



ANNO SEXTO

GEORGIIV. REGIS.

Cap. xcvi.

An Act for making and maintaining a new Road from *Leeds* to *Whitehall*, near *Halifax*, and several Branch Roads therefrom, all in the West Riding of the County of *York*. [20th May 1825.]

WHEREAS the making and maintaining a new Turnpike Road from *Leeds*, in the Parish of *Leeds* in the West Riding of the County of *York*, to join the *Wakefield* and *Halifax* Turnpike Road at or near a certain Place called *Whitehall* in the Township of *Hipperholm-cum-Brighouse* in the Parish of *Halifax* in the said Riding, passing through or into the several Townships or Places of *Leeds*, *Holbeck*, *Wortley*, and *Farnley*, in the Parish of *Leeds*, *Tong*, *Drighlington* otherwise *Drighlington-cum-Adwalton*, *Gomersal*, *Hunsworth*, *Cleckheaton*, and *Wike*, in the Parish of *Birstal*, and *Hipperholm-cum-Brighouse* in the Parish of *Halifax*, all within the Riding aforesaid; and the making and maintaining several Branch Roads from and out of the said main Turnpike Road, one of the said Branch Roads commencing at a Point in the said main Road within the said Township of *Wortley*, near a certain Close there called the *Tenter Close*, in the Occupation of *John Demain*, and extending to and communicating with the *Wellington Bridge* Turnpike Road at or near the *Leeds* and *Liverpool* Canal Bridge, in the Township of *Wortley* aforesaid; another of the said Branch Roads commencing at a Point in the said main Road near a Farm House called *Castle Hill*, in the Township of *Farnley* aforesaid, and communicating with and terminating at the Village of *Lower Wortley*, in the Township of *Wortley* aforesaid; another

[Local.] 26 Y of

of the said Branch Roads beginning in the Township of *Cleckheaton* aforesaid, near a Mill called *Hunsworth Mill*, and extending from thence to and terminating in the Village of *Cleckheaton* aforesaid, at the Northern Extremity of a Turnpike Road leading from *Mill Bridge* to *Cleckheaton* aforesaid; another of the said Branch Roads commencing in the Township of *Cleckheaton* aforesaid, near the said Mill called *Hunsworth Mill*, and extending from thence to and terminating at a certain Highway in the Township of *North Bierley*, in the Parish of *Bradford* in the said Riding, leading from *Wike* to *Bradford*, near a certain Dwelling House in the said Township of *North Bierley*, occupied by the Reverend *Lampugh Hird* Clerk; and the other of the said Branch Roads beginning at or near the South-western Extremity of *Oakenshaw Fields* in the Township of *Cleckheaton* aforesaid, and communicating with and terminating at the Village of *Scholes* in the said Township of *Cleckheaton*; will be a great Advantage and Accommodation to the Inhabitants of the Towns of *Leeds* and *Halifax*, and of the several Townships and Places lying near the said Roads, and to the Public in general: And whereas the said Turnpike Road leading from *Mill Bridge* in the Township of *Liversedge*, in the Parish of *Birstal* aforesaid, through the said Township of *Gomersal* to *Cleckheaton* aforesaid, being the Turnpike Road comprised in an Act passed in the Forty-sixth Year of the Reign of His late Majesty, intituled

46 G. 3. c. 17. *An Act for making and maintaining a Road from Mill Bridge to Cleckheaton, in the Parish of Birstal, all in the West Riding of the County of York*, might be better maintained in repair, widened, and improved, if the same were comprised in One Act with the said new Roads; and it is therefore expedient the said recited Act should be repealed: And whereas the Principal Sum of One thousand four hundred and forty-three Pounds Twelve Shillings, and no more, is now due and owing on the Credit of the said recited Act: And whereas an Act was passed in the Third Year of the

3 G. 4. c. 126. *Reign of His present Majesty King George the Fourth, intituled An Act to amend the general Laws now in being for regulating Turnpike Roads in that Part of Great Britain called England*: And whereas an Act was

4 G. 4. c. 95. *intituled An Act to explain and amend an Act passed in the Third Year of the Reign of His present Majesty, to amend the general Laws now in being for regulating Turnpike Roads in that Part of Great Britain called England*: And whereas an Act was passed in the Fifth Year of the Reign

5 G. 4. c. 69. *of His present Majesty, intituled An Act to enable Justices of the Peace for Ridings, Divisions, or Sokes, to act as Trustees for repairing and maintaining Turnpike Roads*: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and immediately after the Expiration of One

Repealing
46 G. 3. c. 17. *Calendar Month next after the passing of this Act, the said recited Act of the Forty-sixth Year of the Reign of His late Majesty King George the Third shall be and the same is hereby declared to be repealed; and this Act shall from thenceforth commence and take Effect, and be put in Execution for and during the Term herein-after mentioned, for the Purpose of making and maintaining, widening and improving the several Roads herein-after mentioned; (that is to say), the said main Road from Leeds to or near the said Place called Whitehall, the said Branch Road to the Wellington Bridge Turnpike Road aforesaid, the said Branch Road*

to the Village of *Lower Wortley* aforesaid, the said Branch Road to the Village of *Cleckheaton* aforesaid, and the said present Road extending from thence to *Mill Bridge* aforesaid, the said Branch Road to the said Highway leading from *Wike* to *Bradford* aforesaid, and the said Branch Road to the Village of *Scholes* aforesaid.

II. And be it further enacted, That this Act and the Tolls hereby granted shall be and the same are hereby made subject and liable to the Payment of the said Principal Sum of One thousand four hundred and forty-three Pounds Twelve Shillings, now due and owing as aforesaid on the Credit of the Tolls authorized to be taken on the Road comprised in the said first-recited Act hereby repealed, and of all Interest to grow due thereon from and after the Commencement of this Act, as fully and effectually to all Intents and Purposes as if such Monies had been borrowed and become due on the Credit of this Act, or of the Tolls hereby authorized to be collected.

This Act
liable to Debt
contracted
under former
Act.

III. And be it further enacted, That all Bonds, Conveyances, Covenants, Agreements, Contracts, and Securities made to or by or entered into by any Person or Persons to or with the Trustees for executing the said first-recited Act, shall remain in full Force and Effect, and be and continue available in all Courts of Law and in Equity, until the same be fully satisfied and performed on account and for the Benefit of the Trusts under this Act; and all Bargains, Contracts, Agreements, or Notices, made, entered into, or given by the Trustees for executing the said first-recited Act, with or to any Person or Persons, for any Purpose relating to the Road therein comprised, or to the Execution of the said Act, shall remain in full Force and Effect, and be observed and kept by the Trustees under this Act, and by the other respective Parties to such Contracts, Agreements, or Notices, according to the Terms, Stipulations, and the true and equitable Intent and Meaning thereof; and the several Tolls due and payable under the said first-recited Act shall and may be collected and received, and all Powers and Authorities vested in the Trustees acting under the said first-recited Act shall and may be executed by the same Trustees until the First Meeting of the Trustees appointed by this Act, notwithstanding the Repeal of the said first-recited Act.

