ANNO SECUNDO

GULIELMI IV. REGIS.

****

Cap. lxxxvi.

An Act for making and maintaining a Turnpike Road from the Town of *Doncaster* to the Town and Port of *Selby* in the West Riding of the County of *York*. [6th *June* 1832.]

Trustees.

WHEREAS the making and maintaining a Turnpike Road from the Town of *Doncaster*, through or into the several Townships, Hamlets, or Places of *Bentley-with-Arksey*, *Owston*, *Burghwallis*, *Sutton*, *Askern*, *Norton*, *Stubbs-Walden*, *Womersley*, *Balne*, *Whitley*, *Egbrough*, *Roall*, *Chapel-Haddlesey*, *Burn*, and *Brayton*, and the several Parishes of *Arksey*, *Owston*, *Burghwallis*, *Campsall*, *Womersley*, *Snaith*, *Kellington*, *Birkin*, and *Brayton*, to the Town and Port of *Selby*, all in the West Riding of the County of *York*, will be of great public Utility, by opening a nearer, more level, and better Communication between the said Town of *Doncaster* and the said Town and Port of *Selby* and other Parts of the adjacent Country; but the same cannot be effected without the Aid 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, the Honourable *Edward Petre*, Sir *Francis Lindley Wood* Baronet, Sir *Joseph Copley* Baronet, Sir

Joseph Radcliffe Baronet, *Philip Davies Cooke*, *Michael Tasburgh*, *Godfrey Higgins*, *Godfrey Higgins* the younger, *Beilby Thompson*, *Samuel Crompton*, *John Charles Ramsden*, *John Cooke Yarborough*, *John Walbanke Childers*, *George Cooke Yarborough*, *John Bacon Sawrey Morritt*, *William Morritt*, *Joseph Copley*, *Richard Fountayne Wilson*, *Humphrey Osbaldeston*, *Nicholas Edmund Yarburgh*, *William Battye Wrightson*, *Richard Wrightson*, *Saint Andrew Warde*, *John Greenwood*, *Frederick Greenwood*, *John Branson*, *Henry Bower*, *George Parker*, *Richard Loxley*, *George Martin*, *William Hatfield Gossip*, *George Clarke Walker*, *George Holmes*, *Joseph Lockwood*, *John Sheppard*, *William Hurst*, *John Woodhead*, *John Mirfin*, *Richard Tyas*, *James Falconar*, *John Webster*, *Thomas Proctor*, *William Proctor*, *William Massey*, *Christopher Paver*, *James Audus*, *Henry Keyworth*, *George Broadrick*, *Richard Bacon Frank*, *Thomas Oxley* Doctor of Medicine, *Arthur Bland Wrightson*, Clerk, *Thomas Proctor* Doctor in Divinity, *William Carr Fenton* Clerk, *Robert Cooke* Clerk, *Alexander Cooke* Clerk, *Richard Paver* Clerk, *William Alderson* Clerk, *George William Tireman*, *Richard Earnshaw*, *William Alderson* Clerk, *William Rawden Earnshaw*, *John Wright*, *Richard Littlewood*, *Thomas Richards*, *Joseph Smith*, *John Nicholson*, *Edward Tew*, *William Sheardown*, *Thomas Robinson Mandall*, *William Sheardown* the younger, *Thomas Barker*, *George Robinson*, *Isaac Morley*, *William Morley*, *William Palmer*, *Joseph Lockwood* the younger, *Edward Parker*, *Thomas Eadon*, *Charles Weddall*, *Stephen Staniland*, *Richard Robson*, *Samuel William Nicol*, *Richard Littlewood*, *Francis Wragg*, *James Falconar* the younger, *Thomas William Tew*, *George Hall*, *Thomas Rickard*, *John Fothergill*, *Frederick Fisher*, *Edward Parker*, *Edward Sheardown*, *John Sharpe* Doctor in Divinity, *Thomas Standering*, *William Staniland*, *Samuel Staniland*, *Charles Weddall*, *James Weddall*, and *Thomas Leetham*, and their Successors, being duly qualified to act as Trustees of Turnpike Roads in *England*, shall be and they are hereby appointed Trustees for making and maintaining the said Road, and for otherwise putting this Act into execution; and which said Road shall be called "The *Doncaster* and *Selby* Turnpike Road."

Power to appoint additional Trustees.

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

First Meeting of Trustees.

