

ANNO QUARTO

GEORGII IV. REGIS.

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of *York*, would be of great Advantage to Persons travelling between the Two great Commercial Towns of *Bradford* and *Huddersfield*, as well as to the Owners and Occupiers of Estates within and in the Vicinity of the said several Parishes or Places, and to the Public in general, by avoiding many steep, long, and dangerous Hills, and by effecting a considerable Saving in Distance between the said Towns of *Bradford* and *Huddersfield*: And whereas an Act was passed in the Third Year of the Reign of His 3 G. 4. c. 126. 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 the beneficial Purposes before mentioned 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 the said recited Act, and all and every the Powers, Provisions, Exemptions, Penalties, Forfeitures, Payments, Remedies, Matters, and Things therein contained, shall (except where the same is or are hereby expressly varied, altered, or repealed), be as good, valid, and effectual for carrying this Act into Execution, as if the same had been repeated and re-enacted in the Body of this Act.

General Turnpike Act extended to this Act.

Trustees. II. And be it further enacted, That Sir *George Armytage* Baronet, *John Armytage*, *Henry Armytage*, *Edward Armytage*, *George Armitage* Lightcliffe, *Joseph Armitage*, *John Armitage* Woodhouse, *William Archbell*, *Benjamin Haigh Allen*, *Samuel Broadley*, *William Brook*, *John Blesard*, *William Battye*, *John Blackburn*, *William Walker Battye*, *John Bower*, *Timothy Bentley*, *John Blackburn* of Bradford, *John Ness Blakey*, *John Barnes*, *John Bottomley*, *James Cartledge*, *John Clay*, *Thomas Cooper*, *Samuel Crowther*, *John Clay*, *John Cooper*, *Richard Crosley*, *Joseph Clay*, *Joshua Crosland*, *James Crosland*, *John Chapman*, *James Cousen*, *Samuel Cousen*, Sir *Edward Dodsworth* Baronet, *Joseph Dawson*, *Christopher Holdsworth Dawson*, *Thomas Drake*, *John Dobson*, *Francis Duffield*, *William Earnshaw*, *Henry Lees Edwards*, *Richard Fawcett*, *John Wilmer Field*, *John Farrer*, *John Field*, *Robert Firth*, *Thomas Firth*, *John Fisher*, *Samuel Freeman*, *William Freeman*, *Joseph Fryer*, *Joseph Jowitt Fryer*, *Charles Fryer*, *George Goldthorp*, *John Goldthorp*, *Gilbert Goldthorp*, *James Garnett*, *John Hustler*, *Charles Harris*, *Henry Harris*, *William Horsfall*, *Samuel Hailstone*, *John Hustler* the younger, *John Hardy*, *John Hardy* the younger, *Lamplugh Hird* Clerk, *Henry Wickham Hird*, *Richard Hodgson*, *Joseph Hollings*, *Edward Hinchliffe*, *John Holland*, *William Holland*, *Samuel Holland*, *John Holland* the younger, *Joseph Holland*, *Richard Howarth*, *John Horsfall*, *Abraham Horsfall* the younger, *John Horsfall* the younger, *Thomas Hollings*, *Joseph Hardcastle*, *John Knight*, *Benjamin Knight*, *Ellis Cunliffe Lister*, *Henry Leah*, *George Thompson Lister*, *Daniel Ledgard*, *William Edward Ledgard*, *John Lee* Wakefield, *Richard Lupton*, *James Marshall*, *John Mann*, *Joshua Mann*, *William Marshall*, *Thomas Marshall*, *Charles Mayer*, *Martin Manley*, *William Maud*, *Samuel Margerison*, *Thomas Mason*, *James Edward Norris*, *William John Norris*, *Richard Oastler*, *John Ormerod*, *John Ormerod* the younger, *Hanson Ormerod*, *Henry Ormerod*, *Richard Ormerod*, *Thomas Outhwaite*, *John Outhwaite* Doctor of Medicine, Sir *William Pilkington* Baronet, *John Green Paley*, *Joshua Pollard*, *John Priestley* Bradford, *William Pearson*, *Henry Priestley*, *William Priestley*, *John Priestley*, *Walker Priestley*, *Edward Priestley*, *Charles Pitchforth*, *Solomon Pitchforth*, *William Pollard*, Sir

