

ANNO TRICESIMO OCTAVO

GEORGII III. REGIS.

Cap. 2.

An Act for continuing, for Twenty-one Years, and from thence to the End of the then next Session of Parliament, the Term, and altering and enlarging the Powers, of Two several Acts, one passed in the Twenty-fourth Year of the Reign of His late Majesty King George the Second, and the other in the Sixteenth Year of His present Majesty, so far as the same relate to repairing the Road from Tadcaster to Halton Dyal, in the West Riding of the County of York.

[12th January 1798.]

THEREAS an Act was passed in the Twenty-sourth Year of Preamble. the Reign of His late Majesty King George the Second, intituled, An Act for explaining and amending so much of an Act, passed in 24 Geo. II, the Fourteenth Year of the Reign of His present Majesty, for the repairing and enlarging the Roads from the Town of Selby, in the West Riding of the County of York, to the Town of Leeds, and from thence, in Two several Branches, one through Bradford and Horton, and the other through Bowling and Wibsey, to the Town of Halifax, in the same Riding, as relates to that Part of the said Roads which lies between Selby and Leeds; and also for repairing the Road from Tadcaster, in the said West Riding, over Bramham Moor, [Loc, & Per.]

16 Geo. III, Cap. 82.

28 Geo. II, Cap. 17.

The recited Acts, with respect to the Road from Tadcaster to Halten Dyal, continued.

through Kidhall Lane, over Win Moor, and through Seacrost, to a Place called Halton Dyal, where it comes into the abovefuld Road between Selby and Leeds: And whereas by the faid Act of the Twenty-fourth Year of His faid late Majesty, the Road between Selby and Leeds is made a separate District or Division, and the Road between Tadcoster and Halton Dyal is made another District or Division: And whereas another Act was passed in the Sixteenth Year of the Reign of His present Majesty King George the Third, intituled, An Act to enlarge the Term and Powers of an Act, passed in the Twenty-sourth Year of the Reign of His Majesty King George the Second, so far as relates to repairing the Road from Tadcaster to Halton Dyal, in the West Riding of the County of York: And whereas the Trustees to the said last mentioned District or Division have borrowed feveral Sums of Money, which, together with the Tolls collected, have been duly applied in amending the faid Diftrict or Division of Road: And whereas the Terms granted by the said Acts of the Twenty-fourth Year of His faid late Majesty's Reign, and the Sixteenth Year of the Reign of His present Majesty, for repairing the faid Road from Tadcaster to Halton Dyal, are now near expiring, notwithstanding the additional Term of Five Years, granted by an Act, made in the Twenty-eighth Year of the Reign of His late Majesty, intituled, An Act to amend an Act, made in the Twenty-fixth Year of the Reign of His present Majesty, intituled, An Act for the Amendment and Preservation of the publick Highways and Turnpike Roads of this Kingdom, and for the more effectual Execution of the Laws relating thereto: And whereas the Money borrowed on the Credit of the Tolis of the faid Road from Tadcaster to Halton Dyal, and the Interest due thereupon, and also the Money due for Materials and Labour within the said District or Division, from Tadcaster to Halton Dyal, cannot be discharged, nor the faid Road completed and kept in Repair for the future, unless the Terms granted and now subsisting relating thereto be enlarged, and the faid Tolls increased, and some further and other Powers granted: 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 Confent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the faid recited Acts, passed in the Twenty-fourth Year of His late Majesty King George the Second, and the Sixteenth Year of the Reign of His present Majesty, and all and every the Authorities, Powers, Privileges, Exemptions, Provisions, Penalties, and Clauses therein contained (except fuch of them as relate to Exemptions from Stamp Duties, and fuch as have been varied, altered, or repealed), so far as the same respectively relate to the Road from Tadcaster to Halton Dyal, shall be, and the same are hereby further continued from the Expiration of the Terms by the faid feveral recited Acts granted, and also of the additional Term granted by the faid recited Act of the Twenty-eighth Year of His faid late Majesty, for and during the further Term herein-after mentioned, as fully and effectually, to all Intents and Purpofes, as if the same were herein particularly inserted, repeated, and re-enacted, but subject nevertheless to the Amendments, Variations, Alterations, and Additions herein contained, and which shall commence and take effect from the First Meeting of the Trustees herein-after mentioned, and be in force during the Terms hereby continued and granted; and this Act, and the additional Term hereby granted, as well as the Remainder

