



ANNO SEXTO

# GEORGIIV. REGIS.

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*Cap. clxxxv.*

An Act for making and maintaining a Turnpike Road from *Doncaster*, through *Hatfield*, to *Baln Croft Barn* near *Thorne*, with One Branch therefrom, in the West Riding of the County of *York*.

[22d June 1825.]

WHEREAS the Road leading from the Town of *Doncaster*, through *Hatfield*, by way of *Bearswood Green*, to *Thorne*, is very circuitous, and in many Places out of repair; and it would be of great public Utility if a Turnpike Road were made to commence at or near to a certain Building called the *Waterhouse*, near a certain Street called *Hall Gate*, within the Town and Borough and Parish of *Doncaster*, and to proceed along or near the present Highway leading to and through the Village of *Hatfield*, to a certain Place there called *Furth Field Gate*, and thence along or near to a certain Occupation Road lately set out by virtue of the *Hatfield, Thorne, and Fishlake* Inclosure Act, to the *Bawtry* and *Selby* Turnpike Road, at or near to *Baln Croft Barn*, in the Parish of *Hatfield*, near the Town of *Thorne*, together with One Branch from such intended Turnpike Road, commencing at or near to a certain Place called *Broxholme Lane*, near the Town and in the Parish of *Doncaster* aforesaid, and passing along or near to the present Highway, to a certain Street in the Town of *Doncaster* aforesaid, called *East Laith Gates*: And

[*Local.*]

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whereas

3 G. 4. c. 126. whereas an Act was passed in the Third Year of the Reign of His present 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*: And whereas another Act was passed in the Fourth Year of the Reign of His said present Majesty,

4 G. 4. c. 95. intituled *An Act to explain and amend an Act passed in the Third Year of the 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*: And whereas an Act was passed in the Fifth Year of

5 G. 4. c. 69. the Reign of His present Majesty, 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 all His Majesty's Justices of the Peace acting for the West Riding of the County of York for the Time being, together with Sir *William Bryan Cooke* Baronet, *Edward Chorley*, *George Peacock*, *Thomas Wilkinson* (Clerk), *Richard Littlewood* (Armthorpe), *Richard Newsome*, *John Stacey*, *Francis Newsome*, *George Parker*, *George Parker the younger*, *George Martin*, *John Wall*, *Thomas Gresham*, *Thomas Hall*, *John Matthewman*, *Samuel Walker*, *William Marsdin*, *John Bladworth*, *Thomas Killam*, *Thomas Simpson*, *William Gossip*, *William Hatfield Gossip*, *George Gossip*, *John Hatfield Gossip*, *Hugh Massey*, *Henry Pilkington*, *William Matthews*, *Thomas Fox* (Clerk), *William Atkinson*, *John Benson*, *Edmund Godfrey*, *Peter East*, *George Outwin*, *Richard Winter*, *John Goodworth*, *Samuel Woodall*, *William Cawkwell*, *Robert Pemberton Milnes*, *Eric Rudd* (Clerk), *Richard Pearson*, *William Darley*, *Charles Maples*, *George Hopwood*, *William Godfrey*, *William Coulman*, *William Makins*, *John Whitaker*, *Thomas Brown*, *John Lilleyman*, *John Hunt*, *John Moate*, *Richard Wheen*, *Lord Deerhurst*, *Lord Macdonald*, *Sir Joseph Copley* Baronet, *George Broadrick*, *Thomas Brown the elder*, *Alexander Cooke* (Clerk), *Charles Henry Childers*, *Philip Davies Cooke*, *Robert Bryan Cook* (Clerk), *Michael Tasburgh*, *John Cooke Yarborough*, *George Cooke*, *George Cooke of Carrhouse*, *John Walbanke Childers*, *William Walbanke Childers* (Clerk), *Ralph Creyke the younger*, *Richard Harvey Cooke*, *William Pilkington of Whitehall*, *William Popplewell Bellingham Johnson*, *John Johnson of Sandtoft*, *Frank Sotheron*, *John Egremont*, *William Morrill*, *Samuel Wilkes Waude*, *Robert Elmhirst*, *John Crowder*, *John Perfect*, *Henry Ellison*, *John Forster* (Clerk), *Edward Thomas Copley*, *William Walker Drake*, *Richard Ellison junior*, *Lord Lovaine*, *James Stovin* (Clerk, D. D.), *Richard Fountayne Wilson*, *Francis Offley Edmunds*, *John Fullerton*, *John Pemberton Heywood*, *Godfrey Higgins*, *John Hall of Scawbro*, *William Hett* (Clerk), *Kilvington* (Clerk), *Snaith*, *William Shearburn*, *Snaith*, *Thomas Townrow*, *John Henry Maw*, *Richard Stovin Maw*, *George Neville*, *Redmand William Pilkington*, *Henry Preston*, *Joseph Proctor* D. D. (Clerk), *Richard Swann Robson*, *Francis Roe*, *Michael Angelo Taylor*, *Thomas Turton* (Clerk), *William Wrightson*, *William Battie Wrightson*, *Arthur Battie Wrightson*, *William Vizard*, *William Walker* (Wilsick), *Leonard*