Conveyances,
&c. under
former Act
to continue
in force.

IV. And be it further enacted, That all Books kept for registering Mortgages and Assignments, and all Entries therein, and all Books of Proceedings of the Trustees of the said Roads, kept according to the Directions or Provisions of the said first-recited Act, or of any Act then in force, and made Evidence thereby, shall be admitted in Evidence in all Courts, and by all Judges, Justices, and others; and all such Books, and also all Books of Accounts of Receipts and Disbursements made under the said first-recited Act, shall be preserved and kept by the Clerk for the Time being to the said Trustees, and shall at all seasonable Times be open to the Inspection of the said Trustees, and any Creditor or Creditors of the Tolls, without Fee or Reward; and the said Trustees and Creditors, or any of them, shall and may take Copies of or Extracts from the said Book or Books, or any Part or Parts thereof respectively, without paying any thing for the same; and in case the said Clerk shall refuse to permit, or shall not permit the said Trustees, or such Creditors,

Books kept
under former
Acts may be
given in Evi-
dence, and
shall be open
to the Inspec-
tion of Trus-
tees and
Creditors.

Penalty for
Refusal of
Inspection.
or

or any of them, to inspect the said Book or Books, or to take such Copies or Extracts as aforesaid, such Clerk shall forfeit and pay any Sum of Money not exceeding Five Pounds.

Transferring
Powers of
General Acts
to this Act.

V. And be it further enacted, That the said recited Act passed in the Third Year of the Reign of His present Majesty, and all and every the Powers, Provisions, Exemptions, Penalties, Forfeitures, Payments, Remedies, Matters, and Things therein contained (save and except such Parts thereof as are expressly varied, altered, or repealed by the said recited Act of the Fourth Year of the Reign of His present Majesty, and also save and except such Parts thereof respectively as are expressly varied, altered, or otherwise provided for by this Act), and also the said recited Act passed in the Fourth Year of the Reign of His present Majesty, and all and every the Powers, Provisions, Exemptions, Penalties, Forfeitures, Payments, Remedies, Matters, and Things therein contained (save and except such Parts thereof as are expressly varied, altered, or otherwise provided for by this Act), and also the said recited Act passed in the Fifth Year of the Reign of His present Majesty, and the Power or Provision therein contained; shall respectively be as good, valid, and effectual for carrying this Act and the several and respective Purposes thereof into Execution, as if the same had respectively been repeated and re-enacted in the Body of this Act.

Trustees
appointed.

VI. And be it further enacted, That all His Majesty's Justices of the Peace acting for the West Riding of the County of York for the Time being, together with the Honourable and Reverend *John Lumley Savile*, Sir *George Armitage* Baronet, Sir *John Beckett* Baronet, *Robert Abbott*, *John Abbott*, *James Akroyd*, *Jonathan Akroyd*, *William Aldam*, *Lewis Alexander*, *Edward Nelson Alexander*, *Edward Armitage*, *George Armitage*, *Samuel Armitage*, *Joseph Armitage*, *Jeremiah Bairstow*, *George Banks*, *Charles Barr*, *Thomas Bateman*, *William Bates*, *James Bateson*, *Matthew Bateson*, *William Battye*, *Thomas Wentworth Beaumont*, *William Beaumont*, *Richard Beaumont*, *Edward Beaumont*, *Francis Beaumont*, *William Beckett*, *Thomas Beckett*, *Thomas Benyon the younger*, *George Benns*, *W B Berkby*, *Thomas Bischoff*, *William Bischoff*, *John Bischoff*, *George Bischoff*, *Bernard Bischoff*, *Thomas Blayds*, *Rawdon Briggs*, *Rawdon Briggs the younger*, *William Briggs*, *Henry Briggs*, *Thomas Briggs*, *John Briggs*, *Edward Brooke*, *John Edward Brooke*, *James Brooke*, *Thomas Brooke*, *George Buxton Browne*, *Copley Brown*, *Fontaine Browne*, *James Brown*, *William Williams Brown*, *Charles Brown*, *James Burnley*, *Thomas Burnley*, *Charles Carr*, *William Carr*, *Robert Carr*, *John Carter*, *Henry Carter*, *James Cartledge*, *Thomas Chorley*, *John Clay*, *John Cockcroft*, *Joseph Cockill*, *William Coultas*, *John Craven*, *Joseph Davison*, *Thomas Davison*, *William Davy*, *John Davy*, *Christopher Holdsworth Dawson*, *Joseph Dawson*, *John Dearden the younger*, *George Dixon*, *Abraham Dixon*, *Alexander Dixon*, *Lepton Dobson*, *Thomas Drake*, *Scipio Dyson*, *Thomas Edwards Dyson*, *William Earnshaw*, *Henry Lees Edwards*, *Thomas Edwards*, *John Edwards*, *George Edwards*, *Emanuel Emmet*, *John Emmet*, *Emanuel Emmet the younger*, *George Emmet*, *William Emmet (Papermaker)*, *William Emmet (Woolstapler)*, *James Farren*, *Samuel Fearnley*, *Samuel Freeman*, *Joseph Fryer*, *William Fryer*, *William Gatliffe*, *George Goodman*, *Benjamin Gott*, *John Gott*, *William Gott*, *Henry Greenwood*, *Richard Gregory*, *John Haigh (Woolshops)*, *John Haigh the younger*, *George Haigh*, *John Haigh (Aked*

