

ANNO UNDECIMO

GEORGII IV. REGIS.

Cap. cxxxi.

An Act for repairing and otherwise improving the Road from *Beverley*, by *Molescroft*, to *Kendell House*, and the Road from *Molescroft* to *Bainton Balk*, in the County of *York*. [23d June 1830.]

WHEREAS an Act was passed in the Sixth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for repairing and widening the Road from Beverley, by Molescroft, to Kendell House, and from Molescroft to Bainton Balk, in the County of York*: And whereas an Act was passed in the Twenty-seventh Year of His said late Majesty's Reign, intituled *An Act for enlarging the Term and Powers of an Act passed in the Sixth Year of the Reign of His present Majesty, for repairing and widening the Road from Beverley, by Molescroft, to Kendell House, and from Molescroft to Bainton Balk, in the County of York*: And whereas an Act was passed in the Forty-eighth Year of His said late Majesty's Reign, intituled *An Act for continuing the Term and altering and enlarging the Powers of Two Acts of His present Majesty, for repairing and widening the Road from Beverley, by Molescroft, to Kendell House, and from Molescroft to Bainton Balk, in the County of York*: And whereas considerable Sums of Money have been borrowed and still remain due and owing upon the Credit of the Tolls by the said recited Acts authorized to be collected on the said Roads, and such Roads cannot be effectually kept in repair, nor can the said Debt be discharged, unless the Term granted and continued by the said Acts be further continued, and the Tolls arising on the said Roads be increased: And whereas it would be more convenient if the

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said

Recited Acts
repealed.

said recited Acts were repealed, and other Powers and Provisions granted and made in lieu of the Powers and Provisions in such Acts contained; but the Purposes aforesaid cannot be effected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 Third *Saturday* next after the passing of this Act, the said recited Acts passed in the Sixth, Twenty-seventh, and Forty-eighth Years of the Reign of His said late Majesty King *George* the Third, shall be and the same are hereby declared to be repealed, and null and void to all Intents and Purposes whatsoever.

This Act to
take effect
for repairing
the Roads.

II. And be it further enacted, That this Act shall commence and take effect, and be put in execution for and during the Term hereinafter mentioned, for the Purpose of repairing and otherwise improving the Road leading from *Beverley*, by *Molescroft*, to *Kendell House*, and the Road from *Molescroft* to *Bainton Balk*, in the County of *York*.

Trustees.

III. And be it further enacted, That all His Majesty's Justices of the Peace for the Time being acting for the East Riding of the County of *York*, together with the Right Honourable *Beaumont* Lord *Hotham*, the Honourable *Marmaduke Langley*, *John Arden*, *John Barker Arden*, *Richard Arkwright*, *Thomas Atkinson*, *Mark Bell*, *Francis Best* Clerk, *Edward Boghurst*, *Richard Botterill*, *Thomas Boyes*, *Bethuel Boyes*, *Sir Francis Boynton* Baronet, *William Brigham*, *James Brown* Doctor of Medicine, *Frederic Campbell*, *John Claridge*, *Thomas Chubley*, *Charles Witty Chubley*, *Rowland Croxton* Clerk, *George Danby*, *Thomas Dawson*, *William Joseph Denison*, *John Evelyn Denison*, *Stephen Denton*, *John Dickinson*, *William Dickon*, *Robert Dickson*, *Francis Drake* Doctor in Divinity, *John Drinkrow*, *Thomas Duesbery*, *James Dowker*, *Henry Ellison*, *Richard Ellison*, *Francis Forge* Doctor of Medicine, *Richard Foster*, *John Grimston*, *Oswald Grimston*, *Henry Estouteville Grimston*, *Samuel Hall*, *John Hall*, *Charles Hall* Clerk, *James Hall*, *William Hall*, *James Harrison*, *Marmaduke Hewitt*, *John Hornby*, *Josiah Horwood*, *David Holtby*, *George Hudson*, *Thomas Hull* Doctor of Medicine, *Henry William Hunter* Clerk, *Henry William Hutton*, *Peter Jackson*, *Richard Jennings*, *Thomas Ibbotson* Clerk, *Francis Iveson*, *John Bernhard La Marche*, *Jacob Labourne*, *Jonathan Layborn*, *George Legard*, *Frederick Leighton* Doctor of Medicine, *Richard Lovell*, *Francis Lundy* Clerk, *Christopher Scott Machell*, *Robert Machell*, *Henry William Maister*, *Robert Moyser*, *Josiah Prickett*, *Horner Reynard*, *Edward Horner Reynard*, *William Richardson*, *Joseph Rigby* Clerk, *Matthew Rivis*, *Frederick Robertson*, *Sir Tatton Sykes* Baronet, *Henry John Shepherd*, *Robert Simpson*, *John Torre* Clerk, *Robert Biass Turner*, *William Venables Vernon* Clerk, *Sir Francis Lindley Wood* Baronet, *Richard Watt*, *Francis Watt*, *Henry Yates Whytehead* Doctor of Medicine, *John Williams*, and *Robert Wylie*, and their Successors, being duly qualified to act as Trustees for repairing Turnpike Roads in *England*, shall be and they are hereby appointed the Trustees for carrying this Act into execution.

