ANNO SEPTIMO & OCTAVO

GEORGII IV. REGIS.

Cap. lxx.

An Act for more effectually making, amending, and improving the Road from *Buck Stones* to *Barkisland* School, at the Highway leading from *Ripponden* to *Stainland*; and for making and maintaining an Extension of the said Road, to join the *Halifax* and *Huddersfield* Turnpike Road at the South End of *Elland Bridge*, and a Branch therefrom, all in the West Riding of the County of *York*. [28th *May* 1827.]

WHEREAS an Act was passed in the Sixth Year of the Reign of His present Majesty King *George* the Fourth, intituled *An Act for repairing and maintaining the Road from* Huddersfield *in the West Riding of the County of* York *to* New Hey *in the Parish of* Rochdale *in the County of* Lancaster, *with a Branch to* Toothill Lane *in the said Riding; and for making a new Road from* Buck Stones *to the Highway leading from* Ripponden *to* Stainland *at or near to* Barkisland *School:* And whereas the several Roads comprised in the said recited Act were divided into Two separate Districts or Trusts, and the said new Road from *Buck Stones* to the said Highway at or near *Barkisland* School was thereby directed to be called "The *Barkisland* and *Saddleworth* District:" And whereas the Trustees appointed in and by virtue of the said recited Act, so far as regards the said *Barkisland* and *Saddleworth* District 6 G. 4. c. 102.

of Road, have proceeded to put the same in Execution: And whereas the making and extending the Line of Road from the said Highway at or near *Barkisland* School in the Township of *Barkisland*, to join the *Halifax* and *Huddersfield* Turnpike Road at the South End of *Elland Bridge* in the Town of *Elland* in the said Riding, with a Branch from and out of such Extension, commencing at or near to a Place called *Syke House* in *Elland cum Greetland* aforesaid, and extending therefrom, and to communicate with the public Highway leading from the Town of *Barkisland* to the Town of *Stainland* in the Township of *Barkisland*, would be of great Advantage and Convenience to the Inhabitants of the Town of *Elland* and other Places lying near thereto, and to the Public in general: And whereas an Act was passed in the Third Year of the Reign of His said Majesty
3 G. 4. c. 126. King *George* the Fourth, intituled *An Act to amend the General Laws now in being for regulating Turnpike Roads in that Part of* Great Britain *called* England: And whereas another Act was passed in the
4 G. 4. c. 95. Fourth Year of the Reign of His said Majesty, intituled *An Act to explain and amend an Act passed in the Third Year of the Reign of His present Majesty, to amend the General Laws now in being for regulating Turnpike Roads in that Part of* Great Britain *called* England: And whereas another Act was passed in the Fifth Year of
5 G. 4. c. 69. the Reign of His present Majesty, intituled *An Act to enable Justices of the Peace for Ridings, Divisions, or Sokes, to act as Trustees for repairing and maintaining Turnpike Roads*: And whereas it is expedient that the said recited Act of the Sixth Year of the Reign of His said present Majesty, so far as regards the *Barkisland* and *Saddleworth* District of Road, should be repealed, and that other Provisions should be made instead thereof: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act the said recited Act of the Sixth Year of the Reign of His present Majesty, so far as the same relates to the *Barkisland* and *Saddleworth* District, shall be and the same is hereby declared to be repealed, but not further or otherwise.

Repeal of recited Act 6 G. 4. as to Barkisland and Saddleworth District.

This Act to be put in Execution.

II. And be it further enacted, That this Act shall be put in Execution, for and during the Term herein-after mentioned, for making and maintaining and keeping in repair the Road from *Buck Stones* to the Highway at or near *Barkisland* School aforesaid, and the Extension from the said Highway to join the *Halifax* and *Huddersfield* Turnpike Road at the South End of *Elland Bridge* in the Town of *Elland* aforesaid, and a Branch from and out of such Extension, commencing at or near to a Place called *Syke House* in *Elland cum Greetland* aforesaid, and extending therefrom and to communicate with the public Highway leading from the Town of *Barkisland* to the Town of *Stainland*.

This Act subject to Debts under former Act, as to the said District.

