



ANNO PRIMO

# GULIELMI IV. REGIS.

\*\*\*\*\*

## Cap. xlv.

An Act for improving the Road from the *Red House* near *Doncaster* to the South Side of *Wakefield Bridge*, and from *Wakefield* to *Pontefract*, and from thence to *Weeland*, and from *Pontefract* to *Wentbridge*, all in the West Riding of the County of *York*. [30th *March* 1831.]

**W**HEREAS an Act was passed in the Fourteenth Year of the Reign of King *George* the Second, intituled *An Act for repairing the Roads from a Place called the Red House near Doncaster to Wakefield, and through the said Town of Wakefield, by Dewsbury Hightown and Lightcliffe, to the Town of Halifax in the West Riding of the County of York*: And whereas another Act was passed in the Fourteenth Year of the Reign of King *George* the Second, intituled *An Act for repairing the Road from Wakefield to Pontefract, and from thence to a Place called Weeland in the Township of Hensall, and from Pontefract to Wentbridge in the Township of Darrington, in the West Riding of the County of York*: And whereas another Act was passed in the Thirtieth Year of the Reign of King *George* the Second, intituled *An Act for enlarging the Terms and Powers granted by Two several Acts passed in the Fourteenth Year of His present Majesty, the one for repairing the Roads from a Place called the Red House near Doncaster to Wakefield, and through the said Town of Wakefield, by Dewsbury* 14 G.2. c. 19.  
14 G.2. c. 23.  
30 G.2. c. 54.

[*Local.*] 6 F Hightown



Hightown and Lightcliffe, to the Town of Halifax, in the West Riding of the County of York; and the other for repairing the Road from Wakefield to Pontefract, and from thence to a Place called Weeland in the Township of Hensall, and from Pontefract to Wentbridge in the Township of Darrington, in the West Riding of the County of York: And whereas another Act was passed in the Twenty-eighth Year of the Reign of His late Majesty King George the Third, intituled *An Act for enlarging the Term and Powers of certain Acts of Parliament, so far as the same relate to the Roads from the Red House near Doncaster to the South End of Wakefield Bridge, and from Wakefield to Pontefract, and from thence to Weeland in the Township of Hensall, and from Pontefract to Wentbridge, in the West Riding of the County of York*: And whereas another Act was passed in the Fiftieth Year of the Reign of His said late Majesty, intituled *An Act for continuing the Term and altering and enlarging the Powers of several Acts for repairing the Roads therein mentioned, so far as the same relate to the Road from the Red House near Doncaster to the South End of Wakefield Bridge, and from Wakefield to Pontefract, and from thence to Weeland, and from Pontefract to Wentbridge, all in the West Riding of the County of York*: And whereas considerable Sums of Money have been borrowed upon the Credit of the Tolls by the said Acts granted, and are still due, and cannot be repaid, nor can the said Roads be effectually maintained in repair, unless the Term and Powers of the said Acts are enlarged and some additional Powers are granted: And whereas it would be a great Accommodation to the Neighbourhood of the said Roads, and of public Utility, if Power were granted to make a Diversion or Alteration in the Line of the said Road from *Red House to Wakefield Bridge* in manner herein-after mentioned: And whereas it would facilitate the Execution of the Objects herein-before mentioned if the said Acts were repealed, and if other Powers and Provisions were granted and made instead thereof, and were embodied in One Act: And whereas an Act was passed in the Fifth Year of the Reign of His late Majesty King George the Fourth, intituled *An Act to enable Justices of the Peace for Ridings, Divisions, or Sokes, to act as Trustees for repairing and maintaining Turnpike Roads*: And whereas the beneficial Purposes herein-before mentioned cannot be effected without the Aid and Authority of Parliament: 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 Twenty-third Day of *July* next after the passing of this Act the Two several recited Acts of the Fourteenth Year and also the said recited Act of the Thirtieth Year of the Reign of King George the Second, and the said recited Act of the Twenty-eighth Year and also the said recited Act of the Fiftieth Year of the Reign of His late Majesty King George the Third, shall be and the same are hereby declared to be repealed.

Recited Acts of 14 and 30 G. 2. and 28 and 50 G. 3. repealed.

Defining the Object and Powers of this Act.