(*Akeds Road*), Henry Hall, John Hardy, William Margetson Heald Clerk, John Hebblethwaite, Robert Heward, William Hey, William Hey the younger, John Pemberton Heywood, John Hill, Benjamin Hird Doctor of Medicine, Henry Wickham Hird, Thomas Herst, John Hodgson, Samuel Hodgson, Peter Kenyon Holden, John Holland, William Holland, Samuel Holland, John Holland the younger, Holroyd, Thomas Holmes, George Horsington, William Hoyland, Richard Hudson Clerk, William Hulton, Abraham Jubb, Richard Kemplay, William Kershaw, Richard Kershaw, George Kershaw, John King, Riley Kitson, Lionel Knowles, Lionel Knowles the younger, Stephen Hartley Knowles, William Thompson Lee, James Lister, Jeremy Lister, William Macauley, Thomas Macauley, Charles Macauley, George Macauley, Martin Manley, Joseph Mann, John Marshall, William Marshall, John Marshall the younger, Francis Maude, Francis Maude Clerk, Charles Mayer, Charles Mayer the younger, John Milner, Abraham Naylor, Stephen Nicholson, William Nicholson, William John Norris, James Edward Norris, John Nussey, Josiah Oates, Hamer Oates, Henry Oates, Oliver, John Ormerod, Robert Parker, Thomas Benson Pease, Robert Peel, Thomas Perkinton, George Pollard, William Pollard, Thomas Preston, William Priestley, George Priestley, John Priestley, Walker Priestley, Henry Priestley, John Rhodes Ralph, Rowland Ramsden, Thomas Ramsden, William Rawson, Christopher Rawson, Stansfeld Rawson, William Henry Rawson, John Rawson, Jeremiah Rawson, Thomas Samuel Rawson, Francis William Rawson, Henry William Rawson, Edward Rawson, Thomas William Rawson, George Rawson, Robert Ray, William Redfern, Henry Rhodes, Henry Rhodes the younger, William Rhodes, Abram Rhodes, Peter Rhodes, Thomas Robinson, John Robinson, Charles Robinson, John Ross, William Rothwell, Joseph Rushworth, Benjamin Sadler, Christopher Saltmarshe, Watson Samuel Scatcherd, James Sellers, Jonathan Shackleton, Joseph Shackleton, Abraham Sharpe, Christopher Smith, Edwin Smith, John Smith, John Smyth, Thomas Wolrich Stansfeld, Henry Stansfeld, Hamer Stansfeld, Samuel Stead, George Stead, Joseph Sunderland, Thomas Sunderland, Henry Sunderland, John Sutcliffe, Thomas Sutcliffe, Joseph Swaine, Edward Swaine, Samuel Sykes, James Sykes, Joshua Taylor, William Taylor, Jonathan Taylor, Thomas Teale, Henry Teal, John Plumbe Tempest, Thomas Haines Plumbe Tempest, William Barnes Thompson, William Toone, Thomas William Tottie, Thomas Turney, John Turney, Thomas Everard Upton, John Horsfield Wadsworth, Robert Wainhouse, Edward Wainhouse, John Walker (Crow Nest), John Walker (Walter Clough), George Walker, William Walker, James Walker, Christopher Ward, John Waterhouse, John Waterhouse the younger, Samuel Waterhouse, John Watson Clerk, John Williamson, Richard Fountaine Wilson, John Wilson, Christopher Wilson, Joseph Woodhead, Richard Woolin, John Wormald, John Wormald the younger, John Atkinson, Thomas Burnley, William Burnley, Samuel Farrar, John Hague, John Hague the younger, Edward Hague, Robert Harrison, Pim Nevins, George Stansfeld, William Stansfeld, George Hargreaves Sutcliffe, Joshua Taylor the younger, Henry Teal the younger, Thomas Williamson, and their Successors, being duly qualified according to the Provisions of the said recited Acts of the Third, Fourth, and Fifth Years of the Reign of His present Majesty, shall be and they are hereby appointed Trustees for amending, making, and maintaining the said several Roads, and for otherwise putting this Act in Execution; and the said Roads shall be called "The Leeds and Whitehall Turnpike Roads."

Power to
appoint
additional
Trustees.

VII. And be it further enacted, That it shall and may be lawful for the said Trustees, and they are hereby authorized and empowered from Time to Time at any of their Meetings, to elect and appoint any Number of Persons; being duly qualified as directed by the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty, not exceeding Two in the whole in addition to the Number of Trustees herein named and appointed, to be Trustees for the Purposes of this Act; and such Persons so elected and appointed shall be Trustees for the Purposes of this Act, and are hereby invested with the same Powers and Authorities for executing this Act as if they had been herein named.

First Meeting
of Trustees.

VIII. And be it further enacted, That the Trustees for executing this Act shall hold their First Meeting at the *White Swan Inn*, in the Town of *Halifax* aforesaid, or some other convenient Place in the Neighbourhood of the said Roads, on the Second *Wednesday* after the Commencement of this Act, or as soon after as conveniently may be; and shall and may then and from Time to Time after adjourn to and meet at such Times and at such Place or Places in the Neighbourhood of the said Roads as they shall think proper.

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

IX. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees to continue or appoint the Person who hath been or who may be appointed to act as their Clerk in the Execution of this Act, or the Partner of any such Clerk, or the Clerk or any Person in the Service or Employ of any such Clerk, or the Clerk or any Person in the Service or Employ of the Partner of any such Clerk, to be the Treasurer for the Purposes of this Act, or to continue or appoint the Person who hath been or who may be appointed Treasurer, or the Partner of any such Treasurer, or the Clerk or any Person in the Service or Employ of any such Treasurer, or the Clerk or any Person in the Service or Employ of the Partner of any such Treasurer, to be the Clerk to the said Trustees; and if any Person shall act in both the Capacities of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of any such Clerk, or the Clerk or any Person in the Service or Employ of any such Clerk, or the Clerk or any Person in the Service or Employ of the Partner of any such Clerk, shall act as Treasurer, or being the Partner of any such Treasurer, or the Clerk or any Person in the Service or Employ of any such Treasurer, or the Clerk or any Person in the Service or Employ of the Partner of any such Treasurer, shall act as Clerk in the Execution of this Act, or if any such Treasurer shall hold any Place or Office of Profit or Trust under the said Trustees other than that of Treasurer, every such Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person or Persons who shall sue for the same, to be recovered with full Costs of Suit in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Plaint, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance, shall be allowed.

Treasurer to
give Security.

X. Provided always, and be it further enacted, That the said Trustees shall and they are hereby authorized, directed, and required to take sufficient

cient Security from the Treasurer or Treasurers acting by virtue of this Act, for the due and faithful Execution of his or their Office.

XI. And be it further enacted, That it shall be lawful for the said Trustees to erect and set up or build, or cause to be erected, set up, or built, upon, in, or across the several Roads by this Act directed or authorized to be made or maintained, and upon the Sides thereof, or any Part thereof respectively, when, where, and as they shall judge necessary, any Toll Gate or Toll Gates, Turnpike or Turnpikes, Side Gate or Side Gates, Side Bar or Side Bars, or Chain or Chains, and any Weighing Machine or Weighing Machines, and also One or more Toll House or Toll Houses, with Outhouses and Conveniences suitable thereto at or near each Toll Gate and Weighing Machine, and to take in and enclose on the Sides of the said Roads suitable Garden Spots for such Toll House or Toll Houses, not exceeding One-eighth Part of a Statute Acre each, as they shall think necessary; and from Time to Time to take down and remove, or alter or discontinue the same, or any Part of them, as they the said Trustees shall think proper, and direct or appoint.