III. And be it further enacted, That this Act and the Tolls hereby granted shall be and the same are hereby made subject and liable to the Payment of all Monies which have been subscribed or advanced or which are now due and owing on the Credit of the said first-recited

Act, so far as relates to the said *Barkisland* and *Saddleworth* District, and of all Interest due and to grow due thereon, as fully and effectually, to all Intents and Purposes, as if such Monies had been subscribed or advanced for the Purposes of this Act; and all and every Subscriber and Subscribers and Person and Persons who has or have subscribed for or agreed to pay any Sum or Sums of Money for or towards making or altering the *Barkisland* and *Saddleworth* District of Road, or any Part thereof comprised in the said first-recited Act, and all Persons owing any Money to the Trustees for executing the said first-recited Act, so far as relates to the said *Barkisland* and *Saddleworth* District, shall be liable to the Payment thereof to the Trustees herein-after appointed, or who shall be appointed for executing this Act.

Conveyances, &c. under former Act valid, so far as they relate to the Barkisland and Saddleworth District.

IV. And be it further enacted, That all Conveyances, Mortgages, Deeds, Bonds, Covenants, Agreements, Contracts, and Securities, made to or by or entered into on account of the said Road called "The *Barkisland* and *Saddleworth* District," by any Person or Persons to or with the Trustees for executing the said first-recited Act, shall remain in full Force and Effect, and be and continue available in all Courts of Law and Equity, until the same be fully satisfied and performed on account of the Trusts under this Act; and all Bargains, Contracts, Agreements, or Notices, made, entered into, or given by the Trustees for executing the said first-recited Act with or to any Person or Persons for any Purpose relating to the said Road or to the Execution of the said Act, shall remain in full Force and Effect, and be observed and kept by the Trustees under this Act, and by the other respective Parties to such Contracts, Agreements, or Notices, according to the Terms, Stipulations, and the true and equitable Intent and Meaning thereof, notwithstanding the Repeal of the said first-recited Act, so far as the same relates to the said *Barkisland* and *Saddleworth* District of Road.

Books kept under former Act to be Evidence.

V. And be it further enacted, That all Books of Proceedings of the Trustees in the Execution of the said first-recited Act, kept according to the Directions or the Provisions thereof, or of any Act then in force, and made Evidence thereby, shall be admitted in Evidence in all Courts, and by all Judges, Justices, and others; and all such Books, and all Books of Accounts of Receipts and Disbursements made under the said first-recited Act, and all Books for registering Mortgages or Assignments made in pursuance thereof, shall be preserved and kept by the Trustees under this Act, or as they shall direct, and shall at all seasonable Times be open to the Inspection of the said Trustees, and any Creditor or Creditors of the Tolls, without Fee or Reward; and the said Trustees and Creditors, or any of them, shall and may take Copies of or Extracts from the said Book or Books, or any Part or Parts thereof respectively, without paying any thing for the same; and in case the Clerk to the said Trustees, or other Person or Persons having the Care of such Book or Books, shall refuse to permit or shall not permit the said Trustees or such Creditors, or any of them, to inspect the said Book or Books, or to take such Copies or Extracts as aforesaid, such Clerk or other Person shall forfeit and pay any Sum of Money not exceeding Five Pounds.

VI. And

Extending Powers of General Turnpike Acts to this Act.

VI. 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,) 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,) and also the said recited Act passed in the Fifth Year of the Reign of His present Majesty, and the Power or Provision therein contained, shall respectively be as good, valid, and effectual for carrying this Act and the several and respective Purposes thereof into Execution, as if the same had respectively been repeated and re-enacted in the Body of this Act.

Trustees appointed.

