

ANNO DECIMO SEXTO & DECIMO SEPTIMO

VICTORIÆ REGINÆ.

Cap. lxxiv.

An Act to amend and extend the Provisions of the Act relating to the *Leeds and Whitehall* Turnpike Roads, and to create a further Term therein, and for other Purposes.

[28th *June* 1853.]

WHEREAS by the Local and Personal Act, Sixth *George* the Fourth, Chapter Ninety-seven, intituled *An Act for making and maintaining a new Road from* Leeds *to* Whitehall *near* Halifax, *and several Branch Roads therefrom, all in the West Riding of the County of* York, the several Roads herein-after mentioned were authorized to be made, maintained, widened, and improved; that is to say, a Main Road from *Leeds* to join the *Wakefield and Halifax* Turnpike Road at or near *Whitehall* in the Township of *Hipperholme-cum-Brighouse* in the Parish of *Halifax*; a Branch Road commencing at a Point in the said Main Road within the Township of *Wortley* in the Parish of *Leeds* near a certain Close there called the *Tenter Close*, in the Occupation of *John Demain*, and extending to and communicating with the *Wellington Bridge* Turnpike Road at or near the *Leeds and Liverpool* Canal Bridge in the Township of *Wortley* aforesaid; another Branch Road commencing at a Point in the said Main Road near a Farmhouse called

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Castle Hill in the Township of *Farnley* in the Parish of *Leeds*, and communicating with and terminating at the Village of *Lower Wortley* in the said Township of *Wortley;* another Branch Road beginning in the Township of *Cleckheaton* in the Parish of *Birstal* near a Mill called *Hunsworth Mill*, and extending from thence to and terminating in the Village of *Cleckheaton* aforesaid at the Northern Extremity of a Turnpike Road leading from *Mill Bridge* to *Cleckheaton* aforesaid, the then existing Turnpike Road leading from *Mill Bridge* aforesaid through the Township of *Gomersal* to *Cleckheaton* aforesaid; another Branch Road commencing in the said Township of *Cleckheaton* near the said Mill called *Hunsworth Mill*, and extending from thence to and terminating at a certain Highway in the Township of *North Bierley* in the Parish of *Bradford* leading from *Wike* to *Bradford*, near a certain Dwelling House in the said Township of *North Bierley* occupied by the Reverend *Lamplugh Hird* Clerk; and another Branch Road beginning at or near the South-western Extremity of *Oakenshaw Fields* in the said Township of *Cleckheaton*, and communicating with and terminating at the Village of *Scholes* in the said Township of *Cleckheaton:* And whereas the Trustees acting by virtue of the said recited Act have made and completed the said Main Road, and all the said Branch Roads except the said first-mentioned Branch Road from the *Tenter Close* to the *Wellington Bridge* Turnpike Road: And whereas the Term granted by the said Act, and from Time to Time continued by virtue of divers Acts of Parliament for continuing certain Turnpike Acts for limited Periods, will expire on the First Day of *November* One thousand eight hundred and fifty-three, unless Parliament shall in the meantime continue the same: And whereas considerable Sums of Money have been advanced or secured on the Credit of the Tolls authorized to be taken upon the Roads made or maintained under the said Act, which Sums (except the Sum of Ten thousand Pounds borrowed of the Exchequer Bill Loan Commissioners, which has since been paid off and discharged,) still remain owing, together with an Arrear of Interest thereon; and such Principal Monies 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 such Purposes 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, and this Act to be put in force.

I. That from and after the Commencement of this Act the said recited Act of the Sixth Year of the Reign of His Majesty King *George*

George the Fourth shall be repealed, and this Act shall thenceforth be put into execution during the Term and for the Purposes hereinafter mentioned.

Short Title.

II. That in citing this Act in other Acts of Parliament, or in any Instrument or Document whatever, it shall be sufficient to use the Expression "The *Leeds and Whitehall* Turnpike Roads Act, 1853."

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

III. That all Rents, Arrears of Rent, Tolls, Arrears of Tolls, and other Monies due or reserved or belonging to, and all Monies, Property, and Choses in Action vested in the Trustees under the Act hereby repealed, or any of them, shall immediately on the Commencement of this Act be vested in 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 repealed Act were liable at the Repeal thereof, save and except such Debts, Liabilities, and Arrears of Interest as are by this Act reduced, varied, or extinguished.

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

IV. That, subject to the Provisions of this Act, all Bonds, 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 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 Trusts under this Act; and all Bonds, Mortgages, Bargains, Contracts, Agreements, or Notices made, entered into, or given by the Trustees for executing the said repealed Act, or any of them, with or to any Person or Persons for any Purpose relating to the Roads therein comprised, or to the Execution of the said Act, 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.

V. That

Former Books to be Evidence.

V. That all and every the Books and Book .of Proceedings which have been kept by the Trustees acting in execution of the Act hereby repealed, or any of the Acts therein recited, or by their Treasurer or Clerk 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.

Trustees appointed.

