



ANNO TERTIO

# GULIELMI IV. REGIS.

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## Cap. lxxxiii.

An Act for repairing, maintaining, and improving  
the Road from *Tadcaster Bridge* within the County  
of the City of *York* to *Hob Moor Lane End*.

[10th June 1833.]

**W**HEREAS an Act was passed in the Eighteenth Year of  
the Reign of King George the Second, intituled *An Act* 18 G. 2. c. 16.  
*to repair the Road leading from Tadcaster Bridge within*  
*the County of the City of York to a Place near the said City called Hob*  
*Moor Lane End*: And whereas an Act was passed in the Eleventh  
Year of the Reign of King George the Third, intituled *An Act* 11 G. 3. c. 83.  
*to enlarge the Term and Powers of an Act made in the Eighteenth Year*  
*of King George the Second, to repair the Road leading from Tadcaster*  
*Bridge within the County of the City of York to a Place near the said*  
*City called Hob Moor Lane End*: And whereas an Act was passed in  
the Thirty-second Year of the Reign of King George the Third, inti-  
tuled *An Act for continuing the Term and enlarging the Powers of* 32 G. 3. c. 155.  
*Two Acts passed in the Eighteenth Year of the Reign of His late*  
*Majesty King George the Second and the Eleventh Year of the Reign*  
*of His present Majesty, for repairing the Road leading from Tadcaster*  
*Bridge within the County of the City of York to a Place near the said*  
*City called Hob Moor Lane End*: And whereas an Act was passed in  
the Forty-eighth Year of the Reign of King George the Third, inti-  
tuled *An Act to continue the Term and alter and enlarge the Powers of* 48 G. 3. c. 26.  
*Three Acts of His late and present Majesty, for repairing the Road*  
[Local.] 21 G from



54G.3.c.122. *from Tadcaster Bridge within the County of the City of York to a Place called Hob Moor Lane End: And whereas an Act was passed in the Fifty-fourth Year of the Reign of King George the Third, intituled An Act to enlarge the Term and Powers of an Act of His late Majesty and Three Acts of His present Majesty, for repairing the Road from Tadcaster Bridge within the County of the City of York to Hob Moor Lane End: And whereas the Trustees for executing the said several recited Acts have greatly improved the said Road, and have towards that Purpose borrowed Money upon the Credit of the Tolls authorized to be taken on the said Road, which still remains due, and the said Road cannot be effectually repaired, amended, improved, and kept in repair, unless Tolls, Powers, and Provisions are granted and made for those Purposes for a further Term: And whereas it is expedient that the said recited Acts should be repealed, and that further and other Provisions should be made in lieu thereof: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Day of the Commencement of this Act the said several recited Acts of the Eighteenth Year of King George the Second, and of the Eleventh, Thirty-second, Forty-eighth, and Fifty-fourth Years of King George the Third, shall be and the same are hereby declared to be repealed.*

Recited Acts  
repealed;

and this Act  
to be put in  
execution.

II. And be it further enacted, That this Act shall be put into execution, for and during the Term herein-after mentioned, for the Purpose of repairing, maintaining, and improving the Road from *Tadcaster Bridge* within the County of the City of *York* to *Hob Moor Lane End*.

Trustees.

III. And be it further enacted, That the Honourable *Edward Robert Petre*, the Honourable *William Duncombe*, *Edward Stillingfleet Cayley*, the Honourable *Sir Edward Marmaduke Vavasour*, *Sir William Mordaunt Milner*, *Sir John Ramsden*, *Sir Thomas Slingsby*, and *Sir Thomas Carnaby Haggerston*, Baronets, *Richard Fountayne Wilson*, *William Hotham*, *George Peacock*, *Isaac Spencer*, *Thomas Smith*, *William Dunsley*, *William Hutchinson Hearon*, *John Dales*, *William Oldfield*, *William Cooper*, *George Champney*, *James Barber*, *Eustachius Strickland*, *James Atkinson*, *Andrew Samuel Barlow*, *Thomas Barstow*, *Varley Bealby*, *Henry Bland*, *Christopher Brearey*, *Benjamin Brooksbank*, *Stamp Brooksbank*, *John Bulmer*, *John William Clough*, *John Clough*, *Harry Croft*, *Gilbert Crompton*, *William Danby*, *George Ellin*, *Thomas Lodington Fairfax*, *Thomas Fairfax*, *John Fearby*, *William Gossip*, *Barnard Hague*, *William Hale*, *Edmund Lalley*, *William Laycock*, *William Marshall*, *William Morritt*, *Edward Prest*, *D'Arcy Preston*, *Thomas Shann*, *William Sotheron*, *Isaac Spencer* the younger, *Robert Swann*, *George Swann*, *Richard John Thompson*, *John Tweedy*, *John Drumelzier Tweedy*, *Joseph Bilton Wilson*, and *Richard York*, Esquires, *Robert Markham Clerk*, Archdeacon of *York*, *William Bulmer*, *Alexander Crigan*, *William Dealtry*, *William Henry Dixon*, *Benjamin Eamonson*, *William Venables Vernon Harcourt*, *John Jervis D'Arcy Preston*, *Timothy Shann*, *Robert Swann*,



*Robert Stephen Thompson*, and *Montagu John Wynyard*, Clerks, and *Baldwin Wake* Doctor of Medicine, and their Successors, being duly qualified to act as Trustees for repairing Turnpike Roads in *England*, shall be and they are hereby appointed Trustees for repairing, maintaining, and improving the said Road, and for putting this Act into execution.

