



ANNO DECIMO NONO & VICESIMO

VICTORIÆ REGINÆ.

Cap. xliii.

An Act to amend an Act passed in the 7th and 8th Years of the Reign of His late Majesty King George the Fourth, intituled *An Act to alter, amend, and enlarge the Powers and Provisions of an Act relating to the Road from Barnsdale through Pontefract to Thwaite Gate near Leeds in the West Riding of the County of York*, and to continue the Term thereby granted.

[23d June 1856.]

WHEREAS an Act was passed in the Seventh and Eighth Years of the Reign of His late Majesty King George the Fourth, intituled *An Act to alter, amend, and enlarge the Powers and Provisions of an Act relating to the Road from Barnsdale through Pontefract to Thwaite Gate near Leeds in the West Riding of the County of York*: And whereas the Term granted by the said recited Act, and from Time to Time continued by virtue of divers Acts of Parliament for continuing certain Turnpike Roads for limited Periods, will expire on the First Day of *November* One thousand eight hundred and fifty-six: And whereas by the said recited Act the Trustees therein named were authorized and empowered to

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c. lxxii.

[Local.]

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make

The Barnsdale and Leeds Turnpike Road Act, 1856.

make a Branch from the said Road, commencing at a Point on the said Road at the North End of the Village of *Glass Houghton* in the Parish of *Castleford*, and terminating at a Junction with the Great North Road from *Ferrybridge* to *Wetherby*, at or near *Hook Moor*, in the Townships or Parishes of *Aberford* or *Sherburn*, or One of them, all in the West Riding of the County of *York*, and to erect Toll Houses and Toll Gates, and to take Tolls on the said Road and Branch, as therein mentioned: And whereas in pursuance of such Power so by the said recited Act granted the Trustees therein named have made the said Branch, and erected Toll Houses and Toll Gates, and have taken Toll on the said Road and Branch: And whereas considerable Sums of Money have been borrowed by the Trustees of the said Road, for the Purposes of the said Road, upon the Credit of the Tolls authorized to be taken: And whereas also divers other Sums of Money were subscribed since the passing of the said recited Act for the Purpose of making the said Branch Road upon the Credit of the Tolls thereby authorized to be taken: And whereas the Moneys so subscribed, borrowed, and advanced, and also owing, cannot be paid off unless further Powers are granted, and the Term of the said recited Act further continued: And whereas it is expedient that the said recited Act should be repealed, and that further and more effectual Powers should be granted in lieu thereof; but the Purposes aforesaid cannot be effected without the Authority of Parliament: May it therefore please Your Majesty,—

Recited Act repealed, and this Act to be in force.

I. 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 the present Parliament assembled, and by the Authority of the same, That upon the Thirty-first Day of *October* next after the passing of this Act the said recited Act of the Seventh and Eighth Years of the Reign of His late 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.

Short Title.

II. That from and after the passing of this Act, 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 *Barnsdale and Leeds* Turnpike Road Act, 1856."

Interpretation of Terms.

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

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

The

The Barnsdale and Leeds Turnpike Road Act, 1856.

The Word "Person" shall be understood to include Corporation ;
 Words importing the Masculine Gender shall include Females ;
 The Expression "the Trustees" or "the said Trustees" shall
 mean the Trustees for the Time being acting in the Execution
 of this Act.

IV. That all Moneys due to and all Property and Choses in Action vested in the Trustees under the said recited Act 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 vested in them under the said recited Act, and they shall be liable to all the Debts and Engagements to which the Trustees under the said recited Act were liable, save and except such Debts and Liabilities as are by this Act reduced, varied, or extinguished.

Moneys and
 Property
 to vest in
 the new
 Trustees.

V. That the Debt now remaining due upon the Credit of the said Tolls shall be deemed and taken at the Sum of Fifteen thousand four hundred and seventeen Pounds.

Amount of
 Debt now
 due.