Trustees appointed.

*Walbanke Childers, Edmund Beckett Denison, John White, Richard Robson, Richard Tyas, John Webster, Richard Littlewood of Doncaster, William Sheardown, John Sheppard, Henry Bower, John Branson, John Wright, George Clarke Walker, John Pearson, and their Successors, being duly qualified according to the Provisions and Directions contained in the said recited Acts of the Third, Fourth, and Fifth Years of the Reign of His present Majesty, shall be and they are hereby appointed Trustees for making and maintaining in repair the said Road and Branches, and for otherwise carrying this Act into Execution; and the said Road shall be called "The Doncaster and Thorne Turnpike Road."*

II. And be it further enacted, That the said recited Act passed in the Third Year of the Reign of His present Majesty, and all and every the Powers, Provisions, Exemptions, Penalties, Forfeitures, Payments, Remedies, Matters, and Things therein contained, (save and except such Parts thereof as are expressly varied, altered, or repealed by the said recited Act of the Fourth Year of the Reign of His present Majesty, and also save and except such Parts thereof as are expressly varied, altered, or otherwise provided for by this Act), and also the said recited Act passed in the Fourth Year of the Reign of His present Majesty, and all and every the Powers, Provisions, Exemptions, Penalties, Forfeitures, Payments, Remedies, Matters; and Things therein contained, (save and except such Parts thereof as are expressly varied, altered, or otherwise provided for by this Act); and also the said recited Act passed in the Fifth Year of the Reign of His present Majesty, and the Powers and Provisions therein contained, shall respectively be as good, valid, and effectual for carrying this Act into Execution as if the same had respectively been repeated and re-enacted in the Body of this Act.

Powers of Acts 3, 4, & 5 G. 4. extended to this Act.

III. And be it further enacted, That the Trustees for executing this Act shall hold their First Meeting at the Guildhall of the Town of *Doncaster*, or at some other convenient Place in the said Town, on the Third *Tuesday* next after the passing of this Act, or as soon after as conveniently may be; and the Second Meeting shall be held at the *Red Lion Inn* in the Town of *Thorne*, or at some other convenient Place in the said Town; and the said Trustees shall and may then, and from Time to Time afterwards, adjourn to and meet at such Times and at such Place or Places in the said Towns respectively as they shall think proper: Provided always, that all such Meetings shall be held alternately at the said Towns of *Doncaster* and *Thorne* respectively.

First and other Meetings of Trustees.

IV. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees to appoint the Person who may be appointed to act as their Clerk in the Execution of this Act, or the Partner of such Clerk, or the Clerk of or other Person in the Service or Employ of such Clerk, or of the Partner of such Clerk, the Treasurer for the Purposes of this Act, or to appoint the Person who may be appointed Treasurer, or the Partner of such Treasurer, or the Clerk of or other Person in the Service or Employ of such Treasurer, or of the Partner of such Treasurer, the Clerk for the Purposes of this

Clerk not to act as Treasurer, and vice versa.

this Act; and if any Person shall act in both the Capacities of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of such Clerk, or the Clerk of or other Person in the Service or Employ of such Clerk, or of the Partner of such Clerk, shall act as Treasurer, or being the Partner of such Treasurer, or the Clerk of or other Person in the Service or Employ of such Treasurer, or of the Partner of such Treasurer, shall act as Clerk in the Execution of this Act, or if any Treasurer shall hold any Place or Office of Profit or Trust under this Act, other than that of Treasurer, every Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person who shall sue for the same, to be recovered with full Costs of Suit in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Plaint, or Information, wherein no Essoign, Protection, or Wager at Law, nor more than One Imparlance, shall be allowed.

Road may  
be made.

V. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered, to make the said Road and Branch from, in, over, or through any Lands, Grounds, or Hereditaments, of such Width or Dimensions as they shall think proper, not exceeding Sixty Feet, together with such Footpaths, Causeways, Bridges, Arches, Culverts, Ditches, Drains, and Fences, as they shall think necessary or expedient, and for such Purpose or Purposes to pull down, or take in, use, or lay into the said Road, any Houses, Buildings, Tenements, or Hereditaments mentioned in the Schedule to this Act annexed, making Satisfaction to the Owners thereof and Persons interested therein for the same, or for the Damage they may sustain thereby; and also in, upon, over, or through any Commons or Waste Grounds, without making any Satisfaction for such Commons or Waste Grounds; and it shall be lawful for the said Trustees, and for their Surveyors or Surveyor and Workmen, from Time to Time to enter upon the Lands and Premises, or Hereditaments, through which or whereupon such Roads, Footpaths, Causeways, Bridges, Arches, Culverts, Ditches, Drains, and Fences, or any of them, are intended to be made or pass, and also upon any adjoining Lands or Grounds, and to stake out the same in such Manner as the said Trustees shall think necessary or expedient, without being deemed a Trespasser or Trespassers, and without being subject or liable to any Fine, Penalty, or Punishment for entering or continuing upon such Lands or Premises respectively for any of the Purposes of this Act; and if any Person shall pull up, remove, or destroy any of such Stakes or other Marks used for the Purposes aforesaid, every Person so offending shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds.

Road to be  
made accord-  
ing to the  
Maps or  
Plans depo-  
sited at the  
Offices of the  
Clerk of the  
Peace.

VI. And whereas Maps or Plans, describing the Lines of the said Road and Branch, and the Lands, Hereditaments, and Premises through or over which the same are to be made or carried, together with Books of Reference, containing Lists of the Names of the Owners and Occupiers of such Lands, Hereditaments, and Premises, have been deposited at the Offices of the Clerk of the Peace for the West Riding of the County of *York*, and of the Clerk of the Peace for the Borough of *Doncaster*; be it therefore enacted, That the said  
Maps

Maps or Plans and Books of Reference shall remain in the Custody of the said respective Clerks of the Peace, to the end that all Persons may at all seasonable Times have liberty to inspect and peruse the same, and to take Copies or Extracts thereof at their Will and Pleasure, paying to the said respective Clerks of the Peace for every such Inspection the Sum of One Shilling, and at the Rate of Four-pence for every Seventy-two Words of such Copies or Extracts of the said Maps or Plans and Books of Reference; and the said Trustees, in making the said Road and Branch, shall not deviate more than One hundred Yards of Three Feet each from the Lines described in the said Maps or Plans, without the Consent in Writing of the Person or Persons, Bodies Politic, Corporate, or Collegiate, through whose Lands or Premises such Deviation shall be made.

VII. Provided always, and be it further enacted, That it shall be lawful for the said Trustees to make the said Road and Branch into, through, across, or over the several Lands, Hereditaments, and Premises of any Person or Persons who is, or are, or may be Owner or Owners of Lands or Premises over which the same is or are set out and described in the said Maps or Plans as aforesaid, although the Name or Names of such Person or Persons may happen to be omitted or mis-stated in the said Books of Reference, in case it shall appear to any Two or more Justices of the Peace for the said West Riding, and be certified by Writing under their Hands, that such Error or Omission proceeded from Mistake; and such Certificate shall be deposited with and remain in the Custody of the Clerk of the Peace for the said West Riding.

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

VIII. Provided always, and be it further enacted, That the Powers and Authorities given by this Act for making the said Road and Branch, shall not extend or be construed to extend to empower or authorize the said Trustees to take or pull down any Dwelling House or other Building, or to take in or make use of any Curtilage, Orchard, Garden, Yard, Park, Paddock, Lawn, Shrubbery, planted Walk, or Avenue to a House, or any inclosed Ground planted and set apart as a Nursery for Trees, or any Part thereof respectively, without the Consent in Writing of the Owner or Proprietor thereof, or other Person interested therein, first had and obtained, other than and except such as are mentioned in the said Map or Plan, and in the Schedule to this Act annexed.

Trustees restrained from pulling down Dwelling Houses, &c. without the Consent of the Owner.

IX. Provided always, and be it further enacted, That if the said Trustees shall not, within the Space of Five Years next after the passing of this Act, agree for and purchase the Buildings, Lands, Tenements, and Hereditaments particularly mentioned in the Schedule to this Act annexed, then and from thenceforth the Powers to them hereby granted for such Purpose shall cease, determine, and be utterly void and of no effect; any thing herein contained to the contrary thereof in anywise notwithstanding.

