



ANNO VICESIMO & VICESIMO PRIMO

# VICTORIÆ REGINÆ.

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## *Cap. cxxxi.*

An Act for continuing the Term and amending and extending the Provisions of the Act relating to the *Otley and Skipton* Turnpike Road, and to create a further Term therein; and for other Purposes. [10th August 1857.]

WHEREAS an Act was passed in the Fourth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act for repairing and improving the Road from Otley to Skipton in the County of York*: And whereas the Term granted by the said Act, and continued from Time to Time by 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-seven, unless Parliament shall in the meantime continue the same: And whereas considerable Sums of Money have been advanced and are now due and owing upon the Credit of the Tolls authorized to be taken by the said Act, amounting together to the Sum of Seven thousand one hundred and fifty-eight Pounds Nineteen Shillings and Ninepence, as specified in the Second Schedule to this Act annexed, and such Sums cannot be paid off or the Interest discharged unless further Powers are granted, and the Term of the

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said

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said Act be further continued: And whereas it is expedient that the said recited Act should be repealed, and that further and more effectual Powers should be granted in lieu thereof; but the Purposes aforesaid cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Interpreta-  
tion of  
Terms.

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

The Word "Person" shall include Corporation:

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

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

The Expression "the Road," or "the said Road," shall mean the Road to which this Act specially relates:

The Word "Toll-gate" shall include any Toll-gate, Turnpike Bar, Side Gate, Side Bar, or Chain, set up and erected or to be set up or erected upon or across or by the Side of the Road to which this or the recited Act relates, or across any Highway or Lane communicating therewith.

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

II. Upon the Second Day of *November* One thousand eight hundred and fifty-seven the recited Act of the Fourth Year of the Reign of His Majesty King *George* the Fourth shall be repealed, and this Act shall thereafter be put into execution during the Term and for the Purposes herein-after mentioned.

Moneys and  
Property to  
vest in new  
Trustees.

III. All Rents, Arrears of Tolls, and other Moneys due to, and all Property, Books, Accounts, Papers, Writings, and other Things, and all Choses in Action, vested in or belonging to, the Trustees under the recited Act, shall immediately on the Commencement of this Act be vested in and belong to the Trustees for executing this Act, and such last-mentioned Trustees may sue for and recover the same and act in respect thereof as effectually as if the same had been vested in and belonged to them under the recited Act, and they shall be liable to all the Debts and Engagements to which the Trustees under the recited Act shall have been liable at the Repeal thereof, except such as may be hereby reduced, varied, barred, or extinguished.

IV. Subject

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

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

V. All Books of Proceedings which have been kept by the Trustees acting in execution of the recited Act, or by their Treasurer, Clerk, or Surveyor respectively under their Direction according to the Provisions of such Act, and made Evidence thereby, shall be admitted as Evidence in all Courts, and by all Judges, Justices, and others.

Books under former Act to be Evidence.

VI. All Her Majesty's Justices of the Peace for the Time being acting for the West Riding of the County of York, together with *William Ackroyd, William Nicholson Alcock, Henry Alcock, William Alcock, Henry Alcock junior, Richard Alcock, Francis Billam, William Bolling, Henry Alcock Bramley, Henry Ramsden Bramley, William Birtwhistle, William Bury Clerk, Charles Carr, John Carr, Richard Dyneley Chamberlain, John Coates, John Nicholas Coulthurst, John Coulthurst, Thomas Constable, William Cartman Clerk, John Gregory Cottingham, Francis Darwen, John Dewhurst, John Bonny Dewhurst, Thomas Henry Dewhurst, Captain Russell Elliot, Francis Hawksworth Fawkes, Ayscough Fawkes, William Fairbank, Robert Foster, Stephen Fawcett, William Fraser, William Edward Forster, Thomas Forster, Peter Garforth, Peter Garnett, Thomas Gill, William Greenwood, Thomas Heelis, John Heelis, George William Horton, Stephen Bailey Hall, Joseph Dempsey Holdforth, Joseph Hart Clerk, John Hartley, Thomas Hartley, Thomas Horsfall, Timothy Horsfall, Benjamin Harrison, William Hodgson, Henry Hodgson, Benjamin Holmes, John Walker Hartley, Abraham Holroyd, John Humphrey Hare, Sir Charles Ibbetson Baronet, Theophilus Hastings Ingham,*  
John

Appointment of Trustees.

