



ANNO QUINQUAGESIMO OCTAVO

GEORGI III. REGIS.

Cap. XXXV.

An Act for making and maintaining a Road from the Town of *Sheffield*, in the County of *York*, to join the *Marple Bridge Road*, in the Parish of *Glossop*, in the County of *Derby*, with a Branch to *Mortimer's Road*, in the Parish of *Hathersage*, in the said County of *Derby*. [8th May 1818.]

WHEREAS the making, maintaining, and keeping in Repair a convenient Carriage Road from *Church Street*, on the West Side of the Town of *Sheffield*, in the County of *York*, through the several Parishes of *Sheffield* aforesaid, and of *Ecclesfield*, in the said County, and of *Hathersage*, *Hope*, and *Glossop*, in the County of *Derby*, and through the several Townships, Hamlets, Districts or Divisions of *Sheffield*, *Nether Hallam*, *Ecclesal Bierlow*, *Upper Hallam*, and *Stannington*, in the said County of *York*, and of *Hathersage*, *Bamforth*, *Woodlands*, *Whitfield* and *Glossop*; in the said County of *Derby*, to join the Turnpike Road from *Glossop* aforesaid to *Marple Bridge*, in the said County of *Derby*, with a short Branch from the said proposed Road, at or near to a Place called *Reever Low*, in the said Parish and Township of *Hathersage*, and through the said Parish and Township of *Hathersage*, to join a Public Highway called *Mortimer's Road*, at or near to *Moscar House*, in the same last-mentioned Parish, would open a direct and easy Communication with a fertile District of Country, now only accessible by circuitous, rugged, narrow, and hilly Lanes and Roads; would considerably shorten the Distance between *Sheffield* and *Glossop* aforesaid; would facilitate the Carriage

[Local.]

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riage

riage of various vegetable and mineral Productions, and the Interchange of Merchandize between the said Two Places and the neighbouring Country, and would otherwise be of great public and private Utility: 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 Right Honourable Lord *George Henry Cavendish*, the Right Honourable the Earl of *Surrey*, Lord *Henry Howard*, Lord *Kinnaird*, the Honourable *John Simpson*, the Honourable *James Abercrombie*, Sir *William Chambers Bagshaw*, *Richard Arkwright*, *William Ashby Ashby*, *Robert Arkwright*, *George Andrew*, *John Atherton*, *Samuel Avison*, *Joseph Parleben Antt*, *William John Bagshaw*, *George Barker*, *Stephen Bellott*, *Robert Buck*, *Alexander Bofsley*, *Ebenezer Bowman*, *Champion Bray*, *Robert Bennett*, *John Beely*, *William Barber*, *Peter Brownell*, *Ralph Blakelock*, *Richard Broomhead*, *Ebenezer Brooks*, *Robert Brightmore*, *John Bennett*, *James Burbeary*, *Benjamin Burbeary*, *Charles Brookfield*, *Jonathan Beet*, *Richard Beet*, *Henry Cavendish*, *Charles Cavendish*, *John Champion of Edale*, *D'Ewes Coke*, *Francis Cooper*, *Thomas Cooper of Church Street Sheffield*, *Hugh Cheney M. D.*, *Benjamin Colley*, *William Colley*, *John Cotterill*, *Peter Cadman*, *Thomas Denman*, *Thomas Dalton*, *John Dalton*, *John Dewsnap*, *Thomas Dewsnap*, *Daniel Dancafter*, *Robert Dodge*, *Matthew Ellison*, *Michael Ellison*, *Thomas Ellison*, *John Eadon*, *John Eyre*, *Samuel Frith*, *Matthew Frost*, *Nathaniel Fuesdale*, *Thomas Furniss*, *Richard Flint*, *William Fairbank*, *Josiah Fairbank*, *Thomas Foster*, *Francis Frith*, *Samuel Greatrix*, *James Gregory*, *Philip Gell*, *Joseph Gould*, *Charles Greaves*, *John Greaves*, *George Bustard Greaves*, *John Genn*, *John Greaves of Fargate in Sheffield*, *Isaac Hall*, *Joseph Hall*, *Philip Heacock*, *George Hadfield*, *Samuel Hadfield*, *William Hadfield*, *Joseph Hadfield*, *Christopher Howe*, *Thomas Holy*, *William Hodgson*, *William Harwood*, *John Houseman*, *Thomas Harrison*, *John Hodgson*, *Daniel Holy*, *Francis Hoole*, *Jonathan Jowitt*, *James Jowitt*, *Matthew Ibbotson*, *George Ibbotson*, *John Kershaw*, *William Kershaw*, *James Kershaw*, *Henry Kelfall*, *Arnold James Knight M. D.*, *John Kaye*, *James Longden*, *James Longden junior*, *John Lingard*, *Robert Lees*, *Samuel Lucas*, *Marmaduke Middleton Middleton*, *Samuel Marland*, *Joseph Moss*, *James Mander*, *Thomas More*, *Samuel Mitchell*, *John Millward*, *Francis Melland*, *George William Newton*, *Robert Needham*, *George Newton*, *James Antrobus Newton*, *William Newbould*, *Thomas Newbould*, *George Naylor*, *William Nightingale*, *Edward Nanson*, *Francis Owen*, *Samuel Oldknow*, *Hall Overend*, *Hugh Parker*, *Adamson Parker*, *Francis Parker Clerk*, *Kenyon Stevens Parker*, *Nathaniel Phillips D. D.*, *Thomas Pearson*, *Samuel Ratcliffe*, *Joseph Robinson*, *William Rhodes*, *Jacob Roberts*, *John Rimington*, *James Rimington*, *William Ronksley*, *William Rowley*, *Ashton Ashton Shuttleworth*, *Arthur Heathcote Shepley*, *Robert Shepley*, *Samuel Shepley (Charlesworth)*, *Samuel Shepley (Brookfield)*, *George Sidebottom*, *Thomas Shaw*, *Peter Spurr*, *Thomas Sanderson*, *Samuel Smith*, *William Shore*, *John Shore*, *Samuel Shore*, *Samuel Shore junior*, *Thomas Sutton Clerk*, the Master Cutler of *Sheffield* for the Time being, the Capital Church Burgess of *Sheffield* for the Time being, the Town Regent of *Sheffield* for the Time being, *Sidney Shore*, *Benjamin Sayle*, *Joshua Spooner*, *John Sanderson*, *Bache Thornhill*, *Henry Bache Thornhill*, *Robert Thornley*, *John Thornley*, *Thomas Thornley*, *Joseph Thornley*, *William Turner*, *Robert Turner*, *William Tomason*, *John White*, *John White*,

Names of
Trustees.

Nathaniel

Nathaniel Wright, John Wood, William Wardlow, Benjamin Withers, Joseph Withers, Joseph Withers the younger, Hugh Worthington, Thomas Wilkinson, George Woollen, James Wheat, Bernard John Wake, John Wright, William Wilson, Joseph Wilson, Thomas Wilson, John Watson, David Ward, William Young M.D., George Younge, and William Younge, together with such other Persons, not exceeding the Number of Ten, as the said Trustees shall elect, shall be and they are hereby appointed Trustees for making, maintaining, and keeping in Repair the said new Turnpike Road and Branch hereinbefore described, and for carrying the several Powers, Purposes, and Trusts of this Act into Execution.

II. And be it further enacted, That it shall be lawful for the said Trustees, or for such Person or Persons as they shall employ for that Purpose, and they are hereby fully authorized and empowered to set and stake out, and to form and complete the said Road and Branch hereinbefore described, with all necessary Arches or Bridges in or upon the same, or on the Side or Sides thereof, in, upon, through, or over any Commons, Moors, or Waste Grounds, without making any Satisfaction for the same; and also in, upon, through, or over any private Lands or Grounds, and also to take, use, pull down, and remove the several Tenements and Buildings particularly mentioned in the Schedule of this Act, and hereby authorized to be taken, used, pulled down and removed, first making Satisfaction to all Parties interested in such private Lands, Grounds, Tenements, Buildings, and Hereditaments, in Manner hereinafter directed; and for the Purposes aforesaid, it shall be lawful for the said Trustees, their Surveyor or Surveyors, Officers, Servants, and Workmen, with or without Carriages or Cattle, from Time to Time to enter upon the Lands, and into and upon the said Tenements and Buildings, through which and whereupon the said Road and Branch, or either of them, are or is intended to pass, or the Lands and Grounds adjoining thereto, except as is hereinafter otherwise provided, and to cut and make such Drains, Gutters, Arches, and Tunnels, in or upon the Lands adjoining or near such Road and Branch, or either of them, as shall be by them thought necessary and proper for draining the Water from such Road and Branch respectively, according to the true Intent and Meaning of this Act, doing as little Damage as may be in the Execution of the Powers and Authorities hereby given, and making Satisfaction in Manner hereinafter mentioned, for all the Damages which shall be sustained by the Owners and Occupiers of, and other Persons interested in such Lands, Buildings, and Tenements respectively, by the Execution of all or any of the Powers by this Act given and created.

Power to
make the
Roads and
enter Lands.

III. And whereas a Map describing the Line of the said Road and Branch, and the Lands, Tenements, and Buildings through which the same are to be carried, together with a Book of Reference, containing Lists of the Names of the Owners or reputed Owners and Occupiers of such Lands, Tenements, and Buildings, has been deposited in the Office of the Clerk of the Peace for the West Riding of the County of York, and a Duplicate of the said Map and Book of Reference has also been deposited in the Office of the Clerk of the Peace for the said County of Derby; be it therefore enacted, That the said Maps and Books of Reference shall remain in the Custody of the respective Clerks of the Peace for the said Riding and County, to the end that all Persons may at any seasonable

Plan and
Book of
Reference.

reasonable Times have Liberty to inspect and peruse the same, and to take Copies or Extracts therefrom, paying to the respective Clerks of the Peace the Sum of One Shilling for every such Inspection, and the Sum of Five Shillings more for every Hour during which such Inspection shall continue after the First, and paying also at the Rate of Sixpence for every Seventy-two Words of such Copies or Extracts.

Trustees not to deviate more than a certain Distance from the Line.

IV. And be it further enacted, That the said Trustees, in making the said Road and Branch, shall not deviate more than One Hundred Yards from the Lines 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 Grounds such Deviation shall be made.

Certain Branches described on the Map, not to be made.

V. And whereas there is delineated on the said Map, and described in the said Book of Reference, a Line of Road commencing in *Church Street* in *Sheffield* aforesaid, at a House and Shop belonging to and occupied by one *William Hoyland*, and proceeding from thence in a straight Direction to the Eastward End of *West Street* in *Sheffield* aforesaid, at a Public House there belonging to *John Millward*, and occupied by *John Wright*, passing through Properties respectively numbered in the said Map and Book of Reference from N° 1 to N° 17, both inclusive; and there is also delineated on the said Map, and described in the said Book of Reference, a short Branch from the said proposed Road, at or near the West End of *West Street* aforesaid, through the Lands of *Robert Brightmore*, numbered in the said Map 31 and 31^a, to a Street in *Sheffield* aforesaid, called *Portobello Street*; and there is also delineated on the said Map, and described in the said Book of Reference, another Branch from the said proposed Road, through the respective Properties of *Joseph Binney* and of *Thomas Holy*, numbered in the said Map and Book of Reference 40^a and 40^b; but subsequently to the making of the said Map and Book of Reference, it hath been thought expedient and advisable that such particular Line of Road from *Church Street* to *West Street* aforesaid, and the said Two Branches through the said Lands numbered 31, 31^a, 40^a, and 40^b, should not be made; be it therefore enacted, That nothing in this Act contained shall authorize or empower the said Trustees, or any Person or Persons by their Order, to make the same or any of them.

Trustees may make Roads notwithstanding Misnomers in the Book of Reference.

VI. Provided always, and be it further enacted, That it shall and may be lawful to and for the said Trustees to make the said Road and Branch hereby authorized to be made, into, through, across, or over the several Lands or Grounds of any Person or Persons who is or are or may be Owner or Owners of Land over which the same are respectively set out and described in the said Map or Plan as aforesaid, although the Name or Names of such Person or Persons, or of his, her, or their Tenant or Tenants, may happen to be erroneously stated or omitted in the said Book of Reference, in case it shall appear to any Two or more Justices of the Peace for the Riding or County wherein such Lands are situate, and be certified by Writing under their Hands, that such Error or Omission proceeded from Inadvertence or Mistake.

No Buildings to be taken or damaged but

VII. And be it further enacted, That nothing in this Act contained shall authorize or empower the said Trustees, or any Person or Persons to be employed

employed by them, to take, use, injure, or damage any Messuage, Tenement, Dwelling House, or other Building, or any Ground which on the Thirtieth Day of *September* One thousand eight hundred and seventeen was the Site of any Messuage, Tenement, Dwelling House, or other Building, or any Garden, Yard, Park, Paddock, planted Walk or Avenue to a House, or Lawn inclosed or adjoining to a Mansion House, or any ancient Fish Pond belonging to or near any Mansion House, without the Consent of the respective Owners and Occupiers thereof, other than and except the Messuages, Tenements, or Dwelling Houses, Workshops, Counting Houses, Barns, Stables, and other Buildings, Gardens, Yards, Paddocks, planted Walks, and other the Premises which are particularly mentioned, set forth, and described in the Schedule to this Act.

those mentioned in the Schedule of the Act.

VIII. And be it further enacted, That when any of the Trustees named in or to be elected by virtue of this Act shall die, or by Writing under their Hands refuse to act, it shall be lawful for the surviving or remaining Trustees, or any Five or more of them, at any Meeting to be held by virtue of this Act (whereof at least Ten Days Notice in Writing shall have been given by and in the Name of the Clerk to the said Trustees, upon all the Toll Gates then erected on the said Roads, in case any shall then be erected, and also by Advertisement to be inserted in One Newspaper which shall be published at *Sheffield* aforesaid, and in One Newspaper which shall be published at *Derby* aforesaid; or in case there shall not be any Newspaper published at the said Places or either of them, then in such other public Newspaper or Newspapers as shall by the said Trustees be thought fit), by Writing under their Hands, to elect one other Person to be a Trustee in the Room of every or any Trustee so dying or refusing to act; and every Person so elected (being qualified as by this Act is required) shall from thenceforth have the like Powers and Authorities to act as a Trustee in the Execution of this Act, as if he had been named and appointed a Trustee in and by this Act.

Power to appoint new Trustees.

IX. And be it further enacted, That all Acts and Proceedings relative to the Execution of this Act, may be done and executed by any Five or more of the Trustees hereby appointed, and to be elected and appointed as aforesaid, except only in the Cases herein mentioned, as requiring a greater or less Number of them.

All Acts may be done by Five Trustees, unless otherwise directed.