IV. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered, at any of their Meetings to be holden by virtue of this Act, to elect and appoint any Number of fit and proper Persons, being duly qualified to act as Trustees of Turnpike Roads in *England*, (not exceeding Three in the whole in addition to the 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.

Power to  
appoint  
additional  
Trustees.

V. And be it further enacted, That the said Trustees shall meet at the Guildhall of the City of *York* on the Day of the Commencement of this Act, or as soon after as conveniently may be, to carry this Act into execution, and shall and may then and from Time to Time afterwards adjourn to and meet at such Times and such Place or Places upon or near to the said Road as the said Trustees shall think proper and appoint.

Meetings of  
Trustees.

VI. And be it further enacted, That the Gate, Turnpike, Weighing Machines, and Toll House erected and now standing across 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 said Road or any Part or Parts thereof, or by the Sides thereof, when, where, and as they shall judge necessary, any Gate or Gates, Turnpike or Turnpikes, Side Bar or Side Bars or Gates, or 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 or Turnpikes, and such future Gates, Turnpikes, Side Gates, Side Bars, or Chains, or any of them, as they the said Trustees shall think proper.

The present  
Gate and  
Weighing  
Machines to  
be continued,  
and new  
Gates may be  
erected.

VII. And be it further enacted, That it shall be lawful for the said Trustees, or any Person or Persons to be appointed or continued Collector or Collectors of the Tolls to be taken by virtue of this Act, to demand and take, or to cause to be demanded and taken, at the several and respective Turnpikes, Toll Gates, Bars, and Chains now erected or hereafter to be erected upon, across, or on the Side of the said Road, (subject to any Order which may be made by the said Trustees at their First Meeting,) the Tolls or Sums herein-after mentioned, or any Sum or Sums not exceeding the Tolls or Sums herein-after mentioned, and on every Day (such Day to be computed from Twelve of the Clock at Night to Twelve of the Clock in the next succeeding Night); that is to say,

Power to  
take Tolls.

For



Tolls.

For every Horse or other Beast drawing any Coach, Sociable, Berlin, Phaeton, Landau, Chariot, Vis-à-vis, Barouche, Chaise, Calash, Chaise Marine, Curricl, Chair, Car, Gig, Whiskey, Hearse, Litter, or other such Carriage, the Sum of Nine-pence :

For every Horse or other Beast drawing any Stage Coach, Diligence, or other such Carriage, the Sum of One Shilling :

For every Horse or other Beast drawing any Waggon, Wain, Cart, Dray, or other such Carriage with Wheels of Six Inches or upwards in Breadth, the Sum of Sixpence :

For every Horse or other Beast drawing any Waggon, Wain, Cart, Dray, or other such Carriage with Wheels of Four Inches and a Half and less than Six Inches in Breadth, the Sum of Seven-pence Halfpenny :

For every Horse or other Beast drawing any Waggon, Wain, Cart, Dray, or other such Carriage with Wheels of less than Four Inches and a Half in Breadth, the Sum of Nine-pence :

For every unladen Coach, Chaise, Cart, Waggon, or other Carriage with Four Wheels, fastened or hung to and drawn behind any Waggon, Wain, Cart, or other Carriage, the Sum of One Shilling :

For every unladen Chaise, Chair, or other such Carriage with Two Wheels, which shall be fastened or hung as aforesaid, the Sum of Three-pence :

For every Cart or other Carriage, not being empty or unladen, fastened and drawn behind any Waggon, Cart, or other Carriage, the Sum of Sixpence :

For every Horse or Mule, laden or unladen, and not drawing, the Sum of Two-pence :

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

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

For every Drove of Calves, Hogs, Sheep, or Lambs, the Sum of Seven-pence Halfpenny *per* Score, and so in proportion for any less Number than a Score :

For every Carriage moved or propelled by Steam or Machinery, or by any other Power than animal Power, the Sum of Four Shillings :

Which said respective Tolls or Sums of Money shall be payable and may be demanded and taken before any Horse or other Beast or Cattle, or Carriage, upon which any Toll is by this Act imposed, shall be permitted to pass through any such Turnpike, Toll Gate, Bar, or Chain ; and such respective Tolls or Sums of Money shall be and they are hereby vested in the Trustees for putting this Act in execution, and shall be applied in manner herein-after directed.

As to the fractional Part 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 in any of them, the Sum of One Halfpenny shall be demanded and taken in lieu of such fractional Part.

