ANNO QUINTO

GEORGII IV. REGIS.

Cap. lxxxii.

An Act for making and maintaining a Turnpike Road from *Roundhay Bridge* to *Collingham* in the County of *York*. [28th *May* 1824.]

WHEREAS the making and maintaining of a Turnpike Road from *Roundhay Bridge* to *Collingham*, both in the County of *York*, to pass through or into the several Townships or Places of *Roundhay*, *Roundhay Grange*, *Shadwell*, *Barwick in Elmet*, *Thorner Scarcroft*, *Bardsey cum Rigton*, *East Keswick*, and *Collingham*, or some of them, in the several Parishes of *Barwick in Elmet*, *Thorner Bardsey*, *Harewood*, and *Collingham*, all in the said County, will be of very great Utility and Advantage to the Persons residing in the Neighbourhood of the several Parishes and Places, and to the Public at large, by opening a more convenient Communication between the Towns of *Leeds* and *Wetherby*, and other Places: 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 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: 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

3 G. 4. c. 126.

4 G. 4. c. 95.

Trustees appointed.

Parliament assembled, and by the Authority of the same, 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 *John* Earl of *Mexborough*, the Right Honourable *John Beckett*, the Honourable *Edward Spencer Cowper*, the Honourable *Edward Lascelles* commonly called Viscount *Lascelles*, the Honourable *Henry Lascelles*, the Honourable *Willium Lascelles*, the Honourable *Edwin Lascelles*, the Honourable *Arthur Lascelles*, the Honourable *John Savile* commonly called Viscount *Pollington*, the Honourable *Edward Stourton*, the Honourable and Reverend *Jacob Marsham* Doctor of Divinity, the Honourable and Reverend *William Herbert*, Sir *James Graham* Baronet, Sir *Henry Carr Ibbetson* Baronet, Sir *John Beckett* Baronet, Sir *William Amcotts Ingilby* Baronet, Sir *Thomas Turner Slingsby* Baronet, Sir *Thomas Vavasour* Baronet, *George Addinell*, *John Abbot*, *William Aldam*, *Edward Armitage*, *John Atkinson* of *Austhorpe*, *Benjamin Atkinson*, *John Benjamin Ansley*, *James Brown*, *William Williams Brown*, *Edward Brooke*, *Benjamin Brooksbank*, *Christopher Bolland*, *William Bathurst* Clerk, *Christopher Beckett*, *William Beckett*, *Thomas Beckett*, *John Blayds*, *John Blayds* the younger, *Thomas Blayds*, *Thomas Benyon*, *Thomas Benyon* the younger, *John Brooke*, *Charles Barr*, *Charles Brown*, *George Banks*, *Thomas Bischoff*, *John Brewin*, *Bernard Bischoff*, *George Bischoff*, *John Bischoff*, *James Brooke*, *Christopher Benson* Clerk, *John Baker* Clerk, *James Beaumont*, *John Edward Brooke*, *John Chaloner* Clerk, *Thomas Chorley*, *Thomas Carr* Clerk, *Henry Dixon*, *Benjamin Dealtry*, *Lepton Dobson*, *Robert Dickson*, *James Dinwiddie*, *Robert Elam*, *Peter Earnshaw*, *Benjamin Eamonson* Clerk, *Thomas Loddington Fairfax*, *George Lane Fox*, *William Augustus Lane Fox*, *Sackville Fox*, *Thomas Fox* Clerk, *Joshua Field*, *Thomas Foljambe*, *Henry Greenwood*, *Benjamin Gott*, *John Gott*, *William Gott*, *Richard Oliver Gascoigne*, *Benjamin Goodman*, *John Goodman*, *George Goodman*, *William Gatliff*, *Randal Gossip*, *James Geldart* Doctor of Laws, *Joseph William Geldart* Doctor of Laws, *Wynn Lord Hedley*, *John Hebblethwaite*, *Martin Hind*, *John Hardy*, *Henry Hall*, *John Pemberton Heywood*, *John Hives*, *John Hill*, *William Hirst*, *William Harrison*, *Charles Harrison*, *John Hirst*, *Richard Hale* Clerk, *William Hey*, *William Hey* the younger, *Thomas Humphries* Clerk, *Ralph B. Hunter* Clerk, *Thomas Ikin*, *Thomas Bright Ikin*, *Maurice Logan* Doctor of Medicine, *Roger Holt Leigh*, *William Thompson Lee*, *John Mason*, *Peter Middleton*, *Robert Menzies*, *Joseph Medley*, *Charles Medhurst* Clerk, *William Mann*, *Charles Musgrave* Clerk, *Stephen Nicholson*, *William Nicholson Phillips*, *Christopher Paver*, *Samuel Powell*, *William Frankland Paley*, *William Prest*, *Thomas Benson Pease*, *James Armitage Rhodes* Clerk, *Abram Rhodes*, *William Rhodes*, *John William Rhodes*, *William Routh*, *Gregory Rhodes*, *Quintin Rhodes*, *John Smith* of *Gipton*, *Henry Skelton*, *John Sheepshanks* the younger, *John Shepherd*, *Christopher Smith*, *Edwin Smith*, *Benjamin Sadler*, *John Smyth*, *Thomas Woolrich Stansfeld*, *Henry Skelton*, *William Lister*, *Fenton Scott*, *Daniel Tuke*, *Jonathan Taylor*, *Thomas Tennant*, *Paul Beilby Thompson*, *Charles Turner Thackrah*, *Thomas William Tottie*, *Thomas Ward*, *Griffith Wright*, *Francis Wilkinson* Clerk, *Edward Wilkinson*, *Thomas Walker*, *William Walker*, *George Walker*, *Samuel Wilks Waud*, *Christopher Wilson*, *John Wilson*, *Richard Basset Wilson*, *Richard Fountayne Wilson*, and *Richard York*, and their Successors, being duly qualified according to the Provisions and Directions of the said recited Acts passed in the Third and Fourth Years of the Reign of His present Majesty, shall be and they are hereby appointed Trustees for making and maintaining the said Road,