X. And be it further enacted, That no Person shall be capable of acting as a Trustee in the Execution of this Act, unless he shall at the Time of acting be seised in his own Right, or in the Right of his Wife, and be in the actual Possession or Receipt of the Rents and Profits of Freehold or Copyhold Messuages, Lands, Tenements, Tithes, or Hereditaments of the clear Yearly Value of Fifty Pounds above Reprizes, or shall be Heir Apparent of a Person seised of Messuages, Lands, Tenements, Tithes, or Hereditaments, for some Estate of Freehold or Inheritance, in Possession, of the clear Yearly Value of One hundred Pounds above Reprizes, or be possessed of a Personal Estate, or of Real and Personal Estates together, to the Amount or Value of One thousand Pounds, over and above what will be sufficient to pay all his just Debts: Provided also, that every Trustee, before he shall act as such (except in administering the following Oath), shall take an Oath before One or more of the said Trustees (who is and

Qualification of Trustees.

[Local.]

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are

are hereby empowered to administer the same) in the Form following ;
(that is to say),

The Oath.

I *A. B.* do swear [*or*, being one of the People called *Quakers*, do solemnly affirm] That I am truly and *bonâ fide* in my own Right [*or*, in the Right of my Wife] seised and in the actual Possession or Receipt of the Rents and Profits of Freehold or Copyhold Messuages, Lands, Tenements, Tithes, or Hereditaments, of the clear Yearly Value of Fifty Pounds above Reprizes, or [being Heir Apparent] am Heir Apparent of *C. D.* who is seised of Messuages, Lands, Tenements, Tithes, or Hereditaments, for some Estate of Freehold or Inheritance, in Possession, of the clear Yearly Value of One hundred Pounds above Reprizes, or am possessed of Personal Estate alone, or Real and Personal Estate together, to the Amount or Value of One thousand Pounds, over and above what will be sufficient to pay all my just Debts ; and that I will faithfully and impartially, according to the best of my Judgment, act in the Execution and Performance of the several Trusts, Powers, and Authorities reposed in me as a Trustee, by virtue of an Act passed in the Fifty-eighth Year of the Reign of His Majesty King *George* the Third, intituled [*here set forth the Title of this Act.*] So help me GOD.

Persons holding Places of Profit, &c. not to act as Trustees.

XI. Provided always, and be it further enacted, That no Person shall be capable of acting as a Trustee in the Execution of this Act during the Time he shall hold any Place of Profit, under this Act, or shall be concerned in any Contract or Contracts that shall be made in or about the Execution of this Act, or shall be Lessee of any of the Tolls granted by this Act, or shall be a Tavern Keeper, Innkeeper, or Victualler ; and that such Trustees as are or may be Justices of the Peace shall not be incompetent to act as Justices of the Peace in the Execution of this Act, by reason of their being such Trustees ; and that no Person possessed of or entitled to any Mortgage or other Security upon the Tolls granted by this Act, shall on such Account only be disqualified from acting as a Trustee, or incompetent or disqualified from giving Evidence of any Thing done or to be done relative to this Act.

Penalty for acting, not being qualified.

XII. And be it further enacted, That if any Person hereby declared incapable of acting as a Trustee in the Execution of this Act shall presume to act therein, every such Person shall for every such Offence forfeit and pay the Sum of Fifty Pounds, to any Person or Persons who shall sue for the same in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case ; and the Person so prosecuted shall prove that he is qualified as aforesaid, or otherwise shall pay the said Penalty, upon Proof being given of his having acted as a Trustee in the Execution of this Act.

Acts of unqualified Trustees previous to Conviction, valid.

XIII. Provided always, and be it further enacted, That all Acts and Proceedings which shall have been done by any such Person, touching the Execution of this Act, previous to his being convicted of the Offence before mentioned, shall, notwithstanding such Conviction, be as valid and effectual as if such Person had been qualified according to the Directions of this Act.

XIV. And

XIV. And be it further enacted, That the Trustees shall meet at the *Howard's Arms*, in the Township of *Glossop* aforesaid, or at some other convenient House near to the said Road, on the Fourth *Thursday* next after the passing of this Act, or as soon after as conveniently may be; and of such First Meeting the Solicitor for this Act shall give Notice by Advertisement in One Newspaper published at *Derby* aforesaid, and in One Newspaper, published at *Sheffield* aforesaid, Ten Days at least before such Meeting; and the Trustees then and there shall proceed to the Execution of this Act, and shall then and there, and from Time to Time afterwards adjourn themselves for the better carrying this Act into Execution, as they shall think proper, to any Place upon or near to the said Road; and in case a sufficient Number of Trustees shall not attend at any such Meeting, then it shall be lawful for the Clerk to the said Trustees to adjourn the said Meeting, to be held at the same Place, and on that Day Three Weeks from the Day on which the last Meeting was appointed to be held; and of such Adjournment made by the said Clerk, Notice shall be given in the same Way as is herein directed with respect to any Meeting for the Election of a new Trustee or new Trustees.

Meetings of Trustees.

XV. And be it further enacted, That the said Trustees shall hold a General Meeting on the Second *Thursday* in the Month of *June* in every Year, at *Glossop* and *Sheffield* alternately (the First Meeting to be held at *Glossop*), or at such other Place as the said Trustees shall elect, which Meeting shall be called the Annual General Meeting of the said Trustees; and of the Time, Place, and Purpose of such Meeting, Fourteen Days previous Notice shall be given by the Clerk to the said Trustees, in the same Way as is herein directed with respect to any Meeting to be held for the Election of new Trustees; and at such Annual General Meetings the said Trustees, or any Five or more of them, shall examine and audit the Annual Accounts of the Clerk, Treasurer, Surveyors, and Collectors, relating to their respective Offices, and then and there from Time to Time shall pass such Accounts, or so much thereof as they shall think proper.

An annual General Meeting to be held.

XVI. And be it further enacted, That if after any Adjournment of the said Trustees, it shall at any Time be thought necessary that an earlier Day of Meeting should be appointed than the Day appointed by such Adjournment, or in case no Adjournment shall have been regularly made, then and in either of the said Cases the Clerk to the said Trustees, upon an Order in Writing, signed by Three or more of the said Trustees, which it shall be lawful for them to make, although not assembled at any Meeting held pursuant to the Directions of this Act, mentioning the Time and Place and Purpose of such earlier Meeting, shall forthwith give Notice thereof, and of the Time, Place, and Purpose of such Meeting, in the same Way as is herein directed with respect to any Meeting to be held for the Election of a new Trustee or new Trustees, and such earlier Meeting shall and may be held accordingly.

Meetings on Emergencies.

XVII. And be it further enacted, That the said Trustees at all their Meetings shall appoint One of the Trustees then present to preside as Chairman, and shall defray their own Expences.

Trustees to pay their own Expences.

XVIII. And

Orders of
Trustees to
be made at
Meetings
and entered
in a Book.

XVIII. And be it further enacted, That all Orders and Determinations of the said Trustees shall be made at Meetings to be held in pursuance of this Act, and not otherwise (except as herein directed to the contrary), and shall be entered in a Book or Books to be kept for that Purpose; and that no Order or Determination shall be made, unless the major Part of the Trustees present at any Meeting shall concur therein; and no such Order or Determination shall be revoked or altered at any subsequent Meeting, unless a greater Number of Trustees than made the same shall concur therein; and such Orders and Proceedings, so entered and signed by a competent Number of the said Trustees, or their Chairman, shall be deemed to be original Orders and Proceedings; and the said Book or Books, and also the Book or Books hereinafter directed to be kept for registering Mortgages and Assignments of Tolls, shall and may be read in Evidence in Cases of Appeal, and in all Suits or Actions touching any Thing done or to be done in pursuance of this Act.

Books to be
Evidence.

Trustees
may appoint
Officers.

XIX. And be it further enacted, That it shall be lawful for the said Trustees, at their First or any subsequent Meeting, as Occasion shall require, to elect, and by Writing under their Hands to appoint, a Clerk, and a Treasurer or Treasurers, Receiver or Receivers, Collector or Collectors of the Tolls and Monies which shall be due and payable by virtue of this Act; and also One or more fit Person or Persons to be Surveyor or Surveyors of the said Roads, and such other Officer or Officers as the said Trustees shall think proper; and from Time to Time to remove such Clerk, Treasurers, Collectors, Receivers, Surveyors, and other Officers, or any of them, as they shall see Occasion, and to elect and appoint others in the Room of such of them as shall be removed or shall die; and out of the Monies to be raised or received by virtue of this Act, to pay and allow to the Clerk, Treasurers, Collectors, Receivers, Surveyors and other Officers so elected and appointed, and to such other Persons as shall assist them or any of them in and about the Execution of this Act, such Salaries, Rewards, and Allowances, for their Attendance, Care, Labour, and Service, as to the said Trustees shall seem reasonable and proper; and every such Officer and Person as shall be appointed by virtue of this Act, shall from Time to Time, when thereunto required by the said Trustees, make out and deliver to such Trustees, or to such Person or Persons as they shall for that Purpose appoint, a true and perfect Account in Writing under his Hand, of all Monies which shall have been by him had, collected, and received, and how and to whom and for what Purpose the same and every Part thereof hath been disposed of, together with the Vouchers and Receipts for such Payments; and every such Officer and Person shall and he is hereby required to pay all such Monies as upon the Balance of such Account shall appear to be owing from him, to such Person or Persons as the said Trustees shall appoint to receive the same; and if such Officer or Person shall refuse or neglect to render up and give such Accounts as aforesaid, or to produce and deliver up the Vouchers and Receipts relating to the same, or to pay the Balance remaining in his Hands, when thereunto required in Manner aforesaid; or if any such Officer or Person shall refuse or neglect to deliver up to the said Trustees, or to such Person or Persons as they shall direct or appoint, within Ten Days after being thereunto required by the said Trustees, or by such other Person or Persons, all Books, Papers, and Writings in his Custody

and remove
them, &c.

Salaries.

Officers to
account,

and pay
Balances,

and deliver
up Vouchers
and Books.

Justices may
settle the
Accounts.

or Power, relating to the Execution of this Act, then and in every such Case, Complaint being made by the said Trustees of any such Neglect or Refusal, to any Justice of the Peace for the County, Riding, or District where the Officer or Person so neglecting or refusing shall live or reside, such Justice may and is hereby authorized and required, by Warrant under his Hand and Seal, to cause such Officer or Person to be brought before him, and upon his appearing or not being to be found, to hear and determine the Matter of such Complaint in a summary Way, and to settle the said Account or Accounts, if produced, in such Manner as the said Trustees might have done; and if upon the Confession of the Officer or Person against whom such Complaint shall be made, or by the Oath or Oaths of any Witness or Witnesses, it shall appear to the said Justice that any of the Monies which shall have been collected or received shall be in the Hands of such Officer or Person, such Justice may and is hereby authorized and empowered, upon Non-payment thereof, by a Warrant or Warrants under his Hand and Seal, to cause such Monies to be levied by Distress and Sale of the Goods and Chattels of such Officer or Person respectively; and if no Goods or Chattels can be found sufficient to answer and satisfy the said Monies, and the Charges of making and taking such Distress, and of selling the same, or if such Officer or Person shall not appear before the said Justice at the Time and Place appointed for that Purpose, or, if appearing, shall refuse or neglect to make out and deliver to the said Justice the several Vouchers and Receipts relative to such Account, or to deliver up all such Books, Papers, and Writings as aforesaid, then and in either of the Cases aforesaid, the said Justice may and is hereby authorized and required by Warrant under his Hand and Seal, to commit such Officer or Person to the Common Gaol or House of Correction of the County, Riding, or District where he shall live or reside, there to remain without Bail or Mainprize until he shall have delivered in and settled his Account, and shall have delivered up the Vouchers and Receipts relating thereto, and shall have paid all the Monies which shall appear to be in his Hands, and the reasonable Charges of such Distress and Sale, as shall in that Respect have been made, or until he or they shall have compounded with the said Trustees for the same, and paid the Composition Money to the said Trustees, or to such Person or Persons as they shall appoint to receive the same, (and which Composition the said Trustees are hereby empowered to make and receive), or until he shall have delivered up all such Books, Papers, and Writings as aforesaid, or given Satisfaction in respect thereof to the said Trustees: Provided always, that no Person who shall be committed for want of sufficient Distress shall be detained in Prison by virtue of this Act for any longer Time than Twelve Calendar Months.

Balance to
be levied by
Distress, &c.

XX. And be it further enacted, That the said Trustees shall and they are hereby authorized, directed, and required to take such Security from the Treasurer or Treasurers, Receiver or Receivers, and Collector or Collectors appointed by virtue of this Act, for the due Execution of their Offices respectively, as the said Trustees shall think proper.

Treasurer,
&c. to give
Security.

XXI. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees to appoint the same Person who may be appointed to act as their Clerk in the Execution of this Act, or the Partner of any such Clerk, the Treasurer for the Purposes of this Act, or to appoint the Person who may be appointed Treasurer, or the Partner of any

Same Person
not to be
Clerk and
Treasurer.

[Local.]

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such

such Treasurer, the Clerk to the said Trustees for executing 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 Partner of any such Clerk shall act as Treasurer, or being the Partner of any such Treasurer shall act as Clerk in the Execution of this Act, every Person so offending shall for every such Offence forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall sue for the same, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Effoign, Protection, nor Wager of Law, or more than One Imparlance, shall be allowed.

Accounts to be kept of Receipts and Disbursements, which shall be open to the Inspection of the Trustees and Creditors.

XXII. And be it further enacted, That the said Trustees shall and they are hereby required from Time to Time, and at all Times during the Continuance of this Act, to order and direct a Book or Books to be provided and kept by their Clerk for the Time being, in which Book or Books such Clerk shall enter or cause to be entered true and regular Accounts of all Sums of Money received, paid, laid out, and expended for or on account of the said Road and Branch, or either of them, and of the several Articles, Matters, and Things for which such Sums of Money shall have been disbursed, laid out, and paid; which Book or Books shall at all seasonable Times be open to the Inspection of the said Trustees, or any Creditor or Creditors on the Tolls hereby granted, without Fee or Reward; and the said Trustees and Creditors shall and may take Copies of or Extracts from the said Book or Books, or any Part or Parts thereof, without paying any Thing for the same; and in case the Clerk shall refuse to permit, or shall not permit the said Trustees or such Creditors to inspect such Book or Books, or to take such Copies or Extracts as aforesaid, such Person or Persons shall forfeit and pay any Sum of Money not exceeding Five Pounds.

Trustees may sue and be sued in the Name of their Clerk.

XXIII. And be it further enacted, That the said Trustees may sue and be sued, for or concerning any Thing which shall be done by virtue or in pursuance of this Act, in the Name of their Clerk for the Time being; and that no Action or Suit to be brought or commenced by the Direction of or against the said Trustees, by virtue of this Act, in the Name of their Clerk, shall abate or be discontinued by the Death or Removal of any such Clerk, or by the Act of any such Clerk without the Consent of the said Trustees, at a Meeting held in pursuance of this Act, but that the Clerk for the Time being to the said Trustees shall be deemed to be Plaintiff or Defendant, as the Case may be, in every such Action: Provided always, that every such Clerk in whose Name any Action or Suit shall be commenced, prosecuted, or defended, in pursuance of this Act, shall be fully indemnified, reimbursed, and paid, out of the Monies to arise by virtue of this Act, all such Costs, Damages, and Expences as by the Event or in consequence of any such Action or Proceedings he shall pay, bear, expend, or be put unto, or become chargeable with, for or by reason of his being made Plaintiff or Defendant as aforesaid.