VI. That all Her Majesty's Justices of the Peace for the Time being respectively acting for the West Riding of the County of *York*, and their Successors, being duly qualified to act as Trustees of Turnpike Roads in *England*, shall be Trustees for putting this Act into execution, together with *John Austin, John Barker, Robert Buchanan, M.D., the Reverend John Bell Clerk, Henry Bentley, Benjamin Burnley, Thomas Carter, John Carter, William Edward Carter, Joseph Charlesworth, William Charlesworth, John Clarkson, Francis Chorley, John Ellerton, George Fox, George Green, Joshua Hepworth, Thomas Hall, Henry Hall, Richard Heptinstall, Roger Hurst, Luke Howard, William Hepworth, John Mason Hepworth, Robert Hollings, William Bailey Holdsworth, Bernard Hartley, William Jackson, John Jackson, William Jowitt, William Jefferson, Benjamin Jowitt, David Leake, David Longstaff, Benjamin Mellor, Robert Pemberton Milnes, Richard Monckton Milnes, M.P., William Moxon, William Thomas Moxon, Richard Moxon, William Moorhouse, Joseph Crompton Oddie, Benjamin Oliveira, M.P., Robert Oxley, M.D., William Peel, John Pullon, James Robson, James Robson junr., George Scott Robson, John Roodhouse, Robert Daniel Ryder, James Russell, Thomas Routledge, John Routledge, the Honourable and Reverend Philip York Saville Clerk, the Honourable Alfred Stourton, Preston Seaton, Thomas Sayle, Reverend ——— Silvester Clerk, John Scholefield, William Smith, John Taylor, and Samuel Walker the elder, Colonel Charles Wood, Reverend Charles Wheeler Clerk, William Wood, Charles Winn, Joseph Walker, and their Successors,*

being

Names of
 Trustees.

The Barnsdale and Leeds Turnpike Road Act, 1856.

being duly qualified to act as Trustees of Turnpike Roads in *England*, shall be Trustees for putting this Act into execution.

Power to
appoint
additional
Trustees.

VII. 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
Meeting of
Trustees.

VIII. That the said Trustees shall hold their First Meeting on the Sixth Day of *November* One thousand eight hundred and fifty-six at the Rotation Office in the Town Hall at *Pontefract* in the West Riding of the County of *York*, or at some other convenient Place in the Neighbourhood of the said Road, 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 Road and Branch as they shall think proper.

Power to
appoint
Committees.

IX. 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.

Road to
which this
Act is ap-
plicable.

X. That this Act shall be put into execution for the Purpose of more effectually improving, maintaining, and keeping in repair the present Turnpike Road from *Barnsdale* through *Pontefract* to *Thwaite Gate* near *Leeds*, all in the West Riding of the County of *York*, and the Branch thereto, commencing at a Point on the said Road at the North End of the Village of *Glass Houghton* in the Parish of *Castleford*, and terminating at a Junction with the Great North Road from *Ferrybridge* to *Wetherby*, at or near *Hook Moor*, in the Townships or Parishes of *Aberford* and *Sherburn*, or One of them, all in the West Riding of the County of *York*.

Present Tolls
continued for
a Term.

XI. 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 or Toll Bars to be continued or erected on or on the Sides of the said Road and Branch until the First Day of *January* One thousand eight hundred and fifty-seven,

Power to
take Tolls.

XII. That upon and after the said First Day of *January* One thousand eight hundred and fifty-seven it shall be lawful for the said Trustees

The Barnsdale and Leeds Turnpike Road Act, 1856.

Trustees to demand and take at the several and respective Toll Gates or Toll Bars which shall by virtue of this Act be upon or on the Sides of the said Road and Branch such Tolls as the said Trustees at any of their Meetings shall direct, not exceeding the Sums following; (that is to say,)

For every Horse, Mule, or other Beast drawing any Coach, Berlin, Chariot, Landau, Barrouche, Phaeton, Hearse, Curricule, Calash, Chaise, Car, Gig, Chair, Caravan, 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 Fourpence Halfpenny:

For every Horse, Mule, or other Beast drawing any Waggon, Wain, Cart, Carriage, Tumbrel, or other Carriage of a like Description, by whatever Name called or known, having the Fellies of the Wheels of the Breadth of Four and a Half Inches, and less than Six Inches, the Sum of Sixpence; and for an Ass drawing as aforesaid, the Sum of Fourpence:

For every Horse, Mule, or other Beast drawing any Waggon, Wain, Cart, Timber Carriage, Tumbrel, or other Carriage of a like Description, by whatsoever Name called or known, having the Fellies of the Wheels of less Breadth than Four and a Half Inches, the Sum of Eightpence; and for an Ass drawing as aforesaid, the Sum of Sixpence:

For every Coach, Carriage, Cart, Wain, Dray, or other Carriage whatsoever, moved, drawn, or propelled by Machinery or Steam Power, or other Power than by Beasts of Draught, the Sum of One Shilling for each Wheel:

For every Horse, Ass, Mule, or other Beast (not drawing), laden or unladen, the Sum of Twopence:

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

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

which said respective Tolls shall be demanded and taken as aforesaid before any Horse, Mule, Ass, Ox, Beast, or other Cattle or Animal or Carriage whatsoever shall be permitted to pass through any Toll Gate, Toll Bar, or Chain which shall be by virtue of this Act upon or across the said Road and Branch, or on the Sides thereof.

XIII. 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. As to the Fraction of a Halfpenny in Tolls.

[*Local.*]

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XIV. That

The Barnsdale and Leeds Turnpike Road Act, 1856.

Limiting
Tolls to be
taken.

XIV. That no more than Two full Tolls shall be taken for passing and repassing in the same Day, (such Day to be computed from Twelve of the Clock at Night to Twelve of the Clock in the next succeeding Night,) with the same Horses, Beasts, Cattle, or other Animal, Carriage, or Thing liable to Toll or Duty through all Toll Gates and Toll Bars erected or to be erected or continued on the said Road between *Glass Houghton* aforesaid and the Termination of the said Road at *Thwaite Gate* aforesaid, nor more than One full Toll and a Half for passing and repassing on the same Day between *Pontefract* and the Termination of the said Road at *Barnsdale*, nor more than One full Toll and a Half for passing and repassing on the same Day between *Castleford* to the Termination of the said Branch Road at *Hook Moor*, nor more than Two full Tolls for passing and repassing on the same Day between *Pontefract* and the Termination of the said Branch Road at *Hook Moor*, nor more than One full Toll and a Half for passing and repassing on the same Day through both the *Allerton Bar* and the *Glass Houghton Bar* respectively; and as Evidence of the Payment of such Tolls the Driver, Keeper, or Person in charge of such Horses, Beasts, Cattle, or other Animal, Carriage, or Thing liable to Toll or Duty shall, if required, produce and show to the Keepers of such Toll Gates or Toll Bars, or the Person or Persons authorized by the said Trustees to take such Toll, a Ticket denoting the Payment on that Day.

Tolls to be
paid but once
a Day at the
same Gate,
except, &c.

XV. That every Horse, Beast, Animal, and Carriage in respect whereof the Tolls hereby authorized to be taken shall have been paid at any Toll Gate upon or at the Side of the Road or Branch, shall, upon the Production of a Ticket denoting such Payment, be permitted to pass Toll-free for any Number of Times on the same Day through the same Toll Gate, or any other Toll Gate which the Ticket for such Payment shall free, except in Cases herein-after mentioned.

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

XVI. That the several Tolls hereby made payable on the said Road for and in respect of Horses, Beasts, or Cattle drawing any Stage Coach, Diligence, Van, Caravan, or Stage Waggon, or on other Stage Carriage or Stage Carriages drawn or propelled by other Power than Beasts of Draught, conveying Passengers or Goods for Pay or Reward, shall be payable and paid every Time of passing or repassing along the said Road or Branch.

Postchaises,
&c. on every
new Hiring.

XVII. That the several Tolls hereby made payable on the said Road and Branch for or in respect of all 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 Road and Branch whenever any new Hiring thereof shall take place.

XVIII. That

The Barnsdale and Leeds Turnpike Road Act, 1856.

