



ANNO QUARTO & QUINTO

VICTORIÆ REGINÆ.

Cap. civ.

An Act for repairing the Road from *Dewsbury* to *Leeds* in the West Riding of the County of *York*, and for making and repairing a new Line of Road leading therefrom. [21st June 1841.]

WHEREAS an Act was passed in the Fifty-sixth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for making and maintaining a Road from Dewsbury to Leeds in the West Riding of the County of York*: And whereas the Trustees appointed in and by the said Act have proceeded to put the same into execution, and for that Purpose have borrowed several Sums of Money upon the Credit of the Tolls thereby granted, which still remain due and owing: And whereas it would be a great public Convenience if the said Trustees were authorized and empowered to make and maintain a new Line of Road herein-after particularly mentioned and set forth: And whereas it is expedient that the said recited Act should be repealed, and that further and more effectual Powers should be granted, as well for repairing and improving the said present Road as also for making and maintaining the said new Line of Road; but the Purposes aforesaid cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen'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 Day of the Commencement of this Act the said recited Act

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Recited Act repealed, and this Act to be put in force.

passed in the Fifty-sixth Year of the Reign of His late Majesty King George the Third shall be repealed, and that this Act shall thereafter be put into execution during the Term and for the Purposes hereinafter mentioned.

Present Leases to continue in force.

II. Provided always, and be it enacted, That all Leases or Letting of the Tolls arising on the said Roads granted and made or agreed upon by the Trustees for executing the said recited Act, and the several Covenants thereof, shall, notwithstanding this Act, remain and continue in full Force until the Expiration of the Term or Terms thereby respectively granted or agreed for, or until any legal Determination of any such Lease or Letting, and the same and the respective Grantees shall be subject to the Powers and Provisions of this Act in the same Manner as if such Lease or Letting had been granted or made or agreed upon by the Trustees for executing this Act, and as if the Trustees granting, making, or agreeing upon the same had been Trustees for executing this Act.

Appointment of Trustees.

III. And be it enacted, That all Her Majesty's Justices of the Peace for the Time being acting for the West Riding of the County of York, together with *Thomas Allbutt* Clerk, *Joseph Archer*, Sir *George Armytage* Baronet, *Robert Arthington*, *John Atkinson*, *Joseph Asquith*, *Joseph Beckett*, *Titus Senior Brooke*, *Thomas Marsden Brooke*, *Edward Baines*, *Edward Baines junior*, *Matthew Talbot Baines*, *John Bradley*, *John Brooke*, *James Brooke*, *William Battye*, *John Battye*, *William Brady*, *Edward Brady*, *Joseph Bower*, *John Bower junior*, *George Blakeley*, *Thomas Cook*, *Thomas Hague Cook*, *Robert Carr*, *John Francis Carr*, *Benjamin Clay*, *Edward Clarkson*, *Robert Dennison*, *Charles Day*, *Edward Day*, *George Ellis*, *Joshua Ellis*, *John Forster*, *Charles Firth*, *Jonathan Greenwood*, *John Beswicke Greenwood*, *John Henry Greaves*, *John Greaves*, *Daniel Gaskill*, *J. Milnes Gaskill*, *George Goodman*, *George Greenwood*, *Thomas Greenwood*, *Thomas Harrison*, *John Hague*, *Edward Hague*, *Thomas Hague*, *Matthew Hale the younger*, *William Holt*, *John Hardy*, *Richard Hurst*, *John Hepworth Clerk*, *William Heaton*, *Wilks Hill*, *William Bailey Holdsworth*, *Joseph Horner*, *Benjamin Idle*, *John Arthur Ikin*, *Benjamin Kirk*, *George Leather*, *James Leather*, *Thomas Lee*, *Thomas Lee junior*, *Tottenham Lee*, *Francis Ledgard*, *George Leather junior*, *Thomas Henry Leather*, *John Wignall Leather*, *Richard Henry Cowper Marshall*, *Francis Maude*, *Daniel Maude*, *Ralph Maude Clerk*, *Joseph Ogden Marsh*, *John Johnson Mallinson*, *Samuel Mitchell*, *David William Nell*, *James Nowell*, *Benjamin Nowell*, *John Oates*, *Thomas Oldroyd*, *Charles Oldroyd*, *George Bailey Pearson*, *John Parker*, *Samuel Petty junior*, *Joseph Raper*, *George Ridsdale*, *William Rhodes*, *Daniel Rhodes*, *John Rhodes*, *Benjamin Rogers*, *Joseph Rogers*, *Samuel Scarth*, *William Stancliffe*, *Edward Sykes*, *Samuel Sykes*, *Norrison Scatcherd*, *John Stancliffe*, *John Swinden*, *Watson Scatcherd*, *John Scholefield*, *David Stephenson*, *George Stephenson*, *George Tatham*, *Thomas William Tottie*, *William Toone*, *Henry Torre Clerk*, *Thomas Todd*, *John Tweedale*, *Joseph Tweedale*, *Charles Arthur Tennant*, *Joseph Wardle*, *Clerk*, *Joseph Wilkinson*, *John Wilson*, *Thomas Wordsworth*, *Charles Wheatley*, *Charles Wheatley junior*, *Joseph Wheatley*, *William Wheatley*,
John