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*John Janson, Thomas Mason Johnson, Christopher Jackson, John Lister Kaye, Philip Chabert Kidd Clerk, Francis John Lace, Thomas Cunliffe Lister, John Margerison, Peter Myddelton, William Myddelton, Charles Myddelton, John Myddelton, Thomas Mitchell, Charles Marsden Clerk, Thomas Forest Marshall, John Netherwood, John Fleming Parker Clerk, Cooper Preston, Danson Richardson Roundell Clerk, William Roundell, Sir John William Ramsden Baronet, John Robinson, Edward Robinson, John Renton, John Benson Sidgwick, Robert Hodson Sidgwick, Richard Smith London, John Spence, William Spence, William Slingsby, John Slingsby, Henry Sugden, William Swire, John Snowden Clerk, John Stansfeld Clerk, Sir Charles Robert Tempest Baronet, Henry Tempest, Francis Joseph Tempest, John Robert Tennant, William Thompson Clerk, John Thackray, George Tempest, William Bradley Wainman, John Wilkinson Wasney, Mathew Wilson, Henry Currer Wilson Clerk, Matthew Wharton Wilson, Thomas Clifton Wilkinson, William Wilkinson, Wright Willett Clerk, Charles James Walker, John Yorke, and their Successors, being duly qualified to act as Trustees of Turnpike Roads in *England*, shall be and they are hereby appointed Trustees for carrying this Act into execution.*

Power to appoint additional Trustees.

VII. It shall be lawful for the Trustees, and they are hereby authorized and empowered, 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.

Power to appoint Committees.

VIII. The 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 Trustees at any General or Special 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.

Present Officers to be continued.

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

X. The

*The Otley and Skipton Road Act, 1857.*

X. The Trustees shall hold their First Meeting under the Provisions of this Act at the *Black Horse Inn* in *Skipton* aforesaid, or at some convenient Place in the Neighbourhood of the said Road, on the Second *Wednesday* in *November* next after the passing of this Act, or as soon after as conveniently may be, and shall then and from Time to Time thereafter adjourn to and meet at such Places in the Neighbourhood of the said Road and at such Times as they shall think proper; and if at any Meeting appointed to be held by virtue of this Act there shall not appear a sufficient Number of Trustees to act, the Meeting shall be adjourned, and One Trustee shall be sufficient for the Purpose of Adjournment only.

First Meeting of Trustees.

XI. This Act shall be put into execution for the Purpose of discharging the Debts (as specified in the Second Schedule to this Act annexed) incurred in making and maintaining the Road herein-after mentioned, and for the Purpose of maintaining and repairing the same Road to the Extent herein-after mentioned; (that is to say,)

Road to which this Act is applicable.

The Road from *Otley* to *Skipton* in the County of *York* (including the Diversion of such Road in the Township of *Draughton* authorized by "The *Bradford Waterworks Act, 1854*," and shown on the Plans therein referred to).

XII. Notwithstanding the Repeal of the recited Act, the several Tolls thereby granted, and which may be payable at the Time of such Repeal, shall continue to be paid at the Toll Gates which are or shall be standing, being, or continued or erected on the Sides of the Road until and inclusive of the Thirty-first Day of *December* One thousand eight hundred and fifty-seven.

Present Tolls continued for a Term.

XIII. Upon and after the First Day of *January* One thousand eight hundred and fifty-eight it shall be lawful for the Trustees to demand and take at the several and respective Toll Gates, Turnpikes, Toll Houses, Side Gates, Side Bars, or Chains which now are or hereafter shall be standing and being, or continued or erected, in, upon, or across any Part of the Road, or on the Sides of the said Road, or any Part thereof, such Tolls as the Trustees at any of their Meetings shall direct, not exceeding the Sums following; (that is to say,)

Power to take Tolls.

For every Horse, Mule, Ass, or other Beast drawing any Coach, Stage Coach, Diligence, Omnibus, Machine, Van, Caravan, Sociable, Berlin, Landau, Chariot, Vis-à-vis, Barouch, Phaeton, Chaise Marine, Calash, Curricule, Gig, Whiskey, Hearse, Litter, Chaise, or other such like Carriage, the Sum of Sixpence:

Tolls to be taken.