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 improving and maintaining in repair the present Turnpike

Road



Road from the *Red House* near *Doncaster* to the South End of *Wakefield Bridge*, and from *Wakefield* to *Pontefract*, and from thence to *Weeland*, and from *Pontefract* to *Wentbridge* aforesaid; and also for the Purpose of making and maintaining the Diversion from such Road herein-after mentioned; that is to say, the said Diversion to commence at or near to a Close called the *Quarry Close*, in the Township and Parish of *Ackworth* in the said West Riding, and passing thence in a westwardly Direction through other Lands in the respective Parishes of *Ackworth*, *Wragby*, *Hemsworth*, and *Crofton* in the said County, to and to terminate in and communicate with the said present Road at or near to a House known by the Name of the *New Inn*, in the Township and Parish of *Crofton* aforesaid.

III. And be it further enacted, That the said recited Act passed in the Fifth Year of the Reign of His said late Majesty King *George* the Fourth, and all and every the Powers and Provisions therein contained, (except so far as they are repealed or altered by this Act,) shall be as valid and effectual for carrying this Act into execution as if they had been repeated and re-enacted in the Body of this Act.

Powers of  
5 G. 4. c. 69.  
extended to  
this Act.

IV. And be it further enacted, That all His Majesty's Justices of the Peace acting for the West Riding of the County of *York*, together with Sir *George Armitage* Baronet, *Moseley Atkinson* Clerk, *George Alderson* Clerk, *John Armitage* Clerk, *George Allott* Clerk, *Robert Allott*, *George Ann*, *John Atkinson* Clerk, *Richard Adams*, *Benjamin Brooksbank*, *Stamp Brooksbank* Clerk, *Edward Birmingham*, *John Baldwin*, Sir *John Byng*, *George Broadrick*, *Theophilus Barnes* Clerk, *Robert Buchanon* Doctor of Medicine, *Thomas Davison Bland*, *Edward Chorley* Doctor of Medicine, *Robert Bryan Cooke*, *George Cholmeley*, *William Cooke*, *John Cooke*, *George Cooke* Clerk, *Philip Davies Cooke*, *Thomas Charnock*, *William Charnock*, *Samuel Crompton*, Sir *William Cooke* Baronet, Honourable *Archibald Hamilton Cathcart*, Honourable *John Herbert Charnock*, *Henry William Champneys* Clerk, *Thomas Phipps Amian Champneys*, *Thomas Cator* Clerk, *John Wallbank Childers*, *George Dawson junior*, *William Dawson*, Sir *Edward Dods-worth* Baronet, Honourable *William Duncombe*, *Richard Kennett Dawson*, *John Ellison*, *Joseph Edward Elmsall*, *Joseph Edward Greaves Elmsall*, *Edward Frank* Clerk, Sir *Charles Flint*, Honourable *William Wentworth Fitzwilliam*, Right Honourable Lord Viscount *Galway*, *Benjamin Gaskell*, *Daniell Gaskell*, *John Goldsworthy*, *George Bustard Greaves*, *George Greaves junior*, *William Gooch*, *Richard Oliver Gascoigne*, *Thomas Oliver Gascoigne*, Honourable *Martin Edward Hawke*, *John Pemberton Heywood*, *William Robert Hay* Clerk, *Godfrey Higgins*, *Godfrey Higgins junior*, *Ellis Leckenby Hodgson*, *Thomas Bent Hodgson*, *Joshua Hepworth*, *William Hepworth*, Honourable Lord *Howden*, *Arthur Heywood*, *Peter Heywood*, *Edward Hay* Clerk, *Luke Howard*, *William Johnson*, *Benjamin Jowett*, Honourable *Henry Lascelles*, Sir *John Lowther* Baronet, *John Lowther*, *James Lee*, *John Lee*, *William Lee*, *Richard Thomas Lee*, *Francis Maude*, *William Marshall*, *William Morritt*, Earl of *Mexborough*, *Robert Pemberton Milnes*, *Richard Rodes Milnes*, *Thomas Horncastle Marshall* Clerk, *George Maddison*, *Daniel Maude*, Viscount *Milton*, *James Muscroft*,

Trustees.