Trustees may erect Toll Gates.

XXIV. And be it further enacted, That the said Trustees, or such other Person or Persons as they shall direct or appoint, shall and may, as they may think proper, when and as soon as the said Roads shall be well and substantially formed and made fit and commodious for the Passage of Carriages and Travellers, and shall be certified and declared so to be

in Manner herein-after mentioned, erect or cause to be erected such and so many Toll Gates or Turnpikes in, upon, or across, or on the Side or Sides of such Parts and in such Places of the said Road and Branch or either of them, at the End of any Lane or Highway leading out of the same, as they the said Trustees shall think proper and expedient, except as herein-after mentioned; and also shall and may erect or provide a Toll House to each of the said Toll Gates or Turnpikes, with suitable Conveniences, and shall and may pull down and remove the same, or any of them, to any other Place or Places, when and as often as they the said Trustees shall think proper, upon giving Twenty-eight Days previous Notice of the Meeting to be held for the Purpose of determining upon the Propriety of removing any such Toll Gate or Toll Gates respectively, which Notice shall be given in the same Way as is hereby required with respect to the Notice of any Meeting to elect new Trustees.

XXV. Provided always, and be it further enacted, That the said Trustees shall not erect or cause to be erected any Toll Gate or Turnpike across the said Road, in any Situation nearer to *Sheffield* than the Place where the said intended Turnpike Road unites with the present Road called the *Fulwood Road*, leading from *Fulwood* to *Sheffield*, at or in certain Parcels of Land respectively numbered in the said Map and Book of Reference 51 and 52, and of which *Robert Brightmore* is the Owner or reputed Owner; but nevertheless it shall be lawful for the said Trustees to erect any Gate or Gates on the Side or Sides of the same Road, between *Sheffield* and the *Fulwood Road* aforesaid, and take Tolls thereat.

Toll Bars not to be erected in certain Places.

XXVI. And be it further enacted, That the Right and Property in all the Toll Gates or Turnpikes and Toll Houses, and the several Conveniences and Appurtenances thereto belonging, which shall be erected, set up, or made upon the said Road and Branch or either of them, or on the Sides thereof, by virtue of this Act, and all Materials for building and repairing the same, and for making the said Road and Branch, and all the Materials, Articles, and Things which shall be purchased, collected, or provided for the Purposes of this Act, shall be vested in the said Trustees for the Time being; and they are hereby empowered to sell, assign, transfer, apply, and dispose of the same, as Occasion shall require, and to bring or cause to be brought any Action or Actions, and to prefer or cause to be preferred and prosecuted any Bill or Bills of Indictment against any Person or Persons who shall steal, take away, break down, or damage any of such Toll Gates or Turnpikes and Toll Houses, Conveniences, Appurtenances, Materials, Articles, or Things, or who shall do any Act to hinder or obstruct any Person or Persons employed by the said Trustees in the Execution of this Act; and in any such Action, Indictment, or other Proceeding for the Purposes aforesaid, it shall be sufficient to state any of the Matters or Things hereby declared to be vested in the said Trustees, to be the Property of the Trustees for executing an Act passed in the Fifty-eighth Year of the Reign of King *George* the Third, intituled [*here set forth the Title of this Act*], without naming or otherwise describing them.

Toll Gates, &c. to be vested in Trustees.

XXVII. And be it further enacted, That if the Lessee or Lessees of any of the Tolls hereby granted, or any Person or Persons claiming under him or them, shall after the Expiration of the Term for which such Tolls shall be leased, or for the Space of Two Days after the Demise, Lease,

For obtaining Possession of Toll Houses.

or

or Agreement for letting such Tolls shall be declared void, as herein-after mentioned, refuse to deliver up the Possession of the Toll House or Toll Houses, Buildings and Premises, which shall have been demised to him or them, with the Tolls so leased, it shall be lawful for any Justice of the Peace for the County, Riding, or Place where the Premises shall be situate, by Warrant under his Hand and Seal, to order the Constable or other Peace Officer of the Parish or Place where the Premises shall be situate, or any other Person or Persons to whom such Warrant shall be specially directed, with proper Assistants, to enter such Toll House or Toll Houses, Buildings and Premises respectively, in the Day-time, and to remove the Person or Persons who shall be found therein, together with his, her, or their Goods and Chattels, out of such Toll House or Toll Houses, Buildings and Premises, so that the Tolls payable thereat may from thenceforth be received and taken for the Use of the said Trustees.

Tolls to be taken.

XXVIII. And be it further enacted, That the several Tolls herein-after particularly mentioned, shall and may be demanded and taken at each and every of the Toll Gates, Turnpikes, and Side Gates to be erected by virtue of this Act, by such Person or Persons as the said Trustees or their Lessee or Lessees for the Time being shall from Time to Time appoint for that Purpose (except as herein expressly directed or provided to the contrary), before any Horse, Beast, Cattle, or Carriage, upon which any Toll is by this Act imposed, shall be permitted to pass through the same; (that is to say),

New Tolls.

For every Horse, Mule, or other Beast whatsoever, drawing any Coach, Chariot, Chaise, Curricule, Gig, Chair, or other such Carriage, or any Hearse, the Sum of Sixpence :

For every Horse, Mule, or other Beast whatsoever, drawing any Waggon, Wain, Cart, Dray, or other such Carriage, the Fellies of the Wheels whereof shall be of the Breadth of Nine Inches, and shall not deviate above One Inch from a flat Surface at the Bottom of the Sole thereof, the Sum of Four-pence ; and shall be of the Breadth of Six Inches and under Nine Inches, and shall not deviate more than One Inch as aforesaid, the Sum of Five-pence ; and shall be of less Breadth than Six Inches, or shall deviate as aforesaid more than One Inch, the Sum of Sixpence :

For every Horse, Mule, or other Beast whatsoever, laden or unladen, and not drawing, the Sum of One Penny :

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

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

Which said respective Tolls, and all other Tolls by this Act imposed, and all and every Sum and Sums of Money which shall arise and be produced therefrom, shall be vested in the said Trustees for the Time being ; and the same and every Part thereof shall be paid, applied, disposed of, and assigned in such Manner as is herein-after mentioned.

Exemptions by 55 G. 3. not to be affected.

XXIX. Provided always, and be it further enacted, That Waggons, Carts, and other Carriages, having the Wheels and Axletrees formed as directed by an Act passed in the Fifty-fifth Year of the Reign of His present Majesty, intituled *An Act to enable the Trustees of Turnpike Roads*

to abate the Tolls on Carriages, and to allow of their carrying Extra Weights in certain Cases, and the Horses and other Cattle drawing the same, shall have and enjoy the Privileges and Exemptions granted thereby.

XXX. And be it further enacted, That if any Person shall have paid the Toll by this Act granted, for the passing of any Horse, Beast, Cattle, or Carriage through any Toll Gate or Turnpike to be erected by virtue of this Act, such Person, upon producing a Note or Ticket denoting Payment of such Toll, shall be permitted to pass through the same Gate or Turnpike, with the same Horse, Beast, Cattle, or Carriage, Toll-free in respect of such Horse, Beast, Cattle, or Carriage for which he or she shall have so paid the Toll as aforesaid on the same Day, to be computed from Twelve of the Clock in one Night to Twelve of the Clock in the next succeeding Night.

Tolls to be paid but once a Day.

XXXI. Provided always, and be it further enacted, That no more than Four full Tolls shall be demanded or taken from any Person or Persons for passing and repassing the same Day, to be computed as aforesaid, with the same Horses, Cattle, Sheep, Beasts, or Carriages, through all or any of the Toll Gates or Turnpikes to be erected by virtue of this Act.

Number of Tolls limited.

XXXII. And be it further enacted, That if any Person or Persons subject to the Payment of any of the said Tolls, shall, after Demand thereof made, either at the Gate, Bar, or Chain where such Tolls shall be collected, or immediately after passing through the same, neglect or refuse to pay such Tolls, or any Part thereof, it shall be lawful for the Person or Persons appointed to collect such Tolls as aforesaid, by himself, herself, or themselves, or taking such Assistance as he, she, or they shall think necessary, to seize or distrain any Horse or Horses, Cattle, Beast, or Carriage, or other Thing, upon or for which such Tolls are hereby imposed, or any of the Lading, Harness, or Accoutrements thereof respectively (except the Bridle or Halter apart from the Horse or other Beast), or any of the Goods and Chattels of, belonging to, or in Possession of the Person or Persons so then and there neglecting and refusing; and if such Tolls, or any Part or Parts thereof so neglected or refused to be paid, and the reasonable Charges of such Seizure and Distress, shall not be paid within the Space of Four Days next after such Seizure and Distress made, the Person or Persons so seizing and distraining shall and may at any Time or Times thereafter sell the Horse or Horses, Beast, Cattle, Carriage, Thing, or Things so seized and distrained, or a sufficient Part thereof, returning the Overplus of the Money to arise by such Sale, and what shall remain unpaid (if any) upon Demand, to the Owner thereof, after such Tolls, and the reasonable Charges occasioned by such Seizure, Distress, and Sale, shall have been deducted.

Tolls may be levied by Distress.

XXXIII. Provided always, and be it further enacted, That if any Dispute shall arise concerning the Amount of Tolls due, or the Charges occasioned by any Distress, it shall be lawful for the Collector or Person distraining to retain such Distress, or the Money arising from the Sale thereof (as the Case may happen), until the Amount of Toll due, and the Charges of seizing, distraining, keeping, or selling such Distress (as the Case may happen), shall be ascertained by a Justice of the Peace for

Disputes about the Amount of Tolls.

[Local.]

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the County, Riding, or District wherein the Cause of Dispute shall arise, who, upon Application made to him or them for that Purpose, shall examine the said Matter upon Oath of the Parties, or other Witness or Witnesses, and determine the Amount of the Toll due; and it shall be lawful for such Justice to assess and award such Costs, to be paid by either of the Parties to the other of them, as he shall think just and reasonable; and in case of Nonpayment thereof on Demand, such Costs shall be levied by Distress and Sale of the Goods and Chattels of the Party liable to pay the same, by Warrant under the Hand and Seal of such Justice.

Collectors
of Tolls not
incompetent
Witnesses.

XXXIV. And be it further enacted, That in case any Dispute, Suit, or Litigation shall arise, touching or in anywise relating to the said Tolls, the Person or Persons appointed by the said Trustees to collect the same, or any other Person or Persons acting by or under the Authority of the said Trustees, shall not be incompetent to give Evidence in any such Dispute, Suit, or Litigation, by reason of his, her, or their being appointed to collect such Tolls, or acting under the Authority of the said Trustees.

Collectors
to deliver
Tickets.

XXXV. And be it further enacted, That the several Collectors of the Tolls granted by this Act shall, on Receipt of such Tolls, deliver to the Person or Persons paying the same a Ticket or Tickets denoting such Payment, and specifying and naming therein the Gate or Gates freed from Toll by such Payment.

Regulations
as to Toll
Collectors.

XXXVI. And be it further enacted, That every Toll Collector, being a Lessee of the said Tolls, or being appointed either by the said Trustees or by any Lessee or Lessees to collect the Tolls payable at any Turnpike Gate to be erected by virtue of this Act, shall and he is hereby required to place his Christian and Surname, painted on a Board in legible Characters, in the Front or in some other conspicuous Part of the Toll House or Toll Gate, immediately on his beginning to collect such Toll or coming on Duty, each of the Letters of such Name or Names to be at least One Inch in Length, and of a Breadth in proportion, and shall continue the same so placed during the whole Time he shall collect such Toll, or be upon such Duty; and if any Collector of the same Tolls shall not place such Board as aforesaid, and keep the same there during the Time aforesaid, or shall demand and take Toll from any Person or Persons who shall be exempt from the Payment thereof, and claim such Exemption, or shall refuse to permit or suffer, or shall in anywise hinder any Person or Persons from reading such Christian or Surname, or shall refuse to tell his Christian or Surname to any Person or Persons who shall demand the same, on having paid the said Tolls, or any of them, or shall in answer to such Demand give a false Name or Names, or shall refuse or neglect to give a Ticket denoting the Payment of the Tolls, and naming and specifying the several Gates freed by such Payment, or shall make use of any scurrilous or abusive Language to any Traveller or Passenger, then and in every such Case every such Toll Collector shall forfeit and pay for every such Offence such Sum, not exceeding Forty Shillings, as the Justice or Justices before whom the Information shall be laid shall adjudge.

Tolls may be
lessened.

XXXVII. And be it further enacted, That it shall be lawful for the said Trustees, at any Meeting to be holden for that Purpose (whereof at least Twenty-one Days Notice shall be given in Writing, in the same Manner

as is herein directed with respect to the Notices required to be given of a Meeting to elect new Trustees), from Time to Time, as they shall think proper, to lessen or reduce, and again to raise and advance, all or any of the Tolls hereby granted, as they shall think fit, so that the respective Tolls so varied or altered do not exceed the Tolls by this Act authorized to be taken, and so as such Reduction be made with the Consent in Writing of the several Persons who shall be entitled to Four-fifth Parts of the Money then due on the Credit of the said Tolls; and such Tolls so varied, and every of them, shall be collected, recovered, and applied as the Tolls hereby granted and authorized to be taken, are directed to be collected, recovered, and applied.