For erecting
Turnpikes.

XII. And be it further enacted, That the said Trustees shall and they are hereby required to erect and set up and continue, or cause to be erected and set up and continued, upon each of the Branch Roads herein-before particularly described, One or more Toll Gate or Toll Gates, or Turnpike or Turnpikes; and the Tolls by this Act granted shall be demanded and taken at such Toll Gate or Toll Gates, or Turnpike or Turnpikes, subject to the Provisions in this Act and the said recited Acts contained.

Trustees to
erect Toll
Gates on
each of the
Branches.

XIII. Provided also, and be it further enacted, That it shall not be lawful for the said Trustees, or their Surveyor, to direct or order any Repairs to be made by virtue of this Act upon any of the Branch Roads comprized in this Act, unless some Toll Gate or Turnpike shall be erected and continued upon such Branch for taking the Tolls hereby granted; nor shall it be lawful for the said Trustees to lay out or apply any of the Monies to be collected or received by virtue of this Act in or towards such Repairs.

No Money to
be laid out on
Roads where
there is no
Turnpike.

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

Power to
take Tolls.

For every Horse or other Beast drawing any Coach, Stage Coach, Diligence, Van, Caravan, Sociable, Berlin, Landau, Chariot, Vis-a-vis, Barouche, Phaeton, Chaise Marine, Calash, Curricle, Chair, Gig, Whiskey, Hearse, Litter, Chaise, or other such like Carriage, the Sum of Sixpence:

Tolls.

For

For every Horse, Ox, or other Beast, drawing any Waggon, Wain, Cart, or other such like Carriage, the Sum of Four-pence :

For every Horse, Mule, or Ass, laden or unladen, and not drawing, the Sum of One Penny Halfpenny ; and if more than One Person shall ride upon any such Horse, Mule, or Ass which shall pass any Turnpike Gate which shall be erected upon or adjoining any Bridge which may be built over the River *Air*, whether such Horse, Mule, or Ass shall travel or go more or less than One hundred Yards on the said Roads, any Law or Statute to the contrary notwithstanding, the Sum of One Penny each for every such Person more than One :

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

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

And for every Foot Passenger, or Person on Foot, (except the Driver of any Waggon, Wain, Cart, or other Carriage) who shall pass any Turnpike Gate, if any, which shall be erected upon or adjoining the said intended Bridge over the River *Air*, the Sum of One Penny, whether he or she shall travel or go more or less than One hundred Yards on the said Roads, any Law or Statute to the contrary notwithstanding ; and the like Sum of One Penny at such Turnpike Gate for every Person who shall ride in or upon any Waggon or Wain, or any Cart or other such like Carriage, not being a Cart or Carriage usually employed for the Conveyance of Passengers for Hire, or who shall ride upon any Horse or Beast drawing any such Waggon, Wain, Cart, or other such like Carriage, whether such Waggon, Wain, Cart, or Carriage shall travel or go more or less than One hundred Yards on the said Roads ; such respective Tolls to be paid before any such Person, or any such Waggon, Wain, Cart, or other such like Carriage, or the Horse or Horses, Beast or Beasts, drawing the same, shall be entitled to pass through such Turnpike Gate ; and no Person shall be liable to Toll as such Foot Passenger at more than One Gate.

Which said Sums of Money or Tolls shall be demanded and taken before any Horse, Mule, Ass, Beast, or other Cattle whatsoever, shall be permitted to pass through any Toll Gate or Turnpike, or Side Gate or Side Bar, or Chain, which shall be erected or placed by virtue of this Act in, upon, or across the said Roads, or on the Sides thereof, or any Part thereof ; and which said respective Tolls shall be and are hereby vested in the said Trustees, and shall be applied for the Purposes of this Act, in manner herein-after directed.

Penalty on
Foot Passen-
gers fraudu-
lently taking
Benefit of
Exemptions.

XV. And be it further enacted, That if any Foot Passengers, or Persons on Foot, shall fraudulently or forcibly pass through any Turnpike Gate, if any, which shall be erected upon or adjoining the said intended Bridge over the River *Air*, without paying the Toll hereby imposed, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings ; and such Penalty shall be levied and recovered (together with the necessary Costs and Charges of levying the same) by the same Ways and Means, and in the like Manner as any Penalty or Forfeiture for fraudulently or collusively claiming or taking the Benefit of any Exemption from Toll, or other Exemption on any Turnpike Road, may

may by Law be levied or recovered ; and one Moiety of such Penalty shall be paid to the Informer, and the other Moiety thereof shall be paid to the Treasurer to the said Trustees, and applied or disposed of for the Purposes of this Act.

XVI. Provided always, and be it further enacted, That in case the Toll hereby authorized to be taken shall have been paid for the passing of any Horse, Beast, or Cattle through any or either of such Toll Gates, Turnpikes, or Side Gates, such Horse, Beast, or Cattle shall, upon a Ticket denoting such Payment on that Day being produced, be permitted to pass Toll-free through the same Toll Gate, Turnpike, or Side Gate, and also through such other Gate or Gates (if any) as the Ticket for such Payment shall free, at any Time or Times during the same Day, to be computed as aforesaid; any thing in this Act contained to the contrary thereof in anywise notwithstanding.

Tolls to be paid but Once a Day.

XVII. Provided also, and be it further enacted, That the Tolls hereby made payable for and in respect of Horses or Beasts drawing any Stage Coach, Diligence, Van, Caravan, or Stage Waggon, or other Stage Carriage conveying Passengers or Goods for Pay or Reward, shall be payable and paid every Time of passing or repassing along the said Roads, or any of them.

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

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

Horses drawing Post Chaises to be subject again to Toll on every new Hiring.

XIX. Provided also, and be it further enacted, That no more than the Tolls following shall be demanded or taken for or in respect of the same Horses, Beasts, or Cattle, for passing or repassing at any Time or Times in any one Day (to be computed as aforesaid), through all or any of the Toll Gates or Turnpikes along the whole Line of the said Roads ; (that is to say), no more than Four Tolls on the said Main Road from Leeds to or near Whitehall ; nor more than one Toll on the Branch Road to the Wellington Bridge Turnpike Road ; nor more than one Toll on the Branch Road to Lower Wortley ; nor more than one Toll on the Branch and Road to Mill Bridge ; nor more than one Toll on the Branch Road to the Wike and Bradford Road ; nor more than one Toll on the Branch Road to Scholes.

