ANNO VICESIMO SEXTO & VICESIMO SEPTIMO

VICTORIÆ REGINÆ.

****

Cap. cl.

An Act to repeal an Act passed in the Seventh and Eighth Years of the Reign of His Majesty King *George* the Fourth, intituled *An Act for more effectually repairing and improving the Road from* Standedge *in* Saddleworth *in the County of* York *to* Oldham *in the County of* Lancaster, *and other Roads in the said County of* York, *and for making and maintaining Two new Branches to communicate therewith,* and granting more effectual Powers in lieu thereof; and for other Purposes. [13th *July* 1863.]

WHEREAS an Act was passed in the Session of Parliament held in the Seventh and Eighth Years of the Reign of His Majesty King *George* the Fourth, intituled *An Act for more* 7 & 8 G. 4. *effectually repairing and improving the Road from* Standedge *in* Saddle- c. lxiv. worth *in the County of* York *to* Oldham *in the County of* Lancaster, *and other Roads in the said County of* York, *and for making and maintaining Two new Branches to communicate therewith:* And whereas the Trustees

acting by virtue of the said recited Act have proceeded to carry the same into execution, and considerable Sums of Money have been borrowed under that Act and previous Acts relating to the said Roads upon the Credit of the Tolls authorized to be taken upon the same Roads, and a Part of such Sums, amounting to Five hundred and twenty-one Pounds Sixteen Shillings and Fivepence, as specified in the First Schedule to this Act annexed, still remains due and owing, and cannot be paid off, nor can the said Roads be effectually repaired, maintained, and improved unless further Powers are granted, and the Term of the said Act be further continued and extended: And whereas the Construction of the new Roads herein-after mentioned would be of great public and local Advantage: And whereas it is expedient that the said recited Act should be repealed, and that other and more effectual Powers and Provisions should be granted in lieu thereof; but the same cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; (that is to say,)

Recited Act repealed, and this Act to be put in force.

1. That from and after Twelve o'Clock at Night on the Thirty-first Day of *August* 1863 the said recited Act of the Seventh and Eighth Years of the Reign of His late Majesty King *George* the Fourth shall be and the same is hereby repealed, and this Act shall thenceforth be put in execution during the Term and for the Purposes herein-after mentioned.

Short Title.

2. In citing this Act for any Purpose it shall be sufficient to use the Expression "The *Standedge and Oldham* Road Act, 1863," and the Roads comprised therein may be styled "The *Standedge and Oldham* Roads," and the Trustees for executing this Act may be styled "The Trustees of the *Standedge and Oldham* Roads."

Construction of Terms.

3. 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" shall mean the Trustees for the Time being for executing this Act:

The Expression "the Roads" shall include all the several Roads to which this Act applies:

The Word "Toll-gate" shall include Turnpike, Toll House, Side Gate, Side Bar, Box, and Chain:

The Word "Carriage" shall include all Carriages, Coaches, Omnibuses, Vans, Caravans, Barouches, Chariots, Chaises, Curricles, Phaetons, Broughams, Cars, Gigs, and all other Carriages by whatsoever Name known, and respectively adapted or used for the Conveyance of Persons:

The

The Word "Cart" shall include all Carts, Waggons, Wains, Vans, Drays, Carriages, Engines, and all other Vehicles by whatsoever Names known, and respectively adapted or used for the Conveyance of Animals, Goods, Wares, Merchandise, Minerals, and other Articles and Things:

The Expression "Court of competent Jurisdiction" or any other like Expression in this Act shall be read and have effect as if the Debt or Demand with respect to which the Expression is used were a common Simple Contract Debt, and not a Debt or Demand created by Statute.

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

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

Former Books to be Evidence.

5. All Books of Orders and Proceedings, Books for registering Mortgages and Assignments, and all other Books which have been kept by the Trustees acting in execution of the Act hereby repealed and of the Act or Acts thereby repealed, or by their Treasurer or Clerk under their Direction, according to the Provisions of such Acts respectively, and are made Evidence thereby, or by any General Act relating to Turnpike Roads, shall be admitted as Evidence in all Courts, and by all Judges, Justices, and others.