Limiting Time for purchasing Premises, &c.

X. And be it further enacted, That if any Money shall be paid or agreed or awarded to be paid for the Purchase of any Lands, [Local.] Tene-

Application of Compensation when

amounting to  
200l.

1 G. 4: c. 35.

Tenements, or Hereditaments, to be purchased, taken, or used by virtue of the Powers of this Act, which shall belong to any Body Politic, Corporate, or Collegiate, Ecclesiastical or Civil, Corporation Aggregate or Sole, Tenant for Life or in Tail, or to any Feoffee in Trust, Executor, Administrator, Husband, Guardian, Committee, or other Trustee, for or on behalf of any Infant, Idiot, Lunatic, Feme Covert, or other Cestuique Trust, or to any Person or Persons whose Lands, Tenements, or Hereditaments are limited in strict or other Settlement, or to any Person under any other Disability or Incapacity whatsoever, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed, be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Exchequer, to be placed to his Account there, *ex parte* the Trustees for executing this Act, pursuant to the Method prescribed by an Act passed in the First Year of the Reign of His present Majesty King *George* the Fourth, intituled *An Act for the better securing Monies and Effects paid into the Court of Exchequer at Westminster on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes*, and the General Orders of the said Court, and without Fee or Reward; and shall when so paid in there remain, until the same shall, by Order of the said Court made upon a Petition to be preferred to the said Court in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments, be applied either in the Purchase or Redemption of the Land Tax, or in or towards the Payment or Discharge of any Debt or Debts, or other Incumbrances, affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments standing settled therewith, to the same or the like Uses, Trusts, Intents, or Purposes, as the said Court of Exchequer shall authorize to be purchased, redeemed, paid, or discharged, or such Part thereof as shall be necessary; or until the same shall upon the like Application be laid out in a summary Way, by Order of the said Court, in the Purchase of other Lands, Tenements, or Hereditaments, which shall be conveyed, limited, and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Lands, Tenements, or Hereditaments which shall be so purchased, taken, or used as aforesaid stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined or capable of taking Effect; and in the meantime, and until such Order can be made, the said Money may, by Order of the said Court, upon Application thereto, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities, or in Government or Real Securities; and in the meantime, and until the said Bank Annuities, or Government or Real Securities, shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends or Interest and annual Produce of the said Consolidated or Reduced Bank Annuities, or Government or Real Securities, shall from Time to Time be paid, by the Order of the said Court, to the Person or Persons who would

for the Time being have been entitled to the Rents and Profits of such Lands, Tenements, or Hereditaments so to be purchased, conveyed, and settled.

XI. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands, Tenements, or Hereditaments to be purchased, taken, or used for the Purposes of this Act, and belonging to any Corporation, or to any Person or Persons under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed or amount to the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken, or used; or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy, Idiocy, Lunacy, or other Incapacity, with the Approbation of the said Trustees, or any Three or more of them, to be signified in Writing under their respective Hands, be paid into the said Bank of *England*, in the Name and with the Privity of the said Accountant General of the Court of Exchequer, and be placed to his Account as aforesaid, in order to be applied in manner herein-before directed; or otherwise the same may be paid, at the like Option and with the like Approbation, to Two Trustees to be nominated by the Person or Persons who for the Time being would be entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so to be purchased and settled, such Nomination to be approved of by Three or more of the Trustees for executing this Act, such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties, and the Money so paid to such Trustees, and the Dividends and Produce arising thereon and therefrom, shall be by them applied in like Manner as is herein-before directed with respect to the Money so to be paid into the Bank in the Name of the Accountant General of the Court of Exchequer; but without obtaining or being required to obtain any Order of the said Court touching the Application thereof.

Where less than 200l. and amounting to 20l.

XII. Provided also, and be it further enacted, That where such Money so agreed or awarded to be paid as last herein-before mentioned shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken, or used for the Purposes of this Act, for his, her, or their own Use and Benefit, or in case of Infancy, Idiocy, Lunacy, or other Incapacity, then such Money shall be paid to his, her, or their Guardian or Guardians, Committee or Committees, Trustee or Trustees, to and for the Use and Benefit of such Person or Persons respectively entitled thereto.

Where under 20l.

