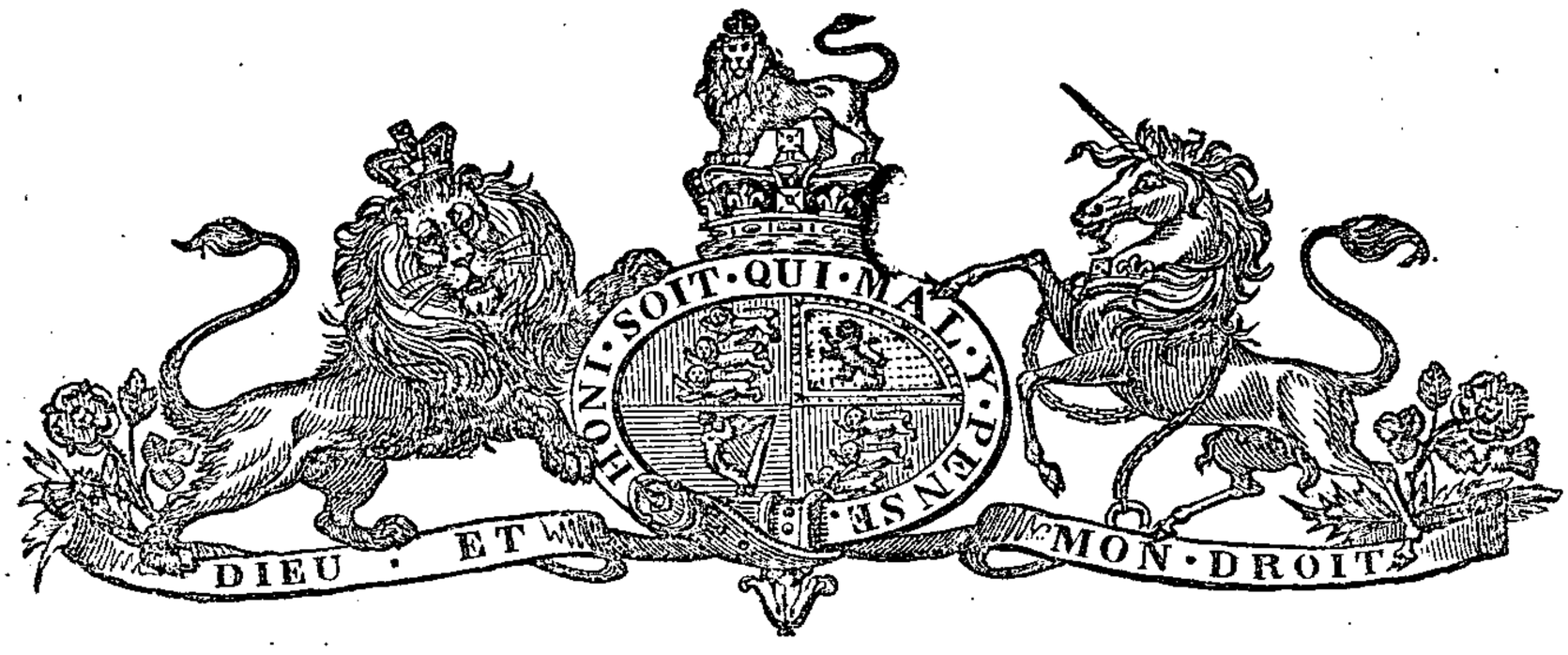


ANNO DECIMO NONO & VICESIMO

VICTORIÆ REGINÆ.

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ment for continuing certain Turnpike Acts for limited Periods, and such Powers will expire on the First Day of *November* One thousand eight hundred and fifty-six, unless Parliament shall in the meantime continue the same: And whereas there is now due and owing upon the Credit of the Tolls authorized to be taken on the Roads now subject to the Provisions of the said Act the Principal Sum of Twelve thousand one hundred and sixty-eight Pounds, and that Sum is now due or reputed to be due to the several Persons named in the Schedule to this Act, or their Representatives, in the Proportions or Sums set opposite to their respective Names in that Schedule, and such Principal Sum cannot be paid off unless further Powers are granted, and the Term of the said Act further continued: And whereas it is expedient that the said recited Act should be repealed, and that further and more effectual Powers should be granted in lieu thereof; but the Purposes aforesaid cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; that is to say,

Recited Act repealed.

I. That from and after the Commencement of this Act the said recited Act of the 5th Year of the Reign of His Majesty King *George* the Fourth shall be and the same is hereby declared to be repealed, and this Act shall thenceforth be put into execution during the Term and for the Purposes herein-after mentioned.

