



ANNO SEXTO

GEORGIIV. REGIS.

Cap. cli.

An Act for more effectually improving the Roads from *Barnsley Common to Grange Moor and White Cross*, and for making a Diversion of the said Roads from or near to *Redbrook* in the Township of *Barugh to Barnsley*, all in the West Riding of the County of *York*. [10th June 1825.]

WHEREAS an Act was passed in the Fourth Year of the Reign of His present Majesty King *George the Fourth*, intituled *An Act for repairing and maintaining the Roads from Barnsley Common to Grange Moor and White Cross, and from the Guide Post in Barugh, over Barugh Brook, into the Township of Cawthorne, all in the County of York*: And whereas considerable Sums of Money have been borrowed and still remain due and owing upon the Credit of the several Tolls by the said Act authorized to be collected upon the said Roads, and the said Roads cannot be effectually widened, improved, and maintained in repair, nor can the said Debt be paid off, unless the Term and Powers are enlarged, some additional Powers granted, and the Tolls arising on the said Roads increased: And whereas it would tend to the Accommodation of the Public, and of the Persons residing in the Neighbourhood of the said Roads, and the said Roads might be materially improved and benefited, if Power were granted to make and maintain a certain Diversion, to communicate with the said Roads in manner hereinafter

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after

after mentioned and described: And whereas it is expedient that Powers should be granted for the widening and improving of several narrow and confined Places upon certain Parts of the said Roads comprised in the said recited Act of the Fourth Year of the Reign of His present Majesty, and lying within the several Parishes of *Darton* and *Thornhill* in the West Riding of the said County of *York*, and for the Removal and future Preventions of Nuisances, Obstructions, and Annoyances on the same: And whereas it would facilitate the Execution of the Purposes aforesaid, if the said recited Act relating to the said Roads was repealed, and if further and additional Powers were granted and made instead thereof: And whereas an Act was passed in the Third Year of the Reign of His present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 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 an Act was passed in the Fifth Year of the Reign of His said present Majesty, 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 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 *Wednesday* next after the passing of this Act, the said recited Act of the Fourth Year of His present Majesty King *George* the Fourth shall be and is 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 several Roads herein-after mentioned and described; that is to say, the Road leading from the East Side of *Barnsley Common* in the County of *York* to the Middle of *Grange Moor*, and from thence to *White Cross*; and of making and maintaining the Diversion herein-after mentioned and described; that is to say, a Diversion commencing at or near to *Redbrook* in the Township of *Barugh*, and extending from thence by *Gawber Hall*, passing near to *Green Foot*, and terminating at the Obelisk near the End of *Church Street* in the Township of *Barnsley*, all in the said County of *York*.

3 G. 4. c. 126.

4 G. 4. c. 95.

5 G. 4. c. 69.

Recited Act
4 G. 4. c. 66.
repealed, and
this Act to
take effect.

Application
of the General
Turnpike
Acts to this
Act.

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 said present Majesty, for explaining and amending such last-mentioned Act, or varied, altered, or otherwise provided for by this Act), and also the said first-recited Act passed in the Fourth Year of the Reign of His said present Majesty, and all and every the Powers, Provisions, Exemptions, Penalties, Forfeitures, Payments, Remedies, Matters, and Things therein respectively contained (save and

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.

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 Act hereby repealed, 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 Money to the Trustees for executing the said former Act, on account of the said Road, shall be liable to the Payment thereof to the Trustees for executing this Act, and such Money shall be applied by the Trustees for executing this Act to the Credit and on account of the said Road.

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

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 Act hereby repealed, on account of such Road, shall remain in full Force and Effect, and shall be and continue available in all Courts of Law and Equity until the same shall 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 Act, in pursuance 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.

Contracts to remain in force.

V. And be it further enacted, That all Books containing the Accounts and Proceedings of the Trustees acting in Execution of the said former Act hereby repealed, and provided and kept by them, or by their Treasurer or Clerk under their Direction, according to the Provisions of such Act, 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.

Books relative to former Act to be Evidence.