XXXVIII. And be it further enacted, That no Tolls shall be demanded or taken for any Horse or other Beast of Draught, or Carriage, passing or repassing through any of the Turnpikes or Toll Gates which shall be erected by virtue of this Act, when employed in carrying or conveying Stone, Bricks, Lime, Timber, Wood, Heath, Gravel, or other Materials, to be used on or about the said Road and Branch, or for erecting, altering, or repairing any Bridge or Toll House or Toll Gate on the said Road or Branch, or for repairing any Highways in any of the Parishes, Townships, or Places in which the said Road and Branch or any Part thereof respectively do lie, or returning empty when so employed; or carrying or conveying Hay, or Corn in the Straw, or other Produce of Lands, not sold or disposed of, but going to be laid up in the Houses, Out-houses, Barns, and Yards of the Owners thereof; or any Ploughs, Harrows, or other Implements of Husbandry, to be used in the Cultivation of Lands; or any Mould, Dung, Compost or Manure whatsoever (except Lime and Limestone, other than as herein-after provided); nor shall any Toll be paid for any Horses, Mules, Asses, or Cattle going to or returning from Work, in cultivating the Lands within the same Parishes or Townships, or any of them; nor for any Horses, Mares, Geldings, Mules, Asses, Cattle, Sheep, Lambs, or Hogs going to or returning from Pasture or any Commons or other Grazing Grounds or Watering Places, or Blacksmiths' Shops, to be shod, or having been shod; nor for any Horse or other Beast of Draught, or Carriage employed in carrying any Furze, Peats, Turf, or Heath for Fuel, or returning having been so employed; nor shall any Toll be paid by any Rector, Vicar, or Curate going to officiate or returning from officiating at any Church, Chapel, or other Place of religious Worship, or when visiting his sick Parishioners, or upon any other his Parochial or Ministerial Duty; or by any other Person going to or returning from his, her, or their Parochial Church or Chapel, or other Place of religious Worship tolerated by Law, on a *Sunday*, or on any other Day on which Divine Service is ordered by Authority to be celebrated, or for the Purpose of attending the Funeral of any Person or Persons who shall die and be buried in any of the said Parishes and Townships; nor for any Horses, Cattle, Beasts, or Carriages which shall only cross the said Road or Branch or either of them, and shall not pass more than One hundred Yards thereon; nor for any Horses or Carriages, of whatsoever Description, when employed or going to be employed in conveying the Mails of Letters and Expresses under the Authority of His Majesty's Postmaster General, or his Deputies, either in conveying, fetching, or guarding the same, or in returning back from conveying the same; nor for the Horses of Soldiers on March or on Duty, or Carriages or Horses or other Beasts employed in

General
Exemptions
from Tolls.

carrying

carrying the Arms or Baggage of such Soldiers ; nor for any Horse, Mare, or Gelding furnished by or for any Person belonging to any Corps of Yeomanry or Volunteer Cavalry, and rode by him in going to or returning from the Place appointed for and on the Days of Exercise, provided such Persons are in the Uniform of their respective Corps, and have their Arms, Furniture, and Accoutrements according to the Regulations provided for such Corps respectively, at the Time of claiming such Exemption ; nor for any Waggon, Wain, Cart, or other Carriage whatsoever, or the Horse or Horses or other Cattle drawing the same, which shall be employed in conveying any Ordnance, Barrack, Commissariat, or other public Stores of or belonging to His Majesty, or for the Use of His Majesty's Forces ; nor for any Carriage, Horse, or other Beast employed in the Conveyance of Vagrants travelling with legal Passes, or travelling with Vagrants sent by legal Passes ; nor for any Horse or Carriage going to or returning from any Election of a Knight or Knights of the Shire to serve in Parliament for the said Counties of *York* and *Derby*, or either of them ; and if any Person shall claim and take the Benefit of any of the Exemptions aforesaid, not being entitled thereto, or shall make use of any Fraud whatsoever, whereby the Payment of the said Tolls or any Part thereof shall be evaded, every Person so offending for every such Offence shall forfeit and pay a Sum not exceeding Five Pounds ; one Moiety whereof shall go to the Informer, and the other Moiety shall be applied to the Purposes of this Act.

Exemption
as to Lime.

XXXIX. Provided, and be it further enacted, That no Toll shall be demanded or taken at any Toll Gate, which may be erected by virtue of this Act, between the West Bank of the River *Derwent* at *Cocks Bridge* and *Alport Brook*, for any Horse, Cattle, Beast or Carriage passing laden with, or passing empty or unladen for, or returning the same Day empty or unladen, after having been laden with Limestone or Lime, to be used for the Purposes of building or improving Land, or for any other agricultural Purpose whatsoever ; but Toll shall be payable in respect of Horses and other Beasts and Carriages when so employed, in all other Parts of the said Roads : Provided always, that no Person owning or driving or causing to be driven any Waggon, Wain, Cart, or other Carriage provided for the Service of His Majesty's Forces, or conveying any Ordnance, Barrack, Commissariat, or other public Stores of or belonging to His Majesty, or for the Use of His Majesty's Forces, shall be subject to any Penalty or Forfeiture for Overweight in respect of such Stores ; nor shall any such Waggon, Wain, Cart, or other Carriage be stopped or detained by reason of any Weight in or on any such Waggon, Wain, Cart, or Carriage, or of its being drawn by any Number of Horses or Beasts ; but it shall be lawful for any Owner or Driver of any such Waggon, Wain, Cart or other Carriage, to put any Number of Horses or Beasts to such Waggon, Wain, Cart, or other Carriage, for drawing the same ; any thing in this Act or in any other Act of Parliament relating to Highways or Turnpike Roads to the contrary notwithstanding.

Carriages
provided for
His Majesty's
Service, not
to be subject
to the Penalties
for Overweight ;

and may be
drawn by any
Number of
Horses.

Tolls may be
let to farm.

XL. And be it further enacted, That it shall be lawful for the said Trustees (in such Manner and Form as is directed in that Behalf by the general Laws now in being for regulating the Turnpike Roads in *England*) from Time to Time to demise or let to farm all or any of the Tolls arising by virtue of this Act, for any Term not exceeding Three Years on each
Demise,

Demise, for the best Rent or Rents which can be gotten for the same, payable in such Proportions, at such Times, and to such Person or Persons, and under such Conditions and Agreements, and with such Sureties, Surety or Security for the Payment thereof, as the said Trustees shall think fit; and the Monies arising thereby shall be applied and disposed of in such Manner as the Tolls so leased are hereby directed to be applied.

XLI. And be it further enacted, That in case all or any of the Tolls arising by virtue of this Act shall be demised or let to farm, and the Lessee or Lessees, Farmer or Farmers thereof, shall neglect or refuse to perform the Terms and Conditions on which the same shall be so demised or let, or in case the Rent or Rents agreed to be paid by such Lessee or Lessees, Farmer or Farmers, shall be in Arrear by the Space of Thirty Days next after any of the Days on which the same ought to be paid, pursuant to the Lease or Agreement for the demising or letting thereof, then and in either of these Cases it shall be lawful for any Justice of the Peace for the County, Riding, or Place where the Premises shall be situate, by Warrant under his Hand and Seal, to order the Constable or other Peace Officer of the Parish or Place where the Premises shall be situate, or any other Person or Persons to whom such Warrant shall be specially directed, to enter upon and take Possession of every or any Toll House, Toll Gate, Bar or Chain, and the Buildings and Appurtenances thereunto belonging, and to remove and put out such Lessee or Lessees, Farmer or Farmers of the Tolls arising thereat respectively from the Possession thereof, and from the Collection of such Tolls, and to deliver Possession thereof to the said Trustees or their Clerk, or any other Person or Persons authorized by Writing under their Hands; and that thereupon it shall be lawful for the said Trustees, if they shall think fit, to vacate and determine the Lease, Contract, or Agreement for demising or letting the said Tolls to such Lessee or Lessees, Farmer or Farmers, and the same shall be utterly void to all Intents and Purposes, save as to the Covenants or Agreements for Payment of the Rent or Rents thereby reserved, or other unperformed or broken Covenants or Agreements on the Lessee's Part, as if such Demise or Agreement had never been made; and it shall be lawful for the said Trustees, in any such Case, to demise or let to farm the said Tolls again to any other Person or Persons, or to cause them to be collected, as if no former Demise, Contract, or Agreement had been made relating thereto.

Possession of Toll Houses, when let to farm, may be taken from Lessees in certain Cases;

and Leases vacated.

XLII. And be it further enacted, That it shall be lawful for the said Trustees from Time to Time, as they shall see convenient, to compound and agree, for any Term not exceeding Twelve Calendar Months at any one Time, with all or any of the Inhabitants of the several Townships, Hamlets, Parishes, or Places to or through which the said Roads respectively lead, for the passing of his, her, or their Horses, Cattle, or Carriages through all or any of the Toll Gates to be erected on the said Roads or either of them, or on the Sides thereof respectively; which Composition Money shall be paid in advance, and in Default thereof the Composition shall be void.

Trustees may compound for the Tolls.

XLIII. And be it further enacted, That if any Person or Persons who-soever, owning or occupying any Lands or Tenements near to the said Road and Branch, or either of them, or any Part thereof respectively, shall knowingly or willingly permit or suffer any Person or Persons (save

Penalty on permitting private Passages to evade Tolls.

[Local.]

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and

and except his, her, or their Servant or Servants, or any Person or Persons in his or their Employ, or any of his, her, or their Family) to pass through any inclosed Ground, Gate, Passage, or Private Way, with any Horse, Beast, Cattle, or Carriage on which a Toll is by this Act imposed, with an Intent to evade the Payment of the said Toll; or if any Person or Persons owning, going in, or driving any such Carriage, or owning, riding, or driving any such Horse, Beast, or Cattle, shall therewith pass through any such Ground, Gate, Passage, or Private Way (not being the Owner or Owners, Occupier or Occupiers thereof, nor any of his, her, or their Servant or Servants, or a Person or Persons in his, her, or their Employ, or Part of his, her, or their Family), with Intent to evade the Payment of the said Tolls or any Part thereof; or if any Person or Persons shall unload or cause to be unloaded any Goods or other Things, or shall take off or cause to be taken off any Horse or Beast of Draught from any Carriage, either before or after the same shall have passed through any of the Toll Gates to be erected by virtue of this Act, or having passed through any of the said Toll Gates, shall afterwards add or put any Horse or Beast to any Carriage, for the Purpose of drawing the same upon any Part of the said Road and Branch, or either of them, with Intent to avoid or evade the Payment of any of the Tolls hereby imposed; or shall forge, counterfeit, or alter, or shall deliver to or receive from any other Person or Persons (except the Person or Persons appointed to receive the Tolls hereby made payable) any Note or Ticket, with Intent to avoid or evade the Payment of the said Tolls, or any Part thereof; or if any Person or Persons liable to the Payment of any of the said Tolls shall forcibly pass or attempt to pass any of the said Toll Gates or Turnpikes, without Payment thereof at such Gate or Gates; each and every Person and Persons in any Manner aforesaid offending, and being thereof convicted on the Oath of One or more competent Witness or Witnesses, before One or more of His Majesty's Justices of the Peace for the County, Riding, or District wherein any such Offence shall be committed (which Oath the said Justice or Justices is and are hereby empowered and required to administer), shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds; One Moiety whereof, when raised, shall be paid to the Informer, and the other Moiety to the Treasurer to the said Trustees, to be applied for the Purposes of this Act.

or forging
Tickets.

or forcibly
passing Toll
Gates.

Roads may be
stopped to
prevent evad-
ing Tolls.

XLIV. And be it further enacted, That it shall be lawful for any Two or more Justices of the Peace of the said West Riding of the County of York, or for the County of Derby respectively, acting in their respective Jurisdictions; at any Special Session, by Order under their Hands and Seals, to stop up and discontinue any Bye Lane or Road opening into or communicating with the said Road and Branch, or either of them, by Means whereof the Tolls hereby made payable, or any of them, can or may be evaded, if they shall think it proper so to do; but subject to such Private or Occupation Roads (if any) as they shall think necessary, so that public Notice be given of the Time, Place, and Purpose of such Special Session, in the same Manner as by an Act passed in the Fifty-fifth Year of His present Majesty, intituled *An Act to amend an Act of the Thirteenth Year of His present Majesty, for the Amendment and Preservation of the Public Highways, in so far as the same relates to Notice of Appeal against turning or diverting a Public Highway, and to extend the Provisions of the same Act to the stopping up of unnecessary Roads*, is directed with respect to the stopping up of unnecessary Roads; which

which Order shall be subject to Appeal in like Manner as in the said last-mentioned Act is provided or mentioned with respect to Orders for stopping up unnecessary Roads.

XLV. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby required, to cause Fences and Ditches to be erected and made over such Parts of any Open Commons and Waste Grounds in or through which the said Road and Branch or either of them shall pass, and in such other Places as they shall think necessary, in order to prevent Payment of the said Tolls being evaded; provided that no such Fence shall exceed the Distance of Three hundred Yards from the said Roads or some Part thereof; and if any Person or Persons shall pull down or otherwise displace or carry away any such Fence or any Part thereof, or shall fill up any such Ditch, such Person shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Fences made
on Commons.

XLVI. And be it further enacted, That if the several Persons who have agreed or shall hereafter agree to lend and advance any Money upon Mortgage of the Tolls hereby authorized to be taken, shall after Twenty Days previous Notice in Writing under the Hand of the Clerk of the said Trustees, for that Purpose to him, her, or them given, or left at his, her, or their Dwelling House or usual Place of Abode, refuse or neglect to make Payment of the respective Sums by him, her, or them so agreed to be lent and advanced, or such Part or Parts thereof as may be required in such Notice, it shall be lawful for the said Trustees to bring or cause to be brought any Action of Debt or on the Case, Bill, or Suit, against any Person or Persons so refusing or neglecting as aforesaid, his, her, or their Heirs, Executors, or Administrators, in any of His Majesty's Courts of Record at *Westminster*; and on Proof of such Person or Persons having so agreed to advance and lend Money on Mortgage of the said Tolls, and of such Notice as aforesaid, such respective Sum or Sums so ordered to be advanced, or so much thereof as shall be required to be paid in such Notice, shall be recovered with full Costs of Suit.

For recover-
ing Subscrip-
tions.

XLVII. And be it further enacted, That it shall be lawful for the said Trustees, at any Meeting, to borrow and take up at Interest, on Mortgage of the Tolls arising by virtue of this Act, and of the Toll Gates, Bars, Chains, and Toll Houses for collecting the same, and of the Buildings and Appurtenances thereunto belonging, such Sum or Sums of Money as they shall think necessary for the Purposes of this Act; and they are hereby authorized and empowered, by any Writing or Writings, under their Hands and Seals, from Time to Time to demise, mortgage, and assign all or any Part of the Tolls hereby granted, and the Toll Gates, Bars, Chains, and Toll Houses for collecting the same, and the Buildings and Appurtenances thereof, or any of them (the Costs and Charges of such Mortgages to be paid out of such Tolls), for any Term during the Continuance of this Act, as a Security or Securities to any Person or Persons who shall advance such Sum or Sums of Money, or his, her, or their Trustee or Trustees; which Mortgages shall be made in the Form or to the Effect following; (that is to say),

Trustees
may borrow
Money on
the Credit
of the Tolls.

BY virtue of an Act passed in the Fifty-eighth Year of the Reign of His Majesty King George the Third, intituled [*here set forth the Title of this*]

‘ *this Act*] We of the Trustees
 ‘ for putting the said Act into Execution, in consideration of the Sum
 ‘ of paid by
 ‘ of to the Treasurer of the said Road and
 ‘ Branch, do hereby bargain, sell, and assign unto
 ‘ his, her, or their Executors, Administrators, and Assigns, the Tolls
 ‘ arising by virtue of the said Act, and the Toll Gates, Bars, Chains, and
 ‘ Toll Houses for collecting the same, and the Buildings and Appurte-
 ‘ nances thereunto belonging; to hold the same unto the said
 ‘ his, her, or their Executors, Administrators,
 ‘ and Assigns, from the Day of the Date hereof, for and during the Con-
 ‘ tinuance of the said Act, subject to the following Proviso; that is to
 ‘ say, Provided always, that if the said Sum of
 ‘ with Interest for the same at the Rate of Pounds
 ‘ *per Centum per Annum*, shall be repaid and satisfied to the said
 ‘ his, her, or their Executors, Administrators, or
 ‘ Assigns, within Calendar Months from the Day of
 ‘ the Date hereof, then this Mortgage and Assignment shall be void. In
 ‘ Witness whereof we have hereunto set our Hands and Seals, this
 ‘ Day of in the Year of our Lord
 ‘ One thousand eight hundred and .

