



ANNO SEPTIMO

GEORGII IV. REGIS.

Cap. cxxx.

An Act for more effectually improving the Roads from *Doncaster* to *Salter's Brook Bridge*, and for diverting and altering the said Roads, and making certain Branches therefrom, all in the County of *York*. [26th May 1826.]

WHEREAS an Act was passed in the Fourteenth Year of the Reign of His Majesty King *George the Second*, intituled *An Act for repairing the Road from Doncaster, through the Parish of Peniston in the County of York, to Salter's Brook in the County of Chester; and also the Road from Rotherham in the said County of York, to Hartcliffe Hill in the said Parish of Peniston:* 14G.2.c.31.
And whereas another Act was passed in the Second Year of the Reign of His late Majesty King *George the Third*, intituled *An Act for continuing the Term and Powers of an Act made in the Fourteenth Year of the Reign of His late Majesty, intituled 'An Act for repairing the Road from Doncaster, through the Parish of Peniston in the County of York, to Salter's Brook in the County of Chester; and also the Road from Rotherham in the said County of York, to Hartcliffe Hill in the said Parish of Peniston;'* and for making the said Act more effectual, so far as the same relates to the said Road between *Doncaster* and *Salter's Brook*: And whereas another Act was also passed in the Twenty-ninth Year of the Reign of His said late Majesty King *George the Third*, intituled *An Act for continuing the Term, and altering and enlarging the Powers of Two Acts, passed in the Fourteenth Year of the Reign of His late Majesty and the Second Year of* 2G.3.c.71. 29G.3.c.98.
[Local.] 43 R the

the Reign of His present Majesty King George the Third, so far as the same relate to repairing the Road from Doncaster, through the Parish of Peniston in the County of York, to Salter's Brook in the County of Chester: And whereas another Act was likewise passed in the Fiftieth Year of the Reign of His said late Majesty King George the

Third, intituled An Act for continuing and amending Three Acts, passed in the Fourteenth Year of His late Majesty, and Second and Twenty-ninth Years of His present Majesty, so far as they relate to repairing the Road from Doncaster in the County of York, to Salter's Brook in the County of Chester: And whereas the Trustees appointed by or in pursuance of the said Acts for the said Road from Doncaster to Salter's Brook, have made great Progress in the Repair of that Road, and considerable Sums of Money have been borrowed and still remain due and owing upon the Credit of the several Tolls by the said Acts authorized to be collected upon the said Roads, and the said Roads cannot be effectually widened, improved, and maintained in repair, nor can the said Debt be paid off, unless the Term and Powers are enlarged, some additional Powers granted, and the Tolls arising on the said Roads increased: And whereas an Act was passed in the Third Year of the Reign of His present Majesty King George the Fourth, intituled An Act to amend the general Laws now in being for regulating Turnpike Roads in that Part of Great Britain called England: And whereas another Act was passed in the Fourth Year of the Reign of His present Majesty, intituled An Act to explain and amend an Act passed in the Third Year of the Reign of His present Majesty, to amend the general Laws now in being for regulating Turnpike Roads in that Part of Great Britain called England: And whereas an Act was passed in the Fifth Year of the Reign of His said present Majesty, intituled An Act to enable Justices of the Peace for Ridings, Divisions, or Sokes, to act as Trustees for repairing and maintaining Turnpike Roads: And whereas certain Parts of the said Road from Doncaster to Salter's Brook in the Parishes of Peniston and Silkstone are extremely hilly and inconvenient, and it would afford very great Accommodation to the Public if the Course of the said Road in those Parts were diverted and altered, and several Branches or additional Lines of Road hereinafter described made therefrom: And whereas it would be more convenient if the said Acts of the Fourteenth Year of the Reign of His Majesty King George the Second, and the Second, Twenty-ninth, and Fiftieth Years of the Reign of His said late Majesty King George the Third, so far as the same respectively relate to the said Road from Doncaster to Salter's Brook, were repealed; and further, better, and more effectual Powers granted, as well for more effectually repairing, altering, widening, diverting, and otherwise improving the said present Line of the same Road, as for the making and maintaining the Diversion and several Branches or additional Lines of Road hereinafter mentioned; but the beneficial Purposes aforesaid cannot be effected without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same,

That

That from and after the Third *Thursday* next after the passing of this Act, the said recited Acts respectively passed in the Fourteenth Year of the Reign of His Majesty King *George* the Second, and the Second, Twenty-ninth, and Fiftieth Years of the Reign of His said late Majesty King *George* the Third, shall be and the same are hereby repealed, so far as the same relate to the said Road from *Doncaster* to *Salter's Brook*; and on the same Day this Act shall commence and take effect instead thereof, and shall, together with the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty, be put in execution for and during the Term herein-after mentioned, as well for the Purpose of more effectually repairing, widening, altering, diverting, and from Time to Time improving the said Road, as also for making and maintaining the Alteration of the Line of the said Road, to commence at or near to *Scout Bridge*, in the Township of *Thurlstone* in the Parish of *Peniston*; and from thence through the Townships of *Hoylandswaine* and *Oxspring* on towards *Coites*, in the Township of *Thurgoland*, passing on the North Side of *Nabbs* to the Town of *Dodworth*, and to join again the present Turnpike Road there in the said Parish of *Silkstone*; and also for making and maintaining a Branch or Road from and out of the same Turnpike Road, commencing at the Town of *Dodworth*, passing on towards *Dodworth Lane Head*, thence by *Pogmoor*, and ending in the Market Place in *Barnsley* in the Parish of *Silkstone* aforesaid; and also for making and maintaining another Branch or Road from and out of the said intended Diversion in *Thurgoland*, on the North Side of *Coites*, passing by *Oxspring Mill*, to communicate with the Third District of the *Halifax* and *Sheffield* Turnpike Road, in the Township of *Oxspring* in the Parish of *Peniston* aforesaid; and also for making and maintaining another Branch or Road from and out of the said intended Diversion on *Silkstone Common*, passing by *Faulfitt* in the Township of *Stainborough*, and ending opposite a certain Highway or Road there leading to *Eastfield* in the Township of *Thurgoland* and Parish of *Silkstone* aforesaid; and also for making and maintaining another Branch or Road out of the first-mentioned Branch or Road from *Dodworth* to *Barnsley*, commencing at or near the Top of the *Shaw* or *Shay Lane*, crossing the *Race Common* Road, and ending in a newly-formed Street called *Pitt Street*, at the South-west Corner of the new Burial Ground set out for *Saint George's Church* in *Barnsley* aforesaid; and likewise for making and maintaining another Branch or Road from and out of the said Turnpike Road, at a certain Place in the Township of *Thurlstone* called *Mill House Green*, (passing over *Sledbrook Bridge*,) to communicate with the *New Mill* District of the *Wadsley* and *Langsett* and the *Holmfirth* and *Wadsley* Turnpike Roads, at the Bottom of *Flint Lane* in the Township of *Thurlstone* and Parish of *Peniston* aforesaid.

