ANNO QUADRAGESIMO SECUNDO

GEORGII III. REGIS.

Cap. 15.

An Act for continuing the Term, and altering and enlarging the Powers of Two Acts, passed in the Twenty-eighth Year of the Reign of His late Majesty King *George* the Second, and in the Twenty-first Year of the Reign of His present Majesty, for repairing the several Roads therein mentioned, so far as the same relate to the Road from *Leeds* to *Otley*, in the West Riding of the County of *York*.

[24th *March* 1802.]

WHEREAS an Act was passed in the Twenty-eighth Year of the Reign of His late Majesty King *George* the Second, intituled, *An Act for repairing and widening the Roads from the Town of* Leeds, *in the West Riding of the County of* York, *through* Otley, Skipton, Colne, Burnley, *and* Blackburn, *to* Burscough Bridge, *in* Walton, *in the County of* Lancaster, *and from* Skipton, *through* Gisburn *and* Clitheroe, *to* Preston *in the said County of* Lancaster, whereby the said Roads were divided into several Districts, and the Road between the said Town of *Leeds* and the said Town of *Otley* was made a separate District: And whereas an Act was passed in the Twenty-first Year of the Reign of His present Majesty King *George* the Third, intituled, *An Act to enlarge the Term and Powers of an Act, passed in the Twenty-eighth Year of the Reign of His late Majesty King* George *the Second, for repairing several Roads, so far as relates to the Road from* Leeds *to* Otley, *in the West Riding* 28 Geo. 2. 21 Geo. 3.

of the County of York: And whereas the Truſtees appointed in or by virtue of the ſaid Acts, have proceeded to put the ſame in Execution, and have for that Purpoſe borrowed ſeveral conſiderable Sums of Money on the Credit of the Tolls, within the ſaid Diſtrict, which are ſtill due and owing, and cannot be paid off, nor the ſaid Diſtrict of Road kept in Repair, unleſs the Term granted by the ſaid Acts be further continued, and ſome of the Powers and Proviſions thereof altered and enlarged, ſo far as the ſame relate to the ſaid Diſtrict of Road from *Leeds* to *Otley*; and it is neceſſary that the Tolls in the ſaid Diſtrict ſhould be 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 Parliament aſſembled, and by the Authority of the ſame,

Further Term granted.

That the ſaid recited Acts, paſſed in the Twenty-eighth Year of the Reign of His late Majeſty King *George* the Second, and the Twenty-firſt Year of the Reign of His preſent Majeſty, and all and every the Authorities, Powers, Privileges, Exemptions, Proviſions, Penalties, and Clauſes therein contained (except ſuch of them as relate to Exemptions from Stamp Duties), ſo far as the ſame reſpectively relate to the Diſtrict of Road from *Leeds* to *Otley*, ſhall be, and the ſame are hereby further continued for and during the Term herein-after mentioned, as fully and effectually, to all Intents and Purpoſes, as if the ſame were herein particularly inſerted, repeated, and re-enacted, but ſubject nevertheleſs to the Amendments, Variations, Alterations, and Additions herein contained, and which ſhall commence and take Effect from the Firſt Meeting of the Truſtees herein-after mentioned, and be in force during the Term hereby granted; and this Act, and the additional Term and Tolls hereby granted, ſhall be, and are hereby made ſubject to the Payment of all Monies now due and owing upon the Credit or on Account of the ſaid Acts, or either of them, or that may hereafter be borrowed on the Credit of the ſaid Acts and this Act, ſo far as the ſame relate to the ſaid Road from *Leeds* to *Otley*, and of all Intereſt due or to grow due thereon reſpectively.

New Truſtees appointed.

