



ANNO SEXTO

GEORGIIV. REGIS.

Cap. ciii.

An Act for making and maintaining a Turnpike Road from *Meltham* in the Parish of *Almondbury*, to the *Greenfield* and *Shepley Lane Head* Turnpike Road, near *Wessenden Head*, in the Township of *Austonley*, in the West Riding of the County of *York*. [20th May 1825.]

WHEREAS the making and maintaining of a Turnpike Road, to commence at or near to the *Swan Inn* in the Village of *Meltham* in the Parish of *Almondbury*, in the West Riding of the County of *York*, and passing from thence to and through the Townships of *Austonley* and *Marsden*, and joining the *Greenfield* and *Shepley Lane Head* Turnpike Road upon the Commons, at or near to a certain Place called or known by the Name of *Wessenden Head*, in the Township of *Austonley*, would be of great Benefit and Advantage to the Public, by opening a shorter Communication than there is at present between *Meltham* and several populous and manufacturing Villages near it, and *Ashton-under-Line*, *Stayley Bridge*, and other populous and manufacturing Places in the Neighbourhood of the same: And whereas an Act was passed in the Third Year of the Reign of His present Majesty King *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 Year of the Reign of

3 G. 4. c. 126.

[Local.]

28 B

His

- 4 G. 4. c. 95. His present Majesty King George the Fourth, 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 an Act was passed in the Fifth Year of the Reign of His said present Majesty,
- 5 G. 4. c. 69. intituled *An Act to enable Justices of the Peace for Ridings, Divisions, or Sokes, to act as Trustees for repairing and maintaining Turnpike Roads*: And whereas the beneficial Purposes before mentioned 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 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), and also the said recited Act passed in the Fifth Year of the Reign of His present Majesty, and the Powers and Provisions therein contained, 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.

Powers of recited Acts 3, 4, & 5 G. 4. made effectual for the Purposes of this Act.

Trustees.

II. 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 Thomas Allen, Benjamin Haigh Allen, John Allen, Sir George Armytage Baronet, John Armytage, Joseph Green Armytage, Benjamin Green Armytage, Joseph Armytage, Joseph Armytage of Milnsbridge House, William Green Armytage, George Armytage, Joseph Armytage the younger, Edward Armestead Clerk, Thomas Armestead, William Armitage Archbell, John Archbell, John Beaumont, Richard Henry Beaumont, James Brook, Benjamin North Rockley Batty, Jonas Brook, Joseph Brook, Charles Brook, John Beaumont of Netherton, William Leigh Brooke, Thomas Brooke, William Brook, William Brook of Honley, John Brook, John Brooke of Almondbury, Edward Brook, Timothy Bentley, Green Bentley, Henry Bentley, Robert Bentley, James Bennett, John Booth, William Batley, Joseph Batley, Richard Battye, William Walker Battye, John Battye, Thomas Hudson Battye, John Carter of Lightcliffe, James Crosland, Richard Clay, Beadley Clay, Timothy Dyson, Nathaniel Dyson, John Dyson, James Dawson, John Dobson, William Beevers Dobson, John Richard Dobson, Joseph Eastwood, James Eastwood, John Eastwood, John Eastwood of Huddersfield, Joseph Eastwood of Deanhouse, Joseph Eastwood the younger of Meltham, Joshua Eastwood, William Eastwood, Joseph Eastwood (the Son of William), Robert Firth, Thomas Firth, Lewis Fenton, John Fisher, John Garlick, Christopher Green, Anthony Green, James Green, John Graham, Charles Graham, William Greenwood, James Garlick, John Garlick the younger, Jonas Garlick, Jonas Hobson, Matthew Hurst the younger,