Short Title.

II. That in citing this Act for any Purpose whatsoever it shall be sufficient to use the Expression "The *Halifax and Huddersfield* Turnpike Road Act, 1856."

Interpretation of Terms.

III. That in this Act the following Words and Expressions shall have the several Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction; that is to say,

The Word "Person" shall be understood to include Corporation:

The Expression "the Trustees" or "the said Trustees" shall mean the Trustees for the Time being acting in the Execution of this Act:

The Word "Toll-gates" or "Toll-gate" shall include Turnpikes, Bars, Chains, and Side Gates, either on the said Roads or the Sides thereof:

The Expression "the Road," or "the said Road," shall mean the Main Road, and the Diversion or Branch therefrom, to which this Act applies.

IV. That

Road to which this Act is applicable.

IV. That this Act shall be put in execution for the Purpose of managing and maintaining the Road and Branch Road herein-after mentioned; that is to say,

First, The Road commencing near the Bottom of *Shaw Hill* at the Boundary of the Borough of *Halifax* in the West Riding of the County of *York*, and passing from thence through the Townships of *Skircoat* and *Southowram*, and through *Elland*, to a Place called *Ainley's* or *Ainley Top* in the Township of *Elland-cum-Greetland*, and from thence through the Township of *Fixby*, all in the Parish of *Halifax* in the said West Riding of the County of *York*, and from thence through *Fartown* to the Point where the Line of the said Road is crossed by the Limits of "The *Huddersfield* Improvement Act, 1848:"

Secondly, The Branch Road or Diversion made under the Powers of the said recited Act, and communicating with the first-mentioned Road in Two Places, and commencing at or near to the said Place called *Ainley's* or *Ainley Top* in the said Township of *Elland-cum-Greetland*, and passing from thence through and into the several Parishes, Hamlets, Townships, or Places of *Fixby* otherwise *Rastrick-cum-Fixby*, *Lindley Marsh*, and *Huddersfield*, and terminating at or near to *Edgerton* at the Point where the Line of the said Road is crossed by the Limits of "The *Huddersfield* Improvement Act, 1848."

Style of the Trust.

V. That the Roads comprised in this Act shall be called "The *Halifax and Huddersfield* Turnpike Road," and the Trustees for executing this Act shall be styled "The Trustees of the *Halifax and Huddersfield* Turnpike Road."

All Arrears of Tolls and Monies due under recited Act vested in the Trustees under this Act.

VI. That all Rents, Arrears of Rent, Tolls, Arrears of Tolls, and other Monies due or reserved or belonging to, and all Property, Lands, Books, Accounts, Papers, Writings, or other Things, and all Choses in Action, vested in or belonging to, the Trustees under the Act hereby repealed, shall immediately on the Commencement of this Act be vested in and belong to the Trustees for executing this Act, and such last-mentioned Trustees may sue for and recover the same, and act in respect thereof as effectually as if the same had been due or reserved, belonging to or vested in them under the said repealed Act, and they shall be liable to the Payment of all Sums of Money, Debts, and Demands now due and owing on the Credit or Security of the said repealed Act, and all Interest due and to grow due on the same respectively, and to all the Engagements to which the Trustees under the said repealed Act were liable at the Repeal thereof, save and except such Debts and Liabilities as are by this Act reduced, varied, or extinguished.

VII. That,

Conveyances, &c. under former Act to continue in force.

VII. That, subject to the Provisions of this Act, all Bonds, Promissory Notes, Conveyances, Covenants, Agreements, Contracts, and Securities made or entered into by any Person or Persons to or with the Trustees for executing the said repealed Act, or the Acts therein recited and thereby repealed, or with any of them, shall remain in full Force and Effect, and be and continue available in all Courts of Law and in Equity, until the same be fully satisfied and performed on account and for the Benefit of the Trustees under this Act; and all Bonds, Mortgages, Bargains, Contracts, Agreements, Lettings of Tolls, Orders, or Notices made, entered into, or given by the Trustees for executing the said repealed Act, or the Acts therein recited and thereby repealed, with or to any Person or Persons for any Purpose relating to the Road therein comprised, or to the Execution of the said Acts, shall (except so far as the same are varied, altered, or otherwise provided for by this Act) remain in full Force and Effect, and be observed and kept by the Trustees under this Act, and by the other respective Parties to such Bonds, Mortgages, Contracts, Agreements, or Notices, according to the Terms, Stipulations, and the true and equitable Intent and Meaning thereof; and all Powers and Authorities vested in the Trustees acting under the said repealed Act shall and may be executed by the same Trustees until the First Meeting of the Trustees appointed by this Act, notwithstanding the Repeal of the said recited Act.