III. And be it further enacted, That the Trustees for executing this Act shall hold their First Meeting at the *White Swan* in the Town or Village of *Askern*, or at some other convenient Place in the Neighbourhood of the said Road, on the Third *Wednesday* after the passing of this Act, or as soon afterwards as conveniently may be, and proceed in the Execution of this Act; and shall and may then and

from Time to Time afterwards adjourn to and meet at such Times, and at such Place or Places, alternately at *Doncaster*, *Selby*, and *Askern*, as they shall think proper.

Power to erect Toll Gates, &c.

IV. And be it further enacted, That it shall be lawful for the said Trustees to order and cause to be erected and set up or built, upon, in, or across the said Road or any Part thereof, or on the Sides thereof, when, where, and as they shall judge necessary, any Toll Gate or Toll Gates, Bar or Bars, and Chain or Chains, and also from Time to Time to order and cause to be taken down and removed or altered or discontinued such Toll Gates, Bars, and Chains, or any or either of them, as they the said Trustees shall from Time to Time think proper.

Power to collect Tolls.

V. And be it further enacted, That it shall be lawful for the said Trustees, or any Person or Persons to be appointed Collector or Collectors of the Tolls to be taken by virtue of this Act, to demand, receive, and take the Tolls following, or any Sum or Sums not exceeding the respective Sums or Tolls following, at the several Turnpikes or Toll Gates, Side Bars or Chains, to be erected by virtue of this Act in, upon, across, or on the Side or Sides of the said Road or any Part thereof, 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,)

Tolls.

For every Horse or other Beast drawing any Coach, Stage Coach, Landau, Chariot, Chaise, Curricle, Phaeton, Caravan, Hearse, Litter, Chair, Gig, or other such light Carriage, the Sum of Sixpence:

For every such Carriage with Four Wheels affixed to any such Carriage as aforesaid, or to any Waggon, Cart, or other Carriage, the Sum of Sixpence; and for every such Carriage with Two Wheels, affixed to any such Carriage as aforesaid, or to any Waggon, Cart, or other Carriage, the Sum of Three-pence:

For every Horse, Mule, Ass, or other Beast or Animal, drawing any Waggon, Wain, Dray, Cart, Tumbrel, Drag, Sledge, or other such Carriage having the Fellies of the Wheels of the Breadth of Six Inches or upwards, the Sum of Four-pence; and having the Fellies of the Wheels of the Breadth of Four and a Half Inches and less than Six Inches, the Sum of Five-pence; and having the Fellies of the Wheels of less Breadth than Four and a Half Inches, the Sum of Sixpence:

For every Horse or other Beast or Animal, drawing any Waggon, Wain, Cart, or other Carriage when laden with Timber, where the same shall be drawn by not more than One Horse or other Beast or Animal, having the Fellies of the Wheels of less Breadth than Six Inches, the Sum of Five-pence, and having the Fellies of the Wheels of the Breadth of Six Inches or upwards, the Sum of Four-pence; and when drawn by Two Horses or other Beasts or Animals, and having the Fellies of the Wheels of less Breadth than Six Inches, the Sum of One Shilling, and having the Fellies of the Wheels of the Breadth of Six Inches or upwards, the Sum of Six-pence; and when drawn by Three Horses or other Beasts or Animals, the Carriage having Four Wheels, and having the Fellies thereof

thereof of less Breadth than Six Inches, the Sum of One Shilling, and having the Fellies thereof of the Breadth of Six Inches or upwards, the Sum of Sixpence, and having but Two Wheels, and having the Fellies thereof of a less Breadth than Six Inches, the Sum of Two Shillings, and having the Fellies thereof of the Breadth of Six Inches or upwards, the Sum of One Shilling; and when drawn by Four Horses or other Beasts or Animals, the Carriage having Four Wheels, and having the Fellies thereof of a less Breadth than Six Inches, the Sum of One Shilling, and having the Fellies thereof of the Breadth of Six Inches or upwards, the Sum of Sixpence, and having but Two Wheels, and having the Fellies thereof of a less Breadth than Six Inches, the Sum of Two Shillings and Sixpence, and having the Fellies thereof of the Breadth of Six Inches or upwards, the Sum of One Shilling and Three-pence; and when drawn by Five Horses or other Beasts or Animals, and having the Fellies of the Wheels of a less Breadth than Six Inches, the Sum of One Shilling, and having the Fellies of the Wheels of the Breadth of Six Inches or upwards, the Sum of Sixpence; and when drawn by more than Five Horses or other Beasts or Animals, and having the Fellies of the Wheels of a less Breadth than Six Inches, the Sum of One Shilling and Three-pence, and having the Fellies of the Wheels of the Breadth of Six Inches or upwards, the Sum of Sixpence:

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

For every Drove of Oxen, Cows, or other 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, Swine, Goats, Sheep or Lambs, the Sum of Ten-pence *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 Three Shillings:

Which said respective Tolls or Sums of Money shall be demanded and taken before any Horse, Mule, Ass, or other Beast or Cattle, or Carriage whatsoever, shall be permitted to pass through any Toll Gate or Turnpike, or Side Gate or Side Bar or Chain, which shall be erected or placed by virtue of this Act in, upon, or across the said Road, or on the Sides thereof, or any Part thereof; and which said respective Tolls or Sums of Money shall be and are hereby vested in the said Trustees, and shall be applied for the Purposes of this Act in manner herein-after directed.

One Half Toll only to be paid for Lime or Salt for Manure.

VI. Provided always, and be it further enacted, That One Half Toll, and no more, shall be demanded or taken for any Horses or other Beasts drawing Carts or other Carriages when employed only in carrying or conveying Lime, Salt, or Sea Sand to be used solely for Manure; and no Toll shall be taken for such Horses, Beasts, Carts, or Carriages when going empty to fetch, carry, or convey, nor when returning empty from carrying or conveying such Lime, Salt, or Sea Sand, whether the same shall go and return the same Day or not;

not; and if any Person shall claim or take the Benefit of the said Exemption, not being legally entitled to the same, every Person so offending shall forfeit and pay for every such Offence a Sum not exceeding Five Pounds; and the Proof of Exemption shall lie on the Person claiming the same.

As to the Fraction of a Halfpenny in Tolls.

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

No Toll to be paid on repassing.

VIII. Provided always, and be it further enacted, That when the Toll shall have been paid for or in respect of any Horse or Horses, or other Beast or Cattle, or Carriage, passing through any Toll Gate or Turnpike, Side Gate or Side Bar or Chain, erected or placed by virtue of this Act on the said Road, such Horse or other Beast (except Horses or other Beasts drawing any Stage Coach, Diligence, Van, or Caravan, or other Carriage carrying Passengers or Goods for Payment, Hire, or Reward,) shall, on a Ticket being produced denoting such Payment, be permitted to return once through the same Toll Gate or Turnpike, Side Gate or Side Bar or Chain, Toll-free, the same Day, in respect of each Payment of Toll.

Limiting the Number of Payments on the whole Line.

IX. And be it further enacted, That it shall not be lawful for the said Trustees, or any Person to be appointed Collector of the Tolls mentioned in this Act, to demand or take more than Four full Tolls in any One Day for or in respect of the same Horse, Beast, or Cattle, or Carriage, for once passing through all the Gates along the whole Line of the said Road.

Horses, &c. drawing different Carriages to be again liable to Toll.

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

Toll to be paid for each Load of Timber.

XI. Provided also, and be it further enacted, That the Tolls payable for the Horses or other Beasts or Animals drawing Carriages shall, when any such Carriages shall be laden with Timber, Planks, Beams, Joists, Rafters, or Spars, be paid for and in respect of such Horses or other Beasts or Animals every Time they shall be employed in drawing a fresh Load of Timber along the said Road.

Empty Timber Carriages to pay only same Toll as other Carriages.

XII. Provided also, and be it further enacted, That the like Tolls shall be paid for and in respect of Horses or other Beasts or Animals drawing any Waggon, Wain, Cart, or Carriage employed or used for the Purpose of conveying Timber, when passing or repassing along the said Road empty, or laden only with other Materials than Timber, as are payable for Horses or other Beasts or Animals drawing other Waggons, Wains, Carts, or Carriages not laden with Timber; which Tolls, when paid for any Horses or other Beasts or Animals drawing such empty Waggon, Wain, Cart, or Carriage, shall, in case such Horses or other Beasts or Animals drawing the same Waggon, Wain, Cart, or Carriage shall pass or repass on the same Day laden with Timber, be deducted and allowed out of the Tolls payable in respect of the same being laden with Timber.

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

XIII. Provided also, and be it further enacted, That the Tolls hereby made payable for or in respect of Horses or Beasts drawing any Stage Coach, Diligence, Van, Caravan, or Stage Waggon or other Stage Carriage or Cart, and also for or in respect of every Carriage moved or propelled by Steam or Machinery, or by any other Power than by Animal Power, conveying Passengers or Goods for Pay, Hire, or Reward, shall be payable and paid every Time of passing along the said Road or any Part thereof: 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 or Cart, on account only of the Horses or Beasts drawing the same having been changed.

