



ANNO NONO

# GEORGII IV. REGIS.

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## Cap. lxxix.

An Act for repairing and improving the Road from *Wakefield* to *Halifax*, with certain Branches therefrom, all in the West Riding of the County of *York*. [23d May 1828.]

**W**HEREAS an Act was passed in the Fourteenth Year of the Reign of King George the Second, intituled *An Act for repairing the Roads from a Place called Red House, near Doncaster, to Wakefield, and through the said Town of Wakefield, by Dewsbury, Hightown, and Lightcliff, to the Town of Halifax, in the West Riding of the County of York*: And whereas another Act was passed in the Thirtieth Year of the Reign of King George the Second, intituled *An Act for enlarging the Terms and Powers granted by Two several Acts passed in the Fourteenth Year of His present Majesty, the one for repairing the Roads from a Place called the Red House, near Doncaster, to Wakefield, and through the said Town of Wakefield, by Dewsbury, Hightown, and Lightcliff, to the Town of Halifax, in the West Riding of the County of York; and the other for repairing the Road from Wakefield to Pontefract, and from thence to a Place called Weeland, in the Township of Hensall, and from Pontefract to Wentbridge in the Township of Darrington, in the West Riding of the County of York*: And whereas another Act was passed in the Thirty-third Year of the Reign of His late Majesty King George the Third, intituled *An Act for reviving, continuing, and amending certain Acts of the Fourteenth and Thirtieth Years of King George the Second, so* 14 G. 2. c. 19. 30 G. 2. c. 54. 33 G. 3. c. 129.  
[Local.] 17 K far



49 G.3.c.19.

far as relates to repairing the Road from the North End of Wakefield Bridge to Halifax in the West Riding of the County of York: And whereas another Act was passed in the Forty-ninth Year of the Reign of His ~~said~~ 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 considerable Sums of Money are due and owing on the Credit of the Tolls by the said Acts authorized to be taken on the Road from *Wakefield to Halifax*, mentioned or comprised in the said last Two mentioned Acts, which cannot be paid off, nor can the said Road be maintained in repair, unless the Term and Powers of the said Acts, so far as the same relate to the said Road from *Wakefield to Halifax*, are enlarged, some additional Powers granted, and the Tolls increased or altered: And whereas it would be more convenient to the Trustees, and beneficial to the said Road and to the Public, if the said recited Acts, so far as the same relate to the said Road from *Wakefield to Halifax*, were repealed, and if further and other Provisions were granted instead thereof: And whereas the making of certain Diversions and Alterations in the Line of certain Parts of the said Road, and certain Branch Roads from and out of the same, would be highly advantageous to the Public; that is to say, a Diversion of the said Road to commence at or near the Toll Bar on the same Road called the *Mills Bridge Bar*, and to rejoin the said Road at *Mills Bridge*; and another Diversion of the said Road to commence near the End of the Lane leading from the said Road to the Hamlet or Village of *Scholes*, and to rejoin the same Road at or near *Bailiff Bridge*; and a Branch Road to commence at or near a certain Place in the said Road called *Mytholm*, and to terminate at or near a Messuage or Place called *Upper Briar*, where it will join a certain other Turnpike Road called the *Godley Lane Head* Turnpike Road; and another Branch Road to commence at or near a certain Messuage or Place called the *Bird Cage*, and to extend to and communicate with the present Highway from *Halifax* to *Southowram*, at or near a Place called *Southowram Bank Top*; and also the Diversions herein-after mentioned, which the Trustees have, by virtue of the Powers of the said recited Acts, ordered and directed to be made, and which have been staked out in pursuance of such Order; that is to say, a Diversion commencing at a Place called *Chickenly Heath*, in the said Road, and rejoining the same Road at or near the Commencement of the *Leeds and Dewsbury* Turnpike Road near *Dewsbury*; and another Diversion commencing in *Maulbrooke Lane* in the said Road, and rejoining the same Road near to *Chapel Fold Lane*: And whereas an Act was passed in the Seventh and Eighth Years of the Reign of His present Majesty, intituled *An Act for making and maintaining a Turnpike Road from Godley Lane Head, near Halifax, to Northowram Green, in the West Riding of the County of York*: And whereas Persons travelling with Horses, Cattle, and Carriages along the said *Godley Lane Head* Turnpike Road, comprised in the said last-recited Act, to or from *Halifax*, will pass over Part of the *Wakefield and Halifax* Turnpike Road comprised in this Act; and Persons travelling with Horses, Cattle, and Carriages along the said *Wakefield and Halifax* Turnpike Road, to or from *Halifax*, may pass over Part of the said *Godley Lane Head*

7 & 8 G.4.  
c. 6.



