ANNO QUINQUAGESIMO NONO

GEORGII III. REGIS.

****

Cap. xcii.

An Act for enlarging the Term and Powers of ſeveral Acts relating to the Road from the Town of *Leeds*, through *Harewood*, to the South-weſt Corner of the Incloſures of *Harrogate*, in the Weſt Riding of the County of *York*.

[14th *June* 1819.]

WHEREAS an Act was paſſed in the Twenty-fifth Year of the Reign of His late Majeſty King *George* the Second, intituled *An Act for repairing the Roads from the Town of* Leeds, *through* 25 G.2. c.58.
Harwood, *to the South-weſt Corner of the Incloſures of* Harrogate, *and from thence in Two Branches (one through* Ripley *over* Burage Green, *and the other through* Knareſborough *and* Boroughbridge) *to* Ripon, *and from thence to the firſt Rill of Water or Watercourſe on* Hutton Moor, *in the County of* York; *and for repairing the Sloughs or Rutts on the ſaid Moor:* And whereas by the ſaid Act the ſaid Roads were divided into Two Diſtricts, the Road from the Town of *Leeds*, through *Harwood*, to the South-weſt Corner of the Incloſures of *Harrogate*, being one of ſuch Diſtricts: And whereas an Act was paſſed in the Twenty-ninth Year of the Reign of His ſaid late Majeſty, intituled *An Act to explain and amend an Act paſſed in the Twenty-fifth Year* 29 G.2. c.71.
of the Reign of His preſent Majeſty, intituled 'An Act for repairing the 'Roads from the Town of Leeds, *through* Harwood, *to the South-weſt*

'*Corner of the Inclosures of* Harrogate, *and from thence in Two Branches* '(*one through* Ripley *over* Burage Green, *and the other through* Knares-'borough *and* Boroughbridge) *to* Ripon, *and from thence to the first Rill* '*of Water or Watercourse on* Hutton Moor, *in the County of* York; *and* '*for repairing the Sloughs or Rutts on the said Moor:*' And whereas an Act was passed in the Seventeenth Year of the Reign of His present Majesty
17 G. 3. c. 79. King *George* the Third, intituled *An Act for enlarging the Term and continuing the Powers of Two Acts of Parliament, one passed in the Twenty-fifth Year of the Reign of His late Majesty King* George *the Second, intituled* '*An Act for repairing the Roads from the Town of* Leeds, *through* Har-'wood, *to the South-west Corner of the Inclosures of* Harrogate, *and from* '*thence in Two Branches* (*one through* Ripley *over* Burage Green, *and* '*the other through* Knaresborough *and* Boroughbridge) *to* Ripon, *and from* '*thence to the first Rill of Water or Watercourse on* Hutton Moor, *in the* '*County of* York; *and for repairing the Sloughs or Rutts on the said Moor;*' *and the other passed in the Twenty-ninth Year of His said Majesty's Reign, to explain and amend the said first-mentioned Act, with respect to the Road from the Town of* Leeds, *through* Harwood, *to the South-west Corner of the Inclosures of* Harrogate: And whereas an Act was passed in the Thirty-sixth Year of the Reign of His present Majesty King *George* the Third,
36 G. 3. c. 138. intituled *An Act for continuing the Term and altering and enlarging the Powers of Three several Acts, passed in the Twenty-fifth and Twenty-ninth Years of the Reign of His late Majesty King* George *the Second, and the Seventeenth Year of the Reign of His present Majesty, for repairing certain Roads therein mentioned, so far as the same Acts relate to the Road from the Town of* Leeds, *through* Harwood, *to the South-west Corner of the Inclosures of* Harrogate, *in the West Riding of the County of* York: And whereas considerable Sums of Money, borrowed on the Credit of the said recited Acts, and charged on the Tolls arising upon the said Road, from the Town of *Leeds*, through *Harewood*, to the South-west Corner of the Inclosures of *Harrogate*, still remain due and owing, and such Sums of Money cannot be repaid, nor can the said Road be properly amended and kept in Repair, unless the Term of the said Acts be extended, and some of the Powers and Provisions thereof be altered, amended, and enlarged, with respect to the said Road, and the Tolls increased: 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

Recited Acts continued. Parliament assembled, and by the Authority of the same, That the said recited Acts, and all and every the Clauses, Powers, Authorities, Trusts, Provisions, Directions, Rules, Penalties, Forfeitures, Payments, Remedies, Articles, Matters, and Things whatsoever therein contained and now in force, so far as the same relate to the said Road from the Town of *Leeds*, through *Harewood*, to the South-west Corner of the Inclosures of *Harrogate* (except such Parts thereof as are repealed, varied, or altered), shall be, continue, and remain in full Force and Effect, and the same are hereby further continued, and, together with the present Act, shall be executed for and during the Term herein-after mentioned, in as full and ample a Manner to all Intents and Purposes, as if the same were repeated and re-enacted in the Body of this Act; but subject nevertheless to the Provisions, Alterations, and Amendments in this Act contained; and that this Act and the additional Term and Tolls hereby granted, shall be subject and liable to the Payment of all Sums of Money now due and owing upon

the Credit of the ſaid recited Acts, or any of them, on account of the ſaid Road from the Town of *Leeds* through *Harewood*, to the South-weſt Corner of the Incloſures of *Harrogate*, or hereafter to be borrowed on the Credit of the ſaid recited Acts and this Act, and of all Intereſt due or to grow due for the ſame, with reſpect to the ſaid Road.

Appointment of Truſtees.

II. And be it further enacted, That all His Majeſty's Juſtices of the Peace acting in and for the Weſt Riding of the County of *York*, *Edward Armitage*, *Leathley Armitage*, *William Aldam*, *John Benjamin Anſley*, Sir *John Beckett* Baronet, the Right Honourable *John Beckett*, *Chriſtopher Beckett*, *William Beckett*, *Thomas Beckett*, *Henry Beckett*, *John Blayds*, *John Blayds* the younger, *Thomas Blayds*, *Thomas Benyon*, *John Brooke*, *Edward Brooke*, *Charles Browne*, *George Banks*, *Thomas Biſchoff*, *George Biſchoff*, *John Biſchoff*, *William Bingley*, *James Brook* the younger, *John Broadhead*, *William Bellhouſe*, *James Brown*, *William Williams Brown*, *Fountaine Browne*, *William Bentley*, *John Edward Brooke*, *Richard Brooke*, *Ralph Blakelock*, *John Bainbridge*, *Wade Browne*, *Charles Coupland* the younger, *John Beetham Charleſworth*, *Samuel Charleſworth*, *Francis Cookſon* Clerk, *Thomas Clapham*, *Thomas Coulman*, *Robert John Coulman*, *John Carr*, *Charles Chadwick*, *Thomas Chorley*, *William Collins*, *William Croſby*, *James Collins*, *Thomas Cadman*, *Thomas Collins* Clerk, *John Dixon*, *Lepton Dobſon*, *James Dinwiddie*, *Richard Fawcett* Clerk, *Thomas Faber* Clerk, *James Fox*, *George Fox*, *William Fox*, *Joſhua Field* the younger, *Benjamin Gott*, *John Gott*, *Henry Greenwood*, *Benjamin Goodman*, *William Glover*, *John Goodman*, the Honourable *William Gordon*, *John Hill*, *Beverley Hill*, *John Hardy*, *Thomas Hardwick*, *Henry Hall*, *William Hey*, *William Hey* the younger, *John Hirſt*, *William Hebden*, *John Howarth*, *Richard Hobſon*, *John Holroyd*, *Joſeph Holroyd*, *Martin Hind*, *Richard Hale* Clerk, *Charles Harriſon*, *Robert Jowitt*, *Thomas Ikin*, *Joſeph Ingham*, Sir *Henry Carr Ibbetſon* Baronet, *William Jackſon*, the Honourable *Henry Laſcelles* commonly called *Viſcount Laſcelles*, *Edward Laſcelles*, *Henry Laſcelles*, *Arthur Lupton*, the Vicar of *Leeds* for the Time being, *Thomas Lloyd*, *Roger Holt Leigh*, *William Thompſon Lee*, *George Lewthwaite* Clerk, *Maurice Logan*, *Alexander Holt Leigh*, *Richard Lee*, *John Lee*, *John Lee* the younger, *William Lee*, *Thomas Lee*, *Richard Leonard Lee*, *William Lupton*, *Jonathan Lupton*, *Samuel Lapage*, *Joſeph Medley*, *Edward Markland*, *Ralph Markland*, the Miniſter of *Saint John*'s Church in *Leeds* for the Time being, the Mayor, Aldermen, Recorder, and Aſſiſtants for the Borough of *Leeds* for the Time being, *Henry Mitton* Clerk, the Honourable and Reverend *Jacob Marſham* Doctor in Divinity, *Robert Menzies*, *John* Earl of *Mexborough*, *Thomas Nicholſon*, *William Naylor*, *Joſeph Oates*, *George Oates*, *Joſiah Oates*, *George Paley*, *Benjamin Pullan*, *Richard Pullan*, *John Pearſon*, *William Frankland Paley*, *Abraham Parkinſon*, *Thomas Benſon Peaſe*, *Robert Parkinſon*, *John William Rhodes*, *Abram Rhodes*, *Thomas Shaw Bancroft Reade*, *Robert Richardſon*, the Honourable *Edward Stourton*, *Chriſtopher Smith*, *Henry Skelton*, *John Smithſon* Clerk, *John Sheepſhanks* Clerk, *William Sheepſhanks*, *John Sheepſhanks*, *Joſeph Smith*, *Benjamin Sadler*, *John Smyth*, *Thomas Woolrich Stanſfeld*, Sir *Thomas Slingſby* Baronet, *Charles Slingſby*, *William Liſter Fenton Scott*, *James Starkie*, *Richard Anthony Saliſbury*, *Thomas Thurſby*, *Thomas Tennant*, *Joſeph Thackrah*, *John Gilby Uppleby*, Sir *Charles Des Vœux*, *Thomas Ward*, *Griffith Wright*, *Thomas Walker*, *George Walker*, *Chriſtopher Wilſon*, *William Walker*, *Ard Walker*, *Edward Wilſon* Clerk, *John Wilſon* the younger, *Richard Wormald*, *Richard Walker*, *Abraham Wells*, *Jonathan Wilks*,

Wilks, *George Wray* Clerk, *Benjamin Winter*, *John Watſon*, *Richard Fountayne Wilſon*, *George Wailes*, and *Richard Yorke*, ſhall be and are hereby joined with and added to the Truſtees appointed in or by virtue of the ſaid recited Acts, or any of them, for the ſaid Road from the Town of *Leeds*, through *Harewood*, to the South-weſt Corner of the Incloſures of *Harrogate*, to be Truſtees for carrying this Act and the ſaid recited Acts, ſo far as reſpects the ſaid Road, into Execution; and the ſaid Truſtees herein nominated, being reſpectively qualified according to the Proviſions of the ſaid firſt recited Act, and their Succeſſors reſpectively, to be elected, and being reſpectively qualified according to the Proviſions of the ſaid firſt recited Act, ſhall in all reſpects whatſoever have the like Powers and Authorities to act in the Execution of the ſaid recited Acts, ſo far as the ſame relate to the ſaid Road from the Town of *Leeds*, through *Harewood*, to the South-weſt Corner of the Incloſures of *Harrogate*, and of this Act, as if they had been appointed Truſtees in or by virtue of the ſaid recited Acts, or any of them.