Sir *John Ramsden* Baronet, Sir *Joseph Radcliffe* Baronet, *John Charles Ramsden*, *Benjamin Rawson*, *William Rawson*, *John Rawson*, *William Henry Rawson*, *Thomas Rawson*, *Thomas Rishworth*, *Thomas Rishworth* the younger, *John Rand*, *William Rand*, *Joseph Rushforth*, *Christopher Rawson*, *John Robinson*, *George Stansfeld*, *William Skelton*, *Michael Stocks*, *Joseph Stocks*, *William Sharp*, *James Sellers*, *Jonathan Scholefield*, *Samuel Schofield* the younger, *William Stocks*, *Francis Simes*, *Thomas Thornhill*, *Matthew Thompson*, *Benjamin Thompson*, *Matthew Wilson*, *Matthew Wilson* the younger, *John Walker*, *John Walker* the younger, *John Wood* the younger, *Matthias Whitehead*, *Richard Bradley Wainman*, *John Whitacre*, *Godfrey Wentworth Wentworth*, *William Wilkes*, *James Wiglesworth*, *William Wood*, being qualified in manner by the said recited Act directed, shall be and they are hereby appointed Trustees for carrying this Act and the said recited Act into Execution.

Power to appoint additional Trustees.

III. And be it further enacted, That it shall be lawful for the said Trustees and they are hereby authorized and empowered, at any Meeting to be held for that Purpose, (of which Meeting, and of the Purpose thereof, Ten Days Notice shall be given in manner by the said recited Act directed, with respect to Meetings for the Appointment of Trustees on Vacancies), to elect and appoint any Number of Persons, not exceeding Five in the whole, to be Trustees for executing this Act and the said recited Act, in Addition to the Trustees hereby appointed; and such Trustees so elected and appointed, and being duly qualified, shall be and they are hereby invested with the same Powers and Authorities for executing this Act and the said recited Act as if they had been named in this Act.

Trustees to be sworn.

IV. Provided always, and be it further enacted, That no Person shall be capable of acting as a Trustee in the Execution of this Act, unless he shall be qualified in such Manner as in and by the said recited Act is directed and prescribed, nor unless he shall, before he shall act as a Trustee in the Execution of this Act (except in administering the Oath or Affirmation mentioned in the said recited Act, and the Oath or Affirmation herein-after mentioned), take and subscribe, or being of the People called *Quakers*, make and subscribe, before One or more of the said Trustees, (who is and are hereby empowered to administer the same) the Oath or Affirmation following; (that is to say),

Oath.

'I *A.B.* do swear, [*or, being of the People called Quakers*, do solemnly affirm], That I will truly and impartially, according to the best of my Judgment, execute and perform the several Powers, Authorities, and Trusts reposed in me as a Trustee by virtue of an Act passed in the Fourth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act* [*here set forth the Title of this Act*], and of an Act passed in the Third Year of the Reign of His said Majesty, intituled *An Act to amend the general Laws now in being for regulating Turnpike Roads in that Part of* Great Britain *called* England.

'So help me GOD.'

[*Or, being a Quaker, omit the Words* 'So help me God.']

And if any Person shall act as a Trustee in the Execution of this Act or the said recited Act (except as aforesaid) before he shall have taken or made and subscribed such Oath or Affirmation, every such Person shall for every such Offence forfeit and pay the Sum of Fifty Pounds to any Person who shall sue for the same, in any of His Majesty's Courts of

of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, or more than one Imparlance, shall be allowed: Provided nevertheless, that no Act or Proceeding touching the Execution of this Act or the said recited Act, which shall be done or performed by any Person who shall have omitted or neglected to take or make and subscribe the Oath or Affirmation by this Act prescribed, shall be thereby impeached or nullified; but every such Proceeding shall be as valid and effectual as if such Person had taken such Oath or made such Affirmation previously to his having acted as such Trustee as aforesaid.

Meetings of Trustees.

V. And be it further enacted, That the said Trustees shall meet together at the *Sun Inn* at *Bradford*, or at some other convenient Place upon or near to the said Road, on the Third *Monday* 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 upon or near to the said Road, as they shall think proper: Provided always, that no Adjournment of the said Trustees shall be for a longer Space of Time than Three Calendar Months, and that all Meetings of the said Trustees shall be held between the Hours of Eleven of the Clock in the Forenoon and Four of the Clock in the Afternoon.