*Head Turnpike Road*; and it is therefore expedient that the Trustees of the said several Turnpike Roads should be enabled mutually to contract and agree with each other for and in respect of the Costs of making, completing, improving, and repairing such Parts of the said several Roads as may be used in common by Persons travelling as aforesaid on either of the same Roads, 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: And whereas an Act was passed in the Third Year of the Reign of His present Majesty, 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 said 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 another 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 another Act was passed in the Seventh and Eighth Years of the Reign of His said present Majesty, intituled *An Act to amend the Acts for regulating Turnpike Roads in England*: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act the said Acts of the Fourteenth and Thirtieth Years of the Reign of King George the Second, and of the Thirty-third and Forty-ninth Years of the Reign of His said late Majesty, shall be and the same are hereby, so far as they relate to the Road from *Wakefield* to *Halifax*, declared to be repealed.

3 G. 4. c. 126.

4 G. 4. c. 95.

5 G. 4. c. 69.

7 &amp; 8 G. 4. c. 24.

Recited Acts  
of 14 and 30  
G. 2., and  
33 and 49  
G. 3., re-  
pealed.

II. And be it further enacted, That this Act shall be put in execution for and during the Term herein-after mentioned, for the Purpose of more effectually repairing, widening, altering, diverting, and from Time to Time improving and keeping in repair the Road leading from *Wakefield* to *Halifax* in the West Riding of the County of *York*, and for making and completing, and maintaining in repair, the said several Diversions and Branch Roads herein-before mentioned or described, and the said several other Diversions so ordered and directed to be made, and which have been staked out as herein-before mentioned.

This Act to  
be put in  
execution  
for making  
and repairing  
the Roads  
herein-before  
mentioned.

III. And be it further enacted, That it shall be lawful for the Trustees of the said *Godley Lane Head 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

Trustees of  
the Godley  
Lane Head  
Road and  
the Trustees  
under this  
Act may  
compound  
for certain  
Tolls.



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 *Godley Lane Head 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.

No Toll Gate to be erected within a certain Distance from Halifax.

IV. And whereas it was by the said Act of the Forty-ninth Year of the Reign of His late Majesty enacted, that no Toll Gate or Turnpike should be at any Time erected within the Distance of One Mile of the Town of *Halifax*: And whereas since the passing of the said Act a new Turnpike Road has been made in pursuance of the said Act of the Seventh and Eighth Years of the Reign of His present Majesty, issuing out of the said *Wakefield* and *Halifax* Turnpike Road at a Place called *Godley Lane Head*, near to *Halifax* aforesaid, and a Turnpike Gate has been erected thereon, within One Mile of the said Town of *Halifax*; and another Turnpike Gate has also been erected on the said *Wakefield* and *Halifax* Turnpike Road, within Two Miles of the said Town of *Halifax*; and it would subject the Public travelling along the said respective Roads towards *Halifax* to excessive Tolls if any Gate were to be erected between the said Point of the Junction of the said Two Turnpike Roads and *Halifax*; be it therefore enacted, That it shall not be lawful for the said Trustees to erect or place any Toll Gate on the said Road nearer to *Halifax* aforesaid than the Junction of the said Two Turnpike Roads, nor across the End of the said *Godley Lane Head* Turnpike Road, during such Time as the said Toll Gate now standing and being on the said *Godley Lane Head* Turnpike Road, or any other Toll Gate, shall remain and continue or be on the said Road, within One Mile of the said Town of *Halifax*.

New Term and Tolls liable to the former Debts, &c.

V. 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 recited Acts of the Fourteenth and Thirtieth Years of the Reign of King *George* the Second, and of the Thirty-third and Forty-ninth Years of the Reign of His said late Majesty, so far as the same relate to the said Road from *Wakefield* to *Halifax*, 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 Persons and Person 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 recited Acts hereby repealed, in respect of the said Road from *Wakefield* to *Halifax*,



*Halifax*, shall be liable to the Payment of all such Sum and Sums of Money to the Trustees for executing this Act.