Former Books to be Evidence.

VIII. That all and every the Books and Book of Proceedings which have been kept by the Trustees acting in execution of the said repealed Act, or of any of the Acts therein recited, or by their Clerk or Treasurer under their Direction, according to the Provisions of such Acts, and made Evidence thereby, shall be admitted as Evidence in all Courts, and by all Judges, Justices, and others.

Appointment of Trustees.

IX. That all Her Majesty's Justices of the Peace for the Time being acting for the West Riding of the County of *York*, together with *Joshua Appleyard*, *Joseph Taylor Armitage*, *Edward Armitage*, *Edward Aspinall*, *William Barker*, *George Beaumont*, *James Bradbury*, *George Buckston Brown*, *John Brooke* (*Brighouse*), *Thomas Brook* (*Colne Villa*), *Thomas Brook* (Solicitor), *William Craven*, *George Crowther*, *Luke Crossley*, *John Crossley*, *Joseph Crossley*, *Hansom Freeman*, *James Crosland Fenton*, *George Haigh*, *John Hamerton*, *George Higham*, *William Holdsworth*, *William Hoyland*, *William Ferguson Holroyde*, *Frederick Robert Jones*, *Frederick Robert Jones* the younger, *John Lister* (*Halifax*), *George Lockwood*, *Thomas Lockwood*, *Thomas Mallinson*, *Charles Norris*, *Charles Pitchforth*, *Abraham Crowther Pitchforth*, *John Rawson*, *Jeremiah Riley*, *James Stansfeld*, *Michael Stocks*, *Joseph Sykes* (*Lindley*),

(*Lindley*), *Bentley Shaw*, *Joseph Thorpe*, *Joseph Turner* (Merchant), *Joshua Waddington* the younger, *Edward John Wood Waterhouse*, *John Wilkinson*, *John Whitworth*, *Joseph Wrigley*, *John Womersley*, *Thomas Varley*, and their Successors, being duly qualified to act as Trustees of Turnpike Roads in *England*, shall be Trustees for putting this Act into execution.

Power to appoint additional Trustees.

X. That it shall be lawful for the Trustees from Time to Time, at any Meeting under this Act, to elect any Number of Persons duly qualified to act as Trustees of Turnpike Roads in *England*, not exceeding Three in the whole, to be Trustees for the Purposes of this Act, in addition to the Trustees hereby nominated, and such Trustees so elected, and being duly qualified to act as Trustees of Turnpike Roads in *England*, shall have the same Powers and Authorities for executing this Act as if they had been hereby appointed.

First Meeting of Trustees.

XI. That the Trustees shall hold their First Meeting at the House of Mrs. *Ruth Adamson*, known by the Sign of the *White Lion*, in the Borough of *Halifax* aforesaid, or at some other Place in the Neighbourhood of the said Road, on the Second *Friday* next after the Commencement of this Act, between the Hours of Eleven of the Clock in the Forenoon and Four of the Clock in the Afternoon, and shall then and from Time to Time thereafter adjourn to and meet at such Times and Places in the Neighbourhood of the said Road as they shall think proper.

Present Officers to be continued.

XII. That the Clerk, Treasurer, Surveyor, and all other Officers who have been appointed under and employed in the Execution of the said repealed Act shall respectively continue to exercise their Offices under this Act until they respectively shall die, resign, or be deposed, or removed by the Trustees, or be incapable of executing such Offices, and be subject to the like Rules and Regulations, and Pains and Penalties, in all respects whatsoever, as if they had been appointed under or by virtue of this Act.

Present Tolls continued for a Term.

XIII. That notwithstanding the Repeal of the said recited Act, the several Tolls thereby granted and made payable shall continue to be paid at the Toll Gates to be continued or erected on or on the Sides of the said Road until the Thirty-first Day of *March* One thousand eight hundred and fifty-seven.

Power to erect Toll Gates.

