ANNO VICESIMO QUINTO & VICESIMO SEXTO

VICTORIÆ REGINÆ.

Cap. cv.

An Act for the *Red House* and *Weeland* Roads in the West Riding of the County of *York*.

[30th *June* 1862.]

WHEREAS an Act was passed in the Session of the First and Second Years of *William* the Fourth, intituled *An Act for* 1 W. 4. *improving the Road from the* Red House *near* Doncaster *to* c. xliv. *the South Side of* Wakefield Bridge, *and from* Wakefield *to* Pontefract, *and from thence to* Weeland, *and from* Pontefract *to* Wentbridge, *all in the West Riding of the County of* York: And whereas the Term granted by that Act will expire at the End of the Session of Parliament next after the Thirtieth Day of *March* One thousand eight hundred and sixty-two, unless the same be extended: And whereas the several Sums specified in the First Schedule to this Act annexed, amounting together to Three thousand two hundred Pounds, are now secured by Bonds of certain of the Trustees as Trustees of the *Weeland* Road, or by Mortgages of the Tolls of that Road by the recited Act authorized, and the several Sums specified in the Second Schedule to this Act, amounting together to the Sum of Three thousand five hundred and ninety Pounds, are now secured by the like Bonds or Mortgages of the Tolls on the *Red House* Road, and the Principal Monies and Interest so secured cannot be paid, and the said Roads cannot be repaired and maintained, unless the Term by that Act granted be extended and further Provisions

in that Behalf be made: And whereas it is expedient that the recited Act be repealed, and other Provisions be made instead thereof: And whereas the Objects of this Act cannot be attained without the Authority of Parliament: May it therefore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:

Short Title.

1. This Act may for all Purposes be cited as "The *Red House* and *Weeland* Roads Act, 1862."

Interpretation of Terms.

2. In this Act the following Words and Expressions have the following Meanings, unless excluded by the Subject or Context; to wit,

The Expression "the Roads" means the Roads to be maintained under this Act:

The Expression "the old Trustees" means the Trustees under the recited Act:

The Expression "the Trustees" means the Trustees from Time to Time acting in the Execution of this Act:

The Word "Toll Gate" means and includes all Toll Gates, Turnpikes, Bars, and Chains from Time to Time continued or set up upon, across, or by the Side of the Road, or across any Highway or other Carriageway or Bridleway communicating with the Road:

The Word "Carriage" means and includes all Carriages, Coaches, Stage Coaches, Omnibuses, Vans, Caravans, Chariots, Landaus, Berlins, Barouches, Chaises, Postchaises, Curricles, Phaetons, Cars, Gigs, Dog Carts, Calashes, taxed Carts, Chairs, and other Vehicles, by whatever Names known, respectively adapted or used for the Conveyance of Persons or light Articles, and also all Hearses and Breaks, and all other Vehicles not comprised in the Word "Cart" or "Waggon" as used in this Act:

The Word "Cart" and the Word "Waggon" respectively mean and include all Carts, Waggons, Wains, Vans, Caravans, Drays, Timber Carriages, Drags, Sledges, and other such Vehicles, by whatever Names known, respectively adapted or used for the Conveyance of heavy Articles, and Thrashing Machines and other heavy-wheeled Vehicles.

Commencement and Term of Act.

3. This Act shall commence with the First Day of *October* One thousand eight hundred and sixty-two, and shall continue for the Term of Twenty-one Years from that Day inclusive, and thenceforth to the End of the then next Session of Parliament.

Act to be executed for Discharge of Debts and

4. This Act shall be put into execution for the Purposes of discharging, in accordance with the Provisions of this Act, the Debts specified in the Schedules to this Act annexed, and the Interest in accordance

accordance with this Act thereon, and for maintaining, repairing, and improving the Road from the *Red House* near *Doncaster* to the South End of *Wakefield Bridge*, and from *Wakefield* to *Pontefract*, and from thence to *Weeland*, and from *Pontefract* to *Wentbridge*, made under the Authority of the recited Act, all in the West Riding of the County of *York*, and which Roads shall be called the "*Red House* and *Weeland* Turnpike Roads," and for the other Purposes provided for by this Act. Maintenance of Road.