of the faid former Terms, shall be and are hereby made subject to the Payment of all Monies now due and owing upon the Credit, or on Account of the said former Acts, passed in the Twenty-sourth Year of the Reign of His late Majesty King George the Second, and the Sixteenth Year of His present Majesty, or that may hereaster be borrowed on the Credit of the said former Acts and this Act, with respect to the said Road from Tadcaster to Halton Dyal, and of all Interest due or to grow due thereon respectively.

II. And be it further enacted, That the Aldermen and Assistants of the Additional Borough of Leeds for the Time being, Sir John Sheffield Baronet, Sir Trustees.

Thomas Gascoigne Baronet, Sir Walter Vavasour Baronet, Sir George Wynne Baronet, Sir John Ramsden Baronet, the Honourable Thomas Lyon, the Reverend Miles Atkinson, Benjamin Atkinson, Johnson Atkinson Busfield, Charles Brandling, William Blackburn, the Reverend Doctor Bacon, Robert Bramley, Christopher Bramley the younger, Samuel Blagbrough, William Benson, Gervis Benson, John Brook, Edward Brook, John Billham M. D. Wade Browne, Nicholas Bischoff, George Baron, John Bramley, Christopher Beckett, Bernard Bischoff, George Bischoff, Edward Cleaver, Thomas Calvert, Thomas Coupland, Thomas Charlefworth, Thomas Cookson, John Cookson, Stephen Catley, John Reetham Charlesworth, Samuel Charlesworth, Thomas Clapham, John Dennison, John Dixon, Robert Davison M. D. Thomas Davison, David Dunderdale, David Dunderdale the younger, Henry Dunderdale, William Eamonson, Francis Ferrand Foljambe, Richard Fawcett Clerk, Thomas Faber Clerk, William Faber, William Faber Clerk, John Foster of Selby, William Faber junior, John Green, Joshua Green, Savile Green, Richard Green, John Gray, Benjamin Gott, Thomas Hardwick, Thomas Hainfworth, Henry Hall, Henry Hall the younger, John Hall, William Hartley, Thomas Hill, Joseph Holroyd, William Hey the younger, William Hanson, John Haxby, Sandford Hardcastle Clerk, Stephen Iveson, Samuel Keeling, Samuel Lapage, William Lee, Arthur Lupton, Richard Lee, Sir William Lowther Baronet, John Lowther, the Vicar of Leeds for the Time being, Edmund Maude, Richard Slater Milnes, Thomas Medhurst junior, Joseph Medley, Benjamin Murgatroyd, Richard Micklethwaite, John Micklethwaite, Thomas Micklethwaite, Edward Markland the younger, the Minister of Saint John's for the Time being, John Pate Nevile, Samuel Hamer Qates, Josiah Oates, Richard Paley, Joseph Stephen Pratt, Thomas Richard Peacop, Benjamin Pullan, John Pearson, George Paley, William Read, George Rayson, Matthew Rhodes, William Robertson, John Smith junior, John Smith, Thomas Storey, John Sherbrook, John Shearwood, William Skelton, Henry Skelton, John Smyth, John Smithson Clerk, Richard Anthony Salisbury, John Sparling, Joshua Smith, John Sidgwick, Benjamin Smith, Samuel Smithson of Rothwell, Samuel Smalpage Clerk, Walter Spencer Stanhope, John Teale, William Teale, Alexander Turner, Peter Tolfon junior, Richard Tolson, William Thomas Trant, Thomas Thursby, Thomas Tenant, Henry Wickham, Thomas Wright, Thomas Wilkinjon junior, Ed. ward Wilkinson, Thomas Walker, Michael Wainhouse, Thomas Wright, Christopher Wilson, William Walker M. D. William Walker, Wintringham, Ard Walker, John Wilson, Thomas Wormald, Richard Wormald, and Richard York, shall be, and they are hereby added to

Wintringham, Ard Walker, John Wilson, Thomas Wormald, Richard Wormald, and Richard York, shall be, and they are hereby added to and joined with the remaining and surviving Trustees nominated by, or elected by virtue of the said Acts of the Twenty-sourth Year of the Reign of His said late Majesty and the Sixteenth Year of the Reign of

His present Majesty, or either of them, for the Care of the Road from Tadcaster to Halton Dyal; and that the said Persons herein-before named, together with those nominated and appointed Trustees for the said District or Division, by virtue of the said former Acts, and qualified as herein-after mentioned, shall be, and they are hereby appointed Trustees to put the faid former Acts and this Act in Execution, within the faid District or Division of Road from Tadcaster to Halton Dyal.