Power to appoint additional Truſtees.

III. And be it further enacted, That it ſhall be lawful for the Truſtees for carrying this Act and the ſaid recited Acts, ſo far as reſpects the ſaid Road from the Town of *Leeds*, through *Harewood*, to the South-weſt Corner of the Incloſures of *Harrogate*, into Execution, or any Five or more of them, and they are hereby authorized and empowered, at any of their Meetings to be holden in purſuance of the ſaid recited Acts or this Act, to elect any Number of Perſons, not exceeding Ten in the Whole, to be Truſtees for carrying this Act and the ſaid recited Acts, ſo far as reſpects the ſaid Road, into Execution, in addition to the Truſtees hereby appointed; and ſuch Truſtees ſo elected and being duly qualified, ſhall be and are hereby inveſted with the ſame Powers and Authorities for executing this Act and the ſaid recited Acts, as if they had been herein named.

Qualification of Truſtees.

IV. And be it further enacted, That no Perſon ſhall be capable of acting as a Truſtee in the Execution of this Act or the ſaid recited Acts, unleſs he ſhall, at the Time of his acting, be qualified according to the Directions of the ſaid firſt recited Act, nor until he ſhall have taken and ſubſcribed, before any Five or more of the ſaid Truſtees, an Oath or Affirmation in the following Form of Words, and which Oath or Affirmation the ſaid Truſtees, or any or either of them, at any of their Meetings to be holden in purſuance of this Act or the ſaid recited Acts, are or is hereby authorized to adminiſter:

'I do ſwear, [*or*, being one of the People called *Quakers*, 'I do ſolemnly affirm,] That I truly and *bonâ fide* am in my own Right '[*or*, in the Right of my Wife] in the actual Poſſeſſion and Enjoyment 'of [*or*, in the Receipt of Rents and Profits iſſuing out of] Freehold or 'Copyhold Lands, Tenements, or Hereditaments of the clear yearly Value 'of One hundred Pounds above Reprizes [*or*, am Heir Apparent of 'who to the beſt of my Knowledge is ſeiſed of 'a Real Eſtate of Lands, Tenements, or Hereditaments, of the clear yearly 'Value of Three hundred Pounds, [*as the Caſe may be.*]

'So help me GOD.'

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

V. Pro-

Truſtees intereſted, or holding Places of Profit, or keeping Victualling Houſes, &c. not to act.

V. Provided alſo, and be it further enacted, That no Perſon (appointed or to be appointed a Truſtee by virtue of this Act or the ſaid recited Acts) ſhall be capable of acting as a Truſtee in the Execution of this Act or the ſaid recited Acts, in any caſe where he ſhall be perſonally intereſted, nor whilſt he holds any Place or Employment of Profit, or ſhall be concerned or intereſted in any Contract or Contracts under the ſaid Truſtees, or this Act; and that no Perſon ſhall be capable of being appointed a Truſtee, or of acting as ſuch, during the Time he ſhall keep a Victualling Houſe or other Houſe of Public Entertainment, or who ſhall ſell Wine, Cyder, Beer, Ale, Spirituous or other ſtrong Liquors by Retail, or who ſhall be intereſted or concerned in any Contract under this Act, or who ſhall be Leſſee or Farmer of the Tolls, or of any Part or Parts thereof, under this Act; and if any Perſon not being qualified according to the Directions of the ſaid firſt recited Act and this Act, or being diſqualified by any of the Cauſes aforeſaid, ſhall nevertheleſs act as a Truſtee in the Execution of this Act or the ſaid recited Acts, every ſuch Perſon ſhall for every ſuch Offence forfeit and pay the Sum of Fifty Pounds to any Perſon or Perſons who ſhall ſue for the ſame, to be recovered in any of His Majeſty's Courts of Record at *Weſtminſter*, by Action of Debt or on the Caſe, or by Bill, Plaint, Suit, or Information, wherein no Eſſoign, Protection, Wager of Law, or more than One Imparlance ſhall be allowed; and the Perſon ſo ſued or proſecuted ſhall prove that he is qualified as aforeſaid, or otherwiſe ſhall pay the ſaid Penalty, without any other Proof or Evidence on the Part of the Proſecutor than that ſuch Perſon hath acted as a Truſtee in the Execution of this Act or the ſaid recited Acts: Provided nevertheleſs, that all Acts and Proceedings touching the Execution of this Act or the ſaid recited Acts, which ſhall be done and performed by any ſuch Perſon previouſly to his being convicted of the Offence before mentioned, ſhall be as valid and effectual as if ſuch Perſon had been qualified according to the Directions of the ſaid firſt recited Act and this Act; but that no Mortgagee or Aſſignee of any Mortgage or other Security, or any Lender of Money upon the Credit of the Tolls, or receiving Intereſt thereout for the ſame, ſhall on that account be deemed unqualified to act as a Truſtee in the Execution of this Act or the ſaid recited Acts.

Five Truſtees may act in the Execution of this and former Acts.

VI. Provided always, and be it further enacted, That all Meetings of the ſaid Truſtees, to be held in purſuance of the ſaid recited Acts or this Act, ſhall conſiſt of Five Truſtees at the leaſt, and that all Acts, Orders, and Proceedings of any Five or more of the ſaid Truſtees, or the major Part of ſuch Five or more Truſtees, preſent at any of ſuch Meetings, had or done in the Execution of this Act or of the ſaid recited Acts, ſhall be as valid and effectual as if all the Truſtees had been preſent, and had concurred therein; and no Order made by the ſaid Truſtees at any ſuch Meeting ſhall be revoked or altered at any ſubſequent Meeting where leſs than Nine Truſtees ſhall be preſent, nor without the actual Concurrence of a greater Number of Truſtees than the Number by which ſuch original Order was made, nor unleſs Twenty-one Days Notice at the leaſt of ſuch intended Revocation or Alteration ſhall have been given at a previous Meeting of the Truſtees, and entered in the Book of Proceedings, nor unleſs Notice of the Meeting at which ſuch Revocation or Alteration ſhall be propoſed to be made, and alſo of the particular Purpoſe of ſuch Meeting, ſhall have been inſerted in One of the *Leeds*

Newspapers, at least Fourteen Days before such Meeting, nor unless a Majority of the Trustees who shall be present at the Meeting for such Revocation or Alteration, or proposed Revocation or Alteration, shall concur therein.

Power for Three Trustees to call Meetings.

VII. And be it further enacted, That if after any Adjournment of any Meeting of the said Trustees, it shall at any Time be thought necessary that an earlier Day of Meeting shall be appointed than the Day to which such Meeting shall be adjourned, the Clerk by an Order in Writing, signed by Three or more Trustees (although not assembled at a Meeting), mentioning the Time, Place, and Purpose of such Meeting, shall forthwith give Notice of such earlier Meeting by Advertisement in One of the *Leeds* Newspapers (such Time being not less than Four Days after such Notice shall be given); and all Proceedings of the Trustees at such Meetings shall be as valid and effectual as they would have been in case the Trustees had met in pursuance of an Adjournment; and such Meetings or any of them may be adjourned; and every Adjournment of such earlier Meeting shall be considered as an Adjournment of the original Meeting under this Act.

Acts of unqualified Trustees before Conviction valid.

VIII. And be it further enacted, That all Acts and Proceedings of any Person or Persons who hath or have acted as Trustee or Trustees for the said Road, in the Execution of the said recited Acts, or who shall act as such Trustee or Trustees in the Execution of this Act and the said recited Acts, without being duly qualified, shall (if done previous to his or their being convicted of such Offence) be as valid and effectual as if such Person or Persons had at the Time of so acting been duly qualified.

Trustees may sue and be sued in the Name of their Clerk.

IX. And be it further enacted, That the said Trustees may sue and be sued, for or concerning any thing relating to the Execution of this Act or the said recited Acts, in the Name of their Clerk, or in the Name of any Five of the said Trustees on behalf of the said Trustees; and no Action or Suit which shall be so brought, shall abate or be discontinued by the Death or Removal of the Person in whose Name the same shall be brought, or by the Act of such Person, without the Consent of the said Trustees; but the Clerk for the Time being of the said Trustees, or the Successor of the Trustee in whose Name any Action or Suit shall be so brought, shall always be deemed the Plaintiff or Defendant in any such Action; and every such Clerk and Trustee shall be fully reimbursed and paid, out of the Monies arising by virtue of this Act or the said recited Acts, all such Costs, Charges, Damages, and Expences, as by the Event or in consequence of any Action, Suit, Prosecution, Information, Appeal, or other Proceeding, he shall pay, bear, sustain, expend, or be put unto, or become chargeable with or liable for, or be entitled to, by reason of being so made Plaintiff, Defendant, Informant, Appellant, or Respondent.

Offices of Clerk and Treasurer not to be held by one Person.

X. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees to continue or appoint the Person who has been, or who by virtue of the said recited Acts or any of them, or of this Act, may be appointed to act as their Clerk, or the Partner of any such Clerk, the Treasurer for the Purposes of this Act and the said recited Acts or any of them, or to continue or appoint the Person who has been or may be

appointed their Treasurer by virtue of the recited Acts or any of them, or of this Act, or the Partner of any such Treasurer, the Clerk to the said Trustees; and if any Person shall act in both the Capacities of Clerk and Treasurer for the Purposes of the said recited Acts or this Act, or any of them; or if any Person being the Partner of any such Clerk shall act as Treasurer, or being the Partner of any such Treasurer shall act as Clerk in the Execution of the said recited Acts or this Act, or any of them, every Person so offending shall for every such Offence forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall sue for the same, to be recovered in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance shall be allowed.