5. All Her Majesty's Justices of the Peace from Time to Time acting for the West Riding of the County of *York*, with *William Aldan*, the Reverend *George Allott* Clerk, *George Ann*, the Reverend *Charles Edward Armstrong* Clerk, *Wentworth Blackett Beaumont*, the Reverend *Edward Hawke Brooksbank* Clerk, *Benjamin Brooksbank*, *Thomas Bland Davison Bland*, *John Hope Barton*, *John Barff*, the Reverend Sir *Thomas Culling Eardley Bloomfield* Baronet, Clerk, Sir *William Cooke* Baronet, the Reverend *Thomas Phipps Amian Champneys* Clerk, the Reverend *Thomas Cater* Clerk, *John Wallbank Childers*, the Right Honourable *Thomas Henry Sotheron Estcourt*, *George Lane Fox*, *Thomas Lodgington Fairfax*, the Earl *Fitzwilliam*, the Lord Viscount *Galway*, the Lord *Hawke*, the Honourable *Stanhope Hawke*, *John Mason Hepworth*, *Joshua Hepworth*, *Thomas Bent Hodgson*, *Luke Howard*, *John Elliott Howard*, *Richard Heywood Jones*, *Hugh Longueville Jones*, *Benjamin Jowett*, *Richard Thomas Lee*, *William Henry Leatham*, *Edward Aldam Leatham*, the Earl of *Mexborough*, *Richard Monckton Milnes*, Viscount *Milton*, *Henry Constable Maxwell*, Sir *Isaac Morley* Knight, *Daniel Neilson*, the Right Honourable *John Parker*, Sir *Lionel Pilkington* Baronet, the Reverend *George Pease* Clerk, Sir *John William Ramsden* Baronet, *Charles Ramsden*, *Henry James Ramsden*, Colonel *John George Smyth*, *Edward Tew*, *Thomas William Tew*, *William Battie Wrightson*, the Reverend *Arthur Bland Wrightson* Clerk, *Samuel Andrew Ward*, *Charles Waterton*, *Charles Winn*, *Rowland Winn*, *Edmund John Winn*, *Godfrey Wentworth*, the Right Honourable Sir *Charles Wood* Baronet, Colonel *Charles Wood*, *John Thomas Wharton*, the Reverend *William Ward* Clerk, Sir *Edward Marmaduke Vavasour* Baronet, and *George Charles Yarborough*, and their Successors, being respectively duly qualified to act as Trustees for Turnpike Roads in *England*, shall be and they are hereby appointed Trustees for executing this Act. Trustees for executing Act.

6. The Trustees from Time to Time may 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 executing this Act, and in addition to the Trustees by this Act appointed, and the Trustees so elected shall have the same Powers and Authorities for executing this Act as if they were appointed by this Act. Power to appoint additional Trustees.

7. On

Recited Act repealed.

7. On the Commencement of this Act the recited Act of the Session of the First and Second Years of *William* the Fourth shall be repealed.

General Saving of Rights under repealed Act.

8. Notwithstanding the Repeal of the recited Act, and except only as is by this Act otherwise expressly provided, everything before the Commencement of this Act done, suffered, and confirmed respectively under or by the recited Act shall be as valid as if that Act were not repealed, and the Repeal thereof and this Act respectively shall accordingly be subject and without Prejudice to everything so done, suffered, and confirmed respectively, and to all Rights, Liabilities, Claims, and Demands, both present and future, which if the Repeal had not happened and this Act were not passed would be incident to and consequent on any and every thing so done, suffered, and confirmed respectively; and with respect to all such Things so done, suffered, and confirmed respectively, and all such Rights, Liabilities, Claims, and Demands, the Trustees shall to all Intents represent the old Trustees: Provided always, that the Generality of this Provision shall not be restricted by any of the Clauses and Provisions of this Act.

