ANNO QUARTO

GEORGII IV. REGIS.

Cap. lxxvii.

An Act for more effectually repairing the *Wadsley* and *Langset* Turnpike Road, and extending the same in Two Lines to join the *Huddersfield* and *Woodhead* Turnpike Road, in the Townships of *Upperthong* and *Honley* in the West Riding of the County of *York*. [30th *May* 1823.]

WHEREAS an Act was passed in the Forty-fifth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for making and keeping in repair a Carriage Road, to branch out of the* Sheffield *and* Peniston *Turnpike Road, in the Township of* Wadsley *in the West Riding of the County of* York, *to join the* Doncaster *and* Salter's Brook *Turnpike Road in the Township of* Langset *in the said West Riding:* And whereas the Trustees appointed in and by virtue of the said recited Act have proceeded to put the same in Execution, and have borrowed on the Credit of the Tolls thereby granted considerable Sums of Money, which still remain due and cannot be repaid, nor can the said Road be effectually amended, improved, and kept in repair, unless further Tolls and Powers are granted, and other Provisions made for those Purposes: And whereas the making and maintaining of 45 G.3.c.107.

Two additional Lines of Road, severally extending from the present Termination of the *Wadsley* and *Langset* Road, in the Township of *Langset*, the One of them by way of *Saughley* and *Cross* to join the *Huddersfield* and *Woodhead* Turnpike Road, in the Township of *Upperthong* in the Parish of *Almondbury* in the said West Riding; and the other of such additional Lines of Road by way of *New Mill*, through certain ancient Inclosures called the *Neeleys*, to join the *Huddersfield* and *Woodhead* Turnpike Road in the Township of *Honley* in the said Parish of *Almondbury*, would be of public Utility: And whereas an Act was passed in the Third Year of the Reign of His present Majesty King *George* the Fourth, intituled *An Act to amend the general Laws now in being for regulating Turnpike Roads in that Part of* Great Britain *called* England: And whereas it is expedient that the said recited Act of the Forty-fifth Year of the Reign of His said late Majesty should be repealed, and that other Provisions should be made instead thereof: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Second *Monday* next after the passing of this Act, the said recited Act of the Forty-fifth Year of the Reign of His said late Majesty shall be and the same is hereby repealed and made void; and that this Act shall be applied and put in Execution for and during the Term herein-after mentioned, for making, amending, widening, improving, and keeping in repair the several public Carriage Roads herein-after described; (that is to say), for amending, widening, improving, and repairing the present Road leading from the *Sheffield* and *Peniston* Turnpike Road, in the said Township of *Wadsley*, to the *Doncaster* and *Salter's Brook* Road, in the said Township of *Langset*, commonly called the *Wadsley* and *Langset* Road; and also for making, amending, widening, improving, and keeping in repair the said Two additional Lines of Road from the present Termination of the said *Wadsley* and *Langset* Road, in the Township of *Langset*, the one by way of *Saughley* and *Cross*, to join the said *Huddersfield* and *Woodhead* Turnpike Road, in the said Township of *Upperthong*, and the other by way of *New Mill*, to join the same Turnpike Road in the said Township of *Honley*.

3 G. 4. c. 126.

Repeal of 45 G. 3. c. 107.

Roads described.

Provisions of 3 G. 4. c. 126. extended to this Act.

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

Debts and Credits under the former Act secured by this Act.

III. And be it further enacted, That this Act and the Term and Tolls hereby granted, affecting or arising from the said *Wadsley* and *Langset* Road, shall be and the same are hereby declared to be subject and liable to the Payment of all Sums of Money, Debts and Demands, now due and owing on the Credit or Security of the said recited Act of the Forty-fifth Year of His late Majesty's Reign hereby repealed, and all Interest due and to grow due on any of them respectively; and all and every Person and Persons by whom any Sum of Money may be owing to the Trustees

for executing the said recited Act of the Forty-fifth Year of the Reign of His said late Majesty, shall be liable to the Payment thereof to the Trustees of the same Road hereby appointed or authorized to be appointed; and all Bonds, Conveyances, Covenants, Agreements, Contracts and Securities, made to or by or entered into by any Person or Persons to or with the Trustees of the said former Act hereby repealed, shall remain in full force and effect, and shall be and continue available in all Courts of Law and Equity until the same are fully satisfied and performed on account of and for the Benefit of the Trustees under this Act; and all Lettings of Tolls, Orders, Contracts, and Agreements, made and entered into by the Trustees of the said former Act, shall, so far as the same are not altered or avoided by this Act, remain in full force and effect, and be observed and kept by the Trustees of the same Road appointed or to be appointed by this Act, according to the Stipulations thereof; the Repeal of the said former Act, or any Law to the contrary notwithstanding.

Books of Proceedings under former Act made Evidence.

IV. And be it further enacted, That all Books of Proceedings of the Trustees in the Execution of the said former Act, provided according to the Directions or Provisions thereof, and thereby made Evidence, shall and may be read in Evidence in all Cases of Appeal, and in all Suits, Actions, Controversies, or Disputes touching any thing done by virtue or in pursuance of the said last-recited Act or this Act, or in anywise relating thereto.

Division of the Road into Three Districts.

Wadsley and Langset District;

Holmfirth District; and

New Mill District.

Tolls received in each District to be applied for that District.

