



ANNO DECIMO QUINTO

VICTORIÆ REGINÆ.

Cap. xvii.

An Act to repeal an Act passed in the Sixth Year of the Reign of King *George* the Fourth, intituled *An Act for amending, improving, and maintaining the Road from Lockwood to Meltham, and the Branch of Road to Meltham Mills, all in the Parish of Almondbury in the West Riding of the County of York*, and for the widening and better maintaining and repairing the said Road, and for other Purposes. [28th May 1852.]

WHEREAS an Act was passed in the Fifty-eighth Year of the Reign of His Majesty King *George* the Third, intituled *An Act for making and maintaining a Road from Lockwood to Meltham, and a Branch of Road to Meltham Mills, all in the Parish of Almondbury in the West Riding of the County of York*: And whereas another Act was passed in the Sixth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act for amending, improving, and maintaining the Road from Lockwood to Meltham, and the Branch of Road to Meltham Mills, all in the Parish of Almondbury in the West Riding of the County of York*, whereby the said first-recited Act was re-
 [Local.] 3 A repealed: 58G.3. c. 41. 6G.4. c. 86.

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pealed: And whereas the Term granted by the said last-recited Act, and continued from Time to Time 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-two: And whereas considerable Sums of Money have been advanced upon the Credit of the Tolls authorized to be taken by the said recited Acts, of which Money there still remains owing the Sum of One thousand Pounds, bearing Interest at the Rate of Five Pounds *per Centum per Annum*, and the Sum of Five hundred Pounds, bearing Interest at the Rate of Four Pounds *per Centum per Annum*, and considerable Sums of Money, amounting in the whole to Four thousand eight hundred and ninety-four Pounds Seven Shillings and Sixpence, have also been subscribed by various Persons, for the Purpose of making and maintaining the said Roads authorized to be made and maintained by the said first-recited Act, and to be amended, improved, and maintained by the said last-recited Act, which also remain owing with the Interest accrued thereon, but no Mortgages, Bonds, or other legal Securities have been granted in respect of the said Sum of Four thousand eight hundred and ninety-four Pounds Seven Shillings and Sixpence, and such Moneys respectively cannot be paid off or the Interest thereof discharged unless further Powers are granted and the Term of the said last-recited Act further continued: And whereas it would be very beneficial to the Public if Powers were given for widening and improving so much of the said Road leading from *Lockwood* to *Meltham* as is situate between the North-east Corner of a Garden belonging to *Richard Henry Beaumont* Esquire, in the Occupation of *Samuel Sykes*, and a Point on the North Side of a Close of Land called the Croft, belonging to the said *Richard Henry Beaumont*, in the Occupation of *James Sykes*, being Sixty-six Feet from the West End of a Barn belonging to the said *Richard Henry Beaumont*, in the Occupation of the said *James Sykes*, all in the Township of *South Crosland* in the Parish of *Almondbury* in the West Riding of the County of *York*: And whereas it is expedient that the said last-recited Act should be repealed, and that further and more effectual Powers should be granted in lieu thereof; but the Purposes aforesaid cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same,

Recited Act
6 G. 4. c. 86.
repealed,
and this Act
to take
effect.

I. That upon the Thirty-first Day of *October* next after the passing of this Act the said recited Act of the Sixth Year of the Reign of His Majesty King *George* the Fourth shall be repealed, and that this Act shall thereafter be put into execution during the Term and for the Purposes herein-after mentioned.

II. That

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II. That all Rents, Arrears of Tolls, and other Monies due to, and all Choses in Action, and all other Real and Personal Property vested in or belonging to the Trustees under the Act hereby repealed, shall immediately on the Commencement of this Act be vested in and belong to the Trustees for executing this Act, and such last-mentioned Trustees may sue for and recover the same, and act in respect thereof, as effectually as the Trustees under the said recited Act of the Sixth Year of the Reign of His Majesty King *George* the Fourth might have done prior to the Repeal thereof, and they shall be liable to all the Debts and Engagements to which the Trustees under the said last-recited Act were liable at the Time of the Repeal thereof.

Monies and Property to vest in the new Trustees.