Property held under repealed Act vested in Trustees.

9. All Lands, Buildings, Materials, Tools, Apparatus, Books, Accounts, Deeds, Papers, Writings, and other Things, and all Choses in Action, respectively vested in or belonging to the old Trustees, and all Monies due to and becoming due to them respectively, shall immediately on the Commencement of this Act be vested in and belong to the Trustees, and they shall be liable to all the Debts and Engagements to which the old Trustees were liable, except in so far as those Debts and Engagements are by this Act varied and reduced.

Provisions of other Acts continued.

10. Notwithstanding the Repeal of the recited Act, all the Provisions of any and every Act of Parliament (other than the recited Act) relating to the old Trustees and their Officers and Servants respectively, and on the Commencement of this Act in force, shall be of the like Force as if the Repeal of the recited Act had not happened, and may be exercised, enforced, and enjoyed by and against the Trustees and their Officers and Servants respectively in as full and beneficial a Manner to all Intents as the same respectively might be exercised and enforced and enjoyed by and against the old Trustees and their Officers and Servants respectively if this Act were not passed.

Actions not to abate, &c.

11. Notwithstanding the Repeal of the recited Act, any Action, Suit, Prosecution, or other Proceeding commenced either by or against the old Trustees before the Commencement of this Act shall not abate or be discontinued or prejudicially affected by this Act, but on the contrary shall continue and take effect both in favour of and against the Trustees in like Manner to all Intents as if this Act were not passed, save only that the Trustees shall be substituted therein for the old Trustees.

12. Not-

Contracts, &c. preserved.

12. Notwithstanding the Repeal of the recited Act, all Purchases, Sales, Leases, Securities, and Contracts before the Commencement of this Act made under the recited Act or with reference to the Purposes thereof, shall be as effectual to all Intents for, against, and with respect to the Trustees as if the same had been made by, to, or with respect to the Trustees instead of the old Trustees, and may be proceeded on and enforced in like Manner to all Intents as if the Trustees had been party or privy thereto or referred to therein instead of the Party actually party or privy thereto or referred to therein.

Debts to be paid.

13. Notwithstanding the Repeal of the recited Act, and except only as is by this Act otherwise expressly provided, all Persons who immediately before the Commencement of this Act owed any Money to the old Trustees or to any Person on their Behalf shall pay the same, with all Interest (if any) due and payable or accruing for the same, to the Trustees, and all Monies which immediately before the Commencement of this Act were owing by or recoverable from the old Trustees, or for the Payment of which they would but for this Act be liable, shall be paid by or be recoverable from the Trustees.

Byelaws, &c. continued.

14. Notwithstanding the Repeal of the recited Act, all Byelaws, Resolutions, Orders, and Proceedings of Meetings of the old Trustees which immediately before the Commencement of this Act were in force shall, but subject to the Provisions of this Act, continue in full Force and be available for the Purposes of this Act.

Books, &c. continued in Evidence.

15. Notwithstanding the Repeal of the recited Act, all Documents, Books, and Writings by the recited Act directed or authorized to be kept, and which if this Act were not passed would be receivable in Evidence, shall be admitted as Evidence in all Courts of Law and Equity and elsewhere accordingly.

Officers continued.

16. Notwithstanding the Repeal of the recited Act, every Officer and Servant appointed by virtue of or acting under the recited Act shall hold and enjoy his Office and Employment, with the Salary thereunto annexed, and be deemed an Officer and Servant of the Trustees until he be removed from the Office and Employment, and he shall have the like Powers and Authority for the Purposes of this Act, and be subject to like Power of Removal, Regulations, Pains, and Penalties, as if he were appointed under this Act.

First and other Meetings of Trustees.