and for otherwise putting this Act in Execution; and the said Road shall be called "The *Leeds* and *Collingham* Turnpike Road."

Powers of recited Acts 3 & 4 G. 4. extended to this Act.

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

Power to appoint additional Trustees.

III. 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 according to the Provisions and Directions of the said recited Acts, passed in 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.

First Meeting of Trustees.

IV. And be it further enacted, That the Trustees for executing this Act shall hold their First Meeting at the Court House in *Leeds* aforesaid, or some other convenient Place in the Neighbourhood of the said Road, on the Fourth *Wednesday* 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 Road, as they shall think proper.

Power to appoint Committees.

V. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby empowered, at any Meeting or Meetings to be held in pursuance of this Act, where Ten Trustees shall be present, to nominate and appoint any Number of the said Trustees, not less than Three, as a Committee or Committees to examine into, inspect, or superintend the general Management of the said Road, and also any such Matter or Business directed to be done by the said Trustees in Execution of this Act, as the said Trustees shall intrust to such Committee or Committees; and such Committee or Committees shall be accountable to any Meeting for what they shall do therein; and such Committee or Committees shall report what they have done therein from Time to Time at the next or some other Meeting of the said Trustees, and shall meet at and adjourn from Time to Time, to any Time or Place near to the said

Clerk to enter Proceedings of Committee.

said Road, as they shall see Occasion; and the Report of such Committee and Committees shall be signed by them, and entered into the general Minute Book of Proceedings kept by the Clerk to the said Trustees, or in a separate Book or Books, as the said Trustees shall think fit, and be referred to from the general Minute Book, and the Orders from Time to Time made in pursuance of such Report or Reports shall refer to the Report on which the same was grounded: Provided always, that the said Committee shall at all Meetings pay and defray their own Expences.

Clerk not to act as Treasurer, and vice versâ.

VI. Provided always, and be it further 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 or any Person in the Service or Employ of any such Clerk, to be 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, to be the Clerk to the said Trustees; and if any Person shall act in both the Capacities of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of any such Clerk, or the Clerk or any Person in the Service or Employ of any such Clerk, shall act as Treasurer, or being the Partner of any such Treasurer shall act as Clerk in the Execution of this Act, or if any such Treasurer shall hold any Place or Office of Profit or Trust under the said Trustees other than that of Treasurer, every such Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person or Persons who shall sue for the same, to be recovered with full Costs of Suit in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Plaint, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than one Imparlance, shall be allowed.

Treasurer to give Security.

VII. Provided always, and be it further enacted, That the said Trustees shall and they are hereby authorized, directed, and required to take sufficient Security from the Treasurer or Treasurers acting by virtue of this Act, for the due and faithful Execution of his or their Office.

For erecting Turnpikes.