XVIII. That the Tolls hereby authorized shall be payable at each and every Toll Gate belonging to the Trustees in respect of Horses or other Beasts of Draught drawing any Waggon, Wain, Dray, Cart, or such like Carriage for every Time during the same Day that any such Horse or other Beast of Draught shall pass through any of the Toll Gates of the Trustees drawing any other laden Waggon, Wain, Dray, Cart, or such like Carriage than that which such Horse or other Beast of Draught was employed in drawing at any former Time during the same Day, and at which Tolls shall have been paid.

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

XIX. And whereas the said Road leading from *Barnsdale* to *Thwaite Gate* near *Leeds*, enters upon and forms a Junction with the *Leeds and Wakefield* Road, at or near to *Thwaite Gate*, and within One Mile and a Half and One hundred Yards from the Pavement of the Town of *Leeds* aforesaid, or thereabouts, and Persons travelling from the said *Barnsdale and Leeds* Road to the Town of *Leeds* aforesaid pass upon the said *Leeds and Wakefield* Road, thereby subjecting themselves to the Payment of Tolls at a certain Toll Bar or Toll Gate erected by the Trustees of the said *Leeds and Wakefield* Turnpike Road upon the said *Leeds and Wakefield* Turnpike Road, called the *Hunslet* Bar, and placed Five hundred Yards, or thereabouts, from the Point of Junction of the said *Barnsdale and Leeds* Road with the said *Leeds and Wakefield* Road: And whereas it is expedient that only One Toll should be payable by Persons travelling upon the said *Barnsdale and Leeds* Road and the said *Leeds and Wakefield* Road between the Township of *Rothwell Haigh* and *Leeds* reciprocally: Be it therefore enacted, That from and after the passing of this Act, and during the Continuance of the said *Leeds and Wakefield* Trust, all Persons travelling towards *Leeds* who shall have paid Toll at a certain Bar upon the said *Barnsdale and Leeds* Road, called *Thwaite Gate* Bar, or at any other Bar which may be erected upon the said Road within the Township of *Rothwell Haigh* shall, upon producing a Ticket to be for that Purpose provided by the Trustees of the said *Barnsdale and Leeds* Road denoting Payment of Toll at any such Bar as aforesaid, be permitted to pass towards *Leeds* on the same Day Toll-free through all or any of the Bars now erected or which may be erected by the Trustees of the said *Leeds and Wakefield* Road between *Thwaite Gate* and *Leeds*; and in like Manner, for and during the same Period, all Persons travelling towards the Township of *Rothwell Haigh* who shall have paid Toll at a certain Bar on the said *Leeds and Wakefield* Road called *Hunslet* Bar, or at any other Bar which may be erected between *Leeds* and *Thwaite Gate* aforesaid, shall, upon producing a Ticket to be for that Purpose provided by the Trustees of the said *Leeds and Wakefield* Road denoting Payment of Toll at any such last-mentioned Bar, be permitted to pass towards the Township of *Rothwell Haigh* Toll-free through

Regulating
the Payment
of Toll for
passing from
Leeds and
Barnsdale
Road
towards
Leeds, and
vice versâ.

The Barnsdale and Leeds Turnpike Road Act, 1856.

through the said *Thwaite Gate* Bar, and through any other Bar which by virtue of this Act may be erected upon the said *Barnsdale and Leeds* Road within the said Township of *Rothwell Haigh*.

Regulation
and Division
of Toll from
Lord Stour-
ton's Estate
at Rothwell
Haigh.

