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**ROADS  
AND  
TURNPIKE TRUSTS  
IN  
EASTERN YORKSHIRE**

by  
**K. A. MACMAHON**

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by

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## ROADS AND TURNPIKE TRUSTS IN EASTERN YORKSHIRE

A major purpose of this survey is to discuss the origins, evolution and eventual decline of the turnpike trusts in eastern Yorkshire. The turnpike trust was essentially an *ad hoc* device to ensure the conservation, construction and repair of regionally important sections of public highway and its activities were complementary and ancillary to the recognised contemporary methods of road maintenance which were based on the parish as the administrative unit. As a necessary introduction to this theme, therefore, this essay will review, with appropriate local and regional illustration, certain major features of road history from medieval times onwards, and against this background will then proceed to consider the history of the trusts in East Yorkshire and the roads they controlled. Based substantially on extant record material, notice will be taken of various aspects of administration and finance and of the problems of the trusts after *c.* 1840 when evidence of their decline and inevitable extinction was beginning to be apparent.

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Like the Romans two thousand years ago, we of the twentieth century tend to regard a road primarily as a continuous strip of well prepared surface designed for the easy and speedy movement of man and his transport vehicles. But, as the law books make clear, the medieval legal concept of the road, an idea reflected in later legislation, was of an abstract right of passage for the sovereign and his people. Such right of passage was recognised in the implied permission for the traveller to use adjacent land, even to the extent of going through growing crops, when the generally accepted route was foundrous and impassable. A developing concern for an improved *pavimentum* or road surface naturally correlates with the increasing use of the wheeled vehicle.

But however theoretical and legalistic the conception of the road, the practical necessity presented itself, particularly in the case of the more important and frequented roads, of preserving a recognisable route and maintaining a surface to meet the requirements of the traveller.

Before the Norman Conquest, work on bridges and fortresses formed part of the so-called *trinoda necessitas* obligatory on all

freemen; no doubt the "maintenance" of roads formed part of this obligation. By the eleventh century recognition of the importance of and concern for the safety of the traveller is evidenced by the concept of the King's Peace being considered permanently applicable to the four major thoroughways of Ermin Street, Watling Street and the Fosse and Icknield Ways, as well as to all navigable rivers. As later charter evidence shows, the 'King's Peace', implying special royal protection, could be extended to less important roads which might lead, for example to a regionally important market or fair. An instance of this occurred in 1121-2 when Henry I granted to Thurstan, Archbishop of York, as Lord of Beverley, and to the canons of the collegiate church there, an extension of the fair held at the Feast of St. John the Baptist. The charter makes it clear that all going to Beverley during the time of the fair, doing business there and returning would enjoy the King's Peace. The special form of protection inherent in such grants, while having what one might loosely term a publicity and propaganda value for a town and its fair, nevertheless marks a stage in the evolution of the concept of the King's Highway.

In the more systematised and highly feudalised society of post-Conquest England, the obligations of road, causeway and bridge repair tended to become less individual and more communal in character, but, as far as the individual was concerned, usually linked with responsibilities pertaining to the holding of land. Problems arising were adjusted through the manorial court or, if necessary at the Sheriff's tourn. In short, there evolved the Common Law liability on the township to accept responsibility for the roads within its territorial limits except in those cases where an individual's enjoyment of a particular property clearly demonstrated such responsibilities were personal. Thus, in 1362, when it was represented that the road north of Hull from Dunswell to Woodmansey "between the Archbishop (of York)'s park and the croft held by his villeins of Woodmansey and Thearne" was deep and impassable, the responsibility for repair was considered to be that of the two townships concerned and the tenants of the Archbishop. In the same year, it was likewise decided that the road from Anlaby to Hull was the responsibility not only of Anlaby and Hull, but of neighbouring townships such as Hessle, Kirkella and Wolfreton, "because", it was stated, with compelling logic, "they lose or gain by its repair and for the lack thereof". When, seven years later, and for reasons which are not clear, the men of North Cave blocked up the 'King's road' by various types of encroachment and the digging of ditches, a fine of 6/8 was levied on the township and a further fine of twice that amount if the various nuisances were not remedied within a reasonable period. About the same time, at an inquisition held at Pocklington before John Bigod, Sheriff of Yorkshire, it was shown that neglect of local watercourses by the villagers of Bolton had resulted in flooding of the road between Bolton and Spittal Bridge making it "very dangerous to men passing with carts".

The remedy was obvious and Bolton was ordered to look to its ditches.

Anti-social behaviour by an individual in respect of a road could often result in legal action over rights and responsibilities. In or about 1362, John Bonefayth of the (now 'lost') village of Thornthorpe near Burythorpe found himself in trouble—his neighbours having apparently endured his misdeeds for long enough. It was alleged that, in addition to letting his cattle stray amid growing crops, John had obstructed "an ancient place of entry and departure" with his carts and had erected two pairs of gates and built a wall there. According to the jurors of Buckrose a delay in dealing with the culprit had been occasioned by the villagers' fear of John's parents-in-law: consequently no one had dared to impound the straying cattle or had plucked up sufficient courage to demolish the wall and gates obstructing the highway. The outcome of this case does not appear to be recorded but it is a reasonable assumption that Bonefayth was compelled to make appropriate amends for the mischief done. A similar case occurred in 1371 at Lowthorpe where John Spenser built a wall and also blocked the road. Spenser was fined the then substantial sum of 10/- and put under a further penalty of £2 if the nuisance was not abated forthwith. Such cases illustrate the problems of the preservation of long established communal rights of passage.

Where responsibilities for road maintenance could be placed on a landholder, the community was only involved as far as presentment of the case was concerned. In 1362, the defective causeway "below the Abbot of Thornton's yard" at North Frodingham was clearly established as the Abbot's responsibility, as was the road between Frodingham and Holme, which from time immemorial had been the same convent's charge. Underlying all these cases was the naive belief which persisted for centuries, that, obstructions removed and nuisances remedied, a road would maintain itself.

Bridges, often replacing the river ford or ferry, were important, though frequently perilous, links in the regional road system. The bridge reduced the natural hazards of ford and ferry but brought with it responsibilities, individual or communal, for its upkeep. In many cases maintenance might largely derive from the payment of pontage or passage granted by the Crown to a person or corporation, or from the offerings of the faithful to the hermit or chaplain who might have the bridge in his care. John le Gras, for example, Canon of the Collegiate Church of St. John at Beverley, realised the importance of the bridge over the River Hull near Tickton and, in the middle years of the thirteenth century, granted the substantial sum of 20/- a year from his properties in Beverley for a chaplain to celebrate divine service in the Chapel of St. James there. The chaplain's obligation was the usual one of praying for the souls of the grantor, the grantor's kith and kin and all those who would help towards the upkeep of the bridge. The medieval Keepers of Beverley were sufficiently appreciative of the function of successive chaplains

to make their own occasional offerings. But the bridge and causeway could be the responsibility of an individual or alternatively, come within the manorial or communal framework of maintenance responsibility. For example in 1369 Bracey Bridge over Kelk Beck near Harpham was broken and dangerous. At the Sheriff's Court held at Kilham that year, it was considered to be the responsibility of the Provost of the Church of St. John at Beverley, who, accordingly, was amerced 6/8 and put under a penalty of £5 to carry out the necessary repairs.

But local presumption of personal responsibilities could be refuted. Only a few years before, an attempt to place the responsibility for Stamford Bridge on Sir Henry Percy, Lord of Catton had failed through lack of precedent. The bridge, an historic link along an important highway, was in a dangerous state, but through his attorney, John de Sadyngton, Percy showed that neither he nor his ancestors "had ever made or repaired the bridge", a state of affairs which is certainly borne out by the fact that in 1283 Robert, the Rector of Sutton-upon-Derwent had received the welcome gift of twenty marks from Archbishop William Wickwaine of York for the reparation of "*Pons Belli*". Such examples of road and bridge maintenance mark the growing pains of a system of responsibility which was to become more clearly defined in the middle years of the sixteenth century with the Statute of Bridges (1531) and the first Statute of Highways (1555).

But the records of legal processes involving highway and related forms of maintenance responsibility cannot tell the whole story of the road. The dispersal of lay and ecclesiastical estates, the widespread disposition of monasteries with their obligations of hospitality to the wayfarer, the development of market, fair, and foreign trade all played an important part in encouraging travel. The building of churches and castles involving increasing use of roads, and the King in stately progress, the judges on business of assize, the bishop on visitation, the merchant going to market, the scholar to University, the pilgrim to the shrine of the saint, all made, singly and collectively, their contribution to the demand for road improvement. The evidence for considerable use of the roads in the medieval period is incontestable as examination of official itineraries conclusively shows. One example selected at random must suffice for illustrative purposes. In April and May 1301, after staying at Bishop Burton, Archbishop Thomas Corbridge of York visited his archiepiscopal palace at Bishopthorpe, journeyed north to Yarm, Stokesley and Guisborough and then to Scarborough and Bridlington and westwards to Rievaulx and Byland. In June and July he carried out an extended tour in the West Riding. In September he was again in the East Riding, in October at Ripon and Fountains Abbey, and, even after going into winter quarters at Cawood, sallied south into Nottinghamshire in December. Such episcopal peregrinations were not unusual. Corbridge was by no means exceptional as a pastor of his diocesan flock, but such journeys, invariably carried out with



the aid of a goodly retinue of clerks, servants, attendants and unofficial hangers-on, testify clearly to the use of the roads in the high medieval period.

To the medieval traveller, the varied hazards of the road were as real as the demands of the business which occasioned his journeyings. In 1269, Archbishop Walter Giffard of York ordered his bailiff to pay Roger the Miller of Oxford twenty shillings to provide necessaries for his young kinsman William Greenfield then studying at the University, "because it would be difficult . . . to send money to him on account of the perils of the ways." Similar dangers in 1411 prompted John de Hovingham, Canon of Newbrough, officiating as Vicar of Kirby Hill near Boroughbridge on the Great North Road, to seek papal dispensation from the obligation of residence on his cure because he suffered so much from the depredations of robbers. But the perils of the ways are no better illustrated than by the evidence of episcopal provision frequently accorded for dependent chapelries to have graveyards and other semi-parochial rights, independent of their mother churches. In 1301, Archbishop Corbridge notified the Prior of Guisborough to whose convent the church of Hessle was appropriated (and the Prior of Watton who was also legally concerned) of his intention to consecrate a graveyard at the Chapel of the Holy Trinity at Hull because of the risks faced by funeral parties taking their dead for burial in the graveyard of the mother church at Hessle. A generation later Archbishop Melton made similar provision between Hull St. Mary's and its mother church at Ferriby. In 1415 the Chapel of Thornton near Pocklington within the Dean of York's peculiar of Pocklington was granted similar rights by John Prophete, Dean of York. This aspect of the problems of the way can be summed up in the piteous language of the petition in 1471 of the Haxby parishioners of Driffeld who, sixteen miles as they alleged some of them were from their mother church, complained sadly of "the substance of the said inhabitants for impotencye and feblenes, farnnes of the long way, and also for grete abundance of waters and perlouse passages at small brigges for peple in age and unweldye."

Next to nothing is known about the actual repair of medieval roads but the mending of "wikked weyes" was accounted not only an act of mercy in itself but a work of true charity laying up treasure in heaven for the giver. Not without a degree of personal and material interest in the matter, Archbishop Walter Gray in 1230 granted an indulgence relaxing ten days' enjoined penance to those who would help towards repairing the road between his two manors of Beverley and Bentley. Archbishop Lawrence Booth in 1479 granted a similar indulgence of forty days' relaxation of penance in respect of the road between Barmby and Hayton and between Pocklington and Kilnwick. The legacies of Hull merchants like Robert Holme (1450) and John Garton (1455) for the repair of roads in the vicinity of Hull, and by parson George Painter (1562) for the repair of the highway between Preston and Hedon, no doubt

reflected long dissatisfaction with ways travelled in the course of daily toil. But how such help was organised we have no means of knowing. At best, no doubt, it was a case of the executors providing a few loads of stones and gravel for the worst places. In making provision for the 'mending of the ways' between Beverley and Walkington, William Sherwood of Walkington, in his will in 1537, placed the executive charge of repair upon the churchwardens of his parish. Thus, roads such as those for Edward I's newly acquired port of Kingston upon Hull might be laid out to facilitate access to the town, as an interesting early fourteenth century inquisition testifies, but no provision was made for their continued maintenance: that responsibility devolved on the townships through which the roads passed and on such private charity as they might attract.

Statutory provision for less haphazard maintenance of highways had to wait until the sixteenth century for Chapter 5 of Edward I's First Statute of Winchester (1285) which laid down, *inter alia* that 'highways leading from one market town to another shall be enlarged' was nothing more than a police measure. By the terms of the Statute, 'enlarging' had to consist of clearance of bushes and woods (but not 'great trees') on either side to a distance of two hundred feet to minimise the risk of the traveller being ambushed. In this regard the statute must be read as a statement of aspiration and intention for it is difficult to believe that it can have been implemented in any effective degree.

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By the sixteenth century changing economic conditions, the decline of the manor and the increasing recognition of the parish as an appropriate unit of civil administration were factors, which, in the well known Act of 1555, resulted in the onus of road repair responsibility being placed on the parishes. By this *Act for the amending of Highways*, four days' gratuitous labour annually was called for from the parishioners themselves and two 'honest persons' were to be elected each year to serve as Surveyors to superintend and organise the work. The individual commitment in respect of labour, carts and equipment due for this parish *corvée* was based on a rough sliding scale according to personal economic circumstances. The cottager gave his personal labour: the more well-to-do according to the value of their holdings or estates, provided carts and additional labour. The Act was limited to a life of seven years, but, when due to lapse, its provisions were continued for another twenty years, with appropriate additions and modifications in a second Statute of Highways (1563). One of the more important changes made was the extension of the compulsory annual labour to six days, each working day to consist of eight hours.

Concluding that the two acts had proved necessary, worthy and profitable, Parliament decided in 1586 on a third measure by which

the relevant provisions of the two earlier statutes were to "remain and continue in force and effect for ever". However desirable such a state of permanency might have seemed to the legislators at Westminster, codifying Acts of 1766 and 1773 resulted in the formal repeal of this Tudor legislation but the fundamental provisions relating to parish labour were re-enacted and continued in force until abrogated by the Highways Act of 1835.

This obligation of "Statute Labour" as it is often termed, is of significance, for the control of a road by a turnpike trust later in no wise absolved the parish from its obligations for that section of highway: the turnpike trust demanded and obtained the share of statute labour (or its monetary composition equivalent) in respect of the road.

But the quality of this statute labour can only be assessed against the circumstances under which it was rendered. The well known strictures passed on the system by William Harrison in his *Description of England* written between 1557 and 1587—" . . . the rich do so cancel their portions and the poor so loiter in their labours that of all the six, scarcely two good days' work are performed . . ." are endorsed by later writers. It needs little imagination and less knowledge of human nature to realise that Surveyors of Highways, on whom fell the responsibility of organising their fellow parishioners for six days' statute duty a year, were not going to be too enthusiastic over what was at best a distasteful task likely to cause difficulties and misunderstandings with neighbours. To condemn the system as futile would be unwise: to criticise it as uneconomic would be justified.

Undoubtedly, under such circumstances the commutation of statutorily enjoined labour services for payment in cash and proportionate to individual obligation, would begin early. It is not possible to trace this process in detail as far as East Yorkshire is concerned for, of those parishes where accounts of Surveyors of Highways have survived, such records are subsequent to 1770. Nevertheless it is tolerably clear that composition or "compeshon" as one surveyor spelt it, had progressed apace. For the individual parishioner, the change would come as soon as it became more profitable to pay the dues than to perform the service. Regularisation of the practice of composition of statute duty was provided by the General Highways Acts of 1766 and 1773, the latter Act, in particular, laying down scales of payment in meticulous detail. These Acts help to explain why most of the extant accounts of Surveyors of Highways date from this period.

But *pari passu* with the commutation of statutory labour services there developed the practice of levying a rate on a parish if the statute duty and/or its monetary equivalent were insufficient. Under the Act of 1563 already alluded to, Surveyors of Highways were legally compelled to report, within a month, any statute duty defaulters. Cases were dealt with at Quarter Sessions, fines for such dereliction of duty in process of time tending to become

regarded as recognised payments in lieu of service. By legislation of 1670 such fines were assessed at a rate of 1/6 for one man's labour for a day, 3/- for a man and a horse and 10/- for a cart and two men.

In spite of its cumbersomeness there is here a road rating system in embryo—a fine for non-compliance with statutory requirements based on labour services due, which themselves were assessed on the value of the property occupied by the individual. But any fully developed regular system of rating for the maintenance of roads did not materialise until the Highways Act of 1835. Meanwhile, in this context, it is worthy of notice that, if the legislation of the Commonwealth period had not been invalidated at the Restoration, a rating system for road maintenance would have been in operation before the age of the turnpikes. In 1654, Cromwell's government enacted "An Ordinance for the better mending and keeping in repair the Common Highwaies within this Nation". This particular Ordinance has an interest for East Yorkshire for it was reputedly the brain-child of Francis Thorpe, one of the Barons of the Exchequer, erstwhile Recorder of Beverley and, at the time referred to, Member of Parliament for Beverley.

Effective for only six years, the Ordinance provided for the appointment of Surveyors of Highways in each parish, who, in consultation with parishioners at a specially convened "vestry", could levy a rate up to a 1/- in the £ for repair and cleansing of roads and pavements in towns and villages alike. Failing agreement with the parish, the surveyors might levy the rate after having had it confirmed by a local Justice of the Peace. The money raised was to be used to employ labour for the purposes specified. If the sum proved insufficient the Court of Quarter Sessions could levy a rate-in-aid on adjoining parishes. Academically, this last-noted provision is of interest as implying early recognition of a regional unit greater than the parish for one particular aspect of local administration.

With the abrogation of all Commonwealth legislation at the restoration of the Stuarts this Ordinance became of no effect but ideas of rating for highway maintenance emerged in later Acts of Parliament. After some half-hearted attempts by Charles II's government to introduce legislation involving temporary systems of parish rates for highways, Parliament in 1691 empowered Justices of the Peace in Quarter Sessions assembled to levy a parish rate of up to 6d. in the £ if they were convinced that, otherwise, the roads could not be repaired. The money was to be spent as Quarter Sessions might direct. Also it was provided that, if road repair material was not locally and easily available, Surveyors of Highways could purchase what was required and ask the local Justices, in Special Sessions, to approve a special rate on the parish to meet the cost.

The operative phrase in the foregoing paragraph is "if they (the Justices of the Peace) were convinced that, otherwise, the roads could not be repaired". Many parishes—at least for a number of years together—apparently escaped any form of *ad hoc* rating

supplementary to the provision of statute duty or its equivalent. Justices of the Peace with their own, often extensive property interests would naturally be inclined to measure carefully their personal commitments against the convenience stemming from local road improvement which might follow the levying of a rate. Thus where rates proved necessary it was not a case of a levy in successive years. Inevitably too, rates would vary widely from parish to parish according to local requirements. In 1737, for example, Pocklington, Catton, Holmpton, Leconfield and Molescroft were approved for assessment at 6d. in the £ for road maintenance, Patrington at 4d. and Newbald at 2½d. In comparison, Driffield escaped lightly with a 1d. rate.

Occasionally, a parish might organise a collection, as did the inhabitants of Drypool and Sutton in 1663. With the permission of the Bench of Aldermen the two parishes were allowed to solicit help in Hull for the repair of the Holderness Road as far as Sutton Ings Gate following damage to the highway by flood water.

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The collection of occasional highway rates and monetary commutation of statute duty imposed an additional burden on the Surveyors. Nevertheless, if he were prepared to compound for statute duty the parishioner was released from unwelcome personal service and at the same time helped to make available a sum of money which allowed the employment of paid labour which, in turn, permitted a greater elasticity of organisation of labour on the parish roads. The wage-earning labour naturally represented an improvement in quality over that of the unwilling villager periodically dragooned to an unwelcome chore. A token contribution towards a partial solution of the parish pauper problem could be made by providing employment on the parish roads in addition to opportunities for occasional paid labour when it was wanted. In 1777 at Bishop Burton "Page and Barrow's wives" and "Hayton and Bilton's wives" were collecting stones for the parish roads and being paid at the rate of a shilling a load. At Langton, near Malton, in 1790 a villager like John Lythe could earn a pittance by "shuveling" the road for a few days. It was no doubt through the service of men like John Lythe that the Surveyors of Langton in 1830 were enabled proudly to endorse their accounts for the year "And we have to state that our roads are not found fault with. We have almost eight miles."