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 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 acting in the Execution of this Act, 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

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

under

under and by virtue of this Act; and all the Costs and Expences incurred by the Trustee or Trustees, or Person or Persons in whose Name or Names such Proceeding shall be had, shall be paid and defrayed by and out of the Monies to be raised by virtue of this Act; and the Monies, when recovered, shall be paid over to the Treasurer of the said Trustees, and be applied towards the Purposes of this Act.

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 Right Honourable *Charles William Wentworth Fitzwilliam* commonly called Viscount *Milton*, the Right Honourable *Francis Godolphine Darcy Osborne* commonly called Lord *Francis Osborne*, *James Archibald Stuart Wortley* Esquire, Sir *George Armitage* Baronet, Sir *John Lister Kaye* Baronet, Sir *Francis Lindley Wood* Baronet, Sir *John Beckett* Baronet, Sir *George Sitwell* Baronet, Sir *Edward Smith Dods-worth* Baronet, the Right Honourable *John Beckett*, *Robert Affleck* Clerk, *John Wentworth Armitage* Clerk, *John Armitage*, *Henry Armitage*, *George Armitage*, *George Alletson*, *Thomas Wentworth Beaumont*, *Thomas Richard Beaumont*, *Joseph Beckett*, *John Bayldon of Carlton*, *John Stainforth Beckett*, *William Bosville Beaumont*, *Christopher Bird* Clerk, *John Birks*, *Thomas Beckett*, *Nicholas Brown*, *Henry Bowden*, *Bruno Bowden*, *William Bingley*, *Joseph Butler*, *Godfrey Bosville*, *Edward Beaumont*, *Richard Beaumont*, *Henry Ralph Beaumont*, *John Sanderson Bayldon*, *William Bayldon*, *Edward Blacket Beaumont*, *Henry Clarke*, *Stuart Corbett* Doctor of Divinity, *Edward Collingwood*, *Richard Crookes*, *John Francis Carr*, *Robert Carr*, *John Dodgson Charlesworth*, *Joseph Clarke*, *Samuel Cooper*, *William Cooper*, *John Clarke*, *John Cordeux*, *Joseph Charlesworth*, *Robert Couldwell Clarke*, *William Clarke*, *Charles Theophilus Clarke*, *George Clarke*, *Henry Bowen Cooke* Clerk, *James Dow* Doctor of Medicine, *John Dickinson*, *John Dransfield*, *Francis Edmunds*, *Francis Offley Edmunds*, *Robert Elmbirst*, *William Elmbirst*, *Thomas Elmbirst*, *Richard Elmbirst*, *Walter Fawkes*, *Francis Hawks-worth Fawkes*, *Andrew Faulds*, *John Field*, *Joseph Fox*, *Thomas Gee*, *William Gee*, *Thomas Hardy*, *John Hartley*, *Francis Hawksworth*, *Joseph Holdsworth*, *Samuel Holdsworth*, *Samuel Holdsworth the younger*, *John Haxworth*, *Joseph Hall*, *Robert Hodgson*, *William Hodgson*, *George Horsing-ton*, *Elias Holt*, *Edward Hall*, *William Haxworth*, *William Jackson*, *Edward Jackson*, *Thomas Jackson*, *Joseph Johnson*, *John Johnson*, *John Lister Lister Kaye*, *George Lister Kaye*, *Arthur Lister Kaye*, *Henry Lister Kaye*, *George Keir*, *Francis Kendray*, *John Mallison Keir*, *John Lindley*, *Charles Long*, *Henry Lonsdale* (Clerk), *John Lowe* (Clerk), *James Lister*, *William Lancaster*, *Thomas Lee*, *John Lee*, *Tottenham Lee*, *William Leatham*, *Richard Milnes*, *John Micklethwait*, *John Micklethwait* (of *Horsforth*), *John Moore*, *John Moore the younger*, *Benjamin Mence* (Clerk), *Richard Greaves Moore*, *Timothy John Manley* (Doctor of Medicine), *Francis Maude*, *Francis Maude* (Clerk), *Matthew Mark* Clerk, *Thomas Mason*, *William Cookes Mense*, *John Naylor*, *Jeremiah Naylor*, *John Todd Naylor*, *William Naylor*, *William Newman*, *John Ness*, *Samuel Oxley* (Doctor of Medicine), *John Oldroyd*, *Richard Pickering* (Doctor of Medicine), *John Perkins*, *James Porter*, *Francis Pickering* (of *Leeds*), *John Green Paley*, *John Green Paley the younger*, *Charles Pickering*, *William Railton* (Clerk), *Thomas Rishworth*, *William Rodham*, *Edward Rawstorne*, *Thomas Rishworth the younger*, *Robert Richardson*, *Henry Richardson*, *James Rishworth*, *Richard Rishworth*, *Richard Raywood*, *Robert Rodgers*, *John Rowley*, *Richard Raywood the younger*, *Joseph Raywood*,