II. And be it further enacted, That the said recited Act passed in the Third Year of the Reign of His present Majesty, and all and every the Powers, Provisions, Exemptions, Penalties, Forfeitures, Payments, Remedies, Matters, and Things therein contained, (save and except such Parts thereof as are expressly varied, altered, or repealed

Recited Acts
of 14 G. 2.
and 2, 29, &
50 G. 3. re-
pealed, and
this Act to
take effect.

Powers of
recited Acts
of 3, 4, &
5 G. 4. ex-
tended to this
Act.

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

New Term
and Tolls
liable to the
Debts under
former Acts.

III. And be it further enacted, That this Act and the Term and Tolls hereby granted shall be and they are hereby made subject and liable to the Payment of all Monies which have been borrowed and are now due and owing on the Credit of the Tolls authorized to be taken by the said Acts of the Fourteenth Year of the Reign of His said Majesty King *George* the Second, and the Second, Twenty-ninth, and Fiftieth Years of the Reign of His said late Majesty King *George* the Third, hereby repealed, upon the said *Doncaster* and *Salter's Brook* Road therein mentioned; and also of such other Sum or Sums of Money as may be borrowed by virtue of or become due on the Credit of the said Acts and of this Act, or of any of them, and of all Interest due and to grow due thereon respectively, as fully and effectually, to all Intents and Purposes, as if such Monies had been borrowed or become due and owing on the Credit or Security of the Tolls granted by this Act; and all and every Person and Persons who may owe or be subject or liable to the Payment of any Sum or Sums of Money to the Trustees for executing the said Acts hereby repealed and this Act, or to any other Person or Persons for the Benefit of the said Roads, shall be liable to the Payment of all such Sum or Sums of Money to the Trustees for executing this Act.

Bonds, &c.
under former
Acts to be
good under
this Act.

IV. And be it further enacted, That all Bonds, Covenants, Agreements, and Securities made or entered into by any Person or Persons to or with any of the Trustees for executing the said Acts of the Fourteenth Year of the Reign of His said Majesty King *George* the Second, and Second, Twenty-ninth, and Fiftieth Years of the Reign of His said late Majesty King *George* the Third, hereby repealed, or any of them, so far as relate to the said Roads therein mentioned, according to the Provisions and Directions thereof respectively, shall remain in full Force and Effect, and shall be and continue available in all Courts of Law and Equity until the same are or shall be fully satisfied and performed; and all Contracts, Agreements, Demises, Mortgages, and Securities duly made or entered into by the Trustees for executing the said Acts hereby repealed, so far as the same relate to the said Road therein mentioned, to or with any Persons, shall remain in full Force and Effect, and shall be binding on the Trustees for executing this Act and the said recited Acts of the Third and Fourth Years of the
Reign

Reign of His said present Majesty, and be observed and kept by them according to the Terms, Stipulations, and Tenor thereof respectively.

V. And be it further enacted, That all Persons who are or have been employed, or who have received any Tolls or other Money on account of the said *Doncaster* and *Salter's Brook* Road, or who have or shall have in their Custody or Possession any Money, Books, Papers, Writings, or other Things relating to the said Road, shall account for and pay and deliver over the same and every Part thereof to the Trustees for executing this Act, in like Manner and under the like Penalties as the several Collectors and other Persons receiving any Money by virtue of the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty and this Act are required to pay or account for the same.

Books, &c. relative to former Acts to be delivered to the Trustees under this Act.

VI. And be it further enacted, That all and every Book and Books containing the Accounts and Proceedings of the Trustees for executing the said recited Acts so hereby repealed as aforesaid, or containing any Orders or Agreements made or entered into by them, and made Evidence thereby, shall and may be given in Evidence in all Cases of Appeal, and in all Prosecutions, Suits, and Actions whatsoever, in such and the same Manner as if the said recited Acts had not been repealed.

Books used under former Acts to be Evidence.

VII. And be it further enacted, That all Arrears of Tolls or Rents and other Monies due to, and all other Property Real or Personal, and all Choses in and Rights of Action, either at Law or in Equity, vested in the Trustees acting in the Execution of the said former Acts or any of them, so far as the same relate to the said Road from *Doncaster* to *Salter's Brook*, shall, immediately on the passing of this Act, be vested in the Trustees acting in the Execution of this Act; and such Trustees shall be and they are hereby authorized and empowered to receive and take Possession of the same, and for that Purpose to cause to be commenced and prosecuted any Action or Suit at Law or in Equity, and to act in respect thereof as effectually as if the same had become due to or had been vested in them under and by virtue of this Act; and all the Costs and Expences incurred by the Trustee or Trustees, or Person or Persons in whose Name or Names such Proceeding shall be had, shall be paid and defrayed by and out of the Monies to be raised by virtue of this Act; and the Monies, when recovered, shall be paid over to the Treasurer of the said Trustees, and be applied towards the Purposes of this Act.