And Copies of all such Mortgages shall be entered in a Book or Books
 to be kept and provided for that Purpose by the Clerk to the said Trustees,
 which Book or Books shall and may at all seasonable Times be perused
 or inspected without Fee or Reward; but no Money shall be borrowed
 upon Security of the Tolls, after the First Meeting of the said Trustees,
 unless Twenty-one Days previous Notice shall be given of such other
 Meeting, in the same Way as is herein directed with respect to any Meet-
 ing to be held for the Election of new Trustees; and all Persons to whom
 any Mortgages or Assignments of Tolls shall be made by virtue of this
 Act, or who shall be entitled to the Monies thereby respectively secured,
 may from Time to Time assign and transfer their Right, Title, Interest, or
 Benefit to the said Mortgage or Assignment, and to the Principal and
 Interest thereby secured, to any Person or Persons whomsoever, and for
 such Considerations as may be agreed upon between themselves; and all
 such Assignments or Transfers shall be produced and notified to the Clerk
 to the said Trustees, who shall cause an Entry or Memorial to be made
 thereof in the said last-mentioned Book or Books, containing the Date,
 Name of Parties, and Sum of Money therein assigned, for which the
 said Clerk shall be paid the Sum of Five Shillings, and no more; and such
 Assignment or Transfer shall then entitle such Assignee, his, her, or their
 Executors, Administrators, and Assigns, to the Benefit thereof and Payment
 thereon; and every such Assignee may in like Manner assign or transfer
 the same again, and so *toties quoties*; and all Persons to whom any Mort-
 gage shall be made as aforesaid, their respective Executors, Administra-
 tors, and Assigns, shall, in proportion to the Sums of Money thereby se-
 cured, be Creditors on the Tolls by this Act granted, and on the said Toll
 Gates, Bars, Chains, and Toll Houses, and the Buildings and Appurte-
 nances thereto belonging, in equal Degree one with another; and no
 Person shall have any Preference in respect of the Priority of advancing
 his or her Money, or the Date of his or her Security.

XLVIII. And be it further enacted, That all Monies which shall be advanced and lent on Mortgage of the said Tolls, Toll Gates, Bars, Chains, Toll Houses, Buildings, and Appurtenances, shall be applied by the said Trustees or their Treasurer to and for the several Uses, Intents, and Purposes, and in the Order following; (that is to say), in the First Place, in Payment of the Costs, Charges, and Expences of preparing, obtaining, and passing this Act, and in anywise incident thereto, which Costs, Charges, and Expences shall be ascertained by the said Trustees at their first Meeting to be held after the passing of this Act, or at some other Meeting to be held as soon as conveniently may be afterwards; and in the next Place, in purchasing the Land, Tenements, Buildings, and Hereditaments necessary to be purchased, taken, and used for the Purpose of making the said Road and Branch, and the Bridges, Arches, Tunnels, and other Things hereby authorized to be made, and in forming, making, and completing the said Road and Branch, and in erecting, and building, and providing the necessary Toll Houses, Gates, and Chains, and the said Bridges, Arches, Tunnels, and other Matters and Things aforesaid, and in paying all the necessary Charges, Salaries, and Expences of the Clerk, Treasurer, Surveyor, Contractors, and other Persons who may be employed in and about the Premises, until the Completion of the said Road, Branch, and other Works hereby authorized to be made.

Application
of Money
advanced on
Mortgage of
the Tolls.

XLIX. And be it further enacted, That all the Monies which shall from Time to Time arise and be received from the Tolls by this Act authorized to be taken, shall be applied by the said Trustees to the Purposes and in the Order following; (that is to say), in the First Place, in paying and keeping down the Interest accruing upon the several Principal Sums of Money which shall from Time to Time be due and owing on the several Mortgages which shall be made in pursuance of this Act; in the Second Place, in repairing and maintaining the said Toll Houses, Toll Gates, and Roads, and in executing the several other Powers, Purposes, and Trusts of this Act; and in the last Place, from Time to Time, at the Discretion of the said Trustees, in reducing and paying off the Principal Sums due to such Mortgagees as aforesaid.

Application
of the Tolls.

L. And be it further enacted, That if any Mortgagee or Mortgagees of the said Tolls, Toll Gates, Bars, Chains, Toll Houses and Buildings, shall seek to obtain the Possession of the said Toll Gates, Bars, Chains, Toll Houses and Buildings, in order to pay himself, herself, or themselves the Principal Money and Interest, or any Part thereof, due to him, her, or them, it shall be competent for him, her, or them, as Lessor or Lessors of the Plaintiff, and upon his, her, or their Demise only, and without uniting in such Demise the other Mortgagees of the said Tolls and Premises, to obtain such Possession; but such Person or Persons who shall obtain the Possession thereof, shall not apply the Tolls, which may consequently be received by him, her, or them, to his, her, or their own exclusive Use and Benefit, but to and for the Use and Benefit of all the Mortgagees of the said Tolls, Toll Gates, Buildings, and Premises, *pari passu*, and in proportion to the several Sums which may be due to them as such Mortgagees.

An Action
of Ejectment
may be sup-
ported by
One Mort-
gagee.

[Local.]

9 G

LI. And

Surveyors
may get Ma-
terials in
Wastes, &c.
without pay-
ing for it,

and in private
Lands mak-
ing Satisfac-
tion.

LI. And be it further enacted, That the Surveyor or Surveyors of the said Road and Branch, and such Persons as shall be employed by him or them, or by the said Trustees, is and are hereby empowered to cut, dig, gather, and take away any Stone, Gravel, Sand, or any other Materials proper for making or repairing the said Road and Branch, or either of them, or any Arches or Bridges in or upon the same, or on the Side or Sides thereof, out of or from any Commons, Moors, or Waste Grounds, Common River or Brook, in any Parish, Township, or Place, in which any Part of the said Road and Branch, or either of them, shall lie or be situate, or in any adjoining Parish, Township, or Place without paying any Thing for the same, such Surveyor or other Persons sloping down the Banks or Pits where such Materials shall be taken, or railing or fencing such Pits or Quarries, so that the same may not be dangerous to Passengers and Cattle; and where there is not sufficient of any such Materials to be procured in any Commons or Waste Grounds, Common River or Brook, the said Surveyor or Surveyors, or other Persons as aforesaid, may by Order of any Two Justices of the Peace for the County, Riding, or District in which the Materials intended to be taken are situate, search for, cut, dig, gather, take or carry away all such Materials as aforesaid, in, upon, or out of, from and over, the Lands of any Person or Persons, in any Parish, Township, or Place, in which any Part of the said Road and Branch, or either of them, shall lie or be situate (not being a Yard, Orchard, Garden, Park, Paddock, or Plantation, or Nursery for Trees), making such Compensation and Satisfaction for such Materials, and for the Damage done to the Owners or Occupiers of the Lands and Grounds from whence the same shall be cut, gathered, taken, or carried away, or over which the same or any other Materials so cut, dug, and gathered as aforesaid, shall be conveyed, as any Two Justices of the Peace at their Petty Sessions within their respective Jurisdictions, shall in case of any Difference between such Owners or Occupiers and the said Trustees, judge reasonable.

Surveyors
not to get
Materials
in private
Grounds till
after Notice,
&c.

LII. Provided nevertheless, and be it further enacted, That it shall not be lawful for any Surveyor or any other Person or Persons under the Authority of this Act, to dig, gather, take, or carry away any Materials for making or repairing the said Road and Branch, or either of them, out of or from any inclosed Lands or Grounds, until Notice in Writing shall have been given to the Occupier of the Premises from which such Materials are intended to be taken, or left for such Occupier at his or her last or usual Place of Residence, to appear before any Two or more Justices of the Peace for the County, Riding, or District wherein such Lands or Grounds lie, to shew Cause why such Materials should not be had from such Lands or Grounds; and in case such Occupier shall attend pursuant to such Notice, such Justices shall (if they think proper) authorize such Surveyor or other Person or Persons, to dig, gather, take, and carry away such Materials, at such Time or Times as to such Justices shall seem proper; and if such Occupier shall refuse or neglect to appear by himself or herself, or his or her Agent, such Justices shall and may make such Order therein as they shall think fit, as fully and effectually to all Intents and Purposes as if such Occupier, or his or her Agent, had attended.

LIII. And

LIII. And be it further enacted, That if any Person or Persons shall take away or cause to be taken away any Materials which shall have been dug or gathered in any Lands, Fields, Commons, Waste Grounds, Rivers, Brooks, or elsewhere, for the Purpose of making or amending the said Road and Branch, or either of them; or shall dig, get, or take away any Materials out of any Pit or Quarry which shall have been made for the Purpose of getting Materials for the said Road and Branch, or either of them, before the Surveyor or his Workmen shall have discontinued working therein for the Space of Twenty-eight Days (except the Owner or Owners, or Occupier or Occupiers of any private Grounds, and any Person or Persons authorized by such Owner or Owners to get Materials therein for his, her, or their private Use only, and not for Sale), every Person so offending shall forfeit and pay for every such Offence any Sum not exceeding Forty Shillings, over and above the Value of the Materials so taken away.

Penalty on taking away Materials raised by Surveyors;

or digging Pits not abandoned.

LIV. And be it further enacted, That if any Person shall leave any Waggon, Wain, Cart, or other Carriage in, upon, or on the Side of any Part of the said Road and Branch, or either of them, without any Horse or other Beast of Draught yoked and harnessed thereto to draw the same (except in Cases of Accident, or for any longer Time than shall be necessary for loading or unloading thereof, and the same being then drawn up as near to one Side of the Road as conveniently may be), or shall knowingly or wilfully lay any Sort of Timber or Trees, or any Stones, Hay, Straw, Dung, Manure, Soil, Rubbish, or other Matter or Thing whatsoever, in any Part of the said Roads, or on the Sides thereof respectively; or if any Person or Persons shall draw or cause to be drawn upon any Part of the said Road and Branch, any Tree or Piece of Timber or Stone, otherwise than upon Wheel Carriage or Carriages, or shall suffer any Part of any Tree or Piece of Timber which shall be conveyed upon any Wheel Carriage to dreg or trail upon any Part of the said Road and Branch, or either of them; to the Prejudice or Injury thereof; or if any Person or Persons shall slaughter, singe, scald, or dress any Beast or Cattle, in or upon any Part of the said Road and Branch or either of them, or shall hew or saw any Piece of Stone, Wood, or Timber, or bind, make, or repair (except in Cases of Accident) the Wheel of any Carriage, or (except in Cases of Accident) shoe, bleed, or farry any Horse or other Beast, in or upon any Part of the said Road and Branch, or either of them, every Person offending in any of the Cases aforesaid shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Nuifances by leaving Carriages, &c.

LV. And be it further enacted, That if any Cow, Horse, Ass, Pig, or other Live Stock or Cattle, shall at any Time be found wandering, straying, or lying about the said Road or Side Branch, or any Part thereof respectively, it shall be lawful for the Surveyor of the said Road and Branch, or some other Person or Persons employed by him or by the said Trustees, to seize and impound every such Cow, Horse, Ass, Pig, or other Live Stock or Cattle in the Common Pound (if any) of the Hamlet, Township, Parish, or Place in which the same shall be found wandering, straying, or lying about the said Road or Branch, or any Part thereof, or in such other Place or Places as the said Trustees or the said Surveyor shall appoint, and the same to detain, until the Owner or Owners thereof shall for every and each Cow, Horse, Ass, Pig, or other Live Stock or Cattle so impounded, pay the Sum

For impounding Cattle or Swine straying.

Sum of Two Shillings and Sixpence to the Person impounding the same, together with the reasonable Charges and Expences of impounding and keeping the same; and in case the said Penalty, Charges, and Expences shall not be paid within Five Days after such impounding, it shall be lawful for the said Trustees, or the said Surveyor, to sell or cause to be sold every such Cow, Horse, Ass, Pig, or other Live Stock or Cattle, and the Money arising from such Sale, after deducting the said Penalty, and the Charges and Expences of impounding, keeping, and selling every such Cow, Horse, Ass, Pig, or other Live Stock or Cattle, shall be paid to the Person whose Property the same so sold shall appear to have been.

Penalty on Persons not keeping on the Left Side of the Road when meeting or being overtaken by another Carriage.

Laying Straw, &c. on the Roads to be made into Manure, or scraping the Roads with sharp-pointed Instruments.

Damaging Lamps or Lamp Posts.

Suffering Pigs to root up the Roads, &c.

Making Bonfires or letting off Fireworks.

For preventing Annoyances to Passengers by Milk Carriers, &c.

LVI. And be it further enacted, That if any Person or Persons driving any Coach, Chaise, Waggon, Cart, or other Carriage upon the said Road and Branch, or either of them (except when overtaking in order to pass another Coach, Chaise, Waggon, Cart, or other Carriage), shall not drive or keep his Carriage on the Left-hand Side of the Middle of the said Road and Branch or either of them; or if any Person or Persons driving or riding upon any Horse or other Beast carrying Milk Cans, Crates, Cans, or Panniers, shall not keep the said Horse or other Beast on the Left-hand Side of the Middle of the said Road and Branch, or either of them; or if any Person or Persons shall lay any Matter or Thing upon any Part of the said Road and Branch, or the Side or Sides thereof, to be made into Manure, or shall scrape off the same any Mud, Soil, or other Matter or Thing which shall be or lie upon any Part of the said Road and Branch, or either of them, with an Iron Cowrake or other Instrument with sharp Points, whereby the said Road and Branch, or any Part thereof, shall be damaged; or if any Person or Persons shall break, damage, or destroy any Lamp or Lamp Post, which may be set up on or near the said Road and Branch, or either of them, or shall wilfully cause any Damage whatsoever to be done thereto; or if any Person driving any Pigs or Swine upon the said Road and Branch, or either of them, shall suffer the same to root up and damage the same, or any Part thereof, or the Fences, Hedge-backings, or Copse on either Side thereof; or if any Person or Persons shall in any Manner wilfully prevent any other Person or Persons from passing him, her, or them upon the said Road and Branch, or either of them, or the Coach, Chaise, Waggon, Cart, or other Carriage under his, her, or their Care; or if any Person shall make or assist in making any Fire or Fires, commonly called Bonfires, or shall set fire to, or let off, or throw any Squib, Rocket, Serpent, or Firework whatsoever, on any Part or Parts of the said Road and Branch, or either of them, or play at Football on any Part of the said Road and Branch, or either of them, or injure or damage any Stone Walls, Hedges, or Fences on the Side or Sides of the said Road and Branch, or either of them; or if any Blacksmith, or other Person occupying a Blacksmith's Shop, having Windows to the Front of the said Road and Branch, shall not by good and close Shutters, every Evening after it becomes Twilight, bar and prevent the Light from such Shop shining into the said Road and Branch, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

LVII. And whereas considerable Quantities of Milk are conveyed to the Town of *Sheffield* and elsewhere in Barrels or Tin Cans, upon Horses, Mules, or Asses, and in Carts or other Carriages, which are generally conducted by Boys, who frequently collect together and ride Races, or

proceed at so quick a Pace as to make a great Noise by the rattling of their empty Barrels or Cans, and they thereby greatly annoy and molest Passengers and Travellers on the Roads in the Vicinity of the said Town; and endanger the Lives and Limbs of such Passengers, and several Accidents have actually happened in consequence near the said Town of *Sheffield*; be it therefore enacted, That for the easier Detection of Persons guilty of any of the Offences aforesaid, every Owner or Owners of any Horse, Mule, Ass, Cart, or Carriage conveying Milk on the Road by this Act authorized to be made, shall have the Name or Names of the Owner or Owners of such Horse, Mule, Ass, or Carriage, in large legible Letters, fixed to or upon some conspicuous Part of the Packsaddle upon or to which the Barrels or Cans shall be attached, or upon the said Barrels or Cans themselves, or upon some conspicuous Part of such Cart or other Carriage; and if any Person or Persons shall carry or convey, or cause to be carried or conveyed by the Means aforesaid, Milk upon or along the said Road or any Part thereof within the Distance of Six Miles from the Parish Church of *Sheffield*, without having the Name or Names of the Owner or Owners so affixed as aforesaid, the Owner or Owners of the same shall forfeit and pay any Sum not exceeding Forty Shillings; and if any Person or Persons in Attendance upon any Horse, Mule, Ass, Cart, or Carriage laden with Milk, or returning Home after having been so laden, shall ride a Race or Races along the said Road, within the said Distance from the Parish Church of *Sheffield*, or shall proceed at an improper Rate, or shall wilfully or by Negligence of his Duty endanger the Person or Property of any Passenger upon the said Road, he shall, on being convicted of the same before One Justice of the Peace for the West Riding of the County of *York*, forfeit and pay any Sum not exceeding Forty Shillings, to be levied, recovered, and applied as aforesaid; or the Offender or Offenders shall be committed to the House of Correction of the said Riding, for any Period of Time (in the Discretion of such Justice) not exceeding One Calendar Month.