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

XX. And whereas an Act was passed in the Forty-ninth Year of the Reign of His late Majesty, intituled *An Act for enlarging the Term and Powers of several Acts of His late and present Majesty, for repairing the Road from Wakefield to Halifax, in the West Riding of the County of York* : And whereas Persons travelling with Horses, Cattle, and Carriages along the said new Road to or from Halifax, will pass over Part of the Wakefield and Halifax Turnpike Road comprised in the said last-recited Act ; and it is therefore expedient that the Trustees of the said Wakefield and Halifax Turnpike Road, and the Trustees for executing this Act, should be enabled mutually to contract and agree with each other for and in respect of the Costs of improving and repairing such Part of the Road comprised in the said lastly-recited Act as is herein-before mentioned,

Provision respecting Part of the Wakefield and Halifax Road.

and for the Removal, Alteration, or Reduction of the Tolls which might otherwise be payable in respect of Horses, Cattle, and Carriages passing from one of such Roads upon the other, as herein-before mentioned; Be it therefore further enacted, That it shall be lawful for the Trustees of the said *Wakefield* and *Halifax* Turnpike Road at any of their Meetings, and also for the Trustees for executing this Act at any of their Meetings, to enter into any Contract, Agreement, or Arrangement with each other, for the Payment of any annual or other Sum or Sums of Money, or for the Performance of any other Matter or Thing whatsoever, as and by way of Composition in lieu of and as a Satisfaction for the Tolls which would otherwise be payable by any Person or Persons for or in respect of Horses, Cattle, or Carriages travelling upon one of such Roads, and passing over Part of the other of such Roads as herein-before mentioned, and for the Purpose of procuring the Exemption of and exonerating and relieving such Person, or Persons wholly or partially from the Payment of the said Tolls, and also concerning the Improvement and future Repairs of such Parts of the said Roads respectively as aforesaid; and it shall also be lawful for the Trustees of the said *Wakefield* and *Halifax* Turnpike Road, and for the Trustees for executing this Act respectively, to negotiate, enter into, and execute any Contract, Agreement, or Arrangement hereby authorized as aforesaid, upon such Terms and Conditions, and in such Manner and Form in all respects, as they respectively shall in their Judgment consider most expedient.

Subscribers
to pay their
Subscrip-
tions.

XXI. And be it further enacted, That the several and respective Persons who have subscribed for or agreed to advance, or who shall subscribe for or agree to advance any Money for and towards the making or maintaining the said new Roads, shall and they are hereby required to pay the Sum or Sums of Money so subscribed, within such Time and Times, and in such Parts and Proportions as is or are expressed in the Writing subscribed by them, or as the said Trustees shall order and direct; and the same shall be demanded by and paid to such Person or Persons as the said Trustees shall authorize to receive the same; and if any Person or Persons shall neglect or refuse to pay the same, or any Part thereof as aforesaid, it shall be lawful for the said Trustees to sue for the same in the Name of any One of such Trustees or of their Clerk, and to recover the same, together with full Costs of Suit, in any of His Majesty's Courts of Record, by Action of Debt or on the Case, or by Bill, Plaint, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, or more than one Imparlance, shall be allowed; and all such Monies shall be vested in the said Trustees, and applied as herein-after mentioned.

Application
of the Tolls
and Money
to be bor-
rowed.

XXII. And be it further enacted, That out of the Monies already subscribed for the Purposes of making the said new Roads, the said Trustees shall, in the First Place, pay and discharge all Costs, Charges, and Expences relative to the obtaining and passing of this Act, with Interest for the Money advanced and out of Pocket, and of the Surveys made preparatory thereto, and all other Expences respecting the same; and the Remainder of all such Monies, and also all Monies which shall be borrowed on the Credit of this Act, and which shall be received from the Tolls by this Act granted, shall, after Payment of the necessary Expences of erecting or repairing Toll Gates, Toll Houses, Milestones or Posts and Fences, and for Books, Advertisements,

Advertisements, Salaries of Officers, and other such Expences incidental to the Execution of this Act, be applied in defraying the Expences of making the said Roads, and in repaying the said Principal Sum of One thousand four hundred and forty-three Pounds Twelve Shillings, and all Interest to accrue due thereon from the Commencement of this Act, and afterwards in keeping down the Interest of the Monies subscribed for the Purposes of this Act, and which may be borrowed on the Credit of this Act, and in amending and keeping in repair the said Roads, and the Toll Gates and Toll Houses, and in otherwise putting this Act into Execution, and lastly in repaying the Principal Monies subscribed or advanced for the Purposes of this Act, or which shall be borrowed for the Purposes of this Act.

XXIII. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered to make the said new Roads, and to erect Bridges on the Line of the said Roads over the River *Aire*, and the Canal of the *Leeds* and *Liverpool* Navigation Company, upon, in, over, or through any Lands, Grounds, or Hereditaments described in the Plan and Book of Reference herein-after mentioned, of such Width or Dimensions as they shall think proper, together with such Footpaths, Causeways, Arches, Culverts, Ditches, Drains, and Fences as they shall think necessary or expedient; and for such Purpose or Purposes to pull down, or take and use any Houses, Buildings, Tenements, or Hereditaments mentioned in the Schedule to this Act annexed, marked (A.), making Satisfaction to the Owners thereof and Persons interested therein for the same, or for the Damage they may sustain thereby; and it shall also be lawful for the said Trustees and for their Surveyors, or Surveyor and Workmen, from Time to Time to enter upon the Lands and Premises or Hereditaments through which or whereupon such Roads and Bridges (or any temporary Bridge which it may at any Time be necessary for the Trustees to erect or construct while the said Bridges shall be making or under repair), Footpaths, Causeways, Arches, Culverts, Ditches, Drains, and Fences, are or is intended to be made or pass, and also upon any adjoining Lands or Grounds, and to stake out the same in such Manner as the said Trustees shall think necessary or expedient, without being deemed a Trespasser or Trespassers, and without being subject or liable to any Fine, Penalty, or Punishment for entering or continuing upon such Lands or Premises respectively for any of the Purposes of this Act; and if any Person shall pull up, remove, or destroy any of such Stakes or other Marks used for the Purposes aforesaid, every Person so offending shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds.

XXIV. Provided always, and be it further enacted, That in erecting and building the said Bridge, over and across the said Canal from *Leeds* to *Liverpool*, the Arch thereof shall be of such Span and Dimensions as shall not obstruct or impede the hauling and passing of Boats, Barges, and other Vessels upon the said Canal, and shall leave sufficient Space and Room for a Towing Path of a proper and convenient Breadth through or under the same; provided also, that the Ascent of the Road to or over the said Bridge shall not be more than One Foot in Thirteen, and that the Fence on each Side of such Bridge shall not be less than Four Feet above the Surface of the Bridge; provided also, that the said Bridge

Roads may be made.