IX. And

IX. And be it further enacted, That if the Toll hereby authorized to be taken shall have been paid for the passing of any Horse, Cattle, Beast, or Carriage through any one of the Turnpikes, Toll Gates, Bars, or Chains to be continued or erected upon, across, or on the Sides of the said Road or any Part thereof, such Horse, Cattle, Beast, or Carriage shall, upon a Ticket being produced denoting the Payment of such Toll, be permitted to pass Toll-free through the same Toll Gate, and also through such other Gate or Gates, if any, as the Ticket for such Payment shall free, at any Time or Times during the same Day, except as herein-after provided.

Tolls to be paid but once a Day.

X. Provided always, and be it further enacted, That no more than One full Toll shall be demanded or taken on the same Day for or in respect of the same Horse or Horses or other Beast or Cattle, or Carriage or Carriages, for passing and repassing through all the Turnpikes, Toll Gates, Bars, or Chains to be continued or erected upon or on the Sides of the said Road, except as herein-after provided.

Limiting the Number of Tolls.

XI. Provided always, and be it further enacted, That in case the Toll 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 Toll Gate, Turnpike, Side Bar, Side Gate, or Chain on the said Road, and any such Horse or other Beast shall afterwards be employed during the same Day in drawing a different Waggon, Wain, Cart, or other such Carriage from that which they were employed in drawing when such Payment was made, every such Horse or other Beast so drawing shall again be liable to Toll in respect of being employed in drawing such different Waggon, Wain, Cart, or other such Carriage.

Horses drawing different Carriages to pay each Time of passing.

XII. Provided also, and be it further enacted, That the Tolls hereby made payable for and in respect of all Horses or other Beasts drawing any Stage Coach, Diligence, Van, Caravan, or Stage Waggon, or other Stage Carriage, conveying Passengers or Goods for Pay or Reward, shall be payable and paid for every Time of passing or 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, Stage Waggon, or other Stage Carriage, on account only of the Horses or Beasts drawing the same having been changed between any Gates freeing each other by Tickets.

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

XIII. Provided also, and be it further enacted, That the Tolls hereby made payable for and in respect of all Horses or other Beasts drawing any Post Chaise or other Carriage shall be payable and paid every Time of passing or repassing along the said Road whenever a new Hiring thereof shall have taken place.

Post Chaises, &c. to pay on every new Hiring.

XIV. And be it further enacted, That the Tolls hereby made payable for and in respect of any Carriage propelled or moved by Steam, Gas, or any other like Means, shall be paid every Time of passing and repassing.

Steam Carriages to pay every Time of passing and repassing.



and repassing of such Carriage along the said Road or any Part thereof.

Exemption  
for carrying  
Corn to be  
ground, &c.

XV. Provided also, and be it further enacted, That no Toll shall be demanded or taken for or in respect of any Horse or Beast drawing any Cart or other Carriage, or not drawing, in going to or from any Mill situate within the *Ainsty*, employed only in carrying Corn to be ground, or returning empty after being so employed, or going empty to fetch back or employed only in carrying back the Grist or Corn so ground for the Consumption of the Owner of such Corn in his, her, or their Family.

Not to preju-  
dice the Earl  
of Egremont's Toll.

XVI. Provided always, and be it further enacted and declared, That nothing in this Act contained shall extend or be construed to extend to prejudice, defeat, or interrupt the Right or Claim of the Right Honourable *George Earl of Egremont* to any Toll or Duty paid or payable for or on account of the passing of Carts and Waggon over and along the Common or Moor called *Tadcaster Low Moor*.

Application  
of Tolls.

XVII. And be it further enacted, That all Monies now in the Hands of the said Trustees, or which shall or may be collected or received under the Powers or Authority of this Act, shall be applied, in the first place, in defraying the Costs, Charges, and Expences attending the applying for and obtaining and passing this Act; in the next place, in paying off and discharging all Arrears of Interest in respect of the Money now due and owing on the Credit of the Tolls granted and made payable by the said recited Acts hereby repealed; in the next place, in paying off and discharging the Interest on any Sums of Money which shall hereafter be borrowed or taken up at Interest on Security of the Tolls hereby granted; and in the next place, in defraying the Expence of continuing, providing, erecting, and keeping in repair the Turnpikes, Toll Houses, and other Buildings, Side Gates, Bars, and Chains, and in amending, widening, improving, and keeping in repair the said Road, and in otherwise putting this Act into execution; and the Residue of the Monies so to be collected and received shall be applied in repaying the Principal Monies for the Time being due and owing on the Credit of the said recited Acts and this Act, and in defraying all other necessary Costs, Charges, and Expences attending the same, in such Manner as the said Trustees shall from Time to Time appoint.

No Money to  
be expended  
in repairing  
Streets.

XVIII. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees to apply, expend, or appropriate any of the Tolls hereby granted, or any of the Monies raised by virtue of the said recited Acts hereby repealed, or to be raised by virtue of this Act, in repairing, lighting, or improving any Street, Highway, or Place in any Town into or through which the said Road passes, or to collect any Tolls therein.

Public Act.

XIX. 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.

XX. And

XX. And be it further enacted, That this Act shall commence and take effect from and after the Thirty-first Day of *October* next after the passing of this Act, 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. Term of Act.

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