Appointment of Officers.

VI. And be it further enacted, That the said Trustees, at any of their Meetings, shall and may from Time to Time appoint a Clerk, Treasurer or Treasurers, Collector or Collectors of the Tolls, and a Surveyor or Surveyors of the said Road, and such other Officers as they the said Trustees shall think necessary, and from Time to Time remove any such Officer or Officers, and on the Death or Removal of any such Officer or Officers may appoint another or others in his or their Stead; and Seven Days Notice shall be given by any Two or more of the said Trustees, and shall be inserted in some Public Newspaper usually circulated in the Neighbourhood of the said Road, and affixed on all the Turnpike Gates standing or being on or across the said Road, of every Meeting when any such Appointment or Removal shall be intended to be made after the First Meeting of the said Trustees, specifying the Intention of appointing or removing such Officer or Officers; and the said Trustees shall and may and are hereby authorized and empowered, by and out of the Monies arising by virtue of this Act, to pay such Salaries, and make such Allowances to such Officers and other Persons employed, or who shall assist in the Execution of this Act or the said recited Act, for their Services in or about the carrying this Act and the said recited Act into Execution, as they the said Trustees shall think reasonable.

Trustees may appoint temporary Collectors.

VII. And be it further enacted, That when and as often as any Collector or Receiver of the Tolls hereby granted shall neglect or be incapable of performing his Duty, or shall abscond or absent himself, or shall otherwise misbehave or misconduct himself, it shall and may be lawful for any Two or more of the said Trustees, although not assembled at a Meeting of the Trustees appointed by virtue of this Act, to discharge such Collector or Receiver; and in such Case, and also in case any Collector or Receiver shall die, to nominate and appoint a proper Person to be Collector or Receiver of the Tolls, to continue until the next Meeting of the Trustees, or until removed by virtue of the Powers and Provisions of this Act; which Person or Persons so nominated and appointed

pointed shall have the like Power and Authority, and be answerable and accountable in the same Manner in all respects, as if he or they had been nominated and appointed at a Meeting called and held in pursuance of this Act.

Clerk and Treasurer not to be the same Person.

VIII. Provided always, and be it enacted, That it shall not be lawful for the said Trustees to appoint the Person 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, the Treasurer for the Purposes of this Act, or to appoint the Person who may be appointed Treasurer, or the Partner of any such Treasurer, 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 any such Clerk, or the Clerk of or other Person in the Service or Employ of such Clerk, shall act as Treasurer, or being the Partner of such Treasurer, shall act as Clerk in the Execution of this Act, or if any Treasurer shall hold any Place 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 Fifty Pounds to any Person or Persons who shall sue for the same, to be recovered in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Plaint, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than one Imparlance, shall be allowed.

Power to erect Toll Gates, &c.

IX. And be it further enacted, That it shall be lawful for the said Trustees to erect, set up, and build, in, upon, or across the Road, Diversions, and Branch hereby intended to be made and maintained in Repair, or any Part of the same, or upon or across the Entrance to any Road, Lane, or Way leading into the same, or any Part thereof, when and where and as often as they shall judge necessary, any Gate, Turnpike, Bar, or Chain, and also One or more Toll House or Toll Houses, with suitable Outbuildings and Conveniences thereto, at or near to any Toll Gate or Weighing Machine upon the said Road, and to take in and inclose on the Sides of the said Road suitable Garden Spots for such Toll House or Toll Houses, (not exceeding One-eighth Part of a Statute Acre each), with such Number of Lamps to such Toll House or Toll Houses as they shall think necessary, and from Time to Time to take down and remove, or to alter and discontinue the same, or any of them, as they the said Trustees shall think proper and direct or appoint.

Power to take Tolls.

X. And be it further enacted, That from and after the Third *Monday* next after the passing of this Act, it shall be lawful 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 in, upon, across, or on the Sides of the said Road, and in, upon, across, or on the Sides of the Diversions or Branch herein-before directed to be made from and out of such Road, before any Horse, Beast, Cattle, or Carriage shall be permitted to pass through the same respectively; (that is to say),

Tolls.