Raywood, Joseph Shaw, George Shaw, Charles Stringer, Edmund Vernon Southerne, William Stansfeld, John Scholefield, John Spencer Stanhope, Charles Spencer Stanhope (Clerk), Philip Spencer Stanhope, Hugh Spencer Stanhope, Mark Skelton, Mark Skelton the younger, John Sturgess, John Schofield, John Sanderson (Clerk), Joseph Dixon Skelton, Joseph Speight, Joseph Sturgess, Henry Simons, Richard Taylor, Samuel Thorp, John Thornely, Richard Thorp, Edward Taylor, John Thorneley the younger, Thomas Thexton (Clerk), William Thorp, Charles Tee, Thomas Taylor, Edward Taylor the younger, Samuel Thorp the younger, William Wrightson, William Battie Wrightson, Godfrey Wentworth Wentworth, John Stuart Wortley, Godfrey Wentworth, Charles Wood, Thomas West, John Wentworth, Frederick Thomas William Vernon Wentworth, Charles James Stuart Wortley, James Stuart Wortley, John Whitworth, Thomas Walker, Joseph Walker, Henry Walker, Joshua Walker, Samuel Walker (the younger), Samuel Walker, Thomas Walker (the younger), William Wood (Clerk), Thomas Wilson (the younger), James Wheat, Robert Willan (Clerk), Thomas White, William Wordsworth (Clerk), James Arthington Wilson, Bernard John Wake, the Right Honourable Godfrey Bosville Baron Macdonald, Joseph Addey, John Addey, Benjamin Haigh Allen, Thomas Atkinson, Joseph Atkinson the younger, Joseph Green Armitage, William Walker Battye, Joseph Brook, James Brook, John Battye, James Bates, Joseph Batley, George Beckett (Clerk), Thomas Beyldon, Thomas Bedford, Luke Thomas Crosley, James Crosland, Joseph Charlesworth of Holnafirrh, Richard Day, Joseph Drury, John Dobson, William Beevors Dobson, Richard Dickenson, Thomas Dinsley, John Fletcher (Clerk), Thomas Firth, John Firth (the younger of Highflatts), George Farrar, Thomas Farrar, George Farrar the younger, Joseph Farrar, Lewis Fenton, John Greenwood, John Roger Guest, John Hopwood, William Hopwood, James Hinchliffe, John Harpin, John Haigh of Shelley Hill Top, John Haywood, John Hoyland the younger, Thomas Kilner, Henry Lumb, Thomas Liddall the younger, John Leadman, Joseph Machin, Joseph Stocks Methley, Isaac Parker Newton, George Pitt the younger, Sir Joseph Radcliffe Baronet, Sir John Ramsden Baronet, John Charles Ramsden, Christopher Senior, William Shepherd, William Scholefield, Francis Scholefield, Cookson Stephenson, William Stephenson, John Taylor, John Tinker of Shelley, William Whitaker, John Woollin, Joseph Wheatley, Joseph Wilcock, 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 the Trustees for carrying this Act and the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty 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, 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 with 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 and the said recited Acts of the Third, Fourth, and Fifth Years of the Reign of His present Majesty, in addition to the Trustees herein named and appointed; and such additional Trustees so elected and appointed, being

Power to
appoint ad-
ditional Trus-
tees.

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duly

duly qualified according to the Provisions of the said last-mentioned 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.

First Meeting of Trustees.

IX. And be it further enacted, That the Trustees acting in the Execution of this Act shall meet together at the *White Bear Hotel* at *Barnsley* aforesaid, or at some other convenient Place upon and near to the said Roads, on the Third *Wednesday* 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 to the said Roads as they shall think proper.