III. That all Her Majesty's Justices of the Peace acting for the West Riding of the County of *York* for the Time being, together with Sir *George Armytage* Baronet, *Joseph Taylor Armitage*, *John Armitage*, *James Green Armytage*, *William Green Armytage*, *Benjamin North Rockley Batty* the younger, *Richard Battye*, *Richard Henry Beaumont*, *Richard William Brook*, *George Henry Brook*, *Joseph Brook* the younger, *Charles Brook* of *Healey House*, *William Brook*, *James Brook*, *Alfred Brook*, *Charles John Brook*, *Arthur Brook*, *Charles Brook* of *Meltham Mills*, *John Brooke* of *Armitage Bridge*, *John William Brooke*, *Thomas Brooke*, *Thomas Brooke* the younger, *Edward Brooke*, *John Brooke* of *Thornton Lodge*, *Robert John Bentley* of *Rotherham*, *Samuel Green Beverley Bentley*, *Joseph Batley*, *Joseph Batley* the younger, *James Bennett*, *William Batley*, *George Crosland*, *Thomas Pearson Crosland*, *John Woodhead Crosland*, *Joseph Crosland*, *Daniel Carter* of *Lightcliffe*, *Thomas Dyson* of *Netherton*, *George Dyson*, *John Dyson* of *Wood Nook*, *John Dyson* of *Huddersfield*, *Lee Dyson*, *Nathaniel Dyson*, *Jonas Dyson*, *Thomas Dunderdale*, *John Dobson*, *John Richard Dobson*, *John Dowgill*, *Joseph Eastwood*, *James Crosland Fenton*, *Edgar Fenton*, *Thomas Firth*, *John Firth*, *Edward Fisher*, *James Green*, *John Horsfall* of *Nottingham*, *John Haigh* of *Lascelles Hall*, *John Haigh* the younger, *Edward Hardy* of *Birksgate*, *Joseph Hughes* Clerk, *Joseph Hirst* of *Wilshaw*, *Richard Hirst*, *Richard Hinchliffe*, *William Horncastle Hebden*, *James Taylor Ingham*, *John Jessop*, *John Jessop* the younger, *George Jessop*, *George Jessop* the younger, *Richard Jessop*, *Frederick Robert Jones*, *Frederick Robert Jones* the younger, *Joseph Kaye*, *James Kenyon* of *Dogley Mills*, *Jonas Kenyon*, *Thomas Leigh* of *Almondbury*, *Edward Ledgard*, *John Lancaster*, *William Leigh*, *James Lees*, *John Mallinson*, *Samuel Oldfield*, *Edward Jonathan Priestley*, *Sir Joseph Radcliffe* Baronet, *Joseph Percival Pickford Radcliffe*, *Charles Radcliffe*, *Sir John William Ramsden* Baronet, *Jonathan William Roberts*, *Henry Stables*, *Walter Williams Stables*, *Bentley Shaw*, *William Shaw* of *Wentbridge*, *Robert Shaw*, *Ebenezer Tinker*, *Uriah Tinker*, *Joseph Turner* Woolstapler, *John Whitacre*, *William Wrigley*, *James Wrigley*, *Thomas Cockill Wrigley*, *Joseph Wrigley*,

Appointment of Trustees.

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Wrigley, Robert Walker Waddington, William Henry Waddington, Charles Waddington, and Amos Woodhead of Meltham, 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 ad-
ditional
Trustees.

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

First Meet-
ing of
Trustees.

V. That the said Trustees shall hold their First Meeting at the *George Hotel in Huddersfield* in the County of *York*, or at some other convenient Place in the Neighbourhood of the said Roads, on the Eighteenth Day of *November* One thousand eight hundred and fifty-two, 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.

VI. That the said Trustees may appoint Committees out of their own Number to execute any of the 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 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 Act
applicable.

VII. That this Act shall be put into execution for the Purpose of widening and improving the present Turnpike Road leading from the *Huddersfield and Woodhead Turnpike Road* at *Lockwood* in the Parish of *Almondbury* in the West Riding of the County of *York* to *Meltham* in the same Parish, and of maintaining and keeping in Repair the same Road, and also the Branch Road therefrom to *Meltham Mills* in the same Parish.