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

VIII. And be it further enacted, That all His Majesty's Justices of the Peace for the Time being, acting for the West Riding of the County of *York*, together with the Right Honourable *Charles William Fitzwilliam* commonly called Viscount *Milton*, the Right Honourable *Godfrey Bosville* Baron *Macdonald*, the Right Honourable *Francis Godolphin Osborne* commonly called Lord *Francis Osborne*, the Right Honourable Lord Viscount *Pollington*, the Right Honourable *John Beckett*,

Trustees.

Beckett, the Honourable Henry Saville, James Archibald Stuart Wortley M. P., William Wrightson, Sir George Armytage Baronet, Sir William Bryan Cooke Baronet, Sir Francis Lindley Wood Baronet, Sir George Sitwell Baronet, Sir Joseph Copley Baronet, Sir George Wombwell Baronet, Sir John Ramsden Baronet, Sir John Beckett Baronet, Sir John Lister Kaye Baronet, Sir Edward Dodsworth Baronet, Sir Charles Kent Baronet, Robert Affleck Clerk, John Wentworth Armytage Clerk, John Armytage, Henry Armytage, George Armytage, George Alletson, Samuel Athorne, Joseph Beckett, Thomas Wentworth Beaumont, John Bayldon, John Sanderson Bayldon, John Staniforth Beckett, John Birks, Thomas Beckett, Christopher Bird Clerk, William Bingley, Henry Bower, Thomas Richard Beaumont, James Timothy Bland, Thomas Briggs, John Branson, Richard Birks, John Blackenridge, Thomas Hayward Budd, John Booth, Brinkman Broadhead, William Beckett, John Birks junior, William Birks, Henry Clarke, Joseph Clarke, Stuart Corbett D. D., Edward Collingwood, Richard Crookes, Samuel Cooper, John Dodgson Charlesworth, Joseph Clark, John Cooper, Robert Couldwell Clarke, William Clark, Henry Bowen Cooke Clerk, Henry Cooke Clerk, John Carnley, Edward Chorley M. D., Alexander Cooke Clerk, Charles Henry Childers, Philip Davies Cooke, Robert Bryan Cooke Clerk, Luke Thomas Crossley, John Walbanke Childers, William Walbanke Childers Clerk, Joseph Charlesworth, George Clark, James Dow M. D., Richard Kennet Dawson, Edmund Denison, Elihu Dickinson, John Darwin, Richard Day, Robert Elmhirst, William Elmhirst, Askam Eyre, James Eyre, Francis Offley Edmunds, John Ellis, Joseph Fox, John Field, Andrew Faulds, Francis Hawsworth Fawkes, George Saville Foljambe, Henry Saville Foljambe, John Fletcher Clerk, Lewis Fenton, William Fenton, John Firth, John Garland, John Greaves, John Greenwood, Thomas Gee, Charles Greaves, Joseph Hall, Edward Hall, Joseph Hall junior, Samuel Hadfield, William Haxworthy, John Hardy, John Hoyland, Godfrey Higgins, John Hopwood, William Hopwood, John Horsfall, William Hett Clerk, John Haywood, John Haxworth (of Darfield,) William Haxworth, John Hardy (of Heath), John Haxworth, Christopher Haxworth, Thomas Haxworth, Joseph Johnson, William Jackson, Edward Jackson, John Johnson, John Jagger, Henry Jackson, Joseph Johnson the younger, William Johnson, John Johnson, Richard Johnson, Thomas Johnson, George Keir, Francis Kendray, John Mallison Keir, George Kenyon, John Kenyon, Thomas Lambert, William Lancaster, William Leatham, John Lowe Clerk, Henry Lonsdale Clerk, John Lindley Buller Rolle Langford, John Lee, Adolphus Langford, John Leadman, Gamaliel Milner, Benjamin Mence Clerk, John Moore, Richard Greaves Moore, John Moore junior, Francis Maude, Francis Maude Clerk, Timothy John Manley M. D., John Micklethwait (Birk's House), John Micklethwaite, Joseph Machin, Thomas Micklethwait, Mathew Mark Clerk, Robert Pemberton Milnes, Joseph Stocks Methley, Benjamin Micklethwait, Henry Burgess Martin, Francis Offley Martin, Richard Rodes Milnes, William Cookes Mence, William Newman, Samuel Oxley M. D., Thomas Ounsworth, John Oldroyd, Joseph Oldroyd, John Ounsworth, Richard Pickering M. D., John Payne, Robert Pickles, Francis Pickering, John Perkins, John Payne junior,