IV. And

IV. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered, at their First or Second Meeting to be holden in pursuance of this Act, to elect, nominate, and appoint any Number of fit and proper Persons, not exceeding Three in the whole, to be Trustees for the Purposes of this Act, in addition to the Trustees hereby nominated and appointed; and such additional Trustees, when so elected, nominated, and appointed, and being qualified to act as Trustees for repairing Turnpike Roads in *England*, shall be and they are hereby invested with the same Powers and Authorities for executing this Act as if they had been named and appointed Trustees in and by this Act.

Power to appoint additional Trustees.

V. And be it further enacted, That the said Trustees shall meet at the East Riding Sessions House in *Beverley* aforesaid, or at some other convenient House or Place in *Beverley* aforesaid, on the Third *Saturday* next after the passing of this Act, or as soon after as conveniently may be, between the Hours of Nine of the Clock in the Forenoon and Three of the Clock in the Afternoon, and shall then and there proceed to put this Act into execution, and shall and may then and from Time to Time afterwards adjourn to and meet at such Times and Places in *Beverley* aforesaid, or *Driffield*, 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.

Meetings of the Trustees.

VI. And be it further enacted, That the respective Tolls following shall be demanded at each Turnpike and Toll Gate erected, set up, and continued, or which shall hereafter be erected or set up, upon or across the said Roads, by each and every Person or Persons whom the said Trustees shall from Time to Time appoint to receive the same, before any Horse, Mule, Ass, Beast, or other Cattle, or any Horse or other Beast drawing any Coach, Chariot, Chaise, Waggon, Wain, Cart, or other Carriage, shall be permitted to pass through any such Turnpike or Toll Gate; (that is to say,)

Power to take Tolls.

For every Horse or other Beast drawing any Coach, Landau, Barouche, Phaeton, Sociable, Chaise, Chariot, Calash, Hearse, Litter, Vis-a-vis, Curricle, Gig, Car, Whiskey, Caravan, Chair, Taxed Cart, or other Carriage of the like kind, drawn by Four or more Horses or other Beasts, not exceeding the Sum of Three-pence Halfpenny:

Tolls.

For every Horse or other Beast drawing any Coach, Landau, Barouche, Phaeton, Sociable, Chaise, Chariot, Calash, Hearse, Litter, Vis-a-vis, Curricle, Gig, Car, Whiskey, Caravan, Chair, Taxed Cart, or other Carriage of the like kind, drawn by Three Horses or other Beasts, not exceeding the Sum of Five-pence:

For every Horse or other Beast drawing any Coach, Landau, Barouche, Phaeton, Sociable, Chaise, Chariot, Calash, Hearse, Litter, Vis-a-vis, Curricle, Gig, Car, Whiskey, Caravan, Chair, Taxed Cart, or other Carriage of the like kind, drawn by Two Horses or other Beasts, not exceeding the Sum of Five-pence Halfpenny:

For One Horse or other Beast drawing any Coach, Landau, Barouche,

rouche, Phaeton, Sociable, Chaise, Chariot, Calash, Hearse, Litter, Vis-a-vis, Curricule, Gig, Car, Whiskey, Caravan, Chair, Taxed Cart, or other Carriage of the like kind, not exceeding the Sum of Seven-pence Halfpenny :

For every Horse or other Beast drawing any Waggon, Cart, or Carriage, having the Fellies of the Wheels thereof of the Breadth of Nine Inches or upwards, drawn by Four or more Horses or other Beasts, not exceeding the Sum of Four-pence Halfpenny :

For every Horse or other Beast drawing any Waggon, Cart, or Carriage, having the Fellies of the Wheels thereof of the Breadth of Nine Inches or upwards, drawn by Three Horses or other Beasts, not exceeding the Sum of Five-pence :

For every Horse or other Beast drawing any Waggon, Cart, or Carriage, having the Fellies of the Wheels thereof of the Breadth of Nine Inches or upwards, drawn by Two Horses or other Beasts, not exceeding the Sum of Five-pence Halfpenny :