XIII. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be awarded for the Purchase of any Lands, Tenements, or Hereditaments, to be purchased, taken, or used under or by virtue of the Powers of this Act, shall refuse

In case of not making out a good Title, &c.

refuse to accept the same, or shall not be able to make a good Title to the Premises to the Satisfaction of the said Trustees; or in case the Person or Persons to whom such Sum or Sums of Money shall be awarded as aforesaid cannot be found, or if the Person or Persons entitled to such Lands, Tenements, or Hereditaments be not known or discovered, then and in every such Case it shall be lawful for the said Trustees to order the said Sum or Sums of Money so awarded as aforesaid to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the said Court of Exchequer, to be placed to his Account to the Credit of the Parties interested in the said Lands, Tenements, or Hereditaments (describing them), subject to the Order, Controul, and Disposition of the said Court; which said Court, on the Application of any Person making claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall be and is hereby empowered, in a summary Way of Proceeding or otherwise, as to the said Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest of the Person or Persons making claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England*, who shall receive such Sum or Sums of Money, is and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying therein for what and for whose Use the same is or are received, to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank of *England* as aforesaid.

Where any Question shall arise touching the Title to Money.

XIV. Provided always, and be it further enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the said Court of Exchequer, in pursuance of this Act, for the Purchase of any Lands, Tenements, or Hereditaments, or of any Estate, Right, Title, or Interest in any Lands, Tenements, or Hereditaments to be purchased in pursuance of this Act, for the Purposes aforesaid, or to any Bank Annuities or Government or Real Securities to be purchased with any such Money, or to the Dividends or Interest of any such Bank Annuities or Government or Real Securities, the Person or Persons who shall have been in Possession of such Lands, Tenements, or Hereditaments at the Time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, or Hereditaments, according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court; and the Dividends or Interest of the Bank Annuities or Government or Real Securities to be purchased with such Money, and also the Capital of such Bank Annuities or Government or Real Securities, shall be paid, applied, and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

XV. Pro-



XV. Provided also, and be it further enacted, That where by reason of any Disability or Incapacity of the Person or Persons, or Corporation, entitled to any Lands, Tenements, or Hereditaments to be purchased, taken, or used under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the Bank of *England*, or to be applied in the Purchase of other Lands, Tenements, or Hereditaments, to be settled to the like Uses in pursuance of this Act, it shall be lawful for the said Court to order the Expences of all Purchases from Time to Time to be made in pursuance of this Act, or so much of such Expences as the said Court shall deem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Trustees out of the Monies to be received by virtue of this Act, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

Court may order reasonable Expences to be paid by Trustees.

XVI. And be it further enacted, That it shall be lawful for the said Trustees to erect and set up or build, or cause to be erected, set up, or built, upon, in, or across the Road and Branch by this Act directed or authorized to be made and maintained, or any Part thereof, or upon the Side or Sides of the said Road and Branch, or any Part of the same, when, where, and as they shall judge necessary, any Gate or Gates, Turnpike or Turnpikes, Side Gate or Side Gates, Side Bar or Side Bars, or Chain or Chains, and any Weighing Machine or Weighing Machines; and also One or more Toll House or Toll Houses, with Outhouses and Conveniences suitable thereto, at or near each Toll Gate and Weighing Machine, and to take in and inclose on the Sides of the said Road and Branch, or from the Land adjoining thereto (not being a Park, Paddock, Garden, Orchard, or Pleasure Ground), suitable Garden Spots for such Toll House or Toll Houses, not exceeding One-eighth Part of a Statute Acre each, as they shall think necessary, and from Time to Time to discontinue, take down, and remove, or to continue and alter the same, or any Part of them, as they the said Trustees shall think proper and direct.

For erecting Toll Gates, Turnpikes, Side Bars, &c.

XVII. And be it further enacted, That it shall be lawful for the said Trustees, or for any Person or Persons under their Authority, to demand and take the Tolls herein-after mentioned at the several and respective Toll Gates or Turnpikes or Toll Houses, or Side Gates or Side Bars or Chains, which shall be erected or placed by virtue of this Act in, upon, across, or on the Side or Sides of the said Road and Branch, before any Horse, Beast, Cattle, or Carriage shall be permitted to pass through the same respectively; (that is to say),

Power to take Tolls.

For every Horse, Mule, or other Beast, drawing any Coach, Sociable, Chariot, Berlin, Landau, Vis-a-vis, Barouche, Phaeton, Curricule, Calash, Chaise, Chair, Gig, Pleasure Cart, Diligence, Whiskey, Caravan, Hearse, Litter, or other such Carriage, the Sum of Five-pence:

Tolls.