17. The Trustees shall hold their First Meeting under this Act at *Wentbridge*, or at some other convenient Place in the Neighbourhood of the Roads, on the Third *Monday* next after the Commencement of this Act, and shall then and from Time to Time thereafter adjourn to and meet at such Place in the Neighbourhood of the Roads and at such Times as the Trustees think proper.

Committees of Trustees.

18. The Trustees from Time to Time may appoint Committees of their own Number to execute any of the Purposes of this Act which might be executed by the Trustees according to such Instructions and Regulations as the Trustees at any Meeting from Time to Time determine, and may prescribe the Quorum of every such Committee; and every such Committee may proceed and act according to their Appointment, but shall always be accountable to the Trustees according to the Instructions and Regulations so determined.

Entrances to Fields, &c. to be made of hard Materials by Owner, &c.;

19. Every Entrance from any Part of the Road to any Field, Garden, Yard, or other Land or Ground, or to any Building, shall be properly covered with Stone, Gravel, or other hard Materials, and a proper and sufficient Culvert or Drain shall be made by or at the Expense of the Owner or Occupier of the Field, Garden, Yard, Land, Ground, or Building, so that the Road may not be injured by the Stoppage or running of Water, or by Carriages or Horses passing to or from the same by the Entrance.

or in default of Owner, &c., to be made by Trustees;

20. If any such Owner or Occupier fail to cover with proper Materials any such Entrance, or to make any such Culvert or Drain, or to put or keep the same respectively in good and proper Order, for One Month after Notice in Writing in that Behalf given to him or left for him at his then usual or last known Place of Residence by any Surveyor to the Trustees or other Person appointed by them, the Trustees or their Surveyor or other Persons acting under their Authority may cover the Entrance with Stone, Gravel, or other hard Materials, and make the Culvert or Drain, or, as the Case may be, repair the same respectively.

and Owner, &c. to pay Expense.

21. The Expenses occasioned to the Trustees by any such Works shall be paid to them by the Owner or Occupier in default, and if not paid on Demand the Amount of the Expenses, and all Costs occasioned to the Trustees by Nonpayment thereof, shall be recoverable by them in like Manner as Compensation for any Damage is from Time to Time recoverable by them.

Provision for Removal and rebuilding of Bridge carrying Road across Aire and Calder Canal in the Township of Knottingley.

22. And whereas One of the Roads referred to in this Act crosses in the Township of *Knottingley* the Canal belonging to the Undertakers of the Navigation of the Rivers of *Aire* and *Calder* in the County of *York* (herein-after called "the Undertakers") by means of a Bridge called "the Skew or Toll Bar Bridge:" And whereas since the Construction of the present Bridge the Traffic on the said Canal has materially increased, and the said Canal is now navigated by Vessels of considerable Size and Burden, and it would be of Advantage to the Undertakers if the present Bridge were removed, and a new Bridge of larger Dimensions and better suited to the present Traffic on the said Canal, with suitable Approaches thereto, were erected and formed in lieu thereof: Therefore the

the Undertakers may at their own sole Expense, but with the previous Consent in Writing of the Trustees under the Hand of their Clerk, at any Time during the Continuance of this Act, take down and remove the present Bridge, called "the Skew or Toll Bar Bridge," which carries the said Road over the said Canal in the Township of *Knottingley* aforesaid, and in lieu of and as a Substitute for the same erect at the like Expense another good and sufficient Bridge for carrying the said Road over the said Canal, such substituted Bridge to be of such Materials, Construction, and Span, and of such Height, as the Trustees and the Undertakers shall mutually agree upon, and also at the like Expense make and maintain such Approaches to such substituted Bridge as the Trustees and the Undertakers shall mutually agree upon, which substituted Bridge and the Approaches thereto shall thenceforth be maintained by and at the Expense of the Undertakers: Provided always, that before the Undertakers shall proceed to take down and remove the present Bridge, called "the Skew or Toll Bar Bridge," which carries the said Road over the said Canal, they shall at their sole Expense provide a good and sufficient temporary Bridge for carrying the said Road over the said Canal, which temporary Bridge shall be maintained at the Expense of the Undertakers until such substituted Bridge and the necessary Approaches thereto shall have been completed and opened to the Public: Provided also, that the average Gradients of the substituted Bridge and the Approaches thereto shall not be steeper than those of the existing Bridge and the Approaches thereto: Provided also, that all Works constructed by the Undertakers under this Provision shall be subject to the Approval and Superintendence of the Surveyor for the Time being of the Trustees.