To have its roads 'found fault with' was a risk which every parish ran. As seen from some of the medieval examples already given, it was open to anyone to indict either at the Assizes or Quarter Sessions\* the inhabitants of any township whenever "a

\* The holding of quarterly sessions dates from 1362 (Statutes of the Realm 1.374 36 Ed. III c. 12).

common and ancient King's highway" got into so bad a condition as to warrant remedial action. This procedure of indictment and presentment was given precision by the Tudors. Under the act of 1563 already noted, every Justice of the Peace was given power to make presentment ". . . on his own proper knowledge . . . any highway not well and sufficiently repaired". As laid down precisely in the codifying Highways Act of 1773, a Justice of the Peace could take action on the sworn testimony of a Surveyor of Highways and his presentment at Assizes or Quarter Sessions was to have the same "force, strength and effect in the law as if the same had been presented and found by the oaths of twelve men". Nor, except under specifically listed circumstances could the presentment be removed from the jurisdiction of the court by writ of *certiorari* until judgment had been given.

The whole process of indictment and presentation of a parish need not be considered in detail in this context. If a "True Bill" was found by the Grand Jury it was usually "traversed" on behalf of the offending parish and the hearing of the case remitted to the ensuing Quarter Sessions. If the parish was then found guilty a fairly considerable fine (usually in the nature of a suspended penalty) was imposed. Then, if during the course of the following months some effort was put into repairing the road or roads concerned and a Justice of the Peace could be persuaded to certify that improvements had been made, the fine would be remitted. If not, then the fine, less certain court fees due, would be levied by distress upon two or three of the parishioners, the money paid over to one of the parish Surveyors of Highways (or to any person nominated by Quarter Sessions if the Parish Surveyor happened to be *non persona grata* in the matter) and used for the repair of the highways concerned. The persons mulcted by the fine on the community would be reimbursed from a rate on the parish duly authorised by Quarter Sessions.

An indictment in respect of its roads therefore could be a matter of very real concern to a parish. In practice, presentment and fine were a spur to effort and, as far as the East Riding was concerned, the majority of fines seem to have been remitted following certification by a Justice of the Peace of improvement and repair. For example, in 1734 a fine of £30 imposed on the parish of East Cottingham was discharged after Sir Edmund Anderson had testified to repairs done. At the October Quarter Sessions in 1715 the inhabitants of Preston were fined £20 for non-repair of a parish highway called "Preston Town Street": at the ensuing Easter Sessions the fine was discharged as the road had been certified as sufficiently repaired. Winestead was fined the substantial sum of £40 in 1727 but the following year, when the money was brought into court, it was reported that, since the date of indictment, the parish had already laid out £31 in repairs of its highways. It was therefore ordered that the £31 be deducted from the fine and that the remainder (less court fees) be paid to the Winestead Surveyors

of Highways so that the good work of repair might continue "with the approbation and direction of Sir Robert Hildyard, Bt."

Individuals as well as parishes were subject to presentment when responsibility could be shown. In May 1736 an indictment against Sutton in Holderness for non-repair of "a highway called Sutton East Row" was discharged and a presentment ordered against Samuel Dalton on the grounds that the highway was his and not the parish's responsibility. Five years earlier, Joseph Gibson under threat of a suspended fine, had been compelled to repair "his highway" from his house of Burn Park to Cottingham. It is obvious that the threat or implementation of a threat of indictment could well depend on a fortuitous journey over a road by an irascible Justice of the Peace.

Absolute justice over the matter of indictment and fine was impossible and those parishes and townships such as Marfleet, Tickton or Cottingham lying in the Hull valley, or a village like Kilpin in the Howdenshire Marshland, because of the trials of winter flooding ran a constant risk of presentment, particularly if an important highway ran through the parish. At the Michaelmas Sessions at Beverley in 1727, for example, Kilpin, one of the bigger villages in the Marshland within the extensive parish of Howden was indicted for its failure to maintain a "horsecauseway" in Nabnooklane and was fined £20 with respite to the following year when the fine was remitted as the work had, by then, been carried out.

Cottingham affords a similar example. The greater part of the inhabitants lived in the village on the edge of the rising Wold land to the west but parish limits extended eastwards as far as the River Hull. This eastern area included the small hamlets of Dunswell, Hull Bank and Newland through which passed two regionally important roads—the highway north from Hull towards Beverley and the road east from Cottingham to Newland. By 1727-28 there were serious difficulties between the parish and the Justices of the Peace in Quarter Sessions over the matter of parish roads. Indictment of the parish had resulted in a fine of £40. The fine had been paid by Thomas Wilkinson and Robert Fenby and in consequence the Quarter Sessions approved a parish rate of 9d. in the £ to provide for reimbursement of the parishioners. At the Midsummer Sessions in 1727 it was protested on behalf of the parish that "the said assessment was overcharged": the appeal was allowed and a rate of 7½d. substituted. It is obvious that some active resentment was still being expressed for in the following year warrants were issued for the apprehension of Philip Spicer and Widow Hobman of Hessele and Abraham Hall and Thomas Sissons of Cottingham for failing to appear to show cause why, on a previous warrant of summons, they had not presented themselves to explain why they had not paid their proportions of the parish fine. This Hampden-like attitude was not uncommon and only a few years later a number of parishioners of Bridlington and "Bridlington Key" were in similar trouble stemming from parish failure to repair the road between Bridlington and Easton.

The lynch pin of judicial activity was the Justice of the Peace. The Tudors, in particular, without any real alteration of the office itself made the old *conservatores pacis* a power in the countryside by extending their administrative duties and executive responsibilities under an increasing mass of legislation. The man who, at the lifting of a finger and with every certainty of success, could set in motion a process which could result in the indictment of a township and a heavy fine for failure to maintain roads, bridges and causeways, was one to be reckoned with. Inevitably then, the state of the roads within a given area was reflected in no small degree of general awareness of local Justices of the Peace to their obligations and statutory responsibilities.

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The evidence of travel journal and diary alike makes it clear that adequate appraisal of road conditions at any one period is hardly practicable. The reaction of the traveller to his journey was influenced by a variety of factors, not least being those of his own temperament, the type of conveyance he used, and the time of the year he made his journey. The castigation of roads and roadmakers by Arthur Young (c. 1770) contrasts with Celia Fiennes' calm acceptance of conditions as she found them three-quarters of a century earlier. Young, of course, usually travelled by chaise, Celia Fiennes invariably on horseback. Roads, however, had to be notoriously bad before the horseman needed to complain: a determined rider could usually maintain a good average speed unless ill-favoured by flood water, swollen fords and broken bridges. In April, 1642, for example, thanks to Matthias Barry riding post to London, via Brigg, Parliament was made aware by 26 April, 1642 of the refusal of Sir John Hotham to admit Charles into Hull less than three days earlier. The House of Commons was sufficiently appreciative of Barry's exploit to thank him for his "acceptable service" and vote him a gift of £40. Such a riding feat, although scarcely comparable with Sir Robert Cary's spectacular ride from London to Edinburgh in three days in 1603 with news of Elizabeth's death, or with John Lepton's remarkable performance in 1605 in covering the distance between London and York five times in five days, nevertheless indicates what could be achieved by a determined rider in exceptional circumstances.

Until the major drainage schemes were put in hand after the middle years of the eighteenth century, the Holderness area of the East Riding provided serious winter hazards for the traveller. William Marshall, writing before 1788 found it impossible to include a survey of the district in his *Rural Economy of Yorkshire* because of difficulties of entry into the district arising from floods. In December, 1707, the Reverend Robert Banks, Vicar of Holy Trinity, Hull,



writing to the antiquary Ralph Thoresby, reported that the roads in Holderness at that time of the year were next to impassable and that some had lost their lives who had "ventured through them": for that reason, said Banks, "it is very difficult to hold any correspondence by letters into the several parts of that division". Years later, in a letter written in October, 1777, the Reverend William Dade, Rector of Barmston, with reference to the possibilities of travel from Barmston to Aldbrough, stated that within a month from the time he was writing Aldbrough would be inaccessible. In the low lying lands west of Hull the position was almost as bad—the "great waters of Anlaby and Hessle Carr" were noted at the Hull Special Sessions of Highways in 1695 as being dangerous for the traveller and the Justice of the Peace then present considered that a drainage scheme in the district would be "for the public good of all persons".

In some instances, enclosure of the common fields and the policies of estate-improving landlords could result in deterioration of communications because of realignment of roads and alternative provision of routes. As will be noticed later, the Pocklington Enclosure Act of 1757 in due course brought complaints from the traveller and in 1736 the permission granted to William de St. Quintin (then busy laying out his park at Scampston) to enclose part of the Malton-Scarborough road "beginning at a certain place called Rillington Head or Heads between Rillington Field and Scampston Field . . . and ending at or near the directing post standing between Scampston Field aforesaid and a place called Wintringham Sands" (a distance of some 1,400 yards) necessitated St. Quintin having to provide another "way in his own soil". Similarly, in 1766, Sir Griffith Boynton of Burton Agnes "enclosed" 1,000 yards of the Gransmoor-Rudston road.

Sledmere affords a similar and even more striking example of road diversion as a result of estate improvement. The building of the first Sledmere House (1751) by Richard Sykes II almost certainly involved a contemporary re-routing of the old York-Bridlington road, the line of which, fronting Sledmere House, is still visible from air photographs. Improvement at Sledmere continued under Richard's successors and although the Reverend Mark Sykes, Rector of Roos, was the head of the family, improvement after 1761 derived largely from the energy and initiative of his son Christopher who actually did not succeed to the estates until 1783. In 1775 Christopher sponsored a Bill for Enclosure at Sledmere which received the Royal Assent the same year. This, and further proposals for enclosure linked with plans to raise money on the estate and other financial matters, roused the ire of the Reverend Robert James Clay Rousby, lord of the nearby manor of Croom. Rousby counter-petitioned the House of Commons that, as the owner of some 1,500 acres contiguous to the Sykes' estates, Sykes' proposals not only vitally affected ancient rights of access to springs, etc., for the watering of animals but, as he complained further, "the common and immemorial carriage road (to Sledmere Church) hath

been for some time illegally stopped up and interrupted” and that “divers public roads to the city and market towns of York, Malton and Driffield are now enclosed and lie in and over the lands . . . so alleged to be enclosed”. But despite this opposition, Christopher Sykes’ plans came to fruition.

In these and similar cases, it would be useful to know to what extent a reasonable road surface was prepared as part of the exchange rather than the mere accordance of an alternative right of way. In after years however, these realigned roads and alternative routes, usually characterised by their straightness, have proved more appropriate to the requirements of the motor car age. Although he probably little realises it, the motorist today owes a small debt of gratitude to the eighteenth and nineteenth century enclosure commissioner and the estate improving landlord.

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The use of the device of the turnpike trust, by which, under a specially solicited Act of Parliament, a substantial section of public highway could be placed in charge of a self perpetuating *ad hoc* body of trustees, marks a significant stage in the development of road communications for it involved the adoption of a new principle—that all classes of traveller, except the humble pedestrian wayfarer, had the obligation of making payment proportionate to their actual use of a road. Furthermore, the formation of a trust provided respectable and appropriate facilities for financial investment and the necessary supervisory control to enable intensive road repair and betterment to be carried out in a way that was scarcely possible under then existing conditions. Improvements thus effected cannot be appraised statistically: it suffices to remark that these changes, along with enclosure, canal and drainage schemes had mutually vitalising social and economic effects on town and countryside alike.

As elsewhere, the development of the turnpiking of certain roads in East Yorkshire was determined primarily by the relative economic and social importance of the more important urban centres. It was to be expected that Hull, which, particularly from the middle years of the eighteenth century was to undergo marked economic change, would become a focal point of early turnpike experiment; similarly, all the main roads converging on Beverley came in due course under the control of turnpike trustees. To the north-west of Hull the more important roads leading towards York were inevitably affected, and the turnpiking throughout its length of the road from York via Malton to Scarborough and the improvement of the Beverley-York road under two separate trusts, were important stages in eighteenth century betterment of regional communications in eastern Yorkshire. In the north east, Whitby’s

progress as a port, coupled with its marked geographical isolation, early led to pioneering efforts of road improvement over the north Yorkshire moors down into the Vale of Pickering.

The road north from Hull, via Newland, Dunswell and Woodmansey to Beverley, was the first section of highway in the East Riding to be turnpiked, the Act being obtained in 1744 after a period of diplomatic manoeuvring between Hull and Beverley Corporations, the joint promoters, to ensure that neither party stole a march on the other. Proposals for the establishment of a trust for this important road link between the capital of the East Riding and the rapidly expanding Humber port, had been under discussion as early as 1741. There is no doubt that, even by contemporary standards, the road was in poor condition and, being in a low-lying area within the valley of the River Hull, was subject to frequent inundations. Its unsatisfactory state affords a useful illustration of the basic problem of the effective maintenance, in a thinly populated countryside, of a highway linking two comparatively densely populated urban areas.

Although it may be cynically observed that active interest in turnpiking was undoubtedly stimulated by the onset of wintry conditions, it is necessary to realise that speed was essential as business on a Bill had to be completed within the Parliamentary session, otherwise the whole process had to begin anew. Furthermore, there was a very real financial advantage to a trust in taking over the control of a road early in the summer season when traffic was increasing. For these reasons Parliamentary action was frequently initiated by December or January in the hope of securing completion by the following Spring.

In November, 1741, both the Hull and Beverley Corporations, with the active support of neighbouring landowners, appointed representatives to discuss the possibilities of a turnpike trust for the Hull-Beverley road and the required survey was made. The scheme then lay fallow for a year, it being obvious that Hull was concerned, among other matters, to ensure that the repair of the road under the proposed Act should commence simultaneously from each town and continue "by equal progression" until completed. Ultimately, in order to obviate dispute, the Act of 1744 specified that the trustees were to determine by lot where repair should actually begin. If it was decided that the work should start at Hull's Beverley Gate, then a mile of road only was to be repaired, following which the repair of a mile of road from the "Golden Fleece" the Beverley terminal point was to be carried out, and so progressively until completion was effected. Another and petty point of difference between the two town corporations was over a proposal that trustees should meet twice in Beverley and once in Hull instead of alternatively in each town as Hull preferred. Such a suggestion no doubt reflected the geographical convenience of Beverley for the nominated trustees but the Act, in due course, directed that the first meeting of trustees should be held at the "White Horse" in Beverley and the second at the "King's Head" in Hull: thereafter meetings were to be held

where the trustees themselves determined. Such matters would scarcely be worth comment were they not minor manifestations of a wider and mutually suspicious watchfulness on the part of both towns.

In order to ensure adequate access to a supply of materials for road repair, application for permission to dig for gravel was made to neighbouring lords of manors and property owners. William Wynne consented to gravel being taken in the waste of his manor of Cottingham Sarum and wished the whole project well. Sir George Montgomery Metham, later to be a Member of Parliament for Hull, replied enthusiastically that he considered all turnpikes to be for the "public good" and wistfully expressed the hope that the road between Hull and Anlaby could also be included in the proposed Act.

But still the scheme hung fire. A further difficulty arose when an alternative petition for a turnpiking bill for the road was being projected by other parties. Beverley wrote off urgently to Charles Pelham, its senior Member at Westminster, to persuade him to do his best to ensure that Beverley's own petition should have Parliamentary preference. But despite the forwarding of petitions in January 1743 by both Hull and Beverley to their respective M.P.'s for leave to introduce a Bill, a further hiatus occurred and another year passed before Parliamentary proceedings actually commenced. The petitions of the two town corporations, as ultimately presented in January, 1744, set forth in the usual phrasing the importance of the Hull-Beverley road as part of a major route, the problems of flood water, and the impracticability of a satisfactory repair of the road by the statute labour of the small villages 'lying contiguous thereto'. But the Bill did not pass without opposition. Certain inhabitants of Beverley, landowners and others having property interests along the proposed turnpike, being well aware that toll bars would effectively 'lock' the road between the two towns, presented a strongly worded counter-petition. This alleged that, despite the claim by the original petitioners, the road was never, in fact, impassable or dangerous in winter-time for the traveller on horseback, repair was constantly being effected, and a very good causeway existed along most of its length (Celia Fiennes had favourably noted the existence of this causeway half a century earlier). The opponents of the turnpiking proposal suggested that local communications as a whole were not so poor as suggested inasmuch as the nearby River Hull was navigable for ships of substantial size: moreover, improvements to the river itself in recent years by the making of cloughs and sluices had enabled flood water to be carried off effectively. "The said road" confidently asserted the counter-petitioners "is thereby made more dry, firm and good than ever before in the memory of man". Lastly if the Bill was passed, unnecessary and increased expense of visiting neighbouring markets would inevitably follow. Such various statements help to show that contemporary verbal descriptions of eighteenth century road conditions are no reliable form of assessment. This counter claim,

based on the demands on a road by the traveller on horseback, was, no doubt, broadly true: as has been already remarked, the coach traveller would naturally tend to hold a different point of view.

Despite this energetic opposition, the Bill received the Royal Assent in March, 1744. From 1st May that year and until 1871, the control of the road became vested in turnpike trustees and all road users, other than pedestrians, had to pay toll to pass the bars at Newland and Woodmansey.

Like the majority of turnpike trust Acts, the Hull-Beverley Act of 1744 was for a period of twenty-one years with the usual naive provision that tolls were to cease in the meantime if it were adjudged (at the respective Hull, Beverley and East Riding Quarter Sessions) that the road, after inspection, had been put into a satisfactory state of repair. But as was frequently the case later with railway companies, the necessity of extending the term and powers of an Act, on the grounds that a larger unit was financially more secure and administratively more efficient, soon began to make itself felt. As with a railway company too, attempts at "empire building" sometimes followed in order to prevent the formation of a competitive trust in the same area.

Therefore, in 1764, before the Hull-Beverley Act expired, schemes were set on foot for an extension of powers to include the Beverley-York road (via Market Weighton and Pocklington) and the road from Cottingham which joined the Hull-Beverley turnpike at Newland Bridge. In addition to the usual plea of annual income from tolls being insufficient, the petition of the Hull-Beverley turnpike trustees for control over the road to Cottingham was largely based on the complaint that road repair materials had to be obtained from gravel pits at the west end of Cottingham. Because of the ruinous condition of the road between Newland and Cottingham it was alleged that it was only practicable to procure such materials in summer. As another and more human argument was singularly appropriate in this same context, the trustees also pleaded, on grounds of equity, that inhabitants of Cottingham, travelling to Hull paid full tolls at Newland Bar and yet only had the benefit of approximately a quarter of the whole mileage of road under the control of the Hull-Beverley trust. The trustees' petition was supported by other interested parties, including the Corporation of Hull and the inhabitants of some of the villages to the west and north of Cottingham whose access with carts to the Hull markets would be facilitated by the proposed additional section of turnpike. Initially, the Corporation of Beverley was strongly opposed to the proposal, contending that, if the Bill succeeded it would keep up the rates of tolls on the Hull-Beverley turnpike: in any case, Beverley was far more concerned with the possibilities of turnpiking the road to York, along which a "high post" had begun in 1734. But at some stage, early in January, 1764, and representing, no doubt, a compromise between the corporation and local landowners interested in the furtherance of both projects, Beverley relented and supported

the petition for the turnpiking of the Newland-Cottingham branch, but with the additional request that legislation be introduced to turnpike the Beverley-York road. This latter proposal, as will be seen, produced a spirited reaction by York.

But the apparently justified extension of control by the Hull-Beverley Trust over the Newland-Cottingham road was not secured without a struggle and the committee stage on the petitions to Parliament in 1764 is revealing in a number of particulars. One counter-petition by anti-Cottinghamites was forthright in its opposition—the trustees alleged difficulties about obtaining gravel were “in a great measure imaginary”, the road from Newland only led to the single village of Cottingham and could not “open a communication to any considerable town”: the fact that inhabitants of Cottingham, since 1744, had paid full tolls at Newland Bar, *en route* to Hull, was “no reason why the road from Newland Bridge to Cottingham should be repaired out of the produce of the tolls collected on the whole road between Hull and Beverley”. The petition ended with the final flourish that it would be preferable to apply any surplus funds of the Hull-Beverley trust to the repair of the Beverley-York road.