V. And be it further enacted, That the several Roads comprised in this Act shall be divided into Three separate Districts or Trusts, and that the said Road called "The *Wadsley* and *Langset* Turnpike Road" shall be one of such Districts or Trusts, and be called or described "The *Wadsley* and *Langset* District;" the said additional or extended Line of Road through *Saughley* and *Cross* shall be another of such Districts or Trusts, and be called "The *Holmfirth* District;" and the said additional or extended Line of Road through *New Mill* shall be the other of such Districts or Trusts, and be called "The *New Mill* District;" and that all the Money arising from Tolls and otherwise by virtue of this Act within the *Wadsley* and *Langset* District, shall be exclusively applicable to the Expences of executing so much of this Act as relates to the same District; and that all Monies arising from Subscriptions, Tolls, or otherwise, by virtue of this Act, within the said *Holmfirth* District, shall be exclusively applicable to the Expences of executing so much of this Act as relates to the same District; and further, that all Monies arising from Subscriptions, Tolls, or otherwise, by virtue of this Act, within the said *New Mill* District, shall be exclusively applicable to the Expences of executing so much of this Act as relates to the same District.

Trustees for the Wadsley and Langset District.

VI. And be it further enacted, That all His Majesty's Justices of the Peace acting for the said West Riding of the County of *York*, *Thomas Ash*, *Joseph Bailey*, *John Bailey*, *Richard Bayley*, *Thomas Newman Bardwell*, *Ralph Blakelock*, *Thomas Booth*, *John Booth*, *Robert Brightmore*, *Charles Brookfield*, *Ebenezer Brookes*, *John Brown*, *Peter Brownell*, *John Butcher*, *James Burbeary*, *Benjamin Burbeary*, *Thomas Champion*, the Master of the Corporation of Cutlers within *Hallamshire* for the Time being, *Peter Cadman*, *Joseph Cam*, *Stuart Corbett* the younger, *Samuel Deakin*,

Deakin, James Deakin, Thomas Deakin, George Deakin, Thomas Dunn, John Eadon, Joel Eaton, Henry Elgie, Michael Ellison, Vincent Henry Eyre, John Eyre, Fenton, John Fletcher Clerk, *John Fox, Edward Fox, John Frith, Robert Gainsford, Joseph Grayson, Thomas Grayson, John Green, George Hall, Henry Hartop, William Harwood* the younger, *Samuel Hadfield, Rowland Hodgson, Thomas Beard Holy, George Hounsfield, Bartholomew Hounsfield, John Hirst Hoyland, William Jarvis, John Jones, Samuel Kirkby, Arnold Knight* Doctor of Medicine, *Philip Law, Henry Longden, Samuel Lucas* the younger, *William Marsden, Jonathan Marshall, Gamaliel Milner* the younger, *John Milner, Samuel Mitchell* the younger, *John Morton, John Newbould, Henry Newbould, Thomas Newbould, William Newbould, William Newman, Isaac Newton, John Parker, Ebenezer Parker, Adamson Parker, Francis Parker* Clerk, *Joseph Parkin, John Payne, Richard Eckroyd Payne, Thomas Pearson, Samuel Peach, Thomas Pierson, William Proctor, Thomas Rawson, James Rawson, Joseph Read, John Read, Samuel Revell, Ebenezer Rhodes, James Rimington, Henry Rimington, Samuel Roberts, Robert Rodgers, Maurice Rodgers, Joseph Rodgers, Benjamin Rose, Benjamin Sayle, John Shore* the younger, *Offley Shore,* Sir *George Sitwell* Baronet, *Mark Skelton* the younger, *Joseph Dixon Skelton, John Sorby* the younger, *James Sorby, William Staniforth* the younger, *John Staniforth, Richard Stanley, Broughton Benjamin Steade, Edward Steade, Thomas Sutton* Clerk, *Richard Swallow* the younger, *Bernard John Wake, Thomas Ward, Thomas Asline Ward, Samuel Broomhead Ward, Samuel Broomhead Ward* the younger, *James Wheat, Frederick Wilkinson, William Wilson* the younger, *Joseph Wilson* the younger, *Benjamin Withers, John Stuart Wortley, Charles Stuart Wortley, William Younge* Doctor of Medicine, *William Younge, George Younge, Samuel Younge,* and *Charles Younge,* and their Successors, together with such other Persons, not exceeding the Number of Five, as the said Trustees shall at their First or any subsequent Meeting nominate in that behalf, shall be and they are hereby appointed Trustees for repairing, widening, improving, keeping in repair, Care and Management of the said Road herein-before described and comprised in the said *Wadsley* and *Langset* District, and for carrying into Execution the several Powers, Purposes, and Trusts of this Act, so far as the same relate to such District.

Trustees for the Holmfirth District.

VII. And be it further enacted, That all His Majesty's Justices of the Peace acting for the said West Riding of the County of *York, John Bates, James Bates, William Bates, Benjamin Bates, Joseph Batley, Timothy Bentley, Richard Boothroyd, John Boothroyd, Tedbar Boothroyd, Joseph Bray, James Brook, Joseph Brook, Jonas Brook, Charles Brook, James Brooke, Jonathan Brooke, Ely Brooke, John Brooke, Benjamin Butterworth, Joseph Charlesworth, Joseph Rhodes Charlesworth, David Charlesworth, Joshua Charlesworth, James Charlesworth, Joshua Cuttell* the younger, *Joseph Cuttell, Abel Cuttell, William Dickinson, Joseph Dickinson, John Dickinson, Frederick Dickinson, James Farrar, George Farrar, Thomas Farrar, George Farrar* the younger, *John Gartside, George Gartside, Joseph Gartside, Samuel Hadfield, George Haigh, Haigh, John Harpin, Joshua Hinchliffe, Joseph Hinchliffe, James Hinchliffe, George Hinchliffe, John Hinchliffe, Jonathan Hirst, John Hirst, James Horncastle, Joseph Johnson, Joshua Littlewood, Thomas Littlewood, Robert Pemberton Milnes, Matthew Moorhouse, Joseph Moorhouse, Joshua Moorhouse, Robert Morrey, John Newton, James Rimington, James Shaw, Robert Shaw, Henry Shaw, Jonathan Shaw, William Stansfield,*