Old Officers to continue until removed 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 last-mentioned 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 Act of the Fourth Year of His present Majesty, and hereby repealed, 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, or of the Partner of such Clerk, to be 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, or the Clerk of or other Person in the Service or Employ of such Treasurer, or of the Partner of such Treasurer, to be 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 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 with full Costs of Suit in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the 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.

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 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 and Surveyor and Workmen, from Time to Time to enter upon the Lands and Hereditaments 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.

Diversion may be made through the Lands, &c. described in the Schedule.

XIII. And whereas a Map or Plan, describing the Line of the Diversion from the said Roads, 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, is deposited in the Office of the Clerk of the Parliaments; be it therefore enacted, That 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 Land such Diversion shall be made; and the said Map or Plan and Book of Reference shall remain in the Custody of the Clerk of the Parliaments, and the same, or any Copy or Copies thereof, certified by the Clerk of the Parliaments to be a true Copy or true Copies thereof, shall and is and are hereby declared to be good Evidence in all Courts of Law.

Plan deposited with Clerk of the Parliaments.

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 to 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. Pro-

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

XV. Provided always, 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 certain Diversion from the *Rose and Crown Inn* in the Town of *Darton*, to or near to *Haigh Bridge* in the Township of *Kexborough* in the Parish of *Darton* aforesaid; and also to make and maintain a certain Branch Turnpike Road from the *Rose and Crown Inn* in *Darton* aforesaid, to the Village of *Kexborough* aforesaid; provided also, that upon the Diversion and Branch last mentioned being made, the present Turnpike Road from the Village of *Darton* to *Haigh Bridge* shall cease to be maintained as Turnpike Road; and that it shall be lawful for the said Trustees also to make and maintain a certain Diversion from the old Toll Bar House at *Flockton* in the Parish of *Thornhill* aforesaid, to the *Wakefield* and *Austerlands* Turnpike Road near to the Fish Ponds in the Township of *Denby* and Parish of *Kirk Heaton* in the said County of *York*; provided also, that upon the Diversion last herein-before mentioned being made, the present Turnpike Road from the said old Toll Bar House at *Flockton* aforesaid, through the Village of *Flockton*, to *Grange Moor*, shall thereupon cease to be maintained as Turnpike Road; provided nevertheless, that Branch and Diversions 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 Roads shall pass.

Power to
widen cer-
tain Parts of
the Road.

XVI. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby empowered, to divert, turn, shorten, vary, and amend the said Roads, and to improve and render the same more commodious by widening certain narrow Parts of the Line of the said Roads; and for the Purposes aforesaid it shall be lawful for the said Trustees, and they are hereby authorized and empowered, to purchase and take, and to pull down, use, and lay into the Lines of the said Roads, any of the Houses, Buildings, Tenements, Courts, Yards, Orchards, Gardens, Plantations, and Hereditaments mentioned in the Schedule to this Act annexed, making Satisfaction to the Owners thereof and other Persons interested therein for the same, or for the Damage they may respectively sustain thereby, in such Manner and under the same Regulations and Provisions as are mentioned and contained in the said last-mentioned recited Acts of the Third and Fourth Years of the Reign of His present Majesty, with respect to private Lands, Tenements, and Hereditaments thereby authorized to be taken for the Purpose of making, diverting, shortening, varying, altering, and improving the Course or Path of any Turnpike Road; any thing in the same recited Acts of the Third and Fourth Years of the Reign of His present Majesty contained to the contrary in anywise notwithstanding: Provided always, that it shall be lawful for any Person from whom any Houses, Buildings, Tenements, Courts, Yards, Orchards, Gardens, Plantations, and Hereditaments, mentioned in the Schedule to this Act annexed, shall be taken, to give Evidence before the Jury to estimate any Injury such Person may sustain or be put to (if any) by Loss of Good-will, or any Interruption or Inconvenience which he may suffer in his Trade or Business, by reason of any such House, Building, Tenement, Court, Yard, Orchard, Garden, Plantation, or Hereditaments being taken under the Provisions of this Act.

XVII. Pro-

XVII. Provided also, and be it further enacted, That the Powers and Authorities hereby given to the said Trustees to make such aforesaid Diversion, or for altering, widening, and improving the said Roads, shall not extend to the pulling down or making use of any 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 to this Act annexed.