Toll Gates to be continued until removed by Order of the Trustees.

23. The Toll Gates now standing or being on the Road or on the Sides thereof shall be continued until removed by the Order of the Trustees, and it shall be lawful for the Trustees, subject to the Provisions of this Act and of an Act of the Ninth Year of the Reign of King *George* the Fourth, Chapter Seventy-seven, with reference to continuing and erecting Toll Gates and Toll Houses, to order and cause to be erected and set up in, upon, or across the Road, or on the Sides thereof, any Toll Gate or Toll Gates, and to remove the present or any future Toll Gate or Toll Gates, as they shall think proper.

Tolls to be taken.

24. On and after the First Day of *January* One thousand eight hundred and sixty-three the Trustees may demand and take at the several Toll Gates which shall by virtue of this Act be upon the Roads such Tolls as the Trustees at any of their Meetings shall direct, not exceeding the following Sums:

For every Horse or other Beast drawing any Coach, Stage Coach, Chariot, Landau, Berlin, Barouche, Sociable, Chaise, Curricle, Whiskey, Car, Gig, Calash, Chair, Caravan, Break, Hearse, or other such Carriage, Sixpence:

For

For every Horse or other Beast drawing any Waggon, Wain, Van, Caravan, Cart, or other such Carriage,

If the Tires of all the Wheels are of the Breadth of Six Inches or more, Fourpence:

If the Tire of any Wheel is of less Breadth than Six Inches and not less than Four Inches and a Half, Fivepence:

If of a Breadth less than Four Inches and a Half, Sixpence:

For every Horse or other Beast of Burden, laden or unladen, and not drawing, Twopence:

For every Score of Oxen, Cows, or Neat Cattle, Tenpence, and so in proportion for any greater or less Number:

For every Score of Calves, Sheep, Lambs, or Swine, Fivepence, and so in proportion for any greater or less Number.

As to Toll on Carts laden with Lime.

25. All Carts or Waggons laden with Lime for agricultural Purposes passing through any Toll Gates on the Road shall not be liable to the Tolls by this Act authorized, excepting between the First Day of *October* and the Thirty-first Day of *March* in each and every Year.

Tolls under recited Act to be taken until 31st Dec. 1862.

26. Notwithstanding the Repeal of the recited Act, the several Tolls thereby granted and made payable shall be paid at the several Toll Gates belonging to the Trustees until and inclusive of the Thirty-first Day of *December* One thousand eight hundred and sixty-two.

As to Fraction of a Halfpenny in Tolls.

27. 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.

Tolls for Overweight.

28. The Trustees may demand and take in respect of every Carriage or Cart drawn by One Horse or other Beast which, with the Loading thereof, weighs in Summer (computed from the First Day of *May* to the Thirty-first Day of *October* both inclusive) more than Thirty-five Hundredweight, or in Winter (computed from the First Day of *November* to the Thirtieth Day of *April* both inclusive) more than Thirty Hundredweight, the like additional Tolls for Overweight as Carriages or Carts driven by Two or more Horses or other Beasts are from Time to Time by Law liable to pay.

Payment of Tolls.

29. The several Tolls shall (subject to any Order of the Trustees) be demanded and taken and be payable before the respective Carriage, Cart, Waggon, Horse, Beast, or Cattle shall be permitted to pass through any of the Toll Gates.

