



ANNO PRIMO & SECUNDO

# GULIELMI IV. REGIS.

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## *Cap. xv.*

An Act for repairing and improving the Road from  
*Doncaster*, through *Ferrybridge*, to the South  
Side of *Tadcaster Cross*, in the West Riding of  
the County of *York*. [30th *July* 1831.]

**W**HEREAS an Act was passed in the Fourteenth Year of  
the Reign of King *George* the Second, intituled *An Act* 14 G. 2. c. 28.  
*for repairing the Roads from Doncaster, through Ferry-*  
*bridge, to the South Side of Tadcaster Cross, and also from Ferry-*  
*bridge to Wetherby, and from thence to Boroughbridge, in the County*  
*of York*: And whereas by the said Act the said Roads were divided  
into Two separate Districts: And whereas another Act was passed  
in the Sixth Year of the Reign of King *George* the Third, intituled  
*An Act to enlarge and continue the Term and Powers granted by an* 6 G. 3. c. 62.  
*Act passed in the Fourteenth Year of the Reign of His late Majesty*  
*King George the Second, intituled 'An Act for repairing the Roads*  
*' from Doncaster, through Ferrybridge, to the South Side of Tadcaster*  
*' Cross, and from Ferrybridge to Wetherby, and from thence to*  
*' Boroughbridge, in the County of York,' as to so much of the said Act*  
*as relates to the said Roads from Doncaster, through Ferrybridge, to*  
*the South Side of Tadcaster Cross*: And whereas another Act was  
passed in the Twenty-eighth Year of the Reign of King *George* the  
Third, intituled *An Act for enlarging the Term and Powers of certain* 28 G. 3. c. 106.  
[*Local.*] 3 I Acts



35G.3.c.158. *Acts of Parliament, so far as the same relate to the Road from Doncaster, through Ferrybridge, to the South Side of Tadcaster Cross, in the County of York: And whereas another Act was passed in the Thirty-fifth Year of the Reign of King George the Third, intituled An Act for repairing the Damage done by the late Floods to certain Bridges and to the Road near the Town of Doncaster, and for making the said Bridges and Road safe and commodious for Travellers: And whereas another Act was passed in the Fiftieth Year of the Reign of King*

50 G. 3. c. 8. *George the Third, intituled An Act for continuing the Term and altering and enlarging the Powers of several Acts of His late and present Majesty, for repairing the several Roads therein mentioned, so far as the said Acts relate to the Road from Doncaster, through Ferrybridge, to the South Side of Tadcaster Cross, in the County of York: And whereas considerable Sums of Money have been borrowed on the Credit of the Tolls arising on the said Road from Doncaster, through Ferrybridge, to the South Side of Tadcaster Cross, some of which Sums of Money remain undischarged, and cannot be paid off, nor can the said Road be preserved in a proper State of Repair, unless the Term and Powers of the said Acts be enlarged: And whereas it would tend to the Accommodation of the Public and of Persons travelling on the Line of the said Road if Power were granted to make a new Piece of Road or Diversion on the Line of the said Road, in the Township of Brotherton, lying between the South-east Corner of an Orchard there belonging to Robert Acaster, and the Inn known by the Sign of the Fox: And whereas it is expedient that all the said several Acts so far as they relate to the said Road from Doncaster, through Ferrybridge, to the South Side of Tadcaster Cross, should be repealed, and that other Powers and Provisions should be granted and 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 upon the Day of the Commencement of this Act, the said several recited Acts of the Fourteenth Year of the Reign of King George the Second, and the Sixth, Twenty-eighth, Thirty-fifth, and Fiftieth Years of the Reign of King George the Third, so far as they relate to the Road leading from Doncaster, through Ferrybridge, to the South Side of Tadcaster Cross, shall be and the same are hereby declared to be repealed.*

Recited Acts repealed, so far as they relate to the Road herein mentioned.

This Act to be put in force for maintaining the said Road.

II. And be it further enacted, That this Act shall be put in execution, for and during the Term herein-after mentioned, for the Purpose of more effectually repairing, amending, improving, and keeping in repair the said Road from Doncaster, through Ferrybridge, to the South Side of Tadcaster Cross, in the West Riding of the County of York, and of making the said new Piece of Road or Diversion in the Township of Brotherton.