6. All

Arrears of Toll and Money under recited Act vested in the Trustees under this Act.

6. All Rents and Tolls and Arrears of Rents and Tolls and other Monies due or owing or belonging to, and all Goods, Chattels, and Choses in Action, and all other Property, both real and personal, vested in or belonging to the Trustees under the Act hereby repealed, shall immediately on the Commencement of this Act vest 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 said recited Act, and they shall in their Capacity of Trustees be liable to all Debts and Engagements to which the Trustees under the said recited Act were liable as such Trustees at the Repeal thereof, except in so far as the same are by this Act extinguished, altered, or reduced.

Actions, &c. not to abate.

7. Any Action, Suit, Prosecution, or other Proceeding commenced by or against the Trustees under the said recited Act before the Commencement of this Act shall not abate or be discontinued or prejudicially affected by this Act, but shall continue and take effect, both in favour of and against the Trustees, in the same Manner to all Intents as if this Act had not been passed, save only that the Trustees shall be substituted therein for the Trustees under the said recited Act.

Officers continued.

8. The Clerk, Treasurer, Surveyor, and all other Officers or Servants appointed by virtue of or under the said recited Act shall hold and enjoy their Offices and Employments, with the Salaries thereunto annexed, and be deemed Officers and Servants of the Trustees, until they shall respectively be removed by the Trustees, and shall have the like Powers and Authorities for the Purposes of this Act, and be subject to the like Rules and Regulations, as if they had been appointed under this Act.

Trustees.

9. All Her Majesty's Justices of the Peace for the Time being acting for the West Riding of the County of *York*, and all Her Majesty's Justices of the Peace for the Time being acting for the County Palatine of *Lancaster* (subject nevertheless as respects such last-mentioned Justices to the Proviso regarding them herein-after contained), together with *Charles Andrew*, *George Edward Andrew*, *Frank Andrew*, *Jerry Andrew*, *Henry Atherton*, *George Atkins*, *Robert Byrom*, *James Bradbury*, *James Henry Butterworth*, *Edmund Butterworth*, *John Edward Buckley*, *George Frederick Buckley*, *John Butterworth*, *William Blackburne*, *William George Beaumont*, *Henry Butterworth*, *James Wood Baker*, *John Booth*, *Richard Buckley*, *James Frederick Buckley*, *Robert Hyde Buckley*, *William Leach Buckley*, *Bramley Bottomley*, *Edward Bottomley*, *Thomas Broadbent* (*Oaklands*), *William Broadbent* (*Harrop Green*), *Buckley Bent* (*Dobcross*), *Edmund Buckley*, *John Bradbury* (*Brownhill*), *James Butterworth* (*Junction*), *James Barlow Crompton*, *Abraham Crompton* the younger, *Jonas Eastwood*, *Henry Gartside*, *Horatio Nelson Gartside*, *John Gartside* (*Denshaw*), *John*