Present
Tolls con-
tinued for a
Term.

VIII. That notwithstanding the Repeal of the said recited Act of the Sixth Year of the Reign of His Majesty King *George* the Fourth, the several Tolls thereby granted and made payable shall continue to be paid at the Toll Gates or Toll Bars to be continued or erected on or on the Sides of the said Roads until the Twenty-eighth Day of *November* One thousand eight hundred and fifty-two.

Power to
take Tolls.

IX. That upon and after the said Twenty-eighth Day of *November* One thousand eight hundred and fifty-two it shall be lawful for the
Trustees

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Trustees to demand and take at the several and respective Toll Gates continued or hereafter to be erected on the said Roads any Tolls not exceeding the following; (that is to say,)

For every Horse or other Beast drawing any Coach, Sociable, Tolls
Berlin, Phaeton, Landau, Chariot, Vis-à-Vis, Chaise, Calash,
Chaise Marine, Curricule, Chair, Gig, Whiskey, Hearse, Litter,
Stage Coach, Caravan, Van, or other such Carriage, the Sum of
Eightpence:

For every Horse or other Beast drawing any Waggon, Cart, Dray,
or other such Carriage, having the Sole or Bottom of the Fellies
of the Wheels thereof of the Breadth of Six Inches or upwards,
the Sum of Sixpence:

For every Horse or other Beast drawing any Waggon, Cart, Dray,
or other such Carriage, having the Sole or Bottom of the Fellies
of the Wheels thereof of the Breadth of Four and a Half Inches,
and under Six Inches, the Sum of Sevenpence Halfpenny:

For every Horse or other Beast drawing any Waggon, Cart, Dray,
or other such Carriage, having the Sole or Bottom of the Fellies
of the Wheels thereof of less Breadth than Four and a Half Inches,
the Sum of Ninepence:

For every Horse, Mule, or Ass, laden or unladen, and not drawing,
the Sum of Twopence:

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

For every Waggon, Wain, Cart, or other Carriage, propelled or
drawn by Steam or other Power than Animal Power, the Sum of
Two Shillings and Sixpence:

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

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

X. That no more than Three full Tolls shall in any One Day be demanded or taken for or in respect of the same Horse, Mule, Ass, or other Beast drawing any Coach, Chariot, Chaise, Waggon, Cart, or other Carriage, or for or in respect of the same Horse, Mule, or Ass, or other Beast or Cattle, laden or unladen, and not drawing, or for or in respect of the same Drove of Oxen, Neat Cattle, Calves, Swine, Sheep, or Lambs passing once along the Line of the said Roads. No more than Three full Tolls to be taken in One Day.

XI. That if any Person shall have paid such full Toll in respect of any such Horse, Beast, or Cattle at any Toll Gate to be erected or continued by virtue of this Act, such Horse, Beast, or Cattle shall be To repass once for each full Toll
[Local.] 3 B allowed

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allowed to repass once for each such Payment Toll-free in the same Day through the same Toll Gate, and also through such other Toll Gate or Toll Gates (if any) as the Ticket for such Payment shall free, on producing the Note or Ticket denoting such Payment.

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

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

Post-
chaises &c.
to pay on
every new
Hiring.

XIII. That the Tolls hereby made payable for and 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 either of them whenever any new Hiring thereof shall take place.

One-Horse
Carts to be
weighed,
and addi-
tional Tolls
for Over-
weight.