Trustees.

III. And be it further enacted, That all His Majesty's Justices of the Peace for the Time being acting for the West Riding of the County of York, together with Sir George Armytage Baronet, Moseley Atkinson Clerk, George Alderson Clerk, John Armitage Clerk, George



*George Allott Clerk, Robert Allott, George Ann, John Atkinson Clerk, Richard Adams, Benjamin Brooksbank, Stamp Brooksbank Clerk, Edward Birmingham, John Baldwin, Sir John Byng Knight Commander of the Bath, George Broadrick, Theophilus Barnes Clerk, Robert Buchanan Doctor of Medicine, Thomas Davison Bland, Robert Bryan Cooke, George Cholmeley, William Cooke, John Cooke, George Cooke Clerk, Philip Davies Cooke, Thomas Charnock, William Charnock, Samuel Crompton, Sir William Bryan Cooke Baronet, the Honourable Archibald Hamilton Cathcart, the Honourable John Herbert Charnock, Henry William Champneys Clerk, Thomas Phipps Arnian Champneys, Thomas Cator Clerk, John Wallbank Childers, George Dawson junior, William Dawson, Sir Edward Dodsworth Baronet, the Honourable William Duncombe, Richard Kennett Dawson, John Ellison, Joseph Edward Elmsall, Joseph Edward Greaves Elmsall, Edward Frank Clerk, Sir Charles Flint, the Honourable William Wentworth Fitzwilliam, the Right Honourable Lord Viscount Gatway, Benjamin Gaskell, Daniel Gaskell, John Goldsworthy, George Bustard Greaves, George Greaves junior, William Gooch, Richard Oliver Gascoigne, Thomas Oliver Gascoigne, the Honourable Martin Edward Hawke, John Pemberton Heywood, William Robert Hay Clerk, Godfrey Higgins, Godfrey Higgins junior, Thomas Bent Hodgson, Joshua Hepworth, William Hepworth, the Honourable Lord Howden, Arthur Heywood, Peter Heywood, Edward Hay Clerk, Luke Howard, William Johnson, Benjamin Jowett, the Honourable Henry Lascelles, Sir John Lowther Baronet, John Lowther, James Lee, John Lee, William Lee, Richard Thomas Lee, Francis Maude, William Marshall, William Morritt, the Right Honourable Earl of Mexborough, Robert Pemberton Milnes, Richard Rodes Milnes, Thomas Horncastle Marshall Clerk, George Maddison, Daniel Maude, Viscount Milton, Jeremiah Naylor, Robert Oliver, Richard Perynn Clerk, Lord Pollington, John Perfect, William Perfect, John Preston, the Honourable Edward Robert Petre, William Prest, Christopher Paver, Sir John Ramsden Baronet, John Charles Ramsden, George Ramsden, Thomas Cuttler Rudstone Read Clerk, Sir Joseph Radcliffe Baronet, William Ramsden, Henry Ramsden, the Honourable John Lumley Savile, John Fox Seaton, Joseph Scott, Benjamin Sayle, Thomas Sayle, Stovin Doctor in Divinity, Charles Smith, Frank Sotheron, Kirkby Torre, the Right Honourable Michael Angelo Taylor, Benjamin Turner, Henry Taylor, Edward Trueman, Michael Tasburgh, Charles Thelluson, John Vincent, William Battie Wrightson, Arthur Bland Wrightson Clerk, St. Andrew Warde, Charles Waterton, Godfrey Wentworth Wentworth, Henry Westall Clerk, Charles Winn, Sir Edmund Mark Winn Baronet, Sir Francis Lindley Wood Baronet, Christopher Wilson, John White, Richard Wilson, Sir Henry Wright Wilson Knight, Godfrey Wright Clerk, William Warde Clerk, Richard Monkhouse Wilson, Michael Woodcock, George Wyatt Clerk, Charles Wood, Samuel Francis Wood, Richard Fountayne Wilson, John Cooke Yarborough, and George Cooke Yarborough, and their Successors, being duly qualified to act as Trustees of Turnpike Roads in England, shall be and they are hereby appointed Trustees for repairing, amending, improving, and keeping in repair the said Road, and for otherwise carrying this Act into execution.*



Power to appoint additional Trustees.