There is little doubt that the Newland-Cottingham road was, indeed, foundrous in the contemporary sense of the term. One of the witnesses, William Wilkinson, in evidence before the Commons' committee on the Bill, stated that, because of the condition of the road, gardeners and farmers of Cottingham usually carried goods on horseback to Hull, doing two journeys a day, and asserted that, although carriages did, in fact, use the road, the greatest damage was done by the trustees' own carts bringing gravel from Cottingham. The importance of the road to the residents of Cottingham was emphasised by another witness, Thomas Brewer, the toll collector at the Newland Bar, who testified that between a half and two-thirds of the tolls at Newland Bar were, in fact, paid by inhabitants of Cottingham.

At a later stage in the proceedings on this Bill, a petition was submitted to Parliament by certain interested parties in the Hedon-Bilton-Preston area asking that the road from Sutton-on-Hull at the point of junction with the Hull-Hedon turnpike, thence through Sutton and Wawne and across Wawne Ferry to the junction of the ferry road at Woodmansey, should also be brought within the scope of the new Hull and Beverley turnpike Bill. Apart from illustrating the desire for improved communications in South Holderness, evidenced by the contemporary development of turnpike roads in that area, as will be seen later, the plea was substantially based on the anomaly that travellers from Holderness, joining the Hull-Beverley turnpike at Woodmansey Bar, paid full toll for limited use of the road. The petition failed to achieve its purpose and the renewal Act of 1764 obtained by the Hull-Beverley turnpike trustees, was, in terms of increased mileage control, only for an extension of powers to include the road from Newland Bridge to the west end of Cottingham.

The proposal for a turnpike link, via Sutton, between the Hedon-Preston area and the Hull-Beverley turnpike was revived unsuccessfully in 1767 with plans for bridging the River Hull at Wawne, and again, in a different form, in 1772. Once more, proposals proved abortive. The petition of 1772, at the instance of the Corporation of Hull and locally interested individuals, was for a turnpike from Newland Bridge, along Newland Clough Lane (Clough Road) via Sutton and thence in two branches to join up with the Hull-Hedon turnpike (Holderness Road). Such a proposal involved the bridging of the River Hull at Stoneferry: it was on this point that the proposed scheme failed. Beverley had always been sensitive over its ancient navigational rights on the river and the building of Hull's first North Bridge in the closing years of Henry VIII's reign had markedly exacerbated relationships between the two towns. In the early 1770's when plans for the making of a dock at Hull were under discussion, Beverley became even more watchful and was adamant in opposition to any proposal for a bridge at Stoneferry: Sir James Pennyman, one of Beverley's Members, was particularly active at Westminster at this period in the Corporation's interests. Beverley's objection was primarily based on the restriction of navigation a bridge would necessarily cause, but the Commissioners under the Holderness Drainage Act (1764) who were concerned with the conservation of an extensive area of land in the Hull Valley, also petitioned forcibly against the proposal on the grounds that a bridge would render ineffective the barrier banks east of the river. As a result of this vigorous opposition, the Bill made no progress and, in the concise language of the Parliamentary record, was "dropt" in Committee in March 1772. But despite their negative results, such abortive schemes are not without historical interest and importance as they, too, illustrate, particularly among the merchant and gentry class, a growing awareness of the value and necessity of improved communications.

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Plans for a complete turnpiking of the important highway between Beverley and York did not fructify until 1765 by which year two separate trusts had come into being, reflecting the mutually suspicious concern and influence of two important centres. Apart from its economic importance as a regional market, York's dual metropolitan significance as the shire assize town and the ecclesiastical capital of the northern province inevitably made the improvement of its radial roads a matter of interest and concern to influential categories of traveller. Furthermore, the realignment of some parts of the old highway (particularly in the Pocklington area after 1757) had resulted in a marked deterioration of substantial sections. In

1764 John Courtney of Beverley, supporting turnpiking proposals, categorically stated that "some parts of it are very bad and rendered much worse by the late enclosures".

It is understandable that early suggestions for road improvement should come from outside York itself. In 1764, as has been shown, Beverley Corporation, with local support, took the initiative over the Beverley-York road, while somewhat reluctantly supporting the proposal of the Hull and Beverley turnpike trustees to include the Newland-Cottingham branch road within the responsibility of their trust. This particular petition, presented to Parliament on the same day (19th January, 1764) as that of the trustees of the Hull-Beverley trust, is a good example of how Parliament, on occasion, could be misled. In petitioning for legislation to control the Newland-Cottingham road, the Hull-Beverley trustees stated that the annual income of the trust was insufficient, they had been obliged to borrow considerable sums of money and that the road could not be repaired unless the terms of the Act were enlarged,—a type of phrasing almost amounting to common form in eighteenth century turnpiking petitions. A somewhat different picture was painted in the supporting petition by the Mayor and Alderman of Beverley who had their eyes primarily on improvement of the road from Beverley to York. It was admitted that the Hull-Beverley turnpike trustees had borrowed several sums on the credit of the tolls, but, alleged Beverley, the tolls granted under the 1744 Act were more than sufficient to meet expenses—in fact there was an annual surplus of more than £170 after payment of expenses, salaries and interest on loans: this surplus, it was argued, could well be applied to improving the Beverley-York road. The Corporation thereupon sought leave to introduce a Bill to turnpike the road through to York. Had this scheme been successful the result would have been an extension of powers and a marked enlargement of the small Hull-Beverley trust. But, York, like any other town under similar circumstances, was concerned lest a trust in which the City could have no substantial representative responsibility might arrange the disposition of toll houses inimical to its best interests. In their counter-petition to Parliament, "the Lord Mayor and Commonalty" of the city stressed the fact that, within a short distance of York to the east, two roads branched off the main York-Beverley road—one to Stamford Bridge, the other to Elvington. Under such conditions a toll gate positioned at Grimston Smithy would be "burdensome, oppressive and unjust" inasmuch as the greatest proportion of corn and provisions reached the York markets via the two roads named. In conclusion therefore, York requested that, if the Bill, in its then present form, were proposed for enactment, a clause should be inserted stipulating that no toll gate should be erected nearer York than Kexby Bridge. As York's records show, this petition was the outcome of resolute action. Ten days after the presentation of Beverley's petition in the Commons, Alderman Bowes and the Town Clerk of York, John Raper, were instructed to



attend a promoter's meeting at Beverley to press that no bar be placed nearer York than Kexby: shortly afterwards, a subscription was initiated "to defray the Expenses of vigorously opposing" Beverley's scheme. Alderman Bowes was requested to organise a traffic census and employ two persons "to take an Account of all people travelling the Beverley, Elvington and Stamford Bridge Road by Grimston and Grimston Smithy for one week". York had some experience of opposing such schemes by outside interests for as early as 1740, over proposals for a turnpike from Doncaster to York, the City Fathers had been doggedly determined that no toll bar should be nearer than Tadcaster and showed, at that time, a similar militant concern.

As a result of York's reaction, two trusts ultimately were formed. The Beverley-Kexby Bridge Turnpike Trust, from 1st June, 1764, controlled the road from Beverley, via Market Weighton and Pocklington, as far as the bridge over the Derwent at Kexby: the York-Kexby-Garrowby Hill Trust, from 1765, assumed responsibility for the road from York to Kexby Bridge and from Grimston Smithy to the "Upper End of Garraby Hill". This latter trust was the result of direct solicitation by York. It did not control the Elvington Road, but from the very beginning, for obvious geographical and economic reasons, it had to position a toll bar at Grimston Smithy.

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Meanwhile further turnpiking developments were in progress in the district around Hull. From 1700 the economic growth of the Humber port, its expansion beyond the limits of its medieval and Tudor walls and the beginnings of the moving out of the wealthier merchant class to the more salubrious areas north and west of the town, were, collectively, important factors influencing the development of turnpikes in the southern part of the Riding in the middle years of the eighteenth century. It is of some significance that by 1833 none of the Hull Aldermen were residing in the town although most had their business premises there. Such a set of circumstances does much to explain Hull's pioneering interest in certain local turnpike schemes.

The year the Hull-Beverley Turnpike Act was obtained (1744) Hull Corporation made the first move towards turnpiking the road leaving from the Myton Gate at Hull westwards to Anlaby and Kirkella—the road which had been the subject of Sir George Montgomery Metham's complaint. Hull's petition for the Bill made use of the conventional arguments to justify remedial action—the road was part of a great highway to Leeds, Wakefield, Halifax and

other West Riding towns: it was almost constantly flooded and the local parishes were unable to meet their obligations in respect of statute labour. In evidence for the Bill before the Common's Committee, George Hopson, who had testified in a like capacity on behalf of the Hull-Beverley Bill the same year, underlined the official description of the state of the road by observing that, for the greater part of the year, the traveller between Kirkella and Hull was obliged to make a three to four mile detour because the road was impassable: some reference has already been made to seventeenth century conditions in this area. The Bill met with no opposition and received the Royal Assent in February, 1745 with provision for turnpiking to commence from 1st May that year. With necessary periodic re-enactment and some slight extension of mileage, these turnpiking powers were continued until their abrogation in 1874.

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The middle years of the century are also a period when realistic efforts were made to improve roads in South Holderness, east of Hull. Before 1833 there was no direct road from Hull to Hedon and the traveller was obliged to take the recognised but circuitous route via Bilton and Preston. In January, 1745, conscious of its relative isolation, Hedon sponsored a Bill for turnpiking the whole of the road from Sacred Gate, south east of the borough northwards to Preston and thence via Wyton through Bilton to North Bridge over the river at Hull. The petition, following the normal stereotyped pattern, was supported by another signed by local Justices of the Peace, clergy and property owners. Naturally, Hull's support was useful but Hull, mindful of its own interests and the value of its own road link with central Holderness via the Holderness Road, only agreed to support the Hedon scheme with a separate petition provided that the section from Hull North Bridge to Wyton was repaired first and that turnpiking proposals did not include responsibility for any Hedon streets. The resultant Act contained clauses to cover these requirements. Such stipulations, however much they seem to be dictated by selfish interests, nevertheless helped to minimise the risks of disputes over priorities of initial road repair. As was usually the case, the Act was to be in force for twenty-one years with the common proviso for continuance to the end of the next session of Parliament. In 1767, the renewal Act continued the term and empowered the Trust to take over an additional section of road from Wyton, through Sproatley to Flinton Lane near Humbleton Moor House.

The Hull-Hedon turnpike is of importance as it marked the first stage of the improvement of road communications from Hull into Holderness, a district which, in 1772 and bearing out evidence already given, was described by Alderman Charles Pool of Hull as

"extremely wasted". Historically, this turnpiking must be considered in the whole context of the local eighteenth century improvement pattern which not only included enclosure and drainage schemes but a realisation of the developing agricultural importance of Sunk Island and the possibilities of the resuscitation of the trade of the havens of Patrington and Hedon.

Hull itself had grown up at the confluence of the river Hull and the Humber and at a favourable point on the Humber's north bank where maximum tidal sweep of estuary waters had helped to maintain a deep water access to its haven. The position was very different in the cases of Patrington and Hedon. Patrington's link with the Humber by its own navigable haven was being adversely affected by the growth of Sunk Island. Similarly, Hedon's decline from the status of a medieval Humber port of consequence had become very marked by the early years of the sixteenth century by reason of the warping up of Hedon Haven as well as from the economic competition of nearby Hull. But in the eighteenth century it was felt that the potentialities of both Hedon and Patrington could be developed by attention to the condition of their respective haven creeks and by the improvement of road communications generally. Consequently plans in 1760-61 for turnpiking the road from Sacred Gate at Hedon into South Holderness included a scheme for improving the navigation of Patrington Haven. At the time of the petition to Parliament the creek was described as being so warped up with mud and sludge as to be of little use. However, it was claimed that, if it were given attention and the road through to Hedon turnpiked to link up with the Hedon-Patrington-Hull turnpike, the improvements would be mutually valuable for Hull and South Holderness generally. Sir Robert Hildyard of Winestead, whose property interests in the district were widespread, was a prime mover in the scheme.

The Act was obtained early in 1761 and, somewhat surprisingly took within its scope the road northwards from Winestead to South Frodingham. In the absence of relevant early records it can only be surmised that the turnpiking of a by-road of so little consequence was dictated primarily by the local property interests of Sir Robert Hildyard and his associates.

The developments which followed at Patrington Haven gave the little river port there a new lease of life. Warehouses were built and the river trade, particularly in corn for the West Riding, greatly increased. But extensive drainage developments in South Holderness, especially the Keyingham Level drainage scheme after 1772 (which resulted in the lessening of the volume of water flowing into the Haven) and the progressive embanking and reclamation of Sunk Island, made the problem of maintenance increasingly difficult. The use of Patrington Haven for coast and river trade decreased and by 1869 the haven was abandoned.

The advantages of the now existing turnpiked roads to Hull and into South Holderness were fully appreciated by the promoters of the Hedon Haven Improvement Bill of 1773, instigated by the Mayor

and Aldermen of Hedon in conjunction with the principal property owners of the district. The Act, obtained in 1774, made provision for the extension of the haven area there to a point on the Hedon-Patrington road. Despite apparent technical difficulties over exclusion of tidal waters from the new haven, the results were distinctly advantageous to Hedon, especially in the period before the opening of the Hull and Holderness Railway in 1854. George Poulson, the historian of Holderness, writing *c.* 1840, could report "... there is considerable business done in shipping corn for London and the west of Yorkshire by the present means of communication with the Humber, and returns are made in general merchandise". Certainly, the advantages accruing would not have been so great had local road improvements not been made. After 1833, the opening of the new and more direct turnpike road between Hedon and Hull gave an additional, if temporary fillip, to Hedon's economy.

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Beverley was an important market for central Holderness and the route westwards towards the capital of the East Riding lay across the low lying peaty carrs between Leven and the River Hull. The serpentine wanderings of this line of early trackway, particularly between Routh and Tickton, well illustrate an early connecting up of higher levels in the carr lands and its character today provides an example of the progressive raising up of a causeway in a marshy countryside. The road crosses the River Hull at Hull Bridge immediately west of Tickton: until very recent times this was the only bridge over the river between Hull and Driffild.

Until the River Hull was more effectively disciplined after 1767 and the low level Beverley and Barmston Drain completed at the beginning of the last century, the road and the neighbouring carrs were often under water for long periods each year. In December, 1760, when the Corporation of Beverley and interested landowners in the area like Hugh Bethell of Rise, decided to turnpike the road between White Cross and Beverley, the petition for leave to introduce a Bill made much of the fact that a great part of the countryside through which the road passed was almost constantly affected by the frequent flooding of the River Hull. Sir Robert Hildyard of Winestead, concerned in the same year with the project of the Hedon-Patrington turnpike, took charge of the Bill at the Committee stage and secured its passage through the Commons without difficulty. The Royal Assent was accorded in March, 1761 and tolls on the road commenced on 27th April the same year.

In terms of road mileage this was one of the smallest of turnpike trusts and in the hundred and six years of its existence its responsibilities did not increase. The six-mile section commenced at White Cross in the parish of Leven at the junction of the Bridlington and

Skirlaugh roads and extended as far as the 'Stone Pillars' in Norwood, Beverley.

As has been seen, by 1761, the year of this White Cross-Beverley Turnpike Trust Act, Parliamentary sanction had been secured to complete the turnpiking of the road eastwards from Hull into South Holderness as far as Patrington Haven. Attempts to improve the road links between this Holderness highway and Beverley, via Sutton, Wawne and Routh, are interesting features of the turnpike schemes of the 1760's and correlate closely in date with enclosure and drainage improvements in the same area. In 1767, with Beverley Corporation again taking the lead, two schemes were prepared. One was for turnpiking the road from the Hull-Beverley turnpike, through Thearne, across the River Hull to Wawne and from thence in two branches—northwards via Meaux to link with the White Cross-Beverley turnpike at Routh and southwards from Wawne via Sutton to join the Hull-Hedon turnpike. The second scheme was to turnpike the road onwards from White Cross to Bridlington, although discussions on this plan two years earlier only envisaged a turnpike as far as Barmston. Immediately after the petition had been presented in January 1767, Beverley had misgivings about the advisability of supporting the improvement of the road north from Wawne to Routh on the grounds that, as a bypass, that particular section of turnpike might be prejudicial to the town's interests. The Corporation decided therefore to withdraw its subscription of £100 towards the soliciting of the Act until the position was clarified to the town's advantage. Beverley's opposition on this point was decisive and the outcome was an Act for turnpiking the road from White Cross to Bridlington only, with no provision for implementation of plans for the Routh-Wawne-Sutton road.

How far improvements to the road from White Cross to Bridlington were actually effected under this Act, it is impossible to say. The Trust came into being but no action was taken to renew the Act when the term expired and there appear to have been no dividends paid on moneys invested. The present writer has seen no administrative records of this trust and, in the absence of such materials, surmise as to reasons for the failure of the trustees to renew their corporate existence might seem inadvisable. It is however, worth noting in this context that Messrs. Geldard and Chaffer who, with others, were responsible for a Hull-Bridlington-Scarborough coach service via Beverley and Driffield in the 1830's (and who therefore had a partisan interest in emphasising the rigours of the White Cross-Brandesburton route) could publicly comment in a coach bill on the dangerous nature of this road because of coast erosion. The old line of road north of Barmston now lies under the sea. Thus it is probable that, from the first, the problem of effective road maintenance was beyond the capacity of the trust established under the Act of 1776.

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The emergence of Scarborough as a spa and resort was a decisive factor affecting the progress of turnpiking in east and north-east Yorkshire. The discovery, *c.* 1626, of the Scarborough Spa wells and of their alleged medicinal properties, which the quarrelsome, garrulous Beverley-born physician, Robert Wittie, attributed to a certain "discreet gentlewoman", Mistress Farrow, begins the saga of the development of modern Scarborough as a watering place and health resort. Like Harrogate and Epsom, Tunbridge Wells and Bath, eighteenth century Scarborough threw on the contemporary growth of hypochondria, the cult of taking the waters and the newly discovered virtues of sea bathing. The importance of this metropolis of health on the north-east Yorkshire coast and the spell of its waters (hailed in one poetic effusion as 'a salubrious source of strength and beauty') were both cause and effect of much regional road improvement.

The main route from York to Scarborough was by Whitwell, Malton, Rillington, Yedingham Bridge, Snainton and Ayton. In 1752 interested landed gentry with other support, took action to turnpike the whole of this road from Monk Bridge over the River Foss at York to the Newborough Gate at Scarborough. Also included in the scheme was the section of road from Spital House, Staxton, and thence over the River Hertford through Seamer to Scarborough. The plea in the petition referred to the latter as being part of the road leading from Hull and Beverley and this, with the main road from York to Scarborough, it was stated had 'for many years been greatly frequented by persons resorting to Scarborough aforesaid from most parts of England for the benefit of the mineral waters'. In the now common form of the turnpike petition, the two roads were said to be very ruinous and narrow, much used by heavy carriages, and their efficient repair impracticable by the statute labour of the parishes concerned. It is worthy of comment that the town corporations of neither York nor Scarborough took any official lead by sponsoring this important turnpike Bill which received the Royal Assent in March, 1752. The Bill was piloted through the Commons by Viscount Downe, one of the Members for Yorkshire. Despite the singleminded statements in the original petition there is little doubt that the economic potentialities of Scarborough as a port were not overlooked in initiating this large turnpiking scheme, for the same year witnessed a revolutionary change in control of Scarborough harbour. Under a special Act the harbour was taken out of the hands of the bailiffs and burgesses of the town and placed under the jurisdiction of Commissioners who, for the most part, had extensive property interests in east and north-east Yorkshire. The inter-relationship existing between such types of improvement and the regional turnpiking of roads need not be examined here: it is sufficient to notice that turnpiking was but one aspect of a general pattern of improvement affecting town and countryside alike.