field, William Stephenson, Samuel Stephenson, James Stocks, James Stocks the younger, *John Taylor, George Taylor, Uriah Tinker, Ebenezer Tinker, John Tinker, John Tinker* the younger, *Jonathan Tunnicliffe, Jonathan Turner, Joseph Turner, Jonathan Wadsworth, John Wagstaff, John Wagstaff* the younger, *Ely Wimpenny*, and *John Woodhead*, and their Successors, together with such other Persons, not exceeding the Number of Five, as the said Trustees shall at their First or any subsequent Meeting nominate in that Behalf, shall be and they are hereby appointed Trustees for making, keeping in Repair, Care and Management of the said Road herein-before described, and comprised in the said *Holmfirth* District, and for carrying into Execution the several Powers, Purposes, and Trusts of this Act, so far as the same relate to that District.

Trustees for the New Mill District.

VIII. And be it further enacted, That all His Majesty's Justices of the Peace acting for the said West Riding of the County of *York, John Armitage, John Bates, Timothy Bentley, Charles H. Bill, William Bingley, Benjamin Bradshaw, James Brook, Joseph Brook, Jonas Brook, William Brook, Carr* the younger, *James Deakin, Elihu Dickinson, Joseph Eastwood, James Eastwood, John Firth* the younger, *John Greaves, Samuel Hadfield, Benjamin Haigh, Hargreaves, John Heywood, Jonathan Hinchcliffe, John Hustler* the younger, *B. Hutchinson* Clerk, *John Kaye, James Moorhouse, William Moorhouse, Railton* Clerk, *William Rawson, John Rothwell, James Shaw, Joshua Shaw, John Shaw, Thomas Shaw, Uriah Tinker, Philip Tinker, Tedbar Tinker, John Tinker* the younger, *Ebenezer Tinker, Uriah Tinker* the younger, *Abel Tinker* the younger, *John Tinker, Thomas West, John Wilson, Benjamin Wilson*, and *Abraham Woodhead*, and their Successors, together with such other Person or Persons not exceeding the Number of Five, as the said Trustees shall at their First or any subsequent Meeting nominate in that Behalf, shall be and they are hereby appointed Trustees for making, keeping in Repair, Care and Management of the said Road herein-before described and comprised in the said *New Mill* District, and for carrying into Execution the several Powers, Purposes, and Trusts of this Act, so far as the same relate to that District.

First Meeting of Trustees.

IX. And be it further enacted, That the Trustees for the said *Wadsley* and *Langset* District shall and may meet at the *Angel* Inn at *Sheffield*, or at some other convenient Place, on the Third *Thursday* next after the passing of this Act; the Trustees for the said *Holmfirth* District shall and may meet at the *White Hart* Inn at *Holmfirth*, or at some other convenient Place, on the Third *Friday* next after the passing of this Act; and the Trustees for the said *New Mill* District, shall and may meet at the *Bull's Head* Inn at *New Mill*, or at some other convenient Place, on the Third *Saturday* next after the passing of this Act, and thence adjourn from Time to Time as they severally shall think proper; provided that the Meetings of the said several Trustees shall always be held at some Place within the Distance of Six Miles from some Part of the District of Road for which they shall respectively act.

Trustees to be sworn.

X. And be it further enacted, That no Person hereby appointed, or who shall hereafter be chosen or appointed a Trustee for any of the said Districts, shall be qualified or capable of becoming and acting as a Trustee in the Execution of this Act, until he shall have taken and subscribed

the Oath, or (being One of the People called *Quakers*) the Affirmation following, before any Two or more of the said several Trustees, who are hereby respectively authorized and empowered to administer the same, in the Words or to the Effect following; (that is to say),

'I do swear, [*or, being One of the People called Quakers,* do solemnly affirm,] That I will truly, faithfully, and impartially act in the Execution of the Trusts and Powers reposed in me by virtue of an Act passed in the Fourth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act* [*here insert the Title of this Act.*] So help me GOD.'

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

And if any Person shall act as a Trustee in the Execution of this Act except as aforesaid) before he shall have taken and subscribed the said Oath or Affirmation, 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, together with full Costs of Suit, by Action of Debt or on the Case, or by Bill, Plaint, or Information, in any of His Majesty's Courts of Record at *Westminster:* Provided always, that no Act or Proceeding touching the Execution of the said recited Act of the Third Year of the Reign of His present Majesty, or this Act, which shall be done or performed by any such Person who shall have omitted or neglected to take and subscribe the Oath or Affirmation by this Act prescribed, shall be thereby impeached or rendered nugatory, but all such Proceedings shall be as valid and effectual as if such Person had taken and subscribed such Oath or Affirmation previously to his having acted as such Trustee as aforesaid.

Maps and Books of Reference deposited with the Clerk of the Peace.