Repealing so much of former Act as requires Officers to verify their Accounts on Oath.

XI. And be it further enacted, That so much of the said recited Act of the Twenty-fifth Year of the Reign of His late Majesty King *George* the Second, as enacts, that the Person or Persons appointed to collect and receive the Tolls and Duties, and also the Surveyor and Surveyors appointed as therein mentioned, shall account upon Oath, if thereunto required by the said Trustees, or any Five or more of them; and also so much thereof as empowers the said Trustees or any Two or more of them, or any Justice or Justices, to administer such Oath; and also so much thereof as subjects any such Collector or Surveyor who shall refuse to account upon Oath, to Punishment; shall be and the same is hereby repealed.

Books to be kept of Accounts, Receipts, and Disbursements, which shall be open to Inspection.

XII. And be it further enacted, That the said Trustees shall and they are hereby required, from Time to Time, and at all Times during the Continuance of this Act, to order and direct a Book or Books to be provided and kept by their Clerk or Clerks for the Time being, in which Book or Books such Clerk or Clerks shall enter, or cause to be entered, true and regular Accounts of all Sums of Money received, paid, laid out, and expended for or on account of the said Road, and of the several Articles, Matters, and Things for which such Sums of Money shall have been disbursed, laid out, and paid; which Books 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, and 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 said Clerk or Clerks shall refuse to permit the said Trustees or such Creditors, or any or either of them, to inspect the same, or to take such Copies or Extracts as aforesaid, such Clerk or Clerks shall forfeit and pay any Sum of Money not exceeding Five Pounds, to be levied and recovered, apportioned and applied, in Manner provided by the said recited Act of the Twenty-fifth Year of the Reign of King *George* the Second.

Penalty for Refusal of Inspection.

Former Tolls repealed, and fresh ones granted.

XIII. And be it further enacted, That the several Tolls granted or made payable by the said recited Acts, or any of them, on the said Road, from the Town of *Leeds*, through *Harewood*, to the South-west Corner of the Inclosures of *Harrogate*, shall on the Twenty-fifth Day of *August* cease, determine, and be no longer paid or payable; and that instead thereof the several Tolls following shall and may be demanded and taken at the Turnpike

Turnpike Gates or Toll Houſes which are or ſhall be erected, in, upon, or acroſs the ſaid Road, or on the Side or Sides thereof, by ſuch Perſon or Perſons as the ſaid Truſtees or any Five or more of them ſhall appoint for that Purpoſe, before any Horſe, Beaſt, Cattle, or Carriage ſhall be permitted to paſs through any ſuch Turnpike Gate or Turnpike Gates, and on every Day, ſuch Day to be computed from Twelve of the Clock at Night to Twelve of the Clock on the next ſucceeding Night; (that is to ſay),

Tolls. For every Horſe or Beaſt of Draught drawing any Coach, Chariot, Landau, Berlin, Curricle, Chaiſe, Calaſh, or other ſuch like Carriage or Hearſe, drawn by Six Horſes or Beaſts of Draught, at the Firſt Gate or Turnpike which ſuch Coach, Chariot, Landau, Berlin, Curricle, Chaiſe, Calaſh, or other ſuch like Carriage or Hearſe ſhall paſs, the Sum of Six-pence; and drawn by Four Horſes or Beaſts of Draught, the Sum of Sixpence; and drawn by Two Horſes or Beaſts of Draught, the Sum of Sixpence; and drawn by only One Horſe or Beaſt of Draught, the Sum of Nine-pence: And at the Second Gate or Turnpike through which ſuch Coach, Chariot, Landau, Berlin, Curricle, Chaiſe, Calaſh, or ſuch like Carriage or Hearſe ſhall paſs (on producing a Note or Ticket denoting Payment of Toll at One Gate before), if drawn by Six Horſes or Beaſts of Draught, the further Sum of Two-pence for each Horſe or Beaſt of Draught; and drawn by Four Horſes or Beaſts of Draught, the further Sum of Three-pence for each Horſe or Beaſt of Draught; and drawn by Two Horſes or Beaſts of Draught, the further Sum of Four-pence Halfpenny for each Horſe or Beaſt of Draught; and drawn by only One Horſe or Beaſt of Draught, the further Sum of Four-pence: And at the Third Gate or Turnpike through which ſuch Coach, Chariot, Berlin, Curricle, Chaiſe, Calaſh, or other ſuch like Carriage or Hearſe ſhall paſs (on producing Notes or Tickets denoting Payments at Two Gates before), drawn by Six Horſes or Beaſts of Draught, the further Sum of Four-pence for each Horſe or Beaſt of Draught; and drawn by Four Horſes or Beaſts of Draught, the further Sum of Three-pence for each Horſe or Beaſt of Draught; and drawn by Two Horſes or Beaſts of Draught, the further Sum of Four-pence Halfpenny for each Horſe or Beaſt of Draught; and drawn by only One Horſe or Beaſt of Draught, the further Sum of Four-pence:

And for every Horſe or Beaſt of Draught drawing any Waggon, Wain, Cart, or other ſuch like Carriage, having the Fellies of the Wheels of leſs Breadth than Six Inches, and drawn by Four Horſes or Beaſts of Draught, at the Firſt Gate or Turnpike which ſuch Waggon, Wain, Cart, or other ſuch like Carriage ſhall paſs, the Sum of Nine-pence; and drawn by Three Horſes or Beaſts of Draught, the Sum of Nine-pence; and drawn by Two Horſes or Beaſts of Draught, the Sum of Nine-pence; and drawn by only One Horſe or Beaſt of Draught, not laden with Coals, the Sum of Eight-pence: And at the Second Gate or Turnpike through which ſuch Waggon, Wain, Cart or other ſuch like Carriage ſhall paſs (on producing a Note or Ticket denoting Payment of Toll at One Gate before), and drawn by Four Horſes or Beaſts of Draught, the further Sum of Three-pence for each Horſe or Beaſt of Draught; and drawn by Three Horſes or Beaſts of Draught, the further Sum of Three-pence for each Horſe or Beaſt of Draught; and drawn by Two Horſes or Beaſts of Draught, the further Sum of Three-pence for each Horſe or Beaſt of Draught; and drawn

drawn by only One Horſe or Beaſt of Draught, not laden with Coals, the further Sum of Four-pence: And at the Third Gate or Turnpike through which ſuch Waggon, Wain, Cart, or other ſuch like Carriage ſhall paſs (on producing Notes or Tickets denoting Payments at Two Gates before), and drawn by Four Horſes or Beaſts of Draught, the further Sum of Three-pence for each Horſe or Beaſt of Draught; and drawn by Three Horſes or Beaſts of Draught, the further Sum of Three-pence for each Horſe or Beaſt of Draught; and drawn by Two Horſes or Beaſts of Draught, the further Sum of Three-pence for each Horſe or Beaſt of Draught; and drawn by only One Horſe or Beaſt of Draught, not laden with Coals, the further Sum of Four-pence:

And for every Horſe or Beaſt of Draught drawing in any Waggon, Wain, Cart, or other ſuch like Carriage, drawn by One Horſe or Beaſt of Draught, and laden with or going for, or returning empty having been only laden with Coals, Cinders, or Lime, One-half of the Toll above charged upon every Horſe or Beaſt of Draught, drawing any Waggon, Wain, Cart, or other ſuch like Carriage, and drawn by One Horſe or Beaſt of Draught, and not laden with Coals:

And for every Horſe or Beaſt of Draught drawing any Waggon, Wain, Cart, or other ſuch like Carriage, having the Fellies of the Wheels of the Breadth of Six Inches or more, not laden with or going empty for, or returning after having been laden only with Coals, Cinders, or Lime, and drawn by Six or more Horſes or Beaſts of Draught, at the Firſt Gate or Turnpike which ſuch Waggon, Wain, Cart, or other ſuch like Carriage ſhall paſs, the Sum of Eight-pence; and drawn by Five Horſes or Beaſts of Draught, the Sum of Seven-pence; and drawn by Four Horſes or Beaſts of Draught, the Sum of Seven-pence Halfpenny; and drawn by Three Horſes or Beaſts of Draught, the Sum of Sixpence; and drawn by Two Horſes or Beaſts of Draught, the Sum of Sixpence; and drawn by only One Horſe or Beaſt of Draught, the Sum of Sixpence: And at the Second Gate or Turnpike which ſuch Waggon, Wain, Cart, or other ſuch like Carriage ſhall paſs (on producing a Note or Ticket denoting Payment of Toll at One Gate before), drawn by Six Horſes or Beaſts of Draught, the further Sum of One Penny for each Horſe or Beaſt of Draught; and drawn by Five Horſes or Beaſts of Draught, the further Sum of One Penny Halfpenny for each Horſe or Beaſt of Draught; and drawn by Four Horſes or Beaſts of Draught, the further Sum of One Penny Halfpenny for each Horſe or Beaſt of Draught; and drawn by Three Horſes or Beaſts of Draught, the further Sum of Two-pence for each Horſe or Beaſt of Draught; and drawn by Two Horſes or Beaſts of Draught, the further Sum of One Penny Halfpenny for each Horſe or Beaſt of Draught; and drawn by only One Horſe or Beaſt of Draught, the further Sum of Three-pence: And at the Third Gate or Turnpike through which ſuch Waggon, Wain, Cart, or other ſuch like Carriage ſhall paſs (on producing Notes or Tickets denoting Payments at Two Gates before), drawn by Six Horſes or Beaſts of Draught, the further Sum of One Penny for each Horſe or Beaſt of Draught; and drawn by Five Horſes or Beaſts of Draught, the further Sum of One Penny Halfpenny for each Horſe or Beaſt of Draught; and drawn by Four Horſes or Beaſts of Draught, the further Sum of One Penny Halfpenny for each Horſe or Beaſt of Draught; and drawn by Three Horſes or Beaſts of Draught, the further Sum of Two-pence for each Horſe or Beaſt of Draught; and drawn by Two Horſes or Beaſts of Draught, the further

Sum of One Penny Halfpenny for each Horſe or Beaſt of Draught; and drawn by only One Horſe or Beaſt of Draught, the further Sum of Three-pence:

And for every Horſe or Beaſt of Draught drawing any Waggon, Wain, Cart, or other ſuch like Carriage, having the Fellies of the Wheels of the Breadth of Six Inches or more, going for or laden with, or returning empty after having been laden with Coals, Cinders, or Lime only, and drawn by Four or more Horſes or Beaſts of Draught, at the Firſt Gate or Turnpike through which ſuch Waggon, Wain, Cart, or other ſuch like Carriage ſhall paſs, the Sum of Four-pence Halfpenny; and drawn by Three Horſes or Beaſts of Draught the Sum of Four-pence; and drawn by Two Horſes or Beaſts of Draught, the Sum of Four-pence Halfpenny; and drawn by only One Horſe or Beaſt of Draught, the Sum of Three-pence: And at the Second Gate or Turnpike through which ſuch Waggon, Wain, Cart, or other ſuch Carriage ſhall paſs (on producing a Note or Ticket denoting Payment of Toll at One Gate before), and drawn by Four or more Horſes or Beaſts of Draught, the further Sum of One Penny Halfpenny for each Horſe or Beaſt of Draught; and drawn by Three Horſes or Beaſts of Draught, the further Sum of Two-pence for each Horſe or Beaſt of Draught; and drawn by Two Horſes or Beaſts of Draught, the further Sum of One Penny Halfpenny for each Horſe or Beaſt of Draught; and drawn by only One Horſe or Beaſt of Draught, the further Sum of Two-pence: And at the Third Gate or Turnpike through which ſuch Waggon, Wain, Cart, or other ſuch like Carriage ſhall paſs (on producing Notes or Tickets denoting Payments at Two Gates before), and drawn by Four or more Horſes or Beaſts of Draught, the further Sum of One Penny Halfpenny for each Horſe or Beaſt of Draught; and drawn by Three Horſes or Beaſts of Draught, the further Sum of Two-pence for each Horſe or Beaſt of Draught; and drawn by Two Horſes or Beaſts of Draught, the further Sum of One Penny Halfpenny for each Horſe or Beaſt of Draught; and drawn by only One Horſe or Beaſt of Draught, the further Sum of Three-pence:

And for every Horſe, Mule, or Aſs, laden or unladen, and not drawing, at the Firſt Gate or Turnpike which any ſuch Horſe, Mule, or Aſs ſhall paſs, the Sum of Two-pence; and at the Second Gate or Turnpike through which ſuch Horſe, Mule, or Aſs ſhall paſs (on producing a Note or Ticket denoting Payment of Toll at One Gate before), the further Sum of One Penny Halfpenny; and at the Third Gate or Turnpike through which ſuch Horſe, Mule, or Aſs ſhall paſs (on producing Notes or Tickets denoting Payments at Two Gates before), the further Sum of One Penny Halfpenny:

And for every Drove of Cattle, at the Firſt Gate or Turnpike through which ſuch Cattle ſhall paſs, the Sum of Ten-pence *per* Score; and at the Second Gate or Turnpike through which ſuch Cattle ſhall paſs (on producing a Note or Ticket denoting Payment of Toll at One Gate before), the further Sum of Five-pence *per* Score; and at the Third Gate or Turnpike through which ſuch Cattle ſhall paſs (on producing Notes or Tickets denoting Payments at Two Gates before), the further Sum of Five-pence *per* Score:

And for every Drove of Calves, Swine, Sheep, or Lambs, at the Firſt Gate or Turnpike through which ſuch Drove of Calves, Swine, Sheep, or Lambs ſhall paſs, the Sum of Ten-pence *per* Score; and at the Second Gate or Turnpike through which ſuch Drove of Calves, Swine, Sheep,

or Lambs ſhall paſs (on producing a Note or Ticket denoting Payment of Toll at One Gate before), the further Sum of Five-pence; for which every ſuch Drove of Calves, Swine, Sheep, or Lambs ſhall paſs free, and without Payment of any Toll, through the Third or next Gate or Turnpike upon the ſaid Road.

Which ſaid ſeveral and reſpective Tolls hereby granted, ſhall be and the ſame are hereby veſted in the ſaid Truſtees, upon the Truſts and for the Purpoſes of this Act and the ſaid recited Acts, ſo far as the ſame relate to the ſaid Road from the Town of *Leeds*, through *Harewood*, to the South-weſt Corner of the Incloſures of *Harrogate*; and the ſaid Tolls and every of them, and every Part thereof, ſhall and may be collected, recovered, levied, varied, altered, compounded for, leaſed, aſſigned, paid, applied, and diſpoſed of, in ſuch and the ſame Manner, and by ſuch Ways and Means, as the Tolls granted by the ſaid recited Acts, or any of them, upon the ſaid Road, are thereby directed or authorized to be collected, recovered, levied, varied, altered, compounded for, leaſed, aſſigned, paid, applied, and diſpoſed of; but ſubject to the Regulations and Alterations in this Act contained.

Tickets to be printed.

XIV. And be it further enacted, That on Payment of any of the Tolls by this Act authorized to be taken, the Collector or Receiver ſhall and he is hereby required to deliver *gratis* to the Perſon paying ſuch Toll, a Note or Ticket denoting ſuch Payment, which Notes or Tickets ſhall be provided by the ſaid Truſtees or their Leſſees, and there ſhall be printed or ſpecified thereon the Name of the Gate at which the Toll is received, and of the Gate or Gates which ſuch Ticket ſhall free.

Toll to be paid but once a Day.

XV. Provided always, and be it further enacted, That no more than One Toll ſhall be demanded or taken from any Perſon or Perſons paſſing or repaſſing at any Time or Times in any One Day (to be computed from Twelve of the Clock in one Night to Twelve of the Clock in the ſucceeding Night), with the ſame Horſes, Cattle, Beaſts, or Carriages, through any One of the ſaid Gates or Turnpikes; and that all and every Perſon and Perſons, having paid ſuch reſpective Tolls, and producing a Note or Ticket, Notes or Tickets, denoting the Payment thereof, and naming and ſpecifying the ſeveral Gates freed by ſuch Payments (which ſaid Notes or Tickets the Collectors are hereby required to give *gratis*), ſhall afterwards be allowed to paſs or repaſs during ſuch Day, with the ſame Horſes, Cattle, Beaſts, and Carriages, Toll-free through the Turnpike or Toll Gate at which Toll ſhall have been ſo paid; and that no Perſon ſhall be liable to the Payment of any Toll or increaſed Charge, by reaſon of his paſſing through any Side Gate or Side Bars or Chains, to be continued or erected and ſet up by virtue of this Act upon or acroſs any Lane or Road leading into or out of the ſaid Road, through any other of the Turnpikes to be continued or erected by virtue of this Act acroſs any Part of ſuch Road, beyond what he would be liable to pay if he had paſſed through any of the ſaid Gates only: Provided always nevertheleſs, that the Benefit of Exemption from the Payment of the Tolls hereby granted more than once at the ſame Gate on the ſame Day, ſhall not extend or be conſtrued to extend to any Stage Coach or other public Carriage whatſoever, although the ſame ſhall return and repaſs with the ſame Horſes; nor to any Coach, Chaiſe, or other ſuch Carriage, which

ſhall

shall return and repass with different Horses, nor to any Post Chaise or other Carriage let out on hire, when any new hiring thereof shall be made, on a Ticket being produced denoting such new hiring; any thing herein contained to the contrary notwithstanding.

Limiting the Number of Tolls for passing through all the Gates on the Road.

XVI. Provided also, and be it further enacted, That no more than Three Tolls in the Whole shall be payable for or in respect of the same Horses, Cattle, Beasts, or Carriages, for passing in one Day, to be computed as aforesaid, through all the Gates or Turnpikes erected or to be erected on the said Roads.

Waggons, &c. allowed Privileges and Exemptions granted by 55G.3.c.119.

XVII. Provided always, and be it further enacted, That all Waggons, Wains, Carts, or other such Carriages (in respect whereof, or of the Horses drawing the same, the Tolls hereby granted are made payable), having the Wheels of the Width and Description, and the Axletrees fixed, as mentioned and set forth in or by an Act passed in the Fifty-fifth Year of the Reign of His present Majesty, intituled *An Act to enable the Trustees of Turnpike Roads to abate the Tolls on Carriages, and to allow of their carrying extra Weight in certain Cases*, shall be entitled to and have and enjoy the Privileges and Exemptions granted by the said Act in Manner therein mentioned.

Repealing Exemptions of former Act.

XVIII. And be it further enacted, That so much of the said recited Acts or any of them, as grants or allows any Exemptions from the Payment of Toll, shall be and the same is hereby declared to be repealed, so far as relates to the said Road from the Town of *Leeds*, through *Harewood*, to the South-west Corner of the Inclosures of *Harrogate*.

General Exemptions from Toll.

XIX. And be it further enacted, That no Toll shall be demanded or taken for any Horses or Carriages attending His Majesty, or any of the Royal Family; nor for any Horses, Cattle, or Carriages of whatsoever Description, employed or to be employed in conveying the Mails of Letters and Expresses under the Authority of His Majesty's Postmaster General, either when employed in conveying, fetching, or guarding such Mails or Expresses, or in returning therefrom; nor for any Horses, Cattle, or Carriages employed in carrying or conveying, or returning empty from carrying or conveying, having been employed only in carrying or conveying, the Arms or Baggage of any Officers or Soldiers, or any sick, wounded, or disabled Officers or Soldiers; nor for any Waggon, Wain, Cart, or other Carriage whatsoever, or the Horse or Horses or other Cattle drawing the same, employed in conveying any Ordnance, Barrack or Commissariat, or other Public Stores of or belonging to His Majesty, or for the Use of His Majesty's Forces, or returning empty from having been so employed; nor for the Horses belonging to or used by any Officers or Soldiers, or Militia or Local Militia, on their March or on Duty, or belonging to or furnished by or for any Persons belonging to any Corps of Yeomanry or Volunteer Cavalry or Infantry respectively, and rode by them, or drawing any Carriage conveying Volunteer Infantry, in going to or returning from the Place appointed for and on the Days of Exercise, Inspection, or Review (provided that such Persons be dressed in the Uniform of their respective Corps, and have their Arms, Furniture, and Accoutrements according to the Regulations provided for such Corps respectively, at the Time of claiming such Exemption); nor from any Rector,