VI. 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 *William Ackroyd*, *Edward Nelson Alexander*, *Joshua Appleyard*, *John Atkinson*, *William Armitage*, *William Williams Brown*, *William Beckett*, the Right Honourable *Matthew Talbot Baines*, *William Birkhead Birkby*, *Thomas Burnley*, *Thomas William Burnley*, *George Buckston Browne*, *Henry Browne* M.D., *John Baldwin*, *William Briggs*, *John Briggs*, *Thomas Burnup*, *James Booth*, *William Craven*, *John Craven*, *Frank Crossley*, Reverend *Samuel Danby* Clerk, *Henry Edwards*, *Joseph Priestley Edwards*, *William Emmet*, *John Emmet* of *Halifax*, *John Elam*, *Emanuel Emmet*, *John Emmet* of *Birkenshaw*, *Henry Greenwood*, *Christopher Goldthorp*, Sir *George Goodman* Knight, *John Gott*, *William Gott*, *John Hague*, *William Hey*, *James Thisleton Haigh*, *Abraham Horsfall*, *John Haigh*, *William Haigh*, *George Haigh*, *Christopher Kemplay*, *James Kemplay*, *Lionel William Knowles*, *Frederick Hartley Knowles*, *James Garth Marshall*, *George Pollard*, *John Rhodes Ralph*, *William Henry Rawson*, *William Henry Rawson* the younger, *Stansfeld Rawson*, Reverend *James Armitage Rhodes* Clerk, *James Stansfeld*, *James Stansfeld* the younger, *Henry Snowdon*, *John Sangster*, Reverend *Henry John Smith* Clerk, *Godfrey Sellers*, *John Plumbe Tempest*, *Thomas Haines Plumbe Tempest*, *Joshua Taylor*, *Thomas Pridgin Teale*, *Robert Wainhouse*, *John Waterhouse*, *Samuel Waterhouse*, *Joseph Whiteley*, and *Joshua Walker*, and their Successors, being duly qualified to act as Trustees of Turnpike Roads in *England*, shall be and they are hereby appointed Trustees for carrying this Act into execution.

Power to appoint additional Trustees.

VII. That it shall be lawful for the said Trustees, 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 Five in the whole, to be Trustees for the Purposes of this Act, in addition to the Trustees hereby nominated; and such Trustees so elected shall have the same Powers and Authorities for executing this Act as if they had been hereby appointed.

First Meeting of Trustees.

VIII. That the Trustees shall hold their First Meeting at the House of Mrs. *Sarah Avison* known as the Sign of the *White Swan* Inn in the Town of *Halifax* aforesaid, or at some other Place in the Neigh-

Neighbourhood of the said Roads, on the Second *Monday* after the Commencement of this Act, between the Hours of Eleven of the Clock in the Forenoon and Three of the Clock in the Afternoon, and shall then and from Time to Time thereafter adjourn to and meet at such Times, and at such Places in the Neighbourhood of the said Roads, as they shall think proper.

Power to appoint Committees.

IX. That the said Trustees may appoint Committees out of their own Number, to take the Care and Management of any particular Part or Parts of the said Roads, or to execute any of the other Purposes of this Act, according to such Instructions and Regulations as shall be laid down by the said Trustees at any General Meeting; and the said Committees and the Officers of the Trust may proceed and act according to such Appointment, but shall always be accountable according to the Instructions and Regulations so to be made.

Roads to which this Act is applicable.

X. That this Act shall be put in execution for the Purpose of more effectually improving, maintaining, and keeping in repair the several Roads herein-after mentioned; that is to say,

The said Main Turnpike Road leading from *Leeds* to *Whitehall*, such Road commencing on the North-eastern or *Leeds* Side of *Monk Bridge* at a Point to be defined by a Boundary Stone to be placed by the Trustees 250 Yards distant from the Centre of the said Bridge, and terminating at the Junction with the *Wakefield and Halifax* Turnpike Road at or near *Whitehall*;

The said Branch Road to the Village of *Lower Wortley* aforesaid;

The said Branch Road to the Village of *Cleckheaton* aforesaid;

The said present Road, extending from thence to *Mill Bridge* aforesaid;

The said Branch Road to the said Highway leading from *Wike* to *Bradford* aforesaid; and

The said Branch Road to the Village of *Scholes* aforesaid.

Style of the Trust.

XI. That the Roads comprised in this Act shall be called "The *Leeds and Whitehall* Turnpike Roads," and the Trustees for executing this Act shall be styled "The Trustees of the *Leeds and Whitehall* Turnpike Roads."

Present Tolls continued until the End of the Term of the existing Letting.

XII. 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 Roads until the First Day of *May* One thousand eight hundred and fifty-four.

For erecting Turnpikes.

XIII. That, subject to the Provisions of this Act, the several Toll Gates and Weighing Machines now standing or being upon the said Roads or any of them, or on the Sides thereof, shall be continued until removed by an Order of the said Trustees; and it shall be lawful for the said Trustees to order and cause to be set up upon, in, or across the said several Roads by this Act directed or authorized to be maintained, and upon the Sides thereof or any Part thereof respectively, any Toll Gate and any Weighing Machine, and from Time to Time to remove the present or any future Toll Gates or Weighing Machines, as they shall think proper: Provided always, that no Toll Gate which by this Act is authorized to be maintained or set up on the said Roads or the Sides thereof after the Thirtieth Day of *April* One thousand eight hundred and fifty-four shall be removed or set up upon or across the said Roads or any of them, 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 Act of 9th *George* the Fourth, Chapter 77.

Power to take Tolls.