Post Chaises on every new Hiring.

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

One-horse Carts to be weighed.

XV. And be it further enacted, That all Carts and other Carriages drawn by One Horse or other Beast, and having the Sole or Bottom of the Fellies of the Wheels thereof of a less Breadth than Four and a Half Inches, shall be liable to be weighed at any Weighing Machine or Weighing Machines which may be erected upon or for the Benefit of the said Road in the same Manner as Carts and other Carriages drawn by any greater Number of Horses or other Beasts are now liable to be weighed by Law; and the Owners and Drivers thereof shall be liable to the same Penalties for refusing to suffer such Carts and other Carriages to be weighed, or for obstructing the Wheels being measured or gauged, as the Owners or Drivers of Carts or other Carriages drawn by Two or more Horses or other Beasts are now liable to by Law; and every such Cart or other Carriage drawn by One Horse or other Beast which, together with the Loading thereof, shall weigh more than Twenty-six Hundred Weight in Summer, (to be computed from the First Day of *May* to the Thirty-first Day of *October*), or than Twenty-three Hundred Weight in Winter (to be computed from the First Day of *November* to the Thirtieth Day of *April*), shall pay, and it shall be lawful for the said Trustees (or any Person or Persons empowered by them to receive the Tolls

granted by this Act) to receive and take such and the same additional Toll for Overweight as Carts or other Carriages drawn by Two more Horses or other Beasts are liable to pay by Law.

Trustees may borrow Exchequer Bills on the Credit of this Act.

3 G. 4. c. 86.

XVI. And be it further enacted, That it shall be lawful for the said Trustees, at any Meeting or Meetings to be held by them under the Provisions of this Act, to borrow of and from the Commissioners for carrying into execution an Act of Parliament made and passed in the Third Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act to amend Two Acts, of the Fifty-seventh Year of His late Majesty and the First Year of His present Majesty, for authorizing the Issue of Exchequer Bills and the Advance of Money for carrying on Public Works and Fisheries and Employment of the Poor, and to authorize a further Isssue of Exchequer Bills for the Purposes of the said Acts*, such Sum or Sums of Money as the Majority of the said Trustees present at such Meeting or Meetings may deem expedient for the Purposes mentioned in this Act, upon Mortgage or Assignment of all Tolls authorized to be collected and received by this Act, and the Toll Gates and Toll Houses which shall be erected for collecting the same, with their Appurtenances, subject nevertheless to such of the Provisoes and Conditions particularly mentioned and expressed in the said Act of the Third Year of His late Majesty, and the Acts therein recited and referred to, and in such Form, as the said Commissioners for the Issue of Exchequer Bills shall direct and appoint.

Exchequer Bills Commissioners to have Priority over Securities granted by Trustees.

XVII. And be it further enacted, That any Mortgage or Assignment which shall be given by the said Trustees to the said Commissioners for the Issue of Exchequer Bills shall have Priority over and shall precede all other Mortgages or Securities granted by the said Trustees for the Execution of this Act; any thing in the said recited Acts or this Act, or in any Mortgage or Security which shall hereafter be granted as aforesaid, to the contrary in anywise notwithstanding.

Application of Tolls and other Monies.

XVIII. And be it further enacted, That all Monies subscribed or to be subscribed or advanced for the Purposes of this Act, and all Monies which shall arise from the Tolls by this Act granted, shall be vested in the said Trustees; and out of such Monies the said Trustees shall in the first place pay and discharge all the Costs, Charges, and Expences of applying for, obtaining, and passing of this Act, and of all Proceedings preparatory or incident thereto, together with lawful Interest for all Monies advanced for such Purposes from the Time of advancing the same; and after Payment of such Costs, Charges, and Expences, and Interest, the Remainder of such Monies, and all Monies which shall be borrowed on the Credit of this Act, and which shall be received by the said Trustees by virtue thereof, shall be applied in making the said Road, and in building and erecting all necessary Bridges on the Line thereof, and in erecting Turnpikes, Toll Gates, and Toll Houses upon the said Road, and in defraying the necessary current Expences of the Trustees in the Execution of this Act, and in paying and keeping down the Interest of the Monies subscribed and advanced for the Purposes of this Act, and which shall be

be borrowed on the Credit of this Act, and in amending, altering, turning, widening, improving, and keeping in repair the said Road, and in otherwise putting this Act into execution; and lastly in repaying the Principal Monies so subscribed or advanced, or to be borrowed on the Credit of this Act.