IV. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered, from Time to Time, at any of their Meetings, to elect and appoint any Number of Persons, being duly qualified to act as Trustees of Turnpike Roads in *England*, (not exceeding Three in the whole in addition to the Number of Trustees herein named and appointed,) to be Trustees for the Purposes of this Act; and such Persons so elected and appointed shall be Trustees for the Purposes of this Act, and are hereby invested with the same Powers and Authorities for executing this Act as if they had been herein named.

First Meeting of Trustees.

V. And be it further enacted, That the Trustees for executing this Act shall meet at the *Bay Horse* in *Wentbridge*, or at some other convenient Place upon or near to the said Road, on the Day of the Commencement of this Act, or as soon afterwards as conveniently may be, and proceed in the Execution of this Act, and shall and may then and from Time to Time after adjourn to and meet at such Times and at such Place or Places upon or near to the said Road as they shall think proper.

For continuing, erecting, or removing Toll Gates, Turnpikes, Side Gates, Weighing Machines, &c.

VI. And be it further enacted, That the several Gates, Turnpikes, Weighing Machines, and Toll Houses erected and now standing across and on the Sides of the said Road shall remain and be continued until removed by any Order or Orders of the said Trustees; and it shall be lawful for the said Trustees to order and cause to be erected and built or set up and placed upon, in, or across the Road by this Act authorized to be repaired or made, or any Part thereof, or by the Sides thereof, when, where, and as they shall judge necessary, any Gate or Gates, Turnpike or Turnpikes, Side Gate or Side Gates, Bar or Bars, Chain or Chains, and also from Time to Time to order and cause to be taken down and removed or altered or discontinued the same present Gates and Turnpikes, and such future Gates, Turnpikes, Side Gates, Bars, and Chains, as they the said Trustees shall think proper.

Power to take Tolls.

VII. And be it further enacted, That it shall be lawful for the said Trustees to demand and take, or cause to be demanded and taken, the Tolls or Sums of Money herein-after mentioned, or such Sum or Sums, not exceeding the respective Sums or Tolls herein-after mentioned, as the said Trustees at any of their Meetings from Time to Time shall think proper and order to be taken, at the several and respective Toll Gates or Turnpikes or Toll Houses, or Side Gates, Bars, or Chains, which are or shall be standing and being, or continued or erected by virtue of this Act, and on every Day, such Day to be computed from Twelve of the Clock at Night to Twelve of the Clock in the succeeding Night; (that is to say,)

For every Horse, Mule, or other Beast drawing any Coach, Chariot, Berlin, Landau, Calash, Chaise, Chair, Hearse, Phaeton, Pleasure Cart, Vis-à-Vis, Diligence, Caravan, Litter, or other such Carriage, being drawn by Six Horses, Mules, or other Beasts, at the First Gate from *Doncaster* Four-pence, at the Second Gate Three-pence, at the Third Gate Four-pence, and at the Fourth Gate Three-pence;



pence ; and being drawn by Four Horses, Mules, or other Beasts, at the First Gate from *Doncaster* Five-pence Three Farthings, at the Second Gate Three-pence, at the Third Gate Five-pence Three Farthings, and at the Fourth Gate Three-pence ; and being drawn by Two Horses, Mules, or other Beasts, at the First Gate from *Doncaster* Sixpence Halfpenny, at the Second Gate Four-pence, at the Third Gate Sixpence Halfpenny, and at the Fourth Gate Four-pence ; and being drawn by only One Horse, Mule, or other Beast, at the First Gate from *Doncaster* Nine-pence Halfpenny, at the Second Gate Four-pence Halfpenny, at the Third Gate Nine-pence Halfpenny, and at the Fourth Gate Four-pence Halfpenny :