XX. And whereas under the said recited Act all Horses and other Cattle drawing Carts and other Carriages, whether laden or unladen, going for or conveying Coal and other Produce of the Estates of Lord *Stourton* situate at *Rothwell Haigh* in the West Riding of the County of *York* are exempted from the Payment of Toll at the *Thwaite Gate* Bar on the said *Barnsdale and Leeds* Road, but under the *Leeds and Wakefield* Road Act were liable to pay Toll at the *Hunslet* Bar on the said *Leeds and Wakefield* Road, and it having been considered reasonable that the Tolls payable at the said *Hunslet* Bar upon the said Horses and other Cattle drawing such Carts going to or returning from the said Estates of the said Lord *Stourton* as aforesaid should be divided between the Trustees of the said Two Roads, in the Proportion of Two Thirds to the Trustees of the said *Leeds and Wakefield* Road, and the remaining One Third to the Trustees of the *Barnsdale and Leeds* Road: And whereas the said Two Thirds of such Toll have been accordingly taken at the said *Hunslet* Bar, and the remaining One Third has been also taken at the said *Thwaite Gate* Bar, under the Powers for that Purpose contained in the said recited Act: And whereas it is reasonable that such Arrangements should be further continued during the Period that Toll shall be taken at the said *Hunslet* Bar, or any other Bar erected in lieu thereof, between *Leeds* and *Thwaite Gate*, on the said *Leeds and Wakefield* Road during the Continuance of that Trust: Be it enacted, That from and after the passing of this Act, and during the Continuance of the said *Leeds and Wakefield* Trust, it shall and may be lawful for the Trustees for executing this Act to collect and take at the said *Thwaite Gate* Bar, or any other Toll Bar which may be hereafter erected within the Township of *Rothwell Haigh*, no more or other Toll for Horses, Carts, or Carriages going for, leading, or conveying Coal or other Produce from or of the Mines on the Estates of the said Lord *Stourton* than One Third Part of the Toll liable to be paid at the said *Hunslet* or other Bar between *Thwaite Gate* and *Leeds*, during the Continuance of the said *Leeds and Wakefield* Trust, for such Horses, Carts, or Carriages going for, leading, or conveying Coal or other such Produce as aforesaid on or along the said *Barnsdale and Leeds* Road, for Payment of which Tolls a Ticket or Tickets shall be given by the Bar Keeper of the said *Thwaite Gate* Bar or other Bar as aforesaid, to be produced at the said *Hunslet* or other Bar between *Thwaite Gate* and *Leeds*, and that the other Two Thirds of such last-mentioned Toll, and no more, shall be paid at the said *Hunslet* Bar or other Bar between *Thwaite Gate* and *Leeds*, instead of the full Toll, which but for this present Clause would be payable thereat.

XXI. Pro-

The Barnsdale and Leeds Turnpike Road Act, 1856.

XXI. Provided always, That in case the said *Hunslet* Bar shall be removed and no other Bar shall be erected in lieu thereof on the said *Leeds and Wakefield* Road between *Thwaite Gate* and *Leeds*, or in case Toll shall cease to be taken on the said *Leeds and Wakefield* Road between *Thwaite Gate* and *Leeds*, then and in that Case it shall be lawful for the said Trustees of the *Barnsdale and Leeds* Road to take at the said *Thwaite Gate* Bar, or any other Bar erected in lieu thereof, for Horses, Carts, or Carriages going for, leading, or conveying Coal or other such Produce as aforesaid from the Estate of the said Lord *Stourton* the full Toll by this Act authorized to be taken: Provided also, that nothing herein contained shall preclude the Trustees of the said *Barnsdale and Leeds* Road and the Trustees of the said *Leeds and Wakefield* Road from making any other Arrangement with respect to the Tolls of the said Two Roads, so far as they are connected with each other, at such Time or Times during the Continuance of the said *Leeds and Wakefield* Trust, in such Manner as the said Trustees shall mutually agree upon.

In case
Hunslet Bar
shall be re-
moved full
Tolls may be
taken.

Power to
make Ar-
rangements
with Trus-
tees of Leeds
and Wake-
field Road.

XXII. Provided also, That in case the Trustees of the said *Leeds and Wakefield* Road shall reduce the Toll taken at the said *Hunslet* Bar, or any Bar erected in lieu thereof, it shall be lawful for the said Trustees of the said *Barnsdale and Leeds* Road to take such and so much Toll at the said *Thwaite Gate* Bar, or any Bar erected in lieu thereof, as that the Toll taken at the said Two Bars shall together be neither greater nor less in Amount than the Toll hereby authorized to be taken at any One Gate or Bar on the said *Barnsdale and Leeds* Road.