In terms of road mileage control, the York-Scarborough Turnpike Trust was the biggest of the trusts of eastern Yorkshire and its

fifty-two miles of highway contrast with the mere six miles of road in the care of the White Cross-Beverley Trust. Effective initial repairs could not have been easy. In publishing the first 'Guide' to Scarborough in 1787, James Schofield had an obvious interest in enticing the visitor to the town and showed a natural and understandable concern to extol the beauties of the countryside as well as the virtues of the 'Talbot' at Malton and the 'exceeding civility' the traveller could expect at Yedingham Bridge. But unlike many of his contemporaries writing in a similar context, he found opportunity also to offer guarded and qualified comment on the state of the York-Scarborough turnpike which, he wrote, 'may for the first stage be called particularly good'. It is, therefore, not unreasonable to infer that, thirty years after the original Act, the trustees had still much to do.

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Apart from the inevitable demand for road improvement within the regional market area of a town, betterment of access northwards towards Scarborough and the Vale of Pickering was a major consideration in the turnpiking, under two separate trusts, of the road leading from the Humber at Hessle, through Beverley to a point north of Driffield within measurable distance of the then important Wold village of Kilham.

In 1766 the Mayor and Aldermen of Beverley whose proclivities as turnpiking pioneers have already been illustrated, were again in the lead and petitioned for the turnpiking of the road north from Beverley, via Molescroft, Leconfield, Beswick and Driffield, and from Driffield to a point a little north of Kendale House on the Langtoft-Scarborough road. The proposal also included a branch from the road junction at Molescroft as far as Bainton Balk on the road to Malton. Beverley's interests in turnpiking at this period undoubtedly reflect not only the importance of the town as a regional capital and market centre but its developing residential character. In 1790 Tate Wilkinson could note the fact that Beverley was not "a town of trade" but, like York, was "chiefly supported by the genteel private families that reside there in continuance". It is not difficult to understand why county families like Grimston and Bethell, Constable and Hildyard, with a stake in town and countryside alike should show an active interest in road improvements and a willingness to invest their moneys in turnpike projects.

Within three months of the original petition being read in the Commons the Bill passed both Houses with no opposition or counterproposals. But Beverley Corporation, ever mindful of its interests, had been obliged, in preliminary discussions, to fight a proposal to turnpike the road from Corps Landing on the River

Hull to Hutton on the main turnpike. The conviction that any encouragement of Corps Landing as a river wharf would be prejudicial to the Corporation's tolls from river traffic led to the threat of withdrawal of the town's subscription towards the cost of the Bill. Once again such financial pressure proved effective and the draft Bill, introduced in February, 1766, contained no proposals for bringing under trust control this ancillary road which would have linked a main highway with a navigable river. In 1766, the parson of Hutton Cranswick could record in the form of memoranda in his parish register that the Beverley and Driffield Turnpike was "set up at Poundsworth Nook on Whitsun Monday in the afternoon being the ninth day of May, 1766". This turnpike in due course earned the praise of Arthur Young who described it as the best he had met with in Yorkshire. But the distinction thus accorded needs to be measured against the road's evil reputation for highway robbers in the early years of the last century—particularly in the vicinity of Driffield.

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In 1769, Beverley was again actively concerned with an important scheme for turnpiking the road southwards from the town via Skidby Mill and Willerby to the Humber at Hessle which was the northern terminal point of an ancient ferry across the river from Barton in Lincolnshire. This Humber crossing continued to have a useful local importance until the middle years of the nineteenth century despite the competition of the Hull-New Holland ferry which, in the 1830's began to supersede the long established Hull-Barton ferries. After 1840, the life of the Hessle-Barton ferry was, in part, prolonged by the wise decision of its proprietors to time their trans-Humbrian services to connect at Hessle with the trains on the Hull-Selby railway line. Before the Age of the Railway, the traveller from the south, who was under no necessity of visiting Hull, had the advantage of a shorter crossing of the river by using the Hessle ferry: Humber's unpredictability and turbulent waters often demanded such respect.

The Beverley-Hessle Turnpike Act was obtained in April, 1769 and, in addition to the direct route through Willerby, included the road from the "Malton Guide Post" at Norwoods down to the west end of Cottingham thus linking at Cottingham with the Newland Bridge-Cottingham extension of the Hull-Beverley turnpike. In the solicitation of this Beverley-Hessle Ferry Turnpike Act, Beverley, as a market town showed as great a concern as York over possible local positioning of toll gates. The result was that the Act specified that no toll bar was to be erected within half a mile of the limits of the town and there were to be no more than two bars between Beverley and Hessle Ferry.



In 1767 there had been an extension of powers of the Hull-Anlaby-Kirkella Trust of 1745. These had included provision for control of a section of highway from the west end of Anlaby to Kirkella which formed part of the main Beverley-Hessle road. To obviate difficulties, the 1769 Act for the Beverley-Hessle trust specified that this portion of highway, common to both trusts, should be a joint responsibility.

As already noted, when Hull Corporation petitioned in 1744 for the turnpiking of the road from Hull to Anlaby and Kirkella, it was emphasised that the highway was part of the major route from Hull to the West Riding. Accordingly, it might have been thought that a gradual extension of control over roads to the west in the direction of North and South Cave would have been a logical development of powers of this particular trust. But it was the Beverley-Hessle Turnpike which provided a base line for more westerly development. Within five years of the acquisition of the original act there was a considerable extension of the Beverley-Hessle trust's powers over neighbouring roads. An Act obtained in 1774 brought under its control the road from the west end of Cottingham in the direction of Eppleworth to the junction with the main road south of Skidby Mill. The road from its junction with the main turnpike at the east end of Kirkella and onwards through West Ella also came within the competence of the Trust: thirdly, the road from the west end of Kirkella churchyard through Raywell and Riplingham and thence through North Cave "to a drain or canal on a common called Walling Fen leading to Howden" was also added. Turnpiking westwards from Hull got no further than Walling Fen (Newport). Under an Act of 1772 this canal was part of an extensive scheme designed to drain the commons and carrs south of Market Weighton and provide the Holme-on-Spalding-Moor-Market Weighton area with a navigational link with the Humber. Such improved communications helped materially to develop a considerable brick and tile industry at Newport.

In 1781 an abortive attempt was made to turnpike the road through from Newport to Doncaster via Howden, Boothferry, Rawcliffe and Hatfield. The failure to turnpike even as far as Howden can be explained, no doubt, by the growing competition of Humber/Ouse river traffic, the difficulties of road maintenance in the marshlands of Howdenshire, and the consequent unattractiveness of such a project to potential investors.

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If he so wished, the eighteenth century traveller from Lincoln making for York, could follow in the steps of the Roman legionaries along the line of Ermin Street and cross the Humber by ferry from

Winteringham to Brough and then continue his journey northwards through South Cave and Sancton, reaching the Beverley-Kexby Bridge turnpike at Market Weighton. By the middle of the eighteenth century the traffic along this route from Brough certainly justified some improvement of the road by means of a turnpike trust. At the instance of local property owners an Act was obtained in 1771 for the line of road from the ferry as far as South Newbald, terminating at the point known as Coney Clappers in South Newbald Holmes. Extant records do not suggest why such a relatively limited length of road should have been turnpiked when, ideally, the whole route through to Market Weighton would have seemed a suitable unit.

As a result of further representation to Parliament a second Act was secured in 1812. This added the Brough-Welton road to the trust's responsibilities, but throughout its history the trust remained small, controlling only about eight and a half miles of road.

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A bridge across a wide navigable river such as the Ouse could have an important influence on turnpiking schemes. It is probably true to say that if a bridge at Selby had been built contemporaneously with the turnpiking of related West Riding roads some early road improvement would have followed in the area south west of Market Weighton.

From c. 1740, and under the impetus of growing industrialisation there was considerable turnpiking activity in West Yorkshire. In 1741 for example, three turnpike Acts were obtained which vitally affected Doncaster, and in the same year turnpiking began of the road from Selby to Leeds and beyond. But there was no bridge over the River Ouse below York until the toll bridge was built at Selby in 1792. By that time the canal from Haddlesey on the River Aire to Selby on the Ouse, made under an Act of Parliament obtained by the Aire and Calder Navigation in 1774, had provided a marked stimulus to the economic well-being of Selby as a river port. After 1826 with the opening of the Goole and Knottingley canal, Goole became its serious competitor, and the coming of the railway partially devitalised Selby by destroying the terminal significance it had hitherto possessed as a canal-river link between Hull and the industrial West Riding.

Long before such changes came, however, the need was recognised for a bridge over the Ouse at Selby to replace the ancient ferry there. Early in 1789, following a technical examination of possibilities, application was made to Parliament for the necessary powers. York's reaction to the proposal was immediate. Conscious of its ancient rights as conservator of the Ouse, and mindful of the

extensive powers of control vested in the city corporation by the Ouse Navigation Act of 1727, York was vigorous in opposition. Leagued with others whose interests might also be affected, the Lord Mayor and Aldermen used the well-worn argument, alleging among much else that a bridge at Selby would prove a serious and dangerous impediment to navigation. As a result of this opposition the petition was withdrawn but application was renewed the following Parliamentary session. Again it was withdrawn, subject to the whole question being referred to three arbitrators who were "neither Engineers nor Mariners". The three referees, Bacon Frank, of Campsall, Fairfax Fearnley of Oakwell Hall and Charles Mellish of Badsworth, after hearing evidence at Selby for three days, gave their verdict adjudging a bridge to be "a great and daily benefit to the public". If the census evidence of ferry use by the bridge promoters is a reliable criterion the necessity of a bridge was only too evident.

On its completion, and exhibiting to this day stolid utility rather than elegance of design, Selby bridge had an immediate effect in the East Riding. Speedy action followed to turnpike the road from the bridge through Barlby, North Duffield and Bubwith, direct to Market Weighton so joining up with the Beverley-Kexby Bridge turnpike. In the absence of direct access through Cliffe and Hemingborough, this road was then the recognised route from Selby to Hull. The road from Barlby to Market Weighton was described as "in general very crooked and indirect" and much was done subsequently to improve it by sectional realignment. Edward Mogg in the eighteenth edition of 'Paterson's Roads' (1826), after making reference to large scale improvement in the area by the drainage and enclosure of commons and waste, noted the excellent turnpiking and remarked on the fact that, only a few years previously, it would not only have been difficult "but even dangerous to cross the common without a guide, in stormy or foggy weather".

But the value of the turnpiking of this road would have been largely nullified without provision for a bridge over the River Derwent at Bubwith to replace the allegedly dangerous and inconvenient ferry there. The scheme for a bridge, although necessarily an integral part of the turnpiking proposals as a whole, was wisely treated as a separate project for Parliamentary purposes. Two Bills one for the turnpike, the other for the bridge, were submitted and taken care of in the Commons by William Wilberforce. The Lords introduced some amendments into the bridge Bill, but, apart from this, no real Parliamentary difficulties were experienced and both Bills received the Royal Assent early in May, 1793.

The Selby-Market Weighton turnpike project was the last East Riding scheme initiated until after the wars with France were over. But in north-east Yorkshire the second half of the eighteenth century saw some interesting developments following the turnpiking of the York-Scarborough road in 1752.

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To historian and geographer alike, the story of Whitby is one of man's conservation, but continued exploitation, of a site lacking certain types of natural advantages. The mid-eighteenth century turnpiking of the road over the moors towards the Vale of Pickering is the measure of a contemporary realisation of the geographical and economic isolation of a developing port and the inadequacies of communication with a hinterland which might have helped to sustain and nourish it.

Whitby's limited medieval significance derived substantially from its Abbey and the fact that, like Scarborough, the 'Haven under the Hill' could be a timely refuge for ships on a long and inhospitable stretch of coast. The sixteenth century saw a change for the better in its fortunes. Monastic dissolution resulted in a transference of the manorial borough to the Crown and soon afterwards, to the Cholmley family, who taking a greater interest in the town's welfare than any of the medieval abbot lords, instigated and supported new forms of economic activity which brought material benefits to the town community. The discovery of alum in north-east Yorkshire and the stimulus given to the industry locally, especially after the Civil War, by Sir Hugh Cholmley, resulted in a marked increase of the amount of shipping using the port. This expansion was not wholly attributable to the export of alum but also owed much to import of the coal required for alum boiling. Shipping and new ventures like whaling (which became a major activity of the port in the eighteenth century) nurtured a shipbuilding industry, which in size and reputation had far more than a local importance. In their turn shipping and shipbuilding stimulated ancillary activities such as rope manufacture and block-mast and sail making. This type of progress was both cause and effect of considerable harbour improvement from the early years of the eighteenth century.

But Whitby's whole economy in the eighteenth century was based on the ship and orientated to the sea. The mouth of the Esk helped to make an admirable harbour but the river itself was no navigable waterway giving access to a region of economic significance. Trackways were the sole means of communication with the Esk valley and over the bleak hinterland of the moors. There is no reason to doubt the contemporary opinion of Lionel Charlton, the Whitby historian, who, writing *c.* 1779, succinctly referred to the roads around Whitby as being "in a state of nature, rough, rugged and uneven" until the middle of the century. A measure of self help and a turnpiking scheme helped, in part, to resolve the problem of isolation.

The project of a turnpike via the bridge below Sleights and over Lockton High Moor to Saltergate and from thence down towards the Vale of Pickering, began with commendable pioneer work by certain public spirited individuals. In 1759, Robert Bower, Mrs. Gertrude Burdett of Sleights, Nathaniel Cholmley and others raised about £1,500 by subscription to improve the old road almost as far as Saltergate. To complete the work and ensure future

maintenance, application was made in January, 1764 for an Act to turnpike the whole of the road to the end of Lockton Lane in the parish of Middleton. The petition for leave to introduce the Bill, coinciding with separate proposals for an Improvement Act for Whitby itself, noted the "several miry deep lanes", the "wide open boggy moors" and the consequent danger to travellers and the risk of their getting lost "or sticking fast". Nathaniel Cholmley, who, in 1756, had replaced Pitt as Member for Aldborough, took charge of the Bill. The Royal Assent was accorded early in April, 1764 to enable trust control of the whole of the road from the west end of Baxtergate in Whitby to the south end of Lockton Lane, five miles north of Pickering. In May the following year (1765) local landed interests were responsible for securing a turnpike Act for the road between Malton and Pickering. With the completion of this last turnpike link almost the whole of the highway from York through to Whitby was under the care of turnpike trusts by 1765.

The long term results of the making of the moorland turnpike road from Whitby down towards Pickering cannot be evaluated statistically. Charlton summed up the major advantage as being one of enabling "the country people to bring many commodities weekly to market which otherwise" he wrote, "we should be deprived of". Like the railway later, turnpiking modified the local economic importance of smaller townships to the benefit of the larger regional market centre. By the early years of the nineteenth century the village of Egton had given up its own weekly market because of the good road affording easy access to greater facilities at Whitby. More important than this, however, was the fact that the turnpike over the moors gave Whitby its first good quality landward connection. In 1788 a diligence service twice a week to York was established followed, in 1795, by a mail coach service three times a week. The turnpike had a monopoly of route towards the Vale of Pickering until the Whitby-Pickering Railway was opened in 1836. Thereafter its importance was somewhat diminished until the advent of the motor car. But the opening of such a line of road contributed to important social change. Soon after 1815, after remarking on the vicinity of Whitby as being romantic and beautiful, a writer could also record in somewhat journalistic prose that the adjacent scenery was being "embellished by the elegant mansions of opulent individuals". Its landward isolation broken, Whitby became more residential in character and a new phase in its development opened up with the advent of summer visitors who found an increasing attraction and delight in the town set between the heather and the northern sea.

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Most of the East Yorkshire turnpiking schemes were completed before 1800, but after the wars with France were over there were three new projects affecting the district around Hull which merit special comment.

As has been noted, the residential development of the countryside to the west of Hull helped to create a body of opinion strongly favouring the turnpiking of roads in the area. Since the Hull-Anlaby-Kirkella road was turnpiked in 1745, Hull had undergone considerable change. Reflecting the rapid commercial development of the port, the opening of the first dock in 1778 marked the first phase of large-scale transformation which, within a single lifetime, resulted in the demolition and removal of medieval walls and defences and their supersession by a ring of bright water, providing, to the present day, an urban scenery pleasingly reminiscent of the Netherlands. This growth of the port, the lucrative whale fishery and the wartime stimulus given to the general trade of the town between 1793 and 1815, helped to foster still further the developing residential character of the pleasant wold countryside to the west. Hessle, Ferriby and district attracted the well-to-do Hull merchant. In 1826 Hessle could be described as occupying "an advantageous situation for building", and many, whose working hours were bound up with the counting houses of Hull, followed, or sought to follow, the example of Joseph Robinson Pease, who, by 1789, had built his elegant mansion at Hesslewood.

Accordingly, circumstances stimulated a demand for road improvement between Hull, Hessle and Ferriby—until this time linked by "a lane of the worst description", as a contemporary described it. Charles Frost, the Hull solicitor and historian, was a prime mover in the turnpike project which received widespread support from estate owners in the district. But the Corporation of Hull took no leading part. With a reluctance probably stemming from the Corporation's objections to the claims of Henry Broadley and Henry Sykes over enclosure at Swanland and Ferriby at this period, the Aldermen merely took up a £50 share and helped by giving petitionary support when the turnpike Bill, presented early in 1825, was undergoing some heavy opposition at the Committee stage. This opposition derived from the apprehensiveness of the Hull-Anlaby-Kirkella turnpike trustees who saw in the proposed new trust a competitor within their own sphere of influence. Despite these difficulties, the Act was obtained in the summer of 1825 and tolls began on 28th July.

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Turnpiking along a recognised existing route was relatively straightforward compared with plans for new lines of road which usually involved greater difficulties with property owners and made additional demands on the parish in respect of ancillary maintenance by a proportion of parish statute labour or its monetary equivalent having to be made available. In 1826, a scheme was proposed to connect the residential area of Sutton-on-Hull with the Hull-Hedon

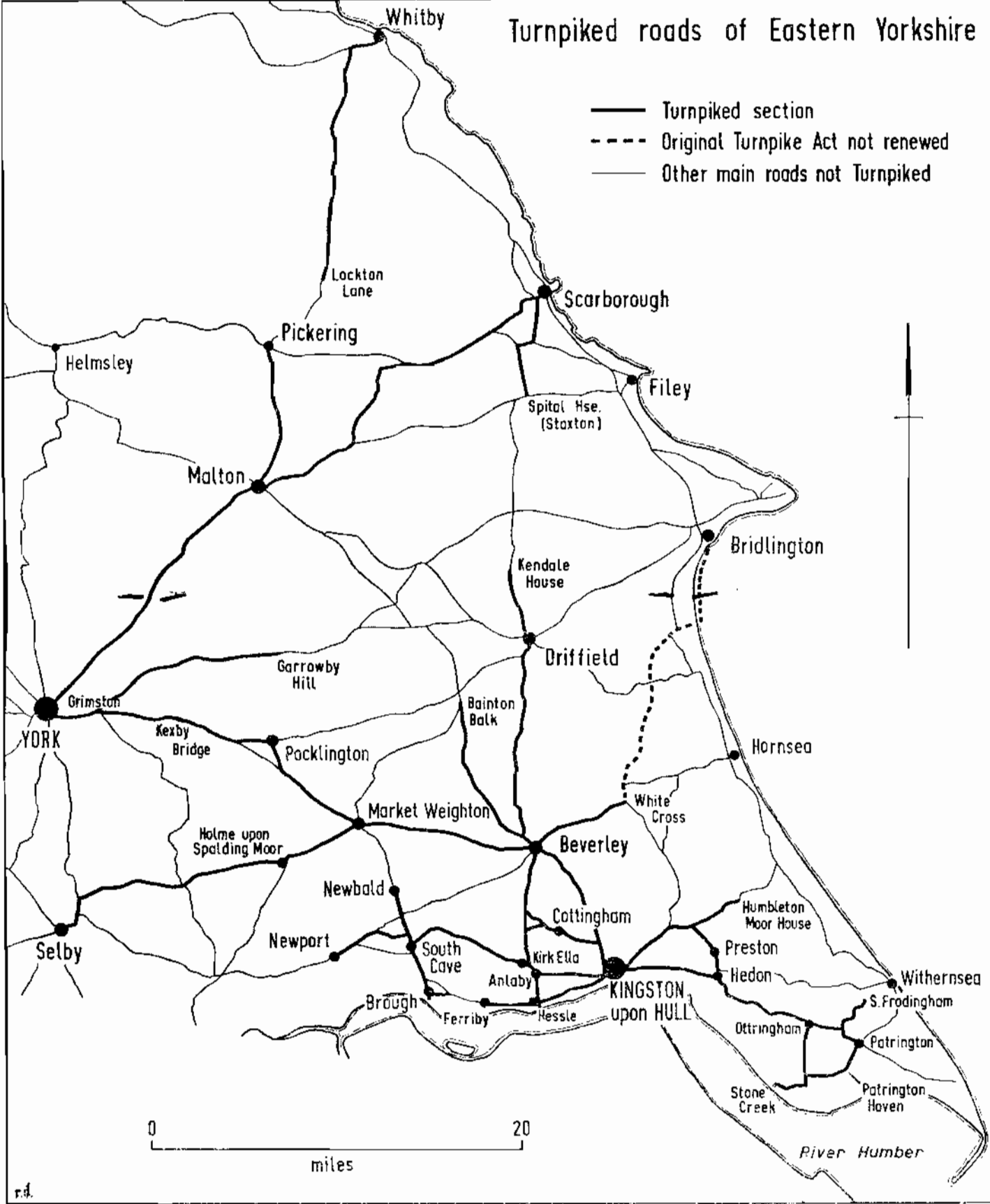
road by turnpiking Danson Lane, east of Hull, for part of its length from the junction of Witham and Holderness Road and cutting a new line of road in a north-easterly direction to join Ings Road near Sutton. The project did not get beyond the preliminary planning stage and, in retrospect, it is difficult to see how such a scheme could have attracted adequate investment to provide the heavy initial outlay for the buying up of the land required.