II. And be it further enacted, That Sir *Henry Ibbetſon* Baronet, *Edward Armitage*, *Edward Brooke*, *Chriſtopher Beckett*, *James Biſchoff*, *John Bramley*, *John Cookſon*, *Thomas Cookſon*, *Charles Coupland* the younger, *Thomas Clifton*, the Reverend *Robert Dyneley*, *Walter Fawkes*, *John Goodman*, *William Glover*, *Arthur Hebden*, *Thomas Lee* of *Woodhouſe Lane*, *William Mydleton*, *John Marſhall*, *Benjamin Murgatroyd*, the Reverend *Henry Nicholſon*, *Lucas Nicholſon*, *William Nicholſon*, *Benjamin Pullan*, *John Pollard* the younger, *George Paley*, *Francis Ridſdale*, *Chriſtopher Smith*, the Reverend *John Smithſon*, *Henry Skelton*, *Thomas Tenant*, *William Vavaſour*, *Joſeph Wilkinſon*, *John Waddington*, *Matthew Wilſon*, *Benjamin Wilſon* the younger, *Harry Wormald*, *Thomas Wormald*, *Richard Wormald*, *Joſhua Walker* Doctor of Phyſic, *Ard Walker*, and *Thomas Walker*, ſhall be, and they are hereby added to and joined with the ſurviving and remaining Truſtees, nominated or elected by or by virtue of the ſaid recited Acts, or either of them, and that the Truſtees hereby appointed, together with thoſe nominated and appointed by virtue of the ſaid recited Acts, and qualified as herein-after mentioned, ſhall be, and they are hereby appointed Truſtees for putting the ſaid recited Acts and this Act in Execution, with reſpect to the ſaid Diſtrict of Road from *Leeds* to *Otley* aforeſaid.

III. And

III. And whereas the Qualification of Truſtees appointed by the ſaid firſt recited Act is inſufficient; be it therefore enacted, That the ſame ſhall be, and is hereby declared to be repealed, ſo far as relates to the ſaid Diſtrict of Road from *Leeds* to *Otley* aforeſaid. Repealing former Qualification of Truſtees.

IV. Provided always, and be it further enacted, That no Perſon ſhall be qualified or capable of acting as a Truſtee in any Caſe in the Execution of the ſaid recited Acts or this Act, for the ſaid Diſtrict or Diviſion of Road from *Leeds* to *Otley*, unleſs he ſhall be in his own Right, or in the Right of his Wife, in the actual Poſſeſſion and Enjoyment or Receipt of the Rents and Profits of Lands, Tenements, or Hereditaments, being Freehold, Leaſehold, or Copyhold, of the clear yearly Value of Fifty Pounds above Reprizes, or ſhall be Heir Apparent to ſome Perſon or Perſons having an Eſtate of the yearly Value of One hundred Pounds, or poſſeſſed of Two thouſand Pounds in Perſonal Eſtate; and if any Perſon or Perſons, not being qualified as aforeſaid, ſhall preſume to act contrary to the true Intent and Meaning of this Act, every ſuch Perſon, for ſuch Offence, ſhall forfeit and pay any Sum not exceeding Fifty Pounds, to any Perſon or Perſons who ſhall inform or ſue for the ſame, to be recovered in any of His Majeſty's Courts of Record at *Weſtminſter*; any Thing in the ſaid former Acts, or either of them, to the contrary hereof in anywiſe notwithſtanding. Future Qualification of Truſtees for the Diſtrict.

V. Provided nevertheleſs, and be it further enacted, That all Acts and Proceedings of any Perſon or Perſons who hath or have acted, or ſhall act as a Truſtee or Truſtees in the Execution of this or either of the ſaid recited Acts, although not qualified as aforeſaid, previous to his or their being convicted of ſuch Offence, ſhall be as valid and effectual as if ſuch Perſon or Perſons had been ſo qualified. Acts of unqualified Truſtees valid.

VI. And whereas the Tolls by the ſaid recited Acts authorized to be taken on the ſaid Diſtrict of Road between *Leeds* and *Otley*, are inadequate to the Purpoſe of ſufficiently amending, completing, and maintaining the ſaid Diſtrict of Road, and repaying the Money borrowed thereon, and the Intereſt thereof; be it therefore further enacted, That the ſaid Tolls authorized to be taken on the ſaid Diſtrict of Road by the ſaid firſt recited Act, and all Proviſioes therein contained for Payment of leſs Tolls, ſhall be and they are hereby repealed, and that inſtead thereof the reſpective Tolls following ſhall be demanded and taken at all or any of the Gates or Turnpikes which are or ſhall be erected in, or upon, or on the Side of, or acroſs the ſaid Diſtrict of Road from *Leeds* to *Otley* aforeſaid, by ſuch Perſon or Perſons as the ſaid Truſtees, or any Five or more of them, ſhall appoint for that Purpoſe, before any Cattle or Carriage ſhall be permitted to paſs through the ſame; (that is to ſay), New Tolls.