For One Horse or other Beast drawing any Waggon, Cart, or Carriage, having the Fellies of the Wheels thereof of the Breadth of Nine Inches or upwards, not exceeding the Sum of Eleven-pence :

For every Horse or other Beast drawing any Waggon, Cart, or Carriage, having the Fellies of the Wheels thereof of less Breadth than Nine Inches, drawn by Four or more Horses or other Beasts, not exceeding the Sum of Seven-pence :

For every Horse or other Beast drawing any Waggon, Cart, or Carriage, having the Fellies of the Wheels thereof of less Breadth than Nine Inches, drawn by Three Horses or other Beasts, not exceeding the Sum of Seven-pence Halfpenny :

For every Horse or other Beast drawing any Waggon, Cart, or Carriage, having the Fellies of the Wheels thereof of less Breadth than Nine Inches, drawn by Two Horses or other Beasts, not exceeding the Sum of Eight-pence :

For One Horse or other Beast drawing any Waggon, Cart, or Carriage, having the Fellies of the Wheels thereof of less Breadth than Nine Inches, not exceeding the Sum of Eleven-pence :

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

For every Drove of Oxen or other Neat Cattle, not exceeding the Sum of One Shilling and a Halfpenny *per* Score, and so in proportion for any greater or less Number :

And for every Drove of Calves, Swine, Pigs, Sheep, or Lambs, not exceeding the Sum of Sixpence *per* Score, and so in proportion for any greater or less Number :

Tolls vested
in the
Trustees.

Which said respective Sums of Money shall be demanded and taken in the Name of or as Toll, and shall be vested in the said Trustees; and the same and every Part thereof shall be recovered, collected, paid, applied, and disposed of for the Purposes of this Act.

Tolls to be
paid once
a Day, ex-
cept in the
Cases after
mentioned.

VII. Provided always, and be it further enacted, That when the Toll authorized to be taken by virtue of this Act shall have been paid for or in respect of any Horse, Beast, or other Cattle passing through any of the Toll Gates erected or to be erected on the said Roads or on the Sides thereof, no Toll shall be demanded or taken
for

for or in respect of the same Horse, Beast, or other Cattle (except in the Cases herein-after mentioned), on a Ticket being produced denoting such Payment, but such Horse, Beast, or other Cattle shall be permitted to pass Toll-free through the same Toll Gate at any Time or Times during the same Day, such Day to be computed from Twelve of the Clock in one Night to Twelve of the Clock in the next succeeding Night.

VIII. Provided always, and be it further enacted, That the Tolls hereby made payable shall be paid in respect of all Horses or other Beasts drawing any Stage Coach or Stage Waggon, or any Waggon, Cart, Van, or other Carriage, conveying Passengers or Goods for Hire or Reward, every Time of passing through any of the said Gates: Provided nevertheless, that no further or additional Toll shall be payable in respect of Stage Coaches, Stage Waggons, Waggons, Carts, Vans, or other Stage Carriages, on account only of the Horses drawing the same having been changed.

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

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

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

X. And for regulating the Weights to be allowed to Carts or other Carriages which shall be drawn upon the said Roads by One Horse or Beast only, be it further enacted, That the Weights to be allowed to Carts or other Carriages drawn by One Horse or Beast shall not exceed the Weights 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 Five Hundred Weight for each such Carriage and the Lading thereof.

Weight of Single-horse Carts limited.

XI. And be it further enacted, That all Carts or other such Carriages passing along the said Roads, drawn by only One Horse or Beast, 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 drawn by Two or more Horses; and all the Powers, Regulations, and Penalties now in force relating to the weighing of Waggons, Carts, or other Carriages drawn by Two or more Horses shall be applicable to Carts passing on the said Roads drawn by only One Horse or Beast, and to the Drivers and Owners thereof.

One-horse Carts to be weighed.

XII. And be it further enacted, That none of the Tolls hereby 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 erected or continued under the Authority of the said Trustees; and no more of the Tolls or other Monies arising by virtue of this Act shall be laid

Tolls not to be applied in the Repair of Branch Road unless Gates are erected thereon.

out or expended upon the said Branch Road, or in the Payment of any Principal Money borrowed on the Credit only of the Tolls arising or payable upon such Branch Road, or the Interest thereof, than shall be actually raised or received upon or in respect of such Branch Road.

Application
of the Tolls
and other
Monies.