XI. And whereas a Map or Plan, describing the said Two additional or extended Lines of Road intended to be made by virtue of this Act, and the Lands through which the same are proposed to be carried, together with a Book of Reference containing a List of the Names of the Owners or reputed Owners and Occupiers of such Lands, hath been deposited in the Office of the Clerk of the Peace for the said West Riding: And whereas another Map or Plan varying the Course or Direction of the *New Mill* Line of Road from a Place called *Smithy Place* to the Termination thereof at or near *Honley Bar,* in the said Township of *Honley,* and describing the new Line of Road, and the Lands through which the same is intended to be carried, together with a Book of Reference containing a List of the Names of the Owners or reputed Owners and Occupiers of such Lands, has been deposited in the Office of the said Clerk of the Peace; be it therefore enacted, That the said Maps or Plans and Books of Reference shall remain in the Custody of the Clerk of the Peace of the said Riding for the Time being, to the end that all Persons may at all seasonable Times have Liberty to inspect and peruse the same respectively, and to take Copies thereof, or Extracts therefrom, paying to such Clerk of the Peace the Sum of One Shilling for every such Inspection, and after the Rate of Four-pence for every Seventy-two Words of such Copies or Extracts; and that the said respective Trustees and other Persons hereby authorized, shall not, in making, altering, or widening the said Roads, deviate more than One hundred Yards from the respective Lines described in the said first-mentioned Map or Plan, save as the same are varied or altered by the said second-mentioned Plan; and that the

Power for Persons to make Extracts therefrom at Prices affixed.

said Trustees and other Persons hereby authorized shall not, in making, altering, or widening the Road comprised in the second-mentioned Plan, deviate more than One hundred Yards from the Line described therein, without the Consent in Writing of the Person or Persons, Body Politic, Corporate, or Collegiate, through whose Lands or Grounds such Deviations shall be made respectively.

Provision in case of Mistakes in Books of Reference.

XII. Provided always, and be it further enacted, That it shall and may be lawful to and for the respective Trustees to make the said Two additional or extended Lines of Road comprised in this Act, into, through, across, or over the several Lands or Grounds of any Person or Persons who is, or are, or may be Owner or Owners of Land, over which the same are severally set out and described in the said Maps or Plans as aforesaid, although the Name or Names of such Person or Persons may happen to be erroneously stated or omitted in the said Books of Reference, in case it shall appear to any Two or more Justices of the Peace for the said Riding, and shall be certified by Writing under their Hands, that such Error or Omission proceeded from Mistake; and it shall also be lawful for the said Trustees, for the Purposes aforesaid, to pull down, or take and lay into the said Roads, any Houses, Buildings, Tenements, or Hereditaments mentioned or comprised in the Schedule to this Act marked (A), making Satisfaction to the Owners thereof and Persons interested therein for the same, or for the Damage they may sustain thereby.

Trustees restrained from pulling down Houses.

XIII. And be it further enacted, That nothing in this Act contained shall authorize or empower the said Trustees, in making, repairing, widening, and improving the said Roads, or either of them, to take or pull down any Dwelling House or other Building, or any Part thereof, or to take in or make use of any Curtilage, Garden, Orchard, Yard, Park, Paddock, Lawn, Shrubbery, planted Walk, or Avenue to a House, or any inclosed Ground planted and set apart as a Nursery for Trees, or any Part thereof, without the Consent in Writing of the Owner or Proprietor thereof first had and obtained for that Purpose, save and except such as are mentioned or comprised in the Schedule to this Act marked (A.)

Fences to be made by Trustees on new Lines of Road.

XIV. And be it further enacted, That the said Trustees for the said *Holmfirth* and *New Mill* Districts respectively, shall build proper Walls, or plant Quickset Fences along the Sides of the Roads in such Districts respectively, of the Height of Four Feet at the least, as and for Fences to and for the Lands adjoining, except only where the same Roads or any Part thereof respectively shall or may pass over or through any Commons or Waste Grounds, or over or through Two certain Allotments called or known by the Name of the *Bordhill Flatt Allotments*.

Old Officers to continue until new ones appointed.

XV. And be it further enacted, That every Clerk, Collector of the Tolls, Surveyor, and other Officer and Officers (other than the Treasurer), nominated and appointed under and by virtue of the said Act hereby repealed, shall hold or enjoy their respective Offices and Employments until he or they shall be removed therefrom respectively by the said Trustees; and every such Clerk, Collector, Surveyor, or other Officer or Officers, shall have the like Powers and Authorities for carrying this Act into Execution, and shall be subject and liable to the like Pains and Penalties,

Penalties, and to the like Powers of Removal, and to the like Rules and Regulations, in all respects whatsoever, as if he or they had been nominated or appointed under or by virtue of this Act.

Prohibiting the same Person from acting as Clerk and Treasurer.

XVI. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees to continue or appoint the Person or Persons who has been or may be appointed their Clerk or Clerks in the Execution of this Act, or the Partner of any such Clerk or Clerks, or the Clerk or Clerks or other Person or Persons in the Service or Employ of any such Clerk or Clerks, the Treasurer or Treasurers for the Purposes of this Act, or to continue or appoint any Person or Persons who has been or may be appointed Treasurer or Treasurers, or the Partner or Partners of any such Treasurer or Treasurers, the Clerk or Clerks to the said Trustees; and if any Person shall accept both the Offices of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of any such Clerk or Clerks, or the Clerk or Clerks or other Person or Persons in the Service or Employ of any such Clerk or Clerks, shall accept the Office of Treasurer, or being the Partner of any such Treasurer or Treasurers shall accept the Office of Clerk in the Execution of this Act, or if any such Treasurer shall hold or accept any Place or Office of Profit or Trust under the said Trustees other than that of Treasurer, every such Person so offending shall for every such Offence forfeit and pay the Sum of Fifty Pounds to any Person who shall sue for the same, to be recovered, with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action 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.