XIV. That, subject to the Provisions of this Act, the several Toll Gates and Weighing Machines now standing or being upon the said Road, or on the Sides thereof, shall be continued until removed by an Order of the Trustees; and it shall be lawful for the Trustees to

order and cause to be set up upon, in, or across the said Road by this Act directed or authorized to be maintained, and upon the Sides thereof, or any Part thereof respectively, any Toll Gates and any Weighing Machines, and from Time to Time to remove the present or any future Toll Gates or Weighing Machines as they shall think proper, and also to continue, erect, or provide a Toll House, with suitable Outbuildings and Conveniences, at or near each Toll Gate, and also shall and may take in and enclose from the Sides of the said Road convenient Garden Plots for the Toll Houses respectively, not exceeding One Eighth Part of a Statute Acre to each Toll House: Provided always, that no Toll Gate which by this Act is authorized to be maintained or set up on the said Road or Sides thereof shall be removed or set up upon or across the said Road or any Part thereof, or the Sides thereof, except the same shall be ordered to be removed or set up at a Special Meeting of the Trustees holden for that Purpose, in conformity with and after such Notices as are required to be given by the 5th Section of the Act of 9th *George* 4th, Cap. 77: Provided also, that when and so soon as the said Principal Sum of Twelve thousand one hundred and sixty-eight Pounds and Interest shall have been paid off and satisfied, the Trustees shall and they are hereby required to remove the Toll Gate at *Edgerton* to a Place not nearer to the Town of *Huddersfield* than the present Boundary of the Township of *Huddersfield*, and to remove the Toll Gate at *Hill House* to a Place not nearer to the Town of *Huddersfield* than the Site of the present *Hill House* Chain Bar at or near *Clough House* on the old Line of Road between *Huddersfield* and *Ainley Top*, and that from thenceforth it shall not be lawful for the Trustees to have any Gate or Chain, or to demand or take Toll at any Place on the said Branch Road nearer to the Town of *Huddersfield* than the present Boundary of the Township of *Huddersfield*, nor at any Place on the old Line of Road nearer to the Town of *Huddersfield* than the Site of the said *Hill House* Chain Bar.

Power to take Tolls.

XV. That upon and after the First Day of *April* One thousand eight hundred and fifty-seven it shall be lawful for the Trustees, or for any Person under their Authority, to demand and take at every Toll Gate which shall be continued, erected, or placed by virtue of this Act in, upon, across, or on the Sides of the said Road such Tolls as the said Trustees at any of their Meetings shall direct, not exceeding the Sums following; that is to say,

Tolls.

For every Horse or other Beast drawing any Cart, Chaise, Chair, Whiskey, Gig, or other such like Carriage, the Sum of Fourpence Halfpenny:

For every Horse or other Beast drawing any Coach, Chariot, Landau, Berlin, Phaeton, Hearse, Calash, or other such like Carriage,

riage, whether with Two Wheels or with Four Wheels, and being drawn by less than Four Horses or Beasts of Draught, the Sum of Fourpence Halfpenny; and if drawn by Four or more Horses or Beasts of Draught, the Sum of Threepence Halfpenny:

For every Horse or Beast of Draught drawing any Waggon, Wain, Cart, or other such like Carriage, and whether the same shall have Two Wheels or Four Wheels, the Sum of Fourpence Halfpenny:

For every Drove of Oxen or other Neat Cattle, the Sum of Tenpence *per* Score, and so in proportion for any greater or less Number:

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

And for every Horse, Mule, or Ass, whether laden or unladen, and not drawing, the Sum of Three Halfpence:

For every Carriage not drawn by any Horse or other Beast, but propelled or moved by Steam or Machinery, or otherwise than by Animal Power, the Sum of One Shilling for each Wheel:

Which Tolls (together with such Charge for Overweight as herein-after mentioned) shall be taken before any Horse or other Beast, Cattle, or Animal, or any Carriage whatsoever, shall be permitted to pass through any Toll Gate which shall be continued, erected, or placed by virtue of this Act in, upon, or across the said Road or on the Sides thereof, or any Part thereof, and which said respective Tolls shall be and are hereby vested in the said Trustees, and shall be applied for the Purposes of this Act in manner herein-after directed.

As to the Fraction of a Halfpenny in Tolls.

XVI. That in all Cases where there shall be a fractional Part of a Halfpenny in the Amount of the Tolls by this Act authorized to be collected, the Sum of One Halfpenny shall be payable in lieu of such fractional Part.

Toll to be taken between Halifax and Salterhebble, and on the new Branch of Road.