For every Horse or other Beast, drawing any Coach, Barouche, Landau, Chariot, Chaise, Curricle, Caravan, Chair, or other wheeled Carriage, not being a Waggon or Cart, the Sum of Eight-pence:

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

For every Horse or other Beast, laden or unladen, and not drawing, the Sum of Nine-pence:

For every Drove of Oxen, Cows, or other Neat Cattle, the Sum of Five Shillings *per* Score, and so in proportion for any greater or less Number than a Score: And,

For every Drove of Calves, Swine, Sheep, or Lambs, the Sum of One Shilling *per* Score, and so in proportion for any greater or less Number than a Score.

Which said respective Sums of Money hereby authorized to be demanded and taken as aforesaid shall be demanded and taken in the Name of or as Toll; and the same shall be and are hereby vested in the said Trustees, and shall be applied and disposed of in manner hereafter directed.

Tolls for passing and repassing Once through the same Toll Gates in One Day.

XI. And be it further enacted, That all and every Persons and Person, having paid the said Tolls, and producing a Ticket from the Collector denoting such Payment, shall be permitted to pass and repass Once in the same Day, to be computed from Twelve of the Clock at Night to Twelve of the Clock in the succeeding Night, through the Toll Gates or Toll Bars mentioned in such Ticket, with the same Horses or other Beasts, Coach, Waggon, Cart, or other Carriage, or Drove of Oxen or Neat Cattle, Calves, Sheep, Lambs, or Swine, without being subject or liable to any additional Toll for so doing; and no Person shall be permitted to pass a subsequent Time in any One Day (to be computed as aforesaid) with the same Cattle through any of the Toll Gates or Toll Bars aforesaid, until he shall have paid for every such subsequent Time of passing through any of the Toll Gates or Toll Bars on the same Day (to be computed as aforesaid) with the same Horses, Beasts, or Cattle, such Tolls, not exceeding the Tolls herein-before mentioned, as the said Trustees shall direct or appoint; and such Person for every such Payment for such subsequent passing, shall be permitted to repass through such Toll Gates or Toll Bars, with the same Horses, Beasts, or Cattle the same Day, to be computed as aforesaid, without paying any other Toll.

Tolls for passing through all the Toll Gates.

XII. Provided also, and be it further enacted, That no more than Five 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 Carriage or Carriages, in any One Day, (to be computed as aforesaid) for passing and repassing Once through all or any of the said Toll Gates or Toll Bars to be erected under the Powers of this Act.

Stage Coaches to pay every Time of passing.

XIII. Provided also, and be it further enacted, That the said Tolls shall be paid for and in respect of all Horses or Beasts of Draught drawing any Stage Coach, Diligence, Van, Caravan, or Stage Waggon, or other Stage Carriage conveying Passengers or Goods for Pay or Reward, every Time of passing along the said Road.

Enabling Trustees to take Posses-

XIV. And be it further enacted, That in case all or any of the Tolls arising on the said Road shall be demised or let to farm to any Person or

or Persons in any Manner whatsoever, and the Lessee or Lessees, Farmer or Farmers thereof shall neglect or refuse to perform the Terms and Conditions on which the same shall be so demised or let; or in case the Rent or Rents agreed to be paid by such Lessee or Lessees, Farmer or Farmers, or any Part or Instalment thereof, shall be in Arrear or unpaid for the Space of Fourteen Days next after any of the Days on which the same ought to be paid pursuant to the Lease, Agreement, or Contract for demising or letting thereof; or in case such Lease, Agreement, or Contract shall in any other Manner become void; then and in any of the said Cases it shall be lawful for any Justice of the Peace for the said West Riding, upon Application made by the said Trustees, or by any Person by them appointed on their Behalf, by Warrant under his Hand and Seal, to order any Constable or other Peace Officer, with such Assistance as shall be necessary, to enter upon and take Possession of every or any Toll House, Toll Gate, Bar or Chain, or Weighing Machine, and the Buildings and Appurtenances thereunto belonging, in the Day-time, and to remove and put such Lessee or Lessees, Farmer or Farmers of the Tolls arising thereout respectively, or other the Person or Persons who shall be found therein, together with his, her, or their Goods, out of the same, and from the Possession thereof, and from the Collection of such Tolls, and to give to the said Trustees, or other Persons acting by or under their Authority, Possession thereof; and thereupon it shall be lawful for the said Trustees, if they shall think fit, to vacate and determine the Lease, Agreement, or Contract for demising or letting the said Tolls to such Lessee or Lessees, Farmer or Farmers, and the same shall accordingly be utterly void, to all Intents and Purposes, (save as to the Covenants or Agreements for Payment of the Rent or Rents thereby reserved, or other unperformed or broken Obligations, Covenants, or Agreements on the Lessee's Part,) as if such Lease, Agreement, or Contract had never been made; and it shall and may be lawful for the said Trustees in every such Case to demise or let to farm the said Tolls again to any other Person or Persons, or cause them to be collected in such and the same Manner as if no former Lease, Agreement, or Contract had been made relative thereto.