Dwelling Houses, &c. not to be injured.

XVIII. 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.

XIX. Provided always, and be it further enacted, That as soon as the said Diversion of Turnpike Road between *Redbrook* and the Obelisk at *Barnsley* shall have been completed, and rendered fit and commodious for the Public, the said Trustees shall abandon and give up the further Maintenance and Repair of the present Road between *Redbrook* and the Obelisk at *Barnsley* aforesaid, and the said Road so abandoned shall no longer be kept up or maintained as a Turnpike Road.

Old Road to be abandoned when new one completed.

XX. 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

Application of Compensation Money amounting to 200*l*.

1 G. 4. c. 35.

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Person

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 like Uses, Trusts, Intents, or Purposes, as the said Court of Exchequer shall authorize to be purchased, redeemed, paid, or discharged, such Part thereof as shall be necessary; or until the 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, or settled.

When less than 200*l.* and not less than 20*l.*

XXI. 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 any 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, and 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.

XXII. 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.

Where under
20l.

XXIII. 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 Pétition, 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.

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

XXIV. 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

Persons in
Possession
presump-
tively enti-
tled.

Accountant

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 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 shown 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 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.

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

XXV. 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 said 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 paid in pursuance of this Act, or so much of such Expences as to the said Court shall seem 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 Gates, Turnpikes, Side Gates, Weighing Machines, &c.

XXVI. 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 or 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 Roads or any Part thereof respectively, or upon the Sides thereof respectively, or any Part thereof, and also upon each of the said Branches or Diversions of Road by this Act authorized to be made, as herein-before mentioned, 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 inclose on the Sides of the said Roads and Branches or Diversions respectively, suitable Garden Spots for
the

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 and discontinue the same, or any of them, as they the said Trustees shall think proper, and direct or appoint.

XXVII. And be it further enacted, That from and after the Third *Wednesday* 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 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 Roads and Branches or Diversions respectively; (that is to say),

For every Horse or other Beast, drawing any Coach, Stage Coach, Berlin, Landau, Barouche, Chariot, Chaise, Chaise Marine, Chair, Curricule, Phaeton, Calash, Sociable, Car, Gig, Caravan, Van, Hearse, or Litter, the Sum of Eight-pence:

For every Horse or other Beast, drawing any Waggon, Wain, Van, Caravan, Cart, or other such like Carriage, the Fellies of the Wheels whereof shall be of a less Breadth than Four Inches and a Half at the Bottom or Sole thereof, the Sum of One Shilling:

For every Horse or other Beast, drawing any Waggon, Wain, Van, Caravan, Cart, or other such like Carriage, the Fellies of the Wheels whereof shall be of the Breadth of Six Inches or more at the Bottom or Sole thereof, the Sum of Sixpence:

For every Horse or other Beast, drawing any Waggon, Wain, Van, Caravan, Cart, or other such like Carriage, the Fellies of the Wheels whereof shall be of less Breadth than Six Inches on the Bottom or Sole thereof, and not less than Four Inches and a Half, the Sum of Nine-pence:

For every Horse, Mule, or Ass, laden or unladen, and not drawing, the Sum of Two-pence:

For every Ox, Cow, or Neat Cattle, the Sum of One Penny:

For every Calf, Sheep, Swine, or Lamb, the Sum of One Halfpenny:

Which said respective Tolls or Sums of Money shall be demanded and taken as aforesaid before any Horse, Mule, Ass, or other Beast or Cattle, Coach, Stage Coach, Berlin, Landau, Barouche, Chariot, Chaise, Chaise Marine, Chair, Curricule, Phaeton, Calash, Sociable, Car, Gig, Caravan, Van, Hearse, Litter, Waggon, Cart, or other Carriage whatsoever, shall be permitted to pass through any such Toll Gate or Turnpike, or Side Gate or Side Bar or Chain; and such several and respective Tolls or Sums of Money shall be and are hereby vested in the said Trustees, and shall be applied for the Purposes of this Act in manner herein-after directed.

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 on the whole Line of the said Diversion from or near to *Redbrook* in *Barugh* to *Barnsley* in any One Day, except as herein-after particularly mentioned.