Rector, Vicar, or Curate going to officiate or returning from officiating at his proper Parish Church, or other Place of Divine Worship, or on other his Parochial or Ministerial Duty, or visiting his sick Parishioners; nor from any Person or Persons residing in any Parish, Township, or Place through which the said Road, or any Part thereof, doth or shall lead, going to or returning from his, her, or their proper Parochial Church or Chapel, nor from any Person going to or returning from his, her, or their usual Place of Religious Worship tolerated by Law, on *Sundays*, or on any other Day on which Divine Worship is or shall be ordered by Authority to be celebrated, in the same Parish, Township or Place, or going to or returning from the Funeral of any Person who shall die and be buried in any such same Parish, Township, or Place; nor for any Horses, Beasts, Cattle, or Carriages, used or employed for the Purpose only of carrying or conveying Persons to or from any Election of any Knight or Knights of the Shire to serve in Parliament for the said County of *York*, during the Time of such Election, or on the Day before or Day after such Election shall begin or be concluded; or of carrying or conveying Vagrants sent by legal Passes; or of carrying or conveying Hay or Straw, or Corn in the Straw only, not sold or disposed of, or going to be sold or disposed of, but passing to be laid up in the Houses, Outhouses, Barns, or Yards, or on the Lands of the Owners thereof; nor for any Horse, Beast, Cattle, or Carriage employed in carrying or conveying, or going to carry or convey, or returning empty from carrying or conveying, having been employed only in carrying or conveying on the same Day, any Plough, Harrow, or other Implement of Husbandry, or Things used therein, belonging to any such Inhabitants or Occupiers, or any Dung, Mould, Manure, or Compost (save and except Lime) for manuring or improving Lands or Gardens, or any Corn, Grain, or Grist carrying to or from any Corn Mill for private Use, and not for Sale; nor for any Horse, Beast, or Cattle going to or returning from ploughing or harrowing, or to or from Water or Pasture, or going to be or returning from being shoed or farried; or for any Horse, Beast, or Cattle, or for any Waggon, Wain, Cart, or other Carriage, used or employed for the Purpose only of carrying or conveying, or going empty to fetch, carry, or convey, or returning empty from carrying or conveying, having been employed only in carrying or conveying on the same Day, any Gravel, Furze, Heath, Sand, Stones, or other Materials for making and repairing the said Road, or any other Highway or public Road within any Parish, Township, or Place in which any Part of the said Road lies; or for building or rebuilding, enlarging, or repairing any present or future public Bridge or Bridges on the said Road; nor for any Horse, Cattle, Beast, or Carriage, going no more than One hundred Yards upon the said Road; and if any Person shall, by any fraudulent or collusive Means whatsoever, claim or take the Benefit of any of the Exemptions aforesaid, not being entitled to the same, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, to be recovered, levied, and applied in Manner by the said recited Act of the Twenty-fifth Year of the Reign of His late Majesty King *George* the Second, provided for the Recovery and Application of Penalties and Forfeitures; and in all Cases the Proof of Exemption shall be upon the Person claiming the same.

Penalty on fraudulently taking Benefit of Exemptions.

Exempting Carriages conveying King's Stores, &c. from Penalties for Overweight.

XX. Provided always, and be it further enacted, That no Perſon owning or driving, or cauſing to be driven, any Waggon, Wain, Cart, or other Carriage provided for the Service of His Majeſty's Forces, or conveying any Ordnance, Barrack, Commiſſariat, or other public Stores of or belonging to His Majeſty, or for the Uſe of His Majeſty's Forces, ſhall be ſubject to any Penalty or Forfeiture for Overweight; nor ſhall any ſuch Waggon, Wain, Cart, or other Carriage, or the Horſe or Horſes or other Cattle drawing the ſame, while ſo employed, be ſtopped or detained by reaſon of any Weight in or upon any ſuch Waggon, Wain, Cart, or other Carriage, or of its being drawn by any Number of Horſes or Oxen; but it ſhall be lawful for any Owner or Driver of any ſuch Waggon, Wain, Cart, or other Carriage, to put any Number of Horſes or Oxen to ſuch Waggon, Wain, Cart, or other Carriage for drawing the ſame; any thing in any Act or Acts of Parliament relating to Highways or Turnpike Roads, or in this Act contained to the contrary notwithſtanding.

Diſputes concerning Tolls to be ſettled by a Juſtice.

XXI. And be it further enacted, That in caſe any Diſpute or Diſputes ſhall happen, reſpecting the demanding or taking, or the Payment of Toll, or about the Amount of Toll due, or the Charges of keeping or ſelling any Diſtreſs, ſuch Diſpute or Diſputes ſhall be heard and determined by ſome Juſtice of the Peace for the County, Riding, or Place where the Cauſe of Diſpute ſhall ariſe, who, upon Application made to him for that Purpoſe, ſhall examine the Matter upon Oath of the Parties, or other Witneſs or Witneſſes (which Oath every ſuch Juſtice is hereby authorized and empowered to adminiſter), and ſhall determine the Amount of the Toll due, and other Matters in diſpute between the Parties, and may alſo award ſuch Coſts to be paid by either Party to the other, as to ſuch Juſtice ſhall ſeem juſt and reaſonable; all which Coſts, in caſe the ſame ſhall not be forthwith paid, ſhall and may be levied and recovered by Diſtreſs and Sale of the Goods and Chattels of the Perſon or Perſons ſo awarded or directed to pay the ſame, by Warrant under the Hand and Seal of ſuch Juſtice (which Warrant every ſuch Juſtice is hereby empowered to iſſue); and the Overplus (if any) after Payment of ſuch Coſts, and the Coſts of ſuch Diſtreſs and Sale, ſhall be returned upon Demand to the Perſon or Perſons whoſe Goods and Chattels ſhall have been ſo diſtrained.

Power to reduce Tolls.

XXII. Provided always, and be it further enacted, That it ſhall and may be lawful to and for the ſaid Truſtees, or any Seven or more of them, and they are hereby empowered, from Time to Time at any Meeting to be held for that Purpoſe, of which Thirty Days Notice ſhall be given in Writing, to be fixed on all the Turnpike Gates then erected by virtue of the ſaid recited Acts and this Act, upon the ſaid Road, and in One or all of the *Leeds* Newſpapers from Time to Time, to leſſen or reduce all or any of the Tolls granted by this Act, for and during ſuch Time as the ſaid Truſtees ſhall think proper; and afterwards at any Meeting to be held as aforeſaid, from Time to Time, if they ſhall ſee Occaſion, to advance all or any of the Tolls ſo leſſened, to any Sum or Sums of Money not exceeding the ſeveral Rates granted by this Act; and ſuch Tolls, ſo reduced or raiſed again, ſhall be collected, recovered, and applied in the ſame Manner as the Tolls herein-before granted are to be

collected, recovered, and applied; provided that every such Reduction be made with the Consent in Writing of the several Persons who shall be entitled to Five-sixths Parts of the Money then due on the Credit of the said Tolls; and such Tolls, so reduced or advanced, and every of them, shall be collected, recovered, and applied as the Tolls hereby granted and authorized to be taken are directed to be collected, recovered, and applied.

Tolls may be leased.

XXIII. And be it further enacted, That it shall be lawful for the said Trustees, or any Five or more of them, upon Twenty-one Days Notice to be given thereof in One of the *Leeds* Newspapers, from Time to Time, to demise or let to farm, or agree to demise or let to farm, all or any of the Tolls arising by virtue of this Act, and all or any of the Toll Houses, and the Conveniences and Appurtenances thereto belonging, and the Weighing Machine, if any thereon, for any Term not exceeding Three Years, upon public Bidding, to the highest Bidder, and for the best Price or Rent such Trustees can at the Time get for the same, payable Monthly in advance, or at such other Time or Times as the said Trustees shall think proper, to any Person or Persons who shall be willing to take or farm the same, under such Conditions and Agreements, and with such Sureties for the Payment thereof, as the said Trustees or any Five or more of them shall think fit; and if the said Trustees, at any such Meeting for letting the said Tolls, shall be of opinion that a Combination exists among the Bidders to undervalue the same, they may then proceed in such Letting in such Manner as to them shall seem most likely to create a real *bona fide* and an advantageous Competition for the same; and at such Letting the Trustees present shall have and be entitled to One or more Bidding or Biddings for the said Tolls, either by themselves, or their Clerk or Treasurer, or other Person by them authorized, any thing in any Law or Statute to the contrary thereof notwithstanding; and the Rent or Money arising by such Letting shall be applied in Manner directed by this Act.

For taking Possession of Toll Houses when Lessees of Tolls neglect to fulfil their Contract.

XXIV. And be it further enacted, That in case all or any of the said Tolls shall be demised or let to farm to any Person or Persons in any Manner whatsoever, and the Lessee or Lessees, Farmer or Farmers thereof, shall neglect or refuse to perform the Terms and Conditions on which the same shall be so demised or let; or in case the Rent or Rents agreed to be paid by such Lessee or Lessees, Farmer or Farmers, shall be in Arrear by the Space of Fourteen Days next after any of the Days on which the same ought to be paid, pursuant to the Agreement for demising or letting thereof; or in case such Lease or Agreement shall in any other Manner become void; then and in either of such Cases it shall be lawful for any Justice of the Peace for the County, Riding, or Place where the Toll House and Premises shall be situate, upon Application made to him by the said Trustees, or any Five or more of them, or their Clerk or Treasurer, or any other Person authorized by Writing under the Hands of any Five or more of them, by Warrant under his Hand and Seal, to order any Constable or other Peace Officer, with such Assistance as shall be necessary, to enter upon and take Possession of any Toll House or Toll Houses, and the Buildings, Gates, and Appurtenances thereto belonging, and to remove and put out such Lessee or Lessees, Farmer or Farmers of the Tolls arising thereat respectively, or other Person or Per-

ſons who ſhall be found therein, together with his, her, or their Goods, out of the ſame, and from the Poſſeſſion thereof, and from the Collection of ſuch Tolls, and to give to the ſaid Truſtees, or other Perſon or Perſons acting by or under their Authority, Poſſeſſion thereof; and that thereupon it ſhall be lawful for the ſaid Truſtees, or any Five or more of them (if they ſhall think fit), to vacate and determine the Contract or Agreement for demiſing or letting the ſaid Tolls to ſuch Leſſee or Leſſees, Farmer or Farmers, and the ſame ſhall be utterly void to all Intents and Purpoſes, ſave as to the Obligations, Covenants, or Agreements for Payment of the Rent or Rents thereby reſerved, or other unperformed or broken Obligations, Covenants, or Agreements on the Leſſee's Part, as if ſuch Demiſe or Agreement had never been made; and in that caſe, or in caſe the Leaſe or Agreement ſhall otherwiſe become void, it ſhall and may be lawful for the ſaid Truſtees, or any Five or more of them, in every ſuch Caſe, to demiſe or let to farm the ſaid Tolls again, to any Perſon or Perſons, or cauſe them to be collected in ſuch and the ſame Manner as if no former Demiſe, Contract, or Agreement had been made relative thereto.