John Henry Gartside (*Ashton-under-Lyne*), *Joseph Hesslegrave Gartside*, *Walter Garstang*, *Edward Hilton*, *John Hilton*, *John Hirst*, *John Hirst* the younger, *Ben Hirst*, *William Dehown Hall*, *John Sherbrooke Hall*, *Joseph Kershaw*, *John Kershaw* (*Lane End*), *James Lees* (*Delph Lodge*), *Edward Brown Lees*, *Joseph Crompton Lees*, *John William Lees*, *Joseph Lees* (*Hey*), *Henry Travis Milne*, *Abraham Crompton Milne*, *Thomas Morris Moorhouse*, *John Millns*, Reverend *Charles Marshall*, *John Ogden* (*Hey*), *John Edward Platt*, *Ammon Platt*, *James Robinson*, *Samuel Radcliffe*, *James Rhodes* (*Hey*), *Richard Redfern*, *Samuel Rhodes* (*Kirkburton*), *Joseph Edward Roberts*, *John Shaw* (*Dale*), *Samuel Shaw* (*Springhead*), *George John Shaw*, *George Shaw*, *William Kenworthy Schofield*, *John Radcliffe Shaw*, *James Schofield* (*Bleak Hey Nook*), *Peter Seville*, *John Heywood Seville*, *Samuel Seville*, *Edward Shaw*, *Strettell Seddon*, *George Henry Schofield* (*Oaklands*), *Abel Hyde Shaw*, *Samuel Whittaker Taylor*, *Thomas Taylor* (*Blake House*), *John Dicken Whitehead*, *Ralph Radcliffe Whitehead*, *Ralph Radcliffe Whitehead* the younger, *James Wrigley*, *George Newton Wrigley*, *Thomas Wrigley* (*Lydgate*), and *William Whitehead* (*Dobcross*), and their Successors, being duly qualified to act as Trustees of Turnpike Roads in *England*, shall be and they are hereby appointed Trustees for putting this Act into execution: Provided always, that upon the Removal of the *Lees* Toll Gate from and out of the District of the *Lees* Local Board, pursuant to the Clause in that Behalf herein-after contained, all Justices of the Peace for the said County of *Lancaster*, not being also Justices of the Peace for the said West Riding, shall thenceforth be disqualified from acting as such Trustees as aforesaid, unless specially named in this Act, or otherwise duly elected and appointed.

Power to appoint additional Trustees.

10. It shall be lawful for the Trustees from Time to Time, at any Meeting to be held in pursuance of this Act, to elect any Number of Persons, being 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.

11. The Trustees shall hold their First Meeting at the *Commercial* Inn in *Uppermill* in *Saddleworth* aforesaid, or at some other convenient Place in the Neighbourhood of the Roads, at Noon on the Second *Thursday* next after the Commencement of this Act, or as soon afterwards as conveniently may be, 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 Roads as they shall think proper.

Existing Roads and new Roads

12. This Act shall, subject to the Provisions herein-after contained, be put into execution for the Purpose of maintaining, amending, and improving

to be maintained.

improving the Roads next herein-after described, (and which are herein-after referred to as "the old Roads,") that is to say, the Road leading from *Standedge*, within *Saddleworth*, in the West Riding of the County of *York*, and terminating at a Stream or Brook separating the Township of *Oldham* from the adjoining Parish of *Ashton-under-Lyne*, both in the County Palatine of *Lancaster*, there called *Lees Brook*; also the Road leading out of the said described Road at or near *Wool Road*, and terminating at *Bleak Hey Nook*, both in *Saddleworth* aforesaid; also the Road leading out of the said first-described Road at or near *Wool Road* aforesaid, passing through *Dobcross*, and terminating at *Wall Hill*, all in *Saddleworth* aforesaid; also the Road leading out of the said first-mentioned Road at *Tinkers*, passing by *Frenches*, and terminating at *Hollins*, all in *Saddleworth* aforesaid; also the Road leading out of the said first-mentioned Road at or near *French Top* in *Saddleworth* aforesaid, passing by the Railway Station near thereto, and joining the said last-described Road at or near *Frenches* aforesaid; and also for making and maintaining the new Roads by this Act authorized to be constructed.

New Roads to be made according to deposited Plans.

13. And whereas a Plan and Section of the new Roads herein-after described, together with a Book of Reference thereto, were deposited at the Office of the Clerk of the Peace for the said West Riding of the County of *York* on or before the Twenty-ninth Day of *November* last: Now, therefore, the Trustees may make, complete, and maintain such new Roads as are herein-after described, or either of them, in the respective Lines and in and through the Lands respectively delineated on such Plan and described in such Book of Reference respectively, and according to the Levels shown upon such Section, together with all such Footpaths, Bridges, Embankments, Ditches, Drains, Fences, and other necessary Works upon or near thereto as they may think requisite, and for the Purposes aforesaid or any of them they may take possession of the Lands described on such Plan and in such Book of Reference, making Satisfaction to the Owners thereof and other Persons interested therein for all Damage which such Owners or other Persons may respectively sustain thereby, and the Trustees and their Surveyor and Workmen may from Time to Time enter upon such Lands and mark and stake out the same for the Purposes of this Act at such Times and in such Manner as they may think necessary or expedient.