For every Horse, Mule, Ass, Ox, Bullock, or other Beast drawing any Waggon, Wain, Dray, Cart, or other such like Carriage, if having the Fellies of the Wheels thereof of the Breadth of Four

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and

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and a Half Inches or upwards at the Bottom or Soles thereof, the Sum of Fourpence; if having the Fellies of the Wheels thereof of less Breadth than Four and a Half Inches at the Bottom or Soles thereof, the Sum of Fourpence Halfpenny:

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

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

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

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

Which said Tolls shall be demanded and taken before any Horse, Mule, Ass, Bullock, Beast, or other Cattle, Coach, Waggon, Cart, or other Carriage or Vehicle whatsoever shall be permitted to pass through any such Turnpike or Toll Gate, or Side Bar or Side Gate, or Chain, and which said respective Tolls or Duties shall be and are hereby vested in the said Trustees, and shall be applied for the Purposes of this Act in manner herein-after directed.

Exemptions  
for Agricultural  
Produce.

XIV. No Toll shall be demanded or taken by virtue of this Act for any Horse, Beast, or other Cattle or Carriage employed in carrying or conveying, or going empty to fetch, carry, or convey, or returning empty from carrying or conveying, having been employed only in carrying or conveying on the same Day, any Dung, Soil, Compost, or Manure (except Lime for improving Lands), or any Ploughs, Harrows, or Implements of Husbandry (unless laden also with some other Thing not exempted from Toll by the Act of the Third Year of the Reign of His Majesty King *George* the Fourth), or any Hay, Straw, Fodder for Cattle, or Corn in the Straw, which has grown or arisen on Land or Ground in the Occupation of the Owner of any such Hay, Straw, Fodder, or Corn in the Straw, Potatoes, or other Agricultural Produce, and which has not been bought, sold, or disposed of, nor is going to be sold or disposed of, or for any Horses or other Beasts employed in Husbandry going to or returning from Plough or Harrow, or to or from Pasture or Watering Place, such Horses or other Beasts not going or returning on those Occasions more than Two Miles on the Road; and if any Person shall claim or take the Benefit of such Exemption, not being legally entitled to the same, every such Person shall forfeit and pay any Sum not exceeding Five Pounds, and the Proof of Exemption shall lie on the Person claiming the same.

XV. In

*The Otley and Skipton Road Act, 1857.*

XV. In all Cases where there shall be a fractional Part of a Halfpenny in the Calculation or Amount of the Tolls hereby granted and authorized, or any of them, the Sum of One Halfpenny shall be demanded and taken in lieu of such fractional Part.

As to the Fraction of a Halfpenny in Tolls.

XVI. If any Person or Persons shall have paid the Toll hereby authorized to be taken for the passing of any Horse, Beast, Cattle, or Carriage through any of the Toll Gates erected or to be erected on the said Road, such Horse, Beast, Cattle, or Carriage shall, upon a Ticket denoting the Payment thereof for that Day being produced, be permitted to pass Toll-free through the same Toll Gate, and also through such other Gate or Gates as the Ticket for such Payment shall free at any Time or Times during the same Day, except Horses or other Beasts of Draught drawing any Coach, Van, Caravan, or Waggon, or other Carriage, or any Postchaise, Gig, or other such like Carriage let out to Hire, when any new Hiring thereof shall be made, and except such Horses or other Beasts as shall be employed in drawing a different Carriage, Waggon, Cart, or other Vehicle from that which they were employed in drawing when the Payment was made, in which Case such Horses or other Beasts so drawing shall be again liable to Toll, and notwithstanding any previous Payment of Toll in respect of any such Carriage, Waggon, Cart, or other Vehicle when drawn by any other Horse or other Beast.

Tolls to be paid but once a Day.

XVII. The Tolls hereby made payable shall be paid for or in respect of all Horses or other Beasts drawing any Coach, Diligence, Van, Caravan, Cart, Waggon, or other Carriage carrying or conveying Passengers or Goods for Pay, Hire, or Reward, every Time of passing or repassing along the said Road, and also for and in respect of all Horses or other Beasts drawing any Postchaise or other Carriage travelling for Hire for every Time of passing and repassing along the said Road upon every new Hiring of such Postchaise or other Carriage.