VII. And be it further enacted, That all His Majesty's Justices of the Peace acting for the West Riding of the County of *York* for the Time being, together with *Benjamin Haigh Allen*, *John Armytage*, *Henry Armytage*, *Edward Armytage*, *Joseph Armitage*, *John Armitage*, *William Armitage Archbell*, *John Archbell*, *Lewis Alexander*, *Edward Nelson Alexander*, *Philip Ashworth*, *Thomas Allen*, *John Allen*, *Jonas Ainley*, *Samuel Haigh Ainley*, *John Allison*, *Law Atkinson*, *Joseph Atkinson*, *Philip Ashworth*, *Benjamin North Rockley Battye*, *John Barber*, *Richard Battye*, *William Walker Battye*, *John Battye*, *John Beaumont*, *Timothy Bentley*, *James Brook* of *Huddersfield*, *Joseph Brook*, *Thomas Brook*, *Jonas Brook*, *John Blackburn*, *Thomas Burton* Clerk, *Charles Broadbent*, *James Buckley* of *New Barn*, *James Buckley* of *Greenfield*, *John Broadbent*, *John Broadbent* the younger, *William Broadbent*, *John Bates*, *James Bates*, *Joseph Batley*, *Benjamin Butterworth*, *John Clay*, *Joseph Travis Clay*, *John Crossley*; *John Carter*, *William Coultas*, *George Crowther*, *George Crowther* the younger, *Charles Cartledge*, *James Crosland*, *Joseph Charlesworth*, *Joshua Cuttell*, *Thomas Dinsley*, *Scipio Dyson*, *Joseph Dowse*, *Robert Dowse*, *John Dyson*, *James Dyson*, *Joshua Dyson*, *William Dyson*, *Richard Dickinson*, *William Dickinson*, *John Dyson*, *Joseph Dyson*, *Thomas Day*; *William Earnshaw*, *James Eastwood*, *Joseph Fryer*, *Simeon Fryer*, *William Fryer*, *Thomas Fryer*, *Robert Fryer*, *Charles Fryer*, *Henry Fryer*, *John Fisher*, *Thomas Falcon* Clerk, *John Falcon*, *Robert Firth*, *Thomas Firth* of *Firth House*, *Thomas Firth* of *Huddersfield*, *Joseph Firth*, *John Farrar*, *Joshua Farrar*, *Lewis Fenton*, *James Crosland Fenton*, *Stephen Fawcett*, *Richard Fawcett*, *George Farrar*, *Thomas Farrar*, *John Firth* the younger, *Samuel Goldthorpe*, *Samuel Goldthorpe* the younger, *Robert Goldthorpe*, *Henry Goldthorpe*, *George Goldthorpe*, *James Goldthorpe*, *William Greenwood*, *John Haigh*, *John Horsfall*, *Edward Hinchliffe*, *William Hirst*, *Thomas Horton*, *Thomas Holroyd*, *John Hirst*, *Michael Hoyle*, *Thomas Haigh*, *John Harpin*, *Thomas Hinchliffe*, *John Haigh*, *James Haigh*, *Benjamin Holroyd*, *John Holroyd*, *J. K. Holden*, *John Hirst* of *Bradley Mills*, *Samuel Hodgson*, *John Harrison*, *Joseph Jackson*, *John Smith Jackson*, *George Jessop*,

