



ANNO PRIMO

GULIELMI IV. REGIS.

Cap. xxix.

An Act for amending and maintaining the Turnpike Road from and out of the Road leading from *Quebec* in *Leeds* to *Homefield Lane End* in *Wortley*, to communicate with the Road leading from *Huddersfield* to *Birstal* at the *Coach and Horses* Public House in *Birstal*, in the West Riding of the County of *York*.

[30th March 1831.]

WHEREAS an Act was passed in the Fourth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for making and maintaining a Turnpike Road from and out of the Road leading from Quebec in Leeds to Homefield Lane End in Wortley, to communicate with the Road leading from Huddersfield to Birstal at Smithie's Lane in the West Riding of the County of York*: And whereas the Trustees appointed by the said recited Act have proceeded to put the same in execution, and considerable Sums of Money have been borrowed on Security of the Tolls authorized to be taken on the said Road by virtue of the said recited Act, which Sums of Money, with an Arrear of Interest, are still due and owing, and cannot be paid off, nor can the said Road be effectually improved, maintained, and kept in repair, unless the Powers and Provisions of the said recited Act be enlarged, and the Tolls

[*Local.*] 4 Q increased

4 G. 4. c. 16.

Recited Act
repealed;

increased or altered: And whereas it is expedient that the said recited Act should be repealed, and that further and other Powers and Provisions should be granted and made instead thereof: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and immediately after the Commencement of this Act the said recited Act passed in the Fourth Year of the Reign of His late Majesty King George the Fourth shall be and the same is hereby declared to be repealed.

and this Act
to be put in
execution.

II. And be it further enacted, That this Act shall be put into execution, for and during the Term herein-after mentioned, for the Purpose of repairing, amending, and maintaining the Road made from and out of the Road leading from *Quebec in Leeds to Homefield Lane End in Wortley*, to communicate with the *Birstal and Huddersfield Road* at a certain Public House in *Birstal* known by the Name of the *Coach and Horses*.

Appointment
of Trustees.

III. 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 *William Aldam, John Leathley Armitage, James Armitage, William Armitage, Christopher Beckett, Thomas Beckett, William Beckett, Thomas Blayds, George Banks, James Brown, William Williams Bryson, Richard Bramley, George Bischoff, James Brook, John Bilbrough, Benjamin Gaskill, Benjamin Gott, John Gott, Matthew Gaunt, William Gelderd, George Goodman, Thomas George Jacques, John Marshall, Ralph Markland, William Newton, William Perfect, Thomas Benson Pease, Peter Rhodes, James Rhodes, William Rhodes, John William Rhodes, Norrison Scatcherd, Benjamin Sadler, William Smith, William Sheepshanks, John Upton, Richard Fountaine Wilson, John White, John Westerman, and Griffith Wright*, and their Successors, being duly qualified to act as Trustees of Turnpike Roads in England, shall be and they are hereby appointed Trustees for repairing, amending, and maintaining in repair the said Road from and out of the Road from *Leeds to Homefield Lane End to Birstal*, and for otherwise putting this Act into execution.

Power to
appoint addi-
tional Trus-
tees.

IV. And be it further enacted, That it shall and may be lawful for the said Trustees, and they are hereby authorized and empowered, from Time to Time, at any of their Meetings, to elect and appoint any Number of Persons, being duly qualified to act as Trustees of Turnpike Roads in England, (not exceeding Three in the whole in addition to the Trustees herein named and appointed) to be Trustees for the Purposes of this Act, and such Persons so elected and appointed shall be Trustees for the Purposes of this Act, and are hereby invested with the same Powers and Authorities for executing this Act as if they had been herein named.

First Meeting
of Trustees.

V. And be it further enacted, That the Trustees for executing this Act shall meet at the Court House in the Town of *Leeds* and County

of *York*, or at some other convenient Place near the said Road, on the Day of the Commencement of this Act, or as soon after as conveniently may be, and proceed in the Execution of this Act, 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 Road, as they shall think proper.

VI. And be it further enacted, That, notwithstanding the Repeal of the said recited Act, the several Tolls granted by the said recited Act shall be continued to be demanded, paid, and received at the several and respective Toll Gates or Turnpikes, or Side Gates or Side Bars or Chains, erected and continued on the Road comprised in this Act, until Twelve of the Clock at Night on the Thirty-first Day of *May* (when the Term of the existing Lease of the said Tolls will expire).

Present Tolls
to be taken
till 31st May.

VII. And be it further enacted, That from and after Twelve of the Clock at Night on the Thirty-first Day of *May* it shall and may be lawful for the said Trustees, or any Person or Persons continued or to be appointed Collector or Collectors of the Tolls to be taken by virtue of this Act, to demand and take the Tolls or Sums of Money herein-after mentioned at the several and respective Toll Gates or Turnpikes, or Side Gates or Side Bars or Chains, which are or shall be standing and being or continued or erected in, upon, across, or on the Side or Sides of the said Road, or any Part or Parts thereof; (that is to say,)

Tolls.