Power for Trustees to appoint Officers,

XVII. And be it further enacted, That the Trustees for each of the said Three several Districts respectively, at any of their Meetings, by Writing under their Hands, shall and may from Time to Time appoint a Clerk or Clerks, Treasurer or Treasurers, Collector or Collectors of the Tolls, and a Surveyor or Surveyors of the said Roads, and such other Officers as they the said Trustees for such respective Districts shall think necessary, and may from Time to Time remove any such Officer or Officers, and on the Death or Removal of any such Officer or Officers may appoint others in their stead; but Twenty-one Days previous Notice shall be given of every Meeting where any such Appointment shall be made, of the Intention of making such Appointment, as to the said *Wadsley* and *Langset* District, in some One of the Papers published at *Sheffield* aforesaid, and as to the said *Holmfirth* District and *New Mill* District respectively, in some One of the Newspapers published at *Leeds*; and the Trustees for each such District shall and may and are hereby authorized and empowered, by and out of the Monies arising by virtue of this Act, to pay such Salaries, and make such Allowances to such Officers, and also to other Persons employed, and who shall assist in the Execution of this Act, for their Services in and about the carrying of this Act into Execution, as the Trustees for each such District shall think reasonable.

and to allow Salaries.

Power for Trustees to continue

XVIII. And be it further enacted, That it shall be lawful for the said Trustees of the said *Wadsley* and *Langset* District, if they shall think proper, to continue all and every or any of the Turnpikes or Toll Gates and Toll

Toll Houses now standing and being in and upon or across the said Road, or on the Sides thereof, in the same District, and also for the said Trustees of each of the said Three several Districts to erect, set up, and build, upon, in, and across the Roads in each of the same Districts respectively, or any Part thereof, or upon or across the Entrance to any public Road, Lane, or Way leading into the same, or any Part thereof, when, where, and as they shall judge necessary, subject to the Provision herein-after contained, any Gate or Gates, Turnpike or Turnpikes, Side Bar or Side Bars, Chain or Chains, Weighing Machine or Weighing Machines, Toll House or Toll Houses, with Outbuildings and Conveniences suitable thereto, at or near each Toll Gate or Weighing Machine, and to take in and inclose on the Sides of the Roads suitable Garden Spots for such Toll House or Toll Houses, not exceeding One-eighth Part of a Statute Acre each, as they shall think necessary, and from Time to Time to take down and remove, or to alter and discontinue the same, or any of them, as the said Trustees respectively shall think proper and direct or appoint.

present Toll Gates and erect others.

XIX. Whereas the Inhabitants of *Wadsley* and other Places adjacent pass over the said Road in the *Wadsley* and *Langset* District, between the Commencement thereof in the said Township of *Wadsley*, and the Beginning of an ancient Highway there, leading to *Wadsley*, for the Space of not more than Three hundred and ten Yards, and it is therefore proper that no Toll should be demanded or taken within those Limits; be it therefore enacted, That no Turnpike or Toll Gate, Side Bar, Gate or Chain, shall at any Time during the Continuance of this Act be erected within the Distance of Three hundred and ten Yards from the Commencement of the said Road in the said *Wadsley* and *Langset* District in the said Township of *Wadsley*.

No Toll Gate to be erected within 310 Yards of the Commencement of the Wadsley and Langset District of Road.

XX. Provided always, and be it further enacted, That it shall be lawful for the said Trustees for each respective District, from Time to Time, when and so often as they shall think proper, to cause any of the Toll Gates or Turnpikes which may be in such District, and which shall have been erected in, upon, or across, or on the Sides of the Roads by this Act authorized to be repaired or made, or any of them, to be removed to and erected in, upon, or across, or on the Side of such other Part or Parts of the Road in the same District, as the said Trustees shall from Time to Time order and direct; but none of the said Toll Gates or Turnpikes shall be removed as aforesaid unless Twenty Days previous Notice of the Intention to remove the same shall have been affixed in Writing upon all the Toll Gates or Turnpikes then erected across the same Road, and inserted in some one Newspaper published at *Sheffield* aforesaid, as to the said *Wadsley* and *Langset* District, and at *Leeds* aforesaid, as to the said *Holmfirth* District and *New Mill* District respectively.

Power to remove Toll Gates.

XXI. And be it further enacted, That it shall be lawful for the said Trustees absolutely to sell and dispose of any Toll House or Toll Houses erected by virtue of the said Acts hereby repealed, on the said Roads to be improved and repaired by virtue of this Act, or hereafter to be erected by virtue of this Act, and the Ground whereon the same may stand, with the Outhouses, Gardens, and Appurtenances thereunto belonging, where

Power to sell Toll Houses.

where they shall be considered by the said Trustees useless and unnecessary for the Purposes of this Act, to any Person or Persons whomsoever, either by public Auction or private Sale, at or for such Price or Prices as they the said Trustees can obtain for the same, and in case of Sale to convey the said Toll Houses, Gardens, and Appurtenances to the Person or Persons who shall purchase the same, as an Estate or Estates of Inheritance in Fee Simple; and the Person or Persons who shall purchase the same, his, her, or their Heirs or Assigns, shall, upon Payment of his, her, or their Purchase Money to the said Trustees, or to their Treasurer or Treasurers for the Time being, hold and enjoy the Premises by him, her, or them so purchased, discharged from all Trust, and free from all Incumbrances whatsoever, and shall not be obliged to see to the Application of his, her, or their Purchase Money, nor be answerable for the Misapplication or Nonapplication thereof: Provided always, that such Preference of purchasing shall be given to the Owner or Owners of the adjoining Land, as is by the said last-recited Act directed to be given where any Piece or Pieces of Ground or old Road, not wanted for the Purposes of any Turnpike Road, is authorized to be sold and disposed of.

Power to take Tolls.

XXII. And be it further enacted, That from and after the said Second *Monday* next after the passing of this Act it shall be lawful for the said Trustees of each District respectively, or any Person or Persons appointed or continued or to be appointed by virtue of this Act Collector or Collectors as aforesaid, to demand and take the several Tolls following at the Turnpikes or Toll Gates, or Side Bars or Gates or Chains which are or shall be standing and being or continued or erected by virtue of this Act in, upon, across, or on the Side or Sides of the said Roads respectively, or any Part thereof, subject to the Restrictions and Exemptions contained in and by the said Act of the Third Year of the Reign of His said present Majesty, or any other Act of Parliament for amending or altering the same; (that is to say),

Tolls.