Jessop, *Frederick Jones*, *Joseph Kaye*, *Thomas Kilner*, *Fenton Lambert*, *Levi Lumb*, *Daniel Ledger*, *John Lancaster* of *Huddersfield*, *Samuel Leppington*, *John Lockwood*, *Joshua Littlewood*, *Francis Maude*, *Daniel Micklethwaite*, *Thomas Marshall*, *Martin Manley*, *Joshua Moorhouse*, *James Moorhouse*, *William Moorhouse*, *James Micklethwaite*, *Benjamin Mellor*, *Miles Netherwood*, *Miles Netherwood* the younger, *John Netherwood*, *Isaac Parker Newton*, *Benjamin Outram*, *Richard Oastler*, *William Priestley*, *John Priestley*, *Walker Priestley*, *Charles Pitchforth*, *Abraham Pitchforth*, *Solomon Pitchforth*, *John Peace*, *Thomas Perkinton*, Sir *John Ramsden* Baronet, Sir *Joseph Radcliffe* Baronet, *John Radcliffe*, *John Roberts*, *Henry Roberts*, *John Roberts* the younger, *Joseph Rushforth*, *Richard Walker Rushforth*, *Henry Rushforth*, *William Railton* Clerk, *Joshua Robinson*, *John Rhodes*, *William Stocks*, *William Stocks* the younger, *Michael Stocks*, *Michael Stocks* the younger, *Watson Samuel Scatcherd*, *William Staniland*, *Cookson Stephenson*, *William Stephenson*, *Samuel Stephenson*, *Joseph Scott*, *Jonathan Schofield*, *George Senior*, *Edmund Shaw*, *Walter William Stables*, *Henry Stables*, *John Sutcliffe*, *James Shaw* of *Lockwood*, *George Shaw*, *Dyson Joseph Shaw*, *W. H. Spencer*, *Samuel Stead*, *Thomas Thornton*, *Thomas Thornhill*, *Samuel Taylor*, *John Thwaite*, *Robert Turner*, *John Tinker*, *John Varley*, *John Walker*, *John Walker* the younger, *Benjamin Walker*, *William Waterhouse*, *William Waterhouse* the younger, *Samuel Waterhouse*, *James Waterhouse*, *John Whitacre*, *John Wheelwright*, *Samuel Wood*, *John Wood*, *William Widdop*, *Samuel Walker* of *Huddersfield*, *Samuel Walker* of *Stainland*, *Samuel Walker* the younger, of *Stainland*, *Eneas Walker*, *John Walker* of *Crownest*, *Abraham Woodhead*, *John Woodhead*, *John Wood* of *Dalton*, *John Horsfield Wadsworth*, *John Wilson*, *Benjamin Wilson*, *Joshua Wimpenny*, *Ely Wimpenny*, *Benjamin Whiteley*, *James Walker*, *Thomas Walker*, *Samuel Walker*, *Ely Walker*, and their Successors, being duly qualified according to the Provisions and Directions of the said recited Acts passed in the Third, Fourth, and Fifth Years of the Reign of His present Majesty, shall be and they are hereby appointed Trustees for making and maintaining the said Road and Branch, and for otherwise putting this Act in Execution, and the said Roads shall be called the *Elland* and *Saddleworth* Road and Branch.

Power to appoint additional Trustees.

VIII. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered from Time to Time at any of their Meetings, to elect and appoint any Number of Persons, being duly qualified as directed by the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty, (not exceeding Three in the whole in addition to the Number of Trustees herein named and appointed,) to be Trustees for the Purposes of this Act; and such Persons so elected and appointed shall be Trustees for the Purposes of this Act, and are hereby invested with the same Powers and Authorities for executing this Act as if they had been herein named.

First Meeting of Trustees.

IX. And be it further enacted, That the Trustees for executing this Act shall hold their First Meeting at the House known by the Sign

Sign of the *Savile's Arms* in *Elland*, or at some other convenient House or Place in *Elland* aforesaid, on the Third *Wednesday* next after the passing of this Act, or as soon after as conveniently may be, and shall and may then and from Time to Time after adjourn to and meet at such Times, and at such Place or Places in the Neighbourhood of the said Roads, as they shall think proper.

Old Officers to continue.

X. And be it further enacted, That each and every Treasurer who shall have been appointed consistently with the Provisions of the said recited Acts passed in the Third and Fourth Years of the Reign of His present Majesty, and not contrary to the Provisions or Directions of this Act, and each and every Clerk, Receiver, Collector, Surveyor, and other Officer appointed under or by virtue of the said first-recited Act hereby repealed, shall hold and enjoy such their several and respective Offices and Employments until removed therefrom respectively by the Trustees for executing this Act; and each and every such Clerk, Receiver, Collector, Surveyor, and other Officer, shall have the like Powers and Authorities for the Purposes of this Act, and for carrying the same into Execution, and shall be subject and liable to such Pains and Penalties, and to the like Power of Removal, and to the like Rules and Regulations in all respects whatsoever, as if he had been appointed under or by virtue of this Act.

Treasurer and Clerk not to be the same Person.