For every 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 every ſuch Coach, Chariot, Landau, Berlin, Curricle, Chaiſe, Calaſh, or other ſuch like Carriage, or Hearſe ſhall paſs, the Sum of Two Shillings and Sixpence, and at the Second Gate or Turnpike the further Sum of One Shilling and Sixpence; and drawn by Four Horſes or Beaſts of Draught, at the Firſt Gate or Turnpike the Sum of One Shilling and Sixpence, and at the Second Gate or For every Coach, &c.

or Turnpike the further Sum of One Shilling; and drawn by Two Horſes or Beaſts of Draught, at the Firſt Gate or Turnpike the Sum of Nine-pence, and at the Second Gate or Turnpike the further Sum of Six-pence; and drawn by One Horſe or Beaſt of Draught, at the Firſt Gate or Turnpike the Sum of Sixpence, and at the Second Gate or Turnpike the Sum of Two-pence:

For every Waggon, Cart, *etc.*

For every Waggon, Wain, Cart, or other ſuch like Carriage, drawn by Six Horſes or Beaſts of Draught, at the Firſt Gate or Turnpike which every ſuch Waggon, Wain, Cart, or other ſuch like Carriage ſhall paſs, the Sum of Four Shillings, and at the Second Gate or Turnpike the further Sum of Two Shillings; and drawn by Four Horſes or Beaſts of Draught, at the Firſt Gate or Turnpike the Sum of Two Shillings, and at the Second Gate or Turnpike the further Sum of One Shilling; and drawn by Three Horſes or Beaſts of Draught, at the Firſt Gate or Turnpike the Sum of One Shilling and Three-pence, and at the Second Gate or Turnpike the further Sum of Nine-pence; and drawn by Two Horſes or Beaſts of Draught, at the Firſt Gate or Turnpike the Sum of One Shilling, and at the Second Gate or Turnpike the further Sum of Sixpence; and drawn by One Horſe or Beaſt of Draught, at the Firſt Gate or Turnpike the Sum of Four-pence, and at the Second Gate or Turnpike the further Sum of Two-pence:

For every Horſe, *etc.* not drawing.

For every Horſe, Mare, Gelding, Mule, or Aſs, laden or unladen, and not drawing, at the Firſt Gate or Turnpike which any ſuch Horſe, Mare, Gelding, Mule, or Aſs ſhall paſs, the Sum of One Penny Halfpenny, and at the Second Gate or Turnpike the further Sum of One Halfpenny:

For every Drove of Oxen, *etc.*

For every Drove of Oxen or Neat Cattle, at each and every Gate or Turnpike which they ſhall paſs, the Sum of Ten-pence *per* Score, and ſo in Proportion for any greater or leſs Number, for the whole Length or any ſhorter Diſtance of the ſaid Diſtrict of Road:

For every Drove of Calves, *etc.*

For every Drove of Calves, Swine, Sheep, or Lambs, at each and every Gate or Turnpike which they ſhall paſs, the Sum of Five-pence *per* Score, and ſo in Proportion for any greater or leſs Number (except for One, One Halfpenny), for the whole Length or any ſhorter Part of the ſaid Road; any Thing in the ſaid recited Acts, or either of them, or any Proviſo therein contained, or any other Law or Statute contained, to the contrary in anywiſe notwithſtanding.

Which Tolls are veſted in the Truſtees.