For every Horse or other Beast drawing any Coach, Landau, Sociable, Chariot, Curricle, Calash, Hearse, Chaise, Phaeton, Whiskey, Gig, Chair, or Taxed Cart, or any other Carriage on Springs, the Sum of Three-pence:

For every Horse or other Beast drawing any Waggon, Wain, Cart, or other such Carriage, having the Fellies of the Wheels thereof of the Breadth of Six Inches at the Bottom or Soles thereof, the Sum of Three-pence:

For every Horse or other Beast drawing any Waggon, Wain, Cart, or other such Carriage, having the Fellies of the Wheels thereof of the Breadth of Four and a Half Inches, and less than Six Inches at the Bottom or Soles thereof, the Sum of Four-pence:

For every Horse or other Beast drawing any Waggon, Wain, Cart, or other such Carriage, having the Fellies of the Wheels thereof of less Breadth than Four and a Half Inches at the Bottom or Soles thereof, the Sum of Four-pence Halfpenny:

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

For every Bull, Cow, Ox, Steer, Heifer, Calf, or other such Beast, the Sum of One Halfpenny:

For every Hog, Pig, Goat, Sheep, or Lamb, the Sum of One Farthing.

Toll to be paid but Once a Day at each Gate.

XXIII. Provided always, and be it further enacted, That no Person shall be subject to the Payment of Toll more than Once in any one Day (such Day to be computed from Twelve of the Clock in one Night to Twelve of the Clock in the next succeeding Night) for passing and repassing with the same Horse or Horses, Beasts or Cattle, through the same Turnpike (except as herein-after mentioned), such Person or Persons producing a Note or Ticket denoting the Payment of such Toll, and which Note or Ticket the Collectors of the Tolls are hereby required to deliver *gratis* on Payment of the Toll.

Number of Tolls limited.

XXIV. Provided always, and be it further enacted, That no more than Three full Tolls in the whole shall be demanded or taken from any Person or Persons for passing and repassing the same Day with the same Horses, Cattle, Beasts, or Carriages, through all the several Toll Gates or Turnpikes standing or to be erected by virtue of this Act in the said *Wadsley* and *Langset* District; and that no more than Two full Tolls shall in like manner be demanded or taken for passing and repassing the same Day through the several Toll Gates or Turnpikes to be erected in the said *Holmfirth* District; nor more than Two full Tolls for passing and repassing the same Day through the several Toll Gates or Turnpikes to be erected in the said *New Mill* District.

Tolls on Stage Coaches and Post Chaises.

XXV. Provided always, and be it further enacted, That the Tolls hereby made payable shall be paid for and in respect of all Horses or other Cattle drawing any Stage Coach, Van, Caravan, or Stage Waggon, or other Stage Carriage conveying Passengers or Goods for Pay or Reward, every Time of passing or repassing along the said Roads; and also for and in respect of all Horses or other Cattle drawing any Post Chaises and other Carriages travelling for Hire, for passing and repassing along the said Roads upon every Time of a new Hiring of such Post Chaises and other Carriages, on a Ticket being produced denoting a fresh Hiring.

Table of Tolls to be put up.

XXVI. And be it further enacted, That the said Trustees shall and they are hereby required to put up or cause to be put up, and afterwards to be continued, at every Toll Gate erected or continued by virtue of this Act, a Table painted in distinct and legible Black Letters on a Board with a White Ground, containing at the Top thereof the Name of the Gate at which the same shall be put up, and also a List of all the Tolls payable at every such Gate, distinguishing the several Tolls, and the different Sorts of Carriages for which they are to be paid where there shall be any Variation therein, and also a List of the several Gates which shall be wholly or partially cleared by the Payment of Toll at the Toll Gate or Bar where such Table of Tolls shall be affixed; and the said Trustees shall also provide Tickets denoting the Payment of Toll; and on such several Tickets shall be specified the Name of the Gate at which the same respectively shall be delivered, and also the Names of the several Gates freed by such Payment, One of which Tickets shall be delivered *gratis* to the Person paying the Toll; and on the Production of such Ticket at any Gate or Gates therein mentioned as being cleared as aforesaid by the Payment of the Toll at the Gate where such Ticket was delivered, the Person producing the same shall pass through the Gate or Gates therein mentioned without paying any further or additional Toll.

XXVII. Pro-

Expences of taking down Buildings at Holmfirth to be borne equally by the Trustees of this Road and other Trustees.

XXVII. Provided always, and be it further enacted, That in case the Trustees acting in Execution of any Act passed or to be passed in the present Session of Parliament shall make any Turnpike Road which shall cross or pass along Part of the *Holmfirth* District of Road hereby intended to be made Turnpike at or near *Holmfirth* aforesaid, then the Expences of purchasing for that Purpose any Buildings, and of taking down or altering the same, and of otherwise improving such Part of the said Road, and relating thereto, shall be borne and defrayed by the Trustees of both Roads, in equal Shares; and the Trustees for executing this Act as to the *Holmfirth* District shall and they are hereby empowered and required to pay One Moiety of such Expences out of the Monies to be received by virtue of this Act.

Expences of making the Road from New Mill to Lidgit Lane End to be borne equally by the Trustees of this Road and other Trustees, and no Toll to be taken thereon.