XIV. That all Carts and other Carriages drawn by One Horse or other Beast, and having the Sole or Bottom of the Fellies of the Wheels thereof of less Breadth than Six Inches, shall be liable to be weighed at any Weighing Machine now erected or which hereafter may be erected upon or for the Benefit of the said Roads, pursuant to the Provisions of any Act now in force or hereafter to be passed, in the same Manner as Carts and other Carriages drawn by any greater Number of Horses or other Beasts are now liable to be weighed by Law, and the Owners and Drivers thereof shall be liable to the same Penalties for refusing to suffer such Carts and other Carriages to be weighed, or for obstructing the Wheels being measured or gauged, as the Owners or Drivers of Carts or other Carriages drawn by Two or more Horses are now liable by Law; and every such Cart or other Carriage drawn by One Horse or other Beast, which together with the Loading thereof shall weigh more than Twenty-seven Hundredweight in Summer (to be computed from the First Day of *May* to the Thirty-first Day of *October*), or than Twenty-five Hundredweight in Winter (to be computed from the First Day of *November* to the Thirtieth Day of *April*), shall pay and it shall be lawful for the said Trustees (or any Person empowered by them to receive the Tolls granted by this Act) to receive and take such and the same additional Toll for Overweight as Carts or other Carriages drawn by Two or more Horses or other Beasts are liable to pay by Law.

As to the
Fraction of
a Halfpenny
in Tolls.

XV. That in all Cases in which 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

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XVI. That whenever and so long as the Interest upon all existing Mortgages made under the Powers of the said recited Act shall be duly paid, at the Rate herein-after mentioned, within One Calendar Month next after the same shall become due, no Holder of any Mortgage of the Tolls collected upon the said Roads shall be entitled to enter into possession of the Toll Gates, Toll Houses, or Buildings upon the said Roads, or into the Receipt of the Tolls arising thereon, or of the Rent payable upon any Letting of such Tolls; and every Mortgagee entering into possession of such Toll Gates, Toll Houses, or Buildings, or into the Receipt of such Tolls or Rent, shall pay the Interest from Time to Time becoming due, at the Rate herein-after mentioned, upon all the said existing Mortgages, without any Priority or Preference, and may also reimburse himself any Costs to which he may be entitled; and every such Mortgagee so being in possession or receipt as aforesaid shall, within Twenty-one Days next after each of the half-yearly Days whereon the Interest on such existing Mortgages shall be payable, render to the Clerk to the said Trustees for the Time being a full and true Account of his Receipts and 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 due, at the Rate herein-after mentioned, 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 to 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.

Mortgagees to take possession for Payment of Interest only.

XVII. That from and after the passing of this Act all Claims and Demands in respect of Arrears of Interest due at the Time of the passing of this Act on the said Sum of Four thousand eight hundred and ninety-four Pounds Seven Shillings and Sixpence, or any Part thereof, shall cease and determine.

Arrears of Interest on 4,894 *l.* 7 *s.* 6 *d.* extinguished.

XVIII. That (except the said Sum of Two hundred Pounds by this Act authorized to be raised) it shall not be lawful for the Trustees to borrow any Sum or Sums of Money on the Credit of the Tolls collected and received by virtue of this Act or on any other Security, or to make any Mortgage or give any Security for Arrears of Interest, Purchase Money of Land, or other Monies owing (except Mortgages or other Securities for the said Sum of Four thousand eight hundred and ninety-four Pounds Seven Shillings and Sixpence), without the
Consent

Money not to be borrowed on Credit of Tolls without Consent of Secretary of State.

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Consent in Writing of One of Her Majesty's Principal Secretaries of State first obtained ; provided nevertheless, that a Recital or Statement of such Consent, which shall be inserted in any Mortgage for securing any Money so borrowed, shall, so far as respects any Person claiming under such Mortgage or any Transfer thereof, be sufficient Evidence of such Consent ; and in case any such Trustees shall make any such Mortgage with such Recital or Statement therein without having first obtained such Consent, the Trustees executing such Mortgage shall be jointly and severally liable to indemnify the Tolls or other Monies out of which the Monies secured by such Mortgage shall be paid ; and it shall be lawful for the Treasurer for the Time being of the Trustees to sue for and recover such Money so paid by Action of Debt in any of Her Majesty's Courts of Record, with full Costs of Suit, to be taxed as between Attorney and Client.

Application
of Monies.