VI. And be it further enacted, That all Conveyances, 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 recited Acts of the Fourteenth and Thirtieth Years of the Reign of King *George* the Second, and of the Thirty-third and Forty-ninth Years of the Reign of His said late Majesty, hereby repealed, in respect of the said Road from *Wakefield* to *Halifax*, shall remain in full Force and Effect, and shall be and continue available in all Courts of Law and Equity, notwithstanding the Repeal of the said Acts as aforesaid, until the same are or shall be fully satisfied and performed on account of or for the Benefit of the Roads included in this Act; and all Contracts and Agreements, Demises, Mortgages, and Securities, made or entered into by such Trustees to or with any Person or Persons, shall remain in full Force and Effect, and shall be binding on the Trustees for executing this Act, and be observed and kept by them according to the Terms, Stipulations, and Tenor thereof respectively.

Bonds, Contracts, &c. to remain in full Force.

VII. And be it further enacted, That all and every Books and Book of the Proceedings of the Trustees in execution of the said recited Acts hereby repealed, relating to the said Road from *Wakefield* to *Halifax*, 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 all Books of Accounts of Receipts and Disbursements, kept, had, or made under the said Acts relating to the same Road, and all Books for registering Mortgages or Assignments made in pursuance thereof, shall be preserved and kept by the Trustees for executing this Act, or as they shall direct, 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 Clerk to the said Trustees, or other Person having the Care of any such Books, shall refuse to permit or shall not permit the said Trustees or such Creditors, or any of them, to inspect the said Book or Books, or to take such Copies or Extracts as aforesaid, such Clerk or other Person shall forfeit and pay any Sum of Money not exceeding Five Pounds.

Books used under former Acts to be Evidence.

VIII. And be it further enacted, That all Persons who are or who have been employed, or who have received any Tolls or other Money on account of the said Road from *Wakefield* to *Halifax*, or who have or shall have in their Custody or Possession any Money, Books, Papers, Writings, or other Things relating to the same 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 this Act are by the said recited Acts of the

Officers to account.



Third and Fourth Years of the Reign of His said present Majesty required to pay and account for the same.

Former  
Officers to  
continue.

IX. And be it further enacted, That each and every Treasurer who shall have been appointed consistently with the Provisions of the said last-recited Act passed in the Seventh and Eighth Years of the Reign of His present Majesty; and each and every Clerk, Receiver, Collector, Surveyor, and other Officer appointed under or by virtue of the said first Four recited Acts hereby repealed, so far as they relate to the said Road from *Wakefield* to *Halifax*, shall hold and enjoy such their several and respective Offices and Employments until removed therefrom respectively by the Trustees for executing this Act; and each and every such Clerk, Receiver, Collector, Surveyor, and other Officer shall have the like Powers and Authorities for the Purposes of this Act, and for carrying the same into Execution; and shall be subject and liable to such Pains and Penalties, and to the like Powers of Removal; and to the like Rules and Regulations in all respects whatsoever, as if he or they had been appointed under or by virtue of this Act.

Powers of  
General  
Turnpike  
Acts extend-  
ed to this  
Act.

X. 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 varied, altered, or repealed,) 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 varied, altered, or repealed,) 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, and also the said last-recited Act passed in the Seventh and Eighth Years of the Reign of His present Majesty, and all and every the Powers, Provisions, Directions, Penalties, Forfeitures, Payments, Remedies, Matters, and Things therein contained, (save and except such Parts thereof as are varied, altered, or repealed,) 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 been respectively repeated and re-enacted in the Body of this Act.

Appointment  
of Trustees.

XI. 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 Sir *George Armytage* Baronet, *John Abbott*, *George Addy*, *Jonathan Akroyd*, *George Allott*, *Robert Allott*, *Joseph Archer*, *George Armitage*, *Joseph Armitage*, *Richard Johnson*, *Daventre Ashworth*, *John Ashworth*, *Robert Baldry*, *John Baldwin*, *William Baldwin*, *William Barff*, *Thomas Barff*, *Jonathan Barthrop*, *Thomas Bateman*, *Thomas Wentworth Beaumont*, *William Beaumont*, *Richard Beaumont*, *Francis Beaumont*, *Thomas Bradley*, *Rawdon Briggs*, *Rawdon Briggs the younger*, *William Briggs*, *George Buxton Browne*, *Copley Brown*, *John Buckworth Clerk*,