junior, *William Payne junior, William Squire Payne, George Parker, John Pearson, George Pitt junior, Henry Payne, Thomas Oldham Payne, Charles Pickering, Robert Richardson, Henry Rimington, Richard Raywood junior, Richard Raywood, John Rolling, John Rowley, William Radcliffe, Henry Richardson, William Rodham, Henry Rimington, Thomas Rishworth, Thomas Rishworth junior, James Rimington, John Spencer Stanhope, Charles Spencer Stanhope Clerk, Philip Spencer Stanhope, John Sanderson Clerk, Mark Skelton, Joseph Dixon Skelton, Vincent Smith, Joseph Shaw, George Shaw, Joseph Speight, John Sheppard, William Sheardown, William Smith, John Swift, Samuel Swift, John Simpson Clerk, William Shaw, Thomas Shaw, John Sheppard, Hugh Spencer Stanhope, William Shephard, John Thornely, John Thornely junior, Edward Taylor, Thomas Taylor, John Taylor, Samuel Thorp, Richard Thorp, William Thorp, Thomas Thexton Clerk, Charles Tee, Philip Tinker, Tedbar Tinker, Edward William Taylor, Benjamin Broomhead Taylor, Godfrey Wentworth Wentworth, Godfrey Wentworth, John Wentworth, Frederick Thomas William Vernon Wentworth, Charles Wood, George Woolhouse, Henry Walker, William Battie Wrightson, John Whitworth, Henry Watkins Clerk, Richard Fountain Wilson, Saint Andrew Warde, Thomas West, Thomas Walker, George Clarke Walker, John Wright, Shepley Watson, William Wordsworth Clerk, Robert Willan Clerk, John Watson, Arthur Battie Wrightson, John Stuart Wortley, Charles James Stuart Wortley, James Stuart Wortley, Thomas Wilson junior, Henry Wilson, Joseph Wilcock, John Cook Yarborough, William Young, and their Successors, being duly qualified according to the Provisions and Directions contained in the said recited Acts of the Third, Fourth, and Fifth Years of the Reign of His present Majesty, shall be and they are hereby appointed the Trustees for carrying this Act and the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty into execution.*

IX. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered, at any Meeting from Time to Time to be held for that Purpose, of which Meeting and of the Purpose thereof Fourteen Days Notice shall be given in manner by the said recited Act of the Third Year of the Reign of His present Majesty directed with respect to Meetings for the Appointment of Trustees on Vacancies, to elect and appoint any Number of Persons, not exceeding Three in the whole, to be Trustees for executing this Act and the said recited Acts of the Third, Fourth, and Fifth Years of the Reign of His present Majesty, in addition to the Trustees herein named and appointed; and such additional Trustees, so elected and appointed, being duly qualified according to the Provisions of the said last-mentioned recited Acts of the Third and Fourth Years of the Reign of His present Majesty, shall be and they are hereby invested with the same Powers and Authorities for executing this Act as if they had been named in this Act.

Power to
appoint addi-
tional Trus-
tees.

X. And, be it further enacted, That the Trustees acting in the Execution of this Act shall meet together at the *White Bear Hotel* in

First Meeting
of Trustees.

in *Barnsley*, or at some other convenient Place upon and near to the said Roads, on the Third *Thursday* next after the passing of this Act, or as soon after as conveniently may be, and shall and may then and from Time to Time adjourn to and meet at such Times and at such Places upon or near to the said Roads as they shall think proper.

Old Officers
to continue
until removed
by Trustees.

XI. Provided always, and be it further enacted, That each and every Treasurer who shall have been appointed according to the Directions of the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty, and not disqualified to be such Treasurer by the Provisions and Directions of this Act, and each and every Clerk, Collector, Surveyor, and other Officer appointed under and by virtue of the said recited Acts of the Fourteenth Year of His Majesty King *George* the Second, and the Second, Twenty-ninth, and Fiftieth Years of His late Majesty King *George* the Third, and hereby repealed, shall hold and enjoy such their several and respective Offices and Employments until removed therefrom by the Trustees for executing this Act; and each and every such Treasurer, Clerk, Collector, Surveyor, and other Officer shall have the like Authority for the Purposes of this Act and for carrying the same into Execution, and shall be subject to the like Pains and Penalties and to the like Power of Removal, and to the like Rules and Regulations in all respects whatsoever, as if he had been appointed by virtue of this Act.

Clerk and
Treasurer
not to be the
same Person.

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

XIII. And

XIII. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered, to make and complete the said Diversion and several Branches or Roads hereinbefore set forth and described, in, upon, over, or through any private Lands or Grounds, of such Width as they shall think proper, not exceeding Forty-two Feet, together with such Footpaths, Causeways, Bridges, Culverts, Fences, Ditches, and Drains as they shall think necessary or expedient, and for such Purpose or Purposes to pull down or take and use or lay into the said Roads any Houses, Buildings, Tenements, or Hereditaments mentioned in the Schedule to this Act annexed, making Satisfaction to the Owners thereof and Persons interested therein for the same, or for the Damage they may sustain thereby, and also in, upon, over, or through any Commons or Waste Grounds, without making any Satisfaction for such Commons or Waste Ground; and it shall also be lawful for the said Trustees, and for their Surveyors and Surveyor and Workmen, from Time to Time to enter upon the Lands and Hereditaments through which or whereupon such Road, Footpaths, Causeways, Fences, Ditches, and Drains is or are intended to be made or pass, and also upon any adjoining Lands or Grounds, and to stake out the same in such Manner as the said Trustees shall think necessary or expedient, without being deemed a Trespasser or Trespassers, and without being subject or liable to any Fine, Penalty, or Punishment for entering or continuing upon such Lands or Premises respectively for any of the Purposes of this Act; and if any Person shall pull up, remove, or destroy any of such Stakes or other Marks used for the Purposes aforesaid, every Person so offending shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds.

Diversion
and Branches
of Roads may
be made.