VIII. And be it further enacted, That it shall be lawful for the said Trustees to erect and set up or build, or cause to be erected, set up, or built, upon, in, or across the Road by this Act directed or authorized to be made and maintained, or any Part thereof, or upon or across any public Road, Lane, or Way leading to the same, or any Part thereof, not more than Twenty Yards from the said intended Road, when, where, and as they shall judge necessary, any Toll Gate or Toll Gates, Turnpike or Turnpikes, Side Gate or Side Gates, Side Bar or Side Bars, or Chain or Chains, and any Weighing Machine or Weighing Machines, and also One or more Toll House or Toll Houses, with Outhouses and Conveniences suitable thereto, at or near each Toll Gate and Weighing Machine, and to take in and 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, as they shall think necessary; and from Time to Time to take down and remove, or alter or discontinue the same, or any Part of them, as they the said Trustees shall think proper and direct or appoint.

IX. And

Power to take Tolls.

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

Tolls.

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

For every Horse or other Beast, drawing any Caravan, Van, Waggon, Wain, Cart, or other such like Carriage, the Fellies of the Wheels whereof shall not exceed the Breadth of Three Inches, the Sum of One Shilling and Nine-pence:

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

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

For every Horse or other Beast, drawing any Caravan, Van, 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, Mule, or Ass, laden or unladen, and not drawing, the Sum of Two-pence:

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

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

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

Tolls to be paid but once a Day.

X. 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 at any Time or Times during the same Day (to be computed from Twelve of the Clock at Night to Twelve of the Clock in the next succeeding Night)

through the Toll Gates or Toll Bars mentioned in such Ticket, with the same Horses, Mules, or Asses, or other Beasts, drawing the same 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.

No more than Four full Tolls to be paid in One Day.

XI. Provided also, and be it further enacted, That no more than Four full Tolls shall be demanded or taken of or from any Person or Persons for or in respect of the same Horse, Mule, or Ass, or other Beast of Draught, drawing any Coach, Waggon, Cart, or other Carriage in any One Day (to be computed as aforesaid), for passing and repassing at any Time or Times in any One Day through all or any of the said Toll Gates or Toll Bars to be erected under the Powers of this Act.

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

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

Horses drawing Post Chaises subject to Toll on every Hiring.

XIII. 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 Road, whenever any new Hiring thereof shall take place.

Subscribers to pay their Subscriptions.

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

Application of the Tolls and Money borrowed.

XV. And be it further enacted, That out of the Monies already subscribed or to be subscribed or advanced for the Purpose of making the Road by this Act intended or authorized to be made, or which shall be borrowed on the Credit of this Act, the said Trustees shall in the first Place pay and discharge all the Costs and Expences relative to the obtaining and passing of this Act, with Interest for the Money advanced and out of Pocket; and the Remainder of all such Monies so subscribed or to be subscribed, advanced, or borrowed, shall be applied in defraying the Expences of making the said Road, and in purchasing Lands and Hereditaments and Materials for the Purpose, and in erecting, making, or

providing Toll Gates, Turnpikes, Bars, Gates, Chains, Weighing Machines, Toll Houses with Outhouses and Conveniencies, also Footpaths, Causeways, Bridges, Ditches, Fences, Rails, Posts, Boards, Lamps, Books, and other Matters and Things necessary or requisite for carrying the Purposes of this Act into Execution; and the Remainder (if any) of such Monies, and all Monies which shall arise or be received from the Tolls by this Act granted or otherwise, shall from Time to Time (after Payment of the necessary Charges for Books, Advertisements, Salaries of Officers and other such incidental Expences) be applied in keeping down the Interest of the Monies subscribed or advanced for the Purposes of the said Road, and which may be borrowed on the Credit of this Act in Payment of the Sinking Fund, and in amending and keeping in Repair the said Road and the Toll Gates and Toll Houses, and in otherwise putting this Act into Execution; and lastly, in defraying the Principal Monies subscribed or advanced for the Purposes of the said Road, or which shall be borrowed on the Credit of this Act.

One per Cent. to be deposited to form a Sinking Fund.

XVI. And be it further enacted, That the Sum of One Pound *per Centum per Annum* on every Sum of Money now advanced, to be secured or which shall be hereafter borrowed or taken up at Interest upon the Credit or Security of the Tolls granted, shall, from the Expiration of Three Years after the passing of this Act, be charged on and during the Continuance of this Act be appropriated and paid out of the said Tolls, in order to form a Sinking Fund for the gradual Payment of all the Principal Sum and Sums now advanced, to be secured or so to be borrowed as aforesaid; and that after the Payment of any such Principal Sum or Sums, the full Interest which would have been otherwise payable for or in respect of the same to the Creditor or respective Creditors shall from thenceforth, and for and during the Continuance of this Act, be charged on and appropriated and paid out of the said Tolls in aid of the Sinking Fund; and that as often as the said Sinking Fund shall amount to the Sum of One hundred Pounds, that Sum shall be applied in Payment of an equal Amount of the said Principal Money then due, or on the Credit or Security of the said Tolls rateably or by Lot among the Creditors as the said Trustees shall think proper.