LVIII. And be it further enacted, That it shall be lawful for the said Surveyor and Surveyors, and such Person or Persons as he or they shall appoint, from Time to Time to remove and prevent all Nuisances and Annoyances on any Part or Parts of the said Road and Branch, or either of them, by Timber, Wood, Stone, Carriages, Sawpits or other Pits, Ashes, Dung, Filth, Rubbish, Straw, or otherwise; and to turn any Watercourses, Gutters, Conduits, or Drains running into, along, or out of the said Road and Branch, or either of them, to the Prejudice thereof, and to open, scour, or cleanse, widen, deepen, and enlarge, any Gutter, Ditch, Conduit, or Watercourse adjoining or near to the said Road and Branch, or either of them, or any Part thereof respectively, in case the respective Owners or Occupiers of the Lands where such Annoyance shall happen to be, shall neglect so to do for Five Days after Notice in Writing given for that Purpose, under the Hand or Hands of such Surveyor or Surveyors, the Charges whereof (to be settled by the said Trustees by Writing under their Hands) shall from Time to Time be reimbursed, to the said Surveyor or Surveyors by such respective Owners or Occupiers neglecting to turn, open, scour, or cleanse, or to deepen, widen, and enlarge, any such Gutter, Ditch, Conduit, Drain, or Watercourse, or by the Person or Persons occasioning, or neglecting, or refusing to remove such Annoyances as

Surveyor
to remove
Annoyances.

[Local.]

9 H

aforesaid,

aforesaid, which Charges shall be levied and recovered in the same Manner as the Penalties, Forfeitures, and Fines by this Act imposed, or authorized to be imposed, are hereinafter directed to be levied and recovered; and if, after the Removal of any such Annoyances, any Person or Persons shall offend again in like Manner, every Person shall for every such Second or subsequent Offence forfeit and pay any Sum not exceeding Five Pounds.

Preventing Buildings or Trees being placed too near the Road or Side Branch.

LIX. Provided always, and be it further enacted, That from and after the passing of this Act, no Building or Buildings shall be erected and built nearer than Twenty Feet from the Centre of the said Road or Branch, or either of them, nor shall any young Tree or Trees be hereafter planted or permitted to grow up within Twenty Feet of the Centre of the said Road or Branch, or either of them; and if any Buildings shall be erected, or any Trees planted, contrary to the Directions aforesaid, it shall be lawful for the said Trustees, or any Person or Persons authorized by them, to take down or cause to be taken down any such Buildings or Tree, as a public Nuisance, and to remove the same, and every Part thereof, without making any Compensation to the Owner or Owners, for Damages, Trespas, or otherwise.

To prevent Encroachments by Fences.

LX. And be it further enacted, That no Person or Persons whatsoever shall make, raise, or set any new Wall or Hedge, Fence or Fences of Thorns or Quicks, in or upon any of the Lands or Grounds next adjoining to the said Road and Branch, or either of them, nearer to the Centre thereof than Twenty Feet; and that if any such new Inclosure, Wall, Fence, or Hedge shall be made, it shall and may be lawful to and for the said Trustees from Time to Time, upon their View and Sight of such new Inclosure, Wall, Fence, or Hedge, to order such new Inclosure, Wall, Fence, or Hedge to be levelled, thrown down, and removed, and to levy the Expence attending such levelling, throwing down, and Removal, upon the Offender or Offenders, in the same Manner as any Penalties and Forfeitures are by this Act directed to be levied.

Gates to open inwards.

LXI. And be it further enacted, That all Gates to be hereafter made and placed in any Field or Ground adjoining the said Road and Branch, or either of them, shall be made and hung to open and swing inward towards such Field or Ground, and not towards the said Road and Branch, or either of them; and that it shall be lawful for the said Trustees to order all such Gates as are now erected, or may hereafter be erected, and open and swing outward towards the said Road and Branch, or either of them, to be altered and made to open and swing inward, as they the said Trustees shall think proper; and if any Occupier or Occupiers of the Lands upon which any Gate or Gates is or are or shall be constructed so as to open and swing outward towards the said Road and Branch, or either of them, shall (after Twenty Days Notice from the Surveyor of the said Road and Branch, or either of them, requiring him, her, or them to alter any such Gate or Gates, and to make the same to open and swing inward) refuse or neglect to make such Alterations, every such Occupier or Occupiers shall for every such Offence forfeit and pay any Sum not exceeding Twenty Shillings.

LXII. And

LXII. And be it further enacted, That the said Trustees shall cause the said Road and Branch to be measured, and Stones or Posts to be placed near the said Road, with Inscriptions thereon, denoting the Number of Miles and Distances of Places, as they shall think proper; and also shall cause to be set up on or near the said Road and Branch, or either of them, such and so many Direction Posts as they may think necessary; and if any Person or Persons shall wilfully break, damage, and pull up any of such Mile Stones, Mile Posts, or Direction Posts, or shall in any Manner injure or damage the Causeways, or obliterate or deface any of the Letters, Figures, or Marks on any of the said Stones or Posts, and shall be thereof lawfully convicted before any Justice or Justices of the Peace for the County, Riding, or District, by the Confession of the Party, or by the Oath of One or more credible Witness or Witnesses, such Person or Persons so offending shall forfeit and pay any Sum not exceeding Five Pounds for every such Offence; One Moiety whereof shall be paid to the Informer, and the other Moiety to the said Trustees, or to their Treasurer or Clerk, to be applied for the Purposes of this Act.

Roads to be measured, and Mile-Stones, &c. erected.

Penalty on defacing them.

LXIII. And be it further enacted, That it shall be lawful for the said Trustees, or the said Surveyor or Surveyors, or such other Person or Persons as the said Trustees shall appoint, to make Causeways or Foot-paths along the Side or Sides of the said Roads, or either of them, and to cut or make Ditches, Drains, or Watercourses upon or through any Grounds, not being a Garden, Orchard, Yard, Paddock, planted Walk, or Avenue to an House, lying contiguous to the said Road and Branch, or either of them, and upon and through any of the said last-mentioned Descriptions of Property which is mentioned in the Schedule of this Act, in order to drain or wash the said Road and Branch, or either of them, and to prevent the same from being overflowed, as such Surveyor or Surveyors, or other Person or Persons, by Order of the said Trustees, shall judge necessary, making such Satisfaction to the Owners or Occupiers of such Grounds for the Damages which they or any of them shall sustain thereby, as the said Trustees shall adjudge reasonable; and in case any Difference shall happen between such Owners or Occupiers and the said Trustees touching such Damages, the same shall be settled by any Two or more Justices of the Peace for the County, Riding, or District wherein the Matter in difference shall arise, within Four Calendar Months next after such Difference shall arise.

Power to make Causeways, Ditches, &c.

LXIV. And be it further enacted, That if any Person or Persons shall wilfully ride or drive any Horse, Beast, or Cattle upon any Footway or Causeway made or to be made on the Side of the said Road and Branch, or either of them, for the Accommodation of Persons travelling on Foot, or shall wilfully drive or draw any Barrow, Truck, Dray, Sledge, or other Carriage on any such Footway, and shall be convicted thereof by his or their own Confession, or by the Oath of One or more credible Witness or Witnesses, before any One or more Justice or Justices of the Peace for the County, Riding, or District wherein such Offence shall be committed, every Person so offending shall for every such Offence forfeit and pay such Sum of Money as such Justice or Justices shall adjudge, not exceeding Twenty Shillings.

Riding, &c. on Footways and Causeways, &c.

LXV. And

Power to
purchase
Lands, &c.

LXV. And be it further enacted, That it shall and may be lawful to and for the said Trustees, for the Purpose of carrying this Act into Execution, to treat, contract, and agree with any Person or Persons for the Purchase of any Lands or Grounds, and of any of the Messuages, Buildings, and Hereditaments mentioned in the Schedule of this Act, and which may be wanted for the Purposes thereof, or for the Loss or Damage which the Owners, Proprietors, and Occupiers thereof, or any of them respectively, shall or may anywise sustain by the putting into Execution all or any of the Powers hereby given to the said Trustees, or to any other Person or Persons, and by and out of the said Monies to be advanced and lent on Mortgage of the said Tolls; or other Trust Monies, to pay such Sum or Sums of Money as shall be agreed upon between such Owners, Proprietors, Occupiers, or Persons interested as aforesaid, and the said Trustees, and for the Costs attending such Purchase; and such Lands and Hereditaments, when so purchased as aforesaid, shall, by the Order and Direction of the said Trustees, be laid into and made and become Part of such Road and Branch respectively, in such Manner as the said Trustees shall think convenient, with proper Drains, Ditches, and Fences for that Purpose, and shall from thenceforth be deemed and taken as a Public Common Highway, and Part of the Road and Branch respectively to be repaired by virtue of this Act, and in Manner herein directed.

Bodies Politic,
&c. may
contract.

LXVI. And be it further enacted, That it shall be lawful for all Bodies Politic or Corporate, Ecclesiastical or Civil, Corporations Aggregate or Sole, Guardians, Feoffees, Trustees, and Committees, not only for and on Behalf of themselves, their Heirs and Successors, but also for and on the Behalf of their Infants, Wards, Cestuique Trusts, Lunatics, Idiots, or Persons of unsound Memory and Understanding, and to and for all Femes Covert who are or shall be seised or interested in their own Right, and to and for all and every Person and Persons whomsoever, who are or shall be seised or possessed of or interested in any such Lands or Hereditaments, Buildings and Premises, to contract with the said Trustees for the Satisfaction to be made for such Damages as aforesaid, and to sell and convey to them any such Lands, Buildings, or Hereditaments, or any Part thereof respectively, for any of the Purposes aforesaid; and all Contracts, Sales, and Conveyances which shall be so made, shall be valid to all Intents and Purposes; any Law, Statute, Usage, or other Matter whatsoever to the contrary notwithstanding; and all such Bodies Politic, Corporate, Ecclesiastical or Civil, Corporations Aggregate or Sole, Guardians, Feoffees, Trustees, and Committees, and all other Persons, shall be and are hereby indemnified for what they shall do by virtue of this Act.

Contracts
valid.

Where Persons neglect
or refuse to
treat.

LXVII. And be it further enacted, That if any such Bodies Politic, Corporate, Ecclesiastical or Civil, Corporations Aggregate or Sole, Guardians, Feoffees, Trustees, or Committees, or any other Person or Persons interested in any such Lands or Hereditaments, upon Notice to him or them given, or left in Writing at the Dwelling House or Houses or other Place or Places of Abode of such Person or Persons, or of the principal Officer or Officers of any such Body or Bodies Politic, Corporate, Ecclesiastical or Civil, or at the House of the Tenant in Possession of the Lands or Hereditaments through which any Part of such Roads is to be diverted, turned, or altered, shall, for the Space of Ten Days next after such Notice
given

given or left, neglect or refuse to treat, or shall not agree in the Premises, or by reason of Absence shall be prevented from treating, then and in every such Case the said Trustees shall cause such Damage or Recompence to be inquired into and ascertained by a Jury of indifferent Men of the County wherein such Lands or Hereditaments are situate; and in order thereto, the said Trustees are hereby empowered and required from Time to Time, as Occasion shall be or require, to summon and call before such Jury, and examine on Oath, any Person or Persons whomsoever (which Oath any one or more of the said Trustees is and are hereby empowered to administer); and such Trustees shall, by ordering a View or otherwise, use all lawful Ways and Means, as well for their own as for the said Jury's Information in the Premises; and after the said Jury shall have inquired of and assessed such Damage and Recompence, they the said Trustees shall thereupon order, adjudge, and determine the Sum or Sums of Money so assessed by the said Jury to be paid to the said Owners and other Persons interested in any such Lands or Hereditaments, according to the Verdict or Inquisition of such Jury; which said Verdict or Inquisition, and Judgment, Order, or Determination thereupon, shall be final, binding, and conclusive to all Intents and Purposes, against all Parties and Persons whomsoever claiming or to claim in Possession, Remainder, Reversion or otherwise, their Heirs and Successors, as well absent as present, Infants, Females Covert, Lunatics, Idiots, and Persons under any Disability whatsoever, Bodies Politic, Corporate, Ecclesiastical or Civil, Corporations Aggregate or Sole, as well as all other Persons whomsoever; and for summoning and returning such Jury, the said Trustees are hereby empowered to issue their Warrant or Warrants to the Sheriff of the County where such Lands are situate, requiring him to impanel, summon, and return Twenty-four Persons qualified to serve on Juries, to appear before such Trustees at such Time and Place as in such Warrant or Warrants shall be appointed; and such Sheriff, or his Deputy or Deputies, is and are hereby required to impanel, summon, and return such Number of Persons accordingly, and out of the Persons so summoned, impanelled, and returned, or out of such of them as shall appear upon such Summons, the said Trustees shall and are hereby empowered and required to draw by Ballot, and to swear or cause to be sworn, Twelve Men, who shall be the Jury for the Purposes aforesaid; and in default of a sufficient Number of Jurymen so returned, the said Sheriff, or his Deputy or Deputies, shall return other honest and indifferent Men of the Standers-by, or that can speedily be procured to attend that Service, to make up the Number of Twelve; and all Persons concerned shall have their lawful Challenges against any of the said Jurymen when they come to be sworn, but shall not challenge the Array; and the said Trustees shall have Power from Time to Time to impose any reasonable Fine or Fines upon such Sheriff, his Deputy or Deputies Bailiffs or Agents, making Defaults in the Premises, and on any of the Persons who shall be summoned and returned on such Jury, and who shall not appear, or appearing shall refuse to be sworn on the said Jury, or being sworn shall refuse to give or shall not give a Verdict, or shall in any other Manner wilfully neglect their Duty therein, contrary to the true Intent and Meaning of this Act, and on any of the Persons who, being required to give Evidence before the Jury, and being tendered a reasonable Sum for his, her, or their Expences, shall refuse or neglect to appear, or appearing shall refuse to be sworn or examined or to give Evidence, so that no such Fine be more than Ten Pounds on any one Person for one Offence.