John Whitehead, Joshua Whittaker, Percival Wormald, Frank Wormald, John Wynn, Joseph Webster William Wordsworth, Joseph Whitaker, John Whitaker, John Wooler, James Upton Wooler, Samuel Walker, Benjamin Walker, Edward Balme Wheatley, Benjamin Wilson, and their Successors, being duly qualified to act as Trustees of Turnpike Roads in *England*, shall be Trustees for putting this Act into execution.

IV. And be it enacted, That it shall be lawful for the said Trustees at any Meeting under this Act to elect any Number of Persons duly qualified to act as Trustees of Turnpike Roads in *England*, not exceeding Three in the whole, to be Trustees for the Purposes of this Act, in addition to the Trustees hereby nominated; and such Trustees so elected shall have the same Powers and Authorities for executing this Act as if they had been hereby appointed.

Power to elect additional Trustees.

V. And be it enacted, That the said Trustees shall hold their First Meeting at the *Royal Hotel* in *Dewsbury* aforesaid, or at some other convenient Place in the Neighbourhood of the said Roads, on the Second *Monday* next after the passing of this Act, and shall then and from Time to Time thereafter adjourn to and meet at such Times, and at such Places in the Neighbourhood of the said Roads, as they shall think proper.

First Meeting of Trustees.

VI. And be it enacted, That this Act shall be put in execution for the Purpose of more effectually improving, maintaining, and keeping in repair the present Turnpike Road leading from the North-east Side of the Town of *Dewsbury* in the County of *York*, in a North-easterly Direction, through and over the several Townships of *Dewsbury* and *Soothill* in the Parish of *Dewsbury* in the County of *York*, and through and over the Township of *West Ardsley* otherwise *Woodkirk* in the Parish of *West Ardsley* otherwise *Woodkirk* in the same County, and through and over the several Townships of *Morley* and *Churwell* in the Parish of *Batley* in the same County, and through and over the several Townships of *Beeston*, *Holbeck*, *Hunslett*, and *Leeds*, in the Parish of *Leeds* in the same County, to the Boundary between the Township of *Leeds* and *Holbeck* in the Township of *Leeds* aforesaid; and also for making and maintaining a new Line of Road from the said Turnpike Road commencing at or near a certain Barn or Stable belonging to the Earl of *Scarborough* in the Hamlet of *Soothill Upper*, passing through and over the Townships or Hamlets of *Soothill Upper* and *Soothill Nether* in the Parish of *Dewsbury* aforesaid, and terminating at the Turnpike Road leading from *Wakefield* to *Halifax* in the said Riding near a Place called *Earlsheaton*, in the Hamlet of *Soothill Nether*, all in the Township of *Soothill* in the Parish of *Dewsbury* in the said County of *York*.

Description of Roads.