XI. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees to continue or appoint the Person who hath been or who may be appointed to act as their Clerk in the Execution of this Act, or the Partner of any such Clerk, or the Clerk or any Person in the Service or Employ of any such Clerk, or the Clerk or any Person in the Service or Employ of the Partner of any such Clerk, to be the Treasurer for the Purposes of this Act, or to continue or appoint the Person who hath been or who may be appointed Treasurer, or the Partner of any such Treasurer, or the Clerk or any Person in the Service or Employ of any such Treasurer, or the Clerk or any Person in the Service or Employ of the Partner of any such Treasurer, to be the Clerk to the said Trustees; and if any Person shall accept both the Offices 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, or the Clerk or any Person in the Service or Employ of the Partner of any such Clerk, shall accept the Office of Treasurer, or shall act as Deputy of the Treasurer, or in any Manner officiate for the Treasurer, or being the Partner of any such Treasurer, or the Clerk or any Person in the Service or Employ of any such Treasurer, or the Clerk or any Person in the Service or Employ of the Partner of any such Treasurer, shall accept the Office of Clerk in the Execution of this Act, or shall act as Deputy of such Clerk, or in any Manner officiate for such Clerk, 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 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

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.

For erecting Toll Gates, Turnpikes, Side Bars, Weighing Machines, &c.

XII. And be it further enacted, That it shall be lawful for the said Trustees to erect and set up or build and continue, or cause to be erected, set up, or built, upon, in, or across the said Roads, or on the Sides thereof, or on any Part thereof, when and where and as they shall judge necessary, subject to the Provision herein-after contained, any Gate or Gates, Turnpike or Turnpikes, Side Gate or Side Gates, Side Bar or Side Bars, or Chain or Chains, or 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 or Weighing Machine, and to take in and inclose, on the Sides of the said Roads, 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.

Certain Part of the Road not to be repaired by the Trustees when completed.

XIII. And whereas Part of the Line of the said Roads, lying between the North Side of a certain Rivulet or Brook called *Brow Bridge Beck* and the South End of *Elland Bridge* aforesaid, is now in part an ancient Highway, and it is expedient, for the Convenience and Advantage of the Public passing along the said Road from *Barkisland* School to *Elland Bridge*, that a straight Line of Road from *Brow Bridge Beck* aforesaid to *Elland Bridge* should be made by and out of the Monies subscribed for the Purposes of this Act, but nevertheless that the same, when made straight and convenient for the Passage of Travellers, should not be maintained in repair by any Money arising from the Tolls by this Act granted; be it therefore enacted, That it shall not be lawful for the said Trustees to erect or place any Turnpike or Toll Gate, Side Bar, Gate, or Chain, at any Time during the Continuance of this Act, nearer to the said South End of *Elland Bridge* than the said North Side of the said Rivulet or Brook called *Brow Bridge Beck*; nor shall it be lawful for the said Trustees to lay out any Money arising from the Tolls by this Act granted in the Repair or Improvement of the same Part of the said Road after the same shall be made and completed, any thing herein contained to the contrary thereof in anywise notwithstanding.

Requiring the Trustees to erect a Toll Gate on the Branch, and to take Tolls thereat.

XIV. Provided also, and be it further enacted, That the said Trustees shall and they are hereby required to erect and set up and continue, or to cause to be erected, set up, and continued, upon the Branch of Road herein-before particularly described, One or more Toll Gate or Toll Gates, or Turnpike or Turnpikes, and to demand and take thereat the Tolls by this Act granted, subject to the Provisions in this Act and the said recited Acts contained.

Power to take Tolls.

XV. And be it further enacted, That it shall and may be lawful for the said Trustees, or any Person or Persons to be appointed

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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 Branch, 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, Mule, or other Beast, drawing any Coach, Stage Coach, Diligence, Van, Caravan, Sociable, Berlin, Landau, Chariot, Vis-a-vis, Barouche, Phaeton, Chaise Marine, Chaise, Calash, Car, Curricle, Chair, Gig, Whiskey, Hearse, Litter, or other such like Carriage, the Sum of Sixpence:

For every Horse, Mule, Ass, Ox, or Bullock, drawing any Waggon, Wain, Cart, or other such like Carriage, where the Fellies of the Wheels are of a less Breadth than Four and a Half Inches, the Sum of Eight-pence:

For every Horse, Mule, Ass, Ox, or Bullock, drawing any Waggon, Wain, Cart, or other such like Carriage, where the Fellies of the Wheels are of the Breadth of Four and a Half Inches and of less Breadth than Six Inches, the Sum of Sixpence:

For every Horse, Mule, Ass, Ox, or Bullock, drawing any Waggon, Wain, Cart, or other such like Carriage, where the Fellies of the Wheels are of the Breadth of Six Inches or upwards, the Sum of Four-pence:

For every Horse, Mule, or Ass, laden or unladen, and not drawing, the Sum of Three Halfpence:

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

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

Which said respective Sums of Money or Tolls 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 in, upon, or across the said Road and Branch, or on the Sides thereof, or on any Part thereof; and which said respective Tolls shall be and are hereby vested in the said Trustees, and shall be applied for the Purposes of this Act in manner herein-after directed.

Tolls to be paid but Once in a Day at the same Gate.

XVI. Provided also, and be it further enacted, That in case the Toll herein-before authorized to be taken shall have been paid for the passing of any Horse, Beast, or Cattle through any One such Toll Gate or Turnpike or Side Gate on the Road and Branch, such Horse, Beast, or Cattle shall, upon a Ticket denoting such Payment being produced, be permitted to pass Toll-free through the same Toll Gate, Turnpike, or Side Gate, and also through such other Gate and Gates (if any) upon, across, or on the Sides of the Road and Branch, as the Ticket for such Payment shall free, at any Time and Times during the same Day (to be computed as aforesaid); any thing in this Act contained to the contrary thereof in anywise notwithstanding.

XVII. Pro-

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

XVII. Provided always, and be it further enacted, That no more than the Tolls following shall be demanded or taken for or in respect of the same Horses, Beasts, or Cattle, for passing or repassing at any Time or Times in any one Day, (to be computed as aforesaid,) through all or any of the Toll Gates or Turnpikes, Side Gates, Side Bars, or Chains, along the whole Line of the said Roads; (that is to say,) no more than Three Tolls between *Buck Stones* and the North Side of the said Rivulet called *Brow Bridge Beck* aforesaid, nor more than One Toll on the said Branch.

Payment of Toll on the Branch Road to be considered as One Payment on the Main Line.

XVIII. And in order that Travellers on the Branch Road should not be subjected to more Toll than Travellers on the Principal Road, be it therefore enacted, That in all Cases where Tolls shall have been paid at any Toll Gate or Turnpike upon the Line of Road from *Barkisland* School to *Elland Bridge* in respect of the passing of any Horse or Beast, or Cattle or Carriage, such Horse, Beast, Cattle, or Carriage shall be allowed to pass Toll-free on the same Day, to be computed as aforesaid, through any Toll Gate or Turnpike which shall be erected upon the said Branch of Road, upon a Note or Ticket being produced denoting the said Payment; and in all Cases where Toll shall have been paid at any Toll Gate or Turnpike upon the said Branch Road in respect of the passing of any Horse or Beast, Cattle or Carriage, such Horse, Beast, Cattle, or Carriage shall be allowed to pass Toll-free on the same Day, to be computed as aforesaid, through any Toll Gate which shall be erected on the said Road from *Barkisland* School to *Elland Bridge*, if only One Gate shall be erected thereon, (or through the first Toll Gate, if more than One Gate shall be erected thereon,) upon a Note or Ticket being produced denoting such Payment.

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

XIX. 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, Cart, 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 and Branch.

Post Chaises, &c. to pay on every new Hiring.

XX. Provided also, and be it further enacted, That the Tolls hereby made payable for and 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 and Branch, or either of them, whenever any new Hiring thereof shall take place.

Subscribers to pay their Subscriptions.