Limitation in the Construction of Canal Bridge.

Bridge and wing Walls thereof; and Approaches to the same; shall be made and erected, and during the Continuance of the said Trust, be repaired, maintained, and upheld, by and at the Expence, Costs, and Charges of the Trustees of the said Roads.

Trustees to purchase small Pieces of Land separated in making the Roads.

XXV. And whereas it may happen that by making the said Roads, or some or one of them, over certain Lands or Grounds, Part of such Lands or Grounds may be so separated and divided from the Residue thereof as to be rendered of little Use or Value to the Proprietors thereof respectively; be it therefore enacted, That in all Cases where any Parcel of any Land or Ground shall be so separated or divided, and shall not exceed One-half Part of an Acre on either Side of any of the Roads, the said Trustees shall and they are hereby required, on the Request in Writing of the Proprietor or Proprietors thereof, to purchase and pay for the same, and the said Trustees shall and they are hereby required to offer the same for Sale to the Proprietor or Proprietors of the adjoining Lands, and to sell the same in the Manner and subject to the Regulations prescribed by the said recited Act of the Third Year of the Reign of His present Majesty, relative to the Sale of Land not wanted for the Purposes of the Act.

Roads to be made according to the Map or Plan deposited at the Office of the Clerk of the Peace.

XXVI. And whereas a Map or Plan, describing the Line of the said Roads, and the Lands, Hereditaments, and Premises through or over which the same are to be made or carried, together with a Book of Reference, containing a List of the Names of the Owners and Occupiers of such Lands, Hereditaments, and Premises, have been deposited at the Office of the Clerk of the Peace for the West Riding of the County of York; be it therefore enacted, That the said Map or Plan and Book of Reference shall remain in the Custody of the Clerk of the Peace for the said Riding, to the End that all Persons may, at all seasonable Times, have Liberty to inspect and peruse the same, and to take Copies or Extracts thereof at their Will and Pleasure, paying the Clerk of the Peace the Sum of One Shilling for every such Inspection, and at the Rate of Sixpence for every One hundred Words of such Copies or Extracts of the said Map or Plan and Book of Reference; and that the said Trustees in making the said Roads shall not deviate more than One hundred Yards of Three Feet each from the Line described in the said Map or Plan, without the Consent and Approbation in Writing of the Person or Persons, Bodies Politic, Corporate, or Collegiate, through whose Lands or Premises such Deviation shall be made: Provided always, that the said Roads shall not exceed Forty-two Feet in Width.

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

XXVII. Provided always, and be it further enacted, That it shall be lawful for the said Trustees to make the said Roads into, through, across, or over the several Lands, Hereditaments, or Premises of any Person or Persons who is or are or may be Owner or Owners of Lands or Premises over which the same is or are set out and described in the said Map or Plan as aforesaid, although the Name or Names of such Person or Persons may happen to be omitted or mis-stated in the said Book of Reference and Schedule to this Act marked (A.), in case it shall appear to any Two or more Justices of the Peace for the said Riding, and be certified by Writing under their Hands, that such Error or Omission proceeded from Mistake.

XXVIII. Pro-

XXVIII. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees to make the said new Roads, or any of them, through the Lands of the Reverend *Robert Wilkinson* Clerk, which lie on the North Side of the said Place called *Whitehall*, without the Consent in Writing of the said *Robert Wilkinson* for that Purpose first had and obtained; any thing herein-before contained to the contrary notwithstanding.

Road not to be made over certain Lands without Consent.

XXIX. Provided always, and be it further enacted, That the Powers and Authorities given by this Act for making the said Roads shall not extend, or be construed to extend, to empower or authorize the said Trustees to take or pull down any Dwelling House or other Building, or to take in or make use of any Curtilage, Garden, Yard, Park, Paddock, Lawn, Shrubbery, planted Walk, or Avenue to a House, or any inclosed Ground planted and set apart as a Nursery for Trees, or any Part thereof respectively, without the Consent in Writing of the Owner or Proprietor thereof, or other Person interested therein, first had and obtained, except such as are mentioned in the Schedule to this Act annexed, marked (A).

Trustees restrained from pulling down Dwelling Houses, &c. without the Consent of the Owner, except those mentioned in Schedule.

XXX. Provided also, and be it further enacted, That in case the said Trustees shall not purchase the Lands, Buildings, Tenements, and Hereditaments mentioned in the Schedule to this Act annexed, within the Space of Five Years from the passing of this Act, all the Powers granted by this Act, or the said recited Acts, for purchasing, taking, or using the same, or such of them as shall not then have been purchased, shall cease and determine, save and except with the Consent of the Owners or Proprietors thereof for the Time being.

Trustees restrained from using Lands, &c. mentioned in the Schedule, unless purchased within Five Years.

XXXI. And be it further enacted, That it shall be lawful for the said Trustees from Time to Time to treat, contract, and agree with the Parties or Persons who shall be Owners of or interested in any Lands, Buildings, Tenements, Hereditaments, or Premises, to be taken or made use of in the Execution of this Act, or who shall sustain any Loss or Damage by Means thereof, for the Purchase of such Lands, Buildings, Tenements, Hereditaments, or Premises, and for the Value, Consideration, Compensation, or Satisfaction to be made for the same, or for such Loss or Damage aforesaid; and it shall be lawful for all Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Civil, Corporations Aggregate or Sole, Tenants for Life or in Tail, Husbands, Guardians, Trustees, Feoffees in Trust, Committees, Executors, Administrators, and all other Persons whomsoever, not only for and on behalf of themselves, their Heirs and Successors, but also for and on the behalf of the Person or Persons entitled in Reversion, Remainder, or Expectancy after them, and for and on behalf of their Cestuique Trusts, whether Femes Covert, Wards, Infants, or Issue unborn, Lunatics, Idiots, Persons of unsound Memory and Understanding, or other Person or Persons whomsoever, and to and for all Femes Covert who are or shall be seised or interested in their own Right, or entitled to Dower, 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, Buildings, Tenements, Hereditaments, or Premises, to give their Consent in Writing to the said Trustees for the taking and using any such Lands, Tenements, Hereditaments, and Premises, and the pulling down of any Dwelling House, or any other Building, and to treat, contract, and agree with the

Trustees may contract for the Purchase of Land.