XIX. That all Monies in the Hands of the Trustees of the said recited Act of the Sixth Year of the Reign of His Majesty King *George* the Fourth, and all Monies to be collected or received under or by virtue of this Act (except the Sum of Two hundred Pounds which the Trustees are by this Act authorized to borrow), shall be applied by the Trustees in manner following ; (that is to say,)

In the first place, in paying all the Costs, Charges, and Expenses of obtaining and passing this Act, or in anywise relating thereto :

In the second place, in defraying the Expenses of maintaining and keeping in repair Toll Houses, Toll Bars, and Toll Gates, and of the Management of the Roads, including therein the Salaries of Clerks, Treasurers, Surveyors, and other Officers, and all Law and other incidental Costs and Charges ; such Expenses not to exceed in the whole the Sum of Sixty Pounds in any One Year :

In the third place, in defraying the Expenses (not exceeding the Sum of Two hundred Pounds in any One Year) of maintaining and keeping in repair the said Roads :

In the fourth place, in discharging the Principal Monies (not exceeding the Sum of Two hundred Pounds) to be borrowed under the Authority of this Act, together with Interest thereon at a Rate not exceeding Five Pounds *per Centum per Annum* :

In the fifth place, in keeping down the Interest at the Rate of Five Pounds *per Centum per Annum* on the said Sum of One thousand Pounds, Part of the Money borrowed on Mortgage under the Authority of the said recited Acts or One of them, or on so much of the said Sum of One thousand Pounds as shall from Time to Time remain unpaid :

In the sixth place, in keeping down the Interest at the Rate of Four Pounds *per Centum per Annum* on the said Sum of Five hundred Pounds, the Residue of the Money borrowed on Mortgage under the Authority of the said recited Acts or One of them

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them, or on so much of the said Sum of Five hundred Pounds as shall from Time to Time remain unpaid :

In the seventh place, in repaying the said Principal Sum of One thousand Pounds so borrowed on Mortgage as aforesaid :

In the eighth place, in keeping down the Interest at the Rate of Two Pounds *per Centum per Annum* on the said Sum of Four thousand eight hundred and ninety-four Pounds Seven Shillings and Sixpence :

In the ninth place, in repaying the said Principal Sums of Five hundred Pounds and Four thousand eight hundred and ninety-four Pounds Seven Shillings and Sixpence respectively :

Provided, that when the whole of the said Principal Sums shall have been discharged the Trustees may apply such further Sums as may from Time to Time be necessary beyond the said Sum of Two hundred Pounds, towards the improving, maintaining, and keeping in repair the said Roads, and putting this Act into execution with reference thereto.

XX. And whereas a Plan, showing the intended widening as herein-before described of the said Road, and the Lands and Hereditaments in or through which the same is intended to pass or be made, together with a Book of Reference thereto, containing the Names of the Owners or reputed Owners and Occupiers of such Lands and Hereditaments, has been deposited at the Office of the Clerk of the Peace for the West Riding of the County of *York*: Be it therefore enacted, That the said Plan and Book of Reference shall remain in the Custody of the Clerk of the Peace for the said Riding, to the end that all Persons may, at all seasonable Times, inspect and peruse the same, and have Copies thereof or Extracts therefrom, paying to the said Clerk of the Peace the Sum of One Shilling for every such Inspection, and at the Rate of Sixpence for every One hundred Words of such Copies or Extracts; and the said Plan and Book of Reference, or any Copy thereof respectively, or of any Part thereof respectively, certified by the said Clerk of the Peace or his Deputy for the Time being to be a true Copy thereof, shall be good Evidence in all Courts of Law or elsewhere.

Plan, &c. deposited at the Office of the Clerk of the Peace to remain there, and to be open to Inspection.

XXI. That it shall be lawful for the Trustees (by means of the Money to be borrowed under the Authority of this Act) to widen the Portion of the Road herein-before described, as delineated in the said Plan, and for such Purpose to take possession of the Lands and Hereditaments described in the said Plan and Book of Reference, and to take down any Houses or Buildings thereon, making Satisfaction for the same to the Owners thereof and other Persons interested therein, for the Damage which such Owners or other Persons may respectively sustain thereby; and it shall be lawful for the said Trustees, and for

Power to widen Road.

[Local.]

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their Surveyors and Workmen, from Time to Time to enter upon the said several Lands, and to stake out the same for the Purposes of this Act, at such Times and in such Manner as the said Trustees or Surveyors shall think necessary or expedient.