*Muscroft, Jeremiah Naylor, Robert Oliver, Richard Peryn Clerk, Lord Pollington, John Perfect, William Perfect, John Preston, Honourable Edward Robert Petre, William Prest, Sir John Ramsden Baronet, John Charles Ramsden, George Ramsden, Thomas Cuttler Rudstone Read Clerk, Sir Joseph Radcliffe Baronet, William Ramsden, Henry Ramsden, Honourable Richard Lumley Savill, John Fox Seaton, Joseph Scott, Benjamin Sayle, Thomas Sayle, Storin Clerk, Charles Smith, Frank Sotheron, Kirkby Torre, Michael Angelo Taylor, Benjamin Turner, Henry Taylor, Edward Trueman, Michael Tasburgh, Charles Thellusson, John Vincent, William Battie Wrightson, Arthur Bland Wrightson Clerk, Saint 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, 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, George Cooke Yarborough, and their Successors, being duly qualified according to the Provisions and Directions of the several Acts for regulating Turnpike Roads in England, shall be and they are hereby appointed Trustees for carrying into execution this Act.*

Power to  
appoint ad-  
ditional  
Trustees.

3 G. 4, c. 126.

V. And be it further enacted, That it shall be lawful for the said Trustees from Time to Time, at any of their Meetings to be held in pursuance of this Act, (of which Meetings and of the Purpose thereof at least Ten Days previous Notice shall be given in manner by an Act passed in the Third Year of the Reign of His said late 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*, directed with respect to Meetings for the Appointment of Trustees on Vacancies,) to elect and appoint any Number of Persons, not exceeding Three in the whole, to be Trustees for the Purposes of this Act, in addition to the Trustees herein named; and such additional Trustees so elected, and being duly qualified, shall have the like Powers for executing this Act as if they had been herein named.

First Meeting  
of Trustees.

VI. And be it further enacted, That the Trustees for executing this Act shall hold their First Meeting at the House now known by the Sign of the *Bay Horse*, in *Wentbridge* aforesaid, or at some other convenient Place near to or in the Neighbourhood of the said Roads, on the Third Monday after the passing of this Act, or as soon afterwards as conveniently may be, and shall and may then, and from Time to Time afterwards, adjourn to and meet at such Times and Places within the Town of *Wentbridge* aforesaid, or in the Neighbourhood of the said Roads, as the said Trustees or the major Part of them, present at such respective Meetings, shall think proper and appoint.

Diversion  
may be made.

VII. And be it further enacted, That it shall be lawful for the said Trustees to make and maintain the Diversion from the said Road herein-before mentioned of such Width as they shall think proper,



proper, not exceeding Forty-two Feet, together with such Footpaths, Causeways, Embankments, Bridges, Arches, Culverts, Ditches, Drains, and Fences on the respective Lines of the said Diversion, as they shall think expedient, and for the Purposes aforesaid to pull down or take and use any Buildings, Lands, Tenements, or Hereditaments, making or tendering Satisfaction to the Owners thereof and Persons interested therein for the same or for the Damage they may sustain by the Execution of the Powers of this Act; and it shall also be lawful for the said Trustees, and for their Surveyors and Workmen, from Time to Time to enter upon any Lands, Tenements, or Hereditaments upon, in, over, or through which such Diversion, Footpaths, Causeways, Embankments, Bridges, Arches, Culverts, Ditches, Drains, and Fences, or any of them, are intended to be made or pass, and also upon, in, over, or through any adjoining Lands, and to stake out the same in such Manner as the said Trustees shall think expedient, without being deemed Trespassers, and without being subject to any Penalty or Punishment for entering or continuing upon such Lands, Tenements, or Hereditaments, for any of the Purposes of this Act; and if any Person shall pull up, remove, or destroy any of the Stakes or other Marks used for the Purposes aforesaid, such Persons shall forfeit and pay any Sum not exceeding Five Pounds for every such Offence.

VIII. And whereas a Map or Plan describing the said intended Diversion of Road, and the Lands, Tenements, and Hereditaments upon, in, over, or through which the same is intended to be carried, together with a Book of Reference thereto containing the Names of the Owners and Occupiers of such Land, Tenements, and Hereditaments, have been deposited at the Office of the Clerk of the Peace for the West Riding of the County of *Yorke*; 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 have Liberty to inspect the same, and to take Copies thereof and Extracts therefrom, paying to such Clerk 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 either of them, or any Copy thereof respectively, or of any Part thereof respectively, certified by the Clerk of the Peace for the Time being to be a true Copy thereof, shall be good Evidence in all Courts of Law; and the said Trustees in making such Diversion shall not extend beyond nor deviate more than One hundred Yards from the Lines described in the said Map or Plan, without the Consent in Writing of the Person or Persons or Party or Parties upon, in, over, or through whose Lands, Tenements, or Hereditaments such Extension or Deviation beyond the said Distance of One hundred Yards shall be made.