Road may be made.

XIX. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered, to make or direct to be made the Road herein-before described, and to build, erect, and construct all necessary Bridges on the Line of the said Road, and to make all necessary Banks and Embankments on such Line, with such Arches, Tunnels, or other Works as shall be necessary; and the said Trustees shall and they are hereby directed and required to make and maintain such Bridges, Arches, Tunnels, or other Works, over the Rivers, Brooks, Drains, and Low Grounds in the Line of the said Road, and of such Size and Capacity as shall be sufficient at all Times to pass off the Water freely in the said Rivers, Brooks, Drains, and Low Grounds, without obstructing or impounding the same, and for such Purposes also to take and use the Buildings, Gardens, Orchards, Hereditaments, and Premises described in the Schedule to this Act annexed; any Law or Statute to the contrary notwithstanding.

Plan and Book of Reference deposited with the Clerk of the Peace, and to be open to Inspection.

XX. And whereas a Map or Plan, describing the Line of the said Road, and the Lands through or over which the same is intended to be carried or made, together with a Book of Reference, containing a List of the Names of the Owners or reputed Owners and Occupiers of such Lands, have been deposited at the Office of the Clerk of the Peace at *Wakefield* in and for the West Riding of the County of *York*; be it therefore further enacted, That the said Map or Plan and Book of Reference shall remain in the Custody of the said Clerk of the Peace, to the end that all Persons may at any seasonable Time or Times have Liberty to inspect and peruse the same, and to take Copies or Extracts thereof, at their Will and Pleasure, paying to the Clerk of the Peace the Sum of One Shilling for every such Inspection, and at the Rate of Sixpence for every One hundred Words of such Copies or Extracts of any such Map or Plan and Book of Reference; and the said Trustees in making the said Road shall not deviate more than One hundred Yards from the Line described in such Map or Plan, without the Consent or Approbation in Writing of the Person or Persons, Bodies Politic, Corporate, or Collegiate, through whose Lands or Premises such Deviation or Deviations shall be made.

Limiting Deviations from Plan.

Houses not to be pulled downwithout the Consent of the Owner.

XXI. And be it further enacted, That nothing in this Act contained shall extend or be construed to extend to empower or authorize the said Trustees to take or pull down any Building, or to take in or make use of any Curtilage, Orchard, Garden, Yard, Paddock, Park, Lawn, Shrubbery, planted Walk or Avenue to a House, or inclosed Ground planted as an Ornament or Shelter to a House, or 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 obtained, other than and except such as are mentioned or intended so to be in the Schedule to this Act annexed.

XXII. Pro-

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

XXII. Provided always, and be it further enacted, That it shall be lawful for the said Trustees to make the said Road, Bridges, and Works into, through, across, or over the several Lands of any Person or Persons who is or are or may be Owner or Owners or reputed Owner or Owners of Land over which the same is or are set out and described in the said Map or Plan or Book of Reference as aforesaid, and to take and use the Woods and Plantations, Lands, Gardens, Orchards, Buildings, Hereditaments, and Premises described in the said Map or Plan or Book of Reference, or in the Schedule to this Act, although such Lands, Hereditaments, or Premises, or any of them, or the Name or Names of the Owner or Owners, may happen to be erroneously described, or omitted or mis-stated, in the said Map or Plan or Book of Reference, or Schedule to this Act, in case it shall appear to any Two or more Justices of the Peace for the said West Riding where the Land or Premises shall lie or be situate, and be certified by Writing under their Hands, that such Error or Omission proceeded from Mistake, or was not wilful; and such Certificate shall be deposited with and remain in the Custody of the Clerk of the Peace for the said West Riding.

Power to purchase Property limited to Three Years.

XXIII. Provided also, and be it further enacted, That in case the said Trustees shall not purchase the Buildings, Lands, or Premises specified in the Schedule to this Act annexed within the Space of Three Years from the passing of this Act, all the Powers hereby granted for purchasing, taking, or using the same, or such of them as shall not then have been purchased, shall thenceforth cease and determine, and be utterly void, except with the Consent of the Owners or Proprietors thereof for the Time being.

Passage of Vessels along the Goole Canal, &c. not to be interrupted.