VII. And whereas a Map or Plan describing the said new Line of Road, and the Lands through which the same is intended to be made, together with a Book of Reference thereto, containing a List of the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers, of such Lands, has been deposited in the Office

Plan deposited with the Clerk of the Peace to remain there for Inspection.

Office of the Clerk of the Peace for the West Riding of the County of *York*; be it therefore enacted, That the said Map or Plan and Book of Reference shall remain in the Custody of the said Clerk of the Peace, to the end that all Persons may at all seasonable Times inspect and peruse the same, and have Copies thereof or Extracts therefrom, paying such Clerk of the Peace the Sum of One Shilling for every such Inspection, and at the Rate of Sixpence for every One hundred Words of such Copies or Extracts; and the said Map or Plan and Book of Reference, or any Copy thereof, or of any Part thereof respectively, certified by the Clerk of the Peace for the Time being to be a true Copy, shall be good Evidence in all Courts of Law and elsewhere.

Power to make new Line of Road.

VIII. And be it enacted, That it shall be lawful for the said Trustees to set out, make, and complete the new Road herein-before described in the Line and through the Lands delineated in the Map or Plan and described in the Book of Reference herein-before mentioned, of such Width as they may think proper, not exceeding Forty Feet, together with such Footpaths, Bridges, Embankments, Ditches, Drains, Fences, and other necessary Works upon or near thereto, as they may think requisite, and as may be fit and proper well and effectually to fence off the said Road from the adjoining Lands, and for that Purpose to cause good and sufficient Mounds, Rails, and Fences to be made and provided, and Quicksets to be planted in an husbandlike Manner, or sufficient Stone Walls to be built on both Sides of the said new Road where the same is necessary, and shall support such Mounds, Walls, Rails, and Fences, during the Term of Five Years, from the first making thereof, and for the Purposes aforesaid to take possession of the Lands and Premises described in the said Map or Plan and Book of Reference, making Satisfaction for the same to the Owners thereof and other Persons interested therein, for the Damage which such Owners or other Persons may respectively sustain thereby; and it shall be lawful for the said Trustees, and for their Surveyors and Workmen, from Time to Time to enter upon the said several Lands, and to stake out the same for the Purposes of this Act at such Times and in such Manner as the said Trustees or Surveyor shall think necessary or expedient.

New Road not to be opened until certified by Two Justices to be in a proper State.

IX. Provided always, and be it enacted, That the said new Line of Road shall not be opened for or used by the Public, nor shall any Toll be demanded or taken thereon, until the same shall have been viewed by Two of Her Majesty's Justices of the Peace acting in and for the said West Riding of the County of *York* at Petty Sessions assembled, who are hereby authorized and empowered to take such View, and it shall have been certified by the said Justices, after such View, by some Writing under their Hands and Seals, that the said Road has been well and effectually made, and is in all respects in a fit, complete, and proper State to be used by the Public; which Certificate shall be deposited with and remain in the Custody of the Clerk of the Peace for the said West Riding for the Time being.

Trustees may deviate from Plan.

X. And be it enacted, That it shall be lawful for the said Trustees in making the said new Line of Road to deviate from the Line delineated

delineated upon the said Map or Plan : Provided always, that no such Deviation shall extend to a greater Distance than One hundred Yards from the said Line, or into the Lands of any Person not described in the said Map or Plan or in the said Book of Reference, without the Consent in Writing of the Party in or through whose Lands any such Deviation shall be proposed to be made.

XI. And be it enacted, That it shall be lawful for the said Trustees to make the said new Line of Road in or through the Lands delineated upon the said Map or Plan, although such Lands, or the Situation thereof, or the Names of the Owners, Lessees, or Occupiers thereof, may happen to be omitted, mis-stated, or erroneously described in the said Map or Plan or Book of Reference, or the Schedule hereto, in case it shall appear to any Two or more Justices of the Peace for the said Riding in Petty Sessions assembled, and be certified in Writing under their Hands, that such Omission or Mis-statement proceeded from Mistake; and the Certificate of the said Justices shall be deposited with and remain in the Custody of the said Clerk of the Peace for the Time being.