Roads may be made.

XVII. 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 upon, in, over, or through any private Lands, Grounds, or Hereditaments, of such Width or Dimensions as they shall think proper, not exceeding Fifty Feet, together with such suitable and sufficient Footpaths, Causeways, Bridges, Arches, Culverts, Ditches, Drains, and Fences as they shall think necessary or expedient, and for such Purpose or Purposes to pull down or take and use any Houses, Buildings, Tenements, or Hereditaments mentioned in the Schedule to this Act annexed, marked (A.), making Satisfaction to the Owners thereof and Persons interested therein for the same, or for the Damage they may sustain thereby; and it shall also be lawful for the said Trustees, and for their Surveyors or Surveyor, and Workmen, from Time to Time to enter upon the Lands and Premises, or Hereditaments, through which or whereupon such Roads, Footpaths, Causeways, Bridges, Arches, Culverts, Ditches, Drains, and Fences are or is intended to be made or pass, and also upon any adjoining Lands or Grounds, and to stake out the same in such Manner as the said Trustees

tees 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; and such Penalties shall be levied and recovered (together with the necessary Costs and Charges of levying the same) by the same Ways and Means, and in the like Manner as any Penalty or Forfeiture for pulling up or damaging any Milestone or Post upon any Turnpike Road may by Law be levied or recovered; and one Moiety of such Penalties shall be paid to the Informer, and the other Moiety thereof shall be paid to the Treasurer to the said Trustees, and applied or disposed of for the Purposes of this Act: Provided always, that the said Road shall not be made over any Lands or Grounds, nor Entry made on any of those Lands until after the Purchase Money for the same shall have been paid and discharged, or tendered for Payment, in pursuance of the Powers and Authorities contained in this Act, without the Consent of the Owner and Proprietor thereof in Writing first obtained for that Purpose.

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 Road, and the Lands, Hereditaments, and Premises through or over which the same are to be made or carried, together with a Book of Reference containing a List of the Names of the Owners and Occupiers of such Lands, Hereditaments, and Premises, have been deposited at the Office of the Clerk of the Peace for the said West Riding; 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 in whose Custody the same may be found, the Sum of One Shilling for every such Inspection, and at the Rate of Four-pence 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 Road shall not deviate (except as herein-after specified) more than One hundred Yards of Three Feet each from the Line described in the said Map or Plan, without the Consent and Approbation in Writing of the Person or Persons, Bodies Politic, Corporate, or Collegiate, through whose Lands or Premises such Deviation shall be made.

Trustees to deviate from Line laid down in Plan, &c.

XIX. And whereas Part of the Road as described in the said Map or Plan passes over Lands belonging to *Stephen Nicholson* Esquire, *William Williams Brown* Esquire, and *John Goodman* Esquire: And whereas the said Road might be made more convenient and on a better Level, if a Deviation in the said Line were made by carrying the same over other Lands of the said *Stephen Nicholson*, *William Williams Brown*, and *John Goodman*: And whereas the said *Stephen Nicholson*, *William Williams Brown*, and *John Goodman*, have consented to such Deviation; be it therefore further enacted, That the said Trustees shall deviate immediately after passing over *Roundhay Bridge* aforesaid, in a direct Line Eastwardly, over a certain Plantation the Property and in the Possession of *Stephen Nicholson*

Nicholson Esquire, over a Field marked N° 5 in the said Map or Plan so deposited with the Clerk of the Peace as aforesaid, and over the Corner of a certain other Field now in the Possession of *Thomas Allison*, to the Entrance of the Road leading to a Farm now in the Possession of *John Walker*, and from thence in a direct Line Eastwardly Ten Yards on the South Side of a certain Oak Tree situate in a certain Field marked N° 4 on the said Map or Plan, and from thence North-eastwardly to a certain Holly Tree situate in the Fence between Nos. 3 and 16 marked on the said Plan, so as not to enter more into any Part of the Property of *John Goodman* Esquire than Six Yards at the South-east Corner thereof, and shall not afterwards deviate from the said last-mentioned Line between *Roundhay Bridge* and the said Holly Tree without the Consent in Writing of the respective Owners and Occupiers of the respective Lands over which the said Line shall pass.

