machines,  
&c.

XXIV. And be it further enacted, That it shall be lawful for the said Trustees, if they think proper, 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, upon, or across the said Roads 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 and Branch or either of them, or any Part thereof respectively, or upon or across the Entrance to any public Road, Lane, or Way leading into the same respectively, or any Part thereof, when, where, and as they shall judge necessary, any Gate or Gates, Turnpike or Turnpikes, Side Gate or Side Gates, Side Bar or Side Bars, Chain or Chains, Weighing Machine or Weighing Machines, 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 enclose on the Sides of the said Road and Branch suitable Garden Spots for the same respectively, not exceeding One-eighth of a Statute Acre each, as they shall think necessary, and from Time to Time to take down and remove, or alter or discontinue the same or any of them, as they the said Trustees shall think proper and direct or appoint: Provided also, that no Turnpike or Toll Gate shall be taken down or removed by Order of such Trustees, unless such Order be made by a Majority of the Trustees present at a Meeting at which Seven Trustees at least shall be present, nor unless Fourteen Days Notice of such Meeting, and of the Intention of taking down or removing such Toll Gate or Turnpike, be affixed on all the Toll Gates or Turnpikes then erected on the said Road or Branch, and be signed by the Clerk or Clerks to such Trustees, or by any Seven or more of the said Trustees.

Tolls.

XXV. And be it further enacted, That from and after the Third *Thursday* after the passing of this Act, it shall and may be lawful to and for the said Trustees, or for any Person under their Authority,  
to



to demand and take the following Tolls at 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 and Branch; that is to say,

For every Horse or other Beast drawing any Cart, Chaise, Chair, Whiskey, Gig, or other such like Carriage, the Sum of Four-pence Halfpenny:

For every Horse or other Beast drawing any Coach, Chariot, Landau, Berlin, Phaeton, Hearse, Calash, or other such like Carriage, whether with Two Wheels or with Four Wheels, and being drawn by Two Horses or Beasts of Draught, the Sum of Four-pence Halfpenny; and if drawn by Three Horses or Beasts of Draught, the Sum of Four-pence Halfpenny; and if drawn by Four Horses or Beasts of Draught, the Sum of Three-pence Halfpenny; and for every other Horse or Beast of Draught, drawing any such Waggon, Wain, Cart, or other such like Carriage, and whether the same shall have Two Wheels or Four Wheels, the Sum of Four-pence Halfpenny:

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

And for every Drove of Calves, Sheep, Lambs, or Swine, the Sum of Four-pence Halfpenny *per* Score, and so in proportion for any greater or less Number:

And for every Horse, Mule, or Ass, whether laden or unladen, and not drawing, the Sum of Three Halfpence.

XXVI. Provided nevertheless, and be it further enacted, That the said Tolls shall be taken at the Turnpike Gate between *Wards End* in *Halifax* and the Navigation Warehouse at *Salterhebble* aforesaid, for every other Time of passing on the same Day through the said last mentioned Turnpike Gate at *Salterhebble*, but not for repassing through the same, except for every such Horse, Ass, or any other Beast, laden or unladen, and not drawing, for which Toll shall be payable but once a Day; provided also, that in case the Tolls herein-before mentioned to be taken for every other Time of passing through the said last mentioned Turnpike Gate at *Salterhebble* as aforesaid, shall not be found sufficient to support and maintain the said Road, the said Trustees are hereby empowered and directed to order and cause the said Tolls so made payable for every other Time of passing as aforesaid, to be taken for every Time of passing, but not for repassing through the said last mentioned Turnpike Gate, until the said Road shall be properly repaired.

Tolls to be taken between *Wards End* at *Halifax* and the Navigation Warehouse at *Salterhebble*.

XXVII. Provided also, and be it further declared and enacted, That no Person or Persons passing through the said Turnpike Gate erected between *Shaw Syke* and the Navigation Warehouse aforesaid, with any Waggon, Wain, Cart, or other Carriage, Horse, Mule, Ass, or any other Cattle, laden, or for the Purpose of being loaded with Coals only, and paying the Tolls there once, who shall return, pass, or repass the same Day through the same Turnpike, with the same Waggon, Wain, Cart, or other Carriage, Horse, Mule, Ass,

Coals to pay but once between *Shaw Syke* and the Navigation Warehouse.

[*Local.*]

27 D—E

or



or other Cattle, and laden, or for the Purpose of being loaded with Coals, shall be liable or compelled the same Day to pay the said Tolls more than once; any thing herein-before contained to the contrary notwithstanding.

Toll to be taken between Halifax and Salterhebble, and on the new Branch of Road.

XXVIII. Provided also, and be it further enacted, That it shall not be lawful for the said Trustees to take more than One full Toll between the Town of *Halifax* and *Salterhebble*, nor more than One full Toll on the whole Line of the said Branch from *Ainly Top* to *Huddersfield* in any one Day, except as herein-before particularly mentioned.

Tolls to be paid but once a Day.