As already remarked, the early route from Hull eastwards to Hedon was circuitous involving a journey of some nine miles via Bilton and Preston. As the crow flies, Hedon is less than two-thirds of this distance. Therefore, a more direct route was one which had distinct possibilities as a financial investment and as a means of bringing the Hull market closer to the valuable corn producing area of south Holderness.

Proposals for a direct road were discussed as early as 1827: the Hull merchant Joseph Sanderson, in fact, commenting in his diary that the idea of the new turnpike began with a conversation between himself and two associates whom he does not name. No doubt, to some thoughtful minds at this time, some degree of urgency was presenting itself with the development of Drypool on the east bank of the River Hull, and the possibility of further economic growth of the port of Hull eastwards along the Humber bank being fostered by the planning of a new road. With John Wilkinson and the indefatigable Charles Frost as co-solicitors, the scheme proposed was for a new road from Popple Street, near the site of Drypool church and from thence direct to Hedon to join the Hedon-Pattingham turnpike. This plan was not proceeded with, and two years later Frost was concerned with a slightly more ambitious scheme under the title of the 'Drypool Hedon and Preston Turnpike' which was to commence at the north end of Great Union Street near North Bridge at Hull, continuing from there to the west end of Hedon but also incorporating a small branch of road from Marfleet which was to join the west end of Neat Marsh Road and so link with the old Hull-Hedon turnpike at Preston. The plan was somewhat coolly received by Hull Corporation from whom substantial investment was expected. The Bench of Aldermen informed Frost that they did not propose "taking a prominent part in forwarding the measure" but that when a day had been fixed for a meeting of property owners and others affected, they would be represented. Following submission of the petition for leave to introduce a Bill into the Commons, difficulties began. A proposal to have a toll bar at the end of Great Union Street was strongly resented by owners of property in the district, particularly by local shipyard and commercial interests. There was opposition by the Corporation of Hedon, and by Preston farmers and landowners. Through their clerk, William Iveson, the trustees of the older Hull-Preston-Hedon turnpike trust petitioned for provision to be made in the Bill for "sufficient compensation and indemnity" for those who had invested in the original scheme. It was clearly expected that the new trust would be a serious competitor.

# Turnpiked roads of Eastern Yorkshire

- Turnpiked section
- - - Original Turnpike Act not renewed
- Other main roads not Turnpiked





But on the other hand there was cordial support for the new road project, particularly from tenants and lessees of land in Sunk Island and south Holderness generally who had an understandable interest in having a more direct access to the Hull market. The opposition encountered necessitated modification of the plan and the suggested provision of a branch at Marfleet to join the Neat Marsh Road was abandoned. But the Act, obtained in May 1830, only marked the beginning of other difficulties. Charles Frost, who was clerk to the trustees, reported early in 1831 that work on the road had to be suspended because of lack of funds. Having some acute financial problems of their own at this time, Hull Corporation was not prepared to assist by further investment, and Frost, on behalf of his trustees, was obliged to consider seeking the assistance of the Exchequer Loan Commissioners. A few months later, the Hull Aldermen relented sufficiently to agree to raise their whole investment in the trust to £1000, a sum which was to include the value of certain land taken from the Corporation's farm at Southcoates. In due course, the work was completed and the road opened in 1833. When, later, Victoria, Alexandra and King George V docks were built along the line of the Humber, east of the mouth of the River Hull, this new line of road proved to have a value commercially and otherwise, over and above what Frost and his fellow pioneers could possibly have foreseen.

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The Humber area, with its history of lost settlements, the silting up of havens and the reclamation of land has an understandable attraction for the historical geographer. Within this context, the growth of Sunk Island, the development of which can be traced in plan and chart from the middle of the seventeenth century, is one of distinct regional significance and economic importance.

Despite the claim to Sunk Island by the Constables of Burton Constable as hereditary Lords of the Seignior of Holderness, land reclaimed from tidal waters belongs to the Crown. By the Statute 3 and 4 William IV c. 99 (1833) which effected a reorganisation of the Exchequer, the financial administration of certain Crown properties (including Sunk Island) became the direct concern of the Commissioners of Woods, Forests and Land Revenues. It is significant that immediately following this administrative change, the tenants of the now extensive area of Sunk Island made representation to the Commissioners about the state of their roads. The result was that a Bill was presented in the Commons in 1836 to enable the Commissioners of Woods and Forests to make and maintain a road from Sunk Island Church to Ottringham. With remarkable celerity, the Bill became an Act within three weeks of its first reading and the road was completed by 1841. Under the Act, the Commissioners

were authorised to advance £5,000 towards the cost of obtaining the Act and effecting major repair of the road, the sum at 5% interest to be repaid from tolls. Before 1850 further developments were contemplated and a second Act (1852) made provision for extending the jurisdiction of the Trust and for developing wharves at Stone Creek. The result was that the new turnpike extended from Ottringham through to Stone Creek and included a branch road from Patrington Haven. Under these Acts, it might be noted, the Commissioners of Woods and Forests were the turnpike trustees but were empowered to co-opt eight others.

In 1861 this Sunk Island Turnpike Trust was involved in an interesting legal case of some significance in turnpike history. Under an Act of 1841 (4 and 5 Vict. c. 59), whenever a turnpike road was out of repair and the funds of the trust were insufficient to repair the road, application could be made to Justices of the Peace in Special Sessions for a contribution to be made out of the local parish highway rate, all personal obligations of Statute Labour having been abolished by the Highways Act of 1835. Owing to the financial state of the Sunk Island Turnpike Trust this had been attempted in respect of that part of the road lying within the parish of Ottringham. The Justices of the Peace concerned, however, had accepted the view that, as the road was in the charge of trustees appointed by the Commissioners of Woods and Forests, it was not a turnpike in the accepted legal meaning of the term and was therefore not entitled to a contribution from the Ottringham parish highway rate. The turnpike trustees appealed against the decision and in November, 1861, the case was heard before the Court of Queen's Bench. Counsel for the defendants contended that the Justices of the Peace were correct in their decision inasmuch as the Act of 1841 only appeared to apply to roads which previously had had the advantage of their appropriate portion of Statute Labour. This argument proved unacceptable and Lord Chief Justice Cockburn with the concurrence of his colleague Mr. Justice Blackburn, gave judgement that the road was, in fact, a turnpike road within the meaning of the Act and the case was therefore remitted to the Highway Sessions Justices of the Peace with the opinion of the Court.

This turnpiking of roads in Sunk Island was the last of the East Riding turnpike schemes and comes within the period when, confronted with an increasing competitive challenge from the railways (among other factors), the ultimate extinction of turnpike trusts became inevitable. This final phase of regional turnpike history, however, can be more appropriately reviewed after some consideration has been given to the subject of local turnpike trust administration.

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Particularly from 1773 onwards, general highway and turnpike legislation became sufficiently involved to evoke the justifiable *cri de coeur* from one writer that like the peace of God, it passed all understanding. Those who have sought to cut but a slight path through the legislative jungle will endorse that opinion. But despite qualifications and amendments introduced by general statutes, the early turnpike Act, in itself, was comprehensive and touched on virtually all necessary points of administration with such local requirement as necessary.

The preamble to a turnpike Act normally reiterated the gist of the initiating petition and then proceeded to name the trustees appointed. This list of trustees was not only merely representative of the *probiores* of the district served by the turnpike but was frequently very lengthy, so giving a "credit worthiness" more than sufficient to attract the interest of the potential investor. The Beverley-Hessle Ferry Turnpike Trust Act of 1769, for example, enumerates no fewer than 333 trustees together with the Mayor, Recorder and Aldermen of Beverley, making a formidable total of 347—a truly impressive mustering of local respectability. The trustees nominated, except those who, like the Aldermen of a town corporation exercised responsibility *virtute officii*, had to hold a specified minimum property qualification which was to be personally testified to on oath. A trustee under the Beverley-Hull Trust Act of 1744 or the Hull-Hedon Act of 1745, had to possess in his own right or by right of his wife, a property qualification of at least £50 p.a., or be heir-apparent to an estate worth £200 p.a. or more. Similar, but slightly less stringent requirements, when not fixed by a local Act, were laid down in the General Turnpike Act of 1773 (13 Geo. III c. 84) and the Act of 1822 required that, from that year, a trustee's minimum qualifications on appointment were to be the enjoyment of real estate of a clear annual value of £100 or recognition as heir to an estate worth £200 at least. Replacement of trustees was by co-option. This widespread allocation of unpaid trustee responsibility among gentry, clergy and merchants alike is representative of the age old governmental policy of devolving local administrative charge upon a responsible section of society which had its own stake in the countryside. Only in an exceptional instance, as has been seen in the case of the Sunk Island Trust, were trustees specially nominated without regard to a local residential or property qualification.

But despite the lengthy list of trustees, meetings frequently failed to raise the necessary quorum. The cynic might note that, in many cases, this could have indicated a reluctance or an inability to travel over roads which were probably a trust responsibility. The White Cross-Beverley Turnpike Act of 1761 lists 113 trustees in addition to the Mayor, Recorder and Aldermen of Beverley: seven were to be a quorum. The renewal Act of 1782 reduced the quorum to five. The reason is clear and can be illustrated from the trust's minute books. At the first meeting of trustees on 20th April, 1761

thirty were present. Thereafter there was a progressive decline in attendance. From November, 1761 until April 1762, a period when the Trust was in the initial stages of organisation, monthly meetings successively had to be adjourned because of the lack of the required minimum attendance. Usually only seven or eight trustees were present, a noticeably higher attendance only being recorded when a matter involving patronage, such as the appointment of a Clerk, was on the agenda. Difficulties of travel, adverse weather conditions, apathy and other reasons could no doubt be vouchsafed for this apparent lack of interest in administration which is characteristic of turnpike trusts as a whole. The danger lay in the fact that too much executive power devolved on too few and organisation tended to become oligarchic through indifference.

Under a turnpike Act the body of trustees constituted a corporation and tolls were demanded in its name. The trustees generally appointed three responsible officers. The Clerk was in charge of general administration, kept the minute books, dealt with legal matters and official correspondence and convened meetings of trustees: as often as not he was a local attorney like Charles Frost and William Iveson and (as was Henry Shepherd of Beverley), he might well be the Clerk to more than one trust. The Treasurer of a trust was invariably required to give substantial security for the performance of his duties: not infrequently he was a local banker providing both cash and respectability. The third officer was the Surveyor who had executive charge of road repair and maintenance. Occasionally in the case of a small trust, and particularly in the early stages, Treasurer and Surveyor might be one and the same person. In the case of a trust with a considerable road mileage in its charge, assistant surveyors or superintendents were appointed as was the case with the Beverley-Kendale House-Bainton Balk Trust in 1766. Until and unless the tolls were leased out to toll farmers, collectors had also to be appointed.

Road improvement could only be effected speedily with substantial financial help. One of the first actions of the trustees as a corporation was to invite investment up to a maximum sum thought necessary to effect reasonable repair of the road. Investors were periodically called upon for a percentage of their whole subscription as operations commenced. Maximum interest on moneys invested was usually fixed by the Act at 5%: this was regarded as the norm and in the early days of the turnpike trusts only exceptionally was the interest payment less.

The whole subject of turnpike trust investment is one which has yet to receive the attention it merits. It is tolerably certain that not every investor was attracted merely by the assurance of a 5% return. Investment in some instances represented a genuine desire by local worthies to further road improvements in areas where they had property interests. It is significant that John Grimston of Kilnwick and the Reverend John Wilson of Etton should be two major investors in the Beverley-Kendale House-Bainton Balk Trust and

that John Dealtary with his property interest in the Catton/Stamford Bridge district should be a subscriber to the York-Kexby Bridge Garrowby Hill Trust. For identical reasons William Constable of Burton Constable in South Holderness had a substantial investment in the Hedon-Preston-Hull Turnpike Trust.

Before the coming of the railway, turnpike trusts, on the whole, were regarded as a safe form of investment and, quite apart from the active financial interest of sponsors, usually proved attractive to the small investor looking for a safe 5%. In any case, investment in a turnpike trust was immediately productive unlike shares in, say, a canal scheme where there was inevitably a lapse of time before dividends could be expected. For such reasons parish and charity moneys were often subscribed. In 1767-68 the Overseers of Gate Fulford placed a total sum of £100 (made up of various benefactions) with the York-Kexby Bridge-Garrowby Hill Trust. In 1763, £40 bequeathed in 1740 by Elizabeth Johnson for the poor of Cherry Burton, was invested in the White Cross-Beverley turnpike. By will dated 1772, the Reverend John Holmes, Rector of Brandesburton, bequeathed all interest due to him on turnpike securities to the churchwardens and overseers of the poor of Brandesburton, Ulrome, Barmston and Skeffling respectively for distribution to the poor at Christmas. At the time of his death in 1776 the testator had £400 invested in three local trusts.

A turnpike trust accepted investment to a limit commensurate with the demands of reasonable road repair and the ability of estimated tolls to meet administrative charges and a 5% dividend. Such forecasting was not easy. In 1761 eight separate investors subscribed £1,600 to the White Cross-Beverley turnpike and a further invitation to potential subscribers brought in another £300 in 1763. Of this total investment of £1,900 Beverley Corporation, as Minster trustees, subscribed £760 of the church's trust funds. Because of surplus moneys accruing from tolls and (presumably) efficient financial administration (and the latter, it should not be forgotten, could be synonymous with parsimony in matters of actual road maintenance) the trustees invested £400 in 4% Consols between 1770 and 1776. In 1797 prompted, no doubt to some extent by patriotic motives at a time of national emergency, the trust bought £700 worth of 3% Consols. With such surpluses available, repayment of investors was called for and to emphasise the state of economic well-being of this small White Cross-Beverley Trust at this period it is not without significance that by 1787 the last instalment of the Beverley Minster investment moneys had been repaid.

Table I lists the subscribers to three, broadly contemporary, East Yorkshire turnpike trusts and illustrates how the small investor, the estate trustee, local gentry and clergy, as well as parish officers with surplus sums available, were prepared to invest in turnpike schemes. William Waines, mercer and draper of Beverley, appears to have found such local investment particularly attractive.

TABLE I  
INVESTMENT IN THREE CONTEMPORARY EAST YORKSHIRE TURNPIKE TRUSTS 1761-1788

A		B		C	
WHITE CROSS-BEVERLEY (1761)		YORK-KEXBY BRIDGE-GARROWBY HILL (1765)		BEVERLEY-MOLESCROFT-BAINTON BALK- KENDALE HOUSE (1766)	
	£		£		£
1761	Trustees Beverley Minster (1)	1765	William Bowes (York) (1)	1766	John Grimston (Kilawick)
	Marmaduke Constable	1766	do. (2)		Sir Robert Hildyard
	(Wassand)	1767	John Daniel		(Winestead)
	Dr. Coates		Robert Bewlay	Reverend F. Best (for Ann	
	Reverend John Holmes		William Wainnes	Nelson) (Beverley)	100
	(Brandesburton)		(Beverley) (1) (C)	Marmaduke Nelson	
	Hugh Bethell		Ann Benson (1)	(Beverley) (1)	300
	(Rise and Watton) (C)		Thomas Norfolk	Suckling Spendlove (Beverley)	100
	Reverend Thomas Barker		Overseers of Gate Fulford (1)	Teavil Appleton (Beverley)	100
	(Cherry Burton) (1) (C)		Corporation of York	Miles Smith (Soho Square)	200
	William Nelson (Beverley)		William Wainnes	Elinor Garton (Beverley)	100
	Richard Mosey		(Beverley) (2) (C)	Joseph Armitstead (for Rev.	
1763	Trustees Beverley Minster (2)		Thomas Bowes	C. Spencer Breasey) (Beverley) (1)	100
	Reverend Thomas Barker		Francis Barlow (Pocklington)	Joseph Armitstead (Beverley) (2)	200
	(Cherry Burton Poor) (2) (C)		John Blake	William Wainnes (self and as	
			John Dealtary	trustee, Beverley) (B)	300
			(Catton/Fangfoss)	Beverley Corporation	100
			Francis Topham	Alice Best (Beverley)	100
			William Bowes (York) (3)	Reverend John Wilson (Etton)	400
		1768	Richard Darley	Hugh Bethell (Watton and Rise) (A)	300
			Grace and Alice Potter (1)	Reverend Thomas Barker	
			Overseers of Gate Fulford (2)	(Cherry Burton) (1) (A)	200
		1770	William Richardson	Reverend Thomas Constable	
			(Full Sutton) (1)	(Siggleshorne)	100
		1772	Grace and Alice Potter (2)	Thomas Knowlton (Londesborough)	100
		1773	William Richardson (2)	Marmaduke Nelson (Beverley) (2)	200
			Ann Benson (2)	John Courtney (Beverley)	100
		1788	Charles Yarburgh (York)	Reverend Thomas Barker	
				(Cherry Burton) (2) (A)	100
			<u>£3,200</u>		<u>£3,600</u>

Figures in brackets indicate subscription, either as self or trustee, where there is more than one investment in the same trust. Letters within brackets indicate, by cross-reference, investment in another trust by the person named.

The strategic positioning of toll bars along the roads under the control of a trust demanded early decision. Where strategy was not a determining factor bars were often placed at a parish boundary, but were not always sited at terminal points of a road in charge of the trust. Usually the Act of Parliament establishing a turnpike trust left a decision entirely in the hands of the trustees. Too many bars could 'choke' the road and defeat the purpose of the trust which was to improve the road sufficiently to attract traffic along it to cover costs of improvement and maintenance and ensure a dividend to investors. In any case there was a safeguard in the fact that the army of trustees, active or passive, were also road users and could be expected to demur if proposals in respect of the number of bars seemed excessive. Occasionally, an Act would restrict the freedom of the trustees and specify points at which bars should be placed: as often as not, this reflected some modified opposition to original turnpiking proposals. For example, the Beverley-Hessle Ferry Turnpike Act of 1769 enacted that not more than two toll bars were to be erected between Beverley and Hessle and that no bar in any case was to be within half a mile of Beverley; similarly, the Brough-Newbald Act of 1771 specified that not more than two bars were to be erected between Brough Ferry and South Newbald and neither was to be within one and a half miles of South Cave which, in the eighteenth century had a local importance as a market centre. On the other hand, the Sacred Gate (Hedon)-Hull North Bridge Act of 1745 directed that there should be a bar at "Somergangs Gate next adjoining to Sutton Ings" (the junction of Holderness Road and Ings Road), a second toll house between Somergangs Gate and the Hedon terminal point (Sacred Gate), and such others as the trustees might direct, with the proviso that a bar was not to be placed nearer Hull than the one first mentioned.