XIV. That upon and after the First Day of *May* One thousand eight hundred and fifty-four it shall be lawful for the said Trustees to demand and take, at the several and respective Toll Gates which shall be continued or set up by virtue of this Act in, upon, across, or on the Side or Sides of the said Roads, 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 Coach, Stage Coach, Diligence, Omnibus, Machine, Van, Caravan, Sociable, Berlin, Landau, Chariot, Vis-à-vis, Barouche, Phaeton, Chaise-marine, Calash, Curricle, Chair, Gig, Whiskey, Hearse, Litter, Chaise, or other such like Carriage, the Sum of Sixpence:

For every Horse, Ox, or other Beast drawing any Waggon, Wain, Dray, Cart, or other such like Carriage, 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, the Sum of Fourpence; if having the Fellies of the Wheels thereof of less Breadth than Four and a Half Inches at the Bottom or Soles thereof, the Sum of Sixpence:

For every Dog drawing any Wain, Truck, Cart, or other Carriage or Vehicle, the Sum of One Penny:

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:

For every Horse, Mule, or Ass, laden or unladen, and not drawing, the Sum of One Penny Halfpenny; and if more than One Person shall ride upon any such Horse, Mule, or Ass which shall

shall pass any Toll Gate erected or which shall be erected upon or adjoining any Bridge which has already been or may hereafter be built over the River *Aire*, whether such Horse, Mule, or Ass shall travel or go more or less than One hundred Yards on the said Roads, any Law or Statute to the contrary notwithstanding, the Sum of One Penny each for every such Person more than One:

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

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

And for every Foot Passenger or Person on Foot (except the Driver of any Waggon, Wain, Dray, Cart, or other such like Carriage), who shall pass any Toll Gate erected or which shall be erected upon or adjoining any Bridge which has already been or shall hereafter be erected over the River *Aire*, the Sum of One Halfpenny, whether he or she shall travel or go more or less than One hundred Yards on the said Roads, any Law or Statute to the contrary notwithstanding; and the like Sum of One Halfpenny at such Toll Gate for every Person who shall ride in or upon any Waggon, Wain, Dray, Cart, or other such like Carriage, not being a Cart or Carriage usually employed for the Conveyance of Passengers for Hire, or who shall ride upon any Horse or Beast drawing any such Waggon, Wain, Dray, Cart, or other such like Carriage, whether such Waggon, Wain, Dray, Cart, or Carriage shall travel or go more or less than One hundred Yards on the said Roads; such respective Tolls to be paid before any such Person, or any such Waggon, Wain, Dray, Cart, or other such like Carriage, or the Horse or Horses, Beast or Beasts, drawing the same, shall be entitled to pass through such Toll Gate, and to be paid for each and every Time of passing through such Toll Gate; and no Person shall be liable to Toll as such Foot Passengers at more than One Gate:

Which Tolls (together with such Charge for Overweight as hereinafter mentioned) shall be taken before any Horse, Mule, Ass, Beast, or other 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 Roads, 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 hereinafter directed.

A Halfpenny to be taken in case of a Fraction of a Halfpenny in Tolls.

XV. 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.

XVI. That

Penalty on Foot Passengers fraudulently taking Benefit of Exemptions.

XVI. That if any Foot Passenger or Person on Foot shall fraudulently or forcibly pass through any Toll Gate erected or which shall be erected upon or adjoining the said Bridge over the River *Aire*, without paying the Toll hereby imposed, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings; and One Moiety of such Penalty shall be paid to the Informer, and the other Moiety thereof shall be paid to the Treasurer to the said Trustees, and be applied or disposed of for the Purposes of this Act.

Tolls to be paid once a Day.

XVII. That in case the Tolls hereby authorized to be taken shall have been paid for the passing of any Horse, Mule, Ass, Beast, Cattle, Dog, or Carriage through any or either of such Toll Gates, such Horse, Beast, Mule, Ass, Cattle, Dog, or Carriage shall, upon a Ticket denoting such Payment on that Day being produced, be permitted to pass Toll-free 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 or Times during the same Day, such Day to be computed from Twelve of the Clock at Night to Twelve of the Clock of the next succeeding Night.

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

XVIII. That the Tolls hereby made payable for and in respect of Horses or Beasts drawing any Stage Coach, Diligence, Omnibus, Van, Caravan, or Stage Waggon, or other Stage Carriage conveying Passengers or Goods for Hire or Reward, shall be payable and paid every Time of passing or repassing along the said Roads or any of them.

Horses drawing Postchaises to be subject again to Toll on every new Hiring.

XIX. That the Tolls hereby made payable for or in respect of Horses or Beasts let out to Hire, and drawing any Postchaise or other Carriage, shall be payable and paid every Time of passing along the said Roads or any of them whenever any new Hiring thereof shall take place, in the same Manner as if no previous Payment of Tolls in respect of such Horses or Beasts had been made on the same Day.

Limiting the Number of Tolls on the whole Line of Road.

XX. That no more than the Tolls following shall be demanded or taken for or in respect of the same Horses, Beasts, Cattle, Animals, or Carriages for passing or repassing at any Time or Times in any One Day (to be computed as aforesaid) through all or any of the Toll Gates along the whole Line of the said Roads; that is to say, no more than Four Tolls on the said Main Road from *Leeds* to *Whitehall*, nor more than One Toll on the Branch Road to *Lower Wortley*, nor more than One Toll on the Branch Road to *Mill Bridge*, nor more than One Toll on the Branch Road to the *Wike and Bradford* Road, nor more than One Toll on the Branch Road to *Scholes*.