For every Horse, Mule, or other Beast, drawing any Waggon, Wain, Cart, or other such Carriage, having the Fellies of the Wheels thereof of the Breadth of Six Inches or upwards at the Bottom or Soles thereof, the Sum of Three-pence:

[Local.]

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For

For every Horse or other Beast drawing any Waggon, Wain, Cart, or other such Carriage, having the Fellies of the Wheels thereof of less Breadth or Gauge than Four and a Half Inches at the Bottom or Soles thereof, the Sum of Four-pence :

For every Horse or other Beast drawing any Waggon, Wain, Cart, or other such Carriage, having the Fellies of the Wheels thereof of the Breadth of Four and a Half Inches, and less than Six Inches at the Bottom or Soles thereof, the Sum of Three-pence Halfpenny :

For every Horse or other Beast drawing any Waggon or other Four-wheeled Carriage, drawn along the said Road by being fastened behind or attached to any Waggon, Wain, Cart, or other Carriage, the same Toll as shall be payable for a Waggon, or other Four-wheeled Carriage of the same Description, drawn by Four Horses or other Beasts of Draught : And for every Cart, commonly called a Lighter, or other Two-wheeled Carriage, fastened or attached to any Waggon, Wain, Cart, or other Carriage, the same Toll as the said Cart or other Two-wheeled Carriage would have been chargeable with had the same been drawn by Two Horses or other Beasts of Draught :

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

For every Drove of Oxen, Cows, Calves, or other Neat Cattle, the Sum of Ten-pence *per* Score, and so in proportion for a greater or less Number :

For every Drove of Sheep, Lambs, or Swine, the Sum of Five-pence *per* Score, and so in proportion for any greater or less Number :

Which said respective Sums of Money hereby authorized to be demanded and taken as aforesaid, upon or across the said Road, or any Part thereof, shall be demanded and taken in the Name of or as Toll, and the same shall be and are hereby vested in the said Trustees, and shall be applied and disposed of in manner herein-after directed.

Tolls to be paid but once a Day.

XVIII. Provided always, and be it further enacted, That if any Person shall have paid the Tolls hereby authorized to be taken for the passing of any Horse, Cattle, Beast, or Carriage through any one of such Toll Gates, or Turnpikes, or Side Gates, such Horse, Cattle, Beast, or Carriage shall, upon a Ticket denoting the Payment thereof on that Day being produced, be permitted to pass and repass Toll-free through the same Toll Gate, Turnpike, or Side Gate, and also through such other Gate or Gates, if any, as the Ticket for such Payment (such Ticket to be made out according to the Requisitions and Provisions of the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty and this Act) shall free, at any Time during the same Day (such Day to be computed from Twelve of the Clock at Night to Twelve of the Clock in the next succeeding Night); any thing herein contained to the contrary thereof in anywise notwithstanding.

No more than One full Toll to be paid on the whole Line of Road.

XIX. Provided also, and be it further enacted, That no more than One full Toll shall be demanded or taken of or from any Person for or in respect of the same Horses, Beasts, Cattle, or Carriages in any one Day, (such Day to be computed in manner herein-before mentioned) for passing and repassing once through all or any of the

Toll

Toll Gates or Toll Bars to be erected under or by virtue of the Powers of this Act.

XX. Provided also, and be it further enacted, That for and in respect of all Horses or Beasts drawing any Stage Coach, Diligence, Van, Caravan, or Stage Waggon, or other Stage Carriage conveying Passengers or Goods for Pay or Reward; for which Toll shall have been paid, and which shall return on the same Day through the same Toll Gate or Toll Bar, the Tolls hereby made payable shall be payable and be paid every Time of passing and repassing along the said Roads, or either of them.

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

XXI. Provided also, and be it further enacted, That the Tolls hereby made payable shall be paid for or in respect of Horses or Beasts of Draught let out to hire, and drawing any Post Chaise or other Carriage, for every subsequent Time of passing along the said Roads, or either of them, whenever any new Hiring thereof shall take place.

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

XXII. Provided also, and be it further enacted, That the said Tolls shall be payable at each and every Toll Gate or Toll Bar in respect of Horses or other Beasts of Draught drawing any Waggon, Wain, Cart, or such like Carriage, for every Time during the same Day that any such Horse or other Beast of Draught shall pass through any of the said Toll Gates or Toll Bars drawing any other Waggon, Wain, Cart, or other such like Carriage than that which such Horse or other Beast of Draught was employed in drawing at any former Time during the same Day, and at which Toll shall have been paid.