For every Horse, Mule, or other Beast drawing any Coach, Stage Coach, Diligence, Van, Caravan, Sociable, Berlin, Landau, Chariot, Vis-a-vis, Barouche, Phaeton, Chaise, Calash, Car, Curricule, Chair, Taxed Cart, Gig, Whiskey, Hearse, Litter, or any other such like Carriage, built and constructed with Springs, the Sum of Eightpence :

For every Wheel of any Coach, Stage Coach, Van, Caravan, Sociable, Berlin, Landau, Chariot, Barouche, Phaeton, Chaise, Calash, Car, Curricule, Taxed Cart, Gig, Whiskey, or any other such like Carriage, or of any Waggon, Wain, Cart, or other such like Carriage, propelled by Steam or Machinery, the Sum of Two Shillings :

For every Horse, Mule, or other Beast drawing any Waggon, Wain, Cart, or other such like Carriage, not going for or laden with Coals or Cinders, and having the Sole or Bottom of the Fellies of the Wheels thereof of the Breadth or Gauge of Six Inches or more, the Sum of Sixpence :

For every Horse, Mule, or other Beast drawing any Waggon, Wain, Cart, or other such like Carriage, not going for or laden with Coals or Cinders, and having the Sole or Bottom of the Fellies of the Wheels thereof of the Breadth or Gauge of Four and a Half Inches or upwards, and less than Six Inches, the Sum of Sevenpence Halfpenny :

For every Horse, Mule, or other Beast drawing any Waggon, Wain, Cart, or other such like Carriage, and not going for or laden with Coals or Cinders, and having the Sole or Bottom of the Fellies of the

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the Wheels thereof of less Breadth or Gauge than Four and a Half Inches, the Sum of Nine-pence :

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

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

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

And in all Cases where there shall be a fractional Part of a Halfpenny in the Calculation or Amount of the Tolls hereby granted, or any of them, the Sum of One Halfpenny shall be demanded and taken in lieu of such fractional Part :

Which said several Tolls herein-before granted shall be paid and payable once only in the same Day, to be computed from Twelve of the Clock at Night to Twelve of the Clock on the next succeeding Night; and upon a Ticket denoting the Payment of such Tolls on that Day being produced, every Horse, Beast, or Cattle for which such Tolls shall have been paid shall be permitted to pass Toll-free through the same Turnpike, Toll Gate, or Side Bar, and also through such other Turnpikes, Toll Gates, or Side Bars (if any) as the Ticket for such Payment shall free, at any Time or Times during the same Day, to be computed as aforesaid.

Tolls for
Coals.

VIII. And be it further enacted, That from and after Twelve of the Clock at Night on the Thirty-first Day of *May* it shall and may be lawful for the said Trustees, or any Person or Persons continued or to be appointed Collector or Collectors of the Tolls to be taken by virtue of this Act, to demand and take the Tolls or Sums of Money herein-after mentioned at the several and respective Toll Gates or Turnpikes, or Side Gates or Side Bars or Chains, which are or shall be standing and being or continued or erected in, upon, across, or on the Side or Sides of the said Road, or any Part or Parts thereof; (that is to say,)

For every Horse, Mule, or other Beast drawing any Wain, Waggon, Cart, or other Carriage going empty for, or going laden with, or returning empty after having been laden with, Coals or Cinders, and having the Sole or Bottom of the Fellies of the Wheels thereof of the Breadth or Gauge of Six Inches or upwards, the Sum of Four-pence for each and every Time of passing :

For every Horse, Mule, or other Beast drawing any Wain, Waggon, Cart, or other Carriage going empty for, or going laden with, or returning empty after having been laden with, Coals or Cinders, and having the Sole or Bottom of the Fellies of the Wheels thereof of the Breadth or Gauge of Four and a Half Inches or upwards, and less than Six Inches, the Sum of Five-pence for each and every Time of passing :

And for every Horse, Mule, or other Beast drawing any Wain, Waggon, Cart, or other Carriage going empty for, or going laden with, or returning empty after having been laden with, Coals

Coals or Cinders, and having the Sole or Bottom of the Fellies of the Wheels thereof of less Breadth or Gauge than Four and a Half Inches, the Sum of Sixpence for each and every Time of passing :

Provided always, that such Horses or Beasts drawing any Wain, Waggon, Cart, or other Carriage going empty for, or going laden with, or returning empty after having been laden with, Coals or Cinders as aforesaid, in respect whereof such Toll shall have been paid, shall be allowed to return Toll-free in respect of such Payment :

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

IX. Provided always, and be it further enacted, That no more than Two full Tolls shall be demanded or taken for or in respect of the same Horse, Beast, or Cattle for passing or repassing at any Time or Times in any One Day (to be computed as aforesaid) through all or any of the Turnpikes or Toll Gates or Side Bars or Chains along the whole Line of the said Road ; except for Horses, Mules, or other Beasts drawing any Waggon, Wain, Cart, or other Carriage going for or carrying or returning after carrying Coals or Cinders, which are to pay Toll for every Time of passing as aforesaid.