Stage Coaches to pay every Time of passing ;

Postchaises on every new Hiring.

XVIII. No more than Three Tolls in the whole shall be payable for or in respect of the same Horses, Mules, Asses, Beasts, Cattle, or Carriages for passing in One Day through all or any of the Toll Gates erected or to be erected upon the said Road, nor shall any Person having paid such Toll for any Horse, Mule, or Ass, Beast, Cattle, or Carriage, at any Toll Gate on the said Road, be liable to pay Toll again on the same Day for the same Horse, Mule, or Ass, Beast, Cattle, or Carriage, at any other Toll Gate on the same Road which shall be less than Three Miles distant from the Toll Gate at which such Payment was made.

Limiting Number of Tolls for passing through all Gates on the Road.

XIX. No

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Carriages  
with Grist  
to pay Toll  
only once.

XIX. No Person or Persons who shall have paid the Toll hereby granted at any Turnpike or Toll Gate on the said Road for any Horse, Mule, Ass, or Beast drawing any Cart or other such Carriage employed in carrying any Corn, Grist, or Flour to or from any Mill situate in any Township through which the said Road passes, shall be liable to the Payment of any further Toll at the same Turnpike or Gate for such Horse, Mule, Ass, Beast, Cart, or Carriage going again unladen for or going again laden solely with the same Corn, Grist, or Flour, either on the same or any future Day, anything herein contained to the contrary notwithstanding.

Power to  
Trustees to  
sell and con-  
vey Toll  
Houses and  
the Ground  
on which  
they stand.

XX. It shall and may be lawful for the Trustees, where any Toll Houses or the Gardens and Appurtenances thereunto belonging shall not encroach on the said Road, or the Sides thereof, to sell and dispose of any such Toll Houses as may become useless, and the Land or Ground upon which they stand or may be erected, together with any Gardens and Appurtenances belonging thereto, as they shall think proper, if the Site of such Toll Houses, Lands, or Gardens 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 First Schedule to this Act annexed, or as near thereto as Circumstances will admit, and the Purchase Money shall be paid to the Treasurer or Treasurers of the said Trustees for the Time being, and the Receipt of such Treasurer or Treasurers 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 Houses or Gardens, whose Frontage to the said Road shall be obstructed or interfered with by such Toll Houses and Gardens 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 Houses shall encroach on the said Road or any Part thereof, so as not to leave the said Road of the clear Width of Thirty Feet, the same, when they shall become useless, shall be pulled down by the said Trustees, and the Site of the said Toll Houses and Gardens shall be laid into the Road and form Part of the same.

XXI. It



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XXI. It shall be lawful for the Surveyor or Surveyors of the Road, and such Persons as he or they shall appoint by Order of the said Trustees, to make and keep in repair or cause to be made and kept in repair any Causeway or Causeways for the Use of Foot Passengers in, upon, or on the Sides of the Road, in such Manner as they shall think proper, and also the Ditches or Drains in or upon the Road, and also such Ditches or Drains through any Ground lying contiguous or near thereto (not being a Garden, Orchard, Park, Paddock, planted Walk, or Avenue to any House, or any Piece of Ground planted and set apart as a Nursery for Trees), and to erect, rebuild, and keep in repair all Bridges, Culverts, and Arches upon the Road, or across any of the Ditches, Watercourses, or Drains, where necessary; and the said Trustees shall make such Recompence to the Owners and Occupiers of such Grounds respectively for the Damage they shall or may thereby sustain as shall be judged reasonable by the said Trustees; and in case of any Difference concerning such Damage between such Owners or Occupiers and the said Trustees, then it shall be lawful for any Two or more Justices acting for the County of *York*, on Ten Days Notice in Writing being given by either Party to the other, to settle, adjudge, and determine what Recompence shall be made to such Owners and Occupiers for the Damage they shall have sustained as aforesaid; and all new Ditches, Drains, Bridges, Culverts, and Arches to be made in pursuance of this Act, when so made and completed by the said Trustees, shall for ever afterwards be scoured, cleansed, and kept open, repaired, and maintained by the Occupiers of the adjoining Lands or Grounds; but all such new Bridges, Arches, or Culverts as shall cross or pass through, in, or under the said Road shall be repaired and maintained by the said Trustees.