Damages to
be settled by
Jury.

Verdict final.

Sheriff to
summon Jury.

How Expences of Jury to be paid.

LXVIII. And be it further enacted, That in case any Jury shall give in and deliver a Verdict or Assessment for more Money, as a Recompence for the Right, Interest, or Property of any Person or Persons in any Lands or Hereditaments, or for any Loss or Damage to be by him, her, or them sustained, than what shall have been agreed to or offered by or on Behalf of the said Trustees before the summoning and returning of the Jury, as a Recompence and Satisfaction for any such Right, Interest, Property, Loss, or Damage as aforesaid, then and in such Case the Costs and Expences of summoning and maintaining the Jury and Witnesses shall be borne and paid by the Treasurer to the said Trustees, out of the Monies to arise by virtue of this Act; but if such Jury shall give in and deliver a Verdict or Assessment for no more or less Money than shall have been agreed to and offered by the said Trustees before the summoning and returning of the said Jury, as a Recompence or Satisfaction for any such Right, Interest, Property, Loss or Damage as aforesaid, that then the full Costs of summoning and maintaining the said Jury and Witnesses, and all other Expences attending the hearing and determining of such Difference, shall be borne and paid by the Person or Persons with whom the said Trustees shall have such Controversy or Dispute; which said Costs and Expences, having been ascertained and settled by some Justice of the Peace for the County, Riding, or District wherein such Difference shall arise, not interested in the Matter in question (who is hereby empowered and required to examine and settle the same, at a Time and Place to be by him appointed, after summoning the Parties interested therein to attend him for that Purpose); shall and may be deducted out of the Money so assessed and adjudged, as so much Money advanced to and for the Use of such Person or Persons, and the Payment or Tender of the Remainder of such Money shall be deemed and taken, to all Intents and Purposes, to be a Payment and Tender of the whole Sum or Sums so assessed and adjudged, or otherwise such Costs and Expences, in case the same be not paid on Demand, after being so ascertained and settled as aforesaid, shall and may be recovered by the said Trustees, by such Ways and Means as are hereinafter provided for Recovery of Penalties and Forfeitures; provided, that in all Cases where, by reason of Absence, any Person or Persons shall have been prevented from treating with the said Trustees touching the Matters aforesaid, the Whole of such Fees and Expences shall be paid by the said Trustees.

Money agreed upon or assessed, how to be paid and tendered.

LXIX. And be it further enacted, That all and every such Sum and Sums of Money, Consideration, Recompence, or Satisfaction, to be agreed for or ascertained or assessed as aforesaid, shall be paid by the said Trustees out of the Monies to be borrowed on Security of the said Tolls (as the Case may require) either into the Bank of *England*, as herein-after mentioned, or to the Parties or Persons respectively entitled to such Monies, or to their Agents; and that upon Payment or Tender thereof to such Persons or their Agents, or depositing the same in the Bank of *England* in Manner by this Act directed, and after Ten Days Notice thereof given to such Parties or Persons, or their Agents, to receive such Money, Consideration, Recompence, or Satisfaction, it shall be lawful for the said Trustees, their Surveyors, Workmen, or Agents, to make such Road and Branch, or either of them, through or over such Lands or Hereditaments, and do every such Act, Matter, and Thing, with relation to such Lands or Hereditaments, as the said Trustees shall think fit; and from thenceforth all Parties and Persons whomsoever shall be divested of all Right and Title to such Lands and Hereditaments, and every Part thereof.

LXX. And

LXX. And be it further enacted, That the Principal Money to arise from the Sale of any Lands, Tenements, or Hereditaments which shall be purchased, taken, or used for the Purposes of this Act, of any Body Corporate, Ecclesiastical or Civil, Corporation Aggregate or Sole, Feoffees or Releasees in Trust, Guardians, Committees, or other Trustees, or from any Femes Covert or other incapacitated Person or Persons, 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 High Court of Chancery, to be placed to his Account there *ex parte* the Trustees for executing this Act, or any Two or more of them, to the Intent that such Money shall be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Person or Persons who would have been entitled to the Rents or Profits of the said Lands, Tenements, or Hereditaments, in the Purchase of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrances, or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands or Hereditaments, or affecting other Lands or Hereditaments standing charged therewith, and settled or assured to the same Uses, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Lands or Hereditaments, which shall be so conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents and Purposes, and in the same Manner, as the Lands and Hereditaments which shall be so purchased, taken, or used as aforesaid, stood settled or limited to, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking Effect; and in the meantime and until such Purchase shall be made, the said Money shall, by Order of the Court of Chancery 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; and in the meantime and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and Annual Produce of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents or Profits of the Lands and Hereditaments so to be purchased, in case such Purchase or Settlement were made.

Application of Compensation when amounting to 200l.

LXXI. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands, Tenements, or Hereditaments purchased, taken, or used for the Purposes aforesaid, 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 amount to or exceed 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 Land or Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy or Lunacy, to be signified by Writing under their respective Hands, be paid into the Bank of *England*, in the Name and with the Privity of the said Accountant General of the High Court of Chancery, and be placed to his Account as aforesaid, in order to be applied in Manner hereinbefore directed; or otherwise the same shall be paid at the like Option, to Two Trustees, to be nominated by the

Application when Money does not amount to 200l. but shall amount to 20l.

the Person or Persons making such Option, and approved of by the Trustees of the said Road and Branch (such Nomination or Approbation to be signified in Writing under the Hands of the nominating and approving Parties), in order that such Principal Money and the Dividends arising therefrom may be applied in Manner herein-before directed, so far as the Case may be applicable, without obtaining or being required to obtain the Direction or Approbation of the Court of Chancery.

Application when the Money is less than 20l.

LXXII. Provided also, and be it further enacted, That where such Money so agreed or assessed to be paid as herein-before mentioned shall be less than Twenty Pounds, then and in 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 and Hereditaments so purchased, taken, or used as aforesaid, in such Manner as the said Trustees shall think fit; or in case of Infancy or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

In case of not making out Titles, or if Persons cannot be found, Purchase Money to be paid into the Bank, subject to the Order of the said Court.

LXXIII. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be awarded or assessed for the Purchase of any Lands, Tenements, or Hereditaments to be purchased by virtue 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 shall refuse or neglect so to do within One Calendar Month after being required so to do by the Clerk to the said Trustees, or in case the Person or Persons to whom such Sum and Sums of Money shall be so awarded or assessed as aforesaid, cannot be found, or if the Person or Persons entitled to such Lands 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 or assessed as aforesaid, to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Chancery, 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 of Chancery; which said Court, on the Application of any Person or Persons making Claim to such Sum or Sums of Money or any Part thereof, by Motion or Petition, shall be and is hereby empowered, in a summary Way of Proceeding or otherwise, as to the same Court shall seem meet, to judge and determine respecting the Right and Title of the Person or Persons so applying, and to order the said Money to be paid to such Person or Persons, if the said Court shall think fit, or 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 for what and for whose Use or Purpose the same is or are received, to such Person or Persons as shall pay any Sum or Sums of Money into the Bank as aforesaid.

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

LXXIV. 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 Court of Chancery, in pursuance of this Act, for the Purchase of any Lands, Tenements, or Hereditaments, or of any Estate, Right, or Interest in any Lands or Hereditaments to be purchased in pursuance thereof, or to any Bank Annuities to be purchased with any such Money, or to the Dividends or Interest of any such Bank Annuities, 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 respectively, or under the Possession of such Person or Persons, shall be deemed and taken to be lawfully entitled to such Lands, Tenements, or Hereditaments, until the contrary shall be shewn to the Satisfaction of said Court of Chancery; and the Dividends or Interests of the said Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied, and disposed of accordingly, unless it shall be made appear to the said Court that some other Person or Persons was or were lawfully entitled to such Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

LXXV. Provided always, and be it further enacted, That where by reason of any Disability or Incapacity of the Person or Persons or Corporations entitled to any Lands or Hereditaments to be purchased under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the Court of Chancery, and to be applied in the Purchase of other Lands 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 Court shall deem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the Trustees of this Act, who shall from Time to Time pay such Sum of Money for such Purposes as the Court shall direct.

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

LXXVI. And whereas by reason of the Purchases which the said Trustees are empowered to make by virtue of this Act, they may happen to be seized of some Piece or Pieces of Ground or Hereditaments over and above what shall be necessary for effecting the Purposes of this Act; be it therefore further enacted, That it shall be lawful for the said Trustees to sell and dispose of such Pieces or Parcels of Ground and Hereditaments, either together or in Parcels, as they shall find most convenient and advantageous, to such Person or Persons as shall be willing to contract for and purchase the same: Provided always, that the said Trustees, before they shall sell and dispose of any such Piece or Pieces of Ground as aforesaid, shall first offer the same for Sale to the Person or Persons of whom the same shall have been purchased; and if such Person or Persons respectively shall not then and thereupon agree, or shall refuse to purchase the same respectively, an Affidavit made and sworn before a Master Extraordinary in the High Court of Chancery, or before One of His Majesty's Justices of the Peace for the County or Riding in which the Lands shall be situated (who are hereby respectively empowered to take the same), by some Person or Persons nowise interested in the said Piece or Pieces of Ground, stating that such Offer was made by and on the Behalf of the said Trustees, and that such Offer was not then and thereupon agreed to, or was refused by the Person or Persons to whom the same was so offered, shall in all Courts whatsoever be sufficient Evidence and Proof that such Offer was made and was not agreed to, or was refused by the Person or Persons to whom such Offer was made, as the Case may be;

Power to re-sell Land not wanted.

[Local.]

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and

and in case such Person or Persons shall be desirous of purchasing the same, and he, she, or they and the said Trustees shall not agree with respect to the Price thereof, then the Price or Prices thereof shall be ascertained by a Jury in Manner herein directed with respect to the disputed Value of the Premises to be purchased by the said Trustees in pursuance of this Act; and the Expence of hearing and determining such Difference shall be borne and paid in like Manner as herein-before directed with respect to Purchases made by the said Trustees, *mutatis mutandis*; and the Money to arise by the Sale or Sales which may be made by the said Trustees of such Piece or Parcel of Ground as aforesaid, shall be applied to the Purposes of this Act, but the Purchaser or Purchasers thereof shall not be answerable or accountable for any Misapplication or Nonapplication of such Money.

Mines reserved to the Owners of the Lands.

LXXVII. And be it further enacted, That all Mines, Minerals, Coal, Lead, and Fossils, lying under any Grounds to be made use of for the Purposes of this Act, shall continue to be the Property of the Person or Persons who from Time to Time would have been seised of or entitled to the same in case this Act had not been made; and in case the Owner of any such Ground shall require a Certificate from the said Trustees of the Quantity and Situation of Ground so made use of, the said Trustees are hereby required to grant such Certificate *gratis*; and such Certificate may be enrolled in the Office of the Clerk of the Peace of the County, Riding, or District wherein such Ground shall lie; and a true Copy thereof, signed by such Clerk of the Peace or his Deputy, shall be deemed legal Evidence of the same.

In case of Mines approaching too near to Road, Trustees may prevent Injury.

LXXVIII. And be it further enacted, That if the Owner or Worker, or Owners or Workers, of any Coal, Iron, Lead, or other Mine or Mines, shall, in pursuing such Mine or Mines, work near or under the said Road and Branch, or either of them, so as in the Opinion of the said Trustees to endanger or damage the same Road or Branch, or if the Trustees of the said Road and Branch shall make the same so deep, or otherwise, in the Opinion of the Owner or Worker, or Owners or Workers of the said Mine or Mines, to endanger or damage the further working thereof, then it shall be lawful for the said Trustees to treat and agree with the Owner or Worker, or Owners or Workers, for all such Coal, Iron, Lead, or other Minerals, as may be near or under the said intended Road and Branch, as shall be thought proper to be left for the Security or Preservation of the said intended Road and Branch, or Works, or Mine or Mines as aforesaid; and in case the said Trustees, and such Owner or Worker, or Owners or Workers of such Mine or Mines, shall disagree as to the Satisfaction to be made for such Coal, Iron, Lead, or other Minerals, then such Satisfaction shall be fixed and determined by a Jury, in the same Manner as is herein directed with respect to any Lands, Tenements, or Hereditaments which it may be necessary to purchase for the Purposes of this Act, which Jury shall take into their Consideration all such additional Expence or Machinery as may be found necessary for enabling the Owner or Worker, or Owners or Workers of such Mine or Mines to get the Coal, Iron, Lead, or other Minerals detached or separated, by their being so restrained as aforesaid, at as cheap a Rate as if the Progress of the working or getting of the said Coal, Iron, Lead, and other Materials had not been interrupted by their being so restrained; and upon Payment or Satisfaction made to such Owner or Worker, or Owners or Workers of such Mine or Mines by the said Trustees, according to the Agreement between them and the said Trustees, or the Verdict or Judgment of such Jury, such Owner or Worker, or Owners or Workers of such Mine or Mines shall be and they are

are hereby perpetually restrained from working such Mine or Mines within the Limits for which Satisfaction shall by the said Jury be adjudged and declared to extend.

LXXIX. Provided always, and be it further enacted, That nothing herein contained shall be construed to vest such Coal or other Minerals as shall be thought proper so to be left for the Security or Preservation of the said intended Road and Branch, in the said Trustees, so as to enable them to work the same, or any Part thereof.

Coal and other Minerals left for the Security of the Road, not to be worked by the Trustees.

LXXX. Provided always, and be it further enacted, That the Owners, Lessees, and Occupiers of any Coal or other Mine or Mines near or adjoining the said intended Road and Branch, shall not be answerable or accountable for any Injury or Damage to be done to the same Road or Branch, by reason of working such Mine or Mines, or any Part thereof, by Agents, Workmen, or Servants, unless such Injury or Damage shall happen and arise after due Warning or Notice of the Danger thereof in Writing to such Owners, Lessees, or Occupiers employing such Agents, Workmen, or Servants, by or on the Behalf of the said Trustees.

Owners of Mines not to be answerable for Damages, until Notice given.