Truffees to be qualified.

III. Provided always, and be it further enacted, That no Person shall be qualified or capable of acting as a Trustee, in any Case, in the Execution of this or the said former Acts, for the said District or Division of Road from Tadcaster to Halton Dyal, unless he shall be, in his own Right or in the Right of his Wife, in the actual Possession and Enjoyment or Receipt of the Rents and Profits of Lands, Tenements, or Hereditaments, being Freehold, Leafehold, or Copyhold, of the clear Yearly Value of Fifty Pounds above Reprizes, or shall be Heir Apparent to some Person or Persons having an Estate of the Yearly Value of One hundred Pounds, or possessed of One thousand Pounds in Personal Estate; and if any Person or Persons, not being qualified as aforesaid, shall presume to act contrary to the true Intent and Meaning of this Act, every fuch Person, for such Offence, shall forfeit and pay any Sum not exceeding Fifty Pounds, nor less than Twenty-five Pounds, to any Person or Persons who shall inform or sue for the same, to be recovered in any of His Majesty's Courts of Record at Westminster; any Thing in the faid former Acts, or either of them, to the contrary hereof in anywise notwithstanding.

Acts of difqualified Truftees hefore Convica tion valid.

IV. Provided nevertheless, and be it further enacted, That all Acts and Proceedings of any Person or Persons, who hath or have acted or shall act as a Trustee or Trustees in the Execution of this or any of the faid recited Acts, though not duly qualified as aforesaid, previous to his or their being convicted of such Offence, shall be as valid and effectual as if fuch Person or Persons had been so qualified.

Former Tolls repealed.

V. And whereas the Tolls by the faid former Acts authorized to be taken on the faid District between Tadcaster and Halton Dyal, are inadequate to the Purpose of sufficiently amending and completing the said Road, and keeping the fame in Repair, and repaying the Money borrowed thereon, and the Interest thereof, be it therefore further enacted, That the faid Tolls shall be, and they are hereby repealed, and that instead thereof the respective Tolls following shall be demanded and taken at all or any of the Gates or Turnpikes which are or shall be erected in, upon, or on the Side of or across the said Road from Tadcaster to Halton Dyal, by fuch Person or Persons as the said Trustees, or any Five or more of them, shall appoint for that Purpose, before any Cattle or Carriage shall be permitted to pass through the said Gates or Turnpikes; (that is to fay),

New Tolk to be taken for Coaches and € a riages.

For every Coach, Chariot, Landau, Berlin, Curricle, Chaife, Calash, or other fuch like Carriage, or Hearfe, drawn by Six Horses or Beasts of other fuch like Draught, at the First Gate or Turnpike which every such Coach, Chariot, Landau, Berlin, Curricle, Chaise, Calash, or other such like Carriage, or Hearfe shall pass, the Sum of Two Shillings and Sixpence, and at the Second Gate or Turnpike, the further Sum of One Shilling; and drawn

drawn by Four Horses or Beasts of Draught, at the First Gate or Turnpike, the Sum of One Shilling and Sixpence, and at the Second Gate or Turnpike, the further Sum of One Shilling; and drawn by Two Horses or Beasts of Draught, at the First Gate or Turnpike, the Sum of Nine-pence, and at the Second Gate or Turnpike, the further Sum of Sixpence; and drawn by One Horse or Beast of Draught, at the First Gate or Turnpike, the Sum of Sixpence, and at the Second Gate or Turn-

pike, the further Sum of Three-pence:

And for every Waggon, Wain, Cart, or other fuch like Carriage, For Waggons, having the Fellies of the Wheels of less Breadth than Six Inches, not wheels of less going for or laden with, or returning empty after having been laden Breadth than with Coals only, and drawn by Four Horses or Beasts of Draught, at the Six Inches, not going for First Gate or Turnpike which every such Waggon, Wain; Cart, or Coals. other fuch like Carriage shall pass, the Sum of Two Shillings and Sixpence, and at the Second Gate or Turnpike the further Sum of One Shilling; and drawn by Three Horses or Beasts of Draught, at the First Gate or Turnpike, the Sum of One Shilling and Four-pence, and at the Second Gate or Turnpike the further Sum of Eight-pence; and drawn by Two Horses or Beasts of Draught, at the First Gate or Turnpike the Sum of One Shilling, and at the Second Gate or Turnpike the further Sum of Sixpence; and drawn by One Horse or Beast of Draught, at the First Gate or Turnpike the Sum of Sixpence, and at the Second Gate or Turnpike the further Sum of Three-pence:

And for every Waggon, Wain, Cart, or other fuch like Carriage; For the like having the Fellies of the Wheels of less Breadth than Six Inches, going Waggons laden with empty for, or laden with, or returning empty after having been laden Coak. with Coals only, and drawn by Four Horses or Beasts of Draught, at the First Gate or Turnpike which every such Waggon, Wain, Cart, or other fuch like Carriage shall pass, the Sum of Two Shillings and Sixpence; and drawn by Three Horses or Beasts of Draught, the Sum of One Shilling and Four-pence; and drawn by Two Horses or Beasts of Draught, the Sum of One Shilling; and drawn by One Horse or Beast of Draught, the Sum of Sixpence, for the whole Length, or any shorter Part of the faid Road:

And for every Waggon, Wain, Cart, or other fuch like Carriage, For Waggons, having the Fellies of the Wheels of the Breadth of Six In hes or more, with Wheels of the not going for or laden with, or returning empty after having been laden Breadth of with Coals only, and drawn by Five or more Horses or Beasts of Six Inches or more, not Draught, at the First Gate or Turnpike which every such Waggon, going for Wain, Cart, or other fuch like Carriage shall pass, the Sum of Two Coals. Shillings, and at the Second Gate or Turnpike the further Sum of One Shilling; and drawn by Four Horses or Beasts of Draught, at the First Gate or Turnpike the Sum of One Shilling and Sixpence, and at the Second Gate or Turnpike the further Sum of Nine-pence; and drawn by Three Horses or Beasts of Draught, at the First Gate or Turnpike the Sum of One Shilling, and at the Second Gate or Turnpike the further Sum of Sixpence; and drawn by Two Horses or Beasts of Draught, at the First Gate or Turnpike the Sum of Eight-pence, and at the Second Gate or Turnpike the further Sum of Four-pence; and drawn by One Horse or Beast of Draught, at the First Gate or Turnpike the Sum of Four-pence, and at the Second Gate or Turnpike the further Sum of Two-pence:

And for every Waggon, Wain, Cart, or other fuch like Carriage, For the like with Wheels of the Breadth of Six Inches or more, going empty for or Liden with [Loc. & Per.]

laden with, or returning empty after having been laden with Coals only, and drawn by Five or more Horses or Beasts of Draught, at the First Gate or Turnpike which every fuch Waggon, Wain, Cart, or other fuch like Carriage shall pass, the Sum of Two Shillings; and drawn by Four Horses or Beasts of Draught, the Sum of One Shilling and Sixpence; and drawn by Three Horses or Beasts of Draught, the Sum of One Shilling; and drawn by Two Horses or Beasts of Draught, the Sum of Eight-pence; and drawn by One Horse or Beast of Draught, the Sum of Four-pence, for the whole Length, or any shorter Part of the faid Road:

For every Horfe, &c. not drawing.