XXIX. Provided always, 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, Cattle, Beast, or Carriage through any One of such Toll

[*Local.*]

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Gates

Power to take Tolls.

Tolls.

No more than One Toll to be taken on the new Diversion of Road.

Tolls to be paid but once a Day.

Gates or Turnpikes, or Side Gates, such Horse, Cattle, Beast, or Carriage shall, upon a Ticket denoting the Payment thereof on that Day being produced, be permitted to pass and repass Toll-free through the same Toll Gate, Turnpike, or Side Gate, and also through such other Gate or Gates, if any, as the Ticket for such Payment (such Ticket to be made according to the Requisitions and Provisions of the said last-mentioned 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.

Limiting the Number of Tolls on the whole Line of Road.

XXX. Provided also, and be it further enacted, That no more than Three 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 Beasts or Cattle, or Carriages, in any One Day (to be computed in manner hereinbefore mentioned), for passing or repassing through all or any of the said Toll Gates or Toll Bars erected or to be erected on the whole Line of the said Roads or Branches or Diversions.

One Horse Carts may be weighed.

XXXI. And whereas it frequently happens that Carts drawn by One Horse passing along the said Roads carry a greater Weight than is by Law allowed for Carts drawn by Two or more Horses; be it therefore enacted, That all Carts passing along the said Roads drawn by One Horse only shall and may be weighed at any Weighing Machine now erected or to be erected on the said Roads, and the like additional Toll demanded, received, and recovered for the Overweight thereof, as are by Law payable in respect of the Overweight of Carts drawn by Two or more Horses; and all the Powers, Regulations, and Penalties now in force relating to the weighing of Waggons, Carts, and other Carriages drawn by more than One Horse, shall be applicable to Carts passing on the said Roads drawn by One Horse only, and to the Drivers, Masters, and Owners thereof.

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

XXXII. 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 Roads and Branches or Diversions, 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.

XXXIII. 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 carrying Passengers or Goods for Payment, Hire, or Reward, for which Toll has 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.

XXXIV. Pro-

XXXIV. 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 Branches or Diversions, or any of them, whenever any new Hiring thereof shall be made.

Horses let out to Hire, and drawing Post Chaises, on every new Hiring.

XXXV. Provided always, and be it further enacted, That no Toll shall be demanded or payable for any Horse, Mule, Ass, or other Beast, drawing any Waggon, Wain, Cart, or other Carriage going empty for or returning laden with Lime for the Purpose only of improving or manuring Land.

Carriages laden with Manure, &c. to be exempt from Toll.

XXXVI. Provided always, and be it further enacted, That all Mines of Lead Ore, and all Mines, Veins, Beds, or Seams of Coal, Ironstone, or other Minerals whatsoever, which shall be discovered or found in or under any Land to be appropriated to the said Roads by this Act, shall be and they are hereby reserved to the Person or Persons, Bodies Politic, Corporate, or Collegiate, who would have been seised of or entitled to the same in case this Act had not been passed, with Liberty for him or them, or his, her, or their respective Agents or Servants, to dig for, mine, and work the same, in such Manner as is usual for carrying on Works of that kind in the District or Place where such Mines, Coals, or other Minerals shall be found, in as full and ample a Manner as if the said Land had not been taken and appropriated for the Purposes aforesaid, so that in the working thereof no Damage shall be done to the said Road or any Part thereof.

Minerals under Road to belong to original Proprietors of Lands.