XXI. And

Certain exempted Articles subject to Toll, if conveyed during the Winter Months.

XXI. And whereas the carrying and conveying Stone, Dross, Ashes, and other Materials upon the said Roads, for the making and repairing Turnpike Roads and Highways, and for building, rebuilding, or repairing Bridges upon or over the same, in the Winter Season, which are exempted from Toll, do considerably more Injury to the said Roads than if the same were conveyed during the Summer Months: Be it therefore enacted, That it shall be lawful for the said Trustees, between the First Day of *October* in One Year and the last Day of *March* in the succeeding Year, both Days inclusive, to demand and take at the several and respective Toll Gates to be continued or erected on the said Roads, for every Horse, Beast, or Cattle drawing any Waggon, Wain, Dray, Cart, or other Carriage carrying or laden with Stones, Dross, Ashes, or other Materials which may be used for making or repairing any Roads or Highways whatsoever, or for building, rebuilding, or repairing any Bridges whatsoever, the same Tolls as are by this Act authorized to be taken in respect of Horses, Beasts, and Cattle drawing any Waggons, Wains, Drays, Carts, or other Carriages, any Exemption granted by any Law or Statute to the contrary notwithstanding.

Limiting certain general Exemptions from Tolls.

XXII. That no Exemption allowed by any Law or Statute in force from Payment of Tolls on any Turnpike Road shall be allowed in respect of the Tolls by this Act granted for or in respect of any Horse, Beast, or Cattle drawing any Waggon, Wain, Dray, Cart, or other Carriage laden with or employed in leading or conveying any Materials for making or repairing any Road or Highway, or for building, rebuilding, or repairing any Bridge, save and except such Materials as are to be used for making or repairing a Road, Highway, or Building, or rebuilding or repairing a Bridge, within some Parish, Township, Hamlet, or Place which is or may be liable to contribute to the Repair of some Part of the Roads comprised in this Act.

Weights of Single-horse Carts limited.

XXIII. And for regulating the Weights to be allowed to Carts or other such 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 such 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), Two Tons 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 Sixteen 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 Eight Hundredweight for each such Carriage and the Lading thereof.

One-horse Carts to be weighed.

XXIV. That all Carts or other such Carriages passing along the said Roads drawn by only One Horse, Beast, or Animal shall and may be weighed at any Weighing Machine on the said Roads, and the like additional Tolls demanded and recovered for the Overweight thereof as are by Law payable in respect of the Overweight of Carts 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 such Carriages passing on the said Roads drawn by only One Horse, Beast, or Animal, and to the Drivers and Owners thereof.

Arrears of Interest to be extinguished.

XXV. And whereas the several Principal Sums charged upon and due and owing under the said repealed Act are particularly mentioned in the Schedule to this Act annexed, and the several Sums of Money due on the Thirty-first Day of *December* One thousand eight hundred and fifty-two, for Interest on the several Principal Sums mentioned in the First, Third, Fourth, and Fifth Parts of the said Schedule, are also stated in the said Schedule: And whereas in the Years One thousand eight hundred and thirty-three and One thousand eight hundred and thirty-eight Arrears of Interest to the Amounts of Four thousand five hundred and fifteen Pounds Ten Shillings and Fivepence and Seventy-three Pounds Twelve Shillings were converted into Principal, upon which Principal Sums Arrears of Interest are also due, as mentioned in the Third and Fifth Parts of the said Schedule: Be it enacted, That, notwithstanding anything in the said repealed Act, or this Act, or in any Agreement, Mortgage, Bond, or other Security executed by any of the Trustees of the said repealed Act, to the contrary, all Arrears of Interest on, or other annual Payments in respect of the said several Principal Sums mentioned in the First, Third, Fourth, and Fifth Parts of the said Schedule, and all other Interest which may accrue due on the said last-mentioned several Principal Sums up to the Thirty-first Day of *October* One thousand eight hundred and fifty-three, and also the said Sums of Four thousand five hundred and fifteen Pounds Ten Shillings and Fivepence and Seventy-three Pounds Twelve Shillings, and all Interest due thereon up to the said Thirty-first Day of *October* One thousand eight hundred and fifty-three, shall be and the same are hereby extinguished, and all Liability under the said Agreements, Mortgages,

Mortgages, Bonds, and other Securities in respect thereof shall absolutely cease and determine.

Application of Monies and Tolls.

XXVI. That all Monies and Tolls vested in or which shall be received by the said Trustees under or by virtue of this Act, and which shall be applicable to the Purposes thereof, shall be applied as follows; that is to say,

First, in paying and discharging the necessary Costs and Expenses attending the applying for, obtaining, and passing this Act, or incidental thereto:

Secondly, in paying to the Person or Persons entitled to the Sum of Nine hundred and ninety-six Pounds Three *per Centum* Consolidated Bank Annuities, mentioned in the First Part of the Schedule hereunto annexed, Interest after the Rate of Three Pounds *per Centum per Annum* on the Sum of Nine hundred and fifty Pounds, or on so much of such Sum as shall for the Time being be unpaid:

Thirdly, in defraying the necessary Expenses of repairing the Bridges over the River *Aire* and the Canal of the *Leeds and Liverpool* Navigation Company, the Burr Walls on the said Roads, the Bridges, Arches, Culverts, Trunks, Tunnels, and Flats which the said Trustees are by this Act required to repair and maintain, and the Expenses of erecting or providing, altering, and repairing Toll Gates, Toll Houses, and Weighing Machines, the Salaries and Wages of the Clerks, Surveyor, and other Officers and Persons employed by the said Trustees, and the other Costs attending the Management of the said Roads; provided that such Expenses shall not exceed in any One Year the Sum of Two hundred and fifty 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 other Proceeding for maintaining and protecting their Trust, and exclusive also of such Expenses as may be necessarily incurred in extraordinary Repairs to *Monk Bridge*:

Fourthly, in paying to the Person or Persons entitled to the said Sum of Nine hundred and ninety-six Pounds Three *per Cent.* Consolidated Bank Annuities mentioned in the First Part of the Schedule hereunto annexed the Sum of Nine hundred and fifty Pounds, such Sum of Nine hundred and fifty Pounds, and Interest thereon herein-before provided for, to be in full Discharge and Satisfaction of the said Sum of Nine hundred and ninety-six Pounds Three *per Cent.* Consolidated Bank Annuities, and all Interest or Dividends thereon;

Fifthly, in paying Interest after the Rate of Three Pounds *per Centum per Annum* on the several Principal Sums of Six thousand Pounds, One thousand nine hundred and eighty-five Pounds Thirteen Shillings, Six thousand Pounds, Twelve thousand Pounds, and Three thousand nine hundred and eighty-five Pounds Four Shillings and Tenpence, mentioned in the Second Part of the Schedule to this Act annexed, 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 the one over the others or other of them:

Sixthly, in paying to the Surveyors of every Township or Place repairing its own Highways through which the *Leeds and Whitehall* Turnpike Roads pass a Sum equal to and at the Rate of Fifty Pounds *per Annum per* Mile in respect of the Main Road from *Leeds* to *Whitehall* so repaired by them, and a Sum equal to and at the Rate of Thirty Pounds *per Annum per* Mile in respect of any of the said Branch Roads so repaired by them, and in paying to the Trustees of the *Wakefield and Halifax* Turnpike Road the annual Sum of Fifty Pounds in respect of the Portions of Road between *Whitehall* and *Halifax* exempted from Toll, as herein-after provided:

Seventhly, in paying off and discharging in the Manner herein-after provided the several Principal Sums mentioned in the Second Part of the said Schedule, or so much thereof respectively as shall for the Time being be due and unpaid:

Eighthly, in paying off and discharging, in the Manner herein-after provided, but without Interest, the several Principal Sums mentioned in the Third Part of the said Schedule, or so much thereof as shall for the Time being be due and unpaid:

Ninthly, in repairing, maintaining, and improving the said several Roads and the Bridges thereon for the Time being belonging to the *Leeds and Whitehall* Turnpike Roads:

Tenthly, in reducing, paying off, and discharging, without Interest, the Principal Sum mentioned in the Fourth Part of the said Schedule, or so much thereof as shall for the Time being be due and unpaid:

Eleventhly, in reducing, paying off, and discharging, without Interest, the several Principal Sums mentioned in the Fifth Part of the said Schedule, or so much thereof respectively as shall for the Time being be due and unpaid.

Trustees may repair Roads, instead of

XXVII. Provided always, That if at any Time the annual Sum by this Act directed to be paid by the Trustees to the Surveyors of any Township

Township or Place, for or towards the Repair and Maintenance of the said Roads through such Township or Place, shall in the Opinion of the said Trustees be more than sufficient to repair and maintain the Portion of the said Roads in such Township or Place, it shall be lawful for the Trustees at any Time and from Time to Time to take into their own Hands the whole of the Repair and Maintenance of such Road, and to expend thereon such Sum as they shall think necessary, not in any Case exceeding the annual Sum by this Act authorized to be paid to the Surveyors of such Township or Place for or towards the Repair and Maintenance of such Road: Provided also, that it shall be lawful for the Trustees at any Time, in lieu of repairing and maintaining the said Roads, to agree with such Surveyors to pay to them a smaller Sum than by this Act directed to be paid to such Surveyors for or towards such Repair and Maintenance: Provided also, that when the whole of the Principal Sums mentioned in the First, Second, and Third Parts of the Schedule to this Act annexed shall have been fully paid, the several annual Sums authorized to be paid to the Surveyors of the said Townships or Places, for and towards the Repair and Maintenance of the said Roads through the same, shall absolutely cease and determine.

making Allowance to Townships.

When certain Debts paid, the Allowance to Townships to cease.

XXVIII. And whereas many Parts of the said Roads are made on the Side of steep Declivities, where it has been necessary to support the Road by 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 thereof be it enacted, That whenever any Burr Wall supporting the said Roads 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.

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

XXIX. 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 afore-

In case Fence Walls are out of Repair.

said 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 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 Nonpayment of such Charges, 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 Expense of any such Repair, and to cause the same to be levied, together with the Costs 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.

Parts of Roads adjoining Leeds where paved by the Surveyors of the Town to be no longer Turnpike.

XXX. That in case any of the said Roads adjoining to the Town of *Leeds* shall at any Time hereafter be pitched and paved, and so maintained and kept in repair by the Surveyors of the Highways for the said Town, in like Manner as the Streets of such Town are pitched and paved, maintained and kept in repair, then and from thenceforth such Parts of the said Roads which shall be so pitched and paved and so maintained and repaired by the said Surveyors shall no longer be or be deemed to be such Parts of the said Turnpike Roads, anything herein contained to the contrary notwithstanding.