*Richard*



*Richard Burrell, John Francis Carr, Charles Carr, John Carter, Joseph Charlesworth, John Charlesworth, William Charnock, John Clay, O L Collins Clerk, Thomas Cooke, Edward Copley, John Craven, Caleb Crowther Doctor of Medicine, William Davy, Christopher Holdsworth Dawson, Joseph Dawson, John Dawson, James Drake Clerk, Thomas Fournis Dyson, Thomas Edwards Dyson, Jeremiah Dyson, Henry Lees Edwards, Thomas Edwards, William Emmett (Paper Maker), William Emmett (Woolstapler), Emanuel Emmett, John Emmett, James Firth, Thomas Foljambe, Nathaniel Fowler, Samuel Freeman, Benjamin Gaskell, Daniel Gaskell, Jeremiah Glover, Samuel Glover, John Greaves, John Greenwood, Abram Greenwood, Henry Greenwood, Thomas Greenwood, John Hague, John Hague the younger, Edward Hague, Joshua Haigh, George Haigh, John Haigh (Woolshops), John Haigh (Mount), Samuel Hailstone, Benjamin Hallas, John Halliley the younger, John Hardy (Heath), John Hatfield, Peter Heywood, Oliver Heywood, Arthur Heywood, Henry Wickham Hird, John Hirst, Lawrence Hitchon, Robert Hodgson, Samuel Hodgson, ~~John Hodgson~~, Joseph Hodgson, Joseph Holdsworth, William Holdsworth, John Holland, John Holland the younger, Thomas Holmes, William Hoyland, Richard Hudson Clerk, William Ingham, William Kershaw, Richard Kershaw, George Kershaw, Riley Kitson, Jeremy Lister, Henry Lumb, Francis Maude, Francis Maude Clerk, Ralph Maude Clerk, Daniel Maude, Joseph Mellin, John Milner, Richard Rhodes Milnes, William Mitchell, Charles Musgrave Clerk, John Naylor, John Naylor the younger, Jeremiah Naylor, William Naylor, William John Norris, James Edward Norris, George Pollard, William Pollard, Jonathan Popplewell, George Poppleton, Henry Preston, Thomas Preston, William Priestley, George Priestley, John Priestley, Walker Priestley, Henry Priestley, Sir Joseph Radcliffe Baronet, John Rhodes Ralph, Rowland Ramsden, Richard Ramsden Doctor in Divinity, Thomas Ramsden, Stansfeld Rawson, William Henry Rawson, John Rawson, Jeremiah Rawson, Thomas Samuel Rawson, Francis Rawson, Edward Markland Rawson, William Henry Rawson the younger, Thomas William Rawson, William Rayner, William Rayner the younger, John Rayner, John Ridsdale, George Ridsdale, Hammond Roberson Clerk, John Robson, William Rothwell, William Routh, Christopher Saltmarshe, Watson Samuel Scatcherd, George Scott, Samuel Sharp Clerk, Joshua Smithson, George Smith, Robert Stansfeld, William Stansfeld, Samuel Stead, David Stephenson, Michael Stocks the younger, Joseph Sunderland, John Sutcliffe, Joseph Swaine, Edward Swaine, John Swallow, John Sykes, James Teale, James Thompson, William Barnes Thompson, Samuel Thompson, Thomas Thornhill, Joshua Thorns, Isaac Thwaite, Thomas Todd, William Toone, Thomas Turney, John Turney, Joshua Waddington, John Horsfield Wadsworth, Robert Wainhouse, Edward Wainhouse, William Wainhouse, John Walker (Crownest), John Walker, Waterclough, Samuel Waterhouse, John Waterhouse the younger, Samuel Waterhouse the younger, Charles Waterton, John Watson Clerk, George Westerman, Charles Wheatley, Thomas White, William Walter White, Robert Wilkinson Clerk, William Wood, and their Successors, being duly qualified according to the Directions of the said recited Acts of the Third, Fourth, and Fifth Years*



Years of the Reign of His present Majesty, shall be and they are hereby appointed Trustees for putting this Act into Execution.

Power to appoint additional Trustees.

XII. And be it further enacted, That it shall 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 Three 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.

Meetings of Trustees.