Description of new Roads.

14. The new Roads by this Act authorized to be so made are as follows; (that is to say,)

First, a new Road (herein-after referred to as "the *Dobcross Road*") to be wholly situated in the Districts or Divisions of *Lords Mere* and *Shaw Mere*, or One of them, in the Parish or Parochial Chapelry of *Saddleworth* in the West Riding of the County of *York*, and commencing by a Junction with One of the present Lines of the Roads authorized by the said recited Act leading from *Uppermill* to

to *Wool Road*, both in *Saddleworth* aforesaid, at a Point near *Brown Hill Bridge* where the public Footway leading from *Brown Hill* to *Tamewater Bridge*, both in *Saddleworth* aforesaid, commences, on the westerly Side of the same Line of Road, and thence passing in a westerly Direction, and terminating by a Junction with another of the present Lines of the said Roads authorized by the said recited Act leading from *Tamewater Bridge* aforesaid to *Dobcross* in *Saddleworth* aforesaid at a Point situate Seventy Yards or thereabouts eastwardly from *Tamewater Bridge* aforesaid, opposite to a Woollen Mill called *Walk Mill* in a Close of Land called *Round Meadow* which lies on the easterly Side of that Line of Road, and is in the Occupation of *John Hirst* and Sons:

Second, a new Road (herein-after referred to as "the *Delph Road*") to be wholly situated in the said District or Division of *Shaw Mere* aforesaid, and commencing by a Junction with another of the present Lines authorized by the said recited Act leading from *Tamewater Bridge* aforesaid to *Wall Hill* in *Saddleworth* aforesaid, at a Point situate Seventy Yards or thereabouts westwardly from *Tamewater Bridge* aforesaid, in a Close of Land called *Road Meadow* which lies on the easterly Side of that Line of Road, and is in the Occupation of *Edmund Platt*, and thence passing in a northerly Direction, and terminating by a Junction with a certain other Turnpike Road commonly called the *Wakefield and Austerlands* Turnpike Road at a Point situate between the *Delph* Railway Station and the River *Tame* where a public Footway commences on the southerly Side of the same Line of Road.

Trustees empowered to deviate.

15. It shall be lawful for the Trustees, in the Execution of the Works by this Act authorized, to deviate from the respective Lines delineated on the said Plan: Provided always, that no such Deviation shall extend to a greater Distance than the Limits of Deviation delineated on the said Plan without the Consent in Writing of the Party in or through whose Lands any such Deviation shall be proposed to be made; and it shall also be lawful for the Trustees to deviate from the Levels of the said Works as marked on the Sections so deposited as aforesaid to any Extent not exceeding Seven Feet.

Land may be taken, notwithstanding Errors in Book of Reference, &c.

16. The Works by this Act authorized may be made in or through any Lands, Tenements, Hereditaments, and Premises delineated on such Plan, although such Lands, Tenements, Hereditaments, and Premises, or the Situation thereof respectively, or the Names of the Owners, Lessees, or Occupiers thereof, may happen to be omitted, mis-stated, or erroneously described in such Plan or Book of Reference, in case it shall appear to any Two or more Justices of the Peace for the West Riding of the County of *York* in Petty Session assembled, and be certified in Writing under their Hands, that such Omission, Mis-statement,

or

or erroneous Description proceeded from Mistake; and the Certificate of such Justices shall be deposited with and remain in the Custody of the Clerk of the Peace for the said West Riding for the Time being.