Trustees not to deviate from Plan.

XXII. That the Trustees, in widening the said Road as aforesaid, shall not deviate from the Line described in the said Plan without the Consent in Writing of the Owner and Occupier of the Lands through which any such Deviation would be made.

Limiting Time for compulsory Purchase of Lands.

XXIII. That in case the Trustees shall not within the Space of Three Years from the Commencement of this Act pay for the Lands which they are by this Act authorized to take, then and from thenceforth all the Powers by this Act or any other Act granted in relation to the taking of Lands for the Purposes of Turnpike Roads shall, so far as relates to the Lands herein-before authorized to be taken for the Purposes of this Act, cease and be utterly void, unless with the Consent of the Owners and Occupiers of such Lands respectively.

Power to borrow Money.

XXIV. That it shall be lawful for the Trustees (for the Purpose of widening the Portion of the Road herein-before described) to borrow and take up at Interest on the Credit of the Tolls arising on the said Roads any Sum or Sums of Money not exceeding in the whole the Sum of Two hundred Pounds, and to grant Mortgages of the said Tolls for securing the Repayment of such Sum or Sums of Money and the Interest thereof, such Mortgage or Mortgages and any Assignment or Assignments thereof to be in the Form prescribed by the Acts now in being for regulating Turnpike Roads in *England*.

As to mode of discharging Debt.

XXV. That after the said Principal Sum of One thousand Pounds shall have been paid off and discharged, then, when and so often as the Sum applicable to the Discharge of the Principal Monies for the Time being owing on the Credit of the said Tolls shall amount to the Sum of Two hundred Pounds, the Trustees shall at any General Annual or other Meeting apply such Sum in the Payment of a proportionate Part of the said Principal Monies to the Persons entitled thereto, and shall, Twenty-eight Days at least before such General Annual or other Meeting, cause Notice to be given of such Meeting, and of the Purposes thereof, so far as the same relate to the Application of such Sum, in some Newspaper published in the West Riding of 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 on the Security of the said Tolls to the Creditor who shall by Proposal in Writing, transmitted to the Clerk of the Trustees before such Meeting,

have

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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 Sum, or a Portion thereof, (as the Case may require,) in or towards the Discharge of 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 Moneys due to him, and so in like Manner until the Sum applicable to such Payments shall be exhausted; and if and whenever Two or more Creditors by such Proposal 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 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 any such Proposals 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, or may pay the same to such of them as may be determined by Lot, as the Trustees think fit.

XXVI. That no Money shall be laid out on the said Roads within the Limits of any Act of Parliament passed for the Improvement of any Town, nor shall any Tolls be collected thereon.

No Tolls to be taken or any Money laid out in Towns.

XXVII. That nothing herein contained shall be deemed to exempt the said Roads from the Provisions of any General Act relating to the Consolidation or other improved Arrangement of Turnpike Roads which may pass during the present or any future Session of Parliament, or from the Provisions of any such Act now in force, except so far as any such last-mentioned Provisions may be expressly varied by this Act.

Roads not exempted from future General Acts.

XXVIII. That this Act shall commence on the Thirty-first Day of *October* 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.

XXIX. That in this Act the following Words and Expressions shall have the several Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction; (that is to say,) the Expression "the Trustees" or "the said Trustees" shall mean the Trustees for the Time being acting in execution of this Act; the Expression "the said Roads" shall mean the said Turnpike Road leading from *Lockwood* to *Meltham*, and the said Branch of Road

Interpretation of Terms.

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Road to *Meltham Mills*; the Word "Toll-gate" shall mean any Toll-gate, Turnpike, Bar, or Chain set up and erected or to be set up and erected upon, or across, or by the Side of the said Roads, or across any Highway or Lane communicating therewith.

Short Title. XXX. That in citing this Act in other Acts of Parliament, and in legal Instruments, and in all Proceedings whatsoever, it shall be sufficient to use the Expression "*The Lockwood and Meltham Turnpike Road Act, 1852.*"

LONDON:

Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1852.