The siting of a bar at a particular point was usually dictated by local geography and on referring to a map it can be understood why Grimston Smithy on the York-Kexby-Garrowby Hill turnpike was an inevitable choice for a toll bar. Similarly, the Hertford Bridge Gate on the York-Scarborough turnpike, the Holme Bar on the Selby-Market Weighton road, the Hull Bridge Bar west of the River Hull on the White Cross-Beverley road, among others, are typical examples where roads or road/river confluence inevitably decided location.

But experience and changing conditions could well dictate change in positioning. For example in 1826 on the Beverley-Kexby turnpike the Thorpe Lane toll bar was replaced by one at Shipton Bridge and in 1827 the bar at Kexby Bridge and in 1830, that at Killingwoldgraves were replaced by others set up at Catton Lane and Bishop Burton respectively. The reasons for such changes are not always clear but experience of road control and the developing traffic along neighbouring feeder roads were, no doubt, explanations in most instances.

Trustees were also empowered to erect gates across side roads adjoining the turnpike and take the prescribed toll at those places

with a usual provision that a double charge was not involved on a traveller subsequently passing through a bar or toll gate on the turnpike itself.

The tolls to be taken were meticulously listed in the Act although not necessarily repeated in the renewal Act when no substantial change occurred in the powers of the original trust. The particularisation of various types of vehicle on which toll was to be demanded well illustrates both the penchant of the legal mind for detailed specification as well as richness of the English vocabulary. A typical list which, in the middle of the eighteenth century included "Coach, Chariot, Landau, Berlin, Chaise, Calash and Hearse" was substantially inflated in later Acts with descriptive names like "Phaeton, Sociable, Vis-a-Vis, Curricle, Diligence and Whiskey"—reflecting the increased variety of types of transport and (like the motor car manufacturer today) the partiality for names seemingly appropriate to the character of the vehicles. As already emphasised, the pedestrian did not pay tolls and, at the toll bar, a wicket or side gate usually enabled him to pass without hindrance. But payment was due on all types of carriages, carts and animals but composition of tolls for a period could be arranged by the trustees for regular users. Normally, toll was only taken once a day within the period midnight to midnight and, in the case of the smaller trusts, tolls paid at one bar or gate often allowed free passage through other gates and a return along the same turnpike within that period on production of the ticket. For example, on the Hull-Beverley turnpike (1744) payment at one bar with the same coach and horses entitled the traveller to pass without further charge along the whole road and back within the single day. But the wording of the relevant sections of the various Acts in such cases, cannot be construed as allowing, for example, on a small turnpike, unrestricted use of the road between the toll gates within the day on payment of one toll.

On the other hand, as in the case of the Hedon-Hull turnpike, the toll position might be somewhat different. In this case the Act of 1745 listed tolls to be taken at the Somergangs Gate and at a second bar (Wyton Holmes) at the junction of the Preston and Sproatley roads. In this case, toll paid at one bar did not allow free passage through the whole turnpike but only a return, within the day, through the bar where the toll had first been taken. In this instance, payment of one shilling was exacted at Somergangs Bar on a coach drawn by six horses, and sixpence at the Wyton Holmes Bar. As an example of tolls a brief outline specification of tolls demanded under two early local Acts can be tabulated as follows:

	Hull-Beverley (1744)	Hull-Kirkella (1745)
Coach, etc. drawn by 6 horses	1/6	1/-
3-4 horses	1/-	8d.
2 horses	9d.	6d.
1 horse	6d.	3d.



## Waggon etc. drawn by

5 or more horses	1/6	1/-
3-4 horses	1/-	8d.
2 horses	9d.	6d.
1 horse	6d.	3d.
Each horse, etc. laden or unladen but not drawing	1½d.	1d.
Cattle, per score (and <i>pro rata</i> )	10d.	10d.
Calves, sheep, pigs, etc. per score (and <i>pro rata</i> )	5d.	5d.

Such tolls were always regarded as maxima and the General Turnpike Act of 1773 empowered trustees to reduce them if it were deemed advisable. In that year, the White Cross-Beverley turnpike trustees, for an experimental period of twelve months, reduced their tolls by one-third. At the end of the period the old rates were resumed. In 1781 the experiment was tried again but restricted to the summer season (May-September). This gesture by trustees was, generally speaking, only practicable when the financial position of a trust was good and when tolls were not being farmed. In the case of this particular trust there was no leasing out of tolls until 1785. But another element in the assessment of tolls was soon to make itself evident.

Before the age of the turnpikes there was a developing appreciation of the rolling effect of wide wheels on loosely-knit, uneven road surfaces constantly torn by the hooves of animals. As early as 1662, a Highways Act prohibited waggons with wheels less than 4 ins. in the felly. The problem was accentuated by increasing use of the roads as the tempo of industrialisation quickened and resolved itself into one of how to make the wheel fit the road to cause least damage. It was left to men like J. L. McAdam and Thomas Telford to help towards a solution by showing that road surfaces not so susceptible to being rutted by iron shod wheels could be prepared and thus be made to cater for an increasing volume of traffic.

But narrow wheels and animals' hooves were not the only cause of undue wear. Loads were not always drawn on wheels and the Brough Ferry-Newbald Turnpike Act of 1771, in an attempt to prevent one particular cause of damage, forbade the dragging of timber along the road. The use of trail sticks on waggons and carts for purposes of braking was also a frequent cause of damage to a road surface, particularly on hills. In 1817, George Bulmer, the York solicitor, Clerk to the York-Kexby-Garrowby Hill trust, had to make representations on this score to Sir Francis Wood of Garrowby Hall alleging that Wood's estate tenants were the "principal aggressors" over the use of trail sticks on Garrowby Hill. Subsequent correspondence reveals the interesting information that the 'coach masters' running through to Bridlington from York had pleaded that

the hill sections of the road should not be repaired in summer because they preferred a road "dangerous from its ruts to dragging up so steep a hill over new materials".

General highway legislation, directed towards minimising the damage which could be done by narrow wheels and heavy loads shows itself in local turnpike Acts. This is particularly so after the Highways Act of 1753 which prohibited the use of waggons and carts with wheels less than 9 ins. in the felly. The prohibition did not extend to carriages or coaches—understandable from a legislature the members of which had a vested interest in the coach and who, no doubt, saw in the rut of the wide-fellied wheel a suitable riding track for the man on horseback. Considerable native ingenuity was shown in attempts to outwit the intentions of the 1753 and later Acts by various types of wheel modification. The General Turnpike Act of 1773 introduced an elaborate schedule of differential tolls, according, *inter alia*, the status of road roller to the waggon with wheels of 16 ins. fellies and giving it a year's exemption from tolls.

Renewal and later turnpike Acts illustrate this type of change and the contemporary obsession with the wide felly to help combat the problem of the deep rutting of roads. The marked disparity of treatment as between the coach and carriage on the one hand and the waggon and cart on the other can be illustrated from an extract from the table of tolls taken as from 1st January, 1827 at the Grimston Bar and the Murton Lane Side Bar on the York-Kexby-Garrowby Hill turnpike:—

No. of Horses	Coach/Carriage	Waggon/Cart with wheels of fellies		
		6 in.	4½ in.	Narrow
6	2/3	2/3	2/9¾	3/4½
5	(Not specified)	1/10½	2/4	2/9¾
4	1/6	1/6	1/10½	2/3
3	1/1½	1/1½	1/4¾	1/8½
2	9d.	9d.	11¼d.	1/1½
1	4½d.	4½d.	5d.	6¾d.

As will be readily seen, it was the cart or waggon which was heavily penalised. With the later development of mechanically propelled vehicles on the roads, tolls could be savage. Under the Sunk Island Turnpike Renewal Act of 1852, a 3/- toll was taken in respect of any steam threshing machine passing a bar whether drawn by animal power or self-propelled.

For the purpose of checking wheel fellies, the toll bar keeper was provided with a hand gauge consisting of a marker sliding on a measuring bar and akin in principle and type to the slide measure used in a footwear shop.

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The Act of 1741 for the preservation of public roads, and subsequent legislation such as the General Turnpike Act of 1773, empowered trustees to set up "weighing engines" to deal with cases of excessive weight, and extra toll was charged accordingly. In due course trusts took advantage of this permissive legislation. The Hull-Beverley turnpike trustees set up a weighing machine at the Newland Bar: on the York-Scarborough road there was one at the Scagglethorpe Gate: the Beverley-Kexby and Beverley-Kendale House trustees also made similar provision at the Barmby and Molescroft bars respectively. The existence of a weighing machine was an element of value to be assessed when the tolls of a particular bar were being leased. The following table gives the additional rates established in 1805 for vehicles at the Molescroft Bar north of Beverley—

If under 22 cwt.	....	6d.
22 cwt.—2 tons	....	9d.
2 tons—5 tons	....	1/-
Over 5 tons	....	1/6

In this instance, the keeper of the toll bar was allowed to retain half the sum charged. In consequence of the establishment of the weighing machine at this particular bar, the tolls, let for three years in 1805 for £569 p.a. (including the weighing machine) were leased for £702 p.a. in 1808.

Weighing was a laborious business and, although as early as 1741 John Wyatt had invented the compound lever platform scale, very similar in character to the modern weighbridge, its importance was not appreciated or fully exploited until towards the middle of the nineteenth century. Consequently, the early weighing engine, of which no local example appears to have survived, consisted essentially of a large steel yard to which for purposes of being weighed, the waggon was attached by chains and winched clear of the ground.

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A turnpike Act usually detailed the circumstances under which toll was not to be charged. No toll was taken on election days, or from people travelling to and from church and chapel on Sundays. Soldiers on the march and vagrants with legal passes were also exempt as were ploughs, barrows, "implements of husbandry" and carts carrying manure or repair materials for local roads. As certain "implements of agriculture" began to be mechanised in the nineteenth century exemption no longer applied and as has been seen

the owner of the steam threshing machine paid a heavy toll on passing a bar. The carriage of lime in particular was productive of much wrangling as the White Cross-Beverley trustees found out in 1781: carts carrying lime for agricultural purposes were exempt from toll—those carrying lime to be used on a building site were not.

But in addition to general exemptions from toll, local circumstances provided special categories of exemption. For example, it would have been manifestly unfair on a husbandman whose properties were divided by a toll bar, to be charged on each occasion he passed the bar on horseback to work his fields. Special provision reflecting petitioning on grounds of hardship was made to meet this type of case. Thus, in the renewal Act for the Hedon-Hull Turnpike Trust (1776) William Brigham of Wyton and John Melling of Hull and their tenants were expressly authorised to pass the Wyton Holmes Bar toll free with horses, carts and carriages to and from Wyton and their closes and grounds in Wyton Holmes—"but not proceeding further than their said closes".

A claim for the right of exemption from payment of toll could have legally interesting implications and results. When the York-Kexby-Garrowby Hill Trust Act was renewed in 1807, special (though not unusual) types of privileges were accorded the Earl of Egremont and his tenants in respect of the mills on the River Derwent at Stamford Bridge. By the Act, every horse or waggon going to, or returning from the mills with cloth, yarn, malt, bran, flour, or materials for the building or repair of the mills and dams, was exempt from toll, as were the carriages of the tenants of the mills. Unfortunately, for the favoured ones, and following complaints by the Earl's estate agent, John Claridge of Jervaulx Abbey, that toll was being illegally exacted, the trustees prepared a statement of case for legal opinion pointing out that the Earl's tenants at Stamford Bridge contracted with a person at York to lead their flour and corn to and from the mills. An opinion was requested whether the contractor and his servants were legally entitled to toll exemption within the meaning of the Act. It is significant that when the Act was renewed in 1827 no provision was made for any toll exemptions for the owner of the mills.

Penalties for by-passing a toll gate or bar were always laid down in the relevant Act and, where local circumstances favoured easy deceit, this type of transgression, quite apart from the loss of tolls, would be more than a mere nuisance to trustees. The Beverley-Bainton Balk-Kendale House turnpike trust had difficulties with travellers making use of Pighill Lane near Beverley and so by-passing the Molescroft Bar. In 1769, the trust's surveyor was ordered to stop up the road with rails and a gate and provide local farmers with keys to allow access to adjacent properties. Even more serious were difficulties with the successive owners of the Bell Mill near Driffild. After some trouble in 1782 when a side bar was set up at the end of the road leading to Skerne and full tolls taken there, Thomas Baxter, the miller, was finally notified in 1787 that prosecution

would follow if, in future, he allowed persons to pass through his properties to avoid payment of toll. Some time afterwards the trustees indicted Francis Dobson of Driffield and several others at Quarter Sessions for deliberate toll evasion but the problem seems to have continued.

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In the early stages, following the formation of a turnpike trust (and occasionally as an interim measure) collection of tolls was organised through collectors directly employed by the trust. But the need for an inexpensive administration, the assurance of a maximum income from tolls and the minimising of the risk of petty speculation, soon brought into being the system of farming out the tolls as permitted by the General Turnpike Act of 1773. It is impossible to estimate the extent of fraud but trust records usually provide instances of collectors' dishonesty. For example, when the White Cross-Beverley turnpike trust came into being in 1761, John Butler of Brandesburton and John Coultas of Beverley were engaged as collectors at the bars at Routh and Hull Bridge respectively. Even by contemporary economic standards the emoluments were scarcely calculated to lessen the risks of dishonest dealing. Prior to appointment each gave a security bond for £30 and on taking over the toll bar received a salary of 5/- per week, an annual sum of 20/- "for coals and candles", and lived rent free in the toll house. Following the dismissal of the Trust's first treasurer, Coultas was ordered to pay in his own moneys and clear off all arrears. Within two years both collectors had been summarily dismissed and replaced by John Camplin and Thomas Curtis who were each called upon to give increased security. Within a year Curtis was dismissed for fraudulent practices. Similarly John Mason, the collector at the Molescroft Bar on the Beverley-Bainton Balk-Kendale House turnpike in 1767 held his own post only a short time and was replaced by Fearnot Serjeant of the East Yorkshire Militia. Judging by the silence of the record, Mr. Serjeant did not belie the confidence his name undoubtedly inspired. For such reasons, then, tolls were regularly leased, a practice which, in the absence of the toll farmer's personal accounts, makes impracticable both the accurate assessment of the value of individual bars and the profits made by toll lessees.

The procedure for leasing tolls was laid down in the General Turnpike Act of 1773. Press advertisement was given that the tolls were to be auctioned on a particular day and the restriction of bidding to those prepared to deposit a fairly substantial sum in testimony of good faith, ensured that the number of would-be toll farmers was kept within manageable limits. In practice the number

of bidders could be ridiculously small. When the tolls of the comparatively valuable Grimston Bar on the York-Kexby-Garrowby Hill roads were put up for auction in 1808 there were only two persons bidding: a group of no more than half a dozen was quite normal.

When necessary, the well administered York-Kexby-Garrowby Trust auctioned its tolls at the Guildhall in York. Following the statutory public notice of intended lease, each bidder was required to deposit £25 with the Chairman prior to business commencing. In the case of the successful bidder the sum was retained against the first month's rent and was forfeited if, thereafter, he refused to enter into a formal written agreement to take the tolls. Unsuccessful bidders had their deposits returned at the conclusion of the sale. Toll figures were often, but by no means invariably, put up at the current figure and bidding had to be by minimum advances of £5. One bid reserved to the trustees, was tendered by the Clerk at the appropriate stage in the proceedings and represented the minimum figure which the trustees considered reasonable. Until this was reached there was always the possibility that the auction of tolls might be withdrawn and resort made to direct collection. Although, in itself, a most useful piece of information to those bidding, there is no reason to believe that any present but the trustees and their Clerk had knowledge of the figure. For example, for 1858-9 Thomas Bower of Hunslet took both the Grimston and Stamford Bridge Bars for £910. Bower began the bidding at £800, a figure which was pushed up in £5's until £885 was reached. At this stage the Clerk put in the trustees "bid" of £905. In the absence of further bids an advance of £5 on this gave Bower the lease of the tolls for the year. To ensure that the minimum of time was lost between bids, a sand glass was used as specified by Section 31 of the General Turnpike Act of 1773—

"That a glass with so much sand in it as will run from one end of it to the other in one minute shall be set up upon a table and immediately after every bidding the glass shall be turned, and as soon as the sand is run out it shall be turned again and so for three times, unless some other bidding intervene, and if no other person shall bid until the sand shall have run through the glass three times, the last bidder shall be the farmer or renter of the said tolls."

The successful bidder, together with two sureties was required immediately to enter into an agreement for the payment of rent in advance: by the early nineteenth century, monthly, rather than quarterly, payments in advance had become a generally accepted practice.

Whether tolls were taken for a longer period than one year varied according to local circumstances, an important consideration in the middle years of the nineteenth century being the possibility of the development of a competitive interest such as a railway project. In very general terms, as far as East Yorkshire was concerned,

three year leases were common between 1800-1840, the age of the stage coach and turnpike stability. After 1840 the developing insecurity attendant on turnpike trust investment meant that the one year lease became more common particularly in the case of the lessee who was only operating on a small scale.

In many cases early lessees were local innkeepers, farmers, tradesmen and even labourers. David Pinder of Bishop Burton, the lessee of the Hull Bridge bar in 1785 was described as a labourer. Timothy Oliver who took the tolls of the Stamford Bridge bar in 1837 was a farmer at Walkington near Beverley. For much of the period between 1835 and 1850 the tolls of the White Cross-Beverley turnpike were contracted for by Robert Norris, a Beverley innkeeper. The woman toll farmer was by no means unknown: Mrs. Mary Deighton, a widow, leased the tolls of the valuable Grimston bar from 1817 to 1825 inclusive at an average rental of over £720 and in 1822 Mary Milburn was farming the tolls of the Hull Bridge bar.

Quite early, some toll farmers were establishing themselves on a fairly considerable scale in East Yorkshire. Richard Maynard, described originally as a labourer of Ayton, near Scarborough, deserves notice as an early local turnpike toll financier; after 1824 Christopher Laphish of Malton was apparently finding that the taking of toll leases was increasingly worthwhile.

But the field widened with the emergence of the large scale lessee. After 1815 West Riding financial interests begin to be noticed in East Yorkshire. From 1814 Thomas Brown, butter factor of Hunslet, followed in turn by James Robinson, maltster, and Charles Barnard (also of Hunslet) took the tolls of the Beverley-Kexby Bridge turnpike. John Ward, woolstapler of Bradford, George Sykes of Barwick-in-Elmet and later James Kippax of Huddersfield also come under notice. But the most prominent of the West Riding turnpike financiers operating in East Yorkshire were members of the Bower family. On extant records, John and Joshua Bower, described as "glass manufacturers of Hunslet" first appear as sureties for George Sykes who leased the tolls of the Stamford Bridge bar in 1823: it is probably of some significance that the Beverley bankers Messrs. Bower and Company were treasurers to this trust. Joshua Bower I (1773-1855) successively carpenter, glass manufacturer and colliery owner, became one of England's most substantial turnpike toll lessees. In 1828 he took the tolls of the Grimston bar: thereafter, the financial interests of the Bowers' in the York-Kexby Bridge-Garrowby Hill Turnpike Trust lasted (with only occasional intermission) until 1865. From 1843 Joshua was more than once the lessee of three of the four bars on the Beverley-Kexby road and from 1860 until 1866 all the bars of the trust were in the hands of the family. They had interests in the Hedon-Preston-Hull Turnpike and for the last ten years of the existence of the White Cross-Beverley trust were leasing the tolls of that turnpike. In this last instance Joshua Bower II caused

considerable difficulty for the trustees following his refusal to vacate his lease when the trust was wound up in 1867.

It is obvious then, that the Bowers were toll farmers on a big scale. Their operations extended south into Lincolnshire and beyond and in the age of turnpike decline, their willingness and ability to take three-year leases of tolls betokens a financial standing to which the smaller toll farmer could not aspire. The existence of extensive West Riding financial interests in the East Riding, as represented by the Bower family and their associates is, in itself, an interesting aspect of Yorkshire turnpike finance which would repay a closer investigation than is possible within the confines of this survey.