Which ſaid ſeveral Tolls ſhall be and the ſame are hereby veſted in the ſaid Truſtees; and the ſame, and every Part thereof, ſhall be collected, recovered, levied, paid, applied, aſſigned, varied, and diſpoſed of, in ſuch and the ſame Manner, and by ſuch Ways and Means, and with ſuch Remedies for Non-payment or Evaſion thereof, and with ſuch Powers, Proviſoes, Exemptions, and Reſtrictions, as are contained in the ſaid recited Acts with reſpect to the ſaid Road from *Leeds* to *Otley*, but ſubject to the Regulations and Alterations in this Act contained.

Truſtees may reduce the Tolls at any publick Meeting.

VII. Provided always, and be it further enacted, That it ſhall be lawful 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 One Calendar Month's Notice ſhall be given in Writing, to be affixed on all the Turnpikes then erected upon the ſaid Road between *Leeds* and *Otley*, and in One or both of the *Leeds* Newſpapers, ſo long as the ſame ſhall be publiſhed, from Time to Time to leſſen or reduce all

all or any of the Tolls granted by this Act, for and during such Time as the said Truſtees, or any Seven or more of them, 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 Tolls 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.

Truſtees may apportion the Tolls.

VIII. Provided always, and be it further enacted, That for and notwithſtanding any Thing herein, or in the ſaid recited Acts, or either of them, contained, it ſhall be lawful for the ſaid Truſtees, or any Seven or more of them, at any Meeting or Meetings, upon giving ſuch Notice as aforeſaid, to order and direct the Tolls, hereby granted and directed to be paid at the Gates or Turnpikes upon the ſaid Diſtrict of Road, to be taken and received in different Portions, at ſuch and ſo many of the Gates and Turnpikes which are or ſhall be erected upon the ſaid Diſtrict of Road, as they the ſaid Truſtees, or any Seven or more of them, ſhall think proper.

Power to Truſtees to compound.

IX. Provided always, and be it further enacted, That in caſe the Toll Bars erected or which may be erected on the ſaid Diſtrict of Road ſhall be continued or erected within the Townſhip of *Leeds* and the Townſhip of *Otley* aforeſaid, or either of them, it ſhall be lawful for the ſaid Truſtees, or any Seven or more of them, at any of their Meetings, and they are hereby empowered, from Time to Time, as they ſhall ſee convenient or think fit, to compound for any Term not exceeding Three Years, with the ſeveral Perſons who ſhall reſide within the Townſhip of *Leeds*, or within the Space of Two Miles North Weſterly of the Meſſuage or Dwelling Houſe at the North Weſt End of the Town of *Leeds*, in the Occupation of *Thomas Strother*, and alſo with the ſeveral Perſons who ſhall reſide within the Townſhip of *Otley*, or within Two Miles South Eaſterly of the Gate or Turnpike now erected at the South-Eaſt End of the Town of *Otley* aforeſaid, for any Sum or Sums of Money, to be paid quarterly or otherwiſe, from Time to Time after ſuch Agreement ſhall be made, but ſubject to ſuch Conditions and Reſtrictions as the ſaid Truſtees ſhall think proper; any Thing in this or the ſaid recited Acts, or any Law or Statute contained to the contrary in anywiſe notwithſtanding.

Meetings.

X. And it is hereby further enacted and declared, That the ſaid Truſtees, or any Seven or more of them, ſhall and may meet at the Rotation Office in *Leeds*, upon the Twenty-firſt Day of *April*, in the Year of our Lord One thouſand eight hundred and two, between the Hours of Ten in the Forenoon and Two in the Afternoon, and ſhall then and there proceed to carry this Act and the ſaid recited Acts into Execution, and ſhall then and from Time to Time afterwards adjourn themſelves to the ſame or ſuch other Place near to any Part of the ſaid Diſtrict of Road from *Leeds* to *Otley*, as the ſaid Truſtees, or the major Part of them preſent at any ſuch Meeting, ſhall think proper and convenient, for putting this Act and the ſaid recited Acts into Execution; and if it ſhall happen that there ſhall not appear at any ſuch Meeting a ſufficient Number of Truſtees to act or to adjourn to another Day (Two Truſtees being hereby deemed ſufficient for the Purpoſe of Adjournment only), or in caſe the Truſtees at any Time aſſembled ſhall omit or neglect to adjourn themſelves, the Clerk to the ſaid