Reservation of Mines.

XXXI. That all Mines, Veins, Beds, or Seams of Coal and Ironstone which shall be discovered or found in or under any Lands appropriated to the said Roads or any of them shall be and they are hereby reserved to the Person or Persons, Bodies Politic, Corporate, or Collegiate, who would have been seised of or entitled to the same in case this Act had not been passed, with Liberty for him, her, or them, or his, her, or their respective Agents or Servants, to dig for, mine, and work the same in such Manner as is usual for carrying on Works of that Kind in the District or Place where such Mines, Coals, or other Minerals shall be found, in as full and ample a Manner as if the said Land had not been taken and appropriated for the Purposes aforesaid, so that in the working thereof no Damage or Injury shall be done to the said Roads or any of them or any Part thereof respectively.

XXXII. That

the Twenty-eighth Day of *December* One thousand eight hundred and twenty-five, entered into an Agreement with each other for the entire Exemption and Freedom from Toll of all Persons whomsoever for or in respect of Horses, Cattle, and Carriages travelling upon the said *Leeds and Whitehall* Roads, and passing over the said *Wakefield and Halifax* Road betwixt *Whitehall* and *Halifax:* Be it enacted, That after the Commencement of this Act all Persons travelling upon or to any of the *Leeds and Whitehall* Turnpike Roads, and paying or becoming liable to pay, in respect of their Horses, Cattle, and Carriages travelling thereon, the Tolls demandable under this Act, shall be exempt from all Tolls in respect of the same Horses, Cattle, and Carriages travelling on those Portions of the *Wakefield and Halifax* and *Godley Lane Head* Turnpike Roads which lie between *Whitehall* and *Halifax*, anything in the Act or Acts of Parliament relating to the said last-mentioned Roads to the contrary thereof notwithstanding.

Monies payable under Agreement of the 1st June 1846 to be payable to the Trustees under this Act.

XXXIV. And whereas by an Agreement dated the First Day of *June* One thousand eight hundred and forty-six, and made between *Henry Houldsworth* of *Manchester* in the County of *Lancaster*, Esquire, and *Edward Akroyd* of *Halifax* in the County of *York*, Esquire, on behalf of themselves and the other Promoters of a Bill for which Application was about to be made to Parliament in the then ensuing Session, and for an Act to be entitled *An Act for making several Railways in the West Riding of the County of* York, *to be called* "*The* West Riding Union *Railways*," and their several and respective Heirs, Executors, and Administrators, of the One Part, and *John Waterhouse* of *Well Head*, *Halifax*, in the said Riding, Esquire, *Robert Wainhouse* of *Saplin Grove* near *Halifax* aforesaid, Esquire, and *Stansfeld Rawson* of *Halifax* aforesaid, Esquire, of the other Part, after reciting, that in execution of the Turnpike Trust existing under the Authority of an Act of Parliament passed in the Sixth Year of the Reign of King *George* the Fourth, intituled *An Act for making and maintaining a new Road from* Leeds *to* Whitehall *near* Halifax, *and several Branches therefrom, all in the West Riding in the County of* York, large Sums of Money had been borrowed and expended in making and maintaining a new Road and Branches therefrom, greatly to the Benefit of the Public, and large Debts had been thereby incurred, and by reason of the Difficulty of raising Money for those Purposes on the Security of the Revenues of the Trust alone the said *John Waterhouse* and *Robert Wainhouse* and other Persons had, at the Requisition of the Crown as well as of private Individuals, in some Cases rendered themselves personally responsible for the Payment of Money borrowed as aforesaid, and Interest thereon, and in other Cases had rendered themselves personally responsible for the Payment of Interest on Money so borrowed, and also rendered themselves

9 & 10 Vict. c. cccxc.

6 G. 4. c. xcvii.

themselves liable to Penalties for Noncompletion of the Road by a specified Time, and had in some Cases been already actually compelled to pay large Sums in part Discharge of such Liabilities; and reciting, that the Revenue of the said Trust might be materially diminished by reason of the Traffic being diverted from the Roads within the said Trust, or Portions thereof, to the Railway or Railways to be constructed under the Authority of the said Bill, if the same should pass into a Law, and that the annual Revenue of the said Trust then amounted to Three thousand seven hundred Pounds and upwards; it was witnessed, that in consideration of the Premises, and in order to enable the Trustees of the said Turnpike Trust to pay off out of the Revenue of the said Trust the said Principal Sums and the said Interest for which the said *John Waterhouse*, *Robert Wainhouse*, and others had so become personally responsible as aforesaid, and in order to repay out of the Revenue of the said Trust the Sums which the said *John Waterhouse*, *Robert Wainhouse*, and others had so been called upon to pay as aforesaid, and Monies which they might thereafter be called upon to pay in discharge of their said Liabilities, they the said *Henry Houldsworth* and *Edward Akroyd*, for themselves severally and respectively, and their respective Heirs, Executors, and Administrators, did thereby covenant, promise, and agree with and to the said *John Waterhouse*, *Robert Wainhouse*, and *Stansfeld Rawson*, their Executors and Administrators, that if the said Bill should pass into a Law the Railway Company to be thereby established should and would, on the Thirty-first Day of *December* which would be in the Year of our Lord One thousand eight hundred and fifty-four, pay to the Trustees acting in the Execution of the said Turnpike Trust such Sum (not exceeding Twelve hundred Pounds in respect of each and every Year in which the Revenue of the said Trust should not amount to Three thousand seven hundred Pounds) as might be required to make up or towards making up the Revenue of the said Trust for every Year from the Date thereof until the said Thirty-first Day of *December* One thousand eight hundred and fifty-four, to the average annual Sum of Three thousand seven hundred Pounds, provided that the said Company should only be liable in any One Year to make up any Deficiency of Tolls for that Year, so that the whole Tolls, with the Addition of the Payment or Contribution by the said Company, should not exceed in the whole for the Year Three thousand seven hundred Pounds; and if in any Year such Tolls should exceed Three thousand seven hundred Pounds, then such Excess should in favour of the said Company be carried to the Credit of the subsequent Years, to make up or contribute to make up any Deficiency in such Years or any of them: And whereas the Bill referred to in the said Agreement afterwards became an Act, and is called "The *West Riding Union* Railways Act, 1846:" And whereas by the said Act it was enacted, that after the Expiration of Three