Tolls payable only twice a Day.

30. Where any Person pays the Toll for the passing of any Horse or Beast through any Toll Gate, the same Horse or other Beast shall (except

(except as by this Act is otherwise provided), on the Ticket denoting the Payment of the Toll being produced, be permitted to pass and repass during the same Day Toll-free through the same Toll Gate, and also through every other Toll Gate (if any) which the Ticket frees; provided also, that no more than Two full Tolls shall be demanded or taken in respect of any such Horse or other Beast at the same Toll Gate or any other Toll Gate (if any) which the Ticket frees.

Tolls on Horses, &c. drawing different Carriages.

31. The Tolls by this Act made payable shall be paid in respect of Horses or other Beasts drawing any Waggon, Wain, Cart, Van, or such like Carriage, for every Time during the same Day that any such Horse or other Beast shall pass through any Toll Gate drawing any Waggon, Wain, Cart, Van, or such like Carriage other than that which such Horse or other Beast was employed in drawing at any former Time during the same Day when Toll shall have been paid in respect of such Horse or other Beast.

Post Horses, &c. to pay every fresh Hiring.

32. The Tolls hereby made payable shall be paid for all Horses or other Beasts drawing any Carriage travelling for Hire as often as any fresh Hiring shall take place, in the same Manner as if no previous Payment of Toll in respect of such Horses or Beasts had been made on the same Day.

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

33. The Tolls hereby made payable shall be paid for all Horses or other Beasts drawing any Stage Coach, or any Omnibus, Stage Waggon, Van, Caravan, or other Stage Carriage carrying Passengers or Goods for Payment, Hire, or Reward, for every Time of passing or repassing along the Road.

Regulations as to Stage Coaches.

34. All Horses and Cattle drawing any Stage Coach, Omnibus, Waggon, Van, Caravan, or other Stage Carriage conveying Passengers or Goods for Payment, Hire, or Reward, in respect whereof the Tolls hereby authorized to be taken shall have been paid at any Toll Gate, shall, upon a Ticket denoting such Payment being produced, be permitted to pass once Toll-free on the same Day through any other Toll Gate which such Ticket would free in the Case of Horses or Cattle drawing any other Carriage, and no further or additional Toll shall be payable in respect of any Stage Coach or other such Carriage as aforesaid at any such other Toll Gate, the Payment at which shall be freed by such Ticket as aforesaid, on account only of their conveying other Passengers, or of the Horses or Cattle drawing the same having been changed.

Limitation of Number of ordinary Tolls.

35. Provided always, That not more than Three full Tolls shall be demanded or taken for and in respect of the Passage to and from once on the same Day of the same Horses, Beasts, or Cattle, or Carriages,

through all the several Toll Gates or Toll Bars upon the Road from the *Red House* near *Doncaster* to *Wakefield Bridge*, nor more than Three full Tolls for passing and repassing once through all the several Toll Gates or Toll Bars upon the Road from *Wakefield Bridge* to *Pontefract*, and from thence to *Weeland*.

One-horse Carts to be weighed.

36. All Carriages and Carts drawn by One Horse or other Beast shall be liable to be weighed at any of the Weighing Machines on or connected with the Road, in like Manner as any Carriage or Cart drawn by more than One Horse or Beast is from Time to Time by Law liable to be weighed, and the Owners and Drivers thereof shall be liable to like Penalties for refusing to suffer the Carriages or Carts to be weighed, or for obstructing the Wheels thereof being measured or gauged, as the Penalties to which the Owners or Drivers of Carriages or Carts drawn by Two or more Horses are from Time to Time by Law liable.

Restriction on expending and taking Tolls in Towns.