Power  
to make  
Causeways,  
Bridges,  
Drains, &c.

XXII. In all Places throughout the said Road where any Entrance shall be from the said Road to any Field, Garden, Yard, or other Land or Ground, or to any Building from the said Road, such Entrance shall be properly covered with Stone, Gravel, or other hard Materials, and a proper Culvert or Drain made by or at the Expense of the Proprietor or Occupier of such Field, Garden, Yard, Land, Ground, or Building, so that such Road may not be injured by Carriages or Horses passing to or from the same by such Entrance, or the Flow or Passage of Water at the Sides thereof in any way prevented or impeded; and in case such Proprietor or Occupier shall neglect to cover with proper Materials such Entrance, or to make such Culvert or Drain, or to keep the same respectively in proper Order for the Space of Ten Days after Notice in Writing given to such Proprietor or Occupier, or left for him or her at his or her usual Place of Residence by the Surveyor of the said Trustees or other Person appointed by them, requiring such Proprietor or Occupier so to make

Entrances to  
Fields, &c.  
to be made  
with hard  
Materials.

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or repair the same, then it shall be lawful for the said Trustees or their Surveyor, or any other Person acting under their Authority, to cover such Entrance with Stone, Gravel, or other hard Materials, and to make a Culvert or Drain, or to repair the same respectively, as the Case may be, and the Expenses thereof shall be reimbursed and paid to the said Trustees by such Proprietor or Occupier, as the Case may be, and in case of Nonpayment of such Expenses within Ten Days after the same shall have been demanded by or on behalf of the said Trustees, then such Expenses shall and may be recovered, together with the Costs and Charges attending the same, by Distress and Sale of the Goods and Chattels of such Proprietor or Occupier by Warrant under the Hand and Seal of any Justice of the Peace for the County of *York*, and which Warrant of Distress any such Justice is hereby authorized and empowered to grant on Proof made before him on Oath of such Expense having been incurred, and of such Notice having been given as aforesaid, and any Overplus shall be returned on Demand to the Person or Persons whose Goods and Chattels shall have been so distrained and sold.

In case  
Fence Walls  
are out of  
repair.

XXIII. If any Fence adjoining the said Road shall from any Neglect be out of repair, or not of a sufficient Height above the Road, and shall not be repaired within Ten Days after Notice in Writing as last aforesaid, it shall be lawful for the said Trustees to rebuild or repair the same, and to charge the Costs and Expenses thereof to the Occupier of the adjoining Property; and if such Occupier shall neglect or refuse to pay the same Costs and Expenses to the said Surveyor, he shall make Complaint before One of Her Majesty's Justices of the Peace for the County of *York*, who shall thereupon proceed to summon such Defaulter; and if he fail to appear to such Summons, or to show sufficient Cause for the Nonpayment of such Costs and Expenses, it shall be lawful for such Justice, upon the Evidence of One or more Witnesses upon Oath, to determine the Amount of the Costs and Expenses of any such Repair, and to cause the same to be levied, together with the Cost of such Complaint, Information, and Conviction, by Distress and Sale of the Goods and Chattels of such Defaulter by Warrant, as herein-before mentioned.

Trustees  
may let Tolls  
by Tender.

XXIV. Notwithstanding anything in this Act or in any General Act of Parliament to the contrary contained, it shall be lawful for the Trustees, if they shall think fit, to let the Tolls of the Trust at any Meeting to be held for the Purpose of letting the same by Auction, at which no Bidding by Auction for the same respectively shall have been accepted, for any Term not exceeding Three Years, subject to such Terms and Conditions as they shall think proper, to the Person who shall tender in Writing the highest Amount to be paid for the  
same,

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same, such Amount not being less than the Amount at which the same Tolls respectively shall have been let for the then past Year: Provided always, that Notice of the Intention of the Trustees to receive Tenders for such Tolls, specifying the Amount at which such Tolls were let for the then past Year, shall be duly given in manner provided by the General Turnpike Act for giving Notice of the Intention to let the Tolls by Auction: Provided also, that the Trustees shall be at liberty to tender once as a reserved Tender for the Tolls of the Trust, and shall not be bound to let the Tolls to any Person who shall tender for the same, unless such Person shall give satisfactory Security for the Payment of the Tolls so tendered for.