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

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

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

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

Trustees may contract for the Purchase of Land.

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

unborn, Lunatics, Idiots, Persons of unsound Memory and Understanding, or other Person or Persons whomsoever; and to and for all Femes Covert who are or shall be seised or interested in their own Right, or entitled to Dower, and to and for all and every Person and Persons whomsoever who are or shall be seised or possessed of or interested in any such Lands, Buildings, Tenements, Hereditaments, or Premises, to give their Consent in Writing to the said Trustees, for the taking and using any such Lands, Tenements, Hereditaments, and Premises, and the pulling down of any Dwelling House or any other Building, and to treat, contract, and agree with the Trustees for executing this Act, for the Value, Consideration, Compensation, or Satisfaction to be made for such Property or Interest, or for any Loss or Damages as aforesaid, and by Conveyance, Lease and Release, or Bargain and Sale, to sell and convey unto the said Trustees any such Lands, Buildings, Tenements, Hereditaments, or Premises, or any Part thereof, for any of the Purposes of this Act; and all Contracts, Agreements, Sales, and Conveyances which shall be so made, shall be good, valid, and effectual to all Intents and Purposes, without Fine or Recovery, and shall be a complete Bar to all Estates Tail and other Estates, Rights, Titles, Trusts, and Interests whatsoever, any Law, Statute, Usage, or other Matter whatsoever to the contrary notwithstanding; and all such Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Civil, Corporations Aggregate or Sole, Tenants for Life or in Tail, Husbands, Guardians, Trustees, Feoffees, Committees, Executors, and Administrators, and all other Persons, shall be and are hereby indemnified for what they shall do by virtue or in pursuance of this Act; and if any such Bodies Politic, Corporate, and Collegiate, Ecclesiastical or Civil, Corporations Aggregate or Sole, Tenants for Life or in Tail, Husbands, Guardians, Trustees, Feoffees, Committees, Executors, or Administrators, or any other Person or Persons as aforesaid, upon Notice to him, her, or them given or left in Writing at the Dwelling House or Houses, or other Place or Places of Abode of such Person or Persons, or of the Principal Officer or Officers of such Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Civil, or at the House of the Tenant in Possession of the Premises, shall, for the Space of Forty Days next after such Notice given or left, neglect or refuse to treat, or shall not agree, or by reason of Absence shall be prevented from treating, then and in every or any such Case the said Trustees shall cause such Value, Consideration, Compensation, Satisfaction, or Damages, to be inquired into and ascertained by a Jury in the Manner prescribed by the said recited Act passed in the Third Year of the Reign of His present Majesty, in Cases where any Damages, Value, or Recompence for Premises, thereby authorized to be taken and used for widening, diverting, altering, and improving any Turnpike Road, are directed to be inquired into and ascertained, subject to all the Regulations and Provisions of the said Act relative to the summoning and impannelling the Jury, the summoning of Witnesses, the fining of the Sheriff, his Deputy, Bailiff, or Agent, and fining the Witnesses, and to the Payment of the Expences of summoning and maintaining the Jury and Witnesses; and it shall and may be lawful to and for the Jury by which the Value of such Premises shall be inquired into and ascertained, to take into consideration the Benefit and Advantage (if any) the Estate or Estates of the Owner or Owners of the Lands over which the said Roads are intended to pass, will derive from the making thereof, and to deduct the same from the intrinsic Value of such Premises.

When Persons neglect or refuse to treat;

Damages to be settled by a Jury.

XXIII. And

Application of Compensation Money if amounting to 200*l*.