XXIV. Provided always, and be it further enacted, That nothing herein contained shall authorize or empower the said Trustees, or any Person or Persons acting by or under their Authority, to interrupt the passing of any Vessel or Vessels along the *Goole* Canal, the River *Aire*, and the *Selby* Canal, during the Erection of any Bridge or Bridges which it may be found necessary to build upon the Line of the said Road; and that such Bridge or Bridges shall be built so as to allow a Waterway fully equal in Height and Width to other Bridges which now exist on the said Canals and River.

Power to remove Haddlesey Bridge.

XXV. And whereas the Wooden Bridge now standing or being across the River *Aire* at *Haddlesey* will become useless and unnecessary when the Bridge intended to be erected over the River *Aire* at *Haddlesey* aforesaid on the Line of the said Road shall be completed; be it therefore enacted, That after the said new Bridge over the River *Aire* shall be made and opened for the Use of the Public it shall be lawful for the said Trustees to take down and remove the said Wooden Bridge: Provided always, that the said Wooden Bridge shall not be taken down or removed without the Consent of the Trustees of the *Aire* and *Calder* Navigation Company in Writing under their Hands, nor without the Consents of a Majority in Value, according to the Land Tax Assessment, of the Proprietors of Estates in the Township of *Haddlesey* in Writing under their Hands: Provided also, that no Carriage Road, Bridleway, or Footpath passing or leading over the said

said Bridge shall be stopped up or discontinued without the Concurrence and Order of Two of His Majesty's Justices of the Peace for the West Riding of the County of *York* not interested in the Repairs of such Road, Way, or Path, and which Order shall be subject to Appeal to the Quarter Sessions in manner mentioned and contained in an Act passed in the Fifty-fifth Year of the Reign of His Majesty King *George* the Third, intituled *An Act to amend an Act of the Thirteenth Year of His present Majesty, for the Amendment and Preservation of the Public Highways, in so far as the same relates to Notice of Appeal against turning or diverting a Public Highway; and to extend the Provisions of the same Act to the stopping up of unnecessary Roads.*

55 G. 3. c. 68.

Trustee may make Order for Leaf of Selby Bridge to be closed at certain Periods.

XXVI. And whereas by an Act of Parliament passed in the Thirty-first Year of the Reign of His Majesty King *George* the Third, intituled *An Act for building a Bridge near the Ferry over the River* Ouse *from* Selby *in the West Riding of the County of* York *to the opposite Shore in the Parish of* Hemingbrough *in East Riding of the said County*, it is enacted (amongst other things) that the Slide Leaf or Leaves of the said Bridge shall be opened by the Collector of the Tolls thereby made payable, or other Person or Persons, as therein mentioned, in such Manner that Vessels might not at any Time be interrupted in passing the said Bridge, and that Vessels should at all Times have a Preference of passing through the same to Passengers going over the said Bridge; be it therefore further enacted, That for more effectually and certainly providing for and securing at all Times hereafter the uninterrupted Passage of His Majesty's Mail Coach over the said Bridge, it shall and may be lawful for the said Trustees from Time to Time, any Law or Statute to the contrary notwithstanding, by any Order or Orders to be by them made, to cause the Leaf or Leaves or Swivel opening in the Way or Path over the said Bridge, situate and being in the Line of the said Road, to be closed at Two stated Times, but not oftener, within every Twenty-four Hours, for not more than Half an Hour at each Time, so that His Majesty's Mail Coach arriving at the said Bridge within the appointed Times shall have the Preference of passing over the same to or before Vessels passing through the same, at such stated or fixed Periods or Portions of the Twenty-four Hours as they the said Trustees shall think necessary for the Convenience and Advantage of the Public, and to prevent as much as may be the least Stoppage or Hindrance of the said Mail Coach.

31 G. 3. c. 60.

Regulating Ascent of the Road over the Bridge, and Height of the Fence.

XXVII. Provided always, and be it further enacted, That the said Trustees shall and they are hereby required to make the said Road on such a Level (or so to erect and construct the said Bridges) that the Ascent of the Road over the said Bridges shall not exceed One Foot in Thirteen Feet: Provided also, that the Fence on each Side of such Bridges shall not be less than Four Feet above the Surface of the Road and Footpath: Provided nevertheless, that nothing in this Act contained shall extend to authorize the said Trustees to alter or otherwise interfere with the Level of the said *Selby Bridge*.