XXV. If before the Expiration of any Lease or Agreement to take to farm the Tolls by this Act granted, or any of them, the Trustees shall receive an Offer for a Lease or Agreement to take to farm such Tolls for a further Period not exceeding Three Years, at a Rent or yearly Payment exceeding the Rent or yearly Payment then paid for such Tolls, and if the Trustees shall be of opinion and resolve that in their Judgment it will be more beneficial to the Trust that such Offer should be accepted, than that the said Tolls should be put up to Auction in the Manner provided by Section Fifty-five of the General Turnpike Act of the Third of *George* the Fourth, Chapter One hundred and twenty-six, the Trustees may accept such and carry the same into effect, anything contained in such Fifty-fifth Section to the contrary notwithstanding.

Trustees may accept an Offer for extended Period for Lease of Tolls.

XXVI. Whenever and so long as the Interest at the Rate hereby authorized upon the Mortgages made under the Powers of the recited Act, and specified in the Second Schedule to this Act, shall be duly paid within Three Calendar Months next after the same shall become due, no Holder of any such Mortgage of the Tolls collected upon the said Road shall be entitled to enter into possession of the Toll Gates, Toll Houses, and Buildings upon the said Road, or into the Receipt of the Tolls arising thereon, or of the Rent payable upon any letting of such Tolls; and if such Mortgagee shall enter into possession of such Toll Gates, Toll Houses, or Buildings, or into the Receipt of such Tolls or Rent, he shall pay the Interest from Time to Time due and becoming payable upon all such existing Mortgages, without any Priority or Preference, and may reimburse himself any Costs to which he may be entitled; and such Mortgagee so being in possession or receipt as aforesaid shall, within Twenty-one Days next after each of the yearly Days whereon the Interest on such Mortgages shall be payable, render to the Clerk to the 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

Mortgagees not to take possession but for Ar-rears of Interest.

if

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if it shall appear by any such Account that the Interest due on such Mortgage up to the last of such yearly Days, and all such Costs as aforesaid, have been fully paid and satisfied, then such Mortgagee shall, when thereunto required by the 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 Trustees or any Person appointed by them to receive the same, anything in this Act, or in any Statute or Law in force relating to Turnpike Roads in *England*, to the contrary notwithstanding.

Application  
of Moneys.

XXVII. All Moneys which shall come to the Hands of the Trustees by virtue of this Act shall be applied as follows :

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

Secondly, in paying the Costs and Expenses attending the Management of the Trust, including the necessary Expenses of repairing Toll Gates, Toll Houses, and the Salaries of Officers, provided that such Expenses shall not exceed in any One Year the Sum of Seventy Pounds, exclusive of the Rent of Toll Gates and Toll Houses, or Erection of future Toll Gates and Toll Houses, Salaries or Payments to Toll Collectors for collecting Tolls, if necessary, and of any Expenses to which the Trustees may be put in commencing, prosecuting, or defending any Action at Law or Suit in Equity, or preferring or defending any Indictment, or in taking any Proceeding before Justices of the Peace, or any other Proceeding for maintaining and protecting the Trust :

Thirdly, in paying Interest after the Rate of Three Pounds Ten Shillings *per Centum per Annum* on the several Sums mentioned in the Second Schedule to this Act annexed, or upon so much thereof as shall for the Time being be owing on the Credit of the Tolls authorized to be taken on the said Road by this or the repealed Act :

Fourthly, in contributing to the Expenses of maintaining and repairing the said Road to an Extent not exceeding One hundred and forty Pounds *per Annum* :

Fifthly, in reducing, paying off, and discharging in manner hereinafter provided the Sums mentioned in the said Second Schedule, or so much thereof as shall for the Time being be unpaid :

Sixthly, in paying the Expenses of further maintaining, improving, and keeping in repair the said Road, and in putting this Act into execution with reference thereto.

Interest not  
to accrue  
until the  
Expenses of

XXVIII. No Interest shall accrue due on the said Principal Sums owing on the Credit of the Tolls authorized to be taken on the said Road until the Trustees shall have received sufficient Sums to pay and

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and discharge, and shall have paid and discharged, the Expenses of obtaining and passing this Act and incident thereto. this Act are paid.