John

John Haigh, Joseph Haigh, John Horsfall, John Horsfall the younger, Abraham Horsfall Clerk, John Hawxby, John Harrop, Thomas Harmer, John Jessop, Sir John Lister Kaye Baronet, the Reverend Robert Kean, William Leigh, Leigh, Thomas Leigh, Thomas Leigh the younger, Joseph Leigh, William Edward Ledgard, Daniel Ledgard, Richard Mellor, Adam Mellor, Thomas Marshall, Henry Nelson, George Needham, William Oldfield, John Oldfield, Amos Ogden, John Peace, Sir Joseph Radcliffe Baronet, Sir John Ramsden Baronet, George Robinson, Joshua Robinson, Edward Taylor Roberts, Jonathan William Roberts, William Rayner, John Rawcliffe, Walter Williams Stables, Walter Williams Stables the younger, Henry Stables, Thomas Shaw, Edmund Shaw, Adam Sykes, James Sykes, John Sykes, William Shaw, Cookson Stephenson, William Stephenson, John Sutcliffe, John Sutcliffe the younger, Samuel Siddall, John Siddall, Uriah Tinker, Philip Tinker, George Taylor, George Taylor of Meltham, Joseph Taylor, Crispin Taylor, John Taylor, George Taylor of Thick Hollins, John Taylor of Greave, John Townsend, Joseph Walker, Samuel Walker, John Whitacre, Matthew Woodhead, John Woodhead, Charles Woodhead, John Wrigley, Joseph Wrigley, Robert Wrigley, Robert Wrigley the younger, William Wrigley, and Robert Walker Waddington, and their Successors, being duly qualified according to the Provisions and Directions contained in the said recited Acts of the Third, Fourth, and Fifth Years of the Reign of His present Majesty, shall be and they are hereby appointed Trustees for making and maintaining in repair the said Road, and for otherwise carrying this Act into Execution.

III. 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 Three Days Notice shall be given in manner by the said recited Act of the Third Year of the Reign of His present Majesty directed in respect to Meetings for the Appointment of Trustees on Vacancies), to elect and appoint any Number of Persons, not exceeding Three 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, and being duly qualified according to the Provisions of the said recited Acts, 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.

For appoint-
ing addition-
al Trustees.

IV. And be it further enacted, That the Trustees acting in execution of this Act shall meet together at the *Swan Inn* in *Meltham* aforesaid, or at some other convenient Place upon or near to the said Turnpike Road, on the Third *Monday* 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 adjourn to and meet at such Times and at such Places upon or near the said Road as they shall think proper.

First Meet-
ing of Trus-
tees.

V. 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 such Clerk, or the Clerk of or other Person in the Service or Employ of such Clerk, or of the Partner of such Clerk, the Treasurer for the Purposes of this Act, or to appoint the Person who may be appointed

Clerk not to
act as Treas-
urer, and
vice versa.

Treasurer,

Treasurer, or the Partner of such Treasurer, or the Clerk of or other Person in the Service or Employ of such Treasurer, or of the Partner of such Treasurer, the Clerk for the Purposes of this Act; and if any Person shall act in both the Capacities of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of such Clerk, or the Clerk of or other Person in the Service or Employ of such Clerk, or of the Partner of such Clerk, shall act as Treasurer, or being the Partner of such Treasurer, or the Clerk of or other Person in the Service or Employ of such Treasurer, or of the Partner of such Treasurer, shall act as Clerk in the Execution of this Act, or if any Treasurer shall hold any Place or Office of Profit or Trust under this Act other than that of Treasurer, every Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person who shall sue for the same, to be recovered with full Costs of Suit in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Plaint, or Information, wherein no Essoign, Protection, or Wager at Law, nor more than One Imparlance, shall be allowed.

Road may be made.

VI. 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 Road 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 the Buildings, Tenements, or Hereditaments mentioned in the Schedule to this Act annexed marked (A.) 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, Waste, or uninclosed Grounds, without making any Satisfaction for such Commons, Waste, or uninclosed 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 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.

Road to be made according to the Maps or Plans deposited at the Offices of the Clerk of the Peace.

VII. And whereas a Map or Plan describing the Line of the said Road, and the Lands, Hereditaments, and Premises through or over which the same is to be made or carried, together with a Book of Reference, containing a List of the Names of the Owners and Occupiers of such Lands, Hereditaments, and Premises, have been deposited at the Office of the Clerk of the Peace for the said West Riding; 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 of the said Riding, to the End that all Persons may at all seasonable Times have liberty to inspect and peruse the

the same, and take Copies or Extracts thereof at their Will and Pleasure, paying the Clerk of the Peace the Sum of One Shilling for every such Inspection, and at the Rate of Sixpence for every Seventy-two Words of such Copies or Extracts of the said Map or Plan and Book of Reference; and the said Trustees in making the said Road shall not deviate within any inclosed Lands or Grounds more than One hundred Yards of Three Feet each from the Line described in the said Map or Plan, without the Consent and Approbation in Writing of the Person or Persons, Bodies Politic, Corporate, or Collegiate, through whose Lands or Premises such Deviation shall be made, but may deviate from the said Line over any Part of the said Commons, Waste, or uninclosed Lands (so long as they shall remain uninclosed) without any such Consent or Approbation, in such Manner as to them shall from Time to Time seem most expedient.