XXXVII. And in order that Persons travelling with Horses, Beasts, and Carriages upon the Roads comprised in an Act of the present Session, intituled *An Act for making and maintaining a Turnpike Road from Shepley Lane Head to join the Barnsley and Grange Moor Turnpike Road at or near Redbrook Plantation in the Parish of Darton, all in the West Riding of the County of York*, and passing from thence to *Barnsley*, should not be subjected to the Payment of a double Toll; be it further enacted, That Horses, Beasts, and Carriages, in respect whereof the full Toll payable by virtue of the said Act shall have been paid at any Gate on the said *Shepley Lane Head* Turnpike Road, shall be allowed to pass through any Turnpike Gate or Gates situate between the Termination (at or near *Redbrook* Plantation) of the *Shepley Lane Head* Turnpike Road and *Barnsley*, on Payment of One Half of the Toll hereby granted, on producing a Note or Ticket denoting the Payment of Toll at any Gate on the said *Shepley Lane Head* Turnpike Road: Provided always, that the Trustees for executing this Act, or their Treasurer, shall, and they or he are and is hereby required to pay to the Trustees of the said *Shepley Lane Head* Turnpike Road, or their Treasurer, on the Twenty-fifth Day of *March*, the Twenty-fourth Day of *June*, the Twenty-ninth Day of *September*, and the Twenty-fifth Day of *December* in every Year, or on any subsequent Day, upon Demand made by such last-mentioned Trustees, or their Treasurer, such Sum or Sums of Money as shall be equal to the Amount of One Half of the Tolls which it shall appear by the Tickets delivered to the Collector at the Turnpike Gate on the *Shepley Lane Head* Turnpike Road, at or near *Redbrook*, by Persons who shall have paid full

Half Toll only to be taken in Cases where full Toll shall have been paid on the *Shepley Lane Head* Road.

Toll

Toll for Horses, Beasts, and Carriages at any Turnpike Gate between *Redbrook* and *Barnsley*, shall have been received by any Collector at such last-mentioned Turnpike Gate; and in case of Refusal or Neglect to pay any such Sum or Sums of Money within Ten Days after any such Demand, the same shall be recoverable by the same Ways and Means as Compensation for Damages may be recovered from any Trustees of Turnpike Roads by virtue of the said recited Act of the Fourth Year of the Reign of His present Majesty; provided also, that the Account or Number of Tickets to be given and received as last mentioned shall (if required by the respective Trustees) be examined by the Collectors at each Bar on *Thursday* in every Week, and the Account signed in confirmation thereof.

Tickets on the Shepley Lane Head Road at Redbrook Gate to clear the Gate between that Place and Barnsley, for the Inhabitants of Cawthorne.

XXXVIII. And whereas the said new Road from *Redbrook* Plantation to *Barnsley* is Part only of the new Road described in the Map or Plan deposited with the Clerk of the Peace, and the other Part of the new Road so described is comprised in an Act of the present Session, for making and maintaining a Turnpike Road from *Shepley Lane Head* to join the *Barnsley* and *Grange Moor* Turnpike Road at or near to *Redbrook* Plantation in the Parish of *Darton*, all in the West Riding of the County of *York*; and by the Division of the said new Road into separate Trusts the Inhabitants of *Cawthorne* might be subjected to the Payment of double Toll in case Turnpike Gates were erected upon both Roads; be it therefore further enacted, That all Horses and Beasts, drawing or not drawing, in respect whereof the full Toll shall have been paid by any Inhabitant of the Township of *Cawthorne* at any Turnpike Gate between *Cawthorne* and the Termination of the *Shepley Lane Head* Turnpike Road at *Redbrook* aforesaid, shall be allowed to pass and repass Toll-free at any Turnpike Gates between *Redbrook* aforesaid and *Barnsley*, on a Ticket being produced denoting such Payment in the same Day, to be computed as aforesaid; and that all Horses and Beasts, drawing or not drawing, used by any Inhabitant of the said Township of *Cawthorne*, going from *Barnsley* to *Cawthorne*, shall be allowed to pass Toll-free through any Turnpike Gates which shall be erected between *Barnsley* and the Commencement of the said *Shepley Lane Head* Turnpike Road at or near *Redbrook* aforesaid.

Such Parts of the Road as may be paved, &c. not to be deemed Turnpike Road.

XXXIX. Provided always, and be it further enacted, That in case any Part or Parts of the said Road adjoining to the Town of *Barnsley* shall at any Time hereafter be pitched and paved, and so maintained and kept in repair by the Surveyor or Surveyors of the Highways for the said Town, in like Manner as the Streets of such Town are or may be pitched and paved, maintained and kept in repair, then and from thenceforth such Part and Parts of the said Road as shall be so pitched and paved, and maintained and repaired by the said Surveyor and Surveyors, shall no longer be or be deemed to be Part or Parts of the said Turnpike Road; any thing herein contained to the contrary notwithstanding.