Horses, &c. drawing different Waggon, to pay every Time of passing.

XXIII. And be it further enacted, That no Toll shall be demanded or taken by virtue of this Act for any Horse, Beast, or other Cattle, or for any Waggon, Wain, Cart, or other Carriage employed in carrying or conveying, or having been employed only in carrying or conveying on the same Day, any Lime for improving Lands.

Exempting Carriages conveying Lime for improving Lands.

XXIV. Provided always, and be it further enacted, That it shall be lawful for the Trustees acting in the executing of this Act, at any of their Meetings, to enter into any Agreement or Arrangement with the Trustees acting in the Execution of an Act passed in the Fifty-first Year of the Reign of His late Majesty King George the Third, intituled *An Act for enlarging the Term and Powers of an Act of His present Majesty, for repairing the Road from Bawtry to Selby, in the West Riding of the County of York*, for the Purpose of exempting from the Payment of Tolls, or for reducing the Rate of Tolls to be paid by virtue of this Act by any Person or Persons for or in respect of any Horses or other Beasts or Cattle passing through any Gate or Gates upon the said Roads hereby authorized to be made and maintained, or any of them, or any Part or Parts thereof respectively, upon such Terms and Conditions as they the said Trustees acting in the Execution of this Act shall think just and proper.

Enabling the Trustees to agree with Trustees of adjoining Roads relative to a Reduction of Tolls.

XXV. And be it further enacted, That out of the Monies already subscribed, or to be subscribed or advanced for the Purpose of making the

Application of the Tolls and Money

to be borrowed.

the said Road, or which shall be borrowed on the Credit of, or which shall be otherwise raised by virtue of this Act, or out of the first Money which shall arise or be received from the Tolls by this Act granted, the said Trustees shall in the first place pay and discharge all the Costs, Charges, and Expences relative to the obtaining and passing of this Act, with Interest for the same, and the Remainder of such Monies shall be applied in defraying the Expences of making the said Road, and in purchasing Lands and Hereditaments, and Materials for the Purpose, and in erecting, making, or providing Toll Gates, Turnpikes, Bars, Gates, Chains, Weighing Machines, Toll Houses, with Outhouses and Conveniences, also Footpaths, Causeways, Bridges, Ditches, Fences, Rails, Posts, Boards, Lamps, Books, and other Matters and Things necessary or requisite for carrying the Purposes of this Act into Execution; and after Payment of all such Expences, the Remainder (if any) of such Monies, shall from Time to Time be applied in keeping down the Interest of the Monies subscribed or advanced for the Purposes of this Act, and which may be borrowed on the Credit of this Act, and in amending and keeping in repair the said Road, and the Toll Gates and Toll Houses, and in otherwise putting this Act in Execution; and lastly in repaying the Principal Monies subscribed or advanced for the Purposes of this Act, or which shall be borrowed for the Purposes of this Act.

Ditches, Drains, Bridges, &c. by whom to be made and cleansed.

XXVI. And be it further enacted, That Ditches, Drains, or Watercourses of a sufficient Depth and Breadth for keeping the said Roads dry, and for conveying the Water from the same, shall be made by the said Trustees, or their Surveyor or other Officer, under, upon, or on the Sides of the said Roads, and also, where necessary, into or through any Fields, Lands, or Grounds adjoining to or lying near the said Road, (not being a Yard, Garden, Orchard, Park, Paddock, planted Walk, or Avenue to a House), at the Expence of the said Trustees, out of the Monies to be received by virtue of this Act, and sufficient Bridges, Arches, Culverts, Trunks, Tunnels, or Plats shall be made by the said Trustees, or their Surveyor or other Officer, where any Carriageways or Footways lead into, or out of, or across the said Road, also at the Expence of the said Trustees out of the Monies aforesaid, any Law or Statute to the contrary notwithstanding; and all such Ditches, Drains, and Watercourses, Bridges, Arches, Culverts, Trunks, Tunnels, or Plats, when made and completed by the said Trustees, shall for ever afterwards be scoured, cleansed, and kept open, repaired and maintained by the Occupiers of the adjoining Fields, Lands, or Grounds; but all such new Bridges, Arches, Culverts, Trunks, Tunnels, and Plats, as shall cross or pass in or under the said Road, shall be scoured, cleansed, and kept open, repaired and maintained by the said Trustees, subject to the Provisions of the said recited Act of the Third Year of the Reign of His present Majesty.

Directions respecting the Gutters and Drains in Hatfield.