XXIX. When and so often as the Sum applicable to the Discharge of the Principal Moneys for the Time being owing on the Mortgage of the said Tolls shall amount to the Sum of One hundred Pounds, the Trustees shall at any General or Annual Meeting apply such Sum in Payment of a proportionate Part of the said Principal Moneys 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, by Letter sent by Post to such Mortgagee, directed to his usual or last known Place of Abode, or by Notice in some Newspaper published in the County of *York*, 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 Principal Moneys owing on Mortgage of such Tolls to the Mortgagee 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 Mortgagee 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 either Principal Moneys owing on Mortgage of the Tolls to the Mortgagee 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 Mortgagees 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 Mortgagees, or to pay such Composition rateably between or amongst such Mortgagees, as the Trustees shall think fit; and that 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 Moneys to which any such Proposals relate, the Trustees shall apply the Sum applicable to such Payments, or the Surplus thereof (as the Case may be), rateably amongst the Mortgagees of the said Tolls, or shall pay the same to such of them as may be determined by Lot, as the Trustees shall think fit, and such Mortgagee or Mortgagees shall be compelled to receive the same, or the Interest thereafter to accrue due on their respective Mortgages shall thereupon cease and determine.

XXX. Nothing in this Act contained shall be deemed to exempt the Road from the Provisions of any General Act relating to the Consolidation or other improved Arrangement of Turnpike Roads which Road not exempted from Provisions of General Acts.

[*Local.*]

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*The Otley and Skipton Road Act, 1857.*

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.

Trustees not to levy Tolls, &c. in certain Towns.

XXXI. The Trustees shall not levy Tolls or lay out Money within the Limits of any Act of Parliament for the Improvement of any Town.

Commencement and Term of Act.

XXXII. This Act shall commence on the First Day of *November* One thousand eight hundred and fifty-seven, 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, and shall for all Purposes be sufficiently described or referred to as "The

Short Title.

*Otley and Skipton Road Act, 1857,*" and the Trustees for executing this Act shall be styled "The Trustees of the *Otley and Skipton Turnpike Road.*"

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*The Otley and Skipton Road Act, 1857.*

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SCHEDULES referred to by this Act.THE FIRST SCHEDULE.

By virtue and in pursuance of an Act passed in the 19th and 20th Years of the Reign of Her Majesty Queen Victoria, intituled "The Otley and Skipton Road Act, 1857," 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                      185 .

THE SECOND SCHEDULE.*Debts secured by Mortgages of the Tolls.*

Name of Mortgagee.	Amount.		
	£	s.	d.
Alcock, Willam Nicholson, and Henry Alcock	137	6	3
Addingham, the Rector and Churchwardens of	70	5	7
Bolling, William	386	19	2
Burley, Incumbent and Churchwardens	38	17	6
Bramley, Henry Alcock	1,281	5	10
Collins, Reverend Thomas (Trustees)	174	18	9
Coulthurst, John Nicholas	342	18	11
Carr, Charles	26	7	8
Constable, Mary Ann	263	16	3

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Name of Mortgagee.	Amount.		
	£	s.	d.
Devonshire, Duke of	501	9	9
Dean, Sarah	221	12	5
Fox, George Lane	114	6	8
Fawkes, Francis Hawksworth	171	9	5
Foulds, Mary, surviving Executor of	96	14	9
Garforth, Peter	411	11	3
Grindleton Chapel, Incumbent of	5	10	0
Grantley, Lord	329	15	8
Harewood, Lord (the Representatives of)	342	18	11
Ilkley, Vicar and Churchwardens of	59	8	4
Kendall, John	33	19	4
Moon, Ellen, Executors of	101	1	6
Nicholson, Matthew	96	14	9
Netherwood, John	114	6	8
Pickersgill, Sophia	86	15	6
Roundell, the Reverend Danson Richardson	48	7	1
Roundell, Eleanor	94	19	6
Skipton School, Governors of	68	15	8
Tempest, Sir Charles Robert, Baronet	488	1	9
Tufton, Sir Richard, Baronet	702	19	1
Wasney, John Wilkinson	114	6	8
Wilson, Mathew	114	6	8
Wilson, Ellen, Executors of	116	12	6
	£7,158	19	9

LONDON:

Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,  
 Printers to the Queen's most Excellent Majesty. 1857.