Sion of Toll Houses when let to farm.

XV. And be it further enacted, That out of the Tolls and other Monies which shall be raised by virtue of this Act or the said recited Act, the said Trustees shall in the first Place, and in Preference to all other Disbursements whatsoever, pay and discharge all Costs and Expences relative or incident to the procuring and passing of this Act, and the Remainder of all such Monies shall from Time to Time be applied in repaying any Money which may be borrowed on the Credit of this Act, and the Interest to grow due thereon, and in making, rendering commodious, improving, and maintaining in Repair the said Road, and in making and maintaining the Diversions and Branch from such Road, and in otherwise carrying this Act and the said recited Act into Execution.

Application of the Tolls and Money borrowed.

XVI. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered, to make the said Road, Diversions, and Branch 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

Road may be made.

take and use, and lay into the said Roads 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 also in, upon, over, or through any Commons or Waste Grounds, without making any Satisfaction for such Commons or Waste Grounds; 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 through which or whereupon such Roads, 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.

Trustees may contract for the Purchase of Land.

XVII. And be it further enacted, That it shall be lawful for the said Trustees from Time to Time to treat, contract, and agree with the Parties or Persons who shall be Owners of or interested in any private Lands, Buildings, Tenements, or Hereditaments to be taken or made use of in the Execution of this Act, or who shall sustain any Loss or Damage by means thereof, for the Purchase of such Lands, Buildings, Tenements, or Hereditaments, and for the Value, Consideration, Compensation, or Satisfaction to be made for the same, or for such Loss or Damages aforesaid; and it shall be lawful for all Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Civil, Corporations Aggregate or Sole, Tenants for Life or in Tail, Executors, Administrators, Husbands, Guardians, Feoffees, Trustees, or Committees, and all other Persons whomsoever, not only for and on Behalf of themselves, their Heirs and Successors, but also for and on the Behalf of the Person or Persons entitled in Reversion, Remainder, or Expectancy after them, and for and on Behalf of their Cestuique Trusts, whether Femes Covert, Wards, Infants, or Issue unborn, Lunatics, Idiots, Persons of unsound Memory and Understanding, or other Person or Persons whomsoever, and to and for all Femes Covert who are or shall be seised or interested in their own Right, or entitled to Dower, and to and for all and every Person and Persons whomsoever who are or shall be seised or possessed of or interested in any such Lands, Buildings, Tenements, or Hereditaments, to treat, contract, and agree with the Trustees for executing this Act for the Value, Consideration, Compensation, or Satisfaction to be made for such Property or Interest, or for any Loss or Damages as aforesaid, and to sell and convey unto the said Trustees any such Lands, Buildings, Tenements, or Hereditaments, or any Part thereof, for any of the Purposes of this Act; and all Contracts, Agreements, Sales, and Conveyances which shall be so made, shall be good, valid, and effectual to all Intents and Purposes, without Fine or Recovery, and shall be a complete Bar to all Estates Tail, and other Estates, Rights, Titles, Trusts, and Interests whatsoever, any Law, Statute, Usage, or other Matter whatsoever to the contrary notwithstanding; and all such Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Civil, Corporations Aggregate or Sole, Tenants for Life or in Tail, Executors, Administrators, Husbands, Guardians, Feoffees, Trustees,

tees, Committees, and all other Persons, shall be and are hereby indemnified for what they shall do by virtue or in pursuance of this Act.