XIII. And be it further enacted, That as well all the Monies which before the Commencement of this Act shall have been raised or produced by virtue of the said recited Acts of the Sixth, Twenty-seventh, and Forty-eighth Years of the Reign of His said late Majesty King *George the Third*, hereby repealed, and which shall remain undisposed of, and also all the Monies which shall be produced under or by virtue of this Act, shall be applied, in the first place, in Payment of all the Charges and Expences which shall have been incurred in applying for and obtaining and passing this Act; in the second place, in paying and discharging the Interest now in arrear and accruing and becoming due upon the several Mortgages and Securities which have been already made and granted, or which shall be at any Time hereafter made or granted upon the said Tolls in pursuance of this Act; and in the next place, in defraying the Expences of making, erecting, and keeping in repair Toll Gates, Weighing Engines, Toll Houses, and other Buildings upon the said Roads, and of widening, repairing, preserving, and otherwise improving the said Roads, and in putting this Act into execution in all other respects; and lastly, in reducing, paying off, and discharging the Principal Sums for the Time being due and to become due on Security of the Tolls and Duties granted by this Act, and to or for no other Use or Purpose whatsoever.

Tolls not to
be laid out in
repairing the
Streets.

XIV. Provided always, and be it further enacted, That none of the Tolls authorized by this Act to be taken upon the said Roads, nor any of the Monies raised by virtue of the said recited Acts, or to be raised by virtue of this Act, shall be paid, laid out, or expended in the Repair or Improvement of any Street, Highway, or Place within the Towns of *Beverley*, *Driffield*, or any other Town through which the said Roads shall pass, nor shall any Toll be collected therein by virtue of this Act.

No Priority of
Mortgages.

XV. And be it further enacted, That no Preference shall be given to any Person who may have heretofore advanced any Money on the Credit of the Tolls granted by the said recited Acts hereby repealed, or who may hereafter advance any Money on the Credit of the Tolls granted by this Act, in respect of the Priority of the Mortgage or Assignment or other Security for the same, or of advancing such Money, but such respective Persons shall (in proportion to the Sums mentioned in any such Security) be Creditors under this Act in equal Degree one with another.

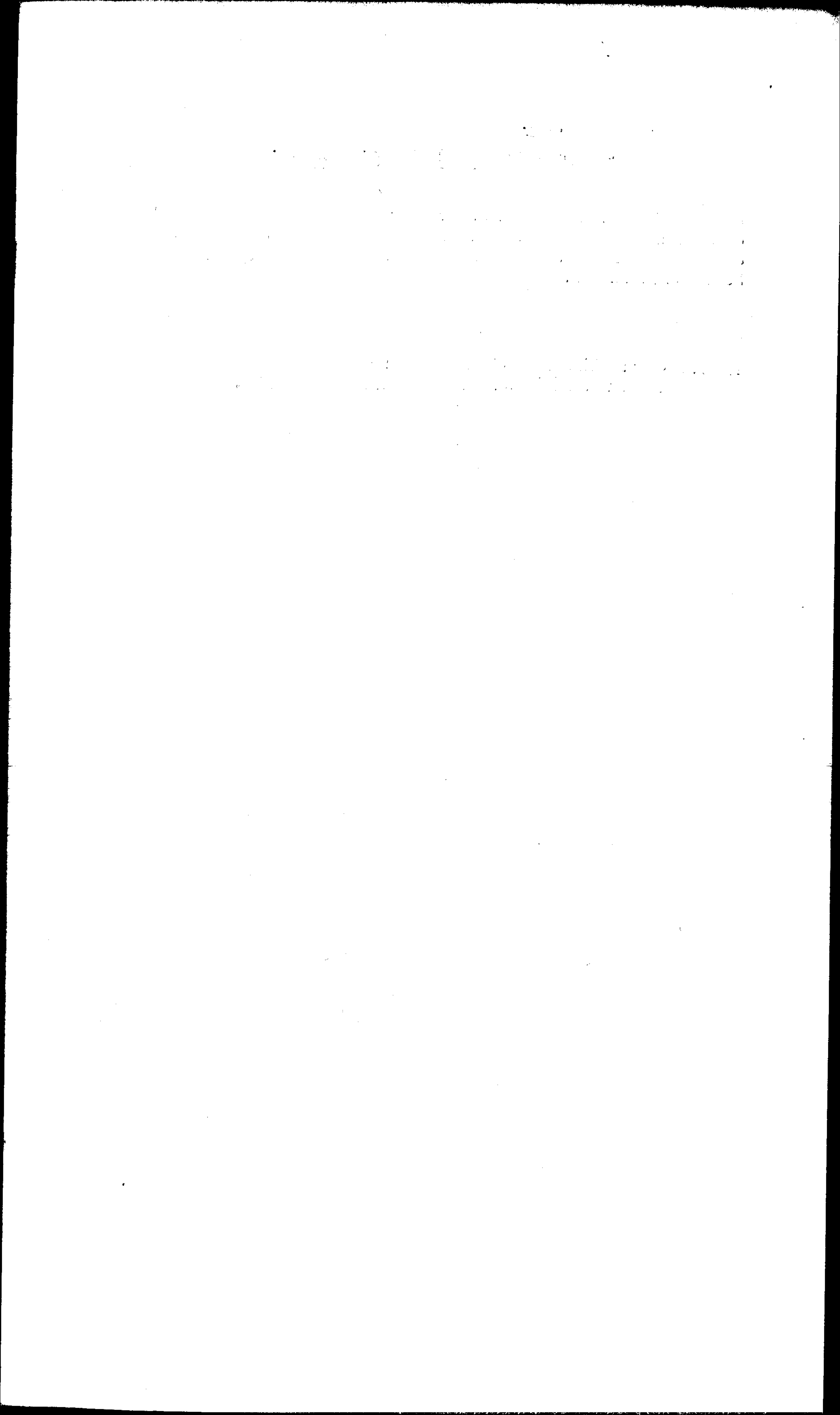
Public Act.