37. None of the Tolls by this Act authorized, and no Money to be raised by virtue of this Act, shall be expended in maintaining, repairing, or improving any of the Streets, Lanes, Highways, or Places within any Towns or within the Limits of any Act for the Improvement or Local Government of any other Town, nor shall any Toll Gate be erected or continued, or Toll taken by virtue of this Act, in any Part of any Town or within the Limits of the respective Improvement or Local Government Act.

Application of Monies.

38. All Monies which come to the Hands of the Trustees by virtue of this Act in respect of the *Weeland* Road shall be applied as follows:

First, in paying Two Thirds of the Expenses of and incident to the obtaining and passing of this Act:

Secondly, in paying the Salaries of Officers, and in defraying the necessary Expenses of repairing, altering, and lighting Toll Gates and Toll Houses, and the necessary Expenses of Management, but such Expenses not to exceed Fifty Pounds a Year, exclusive of the Salaries of Toll Collectors and Expenses of erecting Toll Gates, and Expenses with respect to Actions at Law, Suits, Indictments, or Proceedings before Magistrates, or in any Court of Law:

Thirdly, in paying Interest at the Rate of Three Pounds *per Centum per Annum* on the Principal Sum of Three thousand two hundred Pounds specified in the First Schedule to this Act annexed, or on so much thereof as is from Time to Time owing in respect of Money borrowed on the Credit of the Tolls of the *Weeland* Road:

Fourthly, in paying the Expenses of maintaining and repairing the *Weeland* Road, but not to exceed in any One Year Four hundred and eighty Pounds:

Fifthly,

Fifthly, in paying off, as by this Act provided, the Mortgage Debts specified in the First Schedule to this Act annexed:

Sixthly, in paying the Expenses of further repairing, maintaining, and improving the *Weeland* Road:

And all Monies which come to the Hands of the Trustees by virtue of this Act in respect of the *Red House* Road shall be applied as follows:

First, in paying One Third of the Expenses of and incident to the obtaining and passing of this Act:

Secondly, in paying the Salaries of Officers, and in defraying the necessary Expenses of repairing, altering, and lighting Toll Gates and Toll Houses, and the necessary Expenses of Management, but such Expenses not to exceed Fifty Pounds a Year, exclusive of the Salaries of Toll Collectors and Expenses with respect to Actions at Law, Suits, Indictments, or Proceedings before Magistrates, or in any Court of Law:

Thirdly, in paying Interest at the Rate of Three Pounds *per Centum per Annum* on the Principal Sum of Three thousand five hundred and ninety Pounds specified in the Second Schedule to this Act annexed, or on so much thereof as is from Time to Time owing in respect of Money borrowed on the Credit of the Tolls of the *Red House* Road:

Fourthly, in paying the Expenses of maintaining and repairing the *Red House* Road, but not to exceed in any One Year Three hundred and forty-five Pounds:

Fifthly, in paying off, as by this Act provided, the Mortgage Debts specified in the Second Schedule to this Act annexed:

Sixthly, in paying the Expenses of further repairing, maintaining, and improving the *Red House* Road.

Interest not to accrue till Expenses of Act paid.

39. Provided always, That no Interest shall accrue on the Principal Sum of Six thousand seven hundred and ninety Pounds or any Part thereof until the Expenses of and incident to the obtaining and passing this Act shall have been paid and satisfied.

When Mortgage Debts on Weeland Road paid off, Portion of that Road next Wakefield to form Part of Red House Trust.

40. When and as soon as the Mortgage Debts specified in the First Schedule to this Act and the Interest thereon shall have been paid off, as by this Act provided, that Portion of the Road which lies between *Wakefield Bridge* and the Point at which the *Weeland* Road and *Red House* Road separate at or near the *Cock and Crown* Inn, and which now belongs to the *Weeland* Trust, shall be taken from that Trust and become Part of the *Red House* Trust.

When Mortgage Debts in First and Second Schedules

41. When and as soon as the Mortgage Debts specified in the First and Second Schedules to this Act annexed and the Interest thereon shall have been paid off, as by this Act provided, the *Weeland* Road and the *Red*

paid off, both Roads to form One Trust.