Plan deposited with the Clerk of the Peace to remain there, and Diversion to be made according thereto.

IX. Provided always, and be it further enacted, That the Powers and Authorities by this Act given for making the said Diversion shall not authorize the said Trustees to pull down or take or use any Dwelling House or other Building, or to take or use any Curtilage, Orchard, Garden, Yard, Park, Paddock, Lawn, Shrubbery, Plantation, planted Walk, or Avenue to a House, or any inclosed Ground planted

Dwelling Houses, &c. not to be taken without Consent, except those mentioned in the Schedule.

[*Local.*]

6 G

and



and set apart as a Nursery for Trees, or any Part thereof respectively, except such as are mentioned in the Schedule hereunto annexed, without the Consent in Writing of the Owners or Proprietors thereof, or other Persons interested therein, first had and obtained.

Unintentional Errors in Act or Book of Reference not to prevent Execution of Act.

X. Provided also, and be it further enacted, That it shall be lawful for the said Trustees to make the said Diversion upon, in, over, or through any Lands, Tenements, or Hereditaments upon, in, over, or through which the same is delineated on the said Map or Plan, although such Lands, Tenements, or Hereditaments, or any of them, or the Situation thereof respectively, or the Names of the Owners or Occupiers thereof respectively, may happen to be omitted, mis-stated, or erroneously described in this Act or in the said Book of Reference, if it shall appear to any Two or more Justices of the Peace for the Riding or Place within which such Lands, Tenements, or Hereditaments shall be situate, in case of Dispute about the same, and be certified by Writing under their Hands, that such Omission, Mis-statement, or erroneous Description apparently proceeded from Mistake; and the Certificate of the said Justices shall be deposited with and remain in the Custody of the Clerk of the Peace for the Time being.

Limiting the Period of purchasing Property.

XI. Provided also, and be it further enacted, That if the said Trustees shall not, within the Space of Three Years next after the passing of this Act, agree for or cause to be valued, and purchased, the Lands, Tenements, and Hereditaments which they are hereby authorized to take, then and from thenceforth the Powers by this Act or by any other Act or Acts granted in relation to the taking of Lands, Tenements, or Hereditaments for the Purposes of Turnpike Roads, shall, so far as relates to the Lands, Tenements, or Hereditaments herein-before mentioned, cease and be utterly void; any thing in this Act, or in any such Act or Acts as aforesaid, contained to the contrary thereof notwithstanding.

Power to continue or erect Toll Gates, &c.

XII. And be it further enacted, That it shall be lawful for the said Trustees to continue all or any of the Toll Gates or Toll Bars and Toll Houses and Weighing Machines now erected upon the said Roads or upon the Sides thereof, and also to erect or build others in, on, or over the said Roads or upon the Sides thereof, or any Part thereof respectively, or upon the said Diversion, or upon the Sides thereof, when and where and as they shall judge necessary, and from Time to Time to alter, or take down and rebuild, or to discontinue and remove the same or any of them, as they the said Trustees shall think proper.

Trustees to erect Toll Gates on each Branch, and to take Tolls thereat.

XIII. And be it further enacted, That the said Trustees shall and they are hereby required to continue or to erect upon each and every Branch of Road comprised in this Act a Toll Gate or Toll Gates or Toll Bar or Toll Bars, and to demand and take thereat the Tolls by this Act granted, subject to the Provisions of this Act and of the various Acts passed for regulating Turnpike Roads in *England*: Provided also, that no Money arising from any of the Tolls hereby authorized



authorized to be taken shall be applied in or towards the Repair of any Branch Road upon which there shall not be a Toll Gate or Toll Bar continued or erected under the Authority of this Act: Provided also, that no more of the Monies arising by virtue of this Act shall be laid out or expended upon any of the said Branch Roads than shall be actually raised or received upon or in respect of such respective Branch Roads, any thing in this Act contained to the contrary thereof in anywise notwithstanding.

XIV. And be it further enacted, That from and after the Twenty-third Day of *July* One thousand eight hundred and thirty-one the Tolls payable under and by virtue of the said recited Acts shall cease and determine, and instead thereof 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,) Power to take Tolls.

For every Horse, Ass, Mule, or other Beast or Cattle drawing any Tolls.