And for every Horse, Mare, Gelding, Mule, or Ass, laden or unladen, and not drawing, at the First Gate or Turnpike which any fuch Horse, Mare, Gelding, Mule, or Ass shall pass, the Sum of One Penny Halfpenny, and at the Second Gate or Turnpike the further Sum of One Penny:

And for every Drove of Oxen or Neat Cattle, at the First Gate or Turnpike which they shall pass, the Sum of Ten-pence per Score, and at the Second Gate or Turnpike the further Sum of Five-pence per Score,

and fo in Proportion for any greater or less Number:
And for every Drove of Calves, Swine, Sheep, or Lambs, at the First Gate or Turnpike which they shall pass, the Sum of Five-pence per score, and at the Second Gate or Turnpike the further Sum of Two-pence Halfpenny per Score, and so in Proportion for any greater or less Number (except for One, One Farthing), for the whole Length or any shorter Part of the faid Road; any Thing in any of the faid recited Acts, or in any other Law or Statute contained to the contrary in anywife notwithftanding:

Which faid feveral Tolls shall be, and the same are hereby vested in the faid Trustees, and the same, and every Part thereof, shall be collected, recovered, levied, paid, applied, affigned, varied, and disposed of in such and the same Manner, and by such Ways and Means, and with such Remedies for Non-payment or Evasion thereof, and with such Powers, Provisoes, Exemptions, and Restrictions, as are contained in the said recited Acts with respect to the said Road from Tadcaster to Halton Dyal, but subject to the Regulations and Alterations in this Act contained.

VI. And whereas, in and by the faid recited Act of the Twenty-fourth Year of the Reign of His faid late Majesty King George the Second, it is among other Things enacted, that One Seventh Part of the Nett Money arifing from the Tolls and Duties to be collected on the Road between Tadcaster and Halton Dyal aforesaid, shall be paid by the Treasurer to be appointed for that Part of the faid Roads lying between Tadcaster and Halton Dyal for the Time being, unto the Treasurer to be appointed for that Part of the faid Roads between Selby and Leeds aforefaid, for the Time being, by Half-yearly Payments, on the Twenty-fifth Day of December and the Twenty-fourth Day of June in every Year during the Continuance of the faid recited Acts: And whereas the faid One Seventh Part of the Nett Money arifing from the Tolls on the faid Road between Tadeaster and Halton Dyal, and directed to be paid to the Treasurer of the Road from Selby to Leeds, was intended to be paid in Aid and towards the Repair of fuch Part of the flid Road from Selby to Leeds as lies between Halton Dyal and Leeds; but from the great Increase in the Price of Labour and the Expense of procuring Materials for the faid Road from Halton Dyal to Leeds, and keeping the fame in Repair, One

Seventh Part of the Nett Money arising from the Tolls on the said Road between Tadcaster and Halton Dyal is not a fair and adequate Proportion of what ought to be paid therefrom to the Treasurer of the Road from Selby to Leeds; be it therefore enacted, That, from and after the Forenlarging passing of this Act, such Part of the Nett Money arising from the Tolls the Sam to be and Duties to be collected on the said Road between Tadcaster and Hal-Tadcaster and ton Dyal, by virtue of this Act, shall be paid by the Treasurer appointed Halton Dyal Road to the for the faid Road between Tadcaster and Halton Dyal for the Time be-Road from Saing unto the Treasurer appointed for the said Road between Selby and by to Leede, Leeds aforefaid for the Time being, as the faid Trustees, or any Five or more of them, shall from Time to Time yearly, during the Continuance of this Act, order and direct, not exceeding One Fifth Part of the Nett Money arising from the faid Tolls and Duties to be collected on the faid Road between Tadcaster and Halton Dyal, nor less than One Seventh Part thereof to be paid at the Times and in Manner directed by the faid recited Act, and to be applied for and towards the amending, repairing, and keeping in Repair, fuch Part of the faid Road from Selby to Leeds as lies between Halton Dyal aforesaid and Leeds; any Thing in the faid former Acts, or either of them, or this Act, contained to the contrary notwithstanding.