Trustees for executing this Act for the Value, Consideration, Compensation, or Satisfaction to be made for such Property or Interest, or for any Loss or Damages as aforesaid, and by Conveyance, Lease and Release, or Bargain and Sale, to sell and convey unto the said Trustees any such Lands, Buildings, Tenements, Hereditaments, or Premises, or any Part thereof, for any of the Purposes of this Act; and all Contracts, Agreements, Sales and Conveyances which shall be so made, shall be good, valid, and effectual to all Intents and Purposes, without Fine or Recovery, and shall be a complete Bar to all Estates Tail, and other Estates, Rights, Titles, Trusts, and Interests whatsoever, any Law, Statute, Usage, or other Matter whatsoever to the contrary notwithstanding; and all such Bodies Politic, Corporate or Collegiate, Ecclesiastical or Civil, Corporations Aggregate or Sole, Tenants for Life or in Tail, Husbands, Guardians, Trustees, Feoffees, Committees, Executors, and Administrators, and all other Persons, shall be and are hereby indemnified for what they shall do by virtue or in pursuance of this Act; and if any such Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Civil, Corporations Aggregate or Sole, Tenants for Life or in Tail, Husbands, Guardians, Trustees, Feoffees, Committees, Executors, or Administrators, or any other Person or Persons as aforesaid, upon Notice to him, her, 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 such Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Civil, or at the House of the Tenant in Possession of the Premises, shall, for the Space of Thirty Days next after such Notice given or left, neglect or refuse to treat, or shall not agree, or by reason of Absence shall be prevented from treating, then and in every or any such Case, the said Trustees shall cause such Value, Consideration, Compensation, Satisfaction, or Damages to be inquired into and ascertained by a Jury, in the Manner prescribed by the said Act passed in the Third Year of the Reign of His present Majesty, in Cases where any Damages, Value, or Recompence for Premises thereby authorized to be taken and used for widening, diverting, altering, and improving any Turnpike Road, are directed to be inquired into and ascertained, subject to all the Regulations and Provisions of the said Act relative to the summoning and impannelling the Jury, the summoning of Witnesses, the fining of the Sheriff, his Deputy, Bailiff, or Agent, and fining the Witnesses, and to the Payment of the Expences of summoning and maintaining the Jury and Witnesses.

Application
of Compens-
ation Money
if amounting
to 200*l*.

XXXII. And be it further enacted, That if any Money shall be paid, or agreed or awarded to be paid, for the Purchase of any Lands, Tenements, or Hereditaments to be purchased, taken, or used for the Purposes of the said Roads, which shall belong to any Body Politic, Corporate, or Collegiate, Ecclesiastical or Civil, Corporation Aggregate or Sole, Tenant for Life or in Tail, or to any Feoffee in Trust, Executor, Administrator, Husband, Guardian, Committee, or other Trustee, for or on behalf of any Infant, Idiot, Lunatic, Feme Covert, or other Cestuique Trust, or to any Person or Persons whose Lands, Tenements, or Hereditaments are limited in strict or other Settlement, or to any Person under any other Disability or Incapacity whatsoever, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Exchequer, to be placed to his Account there *ex parte* the Trustees for executing this Act, pursuant to the

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

1 G. 4. c. 35.

XXXIII. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands, Tenements, or Hereditaments to be purchased, taken, or used for the Purposes of the said Roads, and belonging to any Corporation, or to any Person or Persons under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed or amount to the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy, Idiocy, Lunacy, or other Incapacity, with the Approbation of the said Trustees, or any Three or more of them, to be signified in Writing under their respective Hands, to be paid into the Bank of *England*, in the Name and with the Privity of the said Accountant

Where less than 200*l.* and amounting to 20*l.*

General

General of the Court of Exchequer, and be placed to his Account as aforesaid, in order to be applied in manner herein-before directed; or otherwise the same may be paid, at the like Option and with the like Approbation, to Two Trustees, to be nominated by the Person or Persons who for the Time being would be entitled to the Rents and Profits of the Lands, Tenements, and Hereditaments so to be purchased and settled, such Nomination to be approved of by Three or more of the Trustees for executing this Act, and such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties; and the Money so paid to such Trustees, and the Dividends and Produce arising thereon and therefrom, shall be by them applied in like Manner as is herein-before directed with respect to the Money so to be paid into the Bank in the Name of the Accountant General of the Court of Exchequer, but without obtaining or being required to obtain any Order of the said Court touching the Application thereof.

Where under
20l.

XXXIV. Provided also, and be it further enacted, That where such Money so agreed or awarded to be paid as next herein-before mentioned shall be less than Twenty Pounds, then and in all such Cases the same shall be paid to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken, or used for the Purposes of this Act, for his, her, or their own Use and Benefit; or in cases of Infancy, Idiotcy, Lunacy, or other Incapacity, then such Money shall be paid to his, her, or their Guardian or Guardians, Committee or Committees, Trustee or Trustees, to and for the Use and Benefit of such Person or Persons respectively entitled thereto.

In case of
not making
out a good
Title, or if
Persons can-
not be found,
the Purchase
Money to be
paid into the
Bank.

XXXV. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be awarded for the Purchase of any Lands, Tenements, or Hereditaments to be purchased, taken, or used under or by virtue of the Powers of this Act, shall refuse to accept the same, or shall not be able to make a good Title to the Premises, to the Satisfaction of the said Trustees, or in case the Person or Persons to whom such Sum or Sums of Money shall be so awarded as aforesaid cannot be found, or if the Person or Persons entitled to such Lands, Tenements, or Hereditaments be not known or discovered, then and in every such Case it shall be lawful for the said Trustees to order the said Sum or Sums of Money so awarded as aforesaid to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the said Court of Exchequer, to be placed to his Account there, to the Credit of the Parties interested in the said Lands, Tenements, or Hereditaments (describing them), subject to the Order, Controul, and Disposition of the said Court; which said Court, on the Application of any Person 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 said Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest of the Person or Persons making claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England*, who shall receive such

such Sum or Sums of Money, is and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying therein for what and for whose Use the same is or are received, to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank of *England* as aforesaid.

XXXVI. Provided always, and be it further enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the said Court of Exchequer, in pursuance of this Act, for the Purchase of any Lands, Tenements, or Hereditaments, or of any Estate, Right, Title, or Interest in any Lands, Tenements, or Hereditaments to be purchased in pursuance of this Act for the Purposes aforesaid, or to any Bank Annuities or Government or Real Securities to be purchased with any such Money, or the Dividends or Interest of any such Bank Annuities or Government or Real Securities, the Person or Persons who shall have been in Possession of such Lands, Tenements, or Hereditaments at the Time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, or Hereditaments, according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court; and the Dividend or Interest of the Bank Annuities or Government or Real Securities to be purchased with such Money, and also the Capital of such Bank Annuities or Government or Real Securities, shall be paid, applied, and disposed of accordingly, unless it shall be made appear to the said Court, that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

In case of
disputed
Titles.