VIII. Provided always, and be it further enacted, That it shall be lawful for the said Trustees to make the said Road into, through, across, or over the several Lands, Hereditaments, or Premises of any Person or Persons who is or are or may be Owner or Owners of Lands or Premises over which the same is or are 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 Riding, and be certified by Writing under their Hands, that such Error or Omission proceeded from Mistake.

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

IX. Provided always, and be it further enacted, That if the said Trustees shall not, within the Space of Five Years next after the passing of this Act, agree for or cause to be valued as herein-after is mentioned, and purchase the Buildings, Lands, Tenements, and Hereditaments particularly mentioned in the Schedule to this Act annexed, then and from thenceforth the Powers to them hereby granted for such Purpose shall cease, determine, and be utterly void and of no Effect; any thing herein contained to the contrary thereof in anywise notwithstanding.

Limiting Time for purchasing Premises, &c.

X. 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 Infant, 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*

Application of Compensation Money amounting to 200l.

1 G. 4. c. 35.

for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes, and the General Orders of the said Court, and without Fee or Reward; and shall, when so paid in, there remain until the same shall, by Order of the said Court, made upon a Petition to be preferred to the said Court in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments, be applied either in the Purchase or Redemption of the Land Tax, or in or towards the Payment or Discharge of any Debt or Debts, or other Incumbrances, affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments standing settled therewith, to the same or the like Uses, Trusts, Intents, or Purposes, as the said Court of Exchequer shall authorize to be purchased, redeemed, paid, or discharged, or such Part thereof as shall be necessary; or until the same shall, upon the like Application, be laid out in a summary Way, by Order of the said Court, in the Purchase of other Lands, Tenements, or Hereditaments, which shall be conveyed, limited, and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Lands, Tenements, or Hereditaments which shall be so purchased, taken, or used as aforesaid stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined or capable of taking Effect; and in the meantime, and until such Order can be made, the said Money may, by Order of the said Court, upon Application thereto, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities, or in Government or Real Securities; and in the meantime and until the said Bank Annuities or Government or Real Securities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends or Interest and annual Produce of the said Consolidated or Reduced Bank Annuities, or Government or Real Securities, shall from Time to Time be paid by the Order of the said Court to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of such Lands, Tenements, or Hereditaments so to be purchased, conveyed, and settled.

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

XI. 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 said 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

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, 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.

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

Application of Compensation Money when less than 20l.

XIII. 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 of Money 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 said 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

In case of not making out Titles, or Persons entitled not being found, Money to be paid into the Bank.

shall pay any such Sum or Sums of Money into the Bank of *England* as aforesaid.

In case of
disputed
Titles.

XIV. Provided always, and be it further enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the said Court of Exchequer, in pursuance of this Act, for the Purchase of any Lands, Tenements, or Hereditaments, or of any Estate, Right, Title, or Interest in any Lands, Tenements, or Hereditaments to be purchased in pursuance of this Act for the Purposes aforesaid, or to any Bank Annuities or Government or Real Securities to be purchased with any such Money, or 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.

Court may
order reason-
able Ex-
pences to
be paid by
Trustees.

XV. 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.

Power to
erect Toll
Houses, &c.

XVI. And be it further enacted, That it shall be lawful for the said Trustees, when and so often as they shall judge necessary, to appoint and order such Toll Gates, Toll Houses, and Weighing Engines to be erected, built, and placed on the Road hereby intended to be made and maintained in repair, or any Part of the same, or upon, across, or on the Side or Sides of the said Road, or any Part of the same, and also upon the Sides thereof, or any Part thereof, with suitable Outbuildings and Conveniences, and to take in and inclose from the Waste or Commons on the Sides of the said Road, while uninclosed, without making any Satisfaction for the same, or from the inclosed Land adjoining thereto, (not being a Park, Paddock,

Paddock, Garden, Orchard, or Pleasure Ground,) upon making Satisfaction to the Owner and Occupier thereof, sufficient Garden Ground for each of such Toll Houses, not exceeding One-eighth Part of a Statute Acre for each, and from Time to Time to discontinue, take down, and remove, or to continue and alter the same, or any of them, as they the said Trustees shall think proper and direct.

XVII. And be it further enacted, That it shall and may be lawful for the said Trustees, or any Person or Persons to be appointed Collector or Collectors of the Tolls to be taken by virtue of this Act, to demand and take the Tolls herein-after mentioned at the several and respective Toll Gates or Turnpikes or Toll Houses, or Side Gates or Side Bars or Chains, which shall be erected or placed by virtue of this Act in, upon, across, or on the Side or Sides of the said Road, and on every Day, such Day to be computed from Twelve of the Clock at Night to Twelve of the Clock in the next succeeding Night; (that is to say),

Power to
take Tolls.