XXVII. And be it further enacted, That all and singular the Gutters, Drains, Sinks, Sewers, or Under Drains, made or hereafter to be made under or at the Sides of the said Turnpike Road in the Village of *Hatfield*, shall be properly covered in, so as to form a Part of the Width of the said Road, and being used as well for the Conveyance of the Water from the said Turnpike Road, as for the con-

conveying Water, Filth, and other Matters from the Houses or Premises of the Inhabitants of the said Village of *Hatfield*, the same shall be maintained and kept in repair by and at the Expence of the said Trustees and the Inhabitants of the said Village of *Hatfield* using the same equally, or in such Proportions as the said Trustees or their Surveyor and the said Inhabitants of *Hatfield* shall mutually agree; and if any Person or Persons shall neglect or refuse to pay the Sum directed by the said Trustees to be paid by him, her, or them, for the Space of Seven Days after Demand thereof made in Writing by any Three or more of the said Trustees, or by the Surveyor to the said Trustees, it shall be lawful for any Justice of the Peace, having Jurisdiction in the Place where the Cause of Dispute shall arise, upon Application made to him or them for that Purpose by the said Trustees or by their Surveyor, to examine into the said Matter, on Oath of the Parties, or other Witness or Witnesses, and to determine the Amount of the Costs, Charges, and Expences due, and the same shall and may be levied and recovered by Distress and Sale of the Goods and Chattels of the Person or Persons so awarded to pay the same, by Warrant under the Hand and Seal of such Justice or Justices; and if any Overplus shall remain after deducting the Amount of such Costs, Charges, and Expences, and also the Costs, Charges, and Expences attending such Distress and Sale, such Overplus shall be paid on Demand to the Person or Persons whose Goods and Chattels shall have been so distrained and sold.

XXVIII. And be it further enacted, That it shall be lawful for the said Trustees to make and keep in repair, or cause to be made and kept in repair, such Causeway or Causeways for the Use of the Foot Passengers upon or on the Sides of the said Turnpike Road, in such Manner as they shall think proper. Trustees may make Causeways.

XXIX. And be it further enacted, That in all Cases where the said Trustees shall turn or alter any Part or Parts of such Turnpike Road and through any private Grounds, or across any public or private Footway, or shall take away any Fence for widening or improving any such Road, the said Trustees shall, unless the same be done by the Desire and for the Accommodation of the Owner or Owners of such Fences, make or cause to be made and planted proper Quickset Hedges, or shall make or build proper Fences or Walls on both Sides of such new-made Road, or on the Side upon which any such Fence may be so removed as aforesaid, with sufficient Ditches to the same, and sufficient Posts and Rails, or other Fence, on both Sides of such Quickset Hedges, to protect the Growth thereof, so as effectually to guard and fence off the Lands adjoining any such Road from Trespass or Injury by Horses, Asses, Cattle, Sheep, or Swine, and also proper Gates, Stiles, Posts, Bridges, and Arches, where necessary, out of any such Road into the Lands adjoining, and shall keep such Fences so to be made in good Order and Repair, for and during the Term of Five Years from the Time that such Fences shall have been made or set up, unless the Owners or Proprietors for the Time being of any such Land or Ground shall agree with the Trustees or their Surveyor to keep such Fences in repair for such Time as aforesaid. Trustees to make new Fences on altering the Road or removing old Fences.

[Local.]

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XXX. And

Public Act.

XXX. 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.

Commencement and Continuance of this Act.

XXXI. And be it further enacted, That this Act shall commence upon the Third *Tuesday* next after the passing hereof, and shall continue and be in force for Twenty-one Years, and from thence to the End of the then next Session of Parliament.

The SCHEDULE to which the Act refers.

Nos. on the Plan.	Owners.	Occupiers.	Description of Property.
154	Joseph Watson	In Hand Richard Smith and John Taylor	Croft. Gardens.
158	Richard Scholes	Himself	Cottage and Garden.
159	William Mann	Widow Savage and Samuel Brears	Two Cottages and Gardens.
160	Widow Savage	Herself	Garden and Shed.
190	Joshua Smeaton	Joseph Thackray	Garden.
191	Mrs. Simpson	John Platt	Garden.
210	John Norton	Himself and Robert Smith	Two Cottages and Shop.
216	William Pilkington, Esq.	John Cuckson	Garden.
224	Theseus Wilburn	Himself	Blacksmith's Shop.
255	Marchioness of Hertford	Joseph Halliday	Garden.

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