XXVIII. Provided also, and be it further enacted, That in case the Trustees acting in Execution of any Act passed or to be passed in the present Session of Parliament shall make any Turnpike Road to join the *New Mill* District of Road hereby intended to be made from a Place called *Ing Nook Lane End*, at *New Mill*, in the Parish of *Kirk Burton*, and to pass about Five hundred and forty Yards, or thereabouts, along the same Line of Road, to a Place called *Lidgit Lane End* in the said Parish, then the Expence of making such Part of the said Road as lies between *New Mill* and *Lidgit Lane End* aforesaid, and of maintaining the same in repair, and relating thereto, shall be borne and defrayed by the Trustees of both Roads, in equal Proportions; and the Trustees acting in the Execution of this Act for the said *New Mill* District shall and they are hereby empowered and required to pay One Moiety of such Expences from Time to Time out of the Monies to be received by virtue of this Act: Provided always, that it shall not be lawful for the said Trustees to erect or cause to be erected any Turnpike or Toll Gate, Bar or Chain, on the said Part of the said Road, nor to take any Toll thereon.

Application of the Money.

XXIX. And be it further enacted, That all the Monies which have arisen and been produced by virtue of the said recited Act hereby repealed, and are now remaining in the Hands of the said Trustees or their Treasurer, shall be applied for the Purposes of the *Wadsley* and *Langset* District only; and all Monies which shall arise and be produced from the Tolls by this Act granted, and all other Monies which shall arise and be produced by virtue of this Act upon each of the said Districts, and not herein otherwise appropriated or directed to be applied, shall be vested in the said Trustees for the Time being, and applied to and for the several Uses, Intents, and Purposes, and in the Order and Manner following (that is to say), in the first place, in Payment of the Costs, Charges, and Expences of preparing and passing this Act, in the Proportion and Manner herein-after mentioned; in the second place, in paying the Salaries and Wages of all Officers and other Persons employed by the Trustees in the Execution of this Act; in the third place, in paying the Interest accruing upon the several Principal Sums of Money which shall from Time to Time be due and owing on the several Mortgages and Securities of the Tolls granted by this Act; in the fourth place, in defraying the Expences of repairing, widening, and altering the said Roads, and of executing the several other Powers and Purposes of this Act; and lastly, in reducing, paying off, and discharging the several Principal Sums last aforesaid.

XXX. And

Trustees of Wadsley and Langset District may call in and cancel old Mortgages and grant new ones.

XXX. And be it further enacted, That the said Trustees of the said *Wadsley* and *Langset* District may and shall, if thereunto required, receive in and cancel all or any Mortgages, Assignments, or Securities now standing out, made, or due by virtue of the said recited Act hereby repealed, and give and execute another or others for the respective Sums therein mentioned instead and in lieu thereof respectively.

Statute Labour.

Justices to apportion yearly the Statute Labour, and Payment of Composition Money.

XXXI. And be it further enacted, That all Persons who by Law are or shall be liable to do Statute Work, or are or shall be chargeable towards the repairing and amending the said Roads, shall be and remain liable thereto in like manner in every respect as they now are or have heretofore been; and it shall be lawful for any Two or more Justices of the Peace in and for the said West Riding of the County of *York*, and they are hereby required and empowered, upon Application made to them by the Treasurer, Clerk, or Surveyor of the said Road, yearly to adjudge and determine what Part or Proportion of the Statute Work shall every Year be done upon the said Roads by the Inhabitants of the respective Parishes, Townships, and Places in or through which the said Roads do or shall lie, lead, or pass, and also what Proportion of the Money received by the Surveyor or Surveyors of the Highways of every such Parish, Township, or Place, in lieu of or as a Composition for such Statute Work as aforesaid, shall be by him, her, or them paid to the said Trustees or their Treasurer or Treasurers; and in order thereunto, it shall be lawful for such Justices from Time to Time to summon the Surveyor or Surveyors of the Highways for every such Parish, Township, or Place, to bring in a List before the said Justices, at some Place to be expressed in such Summons, within Ten Days after the serving of such Summons, of the Names of the several Persons who within such Parish, Township, or Place, are by Law subject and liable to do Statute Work for that Year, or to the Payment of any Money in lieu of or as a Composition for such Statute Work, distinguishing the Nature of the Work to be done, whether with Teams or Draughts or otherwise, and also the Amount of the respective Sums to be paid; which List of Names shall be made in such Manner and under such Regulations and Restrictions as are or may be directed by any Law or Statute in force or effect for the Repairs of the Public Highways; and out of such List the said Justices shall and may allot, appoint, and order such and so many of the Persons who shall appear to be subject and liable to do Statute Work in every Year upon the said Roads, as the said Justices shall think reasonable, and the same shall be done on such Days and at such Times (not being Hay-time or Harvest), and on such Part of the said Roads, as the said Trustees or their Surveyor or Surveyors shall from Time to Time order, direct, or appoint; and the said Justices shall and may order and direct the Surveyor or Surveyors of such Parishes, Townships, and Places respectively to pay over to the said Trustees or their Treasurer such Proportion of the Composition for Statute Work as aforesaid as they the said Justices shall think proper, and at such Time or Times as the said Justices shall direct; and each and every Person who shall neglect or refuse to do such Statute Work as aforesaid after Notice in Writing given to or left for him, her, or them, at his, her, or their last or usual Place or Places of Abode for that Purpose, by any Surveyor to the said Trustees, shall for every Day of his, her, or their Default, or the Default of any Labourer or Labourers, Team or Teams, Draught or Draughts, Horse or Horses, Beast or Beasts, to be provided by him, her, or