For every Horse, Mule, or other Beast drawing any Waggon, Wain, Cart, or other such Carriage, having the Fellies of the Wheels of the Breadth of Six Inches or upwards at the Bottom or Sole thereof, being drawn by Four Horses, Mules, or other Beasts, at the First Gate from *Doncaster* Sixpence, at the Second Gate Three-pence Halfpenny, at the Third Gate Sixpence, and at the Fourth Gate Three-pence Farthing ; and being drawn by Three Horses, Mules, or other Beasts, at the First Gate from *Doncaster* Sixpence Farthing, at the Second Gate Three-pence Farthing, at the Third Gate Sixpence Farthing, and at the Fourth Gate Three-pence Farthing ; and being drawn by Two Horses, Mules, or other Beasts, at the First Gate from *Doncaster* Seven-pence Halfpenny, at the Second Gate Four-pence Farthing, at the Third Gate Seven-pence Halfpenny, and at the Fourth Gate Four-pence Farthing ; and being drawn by only One Horse, Mule, or other Beast, at the First Gate from *Doncaster* Eight-pence, at the Second Gate Four-pence Halfpenny, at the Third Gate Eight-pence, and at the Fourth Gate Four-pence Halfpenny :

For every Horse or other Beast of Burden, laden or unladen, and not drawing, at the First Gate from *Doncaster* Two-pence, at the Second Gate One Penny, at the Third Gate Two-pence, and at the Fourth Gate One Penny :

For every Score of Oxen or Neat Cattle (and so in proportion for a greater or less Number than a Score), at the First Gate from *Doncaster* Nine-pence Halfpenny, at the Second Gate Fourpence Halfpenny, at the Third Gate Nine-pence Halfpenny, and at the Fourth Gate Four-pence Halfpenny :

For every Score of Calves, Hogs, Sheep, or Lambs (and so in proportion for a greater or less Number than a Score), at the First Gate from *Doncaster* Four-pence Halfpenny, at the Second Gate Two-pence Halfpenny, at the Third Gate Four-pence Halfpenny, and at the Fourth Gate Two-pence Halfpenny :

Which said respective Tolls or Sums of Money shall be demanded and taken and be payable, subject to any Order or Orders of the said Trustees, before any Horse, Mule, Ass, or other Beast or Cattle whatsoever shall be permitted to pass through any such Toll Gate or Turnpike, or Side Gate or Side Bar, or Chain ; and such several and respective Tolls or Sums of Money shall be and are hereby vested in the said Trustees, and shall be applied for the Purposes of this Act in manner herein-after directed.



Fraction of a  
Halfpenny in  
Tolls.

VIII. And be it further enacted, That in all Cases where there shall be a fractional Part of a Halfpenny in the Calculation or Amount of the Tolls herein mentioned, or any of them, the Sum of One Halfpenny shall be demanded and taken in lieu of such fractional Part.

Tolls to be  
paid but once  
a Day.

IX. Provided always, and be it further enacted, That when the full Toll hereby authorized to be taken shall have been paid for or in respect of any Horse or other Beast or Cattle, or Carriage, passing through any Toll Gate or Turnpike, Side Gate or Side Bar or Chain, erected or to be erected on the said Road, such Horse, Beast, Cattle, or Carriage (except Horses drawing any Stage Coach, Diligence, Van, or Caravan, or other Stage Carriage herein-after specified,) shall, upon a Ticket being produced denoting such Payment, be permitted to pass and repass Toll-free through the same Toll Gate, Turnpike, Side Gate, Side Bar, or Chain, and also through all other Toll Gates, Turnpikes, Side Gates, Side Bars, and Chains, on the same Road, which the Ticket for such Payment shall free, at any Time or Times during the same Day (to be computed as aforesaid).

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

X. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees to demand or take more than One full Toll on any Part of the said Road between the Town of *Doncaster* and the Bar at or near the present Point of Junction with the *Leeds* and *Barnsdale* Road; nor more than Two full Tolls on any Part of the said Road between the said Point of Junction and the *Fox Inn* at *Brotherton*, at the present Point of Junction with the *Ferrybridge* and *Boroughbridge* Turnpike Road; nor more than One full Toll between the last-named Point and *Tadcaster*.