For every Horse, Mule, or other Beast drawing any Coach, Chariot, Chaise, Gig, Caravan, Van, Hearse, or other such Carriage, the Sum of Nine-pence:

Tolls.

For every Horse, Mule, or other Beast drawing any Waggon, Wain, Cart, or other such Carriage, having the Fellies of the Wheels thereof of the Breadth of Six Inches or upwards at the Bottom or Soles thereof, the Sum of Sixpence:

For every Horse or other Beast drawing any Waggon, Wain, Cart, or other such Carriage, having the Fellies of the Wheels thereof of less Breadth or Gauge than Four and a Half Inches at the Bottom or Soles thereof, the Sum of Nine-pence:

For every Horse or other Beast drawing any Waggon, Wain, Cart, or other such Carriage, having the Fellies of the Wheels thereof of the Breadth of Four and a Half Inches and less than Six Inches at the Bottom or Soles thereof, the Sum of Seven-pence Halfpenny:

For every Horse, Mule, or Ass, laden or unladen, and not drawing, the Sum of One Penny Halfpenny:

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

For every Drove of Calves, Swine, Sheep, and Lambs, the Sum of Nine-pence *per* Score, and so in proportion for any greater or less Number.

Which said Sums of Money or Tolls shall be demanded and taken before and (except as is herein-after mentioned and provided) as often as any Horse, Mule, Ass, Beast, or other Cattle, Coach, Stage Coach, Diligence, Van, Caravan, Waggon, Cart, or other Carriage whatsoever, shall be permitted to pass through any Toll Gate or Turnpike, or Side Gate or Side Bar or Chain, which shall be erected or placed by virtue of this Act in, upon, or across the said Road, or any Part thereof, or in, upon, or across any Lane or Way leading into the same, but not for repassing; and which said respective Tolls shall be and they are hereby vested in the said Trustees, and shall be applied for the Purposes of this Act in manner herein-after directed.

Tolls to be
taken Once
for every
passing and
repassing.

XVIII. Provided also, and be it further enacted, That no more than One full Toll shall be demanded or taken of or from any Person or Per-

Tolls on
Carriages
conveying
Peat, &c.

sons, in respect of the same Horses or other Beasts drawing any Carriage or Carriages laden with Peat or Turf, dug or gotten from any Commons, Waste, or other Lands, within any or either of the Townships through which the said Road passes, for any Number of Times which such Horses or other Beasts or Carriages may pass along the said Road during the same Day.

Stage Coaches to pay every Time of passing.

XIX. Provided also, and be it further enacted, That for and in respect of all Horses or Beasts of Draught drawing any Stage Coach, Diligence, Van, Caravan, or Stage Waggon, or other Stage Carriage conveying Passengers or Goods for Pay 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 every Time of passing or repassing along the said Road.

Post Chaises, &c. to pay Toll for every new Hiring.

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

No more than One full Toll to be paid on the whole Line of Road.

XXI. Provided also, and be it further enacted, That nothing herein contained shall extend or be construed to extend to empower the said Trustees, or any Collector or Collectors, to demand or take more than One full Toll for or in respect of the same Horses, Beasts, Carriages, or Cattle, in any one Day, (to be computed as aforesaid), for passing and repassing Once through all or any of the Toll Gates, Turnpike, or Side Gates along the whole Line of the said Road.

Application of the Tolls and Money borrowed.

XXII. And be it further enacted, That out of the Tolls and other Monies which shall be raised by virtue of this Act, the said Trustees shall in the First Place, and in preference to all other Disbursements whatsoever, pay and discharge all Costs and Expences relative or incident to the procuring and passing of this Act, with Interest for the same, and the Remainder of all such Monies shall from Time to Time be applied in repaying any Money which may be borrowed on the Credit of this Act, and the Interest to grow due thereon, and in making, rendering commodious, improving, and maintaining in repair the said Road, and in otherwise carrying this Act into Execution.

Public Act.

XXIII. 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.

Commencement and Continuance of this Act.

XXIV. And be it further enacted, That this Act shall commence upon the passing thereof, and shall continue and be in force for Twenty-one Years, and from thence to the End of the then next Session of Parliament.

SCHEDULE

SCHEDULE referred to in the foregoing Act.

Description of Property.	Owners.	Occupiers.
Fig Cotes, Coal Places, &c.	Thomas Allen, Walter Beaumont, and Joseph Armitage, as Trustees of the Meltham and Honley Chapel Land.	Jonathan Hinchliffe.

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No. 10. VIENNA

of the National Bank of Austria

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