Truſtees ſhall, from Time to Time, as often as ſuch Caſe ſhall happen, adjourn ſuch Meeting to ſome other Day, within Three Calendar Months from the Day on which ſuch Adjournment ſhall be made, and ſhall cauſe Notice thereof to be given in Writing, affixed on all the Turnpikes erected upon the ſaid Road, or by an Advertiſement or Advertiſements to be inſerted in One or both of the *Leeds* Newſpapers, at leaſt Ten Days before the Day to which ſuch Meetings ſhall be ſo adjourned.

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

XI. And be it further enacted, That if any Money ſhall be agreed or awarded to be paid for any Lands, Grounds, or other Hereditaments, purchaſed, taken, or uſed by virtue of the Powers of the ſaid recited Acts and this Act, for the Purpoſes thereof, which ſhall belong to any Corporation, Feme Convert, Infant, Lunatick, or Perſon or Perſons under any Diſability or Incapacity, as in the ſaid firſt recited Act particularly mentioned, 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 *ex parte* the Truſtees for executing the ſaid Acts and this Act, 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 ſaid Lands, Grounds, or other Hereditaments, in the Purchaſe of the Land Tax, or towards the Diſcharge of any Debt or Debts, or ſuch other Incumbrance, or Part thereof, as the ſaid Court ſhall authorize to be paid, affecting the ſame Lands, Grounds, or other Hereditaments or affecting other Lands, Grounds, 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 the like Direction and Approbation of the ſaid Court, in the Purchaſe of other Lands, Grounds, 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, Grounds, or other 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 and capable of taking Effect; and in the mean Time and until ſuch Purchaſe ſhall be made, the ſaid Money ſhall, by Order of the ſaid 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 mean Time 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 Lands, Grounds, or other Hereditaments ſo hereby directed to be purchaſed, in caſe ſuch Purchaſe or Settlement were made.

Application where the Compenſation Money ſhall be leſs than 200*l.* and above 20*l.*

XII. Provided always, and be it further enacted, That if any Money ſo agreed or awarded to be paid for any Lands, Grounds, or other Hereditaments, purchaſed, taken, or uſed for the Purpoſes aforeſaid, and belonging to any Corporation, or to any Perſon or Perſons under Diſability

bility or Incapacity as aforeſaid, ſhall be leſs than the Sum of Two hundred Pounds, and ſhall 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, Grounds, or other 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, 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, (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 thereon, may be applied in any 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 Court of Chancery.

Application where the Money is leſs than 20*l.*

XIII. Provided alſo, 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, Grounds, or other Hereditaments ſo purchaſed, taken, or uſed for the Purpoſes of the ſaid Acts and this Act, in ſuch Manner as the ſaid Truſtees, or any Five or more of them, ſhall think fit, or in caſe of Infancy or Lunacy, 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.

Expences of this Act to be paid.

XIV. And be it further enacted, That all the Charges and Expences attending the obtaining and paſſing of this Act, ſhall be paid out of any Money already collected or received by virtue of the ſaid recited Acts, or out of the Firſt Money to be received by virtue of the ſaid Acts and this Act, in Preference to any other Payment whatſoever.

Publick Act.

XV. And be it further enacted, That this Act ſhall be deemed, adjudged, and taken to be a publick Act, and ſhall be judicially taken Notice of as ſuch by all Judges, Juſtices, and other Perſons whomſoever, without ſpecially pleading the ſame.

Term of this Act.

XVI. And be it further enacted, That the Term granted by the ſaid recited Acts, ſo far as relates to the ſaid Road from *Leeds* to *Otley*, ſhall, upon the Firſt Meeting of the Truſtees herein-before appointed, ceaſe and determine; and that the ſaid Acts (ſubject as aforeſaid) and this Act, ſhall from thenceforth continue and be in force, and be executed, for and during the Term of Twenty-one Years, and from thence to the End of the then next Seſſion of Parliament.

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