XIV. And whereas a Map or Plan, describing the said intended additional Lines of Roads and Branches and the Diversion and Alteration of the said *Doncaster* and *Salter's Brook* Road, and the Lands through which the same is intended to be carried, together with a Book of Reference containing a List of the Names of the Owners and Occupiers of such Lands, has been deposited at the Office of the Clerk of the Peace at *Wakefield* in and for the West Riding of the County of *York*; be it therefore enacted, That the said Trustees, in making the said additional Lines of Road and Diversion, and Alterations and Branches described in the said Map or Plan, shall not deviate more than One hundred Yards or Three Feet each from the Line thereof, without the Consent in Writing of the Person or Persons through whose Land such additional Lines of Road and Diversion and Alterations and Branches described in the said Map or Plan shall be made; and the said Map or Plan and Book of Reference shall remain in the Custody of the Clerk of the Peace aforesaid, to the end that all Persons may at all seasonable Times have liberty to inspect and peruse the same, and take Copies of or Extracts therefrom, paying to the Clerk of the Peace for every such Inspection the Sum of One Shilling, and at the Rate of Four-pence for every Seventy-two Words of such Copies or Extracts; and the said Map or Plan and Book of Reference, or any Copies of or Extract therefrom, certified by the

Road to be
made accord-
ing to the
Plan depo-
sited at the
Office of the
Clerk of the
Peace.

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Clerk

Clerk of the Peace aforesaid to be a true Copy of or Extract therefrom, or of any Part or Parts thereof, shall be and the same is and are hereby declared to be good Evidence in all Courts of Law.

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

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

Power to widen certain Parts of the Road.

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

Dwelling Houses, &c. not to be injured without Consent.

XVII. Provided also, and be it further enacted, That the Powers and Authorities hereby given to the said Trustees to make such aforesaid additional Lines of Road, Diversion, and Branches, or for altering, widening, and improving the said Roads, shall not extend to the pulling

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

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

Limiting the Time for purchasing Premises, &c.

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

Old Road to be abandoned when new one completed.

XX. And be it further enacted, That if at any Time any Person or Persons shall offer or be willing to advance any Sum or Sums of Money on the Security of the Tolls by this Act granted, at any lower Rate of Interest than is now paid or payable to the Holder or Holders of any of the then existing Securities, the said Trustees shall and may and they are hereby authorized and empowered to cancel such Securities so carrying a higher Rate of Interest, to the Amount of the Sum or Sums offered or ready to be advanced, paying to the Holder or Holders the full Amount of such Security, and grant new ones bearing a lower Rate of Interest, unless the Holder or several Holders of such existing Securities shall consent to accept such lower Interest.

Trustees may borrow Money at a lower Interest than is now paid.

XXI. And whereas in and by the said recited Act of the Fiftieth Year of the Reign of His late Majesty King *George* the Third, and hereby repealed, it is enacted, that in case the Trustees therein named should at any Time or Times, during the Continuance of the said Act, think proper to widen or to turn or alter a certain Part of the said Road from *Doncaster* to *Salter's Brook*, commencing from a certain Common called *Mill Green* in the Township of *Thurlston*, through certain inclosed Grounds therein mentioned, and of which a Map or Plan describing the Line of the said intended Diversion of the said Road and the Lands through which the same was to be carried, together with Two Books or Schedules of Reference containing Lists of

Trustees may widen or alter Part of the Road from Doncaster to Salter's Brook.

of the Names of the Owners and Occupiers or reputed Owners or Occupiers of such Lands, had been deposited with the Clerk of the Peace for the West Riding of the County of *York*: And whereas it would be advantageous if the Power of making the last hereinbefore described Diversion were vested in the Trustees acting in the Execution of this Act; be it therefore further enacted, That in case the Trustees acting under the Execution of this Act shall at any Time or Times after the passing hereof think proper to widen or to turn or alter such Part of the said Road as in the said Act of the Fiftieth Year of the Reign of His said late Majesty King *George* the Third mentioned and herein also last above described, for rendering the same more commodious or for the better Accommodation of Passengers, it shall be lawful, at any Time after the passing of this Act, for the Trustees acting under the Authority of this Act to make and maintain such last-mentioned Diversion, and to make, carry, and continue the same through or over the several Lands or Grounds set out and described in such last-mentioned Map or Plan; and that it shall be lawful also for the said Trustees to make and maintain a certain Branch or Road from and out of the said *Doncaster* and *Salter's Brook* Turnpike Road, commencing at or near *Mill House Green* in the Township of *Thurlstone* aforesaid, passing near to *Catshaw Hazle Head*, *Saville House*, *Sledbrook Bridge*, and South Side of *Carlcoates*, to the South-west End of *Windleden Edge*, and communicate with the said Road near *Salter's Brook*: Provided always, that upon the Branch or Road last mentioned being made, the Power and Authority hereby given to make and maintain the Diversion last above mentioned shall cease and determine; and provided nevertheless, that such last-mentioned Branch or Road shall not be made without the Consent in Writing of all and every the Owners and Occupiers of the Lands and Grounds through which the same last-mentioned Branch or Road shall pass.

Application
of Compensation Money
if amounting
to 200l.

1 G. 4. c. 35.

XXII. And be it further enacted, That if any Money shall be paid, or agreed or awarded to be paid, for the Purchase of any Lands, Tenements, or Hereditaments to be purchased, taken, or used by virtue of the Powers of this Act, which belong to any Body Politic, Corporate, or Collegiate, Ecclesiastical or Civil, Corporation Aggregate or Sole, Tenant for Life or in Tail, or to any Feoffee in Trust, Executor, Administrator, Husband, Guardian, Committee, or other Trustee for or on behalf of any Idiot, Lunatic, Feme Covert, or other Cestuique Trust, or to any Person or Persons whose Lands, Tenements, or Hereditaments are limited in strict or other Settlement, or to any Person under any other Disability or Incapacity whatsoever; such Money shall in case the same shall amount to or exceed the Sum of Two hundred Pounds with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Exchequer, to be placed to his Account there: *ex parte* the Trustees for executing this Act, pursuant to the Method prescribed by an Act passed in the First Year of the Reign of His present Majesty King *George* the Fourth, intituled *An Act for the better securing Monies and Effects paid into the Court of Exchequer* at

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 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, 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.