An Action of Ejectment may be ſupported by One Mortgagee.

XXV. And be it further enacted, That if any Mortgagee or Mortgagees of the ſaid Tolls, Toll Gates, Bars, Chains, Toll Houſes, and Buildings, ſhall ſeek to obtain the Poſſeſſion of the ſaid Toll Gates, Bars, Chains, Toll Houſes, and Buildings, in order to pay himſelf, herſelf, or themſelves the Principal Money and Intereſt, or any Part thereof, due to him, her, or them, it ſhall be competent for him, her, or them, as Leſſor or Leſſors of the Plaintiff, and upon his, her, or their Demiſe only, and without uniting in ſuch Demiſe the other Mortgagees of the ſaid Tolls and Premiſes, to obtain ſuch Poſſeſſion; but ſuch Perſon or Perſons, who ſhall obtain the Poſſeſſion thereof, ſhall not apply the Tolls which may conſequently be received by him, her, or them, to his, her, or their own excluſive Uſe and Benefit, but to and for the Uſe and Benefit of all the Mortgagees of the ſaid Tolls, Toll Gates, Buildings, and Premiſes, *pari paſſu*, and in proportion to the ſeveral Sums which may be due to them as ſuch Mortgagees.

For preventing Toll Collectors from miſbehaving, &c.

XXVI. And be it further enacted, That all and every Toll Collector or Collectors, being Leſſee or Leſſees of the Tolls on the ſaid Road, or appointed or to be appointed, either under the ſaid recited Acts or this Act, or by the ſaid Truſtees, or by any ſuch Leſſee or Leſſees, to collect the Tolls or Duties payable at any Turnpike or Toll Gate on the ſaid Road, ſhall and he is hereby required on each and every Day, previous to his entering on Duty for the Collection of the ſaid Tolls, to place his Chriſtian and Surname, painted on a Board in legible Characters, in the Front or on ſome other conſpicuous Part of the Toll Houſe or Toll Gate, each of the Letters of ſuch Name or Names to be at leaſt Two Inches in Length, and of a Breadth in Proportion, and painted either in White Letters on a Black Ground, or Black Letters on a White Ground, and ſhall continue the ſame ſo placed during the whole Time he ſhall be upon ſuch Duty; and if any Collector of the ſame Tolls ſhall not place ſuch Board as aforeſaid, and keep the ſame there during the Time aforeſaid, or ſhall refuſe to permit or ſuffer, or ſhall in anywiſe hinder any Perſon or Perſons from reading ſuch Chriſtian or Surname, or ſhall refuſe to tell his Chriſtian or Surname to any Perſon or Perſons who ſhall demand the ſame, on having paid the ſaid Tolls or any

of them, or ſhall in anſwer to ſuch Demand give a falſe Name or Names, or ſhall refuſe or neglect to give a printed Note or Ticket denoting the Payment of ſuch Tolls, and having named and ſpecified thereon the Gate or Gates freed by ſuch Payment, or ſhall unneceſſarily detain, or upon the legal Toll being paid or tendered ſhall wilfully obſtruct, hinder, or prevent any Paſſenger, Horſe, Beaſt, Carriage or Cattle from paſſing through any Turnpike or Toll Gate, or ſhall make uſe of any ſcurrilous or abuſive Language to any Paſſenger or Paſſengers, then and in every ſuch Caſe every ſuch Toll Collector ſhall forfeit and pay any Sum not exceeding Five Pounds for every ſuch Offence, as the Juſtice or Juſtices before whom the Information ſhall be laid ſhall adjudge; and ſuch Penalty ſhall be recovered, levied, apportioned, and applied in Manner by the ſaid recited Act of the Twenty-fifth Year of the Reign of His late Majeſty King *George* the Second, provided for the Recovery and Application of Forfeitures and Penalties; provided alſo, that if any Perſon or Perſons ſhall at any Time aſſault, obſtruct, hinder, or moleſt any Collector, who ſhall or may be employed by virtue of or in the Execution of this Act, in the Performance of his Duty, every Perſon ſo offending ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Five Pounds, to be recovered, levied, apportioned, and applied in the ſame Manner as ſuch laſt-mentioned Penalty.

Deviation not to exceed One hundred Yards from the preſent Road without Conſent.

XXVII. Provided always, and be it further enacted, That the ſaid Truſtees, in diverting, altering, or improving any Part of the ſaid Road, under the Powers of the ſaid recited Acts and this Act, or any of them, ſhall not deviate more than One hundred Yards of Three Feet each from the preſent Line, without the Conſent and Approbation in Writing of the Perſon or Perſons, Body or Bodies Politic, Corporate, or Collegiate, through whoſe Lands or Grounds ſuch Deviation ſhall be made.

Reſtraining Truſtees from taking down Houſes, &c. without Conſent.

XXVIII. Provided always, and be it further enacted, That nothing in the ſaid recited Acts or any of them, or in this Act contained, ſhall extend or be conſtrued to extend to authorize or empower the ſaid Truſtees to take or pull down any Dwelling Houſe or other Building, or to take in or make uſe of any Garden, Orchard, Yard, Park, Paddock, or planted Walk, or Avenue to a Houſe, or any incloſed Ground planted as Ornament or Shelter to a Houſe, or 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 firſt had and obtained.

Application of Compenſation if amounting to 200l.

XXIX. And be it further enacted, That if any Money ſhall be agreed or awarded to be paid for the Purchaſe of any Lands, Tenements, or Hereditaments to be purchaſed, taken, or uſed by virtue of the Powers of the ſaid recited Acts or of this Act, for the Purpoſes of the ſaid Road, which ſhall belong to any Body Politic, Corporate, or Collegiate, 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 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 High Court of Chancery, to be placed to his Account there, *ex parte* the Truſtees for executing this Act and the ſaid recited Acts, to the Intent that ſuch Money ſhall be applied, under the Direction and with the Approbation of the ſaid Court, to be ſignified by an Order made upon a Petition to be preferred in a ſummary Way by the Perſon or Perſons who would have been entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments, in the Purchaſe of the Land Tax, or towards the Diſcharge of any Debt or Debts, or ſuch other Incumbrances, or Part thereof, as the ſaid Court ſhall authorize to be paid, affecting the ſame Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments ſtanding ſettled therewith to the ſame or the like Uſes, Truſts, Intents, or Purpoſes; or where ſuch Money ſhall not be ſo applied, then the ſame ſhall be laid out and inveſted under and with the like Direction and Approbation of the ſaid Court, in the Purchaſe of other Lands, Tenements, or Hereditaments, which ſhall be conveyed and ſettled to, for, and upon ſuch and the like Uſes, Truſts, Intents, and Purpoſes, and in the ſame Manner as the Lands, Tenements, and 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 Purchaſe ſhall be made, the ſaid Money ſhall, by Order of the ſaid High Court of Chancery, 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; and in the meantime and until the ſaid Bank Annuities ſhall be ordered by the ſaid Court to be ſold for the Purpoſes aforeſaid, the Dividends and annual Produce of the ſaid Conſolidated or Reduced Bank Annuities 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 the ſaid Lands, Tenements, and Hereditaments ſo to be purchaſed, in caſe ſuch Purchaſe or Settlement was made.

Where leſs than 200l. and above 20l.

XXX. 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 aforeſaid, 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 amount to or exceed 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 or Lunacy, 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 High Court of Chancery, and be placed to his Account as aforeſaid, in order to be applied in Manner herein-before directed; or otherwiſe the ſame ſhall be paid, at the like Option, to Two Truſtees, to be nominated by the Perſon or Perſons making ſuch Option, and approved of by Five or more of the ſaid Truſtees for executing this Act and the ſaid recited Acts (ſuch Nomination and Approbation to be ſignified in Writing under the Hands of the nominating and approving Parties), in order that ſuch Principal Money and the

Dividends arising therefrom may be applied in Manner herein-before directed, so far as the Case be applicable, without obtaining or being required to obtain the Direction or Approbation of the said High Court of Chancery.

When less than 20l.

XXXI. Provided always, and be it further enacted, That where such Money so agreed or awarded to be paid as next before mentioned shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of 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 or the said recited Acts, in such Manner as the said Trustees, or any Five or more of them, shall think fit; or in case of Lunacy or Infancy, then to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

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 Chancery on Petition.

XXXII. 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 by virtue of this Act or the said recited Acts, for the Purposes aforesaid, 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 any Five or more of them; 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, or any Five or more of them, 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 High Court of Chancery, to be placed to his Account, 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 High Court of Chancery; 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 thereto, 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 for what and for whose Use the same is or are received, to such Person or Persons as shall pay any Sum or Sums of Money into the Bank as aforesaid.

In case of disputed Titles.

XXXIII. 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 High Court of Chancery, in pursuance of the said

ſaid recited Acts or 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 the ſaid recited Acts or this Act, for the Purpoſes aforeſaid, or to any Bank Annuities to be purchaſed with any ſuch Money, or the Dividends or Intereſt of any ſuch Bank Annuities, 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 and 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 High Court of Chancery; and the Dividends or Intereſt of the Bank Annuities to be purchaſed with ſuch Money, and alſo the Capital of ſuch Bank Annuities, 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 the Truſtees.

XXXIV. 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 under the Authority of the ſaid recited Acts or this Act, for the Purpoſes aforeſaid, the Purchaſe Money for the ſame ſhall be required to be paid into the ſaid High Court of Chancery, and 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 High Court of Chancery to order the Expences of all Purchaſes from Time to Time to be made in purſuance of the ſaid recited Acts or this Act, or ſo much of ſuch Expences as to the ſaid Court ſhall ſeem reaſonable, to be paid by the ſaid Truſtees, or any Five or more of them, out of the Monies to be received by virtue of the ſaid recited Acts or this Act, who ſhall from Time to Time pay ſuch Sums of Money for ſuch Purpoſes as the ſaid Court ſhall direct.

Repealing Powers of former Acts reſpecting the getting of Materials.