Application of Money in hand and Tolls.

XL. And be it further enacted, That out of the Money already received or borrowed by virtue of the said former Act hereby repealed, or out of the first 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 ob-

taining

taining 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 (after Payment of the necessary Expences of erecting or repairing Toll Gates, Toll Houses, Milestones or Posts, and Fences, and for Books, Advertisements, Salaries of Officers, and other such Expences incidental to the Execution of this Act,) 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 Roads, 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 Roads, and in erecting Turnpikes or Toll Houses on the said Roads, and in amending, altering, turning, widening, improving, and keeping in repair the said Roads, 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 Roads, and the Principal Monies which may hereafter be borrowed by virtue of this Act, or the said recited Act of the Third Year of the Reign of His present Majesty.

XLI. 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. Act declared Public.

XLII. And be it further enacted, That this Act shall commence upon the Third *Wednesday* 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. Commencement and Term of Act.

The SCHEDULE referred to by this Act.

Description of Property.	Names of Owners.	Names of Occupiers.
<i>Parish of Darton.</i>		
Cottage and Garden	Godfrey Wentworth Wentworth, Esq.	John Hardy.
Plantation	Thomas Richard Beaumont, Esq.	Himself.
Plantation	The Heirs of George Bowden, Esq.	Themselves.
<i>Parish of Thornhill.</i>		
Cottage	James Archibald Stuart Wortley, Esq.	Martha Hall.
Cottage	Ditto	Mary Clarke.
Yard	Earl of Dartmouth	Samuel Rayner.
Garden	{ Thomas Richard Beaumont, Esq. and Diana his Wife	{ William Patterson.
Cottage	Ditto	Thomas Barton.
Cottage and Garden	Ditto	Hannah Banks.
Cottage	Ditto	John Leather.
Cottage	Ditto	Richard Brittain.
Barn	Ditto	Francis Dickinson.
Garden	Ditto	John Simpson.
Garden and Pig Stye	Ditto	Thomas Oskett.
Yard	James Lancaster	David Taylor.
Stable	Ditto	Samuel Rhodes.
Cottage	{ Thomas Richard Beaumont, Esq. and Diana his Wife	{ Mary Wilkes.
Cottage and Yard	William Stansfield, Esq.	Abraham Matthews.
Cottage and Yard	Rector of Thornhill	John Naylor.
Cottage	{ Thomas Richard Beaumont, Esq. and Diana his Wife	{ William Lister and Thomas Mountain.
Cottage	Ditto	Harriott Cooke.
Cottage	Ditto	Mary Mallison.
Cottage	Widow Bond	John Hargreaves.
Yard	{ Thomas Richard Beaumont, Esq. and Diana his Wife	{ Thomas Johnson.
Barn	Ditto	William Pickard.
Cottage	Ditto	William Beaumont.
Yard and Garden	Ditto	Joseph Burley.
Yard and Garden	Sir John Lister Kaye, Bart.	John Kay.
Cottage and Yard	Widow Bond	John Haywood.
Cowhouse and Yard	{ Thomas Richard Beaumont, Esq. and Diana his Wife	{ Jonathan Cardwell.

Description of Property.	Names of Owners.	Names of Occupiers.
<i>Parish of Silkstone.</i>		
Plantation or Garden -	William Bayldon and others, Trustees for the Quakers Meeting House - - -	} Themselves.
Garden - - -	Godfrey Mason - - -	} Himself.
Plantation - - -	John Clarke - - -	} Himself.
Gardens - - -	John Taylor - - -	} Martin Truelove, John Taylor, Isaac Frudd, Robert Ibbotson.
Gardens - - -	Joseph Beckett, Esq. - - -	} Martin Truelove, Edward Dale, Luke Graham.

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THE UNIVERSITY OF CHICAGO

PHYSICS DEPARTMENT

RESEARCH REPORT

NO. 10

EXPERIMENTAL

ON THE THEORY OF

THE DIFFUSION OF GASES IN LIQUIDS
AND THE MEASUREMENT OF THE
DIFFUSION COEFFICIENT OF
OXYGEN IN WATER AT
DIFFERENT TEMPERATURES

BY
H. S. GARDNER