Red House Road shall for all Purposes be united and form One Trust, and all the Powers and Provisions of this Act shall be applicable thereto as if those Roads had formed One Road.

Mortgagees to take Possession for Arrears of Interest only.

42. Whenever and so long as the Interest upon the Mortgage Debts for the Time being respectively due, according to the Provisions of this Act, shall be duly paid within Three Calendar Months next after the same shall become due, no Holder of any Mortgage of the Tolls shall be entitled to enter into possession of the Toll Gates upon the Road or into Receipt of the Tolls arising thereon, or of the Rent payable upon any letting of such Tolls.

As to Mode of discharging Debt.

43. When and so often as the Sum applicable to the Discharge of the said Principal Monies due on either of the said Roads shall amount to the Sum of One 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 so long as the Principal Sums or any of them or any Part of such Sums shall remain due and owing, 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 Purposes thereof, so far as the same relate to the Application of such Sum, in some public Newspaper or Newspapers usually circulated in the County of *York*, or by Letters sent by Post addressed to each Creditor entitled as aforesaid at his usual 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 Monies owing on the Security of the Tolls to the Creditor entitled as aforesaid 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 the Principal Monies due to him, and after Payment to such Creditor as aforesaid shall apply the Surplus (if any) of such Sum, or a Portion thereof, (as the Case may require,) in or towards the Discharge of other Monies owing on the Security of the same Tolls to the Creditor entitled as aforesaid 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 entitled 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 think fit; and if there shall be no such Proposals 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 any such Proposals relate, the Trustees may apply the Sum applicable to such Payments, or the Surplus thereof, (as the

Case

Case may be,) rateably amongst the Creditors, or may determine by Lot or otherwise, as the Trustees think fit, to which of the Creditors the same shall be paid.

Roads not exempt from Provisions of General Acts.

44. Nothing in this Act contained shall exempt the Roads from the Provisions of any General Act relating to the Consolidation or improved Arrangement of Turnpike Roads in *England* which may pass during the present or any future Session of Parliament, or from the Provisions of any Act relating to Turnpike Roads in *England* now in force, except so far as any of the Provisions thereof are expressly varied or excepted by this Act.

MORTGAGE DEBT ON THE TOLLS.

The FIRST SCHEDULE referred to in the foregoing Act.

WEELAND ROAD.

Mortgagees.	Principal Sums.
	£
Emmett, William - - - - - -	100
Freer, John - - - - - - -	100
Fitzwilliam, the Earl - - - - - -	250
Harrison, J., Executors of - - - - -	1,000
Heywood, Arthur, Executors of - - - - -	50
Milnes, Richard Monckton - - - - -	50
Milnes, Pemberton, Executors of - - - - -	50
Proctor, Miss, Executors of - - - - -	100
Shore, Offley - - - - - - -	50
Surtees, R. S. - - - - - - -	1,150
Winn, George - - - - - - -	100
Yarborough, George Cooke - - - - -	200
	3,200

The Red House and Weeland Roads Act, 1862.

The SECOND SCHEDULE referred to in the foregoing Act.

RED HOUSE ROAD.

Mortgagees.	Principal Sums.
	£
Beedom, James	50
Booth, Isaac	100
Cookson, Mrs., Executors of	100
Fitzwilliam, the Earl	250
Heywood, Arthur, Executors of	50
Hamshaw, Charlotte, Executors of	800
Jackson, John	40
Ledger, R., Executors of	500
Milnes, Richard Monckton	50
Milnes, Pemberton, Executors of	50
Proctor, Miss, Executors of	100
Ramsden, the Reverend William	300
Roebuck, Henry Disney, Executors of	300
Sutcliff, George	100
Surtees, R. S.	250
Thornhill, Thomas	250
Winn, George	100
Yarborough, George Cooke	200
	3,590

LONDON:
Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1862.