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

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

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

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

Trustees restrained from pulling down Dwelling Houses, &c. without the Consent of the Owner.

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

Directing how Costs and Damages are to be recovered.

XXI. Provided always, and be it further enacted, That when and so often as any Sum or Sums of Money shall be directed or ordered by any Justice or Justices of the Peace to be paid in pursuance of the Directions of the said recited Act or of this Act, as or by way of Compensation or Satisfaction for any Materials, Costs, Damages, Spoil, or Injury of any Nature or Kind whatsoever, done or committed by the said Trustees, or any Person or Persons acting by or under their Authority, and such Sum or Sums of Money shall not be paid by the said Trustees to the Party or Parties entitled to receive the same, within Five Days after

Demand in Writing shall have been made, stating the Order of such Justices, from any Clerk to the said Trustees or their Treasurer, in pursuance of the Directions or Order made by such Justice or Justices, then and in such Case the Amount of such Compensation or Satisfaction shall and may be levied and recovered by Distress and Sale of the Goods and Chattels vested in the said Trustees by virtue of the said recited Act or of this Act, or of the Goods and Chattels of their Treasurer for the Time being, under a Warrant to be issued for that Purpose by such Justice or Justices of the Peace, which Warrant any such Justice or Justices is and are hereby authorized and required to grant, under his Hand and Seal or their Hands and Seals, on Application made to him or them for that Purpose by the Party or Parties entitled to receive such Sum or Sums of Money as or by way of Compensation or Satisfaction for any such Materials, Costs, Damages, Spoil, or Injury as aforesaid; and in case any Overplus shall remain after Payment of such Sum or Sums of Money, and the Costs and Expences of hearing and determining the Matter in dispute, and also the Costs and Expences of such Distress and Sale, then and in such Case such Overplus shall be returned, on Demand, to the said Trustees, or to their Treasurer for the Time being, as the Case may be; and such Treasurer shall and he is hereby authorized to retain, out of the first Monies which shall come to his Hands by virtue of this Act, the Amount of such Costs and Expences so paid by him as aforesaid.

Statute Labour.

XXII. And be it further enacted, That all Persons who by Law are or shall be liable to do Statute Work, or are or shall be chargeable towards the repairing and amending the said Road, shall be and remain liable thereto in like Manner in every respect as they now are or have heretofore been; and it shall be lawful for any Two or more Justices of the Peace in and for the said West Riding, and they are hereby required and empowered, upon Application made to them by the said Trustees, or by their Treasurer, Clerk, or Surveyor by their Order, yearly to adjudge and determine what Part or Proportion of the Statute Work shall every Year be done upon the said Road by the Inhabitants of the respective Parishes, Hamlets, and Places in or through which the said Road doth or shall lie, lead, or pass, and also what Proportion of the Money received by the Surveyor or Surveyors of the Highways of every such Parish, Hamlet, or Place, in lieu of or as a Composition for such Statute Work as aforesaid, shall be by him, her, or them paid to the said Trustees, or their Treasurer or Treasurers; and in order thereunto, it shall be lawful for such Justices from Time to Time to summon the Surveyor or Surveyors of the Highways for every such Parish, Hamlet, or Place, to bring in a List before the said Justices, at some Place to be expressed in such Summons, within Ten Days after the serving of such Summons, of the Names of the several Persons who within such Parish, Hamlet, or Place are by Law subject and liable to do Statute Work for that Year, or to the Payment of any Money in lieu of or as a Composition for such Statute Work, distinguishing the Nature of the Work to be done, whether with Teams or Draughts or otherwise, and also the Amount of the respective Sums to be paid, which Lists of Names shall be made in such Manner and under such Regulations and Restrictions as are or may be directed by any Law or Statute in force or effect for the Repairs of the Public Highways; and out of such List the said Justices shall and may allot, appoint, and order such and so many of the Persons who shall appear to be subject and liable to do Statute Work