Stage  
Coaches, &c.  
to pay each  
Time of  
passing;

XI. Provided also, and be it further enacted, That the Tolls payable for or in respect of Horses or Beasts drawing any Stage Coach, Diligence, Van, Caravan, Waggon, Cart, or other Stage Carriage conveying any Passengers or Goods for Pay or Reward, shall be payable and paid every Time of passing and repassing along the said Road: Provided also nevertheless, that no further or additional Toll shall be payable in respect of any Horses or Beasts drawing any Stage Coach, Diligence, Van, Caravan, Waggon, Cart, or other Stage Carriage, on account only of the Horses or Beasts drawing the same having been changed.

Horses draw-  
ing Post  
Chaises, on  
every new  
Hiring.

XII. Provided also, and be it further enacted, That the Tolls payable for or in respect of Horses or Beasts let out to Hire, and drawing any Post Chaise or other Carriage, shall be payable and paid every Time of passing along the said Road, whenever any new Hiring thereof shall take place.

Horses, &c.  
drawing dif-  
ferent Wag-  
gons, &c. to  
be again  
liable to Toll.

XIII. Provided also, and be it further enacted, That in case the Tolls in this Act mentioned shall have been paid in respect of any Horse or Horses, or other Beast or Beasts, drawing any Waggon, Wain, Cart, or other such Carriage, for passing through any of the said Turnpikes, Toll Gates, Side Bars, or Side Gates, and any such Horse or other Beast shall afterwards be employed on the same Road, during the same Day, in drawing a different Waggon, Wain, Cart,



Cart, or other such Carriage from that which such Horse or other Beast was employed in drawing when such Payment was made, every such Horse or other Beast so drawing shall be again liable to Toll in respect of being employed in drawing such different Waggon, Wain, Cart, or other such Carriage.

XIV. And be it further enacted, That, notwithstanding any Law or Statute to the contrary, all Carts and other Carriages drawn by One Horse or other Beast shall be liable to be weighed at any Weighing Machine or Weighing Machines now erected or which hereafter may be erected upon or for the Benefit of the said Road, in the same Manner as Carts and other Carriages drawn by any greater Number of Horses or other Beasts are now liable to be weighed by Law; and the Owners and Drivers thereof shall be liable to the same Penalties for refusing to suffer such Carts and other Carriages to be weighed, or for obstructing the Wheels being measured or gauged, as the Owners or Drivers of Carts or other Carriages drawn by Two or more Horses are now liable to by Law; and every such Cart or other Carriage drawn by One Horse or other Beast, which, together with the Loading thereof, shall weigh more than Thirty-five Hundred Weight in Summer (to be computed from the First Day of *May* to the Thirty-first Day of *October*), or than Thirty Hundred Weight in Winter (to be computed from the First Day of *November* to the Thirtieth Day of *April*), shall pay, and it shall be lawful for the said Trustees (or any Person or Persons empowered by them to receive the Tolls mentioned in this Act) to receive and take, such and the same additional Tolls for Overweight as Carts or other Carriages drawn by Two or more Horses or other Beasts are liable to pay by Law.

One-horse  
Carts to be  
weighed.

XV. And whereas it frequently happens that Cattle travel on certain Parts of the said Road, and evade paying the Tolls by leaving the same for the Purpose of procuring Provender, and for other Purposes, previously to their Arrival at the Gate or Toll Bar erected thereon, and returning thereto on the other Side thereof on that Day or on the following Day, by which Means they escape the contributing to the Repair of the said Road; be it further enacted, That it shall be lawful for the Barkeeper or Collector of the Tolls hereby granted and made payable, or his or their Deputy or Deputies, to demand and receive of and from the Guides or Drivers of every Drove of Oxen or other Neat Cattle, Calves, Sheep, Lambs, or Swine, which shall so have avoided passing through the Gates or Toll Bars erected or to be erected on any Part of the said Road, whenever the same may be found, the Sum of Two Shillings and Sixpence for every Score, and so in proportion for any less Number than a Score, of such Oxen or other Neat Cattle, Calves, Sheep, Lambs, or Swine.

Cattle leaving the Road before their Arrival at the Toll Bars to pay a Toll.