In the early days of a trust's existence and with the money available from initial investment, it is clear that a considerable effort was usually made to put a road into a good state of repair as quickly as possible in the expectation of minimum maintenance expenditure thereafter. The scope and intensity of this initial effort, in some cases, could be a rough guide to pre-turnpike road conditions. For example, when the Beverley-White Cross road was turnpiked in April, 1761, technical advice on repair was given by Henry Senscall. By the middle of June, the same year, the causeway along part of the length of road had been taken up and the repair of a half-mile section assigned to William Dealtry, a Beverley paviour, at a contract price of £125. At the same time, public notice was given that the repair of the road between Tickton Bridge and White Cross (as yet "unthrown up"), was to be let to contract. It is apparent from the available records that a determined effort was being made in these first months of trust control to put the road into a satisfactory condition by "barrelling" it 24 feet wide. There were many experiments in the pre-McAdam period but the common method of barrelling (the marked convex exaggeration of surface) seemed, no doubt, to the White Cross turnpike trustees, the most satisfactory method of securing adequate surface drainage of a road in a low lying countryside.

J. L. McAdam's system of road repair and maintenance emphasised the importance of the use of angular fragmented stones, carefully consolidated, to produce a good bearing surface. Thomas Telford's method stressed the necessity of a good hand set foundation which could be topped by a suitable wearing surface. McAdam's ideas, however, tended to have a greater appeal to turnpike trustees on financial grounds, as a carefully laid foundation increased costs. McAdam's method of road making was being practised in East



Yorkshire from 1820. In that year explicit instructions were given to the Surveyor of the White Cross turnpike to follow "Mr. McAdam's Book on the repair of Highways" and produce it at every meeting of the trustees.\*

In 1821 the repair of the York-Malton section of the York-Scarborough turnpike under the superintendence of McAdam was being contemplated. With understandable Yorkshire canniness, and following a report on the bad state of a section of their own road, the Beverley-Kexby Bridge turnpike trustees instructed James Ingle, one of their two surveyors, to take stock of McAdam's techniques on the Scarborough road and ascertain how far, either wholly or in part, they could be adopted to suit their own requirement.

The cost of the repair and maintenance of a turnpike did not fall wholly on the trustees. Until 1835 the parish had to provide its quota of Statute Labour, or monetary composition equivalent, and, as has been seen in the case of the Sunk Island turnpike, there was subsequent provision for financial assistance for a trust from parish highway rates. Allocation of the proportion of Statute Labour due was usually made by two Justices of the Peace in Special Highway Sessions. The fact that they might themselves be turnpike trustees for the road concerned did not disqualify them from acting in such a capacity. For example, early in June, 1766, John Grimston and Francis Best, both of whom were trustees of the Beverley-Bainton Balk-Kendale House turnpike trust, held a Special Sessions at the Tiger Inn in Beverley and drew up a schedule showing the allocation of Statute Labour in respect of the parishes through which the turnpike passed. Both Molescroft and Leconfield were required to provide four days' statute labour, Cranswick, Etton and Lund three days each. Similarly, an assessment was made on other parishes roughly proportionate to the mileage of the turnpike within the parish and taking into account the total roads' commitment of the parish.

It was not unusual for a trust to delegate to a parish on contract the responsibility for repair of the section of turnpike within the parish. Such an agreement had the dual advantage of helping towards a partial solution of the local pauper problem and absolved the trust from the necessity of maintaining a labour force with all the attendant supervisory difficulties. The threat of withholding payment from a parish for unsatisfactory work could always be used to ensure a reasonable standard of repair. In 1818, for example, the trustees of the Beverley-Kexby Bridge trust entered into seven-year contracts with the Surveyors of Highways of seven parishes through which the road passed. The details of the respective

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\*J. L. McAdam: A practical essay on the scientific repair and preservation of public roads (1819).

Although the name form *MacAdam/Macadam* is commonly used, the famous road engineer signed his name *McAdam*. His personal spelling usage is here retained.

contracts all dating from 9th February, 1818, can be succinctly tabulated as follows—

<i>Parish</i>	<i>Mileage of turnpike road within parish</i>	<i>Agreed annual sum for maintenance per mile</i>
Cherry Burton ....	2.0	£45
Market Weighton ....	4.5	£35
Shipton ....	1.375	£40
Hayton ....	1.75 †	£48
Pocklington ....	0.625	£45
Allerthorpe ....	2.375	£65
Barmby ....	1.5	£63

The wide divergence of agreed payment per mile maintenance to the respective parishes is illuminating and can be explained either by hard bargaining or, more likely, by the relatively poor state of the road in those instances where the agreed annual payment was high.

It is only fair to say that the several agreements made in these cases were not wholly satisfactory and in the absence of detailed records it is not clear how successful this delegation of repair responsibility proved to be. Certainly the Trust's financial state at this period was far from satisfactory. In 1821 a special meeting of trustees was convened to consider applying for a new Act to increase tolls as receipts were proving "very inadequate to meet the expenditure of the road". A decision on this matter was postponed. Later in the same year the trustees withheld payment from the parishes of Barmby and Hayton alleging that contractual road repair obligations had not been fulfilled. It was because of this state of affairs generally that Ingle, the Surveyor, was instructed to apprise himself of McAdam's methods on the York-Scarborough turnpike. The trust ultimately cancelled its contracts with the parishes and enforced all-round economies. Although the relevant extant records are too meagre to justify precise conclusions, it is possible that the use of McAdam's techniques proved successful, for in October 1823 it was reported that the trustees had examined the road, and, with certain reservations, were satisfied.

The improvement of local roads was also a matter of concern to an estate-improving landlord and direct financial help might be forthcoming to a trust as a result. This reason, no doubt, prompted the Watt family of Bishop Burton in 1817 to provide £170 specifically for the improvement of Deepdale, a difficult section of road on the Beverley-Kexby turnpike, west of Bishop Burton.

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A turnpike trust's responsibilities extended beyond matters of actual road maintenance. It was obligatory on trustees to erect milestones and many of these old turnpike milestones (some of them

of the mounting step type) can be seen today.\* A state of watchfulness over possible encroachments on the road had also to be maintained. The Driffield turnpike trustees, for example, in 1771, found it necessary to order the respective proprietors of the 'Nag's Head' and the 'Red Lion' at Driffield to take down their sign posts and place them against their walls: in 1817 the same trust's Surveyor was instructed to notify the owners of land adjoining the turnpike to "snare their trees".

The subject of the maintenance and repair of bridges carrying turnpike roads across rivers and streams is one which, although of significance in itself, cannot be discussed satisfactorily within the limits of a short paper. Important bridges like those at Stamford Bridge and Yedingham were a "County" responsibility and therefore the mutual concern of the North and East Ridings. Early in the eighteenth century Stamford Bridge had undergone substantial repair at the hands of John Catlyn of Hull. By 1723 it was decided to rebuild it according to the plans of William Erty and an East Riding County rate of 1½d. in the £ was proposed by Quarter Sessions. In 1725, however, a special Act of Parliament was obtained and the rate demanded under its authority in both Ridings. Yedingham bridge was rebuilt in 1731 at a cost £630 under an agreement made with a Malton mason, Thomas Masterman and the two John Baines, father and son, carpenters of Pickering. To complete this series of improvements, the important bridge over the Derwent at Malton was rebuilt in 1733.

In cases where a small bridge crossed a stream, turnpike trustees would seldom accept full responsibility. In 1787, the Beverley-Driffield turnpike trustees were determined to ensure that among the provisions of the proposed turnpike renewal Act, the bridge at Bryan Mills should be the joint and equal responsibility of the Riding, the trust and the parish of Lockington. Similarly, a small road bridge over the Scarborough Beck, which Thomas Dyson undertook to build in 1808 for £170, was agreed to be a joint three-party responsibility. On the other hand, bridging an artificial channel such as an agricultural drain, justifiably could be considered the responsibility of the road trustees and the appropriate drainage authority as was the case in 1835 when Monk Bridge near White Cross, and Tickton Bridge over the Holderness Drain, were both rebuilt at the joint charge of the White Cross-Beverley turnpike trustees and the Holderness Drainage Commissioners.

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\*It would be regrettable if, during the course of modern road widening and improvement schemes, these old milestones were not preserved.

TABLE II  
THE COMPARATIVE STATE OF THE EAST YORKSHIRE TURNPIKE TRUSTS (1820)  
(based on returns required under I Geo. IV c. XCV)

Turnpike Trust	Road Mileage	(a)	(a)	(a)	(a)
		Av. Annual Income last three years	Av. Annual Expenditure last three years	Balance $\pm$ last account	Total Indebtedness at last settlement
		£	£	£	£
Hull-Beverley, etc. ....	11.25	1262	1271	-178	3008
Hull-Anlaby-Kirkella ....	7.5	541	632	+587	3025
Hedon-Preston-Hull, etc. ....	13.0	1108	1120	+280	4137
York-Malton-Scarborough, etc. ....	52.0	2198	1140 (b)	+370	6600
Hedon-Pattrington Haven, etc. ....	11.5	534 (c)	540	+5	2600
White Cross-Beverley ....	5.3	210	231	+33	440
Whitby-Lockton Lane ....	16.5	411 (d)	351 (d)	(N/A)	875 (d)
Beverley-Kexby Bridge ....	22.9	1320	1481	-513	2750
York-Kexby Bridge, etc. ....	18.8	1017	1026	+38	2422
Malton-Pickering ....	9.0	548	605	+113	1899
Beverley-Kendale House, etc. ....	22.5	940	680	+906	4200
Beverley-Skidby-Hessle Ferry, etc. ....	24.5	621	565	+70	2419
Brough Ferry-Newbald Holmes ....	8.2	133	24	+74	2230
Selby Ferry-Market Weighton ....	18.0	602	586	+653	3240

(a) Figures to the nearest £.

(b) Inclusive of item of £422 for obtaining Act of Parliament within the 3 year period.

(c) Inclusive of tolls of Pattrington Haven.

(d) Figures based on returns exhibited at N.R. Epiphany Quarter Sessions 1824 for period November 1822—December 1823.

N/A Not available.

The 'Act for obtaining Returns from Turnpike Road Trusts of the Amount of their Revenue and Expence (*sic*) of maintaining the same' (I Geo. IV c. XCV 24 July 1820) required each trust to forward sworn returns to the Secretary of State via the Clerk of the Peace for the County, giving *inter alia*, information as to financial condition, the number of trustees qualified to act and the Acts or Acts of Parliament which authorised existence as a legally constituted corporation. Some relevant data from the East Yorkshire returns is given in Table II and provides a useful basis for an assessment of the fortunes and progress of local trusts on the eve of the Railway Age. It is a matter of regret that such figures cannot be closely correlated with actual road conditions for, as already remarked, a state of financial well-being was not necessarily synonymous with high standards of road maintenance and might well reflect a greater concern for the pocket of the investor than the provision of a reasonable road surface for the traveller. An examination of the figures, which largely speak for themselves, is an interesting essay in assessing comparative standards of trust administration at this period. None of the trusts making a return had provided for the establishment of a Sinking Fund for the ultimate extinction of corporate indebtedness and only one, the White Cross-Beverley trust, had succeeded substantially in reducing its total mortgage commitment. Two trusts—the Hull-Beverley and the Beverley-Kexby Bridge—were already beginning to get into deep waters financially. The relative expenditure of the trusts (not exclusively on actual road maintenance) is illuminating. As the table shows, between 1817 and 1820 the 11 miles of road in the charge of the Hull-Beverley turnpike trustees resulted in an overall average annual expenditure of £1,271: The York-Scarborough trustees with nearly five times the road mileage spent £1,140—an artificially inflated figure in any case inasmuch as it included the expense of obtaining an Act of Parliament during the three year period concerned. Similarly the maintenance of the 9 miles of road between Malton and Pickering cost substantially more than the 18 miles of the Beverley-Hessle-South Cave road. Nor does the total mortgage commitment of each trust bear any relation to road mileage in trust charge. Such anomalies are a key to the understanding of the increasing dissatisfaction with the turnpike trust as an administrative device for the maintenance of important public roads. The growing realisation that the trust was essentially a private corporation, often controlling a substantial length of important public highway, and financially accountable to no authority external to itself, is illustrated by the greater attention which was being given to the whole subject by Parliament after 1815.

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Although General Highway and Turnpike Trust Acts progressively brought a degree of codification into the laws relating to turnpikes the necessity of obtaining individual trust renewal Acts remained until 1831 and in certain cases, longer: the cost of soliciting such Acts represented a substantial and unpredictable demand on resources. In 1786, Thomas Plummer, the Clerk to the York-Kexby Bridge-Garrowby Hill Trust, charged his trustees over £399, of which £292 was the actual cost of soliciting the renewal Act. Included in his bill was an amount of £22.0 for "extra fees at Lords for expedition" and £105 personal expenses in travelling to London in connection with the business. Twenty-one years later his account for the Trust's second renewal Act was £718.13.9, a sum which included personal expenses for 43 days in London at three guineas a day, plus express coach hire and a further trip to the metropolis lasting 28 days which cost the trustees another £88: there is nothing in the extant records to suggest any undue difficulty in securing these renewal Acts.

The White Cross-Beverley turnpike trustees also found the solicitation of renewal Acts an expensive matter. In 1782, their Clerk, Robert Appleton, was paid £280 to cover the cost of securing the Act of that year: in 1805 his successor, John Lockwood, received £359 in settlement of the account he presented for a similar purpose and in 1826 the trustees were compelled to sell out £500 worth of investments to meet Lockwood's charges of £435 for the third renewal Act. The York-Kexby Bridge-Garrowby Hill trustees, in making their return in compliance with the House of Commons Order of 1849 requiring certain details relating to turnpike trusts, showed that within the period 1800-1848 renewal of Acts had cost the trust over £1,382—a substantial drain on trust funds.

Legal charges in other respects could also make unexpected financial demands: an action at York Assizes early in 1816 by the Beverley-Kexby Bridge Trust against four contractors for alleged non-fulfilment of covenants over road repair secured for the trustees, as plaintiffs, an award of one shilling damages but involved them in legal charges of more than £262. It is difficult to escape the conclusion that, by the early years of the nineteenth century, to more than one local attorney, a turnpike trust virtually represented a personal vested interest. The absence of any legal or moral obligation on a trust to account to any extraneous authority could help unwittingly to foster a measure of financial irresponsibility, particularly when there was only a small number of trustees undertaking active executive charge as was so often the case. It is significant therefore that, under the terms of the important turnpikes codifying Act of 1822 (3 Geo. IV c. 126) as amended by that of 1823 (4 Geo. IV c. 16), trusts were not only compelled to prepare their accounts in a standardised format, depositing a copy of the annual statement with the Clerk of the Peace, but were also required to make account books available for inspection by trustees and creditors.

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The increasing interest shown by Parliament after 1815 in the subject of roads and turnpikes was itself a reflection of public demand for improved communications in an age of economic change, and the collection of evidence through Select Committees and Commissions on the working, organisation and influence of turnpike trusts presaged not only increasing government control over the activities of these self-perpetuating corporations but paved the way for their ultimate abolition. Cabals of turnpike trustees discharging important public responsibilities tended to appear increasingly anachronistic in a developing democratic society. Although the demise of the great majority of trusts was still a long way off in the year of the Reform Bill, the inquisitorial interest which was being shown by Parliament in their organisation was a major step towards securing their extinction. Any detailed review of this activity by Parliament is scarcely necessary here: it is enough to say that following the demand for returns under the Act of 1820, as analysed in part in Table II, a Parliamentary Committee in 1821 was scrutinising the plethora of Acts affecting turnpikes and highways generally. In the Parliamentary session of 1826/7 a Select Committee reported on the practicability of "reducing the expenses attending the procuring Bills for continuing turnpike trust Acts" and recommended consolidation of trusts in appropriate cases to secure co-ordinated and effective administration. In two important reports in 1833 a House of Lords' Committee made a series of suggestions about turnpike trust law and recommended general control. Stemming from such Parliamentary concern, an Act of 1831 continued for a further year (with certain listed exceptions) all turnpike trust Acts due to expire during the Parliamentary session, thus immediately releasing the trusts (except in those cases where new powers were required) from the heavy financial burden of supplicating for renewal Acts. This was the first of a long series of Turnpike Continuance Acts. Other forms of legislation served to emphasise the growing financial problem of the trusts in the early railway age. An Act of 1839 (2 and 3 Vict. c. 46 and later renewed) authorised, for a limited period, the application of a portion of parish Highway rates to turnpike trusts in those instances where tolls were insufficient to maintain the road—the case of the Sunk Island trust has already been noted: in other words public money was being placed in the hands of non-elected corporations for the dual benefit of toll paying traveller and private investor.

Two Acts of 1849 are of importance within this context. One (12 and 13 Vict. c. 87) made it obligatory on all trusts to set aside £5% p.a. on all new loans towards the establishment of a Sinking Fund: when the fund reached £200 the money was to be used to reduce such trust indebtedness. A second Act (12 and 13 Vict. c. 46), permissive in character, provided facilities under stated safeguards, for the union of turnpike trusts within the same area. Two years later further legislation (14 and 15 Vict. c. 38) also on certain specified conditions, allowed for a reduction in interest rates on

moneys invested on application for a Provisional Order from the Secretary of State.

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That the advent and spectacular early development of railways—the ‘calamity of railways’ as Sir James Macadam succinctly summarised it—spelt disaster for the turnpike trusts is broadly true, but it would be incorrect to assume that the resulting decline of the trusts was uniform. In those instances where a trust found itself in direct competition with a railway, the income from coach traffic, in particular, fell abruptly and toll lessees were quick to put in claims for compensation. In May, 1841, Thomas Hutchinson, who leased the tolls of the Barmby gate on the Beverley-Kexby turnpike, applied for cancellation of his agreement alleging losses incurred by the opening of the Hull and Selby line (1840). The trustees allowed cancellation after payment of all arrears of rent due. In the following November, and reflecting the general feeling of unease among potential toll lessees they found it impossible to let three of the four bars on the turnpike and had, therefore, to resort to direct collection of tolls with all the difficulties entailed thereby. Two years later three of the bars were let only at substantially reduced rents. With far less justification than Hutchinson had, Thomas Bower, in 1847, sought an abatement of his rent from the Hedon-Preston-Hull turnpike trustees because of the opening of the Hull-Bridlington railway line in 1846.

With information extracted from contemporary directories, newspapers and handbills it would be a comparatively straightforward task to illustrate in partial statistical format the decline in coaching services along the East Yorkshire turnpikes after 1840. But such figures, interesting in themselves, would not necessarily correlate with turnpike fortunes during the same period. The geographical relationship of a turnpiked route to a line of new railway, the development of urban markets, the increasing productivity of the countryside and developing affluence bringing more privately owned horse-drawn vehicles on the road, the standards of individual trust administration, were all factors which help to explain why sudden decline, unmarked by temporary recovery, was not the lot of individual trusts immediately after 1840. Table III showing income from lease of tolls by three East Yorkshire trusts over a fifty-year period from 1815, while providing useful statistical data in other respects, illustrates within the southern area of the region under review this irregular pattern of decay. The year which saw the opening of the East Riding’s first railway (1840) marks the zenith of the fortunes of the three trusts concerned: decline thereafter is far from uniform. If income from tolls be used as a criterion the White



TABLE III

INCOME AT FIVE YEARLY INTERVALS FROM LEASE OF TOLLS  
BY THREE EAST YORKSHIRE TURNPIKE TRUSTS  
1815-1865

(Figs. to the nearest £)

	White Cross-Beverley (2 toll bars)			Beverley-Kexby Bridge (4 toll bars)			York-Kexby Bridge-Garrowby Hill (2 toll bars)		
	£			£			£		
1815	252	...	...	(1521)*	...	...	N/A		
1820	181	...	...	1261	...	...	N/A		
1825	221	...	...	1263	...	...	1102		
1830	285	...	...	1743	...	...	1320		
1835	282	...	...	1493	...	...	1257		
1840	311	...	...	(1782)*	...	...	1523		
1845	286	...	...	1096	...	...	1240		
1850	288	...	...	873	...	...	1067		
1855	(291)†	...	...	(711)*	...	...	1105		
1860	301	...	...	734	...	...	969		
1865	260	...	...	782	...	...	1116		

†Figure for 1853 in absence of record for 1855.

\*In absence of precise figures for all bars this year, compiled in part from previous year's figures.

N/A Records not available.

Cross-Beverley Turnpike Trust was as flourishing in 1860 as it was in the decade before 1840, and in 1865 only seven years before the end came, the income of the York-Kexby-Garrowby Hill trust was substantially higher than it had been fifteen years before. Against these two examples must be set the spectacular decline of the Beverley-Kexby Bridge Trust, the income of which, five years before the opening of the Beverley-Market Weighton railway line, was less than half of what it had been *c.* 1840.