XIII. And be it further enacted, That the Trustees for executing this Act shall meet at the House of *John Carr*, known by the Sign of the *White Swan*, in the Town of *Halifax*, or at some other convenient House or Place in *Halifax* aforesaid, on the Second *Wednesday* next after the passing of this Act, or as soon after as conveniently may be, and shall and may then and from Time to Time 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.

Power to continue, remove, or erect Turnpikes, &c.

XIV. And be it further enacted, That the said Trustees may and they are hereby authorized and empowered, if they shall think proper, to continue all or any of the Toll Gate or Gates, Turnpike or Turnpikes, Bar or Bars, Chain or Chains, and Toll Houses, which have been erected in, upon, or across any Part of the said Road from *Wakefield* to *Halifax*, or on the Side or Sides thereof, and shall and may erect or cause to be erected such and so many other Toll Gate or Gates, Bar or Bars, Chain or Chains, Toll Houses, and any Weighing Machine or Weighing Machines, in, upon, or across any Part or Parts of the same Road, and also in, upon, and across any Part of the Diversions and Branch Roads comprised in this Act, and upon the Side or Sides thereof respectively; and from Time to Time to alter and take down or discontinue any of the Toll Gates or Turnpikes, or Bars or Chains, Toll Houses and Weighing Machines, by this Act authorized to be continued or erected, or any or either of them, as they the said Trustees shall think proper and expedient; and also shall or may erect or provide any Toll House or Toll Houses, with suitable Outbuildings and other Conveniences, and may also take in and inclose on the Sides of the said Roads convenient Garden Spots for the said Toll Houses respectively, not exceeding One Eighth Part of a Statute Acre to each Toll House.

Power to take Tolls.

XV. And be it further enacted, That it shall be lawful for the said Trustees, or any Person or Persons appointed or authorized by the said Trustees, or their Lessees, and they are hereby authorized and empowered, to demand and take the several Tolls herein-after mentioned at each and every of the respective Toll Gates, Turnpikes, Bars, or Chains, and Side Gates, which shall be continued or erected by virtue of this Act, and on every Day, such Day to be computed from



from Twelve of the Clock at Night to Twelve of the Clock in the next succeeding Night; (that is to say,)

For every Horse, Mule, or other Beast drawing any Coach, Stage Tolls. Coach, Diligence, Van, Caravan, Sociable, Berlin, Landau, Chariot, Vis-a-vis, Barouch, Phaeton, Chaise Marine, Chaise, Calash, Car, Curricule, Chair, Gig, Whiskey, Hearse, Litter, or other such like Carriage, any Sum not exceeding Two Shillings:

For every Horse, Mule, Ass, or other Beast drawing any Waggon, Cart, or other such like Carriage, where the Fellies of the Wheels are of a less Breadth than Four and a Half Inches, any Sum not exceeding One Shilling and Sixpence:

For every Horse, Mule, Ass, or other Beast drawing any Waggon, Cart, or other such like Carriage, where the Fellies of the Wheels are of the Breadth of Four and a Half Inches, and of less Breadth than Six Inches, any Sum not exceeding One Shilling and Three-pence:

For every Horse, Mule, Ass, or other Beast drawing any Waggon, Cart, or other such like Carriage, where the Fellies of the Wheels are of the Breadth of Six Inches or upwards, any Sum not exceeding One Shilling:

For every Horse, Mule, or Ass, laden or unladen, and not drawing, any Sum not exceeding Sixpence:

For every Score of Oxen or Neat Cattle, any Sum not exceeding Two Shillings and Sixpence, and so in proportion for any greater or less Number:

For every Score of Calves, Sheep, Lambs, or Swine, any Sum not exceeding One Shilling and Eight-pence, and so in proportion for any greater or less Number:

Which said respective Sums of Money or Tolls shall be demanded and taken before any Horse, Mule, Ass, Beast, or other Cattle whatsoever, drawing or not drawing, shall be permitted to pass through any Toll Gate or Turnpike, or Side Gate or Side Bar, or Chain, which shall be continued, 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.

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 one such Toll Gate, Turnpike, or Side Gate, 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 from Twelve of the Clock in one Night to Twelve of the Clock in the next succeeding Night; any thing in this Act contained to the contrary thereof in anywise notwithstanding.

Tolls to be paid only Once a Day.



Limiting the  
Number of  
Tolls in One  
Day.