XVI. 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.

XVII. And

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

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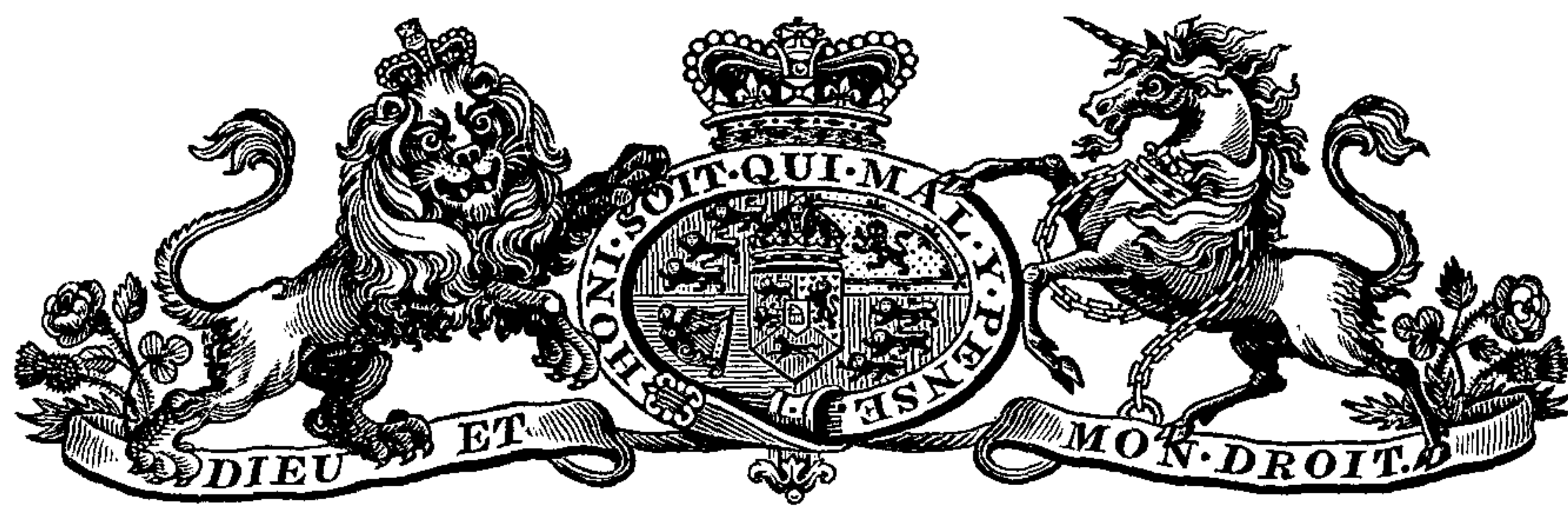
ANNO REGNI
GULIELMI IV.

Britanniarum Regis,

PRIMO.

At the Parliament begun and holden at *Westminster*, the Fourteenth Day of *November*, *Anno Domini* 1826, in the Seventh Year of the Reign of our late Sovereign Lord GEORGE the Fourth :

And from thence continued to the Twenty-sixth Day of *June* 1830, in the First Year of the Reign of our Sovereign Lord WILLIAM the Fourth, by the Grace of God, of the United Kingdom of *Great Britain and Ireland*, King, Defender of the Faith ; being a Continuation of the FOURTH SESSION of the EIGHTH PARLIAMENT of the United Kingdom of *Great Britain and Ireland*.



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