Coach, Landau, Berlin, Barouche, Phaeton, Sociable, Chaise, Chariot, Calash, Hearse, Litter, Break, Vis-a-vis, Curricule, Gig, Car, Whiskey, Chair, or other such like Carriage, drawn by Six or more Horses, Asses, Mules, or other Beasts or Cattle, not exceeding the Sum of Seven-pence Halfpenny; and drawn by Five Horses, Asses, Mules, or other Beasts or Cattle, not exceeding the Sum of Eight-pence Halfpenny; and drawn by Four Horses, Asses, Mules, or other Beasts or Cattle, not exceeding the Sum of Nine-pence; and drawn by Three Horses, Asses, Mules, or other Beasts or Cattle, not exceeding the Sum of Ten-pence; and drawn by Two Horses, Asses, Mules, or other Beasts or Cattle, not exceeding the Sum of One Shilling and One Penny Halfpenny; and drawn by One Horse, Ass, Mule, or other Beast or Cattle, not exceeding the Sum of One Shilling and Two-pence:

For every Horse, Ass, Mule, or other Beast or Cattle drawing any Waggon, Wain, Cart, Van, Caravan, or other such like Carriage, having the Fellies of the Wheels thereof of the Breadth of Six Inches or upwards at the Bottom or Sole thereof, drawn by Nine or more Horses, Asses, Mules, or other Beasts or Cattle, not exceeding the Sum of Seven-pence Halfpenny; and drawn by Six and not more than Eight Horses, Asses, Mules, or other Beasts or Cattle, not exceeding the Sum of Ten-pence; and drawn by Five Horses, Asses, Mules, or other Beasts or Cattle, not exceeding the Sum of Eleven-pence; and drawn by Four Horses, Asses, Mules, or other Beasts or Cattle, not exceeding the Sum of Nine-pence; and drawn by Three Horses, Asses, Mules, or other Beasts or Cattle, not exceeding the Sum of Eleven-pence; and drawn by Two Horses, Asses, Mules, or other Beasts or Cattle, not



not exceeding the Sum of One Shilling and Three-pence; and drawn by One Horse, Ass, Mule, or other Beast or Cattle, the Sum of One Shilling :

For every Horse, Ass, Mule, or other Beast or Cattle drawing any Waggon, Wain, Cart, Van, Caravan, or other such like Carriage, having the Fellies of the Wheels thereof of less Breadth than Six Inches and not less than Four Inches and a Half, drawn by Nine or more Horses, Asses, Mules, or other Beasts or Cattle, not exceeding the Sum of Ten-pence; and drawn by Six and not more than Eight Horses, Asses, Mules, or other Beasts or Cattle, not exceeding the Sum of One Shilling and One Halfpenny; and drawn by Five Horses, Asses, Mules, or other Beasts or Cattle, not exceeding the Sum of One Shilling and Two-pence; and drawn by Four Horses, Asses, Mules, or other Beasts or Cattle, not exceeding the Sum of Eleven-pence Halfpenny; and drawn by Three Horses, Asses, Mules, or other Beasts or Cattle, not exceeding the Sum of One Shilling and Two-pence; and drawn by Two Horses, Asses, Mules, or other Beasts or Cattle, not exceeding the Sum of One Shilling and Seven-pence; and drawn by One Horse, Ass, Mule, or other Beast or Cattle, the Sum of One Shilling and Four-pence :

For every Horse, Ass, Mule, or other Beast or Cattle drawing any Waggon, Wain, Cart, Van, Caravan, or other such like Carriage, having the Fellies of the Wheels thereof of less Breadth than Four Inches and a Half, drawn by Nine or more Horses, Asses, Mules, or other Beasts or Cattle, not exceeding the Sum of One Shilling; and drawn by Six and not more than Eight Horses, Asses, Mules, or other Beasts or Cattle, not exceeding the Sum of One Shilling and Three-pence; and drawn by Five Horses, Asses, Mules, or other Beasts or Cattle, not exceeding the Sum of One Shilling and Four-pence Halfpenny; and drawn by Four Horses, Asses, Mules, or other Beasts or Cattle, not exceeding the Sum of One Shilling and One Penny Halfpenny; and drawn by Three Horses, Asses, Mules, or other Beasts or Cattle, not exceeding the Sum of One Shilling and Four-pence Halfpenny; and drawn by Two Horses, Asses, Mules, or other Beasts or Cattle, not exceeding the Sum of One Shilling and Ten-pence Halfpenny; and drawn by One Horse, Ass, Mule, or other Beast or Cattle, not exceeding the Sum of One Shilling and Sixpence :