XVII. Provided also, and be it further enacted, That no more than Three full Tolls in the whole shall be demanded or taken from any Person or Persons for passing and repassing the same Day (such Day to be computed from Twelve of the Clock in one Night to Twelve of the Clock in the next succeeding Night), with the same Horse or Horses, Beasts or Cattle, through all the several Toll Gates or Turnpikes to be continued or erected by virtue of this Act. 22

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 drawing any Stage Coach, Diligence, Van, Caravan, or Stage Waggon, or other Stage Carriage or Cart, conveying Passengers or Goods for Pay or Reward, shall be payable and paid every Time of passing along the said Roads or any of them. 23

Post Chaises,  
&c. on every  
new Hiring.

XIX. 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. 24

Application  
of the Tolls  
and Money  
borrowed.

XX. And be it further enacted, That out of the Monies already received, and now in the Treasurer's Hands, or which shall be received by virtue of the said recited Acts hereby repealed, on account of the said Road from Wakefield to Halifax, or out of the first Money which shall arise or be received by virtue of this Act, or otherwise, the said Trustees shall in the first place pay and discharge all the Costs, Charges, and Expences relative to the obtaining and passing of this Act; and the Remainder of all such Monies shall (after Payment of the necessary Expences of erecting or repairing Toll Gates, Toll Houses, Milestones, and Fences, and for Books, Advertisements, Salaries of Officers, and other such Expences incidental to the Execution of this Act,) be applied in the first place in keeping down the Interest of the Principal Monies advanced or borrowed on the Credit of the Tolls arising on the said Road from Wakefield to Halifax by virtue of the said recited Acts hereby repealed, and in the next place in keeping down the Interest of the Principal Monies which may hereafter be borrowed on the Credit of the Tolls hereby granted, and in amending, widening, improving, making, completing, altering, and maintaining in repair the Roads comprised in this Act, and in otherwise putting this Act into Execution, and lastly, in repaying the Principal Monies advanced or borrowed on the Credit of the Tolls arising on the said Road from Wakefield to Halifax by virtue of the said recited Acts hereby repealed, or to be borrowed on the Credit of this Act. 26

No Money to  
be laid out on  
the Roads  
where there  
is no Turn-  
pike erected  
or no Tolls  
taken.

XXI. 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, 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 27



pursuant to the Powers and Provisions of this Act and the said recited Acts: Provided also, that no more Money shall be expended by the said Trustees in or towards the Repair of any such Branch Road than shall be collected thereon.

XXII. Provided also, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to empower the said Trustees to lay out or apply any of the Money raised by the Tolls hereby granted, or borrowed on the Credit thereof, in paving or repairing any Highway or Street in the Towns of *Wakefield* and *Dewsbury*, or either of them.

Trustees not to repair the Streets of Wakefield and Dewsbury.

XXIII. And be it further enacted, That the said Trustees shall and may and they are hereby authorized and empowered to make and complete the said several Diversions and Branch Roads hereinbefore mentioned or described, upon, in, over, or through any private Lands, making or tendering Satisfaction to the Owners thereof and Persons interested therein for the same, or for any Damage they may sustain thereby, and also in, upon, over, or through any Commons or Waste Lands, without making any Satisfaction for such Commons or Waste Lands, of such Width or Dimensions as they shall think proper, not exceeding Forty-two Feet, together with such Footpaths, Causeways, Embankments, Bridges, Arches, Culverts, Ditches, Drains, and Fences on the Line of the said Roads 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, Footpaths, Causeways, Embankments, Bridges, Arches, Culverts, Ditches, Drains, and Fences 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.

New Pieces of Road may be made.

XXIV. Provided always, and be it further enacted, That the said Trustees shall not enter upon any Part or Parts of the Lands or Grounds over which the Diversion from the End of the Lane leading to *Scholes* to *Bailiff Bridge* is intended to be made, until after Payment of the Purchase Money for the same, or until after entering into an Agreement for the Purchase of the same, pursuant to the Provisions and Directions of the said recited Acts of the Third and Fourth, and of the said last-recited Act of the Seventh and Eighth Years

Not to take Land for making the Birkby Lane Diversion until Payment of Compensation, &c.



Years of the Reign of His present Majesty, except for the Purpose of staking out as aforesaid.

Roads not to deviate more than 100 Yards from Plan deposited with the Clerk of the Parliaments.