XXIII. And be it further enacted, That if any Money shall be paid or agreed or awarded to be paid for the Purchase of any Lands, Tenements, or Hereditaments, to be purchased, taken, or used for the Purposes of the said Road, which shall belong to any Body Politic, Corporate, or Collegiate, Ecclesiastical or Civil, Corporation Aggregate or Sole, Tenant for Life or in Tail, or to any Feoffee in Trust, Executor, Admininistrator, Husband, Guardian, Committee, or other Trustee, for or on Behalf of any Infant, Idiot, Lunatic, Feme Covert, or other Cestuique Trust, or to any Person or Persons whose Lands, Tenements, or Hereditaments are limited in strict or other Settlement, or to any Person under any other Disability or Incapacity whatsoever, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Exchequer, to be placed to his Account there *ex parte* the Trustees for executing this Act, pursuant to the Method prescribed by an Act passed in the First Year of the Reign of His present Majesty King *George* the Fourth, intituled *An Act for the better securing Monies and Effects paid into the Court of Exchequer at* Westminster *on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes*, and the General Orders of the said Court, and without Fee or Reward, and shall, when so paid in, there remain until the same shall by Order of the said Court, made upon a Petition to be preferred to the said Court in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments, be applied either in the Purchase or Redemption of the Land Tax, or in or towards the Payment or Discharge of any Debt or Debts, or other Incumbrances, affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments standing settled therewith, or to the same or the like Uses, Trusts, Intents, or Purposes, as the said Court of Exchequer shall authorize to be purchased, redeemed, paid, or discharged, or such Part thereof as shall be necessary, or until the same shall, upon the like Application, be laid out in a summary Way by Order of the said Court in the Purchase of other Lands, Tenements, or Hereditaments, which shall be conveyed, limited, and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Lands, Tenements, or Hereditaments which shall be so purchased, taken, or used as aforesaid stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined or capable of taking effect; and in the meantime, and until such Order can be made, the said Money may, by Order of the said Court upon Application thereto, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities, or in Government or Real Securities; and in the meantime, and until the said Bank Annuities, or Government or Real Securities, shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends or Interest and Annual Produce of the said Consolidated or Reduced Bank Annuities, or Government or Real Securities, shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of such Lands, Tenements, or Hereditaments, so to be purchased, conveyed, and settled.

1 G 4. c. 35.

XXIV. Pro-

Application when under 200*l.* and exceeding 20*l.*

XXIV. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands, Tenements, or Hereditaments, to be purchased, taken, or used for the Purposes of the said Road, and belonging to any Corporation, or to any Person or Persons under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed or amount to the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy, Idiotcy, Lunacy, or other Incapacity, with the Approbation of the said Trustees or any Three or more of them, to be signified in Writing under their respective Hands, be paid into the Bank of *England* in the Name and with the Privity of the said Accountant General of the Court of Exchequer, and be placed to his Account as aforesaid, in order to be applied in manner herein-before directed, or otherwise the same may be paid at the like Option and with the like Approbation to Two Trustees, to be nominated by the Person or Persons who for the Time being would be entitled to the Rents and Profits of the Lands, Tenements, and Hereditaments so to be purchased and settled, such Nomination to be approved of by Three or more of the Trustees for executing this Act, and such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties; and the Money so paid to such Trustees, and the Dividends and Produce arising thereon and therefrom, shall be by them applied in like Manner as is herein-before directed with respect to the Money so to be paid into the Bank in the Name of the Accountant General of the Court of Exchequer, but without obtaining or being required to obtain any Order of the said Court touching the Application thereof.

Application when less than 20*l.*

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

In case of not making out Titles, Money to be paid into the Bank.

XXVI. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be awarded for the Purchase of any Lands, Tenements, or Hereditaments to be purchased, taken, or used under or by virtue of the Powers of this Act, shall refuse to accept the same, or shall not be able to make a good Title to the Premises to the Satisfaction of the said Trustees, or in case the Person or Persons to whom such Sum or Sums of Money shall be so awarded as aforesaid cannot be found, or if the Person or Persons entitled to such Lands, Tenements, or Hereditaments be not known or discovered, then and in every such Case it shall be lawful for the said Trustees to order the said Sum or Sums of Money so awarded as aforesaid to be paid into the

Bank of *England*, in the Name and with the Privity of the Accountant General of the said Court of Exchequer, to be placed to his Account there to the Credit of the Parties interested in the said Lands, Tenements, or Hereditaments [describing them], subject to the Order, Controul, and Disposition of the said Court; which said Court, on the Application of any Person or Persons making claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall be and is hereby empowered, in a summary Way of Proceeding or otherwise as to the said Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest of the Person or Persons making claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England*, who shall receive such Sum or Sums of Money, is and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying therein for what and for whose Use the same is or are received, to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank of *England* as aforesaid.

Persons in Possession presumptively entitled.