XVII. Provided always, That it shall not be lawful for the Trustees to take more than One full Toll between *Halifax* and *Salterhebble* in the Township of *Skircoat* aforesaid, nor more than One full Toll on the whole Line of the said Diversion or Branch from *Ainley Top* to *Huddersfield*, nor more than One full Toll on the whole of the old Line of Road from *Ainley Top* to *Huddersfield*, in any One Day, except as herein-after particularly mentioned.

Toll paid at Gates on old Line of Road to clear Gates on branch, and vice versâ.

XVIII. Provided also, That if any Person shall have paid the Tolls hereby authorized to be taken for the passing of any Horse, Ass, Beast, Cattle, Animal, or Carriage through the Toll Gates for the Time being on the said Branch Road between *Ainley Top* and *Huddersfield*,

field, such Horse, Ass, Beast, Cattle, Animal, or Carriage shall, upon a Ticket denoting the Payment thereof on that Day being produced, be permitted to pass and repass on the same day Toll-free through the Toll Gates for the Time being on the said old Line of Road between *Ainley Top* and *Huddersfield*, and in like Manner any Horse, Ass, Beast, Cattle, Animal, or Carriage, having paid the Toll hereby authorized at the Toll Gates for the Time being on the said old Line of Road, shall be entitled to pass and repass Toll-free on the same Day through the Toll Gates for the Time being on the said Branch Road.

Tolls to be paid but once a Day.

XIX. Provided also, That if any Person shall have paid the Tolls hereby authorized to be taken for the passing of any Horse, Ass, Beast, Cattle, Animal, or Carriage through any one of such Toll Gates, such Horse, Ass, Beast, Cattle, Animal, or Carriage shall, upon a Ticket denoting the Payment thereof on that Day being produced, be permitted to pass and repass Toll-free, except as herein-after particularly mentioned, through the same Toll Gate, and also through such other Toll Gate or Gates (if any) as the Ticket for such Payment shall free, at any Time during the same Day (such Day to be computed from Twelve of the Clock at Night to Twelve of the Clock in the next succeeding Night), anything herein contained to the contrary thereof in anywise notwithstanding.

Tolls for passing through all the Toll Gates.

XX. Provided also, That no more than Three full Tolls shall be demanded or taken of or from any Person for or in respect of the same Horse or other Beast, or Cattle, Animal, or Carriage, in any One Day (to be computed in manner herein-before mentioned), for passing or repassing through all the Toll Gates erected or to be erected on the said Road.

Tolls on Horses, &c. drawing different Waggons, &c.

XXI. Provided also, That the said Tolls shall be payable in respect of Horses, Asses, or other Beasts of Draught drawing any Waggon, Wain, Cart, or such like Carriage for each Time during the same Day that any such Horse, Ass, or other Beast of Draught shall pass through any of the Toll Gates erected on the said Road drawing any othe Waggon, Wain, Cart, or such like Carriage than that which such Horse, Ass, or other Beast of Draught was employed in drawing at any former Time during the same Day, and at which Toll shall have been paid.

Stage Coaches to pay each Time of passing.

XXII. Provided also, That for and in respect of all Horses or other Beasts of Draught drawing any Stage Coach, or any Stage Waggon, Van, Caravan, Cart, or other Stage Carriage, carrying Passengers or Goods for Payment, Hire, or Reward, for which Toll shall have been paid, and which shall return on the same Day through the same

Toll

Toll Gate, the Tolls hereby made payable shall be paid for each Time of passing and repassing through such Toll Gate in like Manner as if no Toll had been before paid thereat.

Postchaises on every new Hiring.

XXIII. Provided also, That the Tolls hereby made payable shall be paid for or in respect of all Horses or Beasts of Draught let out to Hire, and drawing any Postchaise or other Carriage, for every Time of passing along the said Road whenever any new Hiring thereof shall be made.

Trustees may agree with other Trustees relative to Reduction of Toll.

XXIV. Provided also, That it shall be lawful for the Trustees to enter into any Agreement with the Trustees acting in the Execution of any Act passed or to be passed for repairing or making any Turnpike Road which shall communicate with the said Road, for the Reduction of the Rate of Tolls arising by virtue of this Act upon such Terms and Conditions as they the Trustees acting in execution of this Act shall think just: Provided also, that no such Agreement shall be entered into or Reduction made except at a Meeting of the said Trustees, of which Meeting, and of the Purpose thereof, Twenty-one Days previous Notice shall have been given by Insertion thereof in One or more of the Newspapers published in the Town of *Halifax*, and in One or more of the Newspapers published in the Town of *Huddersfield*, nor unless Four Fifths in Value of the Creditors upon the Tolls arising on the said Road shall consent thereto.