XVI. And be it further enacted, That all the Monies which shall have been raised and produced by virtue of the said former Acts, or any of them, hereby repealed, and which shall be remaining undisposed of on the Day of the Commencement of this Act, and also all the Monies which shall arise and be produced by and from the Tolls

Application of Money in hand, and of Tolls and Money borrowed.

in



in this Act mentioned and authorized to be collected on the said Road, together with the Monies which shall be subscribed or borrowed on the Credit thereof, and all other Monies which shall arise and be produced by virtue thereof, shall be applied to and for the several Uses, Intents, and Purposes, and in the Manner following; (that is to say,) in the first place, in the Payment of all the Costs and Expences incident to and attending the obtaining and passing of this Act, together with lawful Interest for any Money advanced for Payment of such Costs and Expences from the Time of advancing the same to the Time of the Repayment thereof; and in the next place, the Remainder of all such Monies shall (subject to the Payment herein-after directed to be made to the Trustees of the *Boroughbridge* Turnpike Road, and after Payment of the necessary Expences of purchasing Lands and Premises, and of making the said new Piece of Road or Diversion, and of erecting or repairing Toll Gates, Toll Houses, Milestones or Posts, and Fences, and for Books, Advertisements, Salaries of Officers, and other Expences incidental to the Execution of this Act,) be applied in keeping down the Interest of the Principal Monies heretofore advanced or borrowed on the Credit of the Tolls heretofore payable on the said Road, and which may hereafter be borrowed on the Credit of the Tolls hereafter to become payable thereon, and in amending, altering, improving, and keeping in repair the said Road, and otherwise in putting this Act into execution, and in repaying the Principal Monies already borrowed on the Credit of the Tolls heretofore payable on the said Road, and the Principal Monies which may hereafter be borrowed on the Credit of the Tolls payable thereon under or by virtue of this Act.

One Third  
Part of the  
Tolls col-  
lected at  
*Ferrybridge*  
to be applied  
for repairing  
*Borough-*  
*bridge* Road  
during Ex-  
istence of  
*Borough-*  
*bridge* Act.

XVII. And whereas by the said several herein-before recited Acts it was enacted, that One Third Part of the Tolls collected at any Turnpike erected at *Ferrybridge*, or on the South Side thereof, should be paid to the Trustees for repairing the Road from *Ferrybridge*, through *Wetherby*, to *Boroughbridge*, (which said-last mentioned Road was comprised in the said first-recited Act as a separate Trust,) and Payment of One Third of the Tolls collected at the Gate now standing on the South Side of *Ferrybridge* has always been accordingly made to such Trustees, and it would be injurious to the said last-mentioned Road if such Payment were to be discontinued before the Expiration of the existing Term of the Act for repairing the same; be it therefore enacted, That for and during the Remainder of the existing Term of the Act passed in the First Year of the Reign of His late Majesty King *George* the Fourth, for continuing the Term of the several Acts for repairing the Roads leading from *Ferrybridge*, through *Wetherby*, to *Boroughbridge*, and no longer, One Third Part of the Tolls which shall be collected, received, or compounded for by virtue of this Act at the Turnpike or Toll Bar erected or setup or to be erected or set up at *Ferrybridge* or the South Side thereof, shall be paid to such Person or Persons as shall from Time to Time be appointed by the Trustees for repairing the Road from *Ferrybridge* to *Boroughbridge*, and such Money shall be applied by the said Trustees for executing the said Act of the First Year of the Reign of His late Majesty in like Manner as the said Payments so heretofore made to them have been heretofore applied.

XVIII. Pro-



XVIII. Provided always, and be it further enacted, That from and after the Expiration of the Term granted by the said recited Act passed in the First Year of the Reign of King *George* the Fourth, no more than One full Toll shall be demanded or taken upon any Part of the said Road between the Town of *Doncaster* and the Bar at or near the present Point of Junction with the *Leeds* and *Barnsdale* Road, nor more than One full Toll and a Half between the said Point of Junction and the *Fox* Inn at *Brotherton*; nor more than One full Toll and a Half between the said *Fox* Inn and *Tadcaster Cross*.

Limiting the Number of Tolls after Expiration of existing Term of Borough-bridge Road Act.

XIX. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to empower the said Trustees to lay out or apply any Money in paving or repairing any Highway or Street within the Town of *Doncaster*, or to collect any Tolls by virtue of this Act therein.