Ditches, Drains, Bridges, &c. by whom to

XXVIII. And be it further enacted, That it shall be lawful for the said Trustees and their Surveyor or Surveyors, or other Person or Persons by them appointed, and they are hereby authorized and

empowered,

empowered, to make such Ditches, Drains, or Watercourses, of such a sufficient Depth and Breadth as shall be necessary, for keeping the said Road dry, and for conveying the Water from the same, on the Sides of the said Road, 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 also such sufficient Bridges, Arches, Culverts, Trunks, Tunnels, or Plats as shall be necessary, 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 so made and completed, 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 any Law or Statute relating to Turnpike Roads.

be made and cleansed.

XXIX. Provided always, and be it further enacted, That if the Communication to any Lands or Grounds shall be cut off or obstructed by the making of the said new Turnpike Road, then and in such Case it shall be lawful for the said Trustees to order and lay out a Passage from the said Turnpike Road to and from such Lands or Grounds, in like Manner as Trustees or Commissioners of any Turnpike Road in *England* are authorized to order and lay out Passages to any new Road in Cases where any Turnpike Road shall be diverted or turned.

Trustees to make Communications from Lands where the present Communications are obstructed.

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.

Public Act.

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

Duration of Act.

The

The SCHEDULE referred to by the foregoing Act.

Nos. on the Plan.	Description of Property.	Names of Owners or reputed Owners.	Names of Occupiers.	Parish.	Township.
11	Croft	Jackson's Devisees	Thomas Lister	Arksey	Bentley with Arksey.
12	Garden and Croft	Sir W.B. Cooke Bt.	William Dey	Ditto	Ditto.
13	Yard, Garden, and Shed	Ditto	Widow College	Ditto	Ditto.
14	Croft	Ditto	Charles Ellis	Ditto	Ditto.
15	Croft	Ditto	Widow College	Ditto	Ditto.
6	Close and Plantation	P.Davies CookeEsq.	John Green	Owston	Owston.
8	Close and Plantation	Ditto	Thomas Rickard	Ditto	Ditto.
10, 11, 12, 13, 14, 15,	Plantations	Ditto	P. D. Cooke Esq.	Ditto	Ditto.
2	Cottage, Garden, Orchard, and Croft	M.A. Tasburgh Esq.	Richard Crowcroft	Burghwallis	Burghwallis.
7	Yard, Orchard, and Croft	Humphrey Osbaldeston Esq.	John Haigh	Campsall	Askern.
8, 9, 10	Crofts and Orchard	Rev. Edward Frank	Thomas Hartley	Ditto	Ditto.
15	Cottage, Blacksmith's Shop, and Garden	William Morley	William Stacey and JamesMoorhouse	Ditto	Ditto.
8	Willow Garth	George Carnelly	George Carnelley	Ditto	Norton.
		River Went.			
18	Railway	Heckbridge and Wentbridge Railway Propʳˢ	Themselves	Womersley	Stubbs Walden.
2	Ditto	Ditto	Ditto	Ditto	Womersley.
9	Wood	Lord Hawke	Lord Hawke	Ditto	Ditto.
18	High Field House, Homestead, Croft, Garden, &c.	Ditto	Thomas Harrop	Ditto	Ditto.
4	Haigh End House, Homestead and Close	N.E.Yarburgh Esq.	George Archdale	Snaith	Balne.
15	Barn, Stable, and Fold yard	Thomas Leng	Thomas Leng	Kellington andSnaith	Whitley.
16	House,Buildings,and Garden	W. R. Earnshaw	John Hallilay	Ditto	Ditto.
—	Knottingly and Goole Canal, Banks and Soak Drains	Aire and Calder Company	Aire and Calder Company	Ditto	Ditto.
1	Ditto	Ditto	Ditto	Kellington	Egbrough.
9 & 10	Homestead	J.B. S. Morritt Esq.	George Rushforth	Ditto	Ditto.
11	Cottage, Yard, and Garden	Ditto	John Rothwell	Ditto	Ditto.
12	House, Farm, Buildings, Gardens, &c.	George Norton	George Norton	Ditto	Ditto.
20	Hut Green Public House, Buildings, Yards, &c.	J.B. S. Morritt Esq.	Mrs. Johnson	Ditto	Ditto.