Weights of Single Horse Carts limited.

XXV. And for regulating the Weights to be allowed to Carts or other Carriages which shall be drawn upon the said Roads by One Horse, Beast, or Animal only, be it enacted, That the Weights to be allowed to Carts or other Carriages drawn by One Horse, Beast, or Animal shall never exceed the Weights following; that is to say, as to Carts or Carriages, if having the Fellies of the Wheels thereof of the Breadth of Four-and-a-Half Inches or upwards at the Bottom or Soles thereof, from the First Day of *May* to the Thirty-first Day of *October* (both Days inclusive), One Ton and Fifteen Hundredweight for each such Carriage and the Lading thereof, and from the First Day of *November* to the Thirtieth Day of *April* (both Days inclusive), One Ton and Ten Hundredweight for each such Carriage and the Lading thereof; and as to Carts or Carriages, if having the Fellies of the Wheels thereof of less Breadth than Four-and-a-Half Inches at the Bottom or Soles thereof, from the First Day of *May* to the Thirty-first Day of *October* (both Days inclusive), One Ton and Ten Hundredweight for each such Carriage and the Lading thereof, and from the First Day of *November* to the Thirtieth Day of *April* (both Days inclusive), One Ton and Six Hundredweight for each such Carriage and the Lading thereof.

One Horse Carts to be weighed.

XXVI. That all Carts or other Carriages passing along the said Road, drawn by only One Horse, Beast, or Animal, shall and may be weighed at any Weighing Machine on the said Road, and the like additional Tolls demanded and recovered for the Overweight thereof as are by Law payable in respect of the Overweight of Carts or other Carriages drawn by Two or more Horses; and all the Powers, Regulations, and Penalties now in force relating to the weighing of Carts or other Carriages drawn by Two or more Horses shall be applicable to Carts or other Carriages passing on the said Road drawn by only One Horse, Beast, or Animal, and to the Drivers and Owners thereof.

Burr Walls to be maintained on the Sides of the Road.

XXVII. And whereas many Parts of the said Road are made on the Side of steep Declivities, where it has been necessary to support the Road with Burr Walls, which occasionally fall down or require to be repaired: And whereas no Compensation was made to the Owners of the Land in which such Burr Walls have been made for the Injury they might sustain from their Liability to repair such Burr Walls: For Remedy whereof, be it enacted, That whenever any Burr Walls supporting the said Road, or any Part thereof, shall fall down or require to be repaired, the same shall be rebuilt or repaired up to the Level of the Road, by the Surveyor of the said Road, at the Expense of the Trustees thereof, whose Surveyor and Workmen in making such Repairs shall have Power to enter upon the Grounds or Places where such Repairs are necessary for the Purpose of making and executing the same without being considered as Trespassers, and without being required to make any Compensation for Damages reasonably arising or caused thereby, and the Occupier of the Land for the Time being to which such Wall belongs or adjoins shall make and keep in repair a good and sufficient Fence upon the said Burr Walls after the same shall have been so rebuilt or repaired where necessary by the said Trustees.

In case Fence Walls are out of repair.

XXVIII. That if any such Occupier shall neglect to make and keep in repair such good and sufficient Fence from the Level of the said Road in such Case as before mentioned, or if such Part as last aforesaid of such Fence, or of any other Fence adjoining the said Road, shall from any Neglect be out of repair, and not of sufficient Height above the Road, and shall not be repaired within Ten Days after any Notice in Writing, to be given to or left at the Dwelling House of such Occupier, by or under the Hand of the Surveyor or Clerk of the said Trustees, it shall be lawful for the said Surveyor to rebuild or repair the same, and to charge the Costs and Expenses thereof to such Occupier; and if such Occupier shall neglect or refuse to pay the same Costs and Expenses to the said Surveyor within

within Ten Days after Demand thereof, it shall be lawful for the said Surveyor to make Complaint before One of Her Majesty's Justices of the Peace for the West Riding of the County of *York*, who shall thereupon proceed to summon such Defaulter, and if he fail to appear to such Summons, or to show sufficient Cause for the Non-payment of such Costs and Expenses, it shall be lawful for such Justice, upon the Evidence of One or more Witnesses upon Oath (which Oath such Justice is hereby empowered to administer), to determine the Amount of the Costs and Expenses of any such Repair, and to cause the same to be levied, together with the Cost of such Complaint, Information, and Conviction, by Distress and Sale of the Goods and Chattels of such Defaulter, by Warrant under his Hand and Seal.