For every Horse, Ass, Mule, or other Beast, laden or unladen, and not drawing, the Sum of Three-pence :

For every Score of Oxen, Cows, or Neat Cattle, the Sum of One Shilling and Three-pence, and so in proportion for any less Number :

For every Score of Calves, Swine, Sheep, or Lambs, the Sum of Seven-pence Halfpenny, and so in proportion for any less Number :

And for every Waggon, Wain, Cart, or other such like Carriage, having the Nails of the Tire of the Wheels projecting more than One Quarter of an Inch above such Tire, the Sum of Ten Shillings; such last-mentioned Toll to be in lieu of any Penalty to which by virtue of an Act passed in the Fourth Year of the Reign of His late Majesty King George the Fourth, intituled *An Act to explain and amend an Act passed in the Third Year of the* Reign



*Reign of His present Majesty, to amend the General Laws now in being for regulating Turnpike Roads in that Part of Great Britain called England, the Owner or Driver of any such Waggon, Wain, Cart, or other Carriage, would be subject or liable to by reason or on account of the Nails of the Tire of the Wheels thereof projecting more than One Quarter of an Inch above such Tire :*

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, Ass, Mule, or other Beast or Cattle whatsoever shall be permitted to pass through any such Toll Gate or Turnpike 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.

XV. And be it further enacted, That in all Cases where there shall be a fractional Part of a Halfpenny in the Amount of any of the Tolls hereby granted, the Sum of One Halfpenny shall be demanded and taken in lieu of such fractional Part.

Fractional Part of a Halfpenny in Tolls.

XVI. Provided always, and be it further enacted, That no Exemption from any of the Tolls by this Act granted shall be allowed for or in respect of any Horse, Beast, or Cattle drawing any Waggon, Cart, or other Carriage laden or returning after having been laden with Lime.

No Exemption in respect of Carriages with Lime.

XVII. Provided also, and be it further enacted, That in case the Toll hereby authorized to be taken shall have been paid for the passing of any Horse, Beast, or Cattle through any one of such Toll Gates or Toll Bars, such Horse, Beast, or Cattle shall at any Time during the same Day, (to be computed from Twelve of the Clock at Night to Twelve of the Clock the next succeeding Night,) upon Production of a Ticket denoting the Payment of such Toll on that Day, be permitted to repass Toll-free (except as herein-after mentioned with respect to Horses, Beasts, or Cattle drawing Stage Coaches or other such like Carriages, or let out to Hire,) through the same Toll Gate or Toll Bar, and also through such other Toll Gates and Toll Bars (if any) as the Ticket for such Payment shall free : Provided nevertheless, that no Horse, Beast, or Cattle for which Toll shall have been paid at any of the said Toll Gates or Toll Bars drawing another or different Waggon, Wain, Cart, or other such Carriage, shall be permitted to repass through the same Toll Gate or Toll Bar on the same Day without again paying Toll, if in so repassing such Horse, Beast, or Cattle shall go or travel upon the said Roads for the Distance of One Mile or more.

No Toll to be paid on repassing, except with a different Waggon, &c.

XVIII. Provided also, and be it further enacted, That no more than Three full Tolls (except as herein provided to the contrary) shall be taken for or in respect of the same Horses, Beasts, or Cattle, or Carriages, in any one Day (to be computed as aforesaid), for passing and repassing once through all the several Toll Gates or Toll Bars upon the said Road from the *Red House near Doncaster* to

Limiting the Number of Tolls for passing and repassing once through all the Gates on the Roads.

[Local.]

6 H

to



to *Wakefield Bridge*, nor more than Three full Tolls for passing and repassing once through all the several Toll Gates or Toll Bars upon the said Road from *Wakefield Bridge* to *Pontefract*, and from thence to *Weeland*, and from *Pontefract* to *Wentbridge*.