XXIII. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands, Tenements, or Hereditaments to be purchased, taken, or used for the Purposes of this Act, and belonging to any Corporation, or to any Person or Persons under any Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed or amount to the Sum of Twenty Pounds, then and in all such Cases the same shall, at any 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

Application where less than 200*l.* and not less than 20*l.*

[Local.]

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

When less
than 20*l*.

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

In case of
not making
out Titles,
or Persons
entitled not
being found.

XXV. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be awarded for the Purchase of any Lands, Tenements, or Hereditaments to be purchased, taken, or used under or by virtue of the Powers of this Act, shall refuse to accept the same, or shall not be able to make a good Title to the Premises to the Satisfaction of the said Trustees, or in case the Person or Persons to whom such Sum or Sums of Money shall be awarded as aforesaid cannot be found, or if the Person or Persons entitled to such Lands, Tenements, or Hereditaments be not known or discovered, then and in every such Case it shall be lawful for the said Trustees to order the said Sum or Sums so awarded as aforesaid to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the said Court of Exchequer, to be placed to his Account to the Credit of the Parties interested in the said Lands, Tenements, or Hereditaments, (describing them,) subject to the Order, Controul, and Disposition of the said Court; which said Court, on the Application of any Person making claim to such Sum or Sums of Money or any Part thereof, by Motion or Petition, shall be and is hereby empowered, in a summary Way of Proceeding or otherwise,

otherwise, as to the said Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest of the Person or Persons making claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England* who shall receive such Sum or Sums of Money is and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying therein for what and for whose Use the same is or are received, to such Person or Persons as shall pay any Sum or Sums of Money into the Bank of *England* as aforesaid.

XXVI. 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 Privy 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 shown to the Satisfaction of the said Court; and the Dividends or Interest of the Bank Annuities, or Government or Real Securities, to be purchased with such Money, and also the Capital of such Bank Annuities or Government or Real Securities, shall be paid, applied, and disposed 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.

Persons in possession presumptively entitled.

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

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

out

out of the Monies to be received by virtue of this Act, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

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

XXVIII. And be it further enacted, That it shall be lawful for the said Trustees, if they think proper, to continue all and every or any of the Toll Gates or Turnpikes, Side Gates, Bars, Chains, Toll Houses, and Weighing Machines now standing and being in or upon or across the said Roads, or on the Sides thereof, and to remove the same or any of them, and also to erect and set up or build, or cause to be erected, set up, or built, in lieu thereof and in addition thereto, upon, in, or across the said Roads, or any Part thereof respectively, or upon the Sides thereof respectively, or any Part thereof, and also upon each of the said Branches or Diversions of Road by this Act authorized to be made as herein-before mentioned, when, where, and as they shall judge necessary, any Gate or Gates, Turnpike or Turnpikes, Side Gate or Side Gates, Side Bar or Side Bars, Chain or Chains, Weighing Machine or Weighing Machines, and also One or more Toll House or Toll Houses, with Outhouses and Conveniences suitable thereto, at or near such Gate, Bar, Chain, or Weighing Machine, and to take in and inclose, on the Sides of the said Roads and Branches or Diversions respectively, suitable Garden Spots for the same respectively, not exceeding One Eighth of a Statute Acre each, as they shall think necessary, and from Time to Time to take down and remove or alter and discontinue the same or any of them, as they the said Trustees shall think proper, and direct or appoint.

Lamps to be
lighted at
Toll Houses.

XXIX. And be it further enacted, That it shall be lawful for the said Trustees from Time to Time to order and direct One or more Lamp or Lamps to be placed and erected on or against or in front of each and every of the Toll Houses to be continued or erected by virtue of this Act, as they the said Trustees shall think proper, and also to order and direct at what Times of the Year and during what Hours such Lamp or Lamps or any of them shall be kept lighted; and all and every Collectors and Collector of the Tolls authorized by this Act to be taken and collected, appointed by the said Trustees, and also all and every Lessees or Lessee thereof, and all and every Person and Persons appointed by such Lessees or Lessee, who shall neglect or omit to observe and fulfil the Orders of the said Trustees in respect to the keeping and lighting of such Lamp or Lamps, shall forfeit and pay any Sum not exceeding Five Pounds for every such Neglect or Omission, to be recovered and applied in such and the same Manner as Penalties incurred by Offences against the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty are by such Acts directed to be recovered and applied.

Power to
take Tolls.

XXX. And be it further enacted, That from and after the Third *Thursday* after the passing of this Act, it shall and may be lawful to and for the said Trustees, or for any Person under their Authority, to demand and take the following Tolls at every Turnpike, Toll Gate, Side Bar, or Chain to be continued, erected, or placed by virtue of this Act

Act in, upon, across, or on the Sides of the said Roads, Branches, or Diversions respectively; that is to say,

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

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

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

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

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

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

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

Which said respective Tolls or Sums of Money shall be demanded and taken as aforesaid before any Horse, Mule, Ass, or other Beast or Cattle shall be permitted to pass through any such Toll Gate or Turnpike, or Side Gate or Side Bar, or Chain; and such several and respective Tolls or Sums of Money shall be and are hereby vested in the said Trustees, and shall be applied for the Purposes of this Act in manner herein-after directed.

XXXI. Provided always, and be it further enacted, That if any Person shall have paid the Tolls hereby authorized to be taken for the passing of any Horse, Cattle, Beast, or Carriage through any one of such Toll Gates, or Turnpikes, or Side Gates, such Horse, Cattle, Beast, or Carriage shall, upon a Ticket denoting the Payment thereof on that Day being produced, be permitted to pass and repass Toll-free through the same Toll Gate, Turnpike, or Side Gate, and also through such other Gate or Gates, if any, as the Ticket for such Payment (such Ticket to be made according to the Requisitions and Provisions of the said last-mentioned Acts of the Third and Fourth Years of the Reign of His present Majesty and this Act), shall free at any Time during the same Day (such Day to be computed from Twelve of the Clock at Night to Twelve of the Clock in the next succeeding Night); any thing herein contained to the contrary thereof in anywise notwithstanding.