themselves liable to Penalties for Noncompletion of the Road by a specified Time, and had in some Cases been already actually compelled to pay large Sums in part Discharge of such Liabilities; and reciting, that the Revenue of the said Trust might be materially diminished by reason of the Traffic being diverted from the Roads within the said Trust, or Portions thereof, to the Railway or Railways to be constructed under the Authority of the said Bill, if the same should pass into a Law, and that the annual Revenue of the said Trust then amounted to Three thousand seven hundred Pounds and upwards; it was witnessed, that in consideration of the Premises, and in order to enable the Trustees of the said Turnpike Trust to pay off out of the Revenue of the said Trust the said Principal Sums and the said Interest for which the said *John Waterhouse*, *Robert Wainhouse*, and others had so become personally responsible as aforesaid, and in order to repay out of the Revenue of the said Trust the Sums which the said *John Waterhouse*, *Robert Wainhouse*, and others had so been called upon to pay as aforesaid, and Monies which they might thereafter be called upon to pay in discharge of their said Liabilities, they the said *Henry Houldsworth* and *Edward Akroyd*, for themselves severally and respectively, and their respective Heirs, Executors, and Administrators, did thereby covenant, promise, and agree with and to the said *John Waterhouse*, *Robert Wainhouse*, and *Stansfeld Rawson*, their Executors and Administrators, that if the said Bill should pass into a Law the Railway Company to be thereby established should and would, on the Thirty-first Day of *December* which would be in the Year of our Lord One thousand eight hundred and fifty-four, pay to the Trustees acting in the Execution of the said Turnpike Trust such Sum (not exceeding Twelve hundred Pounds in respect of each and every Year in which the Revenue of the said Trust should not amount to Three thousand seven hundred Pounds) as might be required to make up or towards making up the Revenue of the said Trust for every Year from the Date thereof until the said Thirty-first Day of *December* One thousand eight hundred and fifty-four, to the average annual Sum of Three thousand seven hundred Pounds, provided that the said Company should only be liable in any One Year to make up any Deficiency of Tolls for that Year, so that the whole Tolls, with the Addition of the Payment or Contribution by the said Company, should not exceed in the whole for the Year Three thousand seven hundred Pounds; and if in any Year such Tolls should exceed Three thousand seven hundred Pounds, then such Excess should in favour of the said Company be carried to the Credit of the subsequent Years, to make up or contribute to make up any Deficiency in such Years or any of them: And whereas the Bill referred to in the said Agreement afterwards became an Act, and is called "The *West Riding Union* Railways Act, 1846:" And whereas by the said Act it was enacted, that after the Expiration of Three

Calendar Months after the passing of the said Act the *West Riding Union* Railways Company should be united to and incorporated with the *Manchester and Leeds* Railway Company; and the several Undertakings of the *West Riding Union* Railways Company thereby established, and all the Lands, Monies, Goods, and Chattels, and all other the Real and Personal Estate and Effects of the same Company, and all their Estate, Right, Title, and Interest in their said Undertakings, and all the Rights, Privileges, Powers, and Authorities by that Act or by any other Act or Acts passed or which might be passed in the then present Session of Parliament given to or vested in the *West Riding Union* Railways Company (subject to the existing Debts, Liabilities, Engagements, Contracts, Obligations, and Incumbrances of the said Company), should be vested in the *Manchester and Leeds* Railway Company, and might be lawfully executed, completed, held, and exercised by and in the Name of the *Manchester and Leeds* Railway Company, in the same Manner and to the same Extent as the *West Riding Union* Railways Company could have executed, held, and enjoyed the same if the same Company had not been united to and incorporated with the *Manchester and Leeds* Railway Company: And whereas by "The *Manchester and Leeds* Railway Act (No. 3), 1847," the Name of the *Manchester and Leeds* Railway Company was changed to that of "The *Lancashire and Yorkshire* Railway Company:" Be it enacted, That the several Sums of Money which under the said recited Agreement of the First Day of *June* One thousand eight hundred and forty-six shall become payable by the said *Henry Houldsworth* and *Edward Akroyd* respectively, or their respective Heirs, Executors, or Administrators, or by the *Lancashire and Yorkshire* Railway Company, in whom the Property of the said *West Riding Union* Railways Company is now vested, subject to the Liabilities, Engagements, Contracts, and Obligations of the said Company and of the Promoters thereof, to the Trustees of the *Leeds and Whitehall* Turnpike Roads, shall be payable and paid to and may be sued for and recovered by the Trustees of this Act, whose Receipts, or the Receipts of whose Treasurer, shall be sufficient Discharges for the Money so paid, and such Money, when and as the same shall be received by the said Trustees, shall be applied to the Purposes to which Monies received under this Act are directed to be applied.