Horses drawing Stage Coaches, &c. to be subject to Toll for every Time of passing ;

XIX. Provided also, and be it further enacted, That the Tolls hereby made payable shall be paid for or in respect of all Horses, Mules, Asses, Beasts, or Cattle drawing any Stage Coach, Stage Waggon, Van, Caravan, Cart, or other Stage Carriage carrying Passengers or Goods for Hire or Reward, for each Time of passing and for each Time of repassing along the said Roads : Provided nevertheless, that no further or additional Tolls shall be payable in respect of any Stage Coach, Stage Waggon, Stage Van, Stage Caravan, Stage Cart, or other Stage Carriage, on account only of the Horses drawing the same having been changed.

Post Chaises on every new Hiring.

XX. Provided also, and be it further enacted, That the Tolls hereby made payable shall be paid for or in respect of all Horses, Mules, Asses, Beasts, or Cattle let out to Hire for drawing any Post Chaise or other Carriage, for each Time of passing along the said Roads, whenever a new Hiring thereof shall take place.

Weight of One-horse Carts limited.

XXI. And for regulating the Weights to be allowed to Carts or other such Carriages which shall be drawn upon the said Roads by One Horse, Beast, or Cattle only, be it further enacted, That the Weights to be allowed to Carts or other such Carriages drawn by One Horse, Beast, or Cattle, shall never exceed the Weight following; (that is to say,) from the First Day of *May* to the Thirty-first Day of *October* (both Days inclusive), One Ton and Ten Hundred Weight for each such Carriage and the Lading thereof; and from the First Day of *November* to the Thirtieth Day of *April* (both Days inclusive), One Ton and Seven Hundred Weight for each such Carriage and the Lading thereof.

One-horse Carts to be weighed.

XXII. And be it further enacted, That all Carts or other such Carriages passing along the said Roads drawn by only One Horse, Beast, or Cattle, shall and may be weighed at any Weighing Machine on the said Roads, and the like additional Tolls demanded and recovered for the Overweight thereof as are by Law payable in respect of the Overweight of Carts or other Carriages drawn by Two or more Horses; and all the Powers, Regulations, and Penalties now in force relating to the weighing of Carts or other Carriages drawn by Two or more Horses shall be applicable to Carts or other such Carriages passing on the said Roads drawn by only One Horse, Beast, or Cattle, and to the Drivers and Owners thereof.

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

XXIII. And whereas it frequently happens that Cattle travel on certain Parts of the said Roads, 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 Roads; be it further enacted,



enacted, That it shall be lawful for the Bar-keeper 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 Roads, wherever 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.

XXIV. And be it further enacted, That it shall be lawful for the said Trustees, at any of their Meetings to be held within Three Calendar Months next after the passing of this Act, or at any Adjournment thereof, to declare and order that all Demises, Leases, and Agreements for Leases of the Tolls granted by the said former Acts hereby repealed, and of the several Toll Houses and Buildings and Appurtenances thereto belonging, shall cease and be vacated from and after the Twenty-first Day next after such Meetings; and from and after such Declaration and Order, the same shall cease and be void to all Intents and Purposes, except as to the Right and Power of the said Trustees, which in all Cases is hereby reserved, to receive and recover Payment of all Rent and Arrears of Rent, and Payments, due and to become due thereon; and the said Trustees shall and they are hereby required to make a fair and just Compensation and Satisfaction to the respective Lessees of the said Tolls for any Loss or Damage which they shall sustain thereby, to be paid at such Times and in such Proportions as they the said Trustees shall deem reasonable and proper; and such Compensation and Satisfaction may be recovered by such respective Lessees, or their respective Executors, Administrators, or Assigns, from the said Trustees, in case the same shall not be paid within Six Calendar Months next after the same shall be due, and demanded of the Clerk or Treasurer to such Trustees, by Action of Debt or on the Case, in any of His Majesty's Courts of Record at *Westminster*: Provided always, that in case such Trustees and Lessees respectively cannot agree upon the Amount of such Compensation and Satisfaction, the same shall and may be recovered by Action at Law as aforesaid: Provided also, that nothing herein contained shall prevent the said Trustees from entering into any new or other Agreement with all or any of the present Lessees of the Tolls, for such additional Rent for the Tolls hereby granted and made payable as they shall think reasonable and proper for the unexpired Term of their respective Leases or Agreements.

Leases to be vacated.