Tolls to be paid but Once a Day.

XXXII. Provided also, and be it further enacted, That no more than Six full Tolls shall be demanded or taken of or from any Person or Persons for or in respect of the same Horse or Horses, or other Beasts or Cattle, or Carriages, in any one Day (to be computed in manner

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

[Local.]

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herein.

herein-before mentioned) for passing or repassing through all or any of the said Toll Gates or Toll Bars erected or to be erected on the whole Line of the said Road.

Trustees to erect Toll Gates on each of the Branches, and to take Tolls thereat.

XXXIII. And be it further enacted, That the said Trustees shall and they are hereby required to erect and set up and continue upon each and every Branch of Road comprised in this Act, One or more Toll Gate or Toll Gates, Toll Bar or Toll Bars, or Turnpike or Turnpikes, and to demand and take thereat the Tolls by this Act granted, subject to the Provisions in this Act and the said recited Acts contained.

No Money to be laid out where there is no Turnpike erected or Tolls taken.

XXXIV. Provided always, and be it further enacted, That no Money arising from any of the Tolls hereby authorized to be collected and taken, shall be applied in or towards the Repair of any Branch Road comprised in this Act, unless some Toll Gate or Toll Bar or Turnpike shall be erected and continued upon such Branch Road, nor unless the Tolls hereby granted shall be demanded and taken thereat, pursuant to the Powers and Provisions of this Act and the said recited Acts.

One Horse Carts may be weighed.

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

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

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

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

XXXVII. Provided always, and be it further enacted, That for and in respect of all Horses or other Beasts of Draught drawing any Stage Coach or any Stage Waggon, Van, Caravan, Cart, or other Stage carrying Passengers or Goods for Payment, Hire, or Reward, for which Toll has been paid, and which shall return on the same Day through the same Turnpike, Toll Gate, or Side Gate, the Tolls hereby made

made payable shall be paid for each Time of passing and repassing through such Turnpike, Toll Gate, or Side Gate, in like Manner as if no Toll had been before paid thereat, in case the said Trustees so acting in the Execution of this Act shall so order and direct.

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

Post Chaises, &c. to be subject on every new Hiring.

XXXIX. Provided always, and be it further enacted, That no Toll shall be demanded or payable for any Horse, Mule, Ass, or other Beast drawing any Waggon, Wain, Cart, or other Carriage going empty for or returning laden with any Mould, Dung, Lime, Lime Ashes, Marl, Compost, or other Manure, for the Purpose only of being employed in Husbandry for manuring or improving Land, nor for any other Thing whatsoever employed in Husbandry, or for stocking of Land or other Tillage or Work in Husbandry: Provided nevertheless, that the same be conveyed and carried in Waggons, Wains, Carts, or other Carriages, the Fellies of the Wheels whereof shall be of the Breadth of Six Inches or more on the Bottom or Sole thereof, and be employed, used, or laid on or in Lands lying and being in the Township or Townships through which the *Doncaster and Salter's Brook* Turnpike Road passes, and *bonâ fide* the Property of any Inhabitant or Occupier of such Lands.

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

XL. Provided always, and be it further enacted, That in case in making any Part of the said Branch or new Road from *Dadworth* to *Barnsley* aforesaid, any Damage shall be done to or that it shall be found necessary to remove certain Cisterns, Troughs, or Watering Places, and Pumps, for receiving Water near the Town of *Barnsley* aforesaid, and called the *Town Well*, for the Use of the Inhabitants thereof and their Cattle and Stock, then and in that Case the said Trustees acting in the Execution of this Act, shall and they are hereby required to remove and place all such Cisterns, Troughs, or Watering Places, and Pumps, to some convenient Place or Places or Situations on the Side or Sides of such aforesaid Branch or new Road, near to where the present Cisterns, Troughs, or Watering Places, and Pumps are now placed, in order and in such Manner and so that the Wells or Springs flowing into or supplying the present Cisterns, Troughs, or Watering Places, and Pumps, with Water, may run and flow into such Cisterns, Troughs, or Watering Places, and Pumps, when so removed, and be enjoyed and used with the like Convenience by and for the Benefit of the said Inhabitants, and their Cattle and Stock, as heretofore in all respects; and that the Costs, Charges, and Expences of removing and replacing such Cisterns, Troughs, Watering Places, or Pumps, shall be borne and defrayed by the said Trustees.

Wells and Pumps in Barnsley to be preserved.

XLI. Provided always, and be it enacted, That it shall not be lawful for the said Trustees to apply, expend, or appropriate any of

Trustees not to repair the Roads in the Barnsley.

the Tolls hereby granted, or any Part or Parts thereof, in or towards the Repairs of any of the Roads within the Town of *Barnsley* aforesaid.