XXXVII. Provided also, and be it further enacted, That where by reason of any Disability or Incapacity of the Person or Persons, or Corporation, entitled to any Lands, Tenements, or Hereditaments to be purchased, taken, or used under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the said Court of Exchequer, or to be applied in the Purchase of other Lands, Tenements, or Hereditaments, to be settled to the like Uses in pursuance of this Act, it shall be lawful for the said Court to order the Expences of all Purchases from Time to Time to be made in pursuance of this Act, or so much of such Expences as to the said Court shall seem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Trustees out of the Monies to be received by virtue of this Act, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

Court may
order rea-
sonable Ex-
pences to be
paid by
Trustees.

XXXVIII. Provided always, and be it further enacted, That the said new Roads shall not be respectively opened to the Public, or become public Road or Highways, until Two Justices of the Peace acting for the West Riding of the County of *York*, legally assembled at a Special Sessions, shall have certified that the said Roads respectively, and the Bridges, Culverts, Embankments, and other Works thereon respectively, are com-

Roads not to
be opened
until certified
by Justices.

[*Local.*]

27 C—D

pletely

pletely made and fit to be travelled upon throughout the whole Length of such Roads respectively.

Parts of Roads adjoining Leeds, when paved by the Surveyor of the Town, to be no longer Turnpike.

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

Reservation of Mines.

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

Ditches, Drains, Bridges, &c. by whom to be made and cleansed.

XLI. And be it further enacted, That Ditches, Drains, or Watercourses, of a sufficient Depth and Breadth for keeping the said Roads dry and conveying the Water from the same, shall be made by the said Trustees, or their Surveyor or other Officer, on the Sides of the said Roads, and also, where necessary, into or through any Fields, Lands, or Grounds adjoining to or lying near the said Roads (not being a Yard, Garden, Park, Paddock, planted Walk, or Avenue to a House), at the Expence of the said Trustees, out of the Monies to be received by virtue of this Act; and sufficient Bridges, Arches, Culverts, Trunks, Tunnels, or Plats shall be made by the said Trustees or their Surveyor or other Officer, where any Carriageways or Footways lead into, or out of, or cross the said Roads, also at the Expence of the said Trustees out of the Monies aforesaid, any Law or Statute to the contrary notwithstanding; and all such Ditches, Drains, and Watercourses, Bridges, Arches, Culverts, Trunks, Tunnels, or Plats, when made and completed by the said Trustees, shall for ever afterwards be scoured, cleansed, and kept open, repaired and maintained by the Occupiers of the adjoining Fields, Lands, or Grounds; but all such new Bridges, Arches, Culverts, Trunks, Tunnels, and Plats, as shall cross or pass in or under the said Roads, shall be scoured, cleansed, and kept open, repaired and maintained by the said Trustees, subject to the Provisions of the said Act of the Third Year of the Reign of His present Majesty.

XLII. And be it further enacted, That before the said Trustees shall form and make the said intended main Road in and over a certain Close of Land situate in *Scholes* aforesaid, usually called the *Seven Days Work Close*, the Estate of *Rachel Milnes* Widow, and now in the Occupation of *William Brooke* and *Richard Hopkinson*, they the said Trustees shall, at their Expence, make and complete a good and sufficient Aqueduct or covered Drain under the said intended main Road, for the Purpose of carrying and conveying in a pure State the Water of a certain Spring or Well now being in the South-east Corner of the said last-mentioned Close of Land, into that Part of the same Close which adjoins on the North Side of the said intended main Road, for the Use and Consumption of the Tenants and Occupiers for the Time being of such Close of Land, and the contiguous Estate of the said *Rachel Milnes*.

Trustees to make a Culvert to carry a Spring of Water to the North Side of the main Road, for the Use of Mrs. Milnes's Tenants.

XLIII. 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.

Public Act.

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

Commencement and Continuance of this Act.

SCHEDULE (A.) to which the Act refers.

Owners.	Occupiers.	Description of Property.
John Smyth, Esq.	John Batters	Stable, Mistal, Yard, and Necessary.
Edward Armitage, Esq.	Edward Armitage, Esq.	Plantation.
Ditto	Ditto	Ditto.
Ditto	William Newton	Garden.
Ditto	Ditto	Ditto.
Ditto	Richard Grayshon, or his Under-tenant, Joseph Thatcher	Pig-cote, Garden, and Necessary.
The Right Honourable the Earl of Cardigan	John Snowden	Garden and Pig-cote.
Ditto	The Earl of Cardigan	Plantation.
John Williamson	James Clayton	Garden.
John Plumbe Tempest, Esq.	John Crompton	Milldam.
Samuel Sykes, Esq.	Stephen Moorhouse, or his Under-tenant, Robert Webster	Garden.
Ditto	James Ingham	Coal Rail-road.
Samuel Sykes, Esq.	Samuel Sykes, Esq.	Garden.
Ditto	Samuel Webster	Orchard.
Joseph Sykes	Joseph Sykes	Orchard.
Samuel Sykes, Esq.	Samuel Sykes, Esq.	Garden.
Benjamin Troughton	John Gibson	Two Cottages, One unoccupied.
John Bower, Esq.	Joseph Hargreaves, or his Under-tenants	Fold.
Ditto	Joseph Hargreaves	Garden.
Ditto	John Bower, Esq.	Wood.
John Wormald, Esq.	John Wormald, Esq.	Plantation.
Ditto	Ditto	Wood.
Emanuel Emmet, Esq.	Emanuel Emmet, Esq.	Twiney Wood.
The Honourable Reverend John Lumley Savile	John Burnhill	Garden.
Miss Currer	Thomas Drake	Fold.
Trustees of Hipperholme School	Richard Woodhead	Garden.
Benjamin Schofield	Benjamin Schofield, Stephen Malinson, and William Holt	Cottages and Smith's Shop.
James Lister, Esq.	John Battye and S. Barber	Two Cottages.
Edward Armitage, Esq.	Robert Howgate	Garden.
Ditto	Ditto	Ditto.
Ditto	Widow Gaunt	Stable and Part of Homestead.
Ditto	Ditto	Garden.
Miss Currer	John Booth	Garden and Smith's Shop.
Ditto	Ditto	Cottage, Garden, Stack Garth, and Cowhouse.
Ditto	William and Richard Green	Garden.
Ditto	Richard Hodgson	Stable.
Ditto	William Green	Garden.
Thomas Ellison	Timothy Greenwood	Plantation.
Trustees of Independent Chapel	Trustees of Independent Chapel	Stable.
Thomas Brook	Thomas Brook	Garden.
John Walker, Esq.	Joseph Taylor, Richard Sellars, John Sellars, & Mrs. Kitchen	Foldstead, Necessary, and Pig-cote.