XXV. And whereas a Map or Plan, describing the Line of the said Diversions and Branch Roads, and the Lands, Hereditaments, and Premises through or over which the same is or are to be carried or made, together with a Book of Reference containing a List of the Names of the Owners and Occupiers of such Lands, Hereditaments, and Premises, has been deposited in the Office of the Clerk of the Parliaments; be it therefore enacted, That the said Trustees in making the said Diversions and Branch Roads shall not deviate more than One hundred Yards from the Line described in the said Map or Plan, without the Consent in Writing of the Person or Persons, or Party or Parties, or Body or Bodies Politic, Corporate, or Collegiate, through whose Land such Roads shall be made; and the said Map or Plan and Book of Reference shall remain in the Custody of the Clerk of the Parliaments, and the same, or any Copy or Copies thereof, certified by the Clerk of the Parliaments to be a true Copy or true Copies thereof, shall and is and are hereby declared to be good Evidence, and shall be admitted as such by all Judges, Justices, and others, in all Courts of Law and elsewhere.

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

XXVI. Provided always, and be it further enacted, That it shall be lawful for the said Trustees to make the said Diversions and Branch 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, and Schedule hereunto annexed, although the Name or Names of such Person or Persons may happen to be omitted or mis-stated in the said Book of Reference, or in the Schedule to this Act marked (A.), 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 be certified by Writing under their Hands, that such Error or Omission proceeded from Mistake.

No Houses, &c. to be taken without the Owner's Consent, except such as are mentioned in the Schedule.

XXVII. Provided always, and be it further enacted, That the Powers and Authorities given by this Act for making the said Diversions and Branch Roads shall not extend or be construed to extend to 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, Shrubby, planted Walk, or Avenue to a House, or any inclosed Grounds 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.).

If Lands, &c. are not purchased in Five Years,

XXVIII. Provided also, and be it further enacted, That in case the said Trustees shall not purchase the Buildings, Lands, Tenements, and Hereditaments mentioned in the Schedule to this Act annexed, within



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.

Power for  
that Purpose  
to cease. *A*

XXIX. 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, Orchard, 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.

Ditches,  
Bridges, &c.  
by whom to  
be made and  
cleansed. *6*

XXX. 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. *7*

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

Term of Act. *9*



**SCHEDULE (A.) to which the Act refers.**

Description of Property.	Owners or reputed Owners.	Occupiers.
Garden	William Pollard	Barraclough.
Garden	D <sup>o</sup>	John Wilkinson Knowls.
Garden	Matthew Booth	Himself.
Cottages	Mrs. Rawnsley	James Butterworth, Thomas Bell, Adam Taylor, J. Crosley, Edward Ogden, and Benjamin Popplestall.
Plantation	Mrs. Prescott	John Carr.
Public House and Stable	Richard Patchet	Joseph Booth.
Cottages and Kitchen		William Taylor, Samuel Day, Dennis Brown, Thomas Smith, John Sutcliffe, and John Heywood.
Mistal and Garden	Miss Ann Walker	Elizabeth Taylor and William Fawcitt.
Cottage	D <sup>o</sup>	Richard Brooke.
Mistal and Gardens	William Priestley, Esq.	Thomas Drake, Matthew Sykes, and Joseph Hartley.
Cottage	Trustees of Hipperholme School	Thomas Illingworth.
Garden	Richard Johnson Davenport Ashworth, Esquire, and the Devises of Abraham Firth Macauley, Esquire	John Hemingway.
Cottage	John Walker, Esquire	Zechariah Ellis.
Garden and Necessary	Sir Joseph Radcliffe, Bart.	Mary Keighley.
Plantation	George Armytage	Himself.
Gardens	George Rayner	Himself.
Barn	Rishworth School	Abraham Hemingway.
Garden	Mary Royston	Herself.
Pigcote, Garden, &c.	Johnson	John Wilby.
Garden	Richard Shepherd	Jonathan Senior.
Garden, Mistal, Piggery, and Privy	Joshua Megson	Himself.
Garden	William Ingham	Fox.
Garden, Shed, and Yard	Joseph Archer	Thomas Collett,
Kitchen, Garden, and Yard	John Halliley	Job Spurr.
Stack Yard	Edward Copley, Esq.	James Spurr,
Garden and Yard	William Mann	John Shepherd.
House	Joshua Shepherd	Joseph Norcliff.
Garden and Yard	Thomas Farnell	John Myers.
Mistal	John Peace	Unoccupied.
Stable	James Naylor	Himself.