XXI. And be it further enacted, That the several and respective Persons who have subscribed for or agreed to advance any Sum or Sums of Money for and towards the making and maintaining the said *Barkisland* and *Saddleworth* District of Road, shall and they are hereby required to pay such Sum or Sums of Money to the Trustees for executing this Act, or to such Person or Persons as the said Trustees shall by any Writing under the Hands of any Three or more of them authorize to receive the same, and within such Time and Times, and in such Parts and Proportions, as is or are expressed

in the Writing subscribed by them, or as the said Trustees shall order and direct; and if any Person or Persons shall refuse or neglect 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 to be borrowed.

XXII. And be it further enacted, That out of the Monies subscribed for or agreed to be advanced as aforesaid, or which shall be subscribed or advanced for the Purpose of this Act, or which shall be borrowed on the Credit of this Act, or out of the first Money which shall arise or be received from the Tolls by this Act granted, or otherwise, the said Trustees shall in the first place pay and discharge all the Costs, Charges, and Expences relative to the obtaining and passing of this Act and the said first-recited Act, (so far as the same relates to the *Barkisland* and *Saddleworth* District of Road therein mentioned), with Interest for the same; and the Remainder of all such Monies so subscribed for or agreed to be advanced, or which shall be subscribed, advanced, or borrowed for the Purposes of this Act, shall be applied in defraying the Expences of making the said Road and Branch, 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 Conveniences, 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 after Payment of all such Expences, 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 be applied in keeping down the Interest of the Monies subscribed or advanced for the Purposes of this Act, and which may be borrowed on the Credit of this Act, and in amending and keeping in repair the said Roads, and the Toll Gates and Toll Houses, and in otherwise putting this Act into Execution; and lastly, in repaying the Principal Monies subscribed or advanced for the Purposes of this Act, or which shall be borrowed for the Purposes of this Act or on the Credit thereof.

No Money to be laid out on Branch Road unless Tolls are taken thereon.

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

Roads may be made.

XXIV. And be it further enacted, That the said Trustees shall and may and they are hereby authorized and empowered to make the said Road and Branch in, over, or through any private Lands, Grounds,

or Hereditaments, first making or tendering Satisfaction to the Owners thereof and Persons interested therein for the same, or for any Damage they may sustain thereby, and also in, upon, over, or through any Commons or Waste Lands without making any Satisfaction for such Commons or Waste Lands, of such Width or Dimensions as they shall think proper, not exceeding Forty-two Feet, together with such Footpaths, Causeways, Bridges, Arches, Culverts, Ditches, Drains, and Fences, on the Line of the said Road and Branch, 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 Road and Branch, Footpaths, Causeways, Bridges, Arches, Culverts, Ditches, Drains, and Fences 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 any 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.

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

XXV. And whereas a Map or Plan, describing the Line of the said new Road and Branch, and the Lands through or over which the same are to be made or carried, together with a Book of Reference containing 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 Book of Reference shall remain in the Custody of the said Clerk of the Peace, 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 One hundred Words of such Copies or Extracts of such Map or Plan and Book of Reference; and the said Trustees in making the said Roads shall not deviate more than One hundred Yards from the Lines 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.

XXVI. Provided always, and be it further enacted, That it shall be lawful for the said Trustees to make the said Road and Branch into, through, across, or over the 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,

aforesaid, and Schedule to this Act annexed, although the Name or Names of such Person or Persons may happen to be omitted or misstated in the said Book of Reference or the Schedule to this Act annexed, in case it shall appear to any Two or more Justices of the Peace for the said 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 Owners.

XXVII. Provided always, and be it further enacted, That the Powers and Authorities given by this Act for making the said Road and Branch 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 restrained from using Premises mentioned in Schedule, unless purchased within Five Years.

XXVIII. Provided also, and be it further enacted, That in case the said Trustees shall not purchase the Lands, Buildings, Tenements, and Hereditaments mentioned in the Schedule to this Act annexed within the Space of Five Years from the passing of this Act, all the Powers granted by this Act or the said recited Acts, for purchasing, taking, or using the same, or such of them as shall not then have been purchased, shall cease and determine, save and except with the Consent of the Owners or Proprietors thereof for the Time being.

Fences to be made by Trustees.