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

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

XXVIII. Provided also, and be it further enacted, That where by reason of any Disability or Incapacity of the Person or Persons, or Corporation, entitled to any Lands, Tenements, or Hereditaments, to be purchased, taken, or used under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the said Court of Exchequer, or to be applied in the Purchase of other Lands, Tenements, or Hereditaments, to be settled to the like Uses in pursuance of this Act, it shall be lawful for the said Court to order the Expences of all Pur-

chases from Time to Time to be made in pursuance of this Act, or so much of such Expences as to the said Court shall seem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Trustees out of the Monies to be received by virtue of this Act, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

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

XXIX. 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 Fields, Lands, or Grounds adjoining to or lying near the said Road (not being a Yard, Garden, Park, Paddock, planted Walk or Avenue to a House), at the Expence of the said Trustees, out of the Monies to be received by virtue of this Act; and sufficient Bridges, Arches, Culverts, Trunks, Tunnels, or Plats shall be made by the said Trustees, or their Surveyor or other Officer, where any Carriageways or Footways lead into or out of or cross the said Road, 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 Road, 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.

In case of Owner of Land undertaking to get Materials, Surveyor not to enter.

XXX. And be it further enacted, That if any Owner or Occupier, or his Agent, of Premises from which Materials for making or repairing the said Road are intended to be got, taken, or carried away, having had the Notice required by the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty, and appearing before the Justices of the Peace in manner therein required, shall then and there undertake to cut, dig, get, and gather out of such his or her private Lands, Fields, or Grounds as aforesaid, by means of his or her own Workmen or Servants or otherwise, all such Materials as by Law the said Justices would otherwise for such Undertaking be authorized to empower such Surveyor or Surveyors or other Persons to dig, get, and gather from and out of the same, and to deliver the same at a convenient Place or Places in a reasonable Time and at a reasonable Rate of Payment, (the Value of the Land damaged, as well as the Materials, and the digging and getting of the same being taken into consideration), to be then and there settled and affixed by the said Justices, that then, and until Default shall be made by such Owner or Occupier in respect thereof, it shall not be lawful for such Surveyor or Surveyors, or other Person or Persons, to come or send any Person or Persons upon such private Lands, Fields, or Grounds of such Owner or Occupier as aforesaid, for the Purpose of cutting, digging, getting, or gathering such Materials from out of the same; and in case such Owner or Occupier shall be dissatisfied with the Rate of Payment which shall be settled and affixed by the said

Justices for such Materials as aforesaid, that then and in such Case the Rate of Payment shall be settled and affixed by Two other Justices of the Peace in like Manner as is herein-before provided, in case of the said Surveyor or Surveyors entering the private Lands or Grounds of any such Owner or Occupier as aforesaid, for the Purpose of digging, getting, or gathering such Materials as aforesaid.

Justices may fix Rate of Compensation.

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

Minerals under Road to belong to original Proprietors of Land.

XXXII. And be it further enacted, That all Persons, Inhabitants of any Parish, Township, Hamlet, or Place, in which any Part of the Turnpike Road by this Act directed or authorized to be made shall lie or be situate, who by Law are or shall be liable to do Statute Work on any Highway or Road in any such Parish, Township, Hamlet, or Place, or who are or shall be chargeable towards repairing or amending the same, or who are or shall be liable to the Payment of any Composition Money in lieu of such Statute Work, shall be and they are hereby declared to be subject and liable in like Manner to do Statute Work on the Turnpike Road by this Act directed or authorized to be made, or on such Part and Parts thereof as shall lie and be situate in such Parishes, Townships, Hamlets, or Places respectively, or to the Payment of Composition Money in lieu thereof.

Statute Work.

XXXIII. And whereas by the making of the said Road the several Footpaths herein-after mentioned will become useless and unnecessary; (that is to say), a certain Footpath in *Roundhay* aforesaid, commencing at the South-east Corner of a Field the Property of *Robert Elam* Esquire, situate adjoining a certain Lane leading from the *Leeds* and *Roundhay* Turnpike Road to the said intended Road, and leading thence in a North-eastwardly Direction over Land the Property of *Stephen Nicholson* Esquire, adjoining the Messuage or Farmhouse now in the Possession of *Thomas Allison*, to a Lane leading to the said intended Line of Road; one other Footpath leading from *Roundhay Bridge* aforesaid, by the House of *Benjamin Goodman* Esquire, and the West Side of *Roundhay Grange*, into a certain Bridleroad, Highway, or Inclosure Road, leading from *Red Hall* to *Braim Farm* in *Roundhay*; one other Footpath leading from the Lime-kilns in the said Township of *Shadwell*, across the said Turnpike Road by *Roundhay Grange* and *Braim Farm*, to the said Township of *Shadwell*, so far as the same extends in a Westwardly Direction from the said Turnpike Road by *Roundhay Grange* and *Braim Farm*; a certain Highway or Bridleroad

For discontinuing certain Roads and Footpaths which will become unnecessary.