But in cases where a new section of railway competed directly with a turnpike, the results could be catastrophic and it is not without some significance that the important road linking York and Scarborough should be one of the first in eastern Yorkshire to be freed. The plan for a York-Scarborough railway was high on George Hudson's agenda and in the summer of 1846 the opening of this railway together with that of the important branch line to Pickering to link up with the Whitby Pickering railway spelt doom for the two competing turnpikes.

The Whitby-Middleton road was freed in 1851 and the York-Scarborough Turnpike Trustees at their meeting at the Talbot in Malton in March 1865 agreed to disturnpike their road with effect from September the same year. On that occasion the Reverend Edward Day of Norton who presided had good reason to remark that the coming of the railways had so greatly reduced the traffic on the once crowded York-Scarborough road that toll bars were now felt to be "unrequired".

Railway development also affected the turnpike trusts in other ways. Plans involving lines crossing turnpike roads, "on the level" as the phrase had it, were a cause of concern to the trusts. In 1845, for example, at a specially requisitioned meeting of the White Cross-Beverley turnpike trustees to consider the Hull and Selby Railway Company's proposal to build a line from Hull to Bridlington, the trustees formally minuted their opinion that it would be dangerous and inconvenient to the public if the proposed railway were to cross the turnpike 'on the level' and decided to petition against the proposals unless the line was carried on a bridge over the road: the trustees' objection was not sustained and the level crossing at the east end of Norwood, Beverley, was the result. Although the theme cannot be pursued here it is worthy of remark that many a turnpike trustee had financial interests in local railway schemes and this fact, at times must have been a moderating influence on relationships between turnpike trust and railway company: Joshua Bower I had considerable railway interests and a railway promoter like Anthony Bannister, on the eve of the opening of the Hull and Holderness Railway in 1854, found it worthwhile, as chairman of the Company to stake a financial interest in the Hedon-Pattrington Turnpike by leasing the Pattrington Haven Bar that year—politic from the point of view of the railway and, no doubt, gladly accepted by the turnpike trustees when trust fortunes had reached a low level.

\* \* \* \*

A temporary staying off of the evil day could be effected by the union of neighbouring trusts. Indeed, this type of development was almost inevitable in a case where the abolition of one trust might threaten immediate bankruptcy to another because of the resulting facilities of toll-free access in the same direction. This, and other aspects of disturnpiking are illustrated by the circumstances leading up to the union of the Beverley-Kexby Bridge and the Beverley-Bainton Balk-Kendale House trusts in 1866.

In 1862 the former was bankrupt. Over the 12 years ending in December 1861 the average annual revenue from tolls had been £750 and the average annual expenditure £840, the deficiency being made up by a call on the parishes concerned. Furthermore, the proposed extension of the York-Market Weighton railway line to Beverley was expected to "cause a considerable decline in the traffic on this road followed by a proportionate reduction in the revenue from tolls". Despite these circumstances, the trustees proposed to Sir George Grey, the Home Secretary, in 1862 that, as in their view the total mortgage commitment was comparatively small, no reduction should be made in the rate of interest paid but that under the terms of the Act of 1849 a Sinking Fund might be established, and that application might be made to the respective parishes for the payment annually (over such period as the Home Secretary might think reasonable), of a fixed aggregated sum to help towards the administrative expenses of the trust and the liquidation of indebtedness. Such an attitude was, as usual, indicative of a greater concern for the investor than for the toll paying traveller and the subsidising parish. Meanwhile, during the next three years the trust continued to cancel its debts by using moneys normally allocated to the provision of repair materials. Thus, by 1865, the case for winding up the trust was strong. But it is clear that the neighbouring Beverley-Bainton Balk-Kendale House trust was alarmed that, if the Beverley-Kexby road was disturnpiked, traffic "north of Cherry Burton . . . would no longer pass through Molescroft" to the consequent detriment of the tolls of the valuable bar there which controlled entrance to Beverley from the north. This view was represented to the Home Office in 1866 and the Beverley-Kexby Bridge trustees supported their own opinion that their trust should continue by showing that only four of the thirteen parishes affected by the turnpike (those naturally with the least mileage of turnpike road) wanted the trust abolished. The remainder, like Bishop Burton with three miles of turnpike and Market Weighton with over four miles, were understandably concerned that their parochial burden of highway maintenance should not be increased. Although under the Turnpikes Continuance Act of 1866 (29 and 30 Vict. c. 105) the Beverley-Kexby Bridge Trust was given a lease of life until 1 November 1867 ("unless Parliament provided otherwise") the Home Office made it clear to the trustees that, in view of the attendant circumstances continuance of the trust would be proposed provided that it was amalgamated with the Beverley-Kendale House turnpike within the

spirit of the 1849 Act. The union brought about gave both trusts a lease of life until 1881.

This example illustrates the point that the actual problem of abolition of a trust was not always administratively clear cut. Home Office policy by the 1860s was to secure the setting up by a trust of a Sinking Fund towards reduction of indebtedness and to help towards this end in certain cases by a Provisional Order under the Act of 1851 reducing interest rates paid by trustees on moneys invested. This Act (14/15 Vict. c. 38) specified that where turnpike revenues were insufficient to meet interest charges, the trustees, provided two-thirds of the creditors assented, could apply for a Provisional Order to reduce the rate of interest and it was then lawful for the Secretary of State to make the Order accordingly. The Acts confirming these Provisional Orders are frequently informative about the state of indebtedness of the trusts concerned: relevant details of four East Yorkshire trusts can be conveniently tabulated as follows:—

<i>Trust</i>	<i>Date of Act Confirming Provisional Order</i>	<i>Amount of Principal Debt</i>	<i>Ordering reduction of interest to</i>
Hull-Anlaby-Kirkella	1862	£2,890	3½% p.a.
Hull-Hedon (Direct)	1862	£11,562	1¾% p.a.
Beverley-Hessle	1865	£2,275	2½% p.a.
Hull-Beverley	1866	£575	2½% p.a.

Disturnpiking of a road meant reversion to parish responsibility and, as already noted, the reluctance of a thinly populated rural parish to accept the additional charge on its highways rate was understandable. But the position was different in urban areas especially where, as in the case of Hull, rapid growth had brought boundary extension. The early policy of borough corporations of ensuring, for obvious reasons, the siting of toll bars as far from the town boundary as possible had an advantage, unforeseen at the time, of postponing a problem, which, in an age of urban sprawl might have been more acute at a much earlier stage in the history of turnpikes. Hull provides examples of this but one must suffice in illustration.

In 1801, exclusive of extra-mural development, the population of the town was 22,000: by 1831 it was more than 33,000. The extension of boundaries following the Municipal Corporations Act of 1835 extended town limits as far as the toll bars on the Holderness, Hessle and Anlaby roads. Building and development within the new urban area was reflected in a population of nearly 60,000 by 1861. With such growth, irritation with a local toll bar restricting freedom of movement within a suburban 'community area' would be bound to intensify. By 1871 therefore there was considerable objection in the 'Bectonsville'\* and Dairycoates districts to the continuing existence of the Anlaby and Hessle Road toll bars. A meeting of interested parties, held at the Wold Carr Inn in January,

\*So named after James Beeton who developed the area.

1871, undoubtedly helped to crystallize opposition to the continuance of the turnpikes. After an exposition of the legal position by Dr. A. K. Rollitt, the meeting considered that removal of the toll bars would be more easily brought about if the two districts of Beetonville and Dairycoates were brought within the municipal boundary, but that in any case subscriptions might be sought from individuals to help clear the turnpike indebtedness of £1,080 which was the stumbling block to abolition. Some measure of local opposition to turnpike continuance is evidenced by the fact that two persons present, Messrs. D. and W. Garbutt immediately offered £150 towards this desirable objective. Lack of extant records in this case precludes any adequate assessment of the influence exerted by such manifestation of local opinion but the dissidents of Hull, Beetonville and Dairycoates had to wait only another three years: in November 1874 the Anlaby Road toll bar was removed with the winding up of the trust—almost a year after the end of the Hull-Hessle-Ferriby trust.

After 1831, on expiry of the term of its authorising Act, the continuance of a trust (unless it were prepared to supplicate for individual renewal) depended on the umbrella coverage given by a long series of Turnpike Continuance Acts. The device of the Continuance Act was legally and administratively appropriate to the circumstances for it enabled exceptions to be stated according to requirements. Any government of the day, had it been so inclined, could have ended the turnpike trusts by legislative act but such revolutionary action would have involved substantial compensation to investors based on inquiry into the financial circumstances of each and every trust, and, politically, could have been construed as an attack on vested interests. Therefore with the aid of the Provisional Order and the Continuance Act progressive pressure could be brought to bear upon the trusts to take administrative action towards wiping out arrears of debt by reduction of interest rates, establishment of Sinking Funds, making composition repayments to creditors and carrying out large scale economies which necessarily involved neglect of road maintenance. Once such indebtedness was in process of being materially reduced by such means, disturnpiking of a road within a foreseeable period became a practical possibility and the trust might find its existence limited henceforth by its particular Act being listed in the 'exceptions' schedule of a Turnpikes Continuance Act. Thus the Turnpikes Continuance Act of 1850 (13 and 14 Vict. c. 79) continued only until 1 October 1851 certain Acts due for expiry: among them was that of the Whitby-Middleton trust.

But even after being condemned a trust might be an unconscionable time dying. Under the schedule to 26/27 Vict. c. 95 (1863) the Beverley-Skidby-Hessle Act was to expire on 1 November, 1864. The Turnpikes Continuance Act of the following year gave it a further lease of life until 1 November 1865. The trust was still very much alive in 1874 when the Continuance Act allowed a further

extension to 1 November 1875: the *dénouement* did not come until 1878. Although available local records do not allow precise assessment of the position, it is a reasonable assumption that in this case, total principal indebtedness of £2,275 in 1865 and the necessity of materially reducing it, postponed an earlier demise of the trust.

By the middle 'sixties, despite the reluctance of government to take radical action to end the trusts, opinion was strongly against their continuance. A Select Committee of the Commons in 1864, the setting up of which owed much to the anti-turnpike trust campaigning efforts of William Battie Wrightson, M.P. for Northallerton (1835-65) and erstwhile Member for Hull (1830-32), was overwhelmingly in favour of a speedy winding up of trusts, recommending in its Report (383. ix. 1864) the placing of decontrolled roads under the authority of County Roads Boards as had been done in South Wales following the so-called Rebecca Riots. No political action followed the report but the tempo of turnpike abolition quickened. From 1874 a Parliamentary Committee on Turnpike Trust Bills dealt with applications for renewals of terms of trusts and, in effect, its annual report to Parliament decided what trusts should continue and on what conditions, and what should be wound up. As a result of this Parliamentary activity and as will be seen from Table IV no fewer than ten of the eighteen East Yorkshire trusts came to an end in the 1870s.

\* \* \* \*

The winding up of a trust necessitated immediate realisation of all assets: in terms of real property this only meant the toll bars and houses, and the small sums usually obtained testified to the fact that they were meagre structures on sites of restricted and minimal potential value. The Hull Bridge Bar on the White Cross-Beverley turnpike was demolished immediately the road was freed in 1867 and the site on which it stood was sold for £5. The toll bar house at Patrington Haven side was sold in February 1875 for £25. On the other hand and somewhat exceptionally the more substantial Wyton Bar purchased by William Brumby, a Hull builder, in 1879 realised £100.

Throughout the whole period when the turnpike trusts were in being, the parish, either through its Statute Labour (or composition equivalent) or later, by partial allocation of its Highway Rate, had provided assistance, in a greater or less degree, towards the maintenance of mileage of trust road within its boundaries. The termination of a trust, and with it the transfer of total maintenance responsibility for a "main" road, either to the parish or to the Highway District permissively legislated for under the Highways Act of 1862, evoked inevitable resentment. It was not to be expected that parishes, whether singly or grouped as Highway Districts, should bear the

TABLE IV

Turnpike Trust (short title)	Formed	Discontinued	Notes
1. Hull-Beverley ....	1744	1871	
2. Hull-Anlaby-Kirkella ....	1745	1874	
3. Hedon-Preston-Hull ....	1745	1878	
4. York-Malton-Scarborough ....	1752	1865	
5. Hedon-Patrinton Haven ....	1761	1874	
6. White Cross-Beverley ....	1761	1867	
7. Whitby-Lockton Lane (Middleton) ....	1764	1851	
8. Beverley-Kexby Bridge ....	1764	1881	Amalgamated with (11) (1866)
9. York-Kexby Bridge-Garrowby Hill ....	1765	1872	
10. New Malton-Pickering ....	1765	1870	
11. Beverley-Molescroft-Kendale House and Bainton Balk	1766	1881	Amalgamated with (8) (1866)
12. White Cross-Bridlington ....	1767	—	No renewal Acts
13. Beverley-Skidby-Hessle Ferry	1769	1878	
14. Brough Ferry-Newbald Holmes	1771	1872	
15. Selby-Market Weighton ....	1793	1879	
16. Hull-Hessle-Ferriby ....	1825	1873	
17. Hull-Hedon Direct ....	1830	1881	
18. Ottringham-Sunk Island ....	1836	1885	

For titles/dates of Acts and renewal Acts for East Riding Turnpikes 1744-1800 see K. A. MacMahon: *Acts of Parliament and Proclamations relating to the East Riding of Yorkshire and Kingston-upon-Hull 1529-1800* (1961).

For local Acts subsequent to 1800 see—*Index to Local and Personal Acts 1801-1947* (H.M.S.O. 1949).

brunt of trunk road maintenance and, in 1876, the grant in aid for disturnpiked roads and (under the Highways and Locomotives (Amendment) Act of 1878—41/42 Vict. c. 77), the obligation laid on J.P.'s at Quarter Sessions to contribute from County rates half the annual maintenance costs of roads disturnpiked since 31 December 1870, were little more than token contributions by the legislature to help ease the collective parochial burdens. A Commons amendment on the 1878 Highways Bill referred to, expressed regret that, in its form at the time, no adequate provision was being made to obtain "from those classes whose traffic most conduces to the wear and tear of the main roads in England and Wales some proportionate contribution towards the maintenance of such roads"—the very same argument which was the *fons et origo* of the turnpike trust. But it was not until 1888 that, with Exchequer aid, the obligation of maintenance of "main" roads was laid on the County Councils, newly formed under the Local Government Act of that year.

\* \* \* \*

At best, the emergence of the turnpike system was an expression of local enterprise and self help. Viewed historically, the age of the turnpikes can be seen as a link between that period when the township and parish were regarded as suitable and effective units for the purposes of road provision and maintenance, and the twentieth century when roads have substantially become an Exchequer charge. Revolutionary political and administrative action is alien to the English temperament and it was not to be expected that, in a period of quickening industrial expansion (particularly after the middle years of the eighteenth century) there could have been government appreciation of the necessity of a radical roads policy to meet the demands of a new age: in the absence of a national policy, the device of the turnpike trust provided a partial remedy.

In its time the turnpike trust served an immensely useful purpose, but any assessment of its significance must be speculative rather than precise, and no appraisal of its value measured in cold, statistical terms is practicable. By the material improvement of the roads they controlled, the East Yorkshire turnpike trusts made an effective contribution to the phenomenal growth of Hull as a modern Humber port and helped to enhance socially, as well as economically, the significance of York and Scarborough: even the isolated little toll houses made a small contribution to stability and security in the countryside. At the same time, however, improvements in road communication within the region with which this review is concerned, meant a modification of the relative local economic importance of market towns like Beverley, Malton, Driffield and Kilham



to the advantage of the larger markets of Hull and York. It is this type of economic and social change with which the local historian must concern himself. No doubt, the road had its "romance" but to think of the turnpike merely in terms of well-fed cheery drivers, post horns, stage coaches, highwaymen and the "cloak and a plume and the silver gleam of passing spurs in the night" is to overlook completely the real significance of an important phase in the history of transport.

The writer wishes to thank all those friends and colleagues who, by helpful advice and willing assistance in making relevant record material available, have made easier the preparation of this booklet for the East Yorkshire Local History Society.

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but nothing comparable with the two great works of scholarship:

Webb, S. and B. *English Local Government: Vol. 5: The Story of the King's Highway* (1913. Reissue 1963)

and

Jackman, W. T. *The development of transportation in Modern England* (1916). Revised edition 1962 with bibliographical introduction by W. H. Chaloner which obviates further reference to specific publications.

The Royal Historical Society's publications (*Writings on British History* and the *Bibliographies of British History*) provide valuable references to later books and articles.

For current references (articles/books/reviews) see especially the *Journal of Transport History* and the *Economic History Review*.

2. In East Yorkshire the local historian has tended either to ignore the subject of road history or, probably because of the non-availability of material and lack of interest, has glossed over essential aspects. One of the very few local references is:—

Sheppard, T. *Early means of transport in the East Riding* (Transactions of the East Riding Antiquarian Society, Vol. XXVI).

3. In compiling the history of a turnpike trust the historian has to consider logically origins, development and decline and the records produced thereby:

(a) *The formation of a trust, etc.*

References to proposals, in the case of later trusts can often be found in the local and regional press. Borough corporation records also occasionally throw light on turnpiking intentions. Thereafter, the whole Parliamentary process on the Bill from petition to Royal Assent, both in the case of the original Act and renewal Acts, can be followed in the *Journals of the House of Commons/Lords*, etc. On availability of printed Acts see *Acts and Proclamations* (Table IV ante). Texts of general Acts/Turnpikes Continuance Acts can be sought in the *Statutes at Large*, etc.

(b) *Administrative Records of the Trust*

Minute/Order Books, Account Books, Vouchers, Deeds, Letters, Reports, Memoranda and miscellaneous related material are (usually) available in the County Record Office. It is a matter for regret that on the winding up of a trust no provision was made for the deposit of trust records in official custody. Hence, these records usually remained in the hands of the Clerk to the Trust who, as often as not was a solicitor or attorney. Locally, this *apparent* loss of records has been considerable, a fact which is reflected in the foregoing survey and in the unrepresentative collection of Turnpike Trust material in the hands of the County Archivist at Beverley. It is probable that old established firms of solicitors, as residuary legatees of turnpike records, still have in their care material in this category despite the pious belief to the contrary so frequently expressed. A search for, and the deposit of such records (and any similar material) with the County Archivist, would be a worthwhile contribution to local historical studies.

(c) *Official records extraneous to the Trust*

(i) *Government*—Home Office Papers (Entry Books) especially correspondence with the trusts in the final stages: *Reports of Commissions* (Blue Books) for which see particularly:

Ford, P. and G. *Hansard's Catalogue and Breviate of Parliamentary Papers 1696-1834* (1953)

Ford, P. and G. *Select List of British Parliamentary Papers 1833-1899* (1953).

(ii) *Locally*—principally records of Quarter Sessions, the Clerk of the Peace, borough corporations, parishes, railway companies, drainage commissioners, etc. and similar bodies (including other turnpike trusts) having official contact with trust concerned.

(d) *Family and Private Papers: diaries*

Occasionally contain details, intentions re turnpiking, proposed investment, conditions of travel, etc.

(e) *Newspapers/Directories*

Apart from reports of meetings (especially in the last phase of the history of a trust) and occasional comment, are useful for advertisements re auction of tolls, etc. Directories are invaluable for references to coaching inns and coach services.

(f) *Maps/Plans/Road Books*

Indispensable—especially the large scale O.S. maps: T. Jeffrey's map of Yorkshire (1772) is useful for the earlier period. Road books such as Daniel Paterson's *New and Accurate Description of all the Direct and Principal Cross Roads in Great Britain* (1771, 18th ed. 1829) and John Cary's *Traveller's Companion* (1791) also provide valuable information. Plans—often with trust records themselves but the value of plans for other purposes (Enclosure Award, Tithe Award, Drainage, Railway, etc.) cannot be overlooked.

(g) *Miscellanea*

Handbills, advertisements, notices, etc. Despite the fact that toll bar tickets were (comparatively) as common as 'bus tickets today, very few survive. Occasionally, 'relics' of the turnpike trusts can be found in museums (e.g. the Kingston upon Hull Transport Museum).

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