XXXV. And be it further enacted, That ſo much of the ſaid recited Act of the Twenty-fifth Year of the Reign of His late Majeſty King *George* the Second, as empowers the Surveyors of the ſaid Road, and ſuch Perſon or Perſons as he or they ſhall appoint, to cut, dig, gather, take and carry away any Gravel, Furze, Heath, Sand, Stones, or other Materials out of or from any River or Brook, Waſte or Common, of any Pariſh, Town, Village, or Hamlet of the County of *York*; and alſo ſo much of the ſaid Act as empowers ſuch Surveyor or Surveyors, by Order of the Truſtees, or any Five or more of them, to dig and gather the ſame out of the ſeveral Grounds of any Perſon or Perſons; ſhall be and the ſame is hereby repealed.

For getting Materials to repair the Road.

XXXVI. And be it further enacted, That it ſhall be lawful for the Surveyor or Surveyors of the ſaid Road, and all ſuch Perſons as he or they ſhall appoint, to ſearch for, dig, gather, get, and take away any Stones, Gravel, Sand, or other Materials for making, amending, altering, improving, or repairing the ſaid Road, out of any Waſte or Common, or out of any common River or Brook in any Pariſh, Townſhip, or Place, in which

which any Part of the ſaid Road ſhall lie or be ſituate, or in any adjoining Pariſh, Townſhip, or Place within the ſaid Riding, without paying any thing for the ſame, they the ſaid Surveyor or Surveyors, or other Perſon or Perſons, filling up the Pits or Quarries, levelling the Ground, or ſloping down the Banks where ſuch Materials ſhall be taken, or railing or fencing off ſuch Pits or Quarries, ſo that the ſame may not be dangerous to Paſſengers or Cattle; and if a ſufficient Quantity of ſuch Materials cannot be had or found in or upon any ſuch Waſte or Common, or in any ſuch common River or Brook, then and in ſuch Caſe the Surveyor or Surveyors, or other Perſons as aforeſaid, may, by Order of any Juſtice or Juſtices of the Peace for the ſaid Riding, or of the County or Place in which ſuch Lands, Tenements, or Hereditaments ſhall lie or be ſituate, (as the Caſe may be), to be made upon the Application of the ſaid Truſtees, or any Five or more of them, ſearch for, dig, gather, get, and take away any ſuch Materials in and out of the Lands, Fields, or Grounds of any Perſon or Perſons, in any Pariſh, Hamlet, Townſhip, or Place in which any Part of the ſaid Road ſhall lie or be ſituate, where the ſame may be had or found (ſuch Lands, Fields, or Grounds not being a Garden, Orchard, Yard, Park, Paddock, Walk or Walks, or Avenue to a Houſe, or any Piece of Ground planted and ſet apart as a Nurſery for Trees), making or tendering ſuch Satisfaction for the Value of ſuch Materials, and alſo for the Damage done to the Owners and Occupiers of any ſuch Lands, Fields, or Grounds, where and from whence the ſame ſhall be dug, gathered, and carried away, or over which the ſame or any other Materials for amending, altering, improving, or repairing the ſaid Road ſhall be carried, as ſhall be agreed upon between them and ſuch Owner or Occupier; or in caſe of their not agreeing, then as any One or more Juſtice or Juſtices of the Peace acting in and for ſuch Riding, County, or Place as aforeſaid (as the Caſe may be), ſhall and may adjudge and determine to be reaſonable; provided alſo, that no ſuch Stone or other Materials as aforeſaid ſhall be gotten, dug for, or taken away within the Diſtance of One hundred Yards of any Bridge, Mill, Mill Weir or Dam, on any Account or Pretence whatſoever.

Notice to be given before Materials are taken.

XXXVII. And be it further enacted, That it ſhall not be lawful for any Surveyor, or any Perſon or Perſons acting under the Authority of the ſaid recited Acts or this Act, to dig, gather, get, take, or carry away any Materials for repairing the ſaid Road, out of or from any incloſed Land or Ground, until Notice in Writing, ſigned by the Surveyor, ſhall have been given to the Owner or Occupier of the Premiſes from which ſuch Materials are intended to be taken, or left at the Houſe or laſt or uſual Place of Abode of ſuch Owner or Occupier, to appear before any Juſtice or Juſtices of the Peace acting in and for the ſaid Riding, to ſhew Cauſe why ſuch Materials ſhall not be had from ſuch Land or Ground; and in caſe ſuch Owner or Occupier, or his or her Agent, ſhall attend purſuant to ſuch Notice, but ſhall not ſhew ſufficient Cauſe to the contrary, ſuch Juſtice or Juſtices ſhall, if he or they think proper, authorize ſuch Surveyor or other Perſon or Perſons, to dig, gather, get, take, and carry away ſuch Materials, at ſuch Time or Times as to ſuch Juſtice or Juſtices ſhall ſeem proper; and if ſuch Owner or Occupier ſhall neglect or refuſe to appear by himſelf or herſelf, or his or her Agent, ſuch Juſtice or Juſtices may (upon Proof on Oath of the Service of ſuch Notice, and which Oath he, they, or any of them is and are hereby empowered to

adminiſter), make ſuch Order therein as he or they ſhall think fit, as fully and effectually, to all Intents and Purpoſes, as if ſuch Owner or Occupier or his or her Agent had attended.

For preventing Nuiſances.

XXXVIII. And be it further enacted, That if any Perſon or Perſons ſhall drive any Horſe or other Cattle, or any Cart or other Carriage, or hale, draw, carry, paſs, or wheel any Hurry, Truck, or Wheelbarrow, on any Footway or Cauſeway adjoining to the ſaid Road; or ſhall cauſe any Damage to be done to the Footway or Cauſeway adjoining to the ſaid Road; or ſhall cauſe any Damage to be done to the Hedges, Fences, Breaſt Walls, Poſts, Rails, or Paling ſet up along the Side of or upon ſuch Footway; or ſhall, in or upon any Part of the ſame Road, or by the Side or Sides thereof, kill, ſlaughter, ſinge, ſcald, dreſs, or cut up any Beaſt, Swine, Calf, Lamb, or other Cattle; or cauſe or permit or ſuffer any Sink or Drain from any Houſe or other Building to run into or upon the ſaid Road or the Footways thereof, or any Blood to run from any Slaughterhouſe, Houſe, Building, Butcher's Shop, or Shambles, into the ſaid Road; or burn, dreſs, or ſweep any Piece or Pieces of Cork, or hoop, fire, cleanſe, waſh, or ſcald any Caſk or Caſks, in any Part or Parts of the ſaid Road, or in any expoſed Situations near thereto; or ſhall hew, ſaw, or cut, or cauſe to be hewn, ſawn, or cut, any Stone, Wood, or Timber; or ſhall ſhoe, farry, or bleed any Horſe, Mule, or Aſs, except in the Caſe of Accidents; or if the Driver of any Waggon, Cart, Dray, Sledge, or other Carriage uſed for the carrying of Goods and Merchandize, ſhall ride on the Shafts, or on any other Part of ſuch Waggon, Cart, Dray, Sledge, or other Carriage, or on any of the Horſes drawing the ſame, upon any Part of the ſaid Road; or if any Perſon driving any Pigs or Swine upon the ſaid Road, ſhall ſuffer the ſame to root up and damage the ſame, or any Part thereof, or the Fences, Hedges, Banks, or Copſe on either Side thereof; or if any Perſon ſhall turn looſe any Horſe, Aſs, Beaſt, or Swine upon the ſaid Road, or ſuffer any Horſe, Aſs, Beaſt, or Swine to be turned looſe or to wander or ſtray, or to be or remain upon the ſaid Road to graze or depaſture on the Sides thereof; or if any Perſon ſhall ride upon any Footway or Cauſeway by the Side of the ſaid Road; or if any Perſon driving any Coach, Chaiſe, Waggon, Cart, or other Carriage upon the ſaid Road, and meeting another Coach, Chaiſe, Waggon, Cart, or other Carriage, ſhall not keep his Carriage on the Left or Near Side of the Road; or if any Perſon ſhall in any Manner wilfully prevent any other Perſon or Perſons from paſſing him upon the ſaid Road, or the Coach, Chaiſe, Waggon, Cart, or other ſuch Carriage under his Care; or if any Perſon ſhall make or aſſiſt to make any Fire or Fires, commonly called Bonfires, or ſhall ſet fire to, or let off or throw any Squib, Rocket, Serpent, or Firework whatſoever, or play at Football on any Part or Parts of the ſaid Road, or any other Game to the Annoyance of any Paſſenger or Paſſengers; or if any Perſon ſhall leave any Waggon, Wain, Cart, or other ſuch like Carriage in, upon, or on the Side of any Part of the ſaid Road, longer than may be neceſſary for loading or unloading the ſame, either with or without any Horſe or Beaſt of Draught harneſſed or yoked thereto; or in caſe the ſame ſhall not during ſuch Time be drawn up or placed as near to the Side of the Road as conveniently may be, or ſhall lay any Piece of Timber, or any Stones, Hay, Straw, Dung, Manure, Soil, Aſhes, Filth, Rubbiſh, or other Matter or Thing whatſoever on any Part of the ſaid Road, or on the Side or Sides thereof,

or upon the Footpaths or Cauſeways adjoining to ſuch Road, to the Prejudice, Annoyance, or Interruption of Perſons travelling and paſſing thereon; or ſhall lay or place on the Walls or Fences of the ſaid Road, or on the Sides of the ſaid Road, for any Purpoſe whatever, any Wool, Woollen Cloth, Warp, or Linen; or if any Perſon ſhall, after having blocked or ſtopped any Waggon, Wain, Cart, or other Carriage in going up a Hill or riſing Ground, leave or ſuffer to be or remain on the ſaid Road, or any Part thereof, any Stone or other Thing with which ſuch Waggons, Carts, or other Carriages ſhall have been blocked or ſtopped; every Perſon ſo offending ſhall for each and every ſuch Offence forfeit and pay any Sum not exceeding Five Pounds, to be recovered, levied, apportioned, and applied as other Penalties and Forfeitures are by the ſaid recited Act of the Twenty-fifth Year of the Reign of His late Majeſty King *George* the Second, directed to be recovered, levied, apportioned, and applied.

For preventing Cattle from ſtraying.