Application of Monies.

XXIX. That all Monies and Tolls which shall come to the Hands of the Trustees by virtue of this Act shall be applied as follows; (that is to say,)

First, In paying and discharging the Costs and Expenses of obtaining and passing this Act, and incidental thereto:

Secondly, In defraying the necessary Expenses of erecting, providing, maintaining, altering, and repairing Toll Gates, Toll Houses, and Weighing Machines, repairing and maintaining Burr Walls, the Salaries and Wages of the Clerk, Surveyor, and other Officers and Persons employed by the said Trustees, and the other Costs and incidental Expenses attending the Management of the said Road, provided that such Expenses shall not exceed in any One Year the Sum of One hundred Pounds, exclusive of any Payment to Toll Collectors for collecting Toll, if necessary, and of any Expenses to which the Trustees may be put in commencing, prosecuting, or defending any Action at Law or Suit in Equity, or preferring or defending any Indictment, or in taking any Proceeding before Justices of the Peace, or any other Proceeding for maintaining and protecting their Trust:

Thirdly, In paying Interest after the Rate of Three Pounds *per Centum per Annum* on the said Principal Sum of Twelve thousand one hundred and sixty-eight Pounds, or on so much thereof respectively as shall for the Time being be due and unpaid, such Interest to be paid to and amongst the Persons entitled thereto in proportion to the Amount of their respective Claims, and without any Priority or Preference the one over the others or other of them:

Fourthly, In reducing, paying off, and discharging in the Manner herein-after provided the Principal Sum which shall for the Time being be due and owing on the Credit of the Tolls authorized to be taken on the said Road; and

Lastly,

Lastly, In maintaining, repairing, and improving the said Road, and putting this Act into execution with reference thereto.

Interest not to be paid until expenses of Act paid.

XXX. Provided always, That the Interest payable upon the said Principal Sum of Twelve thousand one hundred and sixty-eight Pounds shall not be paid until the Expenses of obtaining and passing this Act and incidental thereto shall be fully discharged.

Mortgagee to take possession for Arrears of Interest only.

XXXI. That whenever and so long as the Interest by this Act allowed upon all existing Mortgages and Charges upon the Tolls of the said Road shall be duly paid, at the Rate by this Act authorized, within Three Calendar Months next after the same shall become due, no Holder of any Mortgage or Security shall be entitled to enter into possession of the Toll Gates, Toll Houses, or Buildings upon the said Road, or the Sides thereof, or into the Receipt of the Tolls arising therefrom, or of the Rent payable upon any letting of such Tolls; and every Mortgagee entering into possession of such Toll Gates, Toll Houses, or Buildings, or into the Receipt of such Tolls or Rent, shall pay the Interest from Time to Time becoming due, at the Rate and in the Manner by this Act authorized, upon all the then existing Mortgages and Securities without any Priority or Preference, and may also reimburse himself any Costs to which he may be entitled; and every such Mortgagee so being in possession or receipt as aforesaid shall, within Twenty-one Days next after each of the half-yearly Days whereon the Interest on such existing Mortgages shall be payable, render to the Clerk to the said Trustees for the Time being a full and true Account of his Receipts and Expenditures while so in possession or receipt as aforesaid, with proper Vouchers for the same; and if it shall appear by any such Account that the Interest due at the Rate by this Act authorized on such Mortgages up to the last of such half-yearly Days, and all such Costs as aforesaid, have been fully paid and satisfied, then such Mortgagee shall, when thereunto required by the said Trustees, pay over to their Treasurer the Balance (if any) remaining in his Hands, and deliver up Possession of the said Toll Gates, Toll Houses, and Buildings, and the Receipt of the said Tolls, and of any such Rent as aforesaid, to the said Trustees, or any Person appointed by them to receive the same, anything in this Act or in any Statute or Law in force relating to Turnpike Roads in *England* to the contrary notwithstanding: Provided always, that no Mortgagee shall be entitled to enter into possession of the Toll Gates, Toll Houses, or Buildings upon the said Road, or into the Receipt of the Tolls arising thereon, in respect of any Interest on such Mortgages and Charges which may accrue due during the Period of Twelve Calendar Months next after the Commencement of this Act.

XXXII. That

As to Mode of discharging Debt.