Description of Property.	Owners or reputed Owners.	Occupiers.
Cottage - - - -	Fozzard's Executors - -	James Fozzard.
Cottage - - - -	Overseers and Churchwardens of Almshouses, Ossett; Abraham Greaves, Percival Terry, William Harrop, and David Stephenson -	Ruth Saxton.
Cottages and Yard Garden - - - -	John Greaves - - - -	George Hanson.
Privy and Garden - -	Mrs. Walker - - - -	Himself.
Gardens - - - -	Joshua Greaves - - - -	Aaron Barber, John Schofield, Samuel Priestley.
Garden - - - -	Christopher Rawson. - -	John Carr or his Under- tenant.
Plantation - - - -	Mrs. Prescott - - - -	Herself.
Barn, Garden, and Necessary Yard and Gardens - -	Same - - - -	Abraham Whitworth or his Undertenants.
Dyehouse and Bleaching- house - - - -	Hanby Dyson - - - -	George Robinson.
Garden, Barn, Shop, Kit- chen, Two Cottages, and Shop - - - -	Jeremy Lister - - - -	Benjamin Hepworth.
Mistal and Garden - -	Sir William Bagshaw - -	Joseph Hepworth or his Undertenants.
Mistal - - - -	John Holdsworth - - - -	Joshua Gomersal.
Barns, Yard, and Cottages -	John Winpenny - - - -	Benjamin Coates.
Kitchen and Gardens, Barns and Houses - - - -	Same - - - -	Abraham Greaves and Titus Senior Brooke, or their Undertenants.
Cottages - - - -	Trustees of Rishworth School	Sarah Fothergill, Thomas Brown, and Abraham Hemingway.
House and Kitchen - -	His Grace the Duke of Leeds or George Machell - -	William Kilburne, Wil- liam Milner, James Stapleton, Isaac Hem- ingway, John Towns- end, and Thomas Lister.
Cottages - - - -	His Grace the Duke of Leeds or John Halliley - -	Rachel Harrop.
Cottages - - - -	His Grace the Duke of Leeds or John Spedding - -	Mary Liley and Samuel Kilburne.
Cottages - - - -	Sarah Fothergill - - - -	Widow Riley, Isaac Mil- ner, Mary Newsome, Joseph Kilburne, John Fothergill, John New- some.
House and Shed - - -	Same - - - -	Charles Holroyd, Robert Milner, Francis Se- nior, Abraham Hem- ingway.
Mistal or Cottage - -	Abraham Field - - - -	Himself.
Cottage and Kitchen - -	His Grace the Duke of Leeds or Joseph Illingworth -	Joseph Illingworth.
Blacksmith's Shop - -	His Grace the Duke of Leeds or Robert Wooller - -	Jeremiah Bates.



Description of Property.	Owners or reputed Owners.	Occupiers.
Cottages	His Grace the Duke of Leeds or John Sykes	Joseph Preston, Leah Hemingway, John Fothergill, William Jessop, James Riley, Joseph Hurst, Judy Kilburne.
Garden and Shop, Malt- kiln, Drying-house, and Shop	John Sykes	Himself.
Cottage and Garden	Same	James Chapel.
Barn	Reverend William Wood	James Boothroyd and William Sykes.
Dwelling Houses, Shops, Garden, and Yard	Joseph Buckler	Himself, & John Richard- son and Samuel Buck- ler.
Cottages	His Grace the Duke of Leeds or Edw. Hippon	John Senior and Joseph Wheatman.
Cottage, Garden, and Mistal	His Grace the Duke of Leeds or James Roberts	George Sykes.
Two Gardens and Plantation	George Rayner	John Stocks.
Cottages	Joseph Stocks	John Taylor, John Hemingway, Edward Page.
Cottage	Abraham Field	Himself.
Barn	Rockley Battye	Thomas Knowles
Helm and Garden	Same	John Hepworth.
Shrubbery	Mrs. Martiott	Herself.
Steps and Pallisades	Same	George Newsomé Bing- ham.
Garden	Same	John Smith.
Warehouse and Garden	Abraham Greenwood	Richard Ward.
Shed, and Front of Building	Same	John Greaves or Francis Day.
Two Plantations, Two Shrub- beries, and Garden	Elliott Carrett	Himself.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN,  
Printers to the King's most Excellent Majesty. 1828.