In case Tolls
at Hunslet
Gate re-
duced, Tolls
to be taken
at Thwaite
Gate Bar
and Hunslet
Bar to equal
the Tolls now
taken.

XXIII. That it shall and may be lawful to and for the said Lord *Stourton*, his Heirs and Assigns, and the Person or Persons who shall for the Time being be the Owner or Owners of or entitled to his said Estates, Coal Mines, and Hereditaments at or upon *Rothwell Haigh* aforesaid, and his and their, and each and every Lessees or Tenants from Time to Time and at all Times hereafter to make, continue, and lay all such Coalroads, Railroads, Ways, and Passages from his or their Collieries, Coal Mines, or Coalworks, either now opened or working, or hereafter to be opened or wrought, within the Parish of *Rothwell* aforesaid to the River *Aire*, the *Aire and Calder* Canal, the *North Midland* Railway, or to any other Place or Places whatsoever under or across the said *Barnsdale and Leeds* Road, or any Part thereof, as he or they or any of them shall think necessary and expedient for the leading, carrying, or conveying his or their Coals and other Produce of the said Coal Mines to the said River *Aire*, Canal, and Railway respectively, or to such other Place or Places as aforesaid, and from Time to Time and at all Times for him and them, and his and their Agents, Servants and Workmen, Colliers

Power for
Lord Stour-
ton, his
Lessees, &c.
to make and
lay Rail-
roads.

[Local.]

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and

The Barnsdale and Leeds Turnpike Road Act, 1856.

and Labourers, freely to pass and repass over and along the Coalroads or Railroads already made, and also over and along such Coalroads or Railroads, Ways, and Passages to be hereafter made, with Horses, Cattle, Waggon, Wains, Carts, or other Carriages, or without, and to lead, carry, and convey such Coals and other Produce of the said Coal Mines over and along such Coalroads, Railroads, Ways, and Passages, by and with Waggon, Wains, Carts, or other Carriages, and with Horses, Cattle, Ropes, Engines, Machinery, or otherwise, as they or any of them shall think proper: Provided always, that no such Coalroad, Railroad, Way, or Passage as aforesaid shall rise more than One Inch above or sink more than One Inch below the Surface of the said Turnpike Road.

Provision
where the
Road is
crossed by
Coalroads.

XXIV. That wherever the said Coalroads or Railroads now made or hereafter to be made shall cross the said Road, the said Lord *Stourton*, his Heirs and Assigns, and the Person or Persons who for the Time being shall be the Owner or Owners of or entitled to his said Estates, Coal Mines, and Hereditaments at or upon *Rothwell Haigh* aforesaid, or his or their Lessees or Tenants, shall erect and at all Times maintain good and sufficient Gates across the said Coalroads on each Side of the said Road where the said Coalroads or Railroads shall communicate therewith, and shall employ proper Persons to open and shut such Gates, and such Gates shall be kept constantly closed across such Coalroads or Railroads on both Sides of the said Road, except during the Time when Engines, Carriages, Trucks, Waggon, or Carts passing along the said Coalroads or Railroads shall have Occasion to cross such Road; and such Gates shall be of such Dimensions, and so constructed as when closed to fence in the said Road, and prevent Cattle or Horses passing along the said Road from entering upon the said Coalroads or Railroads; and the Persons entrusted with the Care of such Gates shall cause the same to be closed as soon as such Engines, Carriages, Trucks, Waggon, or Carts shall have passed through the same, under a Penalty of Forty Shillings, which Penalty shall be recoverable in the Manner directed for the Recovery of Penalties by the Statute of the Fourth Year of the Reign of His late Majesty King *George* the Fourth, c. 95, sect. 83.

Respecting
Toll Gates.

XXV. That the several Toll Gates, Toll Bars, and Toll Houses now standing or being upon the said Road or Branch, or on the Sides thereof, shall be continued until removed by any Order, and cause to be set up in or across the said Road or Branch, or on the Sides thereof, any Toll Gate, Toll Bar, or Toll House, and to remove the present or any future Toll Gates, Toll Bars, or Toll Houses as they shall think proper: Provided always, that such Setting-up or Removal of such Toll Gates, Toll Bars, or Toll Houses shall be subject to the
Provisions

The Barnsdale and Leeds Turnpike Road Act, 1856.