LXXXI. And be it further enacted, That all Persons who by Law are or shall be liable to repair or amend the said Road and Branch, or either of them, or any Part thereof, or to do Statute Duty thereon, shall be and remain liable thereto; and it shall be lawful for any Two or more Justices of the Peace within their respective Jurisdictions, and they are hereby required and empowered, upon Application made to them by the said Trustees, or their Treasurer, Clerk, or Surveyor, yearly to adjudge, order, and determine what Part or Proportion of the Statute Work shall every Year be done in and upon the said Road and Branch of Road hereby directed to be made and repaired, by the Inhabitants of or Occupiers of Lands and Tenements in the several Parishes, Townships, Hamlets, Districts, or Divisions through which the said Road and Branch of Road respectively do or shall pass, and also what Proportion of the Composition Money received by the Surveyors of the Highways of such Parishes, Townships, Hamlets, Districts, or Divisions respectively, in lieu of or as a Composition for Statute Work as aforesaid, shall be by them respectively paid to the said Trustees or their Treasurer; and in order thereunto, it shall be lawful for such Justices in their respective Jurisdictions, and they are hereby required, from Time to Time, on such Application as aforesaid, to summon the Surveyor or Surveyors of the Highways of the said several Parishes, Townships, Hamlets, Districts, or Divisions, or any of them, to bring in before such Justices, at some Place to be expressed in such Summons, at such Time, not being less than Ten Days then next following, as the said Justices shall direct, true and perfect Lists in Writing of the Names of the several Persons who within such Parishes, Townships, Hamlets, Districts, and Divisions, or any of them, shall be by Law subject and liable to do Statute Work for that Year, or to the Payment of any Money in lieu of or as a Composition for such Statute Work, distinguishing the Nature of the Work to be done, whether with Teams or Draughts, or otherwise, and also the Amount of the respective Sums to be paid by each Person; which Lists shall be made in such Manner and under such Regulations and Restrictions as are or may be directed by any Law or Statute in Force and Effect for the Repair of the Public Highways; and out of such Lists the said Justices shall and may and are hereby required to allot, appoint, and order such and so many of the Persons who shall appear subject and liable to the

Statute Duty.

Lists of Persons liable to do Statute Work.

Statute

Composition
Money.

Neglecting
to do Statute
Work.

Surveyors
refusing to
deliver Lists.

Trustees may
compound
for Statute
Duty.

Statute Work as aforesaid, to do such Number of Days Statute Work in every Year upon the said Road and Branch of Road, or either of them, as the said Justices shall think reasonable; and the same shall be done on such Days and at such Times (not being Haytime or Harvest), and on such Parts of the said Road and Branch respectively; as the said Trustees or their Surveyor or Surveyors shall from Time to Time order, direct, and appoint; and the said Justices shall and may order and direct what Proportion of the Money received or receivable by the Surveyors of such Parishes, Townships, Hamlets, Districts, or Divisions respectively, from the several Persons who by such Lists shall appear to be subject and liable to the Payment of any Money in lieu of or as a Composition for Statute Work as aforesaid, shall be paid, and at what Time the same shall be so paid, to the Surveyor or Surveyors of every such Parish, Township, Hamlet, District, or Division, to be by him or them paid to the said Trustees or their Treasurer; and in default of Payment thereof, the same shall and may be recovered by Distress and Sale of the Goods and Chattels of the respective Persons liable to the Payment thereof, in like Manner as any Penalty is by this Act authorized or directed to be recovered; and each and every Person so appointed and ordered to do such Statute Work as aforesaid, who shall neglect or refuse to perform the same, after Four Days Notice in Writing given to or left with him, her, or them, at his, her, or their usual Places of Abode, for that Purpose, signed by any Surveyor to the said Trustees, shall for every Day of his, her, or their Default, or the Default of any Labourer or Labourers, Team or Teams, Draught or Draughts, Horse or Horses, Beast or Beasts, to be provided by such Person or Persons, be subject and liable to such Pains, Penalties, and Forfeitures as such Person or Persons may be subject or liable to by any Law or Statute in force for the Repair of the Public Highways; and if any Person who shall come or be sent to work as a Labourer, or who shall be sent with any Team or Draught to work on the said Road and Branch of Road, or either of them, shall be found idle or negligent by the said Trustees, or any of them, or by any Surveyor to the said Trustees, such Trustees and Surveyor are and is hereby empowered to remove and dismiss the Person or Persons who shall be found idle or negligent as aforesaid; and in that Case every such Person sending such Labourer, Team, or Draught, shall be subject to such respective Forfeitures and Payments, as if he had neglected or refused to come, or such Team or Draught had not been sent to work on any Part of the said Roads, or either of them; all which Forfeitures shall be paid to the Treasurer to the Trustees, and applied towards amending the said Road and Branch; and in case the Surveyor or Surveyors of the Highways for any of the said Parishes, Townships, Hamlets, Districts, or Divisions shall refuse or wilfully neglect to give in such List as aforesaid, or shall knowingly and wilfully give in false or imperfect Lists, every such Surveyor so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

LXXXII. And be it further enacted, That it shall be lawful for the said Trustees from Time to Time to compound or agree by the Year or otherwise, with the Owners and Occupiers of any Lands, Tenements, and Hereditaments, liable and chargeable with or towards the Repair of any Part of the said Road and Branch of Road, or either of them, or with any Person or Persons, for the Performance of his, her, or their Statute Work therein; and also for the respective Surveyors of the Highways of any of the Parishes, Townships, Hamlets, and Places, in which the said Road and Branch or either of them lie, to compound and agree, by the

Year or otherwise, with the said Trustees, for and in lieu of the Statute Work to be performed by the Inhabitants of such Parishes, Townships, and Places, upon any Part of the said Roads; all which Composition Monies shall be paid in advance; and such respective Surveyors shall be repaid or reimbursed all the Composition Monies which shall be so paid by them, and may recover the same in like Manner as Surveyors of the Highways are by Law enabled to recover the Monies by them expended in buying Materials for repairing the said Highways.

LXXXIII. Provided always, and it is hereby enacted and declared, That no Person or Persons who is, or are, or shall be liable to perform Statute Work, or to pay any Composition Money in lieu thereof, towards the Repairs of any Part or Parts of the Roads by this Act authorized to be made, maintained, and kept in Repair, shall be subject or liable thereto until such Roads shall be well and substantially formed, and made fit and commodious for the Passage of Carriages and Travellers thereon, and until they shall be certified so to be by Two Justices of the Peace for the Riding or County in which the Roads are situate, or by the Order of the Justices of the Peace assembled at any General Quarter Sessions to be holden for such Riding or County; and the said Justices and Court of Quarter Sessions are hereby respectively authorized and required, upon a View or upon due Evidence, to make such Orders accordingly.

Statute Duty not to be called for till Road is certified by Justices to be formed.

LXXXIV. And be it further enacted, That all Penalties, Forfeitures, and Fines hereby imposed or authorized to be imposed (the Manner of levying and recovering whereof is not herein otherwise directed), shall, upon Proof of the Offences and Conviction of the Offenders respectively before any One or more Justice or Justices of the Peace for the County, Riding, or District wherein the Offence shall be committed, or wherein the Offender shall be and reside, either by Confession of the Party or Parties offending, or by the Oath of One or more credible Witness or Witnesses, be levied by Distress and Sale of the Goods and Chattels of the Party or Parties offending, by Warrant or Warrants under the Hand and Seal or Hands and Seals of such Justice or Justices, which Warrant or Warrants such Justice or Justices is and are hereby empowered and required to grant for those Purposes, and to administer such Oath; and the Overplus, after such Penalties, Forfeitures, and Fines, and the Charges of such Distress and Sale, are deducted, shall be returned upon Demand unto the Owner or Owners of such Goods and Chattels; and all such Penalties, Forfeitures, and Fines, when so levied (if not otherwise directed to be applied by this Act), shall be from Time to Time paid to the Treasurer of the said Trustees, and applied to the Purposes of this Act; and in case sufficient Distress shall not be found, and such Penalties, Forfeitures, and Fines shall not be forthwith paid, it shall be lawful for such Justice or Justices, and he and they is and are hereby authorized and required, by Warrant or Warrants under his or their Hand and Seal or Hands and Seals, to cause such Offender or Offenders to be committed to the Common Gaol or House of Correction of such County, Riding, or District, there to remain without Bail or Mainprize for any Time not exceeding Three Calendar Months, unless such Penalties, Forfeitures, and Fines, and all reasonable Charges, shall be sooner paid and satisfied.

Penalties and Forfeitures how to be recovered and applied.

LXXXV. And for the more easy Conviction of Offenders against this Act, be it further enacted, That all and every the Justice and Justices of the Peace before whom any Person or Persons shall be convicted of any Offence against this Act, shall and may cause the Conviction to be drawn up in the Form or to the Effect following, *mutatis mutandis*, as the Case may happen to be:

[Local.]

9 L

BE

Form of
Conviction.

‘ County of *Derby*, or *West Riding* }
 ‘ of the County of *York*, [as the Case }
 ‘ may be], to wit, } **BE** it remembered, That on [Time of
 ‘ Conviction] at [Place of Conviction]
 ‘ *A. B.* [Name of Offender] of [Addition of Offender] was duly convicted before
 ‘ me [or us] [Name and Style of convicting Justice or Justices] for that the
 ‘ said *A. B.* [Name of Offender] on [Time of committing Offence] at [Place of
 ‘ committing Offence] did [here state the Offence against this Act, according to
 ‘ the Fact] contrary to the Form of the Statute made in the Fifty-eighth Year
 ‘ of the Reign of His Majesty King *George the Third*, intituled [here set
 ‘ forth the Title of this Act]; and I [or we] do therefore declare and ad-
 ‘ judge, that the said *A. B.* [Name of Offender] has forfeited for the said
 ‘ Offence the Sum of [Fine], or shall be committed to [Place of Imprison-
 ‘ ment] for the Space of [Time of Imprisonment]. Given under my Hand
 ‘ and Seal [or our Hands and Seals] the Day and Year first above written.’

Proceedings
not to be
quashed for
want of
Form.

LXXXVI. And be it further enacted, That no Order made touching or concerning any of the Matters in this Act contained, or any Proceedings to be had touching the Conviction of any Offender or Offenders against this Act, shall be quashed or vacated for want of Form, or removed or removable by *Certiorari*, or any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster* or elsewhere; any Law or Statute to the contrary notwithstanding.

Persons ag-
grieved may
appeal to
the Quarter
Sessions.

LXXXVII. Provided always, and be it further enacted, That if any Person shall think himself, herself, or themselves aggrieved by any Order, Determination, Proceeding, Matter, or Thing made or done in pursuance of this Act (save and except any Order, Determination, Proceeding, Matter, or Thing herein-before directed to be final), and for which no particular Relief hath been herein-before provided, such Person or Persons may, within Three Calendar Months next after the Cause of Complaint shall have arisen, appeal to the Justices of the Peace at any General Quarter Sessions of the Peace to be holden for the County, Riding, or District wherein the Cause of Complaint shall arise, such Appellant first giving or causing to be given Twenty-one Days Notice at least in Writing, of his, her, or their Intention to bring such Appeal, and of the Matter thereof, to the Clerk or Treasurer of the said Trustees, and within Seven Days after such Notice entering into a Recognizance before some Justice of the Peace for such County, Riding, or District, with sufficient Sureties, conditioned to try such Appeal at, and abide by the Order of, and pay such Costs as shall be awarded against him, her, or them by the said Justices at such Quarter Sessions; and the said Justices at such Sessions, upon Proof of Notice being given as aforesaid, and of the entering into such Recognizance, shall hear and finally determine the Cause and Matter of such Appeal in a summary Way, and may award such Costs to the Parties appealing or appealed against as they the said Justices shall think proper; and the Determination of such Quarter Sessions shall be final, binding, and conclusive to all Intents and Purposes.

Public Act.

LXXXVIII. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken Notice of as such by all Judges, Justices, and others, without being specially pleaded.

Commence-
ment and
Duration of
the Act.

LXXXIX. And be it further enacted, That this Act shall commence and take Effect upon the Day on which the same shall receive the Royal Assent, and shall continue in force for the Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament.

The SCHEDULE above referred to.

Numbers on the Plan.	OWNERS, or reputed Owners.	OCCUPIERS.	TENEMENTS.	TOWNSHIPS where situate.
18.	John Wright - -	William Bates - - Hercules Berwick - - Thomas Shaw - - Frances Cotes - - William Kershaw - - Thomas Bashforth - -	House. Ditto. Ditto. Ditto. Workshop. Ditto.	
19.	Thomas Buxton -	Thomas Buxton - -	House and Ground.	
20.	Robert Brightmore	William Smith - - James Bradshaw - - Maurice Hughes - - Thomas Elliott - - Samuel Hawke - -	House and Cellar. House. Ditto. Warehouses and Yard. House.	
21.	— Flint - -	George Clarke - - Elizabeth Perigo - - James Sharp - - Benjamin Machin - -	Ditto. Ditto. Ditto. Ditto.	
22.	Benjamin Hancock	Catherine Barnes - - George Thompson - - George Firth - -	Ditto. Ditto. Ditto.	
23.	John Millward	Ruth Rothery - - Alice Horsfield - - William Twigg - - Charles Cox - - Mary Marshall - - Mary Haslehurst - - John Hague - - Edward Hawke - - Joseph Hutchinson - - William Clayton - -	Ditto. Ditto. Ditto. Ditto. Ditto. Ditto. Ditto. Ditto. Workshop. House.	Sheffield.
24.	Peter Wood	Sarah Holdsworth - - William Bell - - Ann Bell - - William Botham - - Samuel Howard - - Edward Macquire - - William Booth - - Sarah Greaves - -	Ditto. Ditto. Ditto. Ditto. Ditto. Ditto. Ditto. Ditto.	
25.	John Wright -	Thomas Ashmore - - Thomas Millington - -	Workshop and Yard. Ditto.	
26.	— Hobson -	Sarah Woodhouse - - James Wilson - - Thomas Bashforth - -	House. Ditto. Workshop.	
27.	George Brammall -	George Brammall -	House.	

Numbers on the Plan.	OWNERS, or reputed Owners.	OCCUPIERS.	TENEMENTS.	TOWNSHIPS where situate.
28.	George Mellard -	Ann Middleton - -	House.	
	West Street - -	- - - -	A Public Street.	
29.	Margaret and Elizabeth Rowland - }	Margaret and Elizabeth Rowland - }	House and Garden.	
30.	William Fairbank - }	John Jackson - -	Garden.	Sheffield.
		Samuel Marshall - -	Ditto.	
		John Shirley - -	Ditto.	
		John Jackson - -	Ditto.	
		David Mallinson - -	Ditto.	
		Joel Ronksley - -	Ditto.	
		Charles Hall - -	Ditto.	
		John Hall - -	Ditto.	
32.	Hugh Cheney, M.D. - }	Thomas Rose - -	Ditto.	
		David Ward - -	Ditto.	
		Thomas Rose - -	Ditto.	
		Marmaduke Benn - -	Ditto.	
		John Middleton - -	Ditto.	
		Thomas Scholefield - -	Ditto.	
	Twelve Capital Burgesses, and Commonalty of the Town and Parish of Sheffield - - }	John Rowbotham - -	2 Gardens.	Nether Hallam.
40.	Thomas Holy - -	Josiah Fairbank and Thomas Flockton }	Garden.	Ecclefall Bierlow
	William Shore, Esq. - -	William Shore, Esq. - -	Plantation.	Nether Hallam.
83.	Daniel Holy - -	Daniel Holy - - -	Ditto.	Upper Hallam.

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