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

XLII. And be it further enacted, That out of the Money already received or borrowed by virtue of the said former Acts hereby repealed, or out of the first Money which shall or may arise or be received from the Tolls by this Act granted, the said Trustees shall in the first place pay and discharge all the Costs and Expences incident to and attending the obtaining and passing of this Act, together with lawful Interest of any Money to be borrowed for Payment of such Costs and Expences, from the Time of advancing the same to the Time of the Repayment thereof, and the Remainder of all such Monies (after Payment of the necessary Expences of erecting or repairing Toll Gates, Toll Houses, Milestones or Posts, and Fences, and for Books, Advertisements, Salaries of Officers, and other such Expences incidental to the Execution of this Act), shall be applied in keeping down the Interest of the Principal Monies advanced or borrowed on the Credit of the Tolls collected or arising from or payable on account of the said Roads, and which may hereafter be borrowed on the Credit of this Act, or of the Tolls to arise from or to be collected on or to be paid in respect of the said Roads, and in erecting Turnpikes or Toll Houses on the said Roads, and in amending, altering, turning, widening, improving, and keeping in repair the said Roads, and otherwise in putting this Act into execution, and in repaying the Principal Monies already borrowed on the Credit of the Tolls collected on or arising from or payable in respect of the said Roads, and the Principal Monies which may hereafter be borrowed by virtue of this Act, or the said recited Act of the Third Year of the Reign of His present Majesty.

Old Mortgages may be called in and new ones granted.

XLIII. Provided always, and be it further enacted, That the said Trustees, or any Five or more of them, shall and may, if thereunto required, receive in and cause all or any of the Mortgages now standing out on the Credit of the said recited Acts hereby repealed or any of them, so far as such Mortgages relate to the Road from *Doncaster* to *Salter's Brook*, and give and execute instead and in lieu thereof another Mortgage or other Mortgages of the said Tolls granted by this Act, for and during the Term granted by this Act.

Public Act.

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

Commencement and Term of Act.

XLV. And be it further enacted, That this Act shall commence and take effect upon and from the Third *Thursday* after the passing hereof, and shall continue and be in force for and during the Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament.

The SCHEDULE referred to by this Act.

Description of Property.	Names of Owners or reputed Owners.	Names of Occupiers.
	<i>Parish of Silkstone.</i>	
Plantation	John Thornely, Esquire	Himself.
Shed or Helm	The Reverend Francis Maude, Incumbent of Hoyland Curacy	John Sugden otherwise Barker.
Shed or Cow House	The Reverend John Fletcher and others, Trustees of Lady Bolls' Charity	Edward Elliott.
Gardens and Cow House	The Devises of the Reverend John Pickles deceased, or Robert Pickles	Samuel Townend, Thomas Jessop, Edmund Collins, Thomas Ellison, William Cudworth, Francis Hobson, and Thomas Liddall.
Barn	Joseph Beckett, Esquire, and others, as Union Calender Company	Themselves.
Town Well. Cottage or Dwelling House, and Stable or Coal Shed	Trustees of Willoughby Flower	Thomas Topping.
Shed and Stable	The Reverend Benjamin Mence, Incumbent of the Living or Curacy of Barnsley	Tiplady Woodruffe.
Garden	Ditto	John Hurst
Orchard	Thomas Taylor	Himself.
Garden	Mrs. Elizabeth Rock	Herself and William Brooke.
Garden	George Keir	Himself.
Stable, Shed, and Yard	Henry Machin	Ditto.
Cottage or Dwelling House	Ditto	John Lister.
Ditto	Ditto	Thomas Midgley.
Ditto	Ditto	Thomas Gibson.
Shed and Yard	Robert Richardson, Esquire	Thomas Ostcliffe.
Stables, Office, and Yard	Ditto	William Poppleton, Joseph Ridsdale, and Edward Rids- dale, Executors of Edward Ridsdale, deceased.
Dwelling House and Butcher's Shop and Yard	Ditto	William Senior and George Ridsdale.
Yard	John Horsfall	Himself.
Stable and Yard	Trustees of William Horsfall	John Horsfall.
Coal Place, Privy, Pigstye, Yard, Stable, and Cham- ber	William Haxworth	Edward Medlam.
Warehouse and Yard	Ditto	Thomas Johnson and George Berry.
Dwelling House, Conveniences, and Yard	Ditto	Mrs. Elizabeth Taylor.

[Local.]

43 Y

Description of Property.	Names of Owners or reputed Owners.	Names of Occupiers.
<i>Parish of Darfield.</i>		
Yard - - - - -	Thomas Scales - - - - -	Widow Thewlis.
Yard - - - - -	Trustees of Methodist Chapel -	Themselves.
Plantation - - - - -	John Macklethwait, Esquire -	Himself.
Gardens - - - - -	George Ouram - - - - -	Himself and Tenants.
Weaver's Shop - - - - -	John Micklethwait, Esquire -	George Ouram.
Carpenter's Shop - - - - -	Ditto - - - - -	Martha Kenyon.
Gardens and Pigstye - - - - -	Ditto - - - - -	Richard Birks.
Gardens and Carpenter's Shop or Barn - - - - -	The Honourable Henry Saville -	Thomas Belcher.
Blacksmith's Shop - - - - -	Ditto - - - - -	William Cudworth.
Pigstye - - - - -	Joseph Machin, Esquire -	James Handley.
Gardens - - - - -	Earl Fitzwilliam - - - - -	William Horsfall and his Under- tenants.
Cottage - - - - -	Joseph Machin, Esquire - - - - -	Overseers of the Poor of Dar- field.
Cottage - - - - -		
Cottage - - - - -		
Cottage - - - - -		
Cottage - - - - -		
Garden - - - - -	Earl Fitzwilliam or Joseph Ma- chin, Esquire - - - - -	George Dyson.
Garden - - - - -	Ditto - - - - -	Adam Batty.
Garden - - - - -	Ditto - - - - -	Joseph Firth.
Barn, Cottage, Yard and Garden	Earl Fitzwilliam - - - - -	William Horsfall and Benjamin Wordsworth.
Garden - - - - -	Ditto - - - - -	Thomas Sailes.
House and Gardens - - - - -	Thomas Townend - - - - -	William Norman.
Garden - - - - -	William Cudworth - - - - -	Widow Butler.
Barn, Stable, and Yard - - - - -	Ditto - - - - -	Himself.

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