Provisions thereto applicable contained in the Act of Parliament made and passed in the Ninth Year of the Reign of His late Majesty King George IV., intituled *An Act to amend the Acts for regulating Turnpike Roads.* 9 G. 4. c. 77.

XXVI. That it shall and may be lawful for the said Trustees, where any Toll House or the Garden and Appurtenances thereunto belonging shall not encroach on the said Road or Branch or the Sides thereof, to sell and dispose of any such Toll House as may become useless, and the Land or Ground upon which it stands or may be erected, together with any Garden and Appurtenances belonging thereto, as they shall think proper, the Site of which Toll House, Land, or Garden shall have been purchased by the said Trustees under the said recited Act or any former Act, and shall be vested in the Trustees under this Act, either by Public Sale or Private Contract, for the best Price that may be obtained for the same, and to convey the same to the Purchaser or Purchasers thereof, and such Conveyance under this Act may be executed by any Three of the said Trustees, and such Conveyance shall be in the Form contained in the Schedule to this Act annexed, and the Purchase Money shall be paid to the Treasurer of the said Trustees for the Time being, and his Receipt alone shall be a good and valid Receipt to such Purchaser for the Purchase Money expressed therein: Provided always, that such and the like Preference and Priority of purchasing at a fair Valuation the Premises so to be sold shall always be given to the Owner of the Land immediately behind the said Toll House or Garden whose Frontage to the said Road or Branch shall be obstructed or interfered with by such Toll House and Garden as aforesaid as is by the Statutes for regulating Turnpike Roads in that Part of *Great Britain* called *England* directed to be given in case of the Sale of any Piece or Pieces of Ground not wanted for the Purposes of a Turnpike Road; but in case any such Toll House shall encroach on the said Road or Branch or any Part thereof, so as not to leave the said Road or Branch of the clear Width of Thirty Feet, the same shall be pulled down by the said Trustees, and the Site of the said Toll House and Garden, so far as the same formed Part of the said Road or Branch, shall be laid into the Road and form Part of the same.

Power to Trustees to sell and convey Toll Houses and the Ground on which they stand.

XXVII. That all Moneys which shall be received by the said Trustees by virtue of this Act shall be applied as follows; (that is to say,)

Application of Moneys.

1. In paying and discharging the Expenses of obtaining and passing this Act, or incident thereto:
2. In paying the Expenses of erecting, providing, and keeping in repair the several Toll Gates and Toll Houses, with their Appurtenances, erected upon or upon the Sides of the said Road

Road

The Barnsdale and Leeds Turnpike Road Act, 1856.

Road or Branch, and in paying the Officers and Persons to be employed in the Execution of this Act with reference to the same, but the Amount so applied shall not exceed the Sum of One hundred Pounds *per Annum*, exclusive of Toll-gate Keepers and prosecuting and defending Actions at Law :

3. In discharging the Interest at the Rate of Three Pounds Five Shillings *per Cent. per Annum* on the said Principal Sum of Fifteen thousand four hundred and seventeen Pounds now remaining due upon the Credit of the said Tolls, or so much thereof as shall from Time to Time remain unpaid :
4. In paying off and discharging in manner herein-after provided the said Debt of Fifteen thousand four hundred and seventeen Pounds, or so much thereof as for the Time being shall be due and owing on the Credit of the Tolls of the said Road and Branch :
5. In improving, maintaining, and keeping in repair the said Road and Branch.

As to Mode
of discharg-
ing Debt.