Lands may be used notwithstanding Errors in the Plan.

XII. And be it enacted, That in case any Lands shall be hereafter purchased by the said Trustees for the Purposes of this Act, the Freehold and Inheritance in the Lands so purchased, in case the same shall be of Freehold Tenure, and in case the same shall be of any other Tenure the Estate and Interest therein, shall not, notwithstanding any of the Provisions in any of the Acts in force for regulating Turnpike Roads in *England*, by means of any such Purchase, or any Conveyance or Assurance made in pursuance thereof, be vested in the said Trustees, but such Freehold and Inheritance, or the Estate and Interest in such Lands, shall, notwithstanding such Purchase and Conveyance or Assurance, remain and be vested in the Persons in whom the same were vested immediately prior to such Purchase by the said Trustees; and the said Trustees shall, by means of such Purchase and Conveyance or Assurance, be entitled to a perpetual Right of Way over or upon the Lands so purchased by them.

The Freehold of Lands purchased by the Trustees to remain in the Owner of the Lands.

XIII. Provided always, and be it enacted, That if at any Time any Land purchased by the said Trustees under the Authority of this Act shall not be wanted for the Purposes thereof, and the Road for which the same was purchased shall cease to be a Highway, then the Right of Way in or over the said Lands shall cease and be extinguished; and the Freehold and Inheritance in the said Lands, in case the same shall be of Freehold Tenure, and the Estate and Interest in such Lands, in case the same shall be of any other Tenure, shall be and remain in the Persons then entitled to the same, freed and discharged from such Right of Way.

If Lands purchased should not be wanted, the Right of Way and other Rights vested in the Trustees to cease.

XIV. Provided also, and be it enacted, That the said Trustees shall have the same Power and Authority of cutting, digging, and using the Lands taken by them for the Purposes of this Act as the said Trustees would have had in case they had purchased the Fee Simple or the whole Estate and Interest in the said Lands.

Trustees to have the same Powers over the Lands as if they had purchased the Fee.

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XV. Pro.

Trustees re-
strained
from pulling
down
Houses, &c.
except those
mentioned
in the Sche-
dule.

XV. Provided always, and be it enacted; That the Powers and Authorities given by this Act shall not authorize the said Trustees to take or pull down, or to use or injure, any Dwelling House or other Building, or to take, use, or injure any Curtilage, Orchard, Garden, Yard, Park, Paddock, Lawn, Shrubbery, planted Walk, or Avenue to a House, or any inclosed Ground planted and set apart as a Nursery for Trees, or any Part thereof respectively, (except such as are mentioned in the Schedule to this Act annexed,) without the previous Consent in Writing of the Owner or Proprietor thereof and all other Persons interested therein.

Limiting
Time for
purchasing
Property.

XVI. Provided also, and be it enacted, That in case the said Trustees shall not within the Space of Three Years from the Commencement of this Act pay for the Lands which they are by this Act authorized to take, then and from thenceforth all the Powers by this Act or by any other Act granted in relation to the taking of Lands for the Purposes of Turnpike Roads shall, so far as relate to the Lands herein-before authorized to be taken for the Purposes of this Act, cease and be utterly void, unless with the Consent of the Owners and Occupiers of such Lands respectively.

Power to
stop up a
useless Foot-
path.