XXIX. Provided also, and be it further enacted, That if any Person shall have paid the Tolls hereby authorized to be taken for the passing of any Horse, Ass, or any other Beast through any one of such Toll Gates, Turnpikes, Side Gates, Bars, or Chains, such Horse, Ass, or other Beast shall, upon a Ticket denoting the Payment thereof on that Day being produced, be permitted to pass and repass Toll-free, except as herein-before particularly mentioned, through the same Toll Gate, Turnpike, Side Gate, Bar, or Chain, and also through such other Gate or Gates (if any) as the Ticket for such Payment (such Ticket to be made out according to the Requisitions and Provisions of the said Acts of the Third and Fourth Years of the Reign of His present Majesty and this Act) shall free, at any Time during the same Day, (such Day 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.

Tolls for passing through all Toll Gates.

XXX. Provided also, and be it further enacted, That no more than Four full Tolls shall be demanded or taken of or from any Person or Persons, for or in respect of the same Horse or Horses, or other Beast or Cattle, or Carriages, in any one Day (to be computed in manner herein-before mentioned), for passing or repassing through all or any of the said Toll Gates or Toll Bars erected or to be erected on the said Road or Branch.

Horses, &c. drawing different Waggon, &c. to pay each Time of passing.

XXXI. Provided always, and be it further enacted, That the said Tolls shall be payable at each and every Turnpike, Toll Gate, and Side Gate erected on the said Road and Branch, in respect of Horses, Asses, or other Beasts of Draught, drawing any Waggon, Wain, Cart, or such like Carriage, for each Time during the same Day that any such Horse, Ass, or other Beast of Draught shall pass through any of the said Turnpikes, Toll Gates, or Side Gates, drawing any other Waggon, Wain, Cart, 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 Toll shall have been paid.

Stage Coaches, &c. to pay each Time of passing.

XXXII. 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



Carriage carrying Passengers or Goods for Payment, Hire, or Reward, for which Toll shall have been paid, and which shall return on the same Day through the same Turnpike, Toll Gate, or Side Gate, the Tolls hereby made payable shall be paid for each Time of passing and repassing through such Turnpike, Toll Gate, or Side Gate, in like Manner as if no Toll had been before paid thereat.

XXXIII. 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 and Branch, or either of them, whenever any new Hiring thereof shall be made.

Horses let out to Hire and drawing Post Chaises, &c. to be subject to Toll on every new Hiring.

XXXIV. Provided always, and be it further enacted, That it shall and may be lawful to and for the Trustees acting in the Execution of this Act, to enter into any Agreement with the Trustees acting in Execution of any Act passed or to be passed during the present Session for repairing or making any Turnpike Road which shall communicate with the said Road, for the Reduction of the Rate of Tolls arising by virtue of this Act, upon such Terms and Conditions as they the said Trustees acting in the Execution of this Act shall think just: Provided nevertheless, that no such Agreement shall be entered into or Reduction made, except at a Meeting of the Trustees acting in Execution of this Act, of which Meeting and of the Purpose thereof Twenty-one Days previous Notice shall have been given by Insertion thereof in One or more of the Newspapers published in the said West Riding of the County of York, nor unless Four-fifths in Value of the Creditors upon the Tolls arising on the said Road shall consent thereto.

Trustees may agree with other Trustees relative to a Reduction of Tolls.

XXXV. And be it further enacted, That out of the Money already received or borrowed by virtue of the said former Acts hereby repealed, or out of the Money which shall or may arise or be received from the Tolls by this Act granted, the said Trustees shall in the first Place pay and discharge all the Costs and Expences incident, to and attending the obtaining and passing of this Act, together with lawful Interest of any Money to be borrowed for Payment of such Costs and Expences from the Time of advancing the same to the Time of the Repayment thereof, and the Remainder of all such Monies already received, arising, or to be borrowed on the Credit of the said Tolls on the said District of Road, shall be applied in keeping down the Interest of the Principal Monies advanced or borrowed on the Credit of the Tolls collected or arising from or payable on account of the said District of Road, and which may hereafter be borrowed on the Credit of this Act, or of the Tolls to arise from or to be collected on, or to be paid in respect of the said District, and in erecting Turnpikes and Toll Houses on the said District, and in amending, altering, turning, widening, improving, and keeping in repair the said District, and otherwise in putting this Act into Execution, and in repaying the Principal Monies already borrowed on the Credit of the Tolls collected on or arising from or payable in respect of the said District, and the Principal Monies which may hereafter be borrowed

Application of Money in Hand, Tolls and Money to be borrowed.

by



by virtue of this Act or the said recited Act of the Third Year of the Reign of His present Majesty.

Public Act.

XXXVI. 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  
Term of Act.

XXXVII. And be it further enacted, That this Act shall commence upon the Third *Thursday* 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.

The SCHEDULE referred to by this Act.

Owners.	Occupiers.	Description of Property.
Sir John Ramsden.	Widow Batley.	Cottage.
Ditto.	Ditto.	Garden.
Ditto.	David Taylor.	Cowhouse.
John Battye.	Himself.	Plantation.
George Hirst.	Himself.	Plantation.

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