XXXII. That when and so often as the Sum applicable to the Discharge of the Principal Monies for the Time being due on the Credit of the said Tolls shall amount to the Sum of Two hundred Pounds, the Trustees shall, at any General Annual or other Meeting, apply such Sum in the Payment of a proportionate Part of the said Principal Monies to the Persons entitled thereto, and shall, Twenty-eight Days at least before such General Annual or other Meeting, cause Notice to be given of such Meeting, and of the Object or Purposes thereof, so far as the same shall relate to the Application of such Sum, in some Newspaper published in the West Riding of the County of *York*, or by Letter sent by Post to each Mortgagee or Creditor, directed to his usual Place of Residence or last known Place of Abode; and at such Meeting the Trustees shall apply such Sum or a Portion thereof (as the Case may require) in or towards the Discharge of the Monies owing in respect of the said Debts or Sums to the Mortgagee or Creditor who shall, by Proposal in Writing transmitted to the Clerk of the Trustees before such Meeting, have offered to accept the lowest Composition in respect of such Monies, and after Payment to such Mortgagee or Creditor as aforesaid shall apply the Surplus (if any) of such Sum or Portion thereof (as the Case may require) in or towards the Payment of the other Monies owing on the Security of the said Tolls to the Mortgagee or Creditor who, by Proposal as aforesaid, shall have offered to accept the next lowest Composition in respect of the Principal Monies due to him, and so in like Manner until the Sum applicable to such Payment shall be exhausted; and if and whenever Two or more Mortgagees or Creditors, by such Proposals as aforesaid, shall have offered to accept an equal Rate of Composition, it shall be lawful for the Trustees to determine by Lot the the Preference between or amongst such Mortgagees or Creditors, or to pay such Composition rateably between or amongst such Mortgagees or Creditors, as the Trustees shall think fit; and if there be no such Proposal as aforesaid, or if there be any Surplus of the Sum applicable to such Payments, after applying the same so far as may be necessary in or towards the Discharge of the Monies to which such Proposals as aforesaid relate, the Trustees may apply the Sum applicable to such Payments, or the Surplus thereof (as the Case may be), rateably amongst the Mortgagees and Creditors of the said Tolls, or may pay the same to such of them as may be determined by Lot, as the Trustees shall think fit.

Road not exempt from present and future General Acts.

XXXIII. That nothing herein contained shall be deemed to exempt the said Road from the Provisions of any General Act relating to the Consolidation or other improved Arrangement of Turnpike Roads which may pass during the present or any future Session of Parliament.

Commencement and Term of Act.

XXXIV. That this Act shall commence and take effect on the First Day of *November* next after the passing thereof, and shall continue in force for the Term of Twenty-one Years, and from thence to the End of the Session of Parliament which shall then next follow.

The

The SCHEDULE referred to in this Act.

NAMES of PERSONS to whom or to whose Representatives the Principal Debt mentioned in this Act is due or reputed to be due.

	£	s.	d.
The Executors of Benjamin Haigh Allen - - -	1,361	0	0
The Executors of Thomas Edwards - - - -	1,200	0	0
Judith Brearley - - - - - -	800	0	0
Elizabeth Gath - - - - - -	800	0	0
John Parker - - - - - -	661	5	0
Thomas Firth, Toothill - - - - -	660	0	0
Thomas Thornhill - - - - - -	644	0	0
Robert Parker - - - - - -	546	10	0
Executors of John Horsfall - - - - -	500	0	0
William Henry Ramsden, James Ramsden, and Charles Ramsden - - - - - - -	500	0	0
Executors of Joseph Haigh - - - - -	500	0	0
Executors of Ann Prescott - - - - -	500	0	0
Sextus Ramsey - - - - - -	500	0	0
Executors of Mary Chambers - - - -	500	0	0
Michael Stocks - - - - - -	368	0	0
Ann Ashworth - - - - - -	322	0	0
Executors of John Waterhouse - - - -	200	0	0
Jane Pollard - - - - - -	149	10	0
William Emmett - - - - - -	149	10	0
Thomas John Selwin - - - - -	149	10	0
Samuel and John Waterhouse - - - -	126	10	0
John Rhodes' Executors - - - - -	126	10	0
William Turnbull - - - - - -	126	10	0
Thomas Moorhouse - - - - -	120	15	0
Trustees of late Frances Esther Clark - - -	120	15	0
Thomas Firth, Huddersfield - - - - -	120	15	0
Representatives of John Royds - - - -	115	0	0
Executors of Thomas Preston - - - -	100	0	0
Trustees of Elizabeth Rawson - - - -	100	0	0
Thomas Varley - - - - - -	100	0	0
£	12,168	0	0

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