XVII. And whereas a certain Footpath leading from the *Dewsbury* and *Leeds* Road aforesaid to the *Wakefield* and *Halifax* Road aforesaid, passing over or near the Line of the intended new Road, will become useless when such Road shall be open, and it is therefore expedient that the same should be stopped up; be it therefore enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered, by Writing under their Hands and Seals, with the Consent in Writing of any Two Justices of the Peace for the West Riding of the said County of *York* at Petty Sessions assembled, to order and direct that the said Footpath shall be stopped up and be discontinued at the End of Four Calendar Months next after the Date of such Order; and from and after the Expiration of such Four Calendar Months it shall not be lawful for any Person whomsoever afterwards to use the said Footpath, or such Parts thereof as shall be so stopped up and discontinued as aforesaid; but the same shall thenceforth cease to be a common Footpath to all Intents and Purposes whatsoever: Provided always, that Notice in Writing of such Order having been made as aforesaid shall be affixed on some conspicuous Place by the Side of the said Footpath so ordered to be stopped up and discontinued as aforesaid, and also upon the principal Door of the Church or Chapel (if any) belonging to the Parish within which such Footpath shall be situate, immediately before Divine Service, upon Three successive *Sundays* next after the making of such Order, and shall also be inserted twice in some public Newspaper usually circulated in the said West Riding of the County of *York*, for the Purpose of enabling any Person who may be aggrieved by the said Order to make his Appeal against the same, as herein-after provided; nor shall such Footpath be stopped up or discontinued, in case any such Person shall make any such Appeal within Four Calendar Months next after the making of such Order, until the Determination of such Appeal.

XVIII. And

XVIII. And be it enacted, That it shall be lawful for any Person who may be aggrieved by the making of any Order by this Act authorized for stopping up or discontinuing such Footpath as aforesaid to appeal against the same at any General or Quarter Sessions of the Peace for the said West Riding of the County of *York*, as the Case may require, which shall be held within Four Calendar Months next after the making of the said Order, upon giving a Notice in Writing of such Appeal, to be signed by the Appellant, to the Clerk of the said Trustees for the Time being, or by leaving the same at the usual Place of Abode of such Clerk at least Twenty-one Days before such General or Quarter Sessions of the Peace; and the Justices assembled at such General or Quarter Sessions, upon Proof of such Notice of Appeal having been duly given as aforesaid, are hereby authorized and required to hear and determine the said Appeal, and upon the quashing or Confirmation of the said Order to award and adjudge that the Party against whom such Appeal shall be determined shall pay such Costs as the said Justices shall appoint; and the said Appeal, having been so heard and determined, shall be final and conclusive to all Intents and Purposes whatsoever; and no Order against which such Appeal shall be made as aforesaid shall be quashed for Want of Form only: Provided always, that in case no Appeal shall be made within the Time aforesaid the said Order or Orders shall be final and conclusive on all Persons whomsoever.

Appeal.

XIX. And be it enacted, That the several Toll Gates, Bars, and Toll Houses now standing or being on the said Turnpike Road or on the Sides thereof shall be continued until removed by the Order of the said Trustees; and that it shall be lawful for the said Trustees to order and cause to be set up, in or across the same Road or upon the Sides thereof, and in or across the Road authorized to be made by this Act or upon the Sides thereof, any Toll Gate or Bar, and to remove the present or any future Toll Gate or Bar, as they shall think proper.

Respecting
Toll Gates.

XX. And be it enacted, That it shall be lawful for the said Trustees to demand and take, at the several and respective Toll Gates or Toll Bars which shall by virtue of this Act be upon or on the Sides of the said Roads, the following Tolls; that is to say,

Power to
take Tolls.

For every Horse, Mule, or other Beast drawing any Coach, Sociable, Berlin, Landau, Chariot, Vis-à-vis, Barouche, Chaise Marine, Calash, Curricule, Chair, Gig, Whiskey, Caravan, Hearse, Litter, or other such Carriage, a Sum not exceeding Sixpence:

For every Drag so constructed as that the Distance between the Axletrees shall be more than Nine Feet, and laden otherwise than with a single Piece or Block of Timber or Stone, a Sum not exceeding One Shilling and Sixpence over and above the Toll or Duty payable for each of the Horses or Beasts of Draught drawing the same:

For every Horse or other Beast drawing any Waggon, Wain, Drag, Cart, or other such like Carriage, a Sum not exceeding Sixpence:

For every Horse or other Beast, laden or unladen, and not drawing, any Sum not exceeding One Penny Halfpenny:

For

For every Drove of Oxen or Neat Cattle, a Sum not exceeding Sixpence *per* Score, and so in proportion for any greater or less Number; and for every Drove of Calves, Swine, Sheep, or Lambs, a Sum not exceeding Three pence *per* Score, and so in proportion for any greater or less Number:

For every Carriage not drawn by any Horse or Beast of Draught, but propelled or removed by Machinery, a Sum not exceeding Two Shillings:

Which said Tolls shall be taken before any Horse, Beast, or other Cattle, or Carriage whatsoever, shall be permitted to pass through any Toll Gate or Bar which shall be by virtue of this Act upon or across the said Roads or on the Sides thereof.