XXXIX. And be it further enacted, That if any Horſe, Aſs, Sheep, Swine, or other Beaſt or Cattle of any Kind, ſhall at any Time be found wandering, ſtraying, or lying about the ſaid Road, or any Part thereof, or by the Sides thereof, it ſhall and may be lawful to and for the Surveyor of the ſaid Truſtees for the Time being, and alſo for any other Perſon or Perſons whomſoever, to ſeize and impound every ſuch Horſe, Aſs, Sheep, Swine, or other Beaſt or Cattle, in the common Pound of the Pariſh, Townſhip, Tithing, or Place where the ſame ſhall be, or in ſuch other Place as the ſaid Truſtees, or any Five or more of them, ſhall appoint, and the ſame there to detain until the Owner or Owners thereof ſhall, for every and each Horſe, Aſs, Sheep, Swine, or other Beaſt or Cattle ſo impounded, pay the Sum of Ten Shillings to the Perſon impounding the ſame, together with the reaſonable Charges and Expences of impounding and keeping the ſame; and in caſe the ſaid Penalty, Charges, and Expences ſhall not be paid within Five Days after ſuch impounding, it ſhall and may be lawful to and for the ſaid Truſtees, or any Five or more of them, to ſell or cauſe to be ſold every ſuch Horſe, Aſs, Sheep, Swine, or other Beaſt or Cattle, and the Money ariſing from ſuch Sale, after deducting the ſaid Penalty, and Charges and Expences of impounding, keeping, and ſelling every ſuch Horſe, Aſs, Sheep or Swine, or other Beaſt or Cattle, ſhall be paid to the Perſon whoſe Property the ſame ſo ſold ſhall appear to have been.

For preventing Encroachments.

XL. And be it further enacted, That from and after the paſſing of this Act no Perſon ſhall encroach upon the ſaid Road, by making or cauſing to be made any Dwelling Houſe, Building, Wall, Fence, Hedge or Ditch, within Fifteen Feet of the Centre of the ſaid Road; and it ſhall and may be lawful to and for the ſaid Truſtees, or any Five or more of them, to cauſe ſuch Dwelling Houſes, Buildings, Walls, Fences, Hedges and Ditches, which ſhall or may hereafter be ſo erected, built, or made, to be taken down or filled up, at the Expence of the Perſon or Perſons to whom the ſame ſhall belong; and it ſhall and may be lawful for any Juſtice or Juſtices of the Peace for the ſaid Weſt Riding, upon Proof thereof to him or them made upon Oath, to levy as well the Expences of taking down ſuch Dwelling Houſes, Buildings, Walls, Fences and Hedges, as of filling up ſuch Ditches as aforeſaid, by Diſtreſs and Sale

Sale of the Offender's Goods and Chattels, rendering the Overplus to the Owner or Owners on Demand.

Gates to open inwards.

XLI. And be it further enacted, That no Gate of any Park, Paddock, Field, or Inclosure whatsoever, shall be made to open into or towards any Part of the said Road, or be suffered to continue so to open, except the Hanging Post thereof shall be Thirty Feet at least from the Centre of any such Part of the said Road; and the Occupier or Occupiers of every Park, Paddock, Field, or Inclosure, having any Gate opening outwards contrary to the Meaning of this Act, shall within Twenty-one Days after Notice to him, her, or them given, either personally or in Writing, from the Surveyor of the said Road, cause such Gate to be hung so that the same shall not open outward or swing towards the said Road, whenever the same shall be practicable, but in every Case in such a Manner as that no Part of the Gate when open shall project over any Part of the said Road, or any Footpath belonging thereto; and in default thereof, the Surveyor of the said Road is hereby authorized to cause the Gate to be hung according to the Intention of this Act; and the Person or Persons guilty of such Neglect or Default shall, upon Complaint made to any Justice or Justices of the Peace acting in and for the County, Riding, or Place where the Gate shall be situate, and upon Conviction upon the Oath of One credible Witness, pay to such Surveyor such Sum as the said Justice or Justices shall direct, to defray the Expence of making the Alteration and hanging such Gate, and shall also forfeit and pay a further Sum, not exceeding Five Pounds, for his, her, or their Neglect therein, to be fixed by and at the Discretion of the Justice or Justices before whom such Conviction shall be made; and such Penalty shall be recovered, levied, apportioned, and applied in Manner by the said recited Act, of the Twenty-fifth Year of the Reign of His late Majesty King *George* the Second, provided for the Recovery and Application of Penalties.

Statute Labour.

XLII. And be it further enacted, That all Persons who by Law are or shall be liable to do Statute Work, or are or shall be chargeable towards repairing and amending the said Road or any Part thereof, shall still remain liable thereto, in like Manner as heretofore; and it shall and may be lawful for any Two or more Justices of the Peace for the County, Riding, or Place in which the said Road or any Part thereof lies, and they are hereby empowered and required (upon Application made to them for that Purpose by the said Trustees, or by their Clerk or Surveyor by their Order), yearly to adjudge and determine what Part or Proportion of the Statute Work shall every Year be done upon the said Road by the Inhabitants of the respective Parishes, Townships, or Places in which the said Road lies, and also what Proportion of the Money received by the Surveyor or Surveyors of the Highways of every such Parish, Township, or Place, in lieu of or as a Composition for such Statute Work, shall be by him or them paid to the said Trustees or to their Treasurer; and in order thereunto it shall be lawful for such Justices from Time to Time to summon the Surveyor or Surveyors of the Highways for every such Parish, Township, or Place, to bring in Lists before such Justices, at some Place to be expressed in such Summons (within Ten Days after the serving of such Summons), of the Names of the several Persons who within such Parish, Township, or Place are by Law subject and liable to do

do Statute Work for that Year, or to the Payment of any Money in lieu of or as a Compoſition for ſuch Statute Work, diſtinguiſhing the Nature of the Work to be done, whether with Teams or Draughts or otherwiſe, and alſo the Amount of the reſpective Sums to be paid; which Liſts of Names ſhall be made in ſuch Manner and under ſuch Regulations and Reſtrictions as is, are, or may be directed by any Law or Statute in force and effect for the Repair of the Public Highways; and out of ſuch Liſts ſuch Juſtices ſhall and may allot, appoint, and order ſuch and ſo many of the Perſons who ſhall appear to be ſubject or liable to do Statute Work as aforeſaid, to do ſuch Number of Days Statute Work in every Year upon the ſaid Road as the ſaid Juſtices ſhall think reaſonable; and the ſame ſhall be done on ſuch Days and at ſuch Times (not being Hay-time or Harveſt), and on ſuch Parts of the ſaid Road, as the ſaid Truſtees, or their Surveyor or Surveyors by their Order, ſhall from Time to Time order, direct, and appoint; and the ſaid Juſtices ſhall and may alſo order and direct the Perſons who by ſuch Liſts ſhall appear to be ſubject and liable to the Payment of any Money in lieu of or as a Compoſition for Statute Work as aforeſaid, to pay ſuch Proportion thereof as the ſaid Juſtices ſhall think proper to the Surveyor or Surveyors of every ſuch Pariſh, Townſhip, or Place for the Time being, to be by him or them paid over to the ſaid Truſtees or their Treaſurer, at ſuch Time or Times as the ſaid Juſtices ſhall direct; and in default of Payment thereof by any ſuch Surveyor or Surveyors, the ſame ſhall and may be recovered by Diſtreſs and Sale of the Goods and Chattels of the reſpective Perſons liable to the Payment thereof, in like Manner as any Penalty is by the ſaid recited Acts or any of them authorized or directed to be recovered; and each and every Perſon who ſhall neglect or refuſe to do ſuch Statute Work as aforeſaid (after Notice in Writing given to or left for him, her, or them, at his, her, or their laſt or uſual Place or Places of Abode for that Purpoſe, by the Surveyor or Surveyors to the ſaid Truſtees), ſhall for every Day of his, her, or their Default, or the Default of any Labourer or Labourers, Team or Teams, Draught or Draughts, Horſe or Horſes, Beaſt or Beaſts, to be provided by him, her, or them, be ſubject and liable to ſuch Pains, Penalties, and Forfeitures, as ſuch Perſon or Perſons may be ſubject or liable to by any Law or Statute in force and effect for the Repair of the Public Highways; and if any Perſon who ſhall come to work as a Labourer, or who ſhall be ſent with any Team or Draught to work on the ſaid Road, ſhall be found idle or negligent by any Surveyor to the ſaid Truſtees, ſuch Surveyor is hereby empowered to remove and diſcharge the Perſon who ſhall be found idle or negligent as aforeſaid; and in that Caſe every ſuch Perſon ſhall be ſubject and liable to the reſpective Forfeitures and Payments aforeſaid, as if he had neglected or refuſed to come, or ſuch Team or Draught had not been ſent to work on any Part of the ſaid Road; all which Forfeitures ſhall be paid to the Treaſurer to the ſaid Truſtees, and applied towards amending the ſaid Road; and in caſe the ſaid Surveyor or Surveyors of the Highways for any of the ſaid Pariſhes, Townſhips, or Places, ſhall refuſe or wilfully neglect to give in ſuch Liſts as aforeſaid, or ſhall knowingly and wilfully give in falſe or imperfect Liſts, or ſhall refuſe and neglect to collect and pay ſuch Compoſition Money, or any Part thereof, in Manner aforeſaid, every ſuch Surveyor ſo offending ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Five Pounds.

For Payment of the Expences of this Act.

XLIII. And be it further enacted, That the Coſts, Charges, and Expences incident to and attending the procuring and obtaining this Act, together with lawful Intereſt from the Time of advancing the ſame until the Time of Payment, ſhall be paid and ſatisfied by the ſaid Truſtees; and that it ſhall be lawful for the ſaid Truſtees, or any Five or more of them, and they are hereby required, to order and direct the Payment of the ſaid Charges and Expences, with Intereſt as aforeſaid, out of any Monies in their Hands, and the firſt Monies that ſhall be collected, borrowed, or received by virtue of the ſaid recited Acts and this Act, in preference to all other Payments and Diſburſements whatſoever.

Public Act.

XLIV. 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 the Act.

XLV. And be it further enacted, That the ſaid ſeveral recited Acts, ſo far as the ſame relate to the Road from the Town of *Leeds*, through *Harewood*, to the South-weſt Corner of the Incloſures of *Harrogate*, (except ſuch Parts thereof as are repealed, and ſubject to the Alterations and Amendments herein contained) ſhall continue, and be in force, and together with this Act ſhall be in force and effect and be executed for and during the Reſidue of the Term granted and continued by the ſaid recited Acts or any of them, and from the Expiration thereof for and during the further Term of Twenty-one Years, and from thence to the End of the then next Seſſion of Parliament.

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