Nos. on the Plan.	Description of Property.	Names of Owners or reputed Owners.	Names of Occupiers.	Parish.	Township.
23	Cottage and Gardens -	Mary Garlick -	Mary Garlick -	Kellington -	Egbrough.
12	River Aire - -	Aire and Calder Company -	Themselves - -	Birkin - -	Chapel Haddlesey.
13, 14	Homestead, Fold-yard, and Close -	Mrs. Davison -	George Hemingway	Ditto -	Ditto.
15	Cottage, Orchard, and Garden - -	John Copley -	William Copley -	Ditto -	Ditto.
16	HomesteadandOrchard	George Leake -	George Leake -	Ditto -	Ditto.
17	Croft, House, and Orchard - -	Peter Brunyard -	Peter Brunyard & Thos Heptonstall	Ditto -	Ditto.
18	Croft - - -	Mrs. Davison -	George Hemingway	Ditto -	Ditto.
19	Orchard and Garden -	Ditto - -	Ditto - -	Ditto -	Ditto.
4	Close and Barn - -	John Brumley -	John Brumley -	Brayton -	Burn.
7 & 8	Plantations - -	W. H. Gossip Esq.	W. H. Gossip Esq.	Ditto -	Ditto.
14	Close and Shed -	Ellis's Charity -	John Simms -	Ditto -	Ditto.
28	Pond and Plantation -	John Simms -	Ditto - -	Ditto -	Ditto.
30	Cottage and Garden -	Thomas Proctor -	Thomas Fligg -	Ditto -	Ditto.
31	Ditto - -	Ditto - -	Abraham Bell -	Ditto -	Ditto.
32	Schoolhouse - -	Ditto - -	John Sweeting -	Ditto -	Ditto.
33	Poor Cottages - -	Overseers of the Poor of Burn -	Poor People -	Ditto -	Ditto.
1	Croft - -	Mrs. Lund - -	Mrs. Lund - -	Ditto -	Brayton.
2	House, Yard, andGarden	William Smithers -	William Smithers -	Ditto -	Ditto.
3	Barn - -	Mrs. Lund -	Henry Hindle -	Ditto -	Ditto.
4	Cottages and Garden -	Ditto - -	Herself and Joseph Goodall	Ditto -	Ditto.
2 & 3	Closes and Shed -	Thomas Proctor -	Thomas Proctor -	Selby -	Selby.
2ª	Site of Railway -	Leeds and Selby RailwayCompany	Themselves - -	Ditto -	Ditto.
4	House, Factory, Yards, Buildings, Gardens, &c. - -	Messrs. Gibson & Co.	Messrs. Gibson & Co.	Ditto -	Ditto.
5	Paddock - -	Thomas Proctor -	Thomas Proctor -	Ditto -	Ditto.
6	Several Cottages and Gardens - -	Ditto - -	Widow Smithand others -	Ditto -	Ditto.
7	Garth and Shed -	Hon. Edward Petre	Jonathan Wilkinson - -	Ditto -	Ditto.
9	School - -	Trustees of Subscription School	Trustees of Subscription School	Ditto -	Ditto.
10	Garden - -	Hon. Edward Petre	Christopher Ellison - -	Ditto -	Ditto.
11	Gardens - -	John Fothergill -	John Fothergill -	Ditto -	Ditto.
12	Cottages and Yards -	John Twist -	Henry Carew and others -	Ditto -	Ditto.
13	Sawing Pits, &c. -	Ditto - -	John Twist - -	Ditto -	Ditto.
14	Timber Yard - -	Ditto - -	Ditto - -	Ditto -	Ditto.
15	Druggist's Shop, Stable, and Warehouses - -	Hon. Edward Petre	Robert Adams -	Ditto -	Ditto.
16	Stables - -	Ditto - -	Ruth Watson -	Ditto -	Ditto.
18	Timber Yard, Warehouses, Counting-house, &c. -	Hon. Edward Petre	John Adams -	Selby -	Selby.
19	Workshops, Warehouses, &c. -	Ditto - -	Messrs. Proctor -	Ditto -	Ditto.
21	Cottage - -	Ditto - -	John Hawcroft -	Ditto -	Ditto.
20	Heckling Shops, &c. -	Ditto - -	Messrs. Proctor -	Ditto -	Ditto.
22	Warehouse, Counting-house, &c. -	Ditto - -	John Twist - -	Ditto -	Ditto.

Nos. on the Plan.	Description of Property.	Names of Owners or reputed Owners.	Names of *Occupiers.*	Parish.	Township.
23	Coach-houseandGarden	Hon. Edward Petre	Thomas Leetham -	Selby -	Selby.
24	Garden - -	Ditto - -	Thomas Proctor -	Ditto -	Ditto.
25	Iron Foundry, Barn, Stable,Sheds,& Yards	Ditto - -	John Adams -	Ditto -	Ditto.
26	Pinfold - -	Ditto - -	- - - -	Ditto -	Ditto.

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