or them, be subject and liable to such Fines, Penalties, and Forfeitures, as such Person or Persons may be subject or liable to by any Law or Statute now in force or effect for Repairs of the Public Highways; and if any Person who shall come to work as a Labourer, or shall be sent with any Team or Draught to work on any Part of the said Roads, shall be found idle or negligent by any Surveyor to the said Trustees, such Surveyor is hereby empowered to remove and dismiss the Person who shall be found idle and negligent as aforesaid, and in that Case every such Person shall be subject and liable to the respective Forfeitures and Payments as aforesaid, as if he had neglected or refused to come, or such Team or Draught had not been sent to work on any Part of the said Roads; all which Forfeitures shall be paid to the Treasurer of the said Trustees, and applied towards amending the said Roads; and in case the Surveyor or Surveyors of the Highways for any of the said Parishes, Townships, or Places, shall refuse or wilfully neglect to give in any such Lists as aforesaid, or shall knowingly or wilfully give in false and imperfect Lists, or shall refuse or neglect to collect or pay over such Composition Money, or any Part thereof, in manner aforesaid, every such Surveyor so offending shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds; and such Composition Money shall and may be recovered from such Surveyor or Surveyors of the Highways, by Distress and Sale of his or their Goods and Chattels, by Warrant under the Hands and Seals of any Two Justices of the Peace for the said West Riding of the County of *York*, on Complaint made to such Justices by the Surveyor to the said Trustees.

In case of Nonpayment of Compensation for Materials, Damages, or Injury done by the said Trustees, &c. the same to be levied by Distress of the Goods of such Trustees or their Treasurer.

XXXII. Provided always, and be it further enacted, That when and as often as any Sum or Sums of Money shall be directed or ordered to be paid by any Justice or Justices of the Peace in pursuance of the Directions of the said recited Act of the Third Year of the Reign of His present Majesty or this Act, as or by way of Compensation or Satisfaction for any Materials, Costs, Damages, Spoil, or Injury of any Nature or Kind whatsoever, done or committed by the said Trustees, or any Person or Persons acting by or under their Authority, and such Sum or Sums of Money shall not be paid by the said Trustees to the Party or Parties entitled to receive the same, within Ten Days after Demand in Writing shall have been made, stating the Order of such Justice or Justices, from the Clerk to the said Trustees or their Treasurer, in pursuance of the Direction or Order made by such Justice or Justices, then and in such Case the Amount of such Compensation or Satisfaction shall and may be levied and recovered by Distress and Sale of the Goods and Chattels vested in the said Trustees by virtue of this Act, or of the Goods and Chattels of their Treasurer for the Time being, under a Warrant to be issued for that Purpose by such Justice or Justices of the Peace, which Warrant any such Justice or Justices is and are hereby authorized and required to grant under his Hand and Seal, or their Hands and Seals, on Application made to him or them for that Purpose by the Party or Parties entitled to receive such Sum or Sums of Money, as or by way of Compensation or Satisfaction for any such Materials, Costs, Damages, Spoil, or Injury as aforesaid; and in case any Overplus shall remain after Payment of such Sum or Sums of Money, and the Costs and Expences of hearing and determining the Matter in dispute, and also the Costs and Expences of such Distress and Sale, then and in such case such Overplus shall be returned on Demand to

the said Trustees, or to their Treasurer for the Time being, as the Case may be: Provided always, that it shall and may be lawful for such Treasurer to retain out of any Monies which he shall receive in pursuance of the said last recited Act or this Act, all such Sums, Costs, Charges, and Expences, as he shall pay or be put unto by virtue of any such Order as aforesaid.

Expences of obtaining this Act how to be borne.

XXXIII. And be it further enacted, That all the Fees and Disbursements, Costs and Expences, attending the obtaining and passing of this Act, and making the Surveys, Plans, and Estimates preparatory thereto, and all other Expences relating to the same, together with full lawful Interest for the Money from Time to Time advanced, from the Time of the Advancement until Payment, shall be paid in the Proportions and Manner following; that is to say, as to One-third Part thereof, out of the Monies now in the Hands of the said Trustees or their Treasurer or out of the first Monies that shall be collected or received by virtue of this Act in the said *Wadsley* and *Langset* District; as to One-third Part thereof, out of the Monies subscribed and first received by the said Trustees on account of the said *Holmfirth* District; and as to One-third Part thereof, out of the Monies subscribed and first received by the said Trustees on account of the said *New Mill* District.

Public Act.

XXXIV. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken Notice of as such by all Judges, Justices, and others, without being specially pleaded.

Commencement and Continuance of this Act.

XXXV. And be it further enacted, That this Act shall commence on the Second *Tuesday* next after the same shall receive the Royal Assent, and shall continue in force for the Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament.

SCHEDULE

SCHEDULE (A.)

The Schedule to which the foregoing Act refers.

OWNER.	OCCUPIER.	DESCRIPTION OF PREMISES.
	Holmfirth District.	
Abel Tinker - - } Uriah Tinker - - }	John Hinchliffe - -	A small Tenement.
Abel Tinker - - } Uriah Tinker - - }	Joseph Bottomley -	A Messuage with a Wash-house and Garden.
Mary Hinchliffe - -	Benjamin Woodhead -	Shoemaker's Shop.
Hannah Dickinson -	Herself - - -	Butcher's Shop.
Andrew Sanderson - } James Brook - }	Themselves - -	A small Dye-house.
Thomas Bedford - -	Joseph Holmes - -	Garden.
George Haigh - -	Himself - - -	Yard.
George Gartside - -	Himself - - -	Curtilage, called Mill Hill.
	New Mill District.	
Earl of Dartmouth -	Abraham Helliwell -	A small Dye-house.
George Broadhead -	Himself - - -	Garden.
John Littlewood - -	Himself - - -	Garden.
George Charlesworth -	James Hinchcliffe -	Garden.
James Marshall - -	Charles Trotter - -	A Paddock.
Jonas Hobson - -	Himself - - -	A Paddock called Bridge Royd.

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