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

X. Provided always, 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 or Caravan, or Stage Waggon, or other Stage Carriage or Cart, conveying Passengers or Goods for Pay or Reward, or for or in respect of any such Carriage as aforesaid propelled by Steam or Machinery, shall be payable and paid every Time of passing or repassing along the said Road : Provided also nevertheless, that no further or additional Toll shall be payable in respect of Horses or Beasts drawing any Stage Coach, Diligence, Van or Caravan, or Stage Waggon, or other Stage Carriage or Cart, on account only of the Horses or Beasts drawing the same having been changed.

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

XI. Provided also, and be it further enacted, That the Tolls payable for or in respect of Horses or Beasts let out to Hire, and drawing any Post Chaise, Hackney Coach, One-horse Chaise, Gig, or other Carriage, shall be payable and paid for every Time of passing along the said Road, whenever any new Hiring thereof shall take place.

Post Chaises, &c. on every new Hiring.

XII. And be it further enacted, That, notwithstanding any Law or Statute to the contrary, all Carts and other Carriages drawn by
[Local.] 4 R One

One-horse Carts liable to be weighed.

One Horse or other Beast shall be liable to be weighed at any Weighing Machine or Weighing Machines now erected or which hereafter may be erected upon or for the Benefit of the said Road in the same Manner as Carts and other Carriages drawn by any greater Number of Horses or other Beasts are now liable to be weighed by Law; and the Owners and Drivers thereof shall be liable to the same Penalties for refusing to suffer such Carts and other Carriages to be weighed, or for obstructing the Wheels being measured or gauged, as the Owners or Drivers of Carts or other Carriages drawn by Two or more Horses are now liable by Law; and every such Cart or other Carriage drawn by One Horse or other Beast, which, together with the Loading thereof, shall weigh more than Thirty Hundred Weight, shall pay, and it shall be lawful for the said Trustees, or any Person or Persons by them empowered to receive the Tolls granted by this Act, to receive and take, such and the same additional Tolls for Overweight as Carts or other Carriages drawn by Two or more Horses or other Beasts are liable to pay by Law.

Application
of Tolls and
Money bor-
rowed.

XIII. And be it further enacted, That all the Monies which have been collected and received under and by virtue of the said recited Act hereby repealed, and which shall be remaining undisposed of on the Day of the Commencement of this Act, and also the Monies which shall arise and be produced by and from the Tolls by this Act granted, together with the Monies which may be hereafter borrowed upon the Credit thereof, and all other Monies which shall arise or be produced by virtue thereof, shall be applied to and for the several Uses, Intents, and Purposes, and in the Order and Manner following; (that is to say,) in the first place, in the Payment of all the Costs, Charges, and Expences incurred in, about, and relating to the applying for, preparing, obtaining, and passing of this Act, with Interest for the same; and in the next place, (after Payment of the necessary Expences from Time to Time for Books, Advertisements, Salaries of Officers, and other Expences incidental to the Execution of this Act,) pay and discharge the Floating Debt already incurred in repairing the said Road, with Interest; and in the next place, in paying and keeping down the Interest now due or hereafter to accrue and become due upon the permanent Sums of Money which have already been borrowed on the Credit of the Tolls and Duties heretofore payable on the said Road, and of all Sums of Money which shall hereafter be borrowed on the Credit of the Tolls or Duties hereafter to be payable on the said Road; and in the next place, in defraying the Expences of improving, repairing, and keeping in repair the said Road, and of erecting, maintaining, providing, altering, and repairing Turnpikes and Toll Houses, with suitable Outbuildings, upon, across, and by the Sides of the said Road, and otherwise in executing the Purposes of this Act; and lastly, in reducing, paying off, and discharging the several Principal Sums of Money which have been borrowed on the Credit of the Tolls heretofore arising on the said Road, and also the several Principal Sums of Money which may hereafter be borrowed on the Credit of the Tolls granted by this Act, and all other Debts which are now owing or which may hereafter become due and owing on account of the said Road.

XIV. And be it further enacted, That it shall be lawful for the said Trustees, and their Surveyor or other Person or Persons by them appointed, and they are hereby authorized and empowered, to make such Ditches, Drains, or Watercourses, and of such Depth and Breadth as they shall consider expedient, for the Purposes of keeping the said Road dry, and of conveying the Water from the same, as well on the Side or Sides of the said Road, as also, where necessary, into or through any Lands or Grounds adjoining or lying near the said Road, (not being a Garden, Orchard, Park, Paddock, planted Walk, or Avenue to a House,) and also such sufficient Bridges, Arches, Culverts, Trunks, Tunnels, or Plats as shall be requisite or necessary, at the Expence of the said Trustees, out of the Monies to be received by virtue of this Act, 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 Lands or Grounds; but all such new Bridges, Arches, Culverts, Trunks, Tunnels, and Plats as shall cross or pass in or under the said Road shall be scoured, cleansed, and kept open, repaired, and maintained by the said Trustees, subject to the Provisions of any Law or Statute relating to Turnpike Roads in *England*.

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

XV. 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.

XVI. And be it further enacted, That this Act shall commence and take effect from the Second *Tuesday* next after the passing thereof, and shall continue and be in force for Thirty-one Years, and from thence to the End of the then next Session of Parliament.

Term of Act.

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100