ANNO UNDECIMO

Georgii III. Regis.

An Act to enlarge the Term and Powers of an Act, made in the Twenty-ſixth Year of His late Majeſty, for repairing and widening the Road from the Town of *Tadcaſter*, through *Collingham*, *Harewood*, *Arthington*, and *Pool*, to the Town of *Otley*, in the Weſt Riding of the County of *York*.

Preamble.

Act 26 *Geo.* II. recited.

WHEREAS an Act was made in the Twenty-ſixth Year of the Reign of His late Majeſty King George the Second, for repairing and widening the Road from the Town of Tadcaſter, through Collingham, Harewood, Arthington, and Pool, to the Town of Otley, in the Weſt Riding of the County of York, to be in Force for the Term of Twenty-one Years, and to the End of the then next Seſſion of Parliament, upon the Conditions therein mentioned: And whereas ſeveral Sums of Money have been borrowed on the Credit of the ſaid Act, which now remain unpaid: And whereas the ſaid Road hath been in great Part amended, but the Money cannot be paid off within the ſubſiſting Term of the ſaid Act, nor can the ſaid Road be compleated and kept in Repair, unleſs the Term and Powers of the ſaid Act be enlarged: 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 preſen-

The Term of Act 26 *Geo.* II. further continued.

present Parliament assembled, and by the Authority of the same, That the said recited Act, and all and every the Powers, Authorities, Provisions, Regulations, Penalties, Forfeitures, Clauses, Matters, and Things therein contained shall be, and is and are hereby further continued from the Expiration of the said former Act, and of the additional Term of Five Years, granted by an Act made in the Twenty-eighth Year of His said late Majesty, intituled, An Act to amend an Act made in the Twenty-sixth Year of His present Majesty, intituled, *An Act for the Amendment and Preservation of the publick Highways and Turnpike Roads of this Kingdom, and for the more effectual Execution of the Laws relating thereto,* for and during the further Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament, as effectually, to all Intents and Purposes, as if the same was repeated and re-enacted in the Body of this Act; but subject nevertheless to the Amendments, Alterations, Variations, and Additions herein contained, and which shall commence and take Effect immediately from and after the First Day of May, One thousand seven hundred and seventy-one, and continue during the Term hereby continued and granted, and the additional Term hereby granted, shall be subject and liable to the Payment of all the Money now due, or which shall be borrowed on the Credit of the said former Act, or of this Act, and the Interest due, and to grow due thereon.

Additional Trustees appointed.

And, for the more easy and speedy Execution of the said Act, be it further enacted by the Authority aforesaid, That Sir James Ibbetson, Sir Savile Slingsby, Sir Walter Vavasour, Sir John Ingleby, Sir Charles Sheffield, Sir Thomas Gascoigne, Baronets; Thomas Arthington, Edmund Barker the younger, Oliver Coghill, Esquires; James Collins the younger, Gentleman; Robert Dineley, John Denham, Joshua Field, Walter Hawkesworth, Ebenezer Jackson, John Lee, Richard Lee, William Marwood, Esquires; Thomas Metcalfe, Clerk; Walter Stanhope, Miles Staveley, Beilby Thompson, Richard Thompson, Walter Vavasour, Henry Wickham, Esquires; George Bentley, Edward Bears, Michael Inman, John Day, Gentlemen; Roger Swire, Esquire; Charles Mace, Thomas Barstow, Clerks; shall be, and they are hereby added to, and joined with, the Trustees appointed or elected for putting the said former Act in Execution; and that the said Trustees, by and in pursuance of this Act, or of the said former Act, appointed, or to be elected, and qualified as the said former Act directs, shall be, and they are hereby nominated

minated and appointed Trustees for amending, widening, and keeping in Repair the said Road, and for putting in Execution this and the said former Act.

Additional Toll on Cattle not drawing.

And whereas the Toll or Duty laid by the said former Act, upon Horses, Mares, Geldings, Mules, and Asses, not drawing, has been found insufficient, be it therefore further enacted by the Authority aforesaid, That the said Toll shall, from and immediately after the said First Day of May, One thousand seven hundred and seventy-one, cease; and that instead thereof, there shall be from henceforth demanded and taken for the Passage through any Turnpike erected by virtue of the said former Act, or this Act, of any Horse, Mare, Gelding, Mule, or Ass, laden or unladen, and not drawing, the Sum of Three-pence; which said Toll is hereby vested in the said Trustees, and shall and may be collected, recovered, applied, and disposed of in such and the same Manner as by the said former Act is prescribed, with respect to the Tolls thereby granted.