A Halfpenny to be taken in case of a Fraction of a Halfpenny in Tolls.

XXI. And be it enacted, That in all Cases in which there shall be a fractional Part of a Halfpenny in the Amount of the Tolls by this Act authorized to be collected the Sum of One Halfpenny shall be payable in lieu of such fractional Part.

Number of Tolls to be payable.

XXII. And be it enacted, That (except as herein-after provided) it shall not be lawful for the said Trustees to demand or take more than Three full Tolls, for or in respect of the same Horses, Cattle, or Carriages, for passing once in any One Day (to be computed from Twelve of the Clock at Night to Twelve of the Clock in the next succeeding Night), with the same Horses, Beasts, Cattle, or other Animal or Thing liable to Toll, through all the Toll Gates or Toll Bars erected or to be erected on the said Road between *Dewsbury* and *Leeds*, nor (except as herein-after provided) more than One full Toll for or in respect of the same Horses, Cattle, or Carriages, for passing once in any One Day, to be computed as aforesaid, with the same Horses, Beasts, Cattle, or other Animal or Thing liable to Toll, through all the Toll Gates or Toll Bars erected or to be erected on the said new Line of Road hereby authorized to be made.

Persons having paid Toll to return once Toll-free.

XXIII. And be it enacted, That all Horses and Cattle (except Horses or Cattle drawing any Stage Coach, Waggon, or other Stage Carriage conveying Passengers for Hire or Reward, and any Carriage propelled or drawn by Steam or any other Power than Animal Power,) in respect whereof the Toll hereby authorized to be taken shall have been paid at any Toll Gate or Bar on the said Road or on the Sides thereof, shall, on a Ticket denoting such Payment being produced, be permitted, in returning once through the same Toll Gate or Toll Bar, and in going and returning once through such other Gate or Bar, if any, as the Ticket for such Payment shall free, to pass Toll-free the same Day.

Post Chaises to be subject again to Toll on every new Hiring.

XXIV. Provided always, and be it enacted, That the Tolls hereby made payable shall be paid for all Horses and Cattle drawing any Post Chaise or other Carriage travelling for Hire, as often as a new Hiring shall take place, in the same Manner as if no previous Payment of Toll in respect of such Horses or Cattle had been made on the same Day.

XXV. And

XXV. And be it enacted, That all Horses and Cattle drawing any Stage Coach, Waggon, or other Stage Carriage conveying Passengers for Hire or Reward, and any Carriage propelled or drawn by Steam or any other Power than Animal Power, in respect whereof the Toll hereby authorized to be taken shall have been paid at any Toll Gate or Bar, shall, upon a Ticket denoting such Payment being produced, be permitted to pass once Toll-free on the same Day through any other Gate or Bar which such Ticket would free in the Case of Horses or Cattle drawing any other Carriage; and no further or additional Toll shall be payable in respect of any Stage Coach or other such Carriage as aforesaid at any Toll Gate or Bar the Payment at which shall be freed by such Ticket as aforesaid, on account only of their conveying other Passengers, or of the Horses or Cattle drawing the same having been changed.

Regulations
as to Stage
Coaches.