XXIX. And be it further enacted, That the said Trustees shall build proper Walls or plant Quickset Fences along the Sides of the Road and Branch, such Walls to be of the Height of Four Feet at the least, as and for Fences to and for the Lands adjoining, except only where the said Road and Branch shall or may pass over or through any Commons or Waste Grounds, or over or through certain Allotments set out by the Commissioners for executing the *Longwood* and *Deanhead* Inclosure Act, passed in the Year One thousand eight hundred and thirteen, and certain undivided or open Pastures known by the Names of *Scarr Moss*, *Lower Moss*, and *Upper Moss*, otherwise *Isaac Moss*.

Trustees may contract for the Purchase of Lands.

XXX. 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 as aforesaid; and it shall be lawful for all Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Civil, Corporations Aggregate or Sole, Tenant for Life or in Tail, Husbands, Guardians, Trustees, Feoffees in Trust, Committees,

tees, 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, 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 Damage 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, or 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 Thirty 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.

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

XXXI. 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 and Branch, 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, Administrator, 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, 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

1 G. 4. c. 35.

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.

Where less than 200*l.* and amounting to 20*l.*

XXXII. 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 Branch, 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.

Where under 20*l.*

XXXIII. 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 the said Road and Branch, for his, her, or their own Use and Benefit; or in Cases 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 so entitled respectively.

XXXIV. And

In case of not making out a good Title, or if Persons cannot be found, the Purchase Money to be paid into the Bank, subject to the Order of the Court of Exchequer.

XXXIV. 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 for the Purposes 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.

In case of disputed Titles.

XXXV. 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 for the Purposes of this Act as aforesaid, or to any Bank Annuities or Government or Real Securities to be purchased with any such Money, or the Dividends or Interest of any such Bank Annuities or Government or Real Securities, the Person or Persons who shall have been in Possession of such Lands, Tenements, or Hereditaments at the Time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, or Hereditaments, according to such Possession, until the contrary shall be shown to the Satisfaction of the said Court; and the Dividends or Interest of the Bank Annuities or Government or Real Securities to be purchased with such Money, and also the Capital of such Bank Annuities or Government or Real Securities,

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 to be paid by Trustees.

XXXVI. 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 for the Purposes 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 Purchases 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.

XXXVII. And be it further enacted, That Ditches, Drains, or Watercourses, of a sufficient Depth and Breadth for keeping the said Roads dry and conveying the Water from the same, shall be made by the said Trustees, or their Surveyor or other Officer, on the Sides of the said Road and Branch, and also, where necessary, into or through any Fields, Lands, or Grounds adjoining to or lying near the said Roads (not being a Yard, Garden, Orchard, Park, Paddock, planted Walk, or Avenue to a House), at the Expence of the said Trustees, out of the Monies to be received by virtue of this Act; and sufficient Bridges, Arches, Culverts, Trunks, Tunnels, or Plats shall be made by the said Trustees, or their Surveyor or other Officer, where any Carriageways or Footways lead into or out of or cross the said Road and Branch, 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 and Branch, 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.

Public Act.

XXXVIII. 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 Continuance of this Act.

XXXIX. 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.

SCHE-

SCHEDULE (A.) to which the Act refers.

Description of Property, all in the Parish of Halifax.	OWNERS.	OCCUPIERS.
Garden and Pigcote -	Watson Samuel Scatcherd -	James Wilkinson.
Plantation - -	Benjamin Outram - -	Himself.
Plantation - -	Philip Howard Ashworth -	Himself.
Plantation - -	Ditto - - -	Ditto.
Dwelling House -	Ditto - - -	Tedbar Jackson.
Dwelling House -	Ditto - - -	Christopher Brearley.
Dwelling House -	Ditto - - -	Charles Brearley.
Garden - -	Wastel Briscoe, Esquire - -	Joseph Mann.
House - - -	Luke Crosland - - -	Empty.
Shop - - -	John Dobson - - -	Himself.
Plantation - -	Trustees of the late Peter Patten Bold, Esquire	William Baxter.
Garden - -	Ditto - - -	Jonathan Binns.
Plantation - -	Benjamin Outram - -	Himself.
Plantation - -	Ditto - - -	Ditto.

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