as aforesaid, to do such Number of Days Statute Work as the said Justices shall think reasonable, and the same shall be done on such Days and at such Times (not being Hay-time or Harvest), and on such Part of the said Roads, as the said Trustees, or their Surveyor or Surveyors, shall from Time to Time order, direct, or appoint; and the said Justices shall and may order and direct the Surveyor or Surveyors of every such Parishes, Hamlets, and Places respectively, to pay over to the said Trustees or their Treasurer such Proportion of the Composition for Statute Work as aforesaid, as they the said Justices shall think proper, and at such Time or Times as the said Justices shall direct; and each and every Person who shall neglect or refuse to do such Statute Work as aforesaid, after Notice in Writing given to or left for him, her, or them, at his, her, or their last or usual Place or Places of Abode for that Purpose by any Surveyor to the said Trustees, shall, for every Day of his, her, or their Default, or the Default of any Labourer or Labourers, Team or Teams, Draught or Draughts, Horse or Horses, Beast or Beasts, to be provided by him, her, or them, be subject and liable to such Fines, Penalties, and Forfeitures as such Person or Persons may be subject or liable to by any Law or Statute now in force or effect for the Repairs of the Public Highways; and if any Person who shall come to work as a Labourer, or shall be sent with any Team or Draught to work on any Part of the said Road, shall be found idle or negligent by any Surveyor to the said Trustees, such Surveyor is hereby empowered to remove and dismiss the Person who shall be so found idle and negligent as aforesaid; and in that case every such Person shall be subject and liable to the respective Forfeitures and Payments as aforesaid, as if he had neglected or refused to come, or such Team or Draught had not been sent to work on any Part of the said Road; all which Forfeitures shall be paid to the Treasurer of the said Trustees, and applied towards amending the said Road; and in case the Surveyor or Surveyors of the Highways for any of the said Parishes, Hamlets, or Places, shall refuse or wilfully neglect to give in any such Lists as aforesaid, or shall knowingly or wilfully give in false and imperfect Lists, or shall refuse or neglect to collect or pay over such Composition Money, or any Part thereof, in Manner aforesaid, every such Surveyor so offending shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds; and such Composition Money shall and may be recovered from such Surveyor or Surveyors of the Highways by Distress and Sale of his or their Goods and Chattels, by Warrant under the Hands and Seals of any Two Justices of the Peace for the said West Riding, on Complaint made to such Justices by the Surveyor of the said Trustees.

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

XXIII. And be it further enacted, That Ditches, Drains, or Watercourses, of a sufficient Depth and Breadth for keeping the said Road 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 Road, and also, where necessary, into or through any Lands or Grounds adjoining to or lying near the said Road (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, upon or out of or across the said Road, also at the Expence of the said Trustees, out of the Monies aforesaid, any thing in the said General Turnpike Act contained to the contrary notwithstanding; and all such Ditches, Drains, and Watercourses, Bridges, Arches, Culverts, Trunks,

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 the said General Turnpike Act.

Trustees not incompetent Evidence.

XXIV. And be it further enacted, That in case of any Dispute, Suit, or Litigation touching or in anywise relating to the Execution of this Act or of the said recited Act, no Person acting as a Trustee in the Execution of this Act, or of the said recited Act, shall be incompetent to give Testimony or Evidence therein by reason of his being such Trustee as aforesaid.

Public Act.

XXV. 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.

XXVI. And be it further enacted, That this Act shall commence upon the Third *Monday* next 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.

SCHEDULE referred to by this Act.

Owners.	Occupiers.	Description of Property.
BRIGHOUSE:		
Devisees of the late John Goldthorpe -	Thomas Richardson, and Charles Firth -	A Cottage and Privy.
Thomas Aspinal -	Emanuel Stocks -	A Privy.
John Clay - -	John Brook - -	A Shed or Hovel.
RASTRICK:		
William Hoyle and Thomas Hoyle -	Sarah Bottomley -	Five Cottages, with Coal Houses.
	James Pinder -	
	Thomas Hoyle -	
	Joseph Pawson, and William Booth -	
Martin Manley -	James Collison -	A Cottage, Shop, and Coal Houses.
Joseph Denham -	Benjamin Broughton	A Cottage, Coal House, and Privy.
John Rushworth -	Joseph Hirst - -	Two Cottages, a Stable, and Privy.
	Joseph Crowther -	
HUDDERSFIELD:		
Mary Skelbeck - -	Benjamin Bradley -	A Cottage, Workshop, and Coal Houses.
	Leonora Driver -	
FAR TOWN:		
Sir John Ramsden, Baronet	Joseph Cockcroft -	A Cottage.

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