Exemptions from Toll.

Provided always, and it is hereby declared, That no Person shall be charged with any of the Tolls or Duties by the said former Act, or this Act, granted, for the passing of any Cattle or Carriage through any of the Turnpikes erected, or to be erected, in pursuance of the said former Act, or of this Act, laden with, or returning unladen or empty, after having been laden only with any Stones, Brick, Lime, Timber, Wood, Gravel, or other Materials for repairing the said Road, or for mending any of the Highways in the Townships or Hamlets through which the said Road, or any Part thereof, doth lie; or going for, or returning with any Dung, Mould, Manure, or Compost of any Nature or Kind whatsoever, to be employed in Husbandry, for manuring or improving of Lands; nor shall any Toll or Duty be demanded or taken by virtue of the said former Act, or of this Act, for any Carts, Wains, Waggons, or other Carriages, or Horses, or other Cattle, carrying any Hay or Corn in the Straw only; or for any Plows, Harrows, or Implements of Husbandry; or for any Stones or Brick used or employed for the building or repairing of Houses or Outhouses, Mills, or Mill-dams, in the said several Townships or Hamlets; or for any Cloth going to or returning from the Fulling-mills; or Corn, Grist, or Meal, going to or returning from the Corn-mills; or any Horse, or other Cattle or Carriages going unladen, or returning unladen, having carried Cloth, Corn, or Grist to the said Fulling-mills or Corn-mills; nor shall any Toll or Duty

be demanded or taken from any Person or Persons residing in any of the Parishes, Townships, or Hamlets, in which the said Road doth lie, who shall pass through any of the said Turnpikes to or from Church, Chapel, or other Place of religious Worship on Sundays; or who shall attend the Funeral of any Person or Persons who shall die or be buried in any of the said Parishes; nor shall any Toll or Duty be demanded or taken for any Horses, Mares, Geldings, or Cattle, going to or returning from Pasture or Water, within any of the said Townships or Hamlets through which the said Road doth lie; nor for any Chaise or other Carriage, or Post-horse, carrying the Mail or Packet, or returning after carrying the same; nor for the Horses of Soldiers passing, who are upon their March, or for Carts, Carriages, or Waggons attending them, or laden with their Arms or Baggage; or for Horses, Carts, or Carriages, travelling with Vagrants sent by Passes, or returning after having been so employed.

Expences of the Act how to be paid.

And it is hereby further enacted, That the said Trustees, or any Seven or more of them, shall, out of the Monies which have arisen by virtue of the said former Act, or out of the first Money which shall be raised by virtue of the said former Act, and of this present Act, pay and discharge all the Costs, Charges and Expences incident to, and attending the obtaining and passing of this present Act.

Victuallers not to hold Places of Profit.

And be it further enacted by the Authority aforesaid, That no Victualler, or Retailer of Beer, Ale, Cyder, or Spirituous Liquors, shall hold any Place of Profit under the said former Act, or this Act.

Limitation of Actions.

And be it further enacted by the Authority aforesaid, That no Action or Suit shall be commenced against any Person or Persons for any Thing done in pursuance of the said former Act, or of this Act, until Ten Days Notice thereof shall be given to the Clerk or Clerks of the said Trustees, or after sufficient Satisfaction or Tender thereof shall have been made to the Party or Parties aggrieved, or after Six Calendar Months next after the Fact committed; and every such Action or Suit shall be laid in the County of York, and not elsewhere, and the Defendant or Defendants in such Action or Suit shall and may plead the General Issue, and give the said former Act, or this Act, and the Special Matter in Evidence, at any Trial to be had thereupon; and that the same was done in pursuance and by the Authority of the said former Act, or of this Act; and if the same shall appear to have been

General Issue.

been so done, or such Action or Suit shall be brought before Ten Days Notice shall be thereof given as aforesaid, or after sufficient Satisfaction made or tendered, or after the Time limited for bringing the same, or in any other County or Place than as aforesaid; then the Jury shall find for the Defendant or Defendants: And upon such Verdict, or if the Plaintiff or Plaintiffs shall be nonsuited, or discontinue his, her, or their Action, after the Defendant or Defendants shall have appeared; or if upon Demurrer, Judgement shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall have Treble Costs, and have the like Remedy for the same as any Defendant or Defendants have or hath, or may have, in any other Cases in Law. Treble Costs.

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

FINIS.