VII. Provided always, and be it further enacted, That it shall be lawful Trustees may for the faid Trustees, or any Five or more of them, and they are hereby reduce Tolls empowered, from Time to Time, at any Meeting to be held for that Meeting. Purpose, of which One Calendar Month's Notice shall be given in Writing, to be affixed on all the Turnpike Gates then erected upon the faid Road between Tadcaster and Halton Dyal, and in one or both of the Leeds Newspapers, so long as the same shall be published, from Time to Time to leffen or reduce all or any of the Tolls granted by this Act, for and during fuch Time as the faid Trustees shall think proper, and afterwards at any Meeting to be held as aforefaid, from Time to Time, if they shall see Occasion, to advance all or any of the Tolls so lessened to any Sum or Sums of Money not exceeding the feveral Rates granted by this Act; and fuch Tolls fo reduced or raifed again shall be collected, recovered, and applied in the fame Manner as the Tolls herein-before granted are to be collected, recovered, and applied.

VIII. Provided always, and be it further enacted, That for and not-Truffees may withstanding any Thing herein or in the said recited Acts contained, it apportion the shall be lawful for the said Trustees, or any Five or more of them, at any Meeting or Meetings, upon giving fuch Notice as aforefaid, to order and direct the Tolls hereby granted, and directed to be paid at the Gates or Turnpikes upon the faid Road, to be taken and received in different Portions, at fuch and fo many of the Gates and Turnpikes which are or shall be erected upon the faid Road, as they the faid Trustees shall think proper.

IX. And whereas it is proper that fome of the Exemptions allowed by Difcontinuing the faid Acts should for the future be taken away during certain Months for Exemptions for cerin every Year; be it therefore enacted, That it shall be lawful for the tain Months faid Trustees, or any live or more of them, if they shall see convenient in every Year. and think proper, or such Person or Persons as they, or any Five or more of them, shall by Writing under their Hands authorize or appoint for that Purpose, between the First Day of October and the First Day of April

April in every Year, to demand, receive, and take, at all the Turnpikes already erected or to be erected upon this Road, for every Waggon, Wain, Cart, or other Carriage laden with, or employed in carrying any Stones, Dung, Mould, Compost, Sand, or any other Manure of what Nature or Kind foever, such and the like Tolls as are imposed by this Act upon any Waggons, Wains, Carts, or other Carriages laden with any other Thing whatfoever, and drawn by the same Number of Horses, Oxen, or other Beasts of Draught; any Thing in the said former Acts, or any other Act or Acts, contained to the contrary hereof in anywise notwithstanding.

Meetings.

X. And be it further enacted, That the faid Trustees shall meet at the Rotation Office in Leeds aforesaid, upon the Fourth Day of January One thousand seven hundred and ninety-eight, between the Hours of Ten in the Forenoon and Two in the Afternoon, and shall then and there proceed to carry this Act and the faid recited Acts into Execution, and shall then, and from Time to Time afterwards, adjourn themselves to meet again at fuch Place or Places, near to any Part of the faid Road, as the faid Trustees, or the major Part of them, present at any such Meeting shall think proper and convenient, for putting this Act and the said recited Acts into Execution; and if it shall happen that there shall not appear at any fuch Meeting a fufficient Number of Trustees to act, or to adjourn to another Day (Two Trustees being hereby deemed sufficient for the Purpose of Adjournment only), or in case the Trustees at any Time affembled shall omit or neglect to adjourn themselves, the Clerk to the faid Trustees shall from Time to Time, as often as such Case shall happen, adjourn fuch Meeting to some other Day, within Three Calendar Months from the Day on which fuch Adjournment shall be made, and shall cause publick Notice thereof to be given in Writing, affixed on all the Turnpikes erected upon the faid Road, or by an Advertisement or Advertisements, to be inserted in one or both of the Leeds Newspapers, at least Ten Days before the Day to which such Meeting shall be so adjourned.

Expences of the Act.

XI. And be it further enacted, That all the Charges and Expences attending the obtaining and passing this Act, shall be paid out of any Money already collected or received by virtue of the said recited Acts, or out of the sirft Money to be received by virtue of the said former Acts and this Act, in preference to any other Payment whatsoever.

Publick Act.

XII. And be it further enacted, That this Act shall be deemed, adjudged, and taken to be a Publick Act, and shall be judicially taken Notice of as such by all Judges, Justices, and other Persons whomsoever, without specially pleading the same.

Continuance of the Act.

XIII. And be it further enacted, That the Term of this Act shall commence from the Expiration of the Term of the said recited Acts, and continue and be in Force for Twenty-one Years, and from thence to the End of the then next Session of Parliament.

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