XXV. And be it further enacted, That out of any Money borrowed or received under the Authority of the said former Acts hereby repealed, or any of them, and now in the Hands of the Treasurer or of any other Person or Persons, or out of any Money which shall be borrowed or received under or by virtue of this Act, the said Trustees shall in the first place, and in preference to all other Disbursements whatever, pay and discharge all the Costs, Charges, and Expences relative to the obtaining of this Act, with lawful Interest for

Application of the Tolls and other Monies.



for any Money which may have been or which shall be advanced by any Person for or towards the Payment thereof, from the Time or Times that the same shall have been advanced to the Time of the same being repaid; and the Remainder of all such Monies, after defraying the necessary Expences of erecting or repairing Toll Gates, Toll Houses, Milestones, Posts, and Fences, and of Books, Advertisements, Salaries of Officers, and of other Expences incidental to the Execution of this Act, (except the maintaining the present Roads by the said Acts hereby repealed authorized to be made, and the making and maintaining the said Diversion from the said Roads, for which Provision is herein-after made,) shall be applied in the first instance in paying and discharging any Interest which may at any Time hereafter become due on the Credit of this Act; in the next place, in paying and discharging any Interest which may from Time to Time be due and owing on the Credit of the Tolls granted by the said former Acts hereby repealed; in the next place, in defraying the Expences of maintaining in repair the said present Roads, and of making and maintaining the Diversion from the said Roads herein-before authorized to be made, and of otherwise executing the several Purposes of this Act; in the next place, in repaying any Principal Money which may hereafter be borrowed and secured on the Credit of this Act; and lastly, in repaying the Principal Money due on the Credit of the said former Acts hereby repealed.

No Part of the Money received under this Act to be laid out in repairing Streets, &c.

XXVI. Provided always, and be it further enacted, That no Part of the Money to be received by virtue of the said former Acts hereby repealed, or of this Act, shall be laid out in paving, repairing, or cleansing any Street, Road, or Highway within any Town or Place through which the said Roads may pass, and which Street, Road, or Highway now hath or hereafter shall have Houses or other Buildings abutting upon or ranging along both Sides thereof, nor shall it be lawful for the said Trustees to collect any Toll therein, any thing herein contained to the contrary notwithstanding.

Penalty of Renters of Tolls compounding for Overweight.

XXVII. And whereas great Injury may be done to the said Roads by the Farmers or Renters of the Tolls inducing Persons, by receiving from them a small and inadequate Composition for the Tolls of Carriages liable to be weighed in respect of the Tolls for Overweight, to travel on the said Roads, when otherwise they would have made use of different Roads; be it therefore enacted, That if any Farmer or Farmers, Renter or Renters of the Tolls of any Turnpike Gate now erected or hereafter to be erected upon the said Roads respectively, or his or their Deputy or Deputies, Agent or Agents, shall make any Composition, by the Year or otherwise, with any Person or Persons whomsoever for or in lieu of the Tolls of any Waggon, Wain, Cart, or other Carriage liable to be weighed at the Engine or Engines erected or to be erected upon the said Roads respectively, for or in respect of the Overweight thereof, every such Farmer or Renter, Deputy or Agent, shall on Conviction thereof, by Confession, or upon the Oath of any Witness or Witnesses, before any of His Majesty's Justices of the Peace for the West Riding of the County of York, forfeit and pay (besides the Costs and Charges attending the Conviction) a Sum of Money not exceeding



ing Ten Pounds, and shall also forfeit his or their Contract or Lease for renting the Tolls, if the said Trustees shall think proper to order that the same shall be thereupon vacated and made void, and every such Composition shall be and the same is hereby declared to be null and void; and One Half of every such Penalty shall be paid to the Informer, and the Remainder to the Surveyor or Treasurer of the said Roads respectively, to be employed towards the Repair thereof.

XXVIII. And be it further enacted, That this Act shall commence Term of Act. on the Third *Monday* after the passing hereof, and shall continue in force for the Term of Thirty-one Years, and from thence to the End of the Session of Parliament which shall then next follow.

XXIX. And be it further enacted, That this Act shall be deemed Public Act. 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.



## SCHEDULE referred to in the foregoing Act.

No. on Plan.	Owners.	Occupiers.	Description of Property.
1	Sir Henry Wright Wilson Knight.	Thomas Dyson and Edward Dyson.	Flatt Close.
2	Ditto	Ditto	Church Close.
29	Charles Winn Esq.	Charles Winn Esq.	Plantation.
46	Ditto	Ditto	Taylor Wood.
51	Ditto	Jeremiah Rogerson	Croft.
53	John Hesslegreaves	John Hesslegreaves	Charles Croft.

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