Not to repair Streets, &c. in *Doncaster*.

XX. And be it further enacted, That it shall and may be lawful for the said Trustees, and they are hereby authorized and empowered, to make the new Piece of Road or Diversion herein-before mentioned of such Width or Dimensions as they shall think proper, not exceeding Sixty Feet, together with such Footpaths, Causeways, Embankments, and Fences as they shall think necessary or expedient; and for such Purpose it shall be lawful for the said Trustees and all Persons acting under their Authority, and they are hereby authorized and empowered, to enter upon, and to take and use and pull down and lay open, the Lands, Houses, Buildings, Tenements, and Hereditaments mentioned or described, or intended so to be, in the Map or Plan and Book of Reference herein-after mentioned, or in the Schedule to this Act annexed, any Law or Statute to the contrary notwithstanding, first making or tendering Satisfaction to the Owners or Proprietors of and Persons interested in any private Lands, Houses, Buildings, or Tenements, for the same, or for any Loss or Damage they may sustain thereby; and all Powers and Provisions, Penalties, Forfeitures, Fines, Matters, and Things, granted, directed, authorized, or imposed by or contained in the General Laws relating to Turnpike Roads, for making, diverting, shortening, varying, altering, and improving the Course or Path of any Turnpike Road in *England*, or relating thereto, shall or may be exercised, enforced, and put in execution for making, completing, and maintaining in repair the said intended new Piece of Road or Diversion, and for all Purposes relating thereto.

New Piece of Road or Diversion may be made.

XXI. And whereas a Map or Plan describing the Line of the said intended new Piece of Road or Diversion, and the Lands and Premises through which the same is intended to be made or carried, together with a Book of Reference containing a List of the Names of the Owners and Occupiers of such Lands and Premises, have been deposited in the Office of the Clerk of the Peace for the West Riding of the County of *York*; be it therefore enacted, That the said Trustees, in making the said new Piece of Road or Diversion, shall not deviate more than One hundred Yards from the Line described in the said Map or Plan, without the Consent in Writing of the Person

Limiting Deviation from Plan deposited with Clerk of the Peace.

[*Local.*]

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or Persons through whose Lands or Premises such Deviation shall be made; and the said Map or Plan and Book of Reference shall remain in the Custody of the Clerk of the Peace for the said West Riding, to the end that all Persons may at all seasonable Times have Liberty to inspect and peruse the same, and to take Copies thereof or Extracts therefrom, at all reasonable Times, paying to the said Clerk of the Peace the Sum of One Shilling for every such Inspection and Perusal, and at the Rate of Sixpence for every One hundred Words of such Copies or Extracts, and so in proportion for any greater or less Number of Words; and the same or any Copy thereof, such Copy being certified to be a true Copy under the Hand of the Clerk of the Peace of the said West Riding for the Time being, or his Deputy, shall be admitted in Evidence by all Judges, Justices, and others, in all Courts of Law and elsewhere.

Lands marked in the Plan may be used, notwithstanding Errors in the Book of Reference.

XXII. Provided always, and be it further enacted, That it shall be lawful for the said Trustees to make the said new Piece of Road or Diversion into, through, across, over, and upon the several Lands, Grounds, or Premises of any Person who is or may be the Owner of any Lands, Grounds, or Premises set out and described in the said Map or Plan as aforesaid, although the Name or Names of such Person may happen to be omitted or mis-stated in the said Book of Reference or in the Schedule to this Act, in case it shall appear to any Two or more Justices of the Peace for the said West Riding of the County of *York* (in case of Dispute about the Names), and be certified accordingly, by Writing under their Hands, that such Omission or Mis-statement proceeded from Mistake.

No Dwelling House, &c. to be injured, except those mentioned in the Schedule.

XXIII. Provided also, and be it further enacted, That the Powers and Authorities hereby given to the said Trustees to make such new Piece of Road or Diversion shall not extend to the pulling down or making use of any Dwelling House or other Buildings, or to the taking in or making use of any Orchard, Garden, Yard, Paddock, Park, Plantation, planted Walk, or Avenue to a House, or any inclosed Ground planted and set apart as a Nursery for Trees, or of any Part of the same respectively, without the Consent in Writing of the Owners or Proprietors thereof first had and obtained, other than and except such as are mentioned in the Schedule to this Act annexed.