XXVIII. That when and so often as the Sum applicable to the Discharge of the Principal Moneys 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 Moneys to 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 shall relate to the Application of such Sum, by Advertisement in some Newspaper circulating in the West Riding of the County of *York*, or by Letter sent by Post to each Creditor directed to his usual or last known Place of Abode ; and at such Meeting the Trustees shall apply such Sum, or a Portion thereof, (as the Case may require,) in or towards the Discharge of Moneys 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 offered to accept the lowest Composition in respect of such Moneys ; 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 Moneys 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 Payment shall be exhausted ; and if when 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

The Barnsdale and Leeds Turnpike Road Act, 1856.

ably 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 said Sum applicable to such Payment after applying the same so far as may be necessary in or towards the Discharge of the Moneys 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 apply the same to such of them as may be determined by Lot, as the Trustees shall think fit.

XXIX. That no Holder of any Mortgage of the Tolls made under the Authority of the said recited Act or this Act shall be entitled to enter into possession of all or any of the Toll Gates, Bars, Chains, or Toll Houses or Buildings upon or upon the Sides of the said Road and Branch, in case and so long as the Interest on the Mortgage Debt thereby secured and in future to become payable up to the last half-yearly or other periodical Day on which such Interest is payable be paid within One Month after such Day as aforesaid, or within One Month after the same is demanded, which shall last happen; but in case the said Interest shall not be so paid, every Mortgagee entering into possession of such Toll Gates, Bars, Chains, Toll Houses, or Buildings, or into the Receipt of the Tolls arising from the said Road, shall pay the Interest from Time to Time becoming due, at the Rate and in the Manner by this Act authorized, upon all the then existing Mortgages and Securities, without any Priority or Preference, and may also reimburse himself any Costs to which he may be entitled; and every such Mortgagee so being in possession or receipt as aforesaid shall, within Twenty-one Days next after each of the half-yearly Days whereon the Interest on such existing Mortgages are payable, render to the Clerk to the said Trustees for the Time being a full and true Account of his Receipts and Expenditures while so in possession as aforesaid, with proper Vouchers for the same; and if it shall appear by any such Account that the Interest due at the Rate by this Act authorized on such Mortgages, up to the last of such half-yearly Days, and all such Costs as aforesaid, have been fully paid and satisfied, then such Mortgagee shall, when thereunto required by the said Trustees, pay over to the Treasurer the Balance (if any) remaining in his Hands, and deliver up Possession of the said Toll Gates, Bars, Chains, Toll Houses, and Buildings, and the Receipt of the said Tolls 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 thereof notwithstanding.

Mortgagees not to enter into possession of Toll-houses, &c. while Interest paid.

XXX. That no Money shall be laid out on the said Road or Branch within the Limits of the Municipal Borough of *Pontefract*, or within the
[Local.] 7 N Limits

No Money to be taken or laid out in

The Barnsdale and Leeds Turnpike Road Act, 1856.

certain
Towns.

Limits of any Act of Parliament passed for the Improvement of any Town, nor shall any Toll be collected therein.

Roads not
exempt from
Provisions of
present and
future Gene-
ral Acts.

XXXI. That nothing herein contained shall be deemed to exempt the said Road and Branch from the Provisions of any General Act now in force concerning Turnpike Roads in *England*, so far as the same are not inconsistent with nor repugnant to this Act, or 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.

Commence-
ment and
Term of Act.

XXXII. That this Act shall commence on the First Day of *November* after the passing hereof, 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.

SCHEDULE referred to by this Act.

By virtue and in pursuance of an Act passed in the Nineteenth and Twentieth Years of the Reign of Her Majesty Queen Victoria, intituled "The Barnsdale and Leeds Turnpike Road Act, 1856," in consideration of the Sum of £ to , the Treasurer appointed by the Trustees for putting the said Act into execution having been this Day paid by of , we, whose Names are hereunto subscribed and Seals affixed, being Three of the said Trustees, do hereby grant, release, and convey unto the said his Heirs and Assigns, all (*describe the Premises to be conveyed*), together with all Ways, Rights, and Appurtenances thereto belonging, to hold the Premises to the said his Heirs and Assigns for ever, according to the true Intent and Meaning of the said Act.

In witness whereof we have hereunto set our Hands and Seals, the Day of A D. 18 .

LONDON:

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Printers to the Queen's most Excellent Majesty. 1856.