Mortgagees to take possession for Interest only.

XXXV. That whenever and so long as the Interest 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 Roads or the Sides thereof, or into the Receipt of the Tolls arising thereon, or of the

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 and Sums in reduction of Principal from Time to Time becoming due at the Rates and according to the Priorities by this Act authorized upon all the then existing Mortgages and Securities, 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 Expenditure 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 and Sums in reduction of Principal 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.

As to Mode of discharging Debt.

XXXVI. That when and so often as the Sum applicable to the Discharge of the Principal Monies for the Time being due in respect of any of the Debts or Sums mentioned in the Schedule to this Act annexed 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, according to the Priorities established by this Act, 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 County of *York*, or if there shall be no Newspaper published therein then in some Newspaper published in an adjoining County; 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 Monies owing in respect of the said Debts or Sums to the 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 Creditor as aforesaid shall apply the Surplus (if any) of such

Sums

Sums or a 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 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 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 Preference between or amongst such Creditors, or to pay such Composition rateably between or amongst such 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 Creditors on the said Tolls according to the Priorities established by this Act, or may pay the same to such of them as may be determined by Lot, as the Trustees shall think fit.

No more Money to be borrowed on Tolls.

XXXVII. That it shall not be lawful for the said Trustees to borrow any further Sum or Sums of Money on the Credit of the Tolls by this Act authorized to be taken.

Abandonment of Branch Road.

XXXVIII. That the Trustees shall abandon and relinquish the Construction of the said Branch Road from the *Tenter Close* to the *Wellington Bridge* Turnpike Road authorized by the said repealed Act.

The Power of the Council of the Borough of Leeds to purchase the Tolls of Monk Bridge preserved.

XXXIX. And whereas by the Act 5 and 6 *Vict.* Chap. 104., intituled *An Act for better lighting, cleansing, and improving the Borough of* Leeds *in the County of* York, the Trustees of the *Leeds and Whitehall* Roads were authorized, with the Consents therein mentioned, to agree with the Council of the Borough of *Leeds* for the permanent total or partial Abolition, Exemption, Commutation, or Suspension of the Tolls for the Time being payable in respect of Passage of Persons, Horses, Cattle, and Carriages over the said Bridge called *Monk Bridge:* Be it enacted, That neither the Repeal of the said recited Act 6 *George* IV., Chap. 97., nor anything in this Act contained, shall take away, prejudice, or affect any of the Powers by the said recited Act of the 5th and 6th *Victoria*, Chapter 104, given to or vested in the Trustees of the said Road, and the Council of the said Borough, or either of them.

Roads in this Act not exempt from

XL. That nothing herein contained shall be deemed to exempt the Roads comprised in this Act from the Provisions of any General Act relating

relating to the Consolidation or other improved Arrangement of Turnpike Roads which may pass during the present or any future Session of Parliament. any General Act which may be passed.

XLI. 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. Term of Act.

XLII. 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,) Interpretation Clause.

Words importing the Singular Number shall include the Plural Number, and Words importing the Plural Number shall include the Singular Number:

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

Words importing the Masculine Gender shall include Females:

The Word "Lands" shall be understood to include Messuages, Tenements, and Hereditaments:

The Expression "Toll Gate" shall include Turnpike, Side Gate, Side Bar, or Chain, either on the said Roads or on the Sides thereof.

The SCHEDULE referred to by the foregoing Act, containing the Names of Creditors of the Trust whose Claims are to be Charges thereon.

Name of Creditor.	Amount of Principal Sum now owing.	Amount of Interest owing 31st Dec. 1852.
FIRST PART.		
The Person or Persons who is or are or may become entitled to the Sum of 996*l.* Three per Centum Consolidated Bank Annuities, if and when purchased and invested for the Purposes mentioned in a certain Bond dated the 9th March 1829, and entered into by certain Trustees of the said Roads with the Most Honourable Isabella Anne late Marchioness of Hertford deceased	£996. 3 per Cent. Consolidated Bank Annuities.	£ s. d. 358 12 0
SECOND PART.		
Robert Wainhouse, Esq.	£ s. d. 6,000 0 0	
Messrs. Brown and others	1,985 13 0	
Messrs. Emmet and Craven	6,000 0 0	
Messrs. Elam and Hey	12,000 0 0	
Messrs. Waterhouse and others	3,985 4 10	
THIRD PART.		
The Right Honourable the Earl of Cardigan, or the Representatives of the late Earl of Cardigan, whichever may be legally entitled thereto	521 12 6	472 2 9
Messrs. Armitage	586 8 0	483 0 0
Ditto, Arrears of Interest converted into Principal in 1838	73 12 0	
FOURTH PART.		
The Trustees of the Wakefield and Halifax Turnpike Road	6,123 0 0	6,343 0 0
FIFTH PART.		
The original Mortgagees and other Creditors of the Leeds and Whitehall Roads	19,401 4 10	22,699 10 9
The Persons now entitled to certain Arrears of Interest which were converted into Principal in 1833	4,515 10 5	

LONDON:
Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1853.