XXVI. And be it enacted, That all Monies which shall be received by the said Trustees by virtue of this Act upon the Roads included in the said recited Act hereby repealed shall be applied, in the first place, in discharging the Expences of obtaining and passing this Act, and otherwise incident thereto; secondly, in paying and discharging any Interest which may from Time to Time be owing in respect of any Money which may have been borrowed on the Credit of the Tolls authorized to be taken by the said former Act hereby repealed; thirdly, in defraying the Expences of maintaining and keeping in repair such Road, and in putting this Act into execution with reference thereto; fourthly, in paying and discharging any Interest on any Sum of Money not exceeding Two thousand Pounds which may hereafter be borrowed on the Credit of the Tolls to be taken on the said Roads, for the Purpose of improving the same; fifthly, in reducing, paying off, and discharging the several Principal Sums which have been borrowed on the Credit of the Tolls authorized to be taken by the said former Act hereby repealed; and lastly, in reducing, paying off, and discharging all Principal Sums of Money, not exceeding the said Sum of Two thousand Pounds, which may be hereafter borrowed under the Powers and Provisions of this Act, and which shall be due and owing on the Credit of the Tolls to be taken on such Roads.

Application
of Tolls
arising on
the old
Road.

XXVII. And be it enacted, That all Monies which shall be received by the said Trustees on or in respect of the new Line of Road authorized by this Act to be made shall be applied, in the first place, in making, improving, maintaining, and keeping in repair the said new Line of Road, and putting this Act into execution with reference to such new Line of Road; secondly, in paying and discharging any Interest which may from Time to Time become due and be owing in respect to any Money which may hereafter be borrowed on the Credit of the Tolls to be collected on the said new Line of Road; and lastly, in reducing, paying off, and discharging any Principal Sums of Money which may be due on the Credit of the Tolls to be taken on the said new Line of Road by this Act authorized to be made.

Application
of Tolls
arising on
the new
Road.

XXVIII. And be it enacted, That no more Money shall be expended in the Repair of any Road comprised in this Act than shall

No more
Money to be
laid out on
be

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any Road
than taken
thereon.

be collected on such Road, or borrowed on the Credit of the Tolls collected thereon.

No Tolls to
be taken,
&c. in
Towns.

XXIX. And be it enacted, That no Money shall be laid out on any Road comprised in this Act within the Township of *Leeds*, nor shall any Tolls be collected therein.

Trustees or
Clerk not
incompetent
to give Evi-
dence.

XXX. And be it enacted, That no Trustee or Clerk acting under the Authority of this Act, if not otherwise interested, shall be deemed incompetent to give Evidence, or shall be disqualified from giving Evidence in any Action or Suit or other Proceeding brought by or against him in such his Capacity of Trustee or Clerk by reason of his being Plaintiff or Defendant in such Action, Suit, or Proceeding.

Roads not
to be ex-
empt from
any general
Act.

XXXI. And be it enacted, That nothing herein contained shall be deemed to exempt the Roads comprised in this Act from the Provisions of any general Act relating to the Consolidation or other improved Arrangement of Turnpike Roads which may pass during the present or any future Session of Parliament.

Commence-
ment and
Continuance
of this Act.

XXXII. And be it enacted, That this Act shall commence upon the passing thereof, and shall continue and be in force for Thirty-one Years, and from thence to the End of the Session of Parliament which shall then next follow.

Construc-
tion of cer-
tain Terms
in the Act.

XXXIII. And be it enacted, That in construing this Act Words importing the Singular Number shall be understood to include the Plural Number, and Words importing the Plural Number shall be understood to include the Singular Number; and the Word "Person" shall be understood to include Corporation; and Words importing the Masculine Gender shall be understood to include Females as well as Males; and the Word "Lands" shall be understood to include Messuages, Tenements, and Hereditaments; unless in any of the Cases aforesaid there be something in the Subject or Context repugnant to such Construction.

Public Act.

XXXIV. And be it enacted, That this Act shall be deemed to be a Public Act, and shall be judicially taken notice of as such.

The SCHEDULE to which this Act refers.

Description of Property.	Owners.	Occupiers.
House, Stable, and Croft -	The Right Honourable the Earl of Scarborough.	John Wilson.
Land and Stable - -	Ditto - -	John Harrop.
Dwelling House - -	John Greaves - -	Benjamin Newsome.
Ditto - -	Ditto - -	Mark Oldroyd.
Croft, Stable, and Offices -	Ditto - -	John Greaves.
Tenter Croft and Yard -	Ditto - -	Matthew Tolson and Abel Tolson.

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