Limiting the Time for purchasing Premises.

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

Road to be provided in Cases where

XXV. And whereas by the making of the said new Piece of Road, and the stopping up of the old Road in lieu whereof the same will be made,



made, the Approach to the Park Gate leading to the Mansion House of Sir *John Ramsden* Baronet, at *Byram* in the said West Riding, and to the public Highway called *Sutton Lane*, leading to several Villages and Places in the said West Riding, will be cut off from the said Turnpike Road; be it therefore further enacted, That the said Trustees shall and they are hereby required, before the said new Piece of Road shall be opened for the Use of the Public, and before the said old Road shall be stopped up, to make and lay out a new Road or Way to lead from the said new Piece of Road to the said Park Gate, and also another new Road or Way to the said Highway called *Sutton Lane*, in such Course or Direction as shall be approved of by the said Trustees and the said Sir *John Ramsden*, and to pay the Costs and Charges of making the same out of the Tolls or Monies arising or to arise by virtue of this Act.

Access to  
Lands, &c.  
shall be cut  
off by divert-  
ing the Road.

XXVI. And be it further enacted, That it shall be lawful for the said Trustees, or for their Surveyor or Surveyors, and other Persons acting under their Authority, to fill up the several Ditches and Drains now being on each Side of the Road by this Act authorized to be repaired or made, or any of them, or such Part or Parts of the same respectively as the said Trustees or their Surveyor shall think fit, and to enter into the several Closes, Fields, and Grounds which shall adjoin upon each Side of such Road, and, at the Costs and Expences of the said Trustees, to make and dig or cause to be made and dug therein Ditches, Drains, or Watercourses, to run parallel with the same Road, and also to make and dig, or cause to be made and dug, at such Place and Places, such and so many Drains and Waterducts as they the said Trustees, or their Surveyors or Surveyor, shall think expedient and necessary, from the same Road, through the Fences, Hedges, Banks, and Walls which separate the said several Closes, Fields, and Grounds from the same Road, to communicate with the said several Ditches, Drains, and Waterducts so to be made within the said several Closes, Fields, and Grounds as aforesaid, whereby the Water may be taken and conveyed therein, and effectually drained from and off the same; and for the several Purposes aforesaid, the said Trustees, and their Surveyor or Surveyors, Workmen and Labourers, or any of them, shall from Time to Time and at all seasonable Times, have full and free Liberty of Ingress and Egress to and from the said several Closes, Fields, and Grounds, or any of them, without being or being considered to be Trespassers or a Trespasser; and which said several last-mentioned Ditches, Drains, and Waterducts shall, from and after the making and digging thereof respectively as aforesaid, be repaired, scoured, cleansed, and maintained by the respective Owners or Occupiers of the said several Closes, Fields, or Grounds in, upon, and through which the same shall have been so made and dug as aforesaid.

Trustees to  
make  
Ditches, &c.  
on each Side  
the Road,  
within Inclo-  
sures.

XXVII. 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.

Public Act.

XXVIII. And



Term of Act.

XXVIII. And be it further enacted, That this Act shall commence upon the Second Tuesday next after the passing thereof, and shall continue and be in force for and during the Term of Thirty-one Years, and from thence to the End of the then next Session of Parliament.

### SCHEDULE to which the Act refers.

Description of Premises.	Names of Owners or reputed Owners.	Names of Occupiers.	Parish and Township where situate.	
			Parish.	Township.
Orchard - -	Robert Acaster -	William Wyrill	Brotherton	Brotherton.
Garden - -	Ditto - -	Ditto	Ditto	Ditto.
Garth and Croft -	Ditto - -	Joseph Butterfield	Ditto	Ditto.
Garth, or Vicar's Croft -	Vicar of Brotherton	Thomas Acaster	Ditto	Ditto.
Fox Inn, with Out-buildings -	John Jenkinson -	George Lunn -	Ditto -	Ditto.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN,  
Printers to the King's most Excellent Majesty. 1831.