Bridleroad leading from *Braim Farm Yard* in *Roundhay* aforesaid to the Gate communicating with the Roads directed to be made by the Commissioners for the Inclosure of waste Lands in the said Township of *Barwick in Elmet*; one Highway leading from *Roundhay Bridge* in *Roundhay* aforesaid, in a direct Line Eastwardly to the Lane leading from the Farm in the Possession of the said *Thomas Allison* to *Braim Farm*, all in *Roundhay* aforesaid; and which said Highways, Bridleroads, and Footpaths will, if this Bill should pass into a Law, become useless and unnecessary; be it therefore enacted, That it shall and may be lawful to and for the said Trustees, at any Meeting or Meetings to be held in Exercise of the Powers of this Act, by Order under their Hands and Seals, and they are hereby authorized and empowered to stop up and discontinue, and to prevent the using for the future of the said Footpaths and Roads, or any or either of them as aforesaid; and it shall not be lawful for any Person or Persons whomsoever to use the said Roads and Footpaths, or such of them as shall be so stopped up and discontinued as aforesaid, but the same shall thenceforth cease to be a common Highway or Highways to all Intents and Purposes whatsoever, and the same may be sold and conveyed by the said Trustees, or any Three or more of them, in the Manner mentioned in the said recited Act; and the Money arising by such Sale shall be applied for the Purposes of this Act: Provided always, that Notice in Writing of such Order having been made as aforesaid shall be affixed on some conspicuous Place by the Side of the Road or Footpath so ordered to be stopped up and discontinued, and also on the Church Door of the Parish or Parishes in which such Road or Footpath shall be situate, immediately before Divine Service, upon Three successive *Sundays* next after the making thereof, and also inserted in some public Newspaper usually circulated in the said West Riding, for the Purpose of enabling any Person or Persons who may be aggrieved by the said Order to make the Appeal next herein-after provided.

Appeal may be made against Order of Trustees.

XXXIV. And be it further enacted, That it shall and may be lawful to and for any Person or Persons who may be aggrieved by the making of any Order hereby authorized for stopping up and discontinuing the said old Roads and Footpaths respectively, or any or either of them, to appeal against the same at any General or Quarter Sessions of the Peace for the said West Riding which shall be held within the Space of Four Calendar Months next after the making of the said Order, upon giving a Notice in Writing of such Appeal, duly signed by him, her, or them to or leaving the same at the usual Place of Residence of the Clerk to the said Trustees for the Time being, at least Fourteen clear Days before such General or Quarter Sessions of the Peace; and the Justices assembled at such General or Quarter Sessions are hereby authorized and required, upon due Proof before them by the Appellant or Appellants of such Notice having been regularly given by him, her, or them as aforesaid, to hear and determine the said Appeal, and upon the Quashing or Confirmation of the said Order to award and adjudge the Party against whom the said Appeal shall be determined to pay such Costs as the said Justices shall appoint; and the said Appeal, being so heard and determined, shall be final and conclusive to all Intents and Purposes whatsoever; and no Order against which any such Appeal shall be made as aforesaid shall be quashed for want of Form only.

XXXV. And

XXXV. 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.

XXXVI. 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. Commencement and Continuance of this Act.

SCHEDULE (A.) to which the Act refers.

Description of Property.	Parish and Place where situate.	Owners Names.	Occupiers Names.
A Plantation - -	Roundhay -	Stephen Nicholson, Esq.	Himself.
A Wood or Plantation	Ditto - -	William Williams Brown, Esquire -	Himself.
Ditto - -	Ditto - -	Benjamin Goodman or John Goodman, Esquires - -	Himself.
Ditto - -	Shadwell - -	William Williams Brown - -	Himself.
A Plantation - -	Scarcroft - -	George Lane Fox, Esq.	Himself.
A Garden - -	Ditto - -	John Mason - Daniel Tuke - - Thomas Foljambe, and William Routh -	William Hardcastle.
A Plantation - -	Ditto - -	Ditto - -	Themselves.
A Cottage - -	Ditto - -	Ditto - -	—— Pawson.
A Wood or Plantation	Bardsey with Rigton	George Lane Fox, Esq.	Himself.
Ditto - -	Collingham -	Trustees of Lady Elizabeth Hastings -	In hand.
An Orchard - -	Ditto - -	Ditto - -	Mary Margerison.
Part of a Barn, Stable, and Malt House -	Ditto -	Vicar of Pannal -	Isaac Thompson.

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