8 & 9 Vict. c. 18. not to apply.

17. "The Lands Clauses Consolidation Act, 1845," shall not apply to the Works by this Act authorized, nor is it incorporated with this Act.

As to Construction of certain Provisions of General Turnpike Acts.

18. All the Clauses and Provisions of the Public General Acts now in force relating to Turnpike Roads in *England*, with respect to the taking, Purchase, and Sale of Lands for the Purpose of widening, diverting, altering, or improving any Road, the Conveyances of such Lands, the Compensation to be made for the same, the Application of such Compensation, and the making out of Titles thereto, (except where such Clauses and Provisions are inconsistent with this Act,) shall extend and apply to the Land to be purchased for the Purposes of this Act; but nothing in those Acts or any of them contained shall prevent the Trustees from taking or pulling down any Dwelling House or Building, or taking in or making Use of any Garden, Yard, or Paddock, Park, planted Walk or Avenue to a House, or any enclosed Ground planted as an Ornament or Shelter to a House, or planted and set apart as a Nursery for Trees, or any Part thereof respectively, which is delineated on the Plans so deposited as aforesaid, and described in the Book of Reference to such Plans, either with or without the Consent in Writing of the Owners, Proprietors, or other Persons interested therein.

Freehold, &c. of Lands to remain in Owners of adjoining Lands.

19. The Freehold and Inheritance of the Lands so purchased shall not (notwithstanding any Provision in any of the Acts now in force for regulating Turnpike Roads in *England*) by means of any such Purchase, or any Conveyance or Assurance made in pursuance thereof, be vested in the Trustees, but such Freehold and Inheritance shall, notwithstanding such Purchase and Conveyance or Assurance, remain and be vested in the Owners for the Time being of the adjoining Land from which the same shall have been taken, subject to a perpetual public Right of Way in, over, or upon the Lands so purchased, or such Part thereof as shall be laid out and used as such new Roads as aforesaid.

Footpaths to be stopped up.

20. Upon and from the Formation and opening for Traffic of the *Dobcross Road* the present Footpath leading from *Brown Hill* towards and unto *Tamewater*, and running in the same Direction with the *Dobcross Road*, and for which that new Road will be a convenient Substitute, and upon and from the Formation and opening for Traffic of the *Delph Road* the present Footpaths respectively leading from *Tamewater* towards and unto *New Delph*, and running in the same Direction with the *Delph Road*, and for which that new Road will be a convenient

convenient Substitute, shall be respectively permanently stopped up and discontinued, and all Rights of Way and Passage over and Liabilities to repair the same Footpaths respectively shall cease and determine.

Powers for compulsory Purchases limited.

21. The Powers of the Trustees for the compulsory Purchase of Lands for the Purposes of this Act shall not be exercised as to the *Dobcross Road* after the Expiration of Two Years, and as to the *Delph Road* after the Expiration of Three Years, from the Commencement of this Act.

Period for Completion of Works.

22. The *Dobcross Road* shall be completed within Two Years after the Commencement of this Act, and the *Delph Road* within Four Years after the Commencement thereof, and on the Expiration of those Periods the Powers by this Act given for executing the same respectively shall cease to be exercised.

Owners of adjoining Lands may make Bridges over the new Roads.

23. Any Owner of Lands adjoining the new Roads or either of them may at any Time hereafter, if he thinks fit, at his own Cost, construct any Bridge or Bridges on those Lands over the same Roads respectively, provided that the clear Width of each such Bridge be not less than Thirty Feet, and that the clear Height of the same Bridge from the Surface of the Road to the Underside thereof be for the Width of Twelve Feet in the centre Part not less than Sixteen Feet, and for the Width of Nine Feet on each Side of such centre Part not less than Twelve Feet, and that the same be constructed to the Satisfaction of the Trustees or their Surveyor, and be for ever after maintained and kept in good and sufficient Repair by such Owner: Provided also, that during the Construction or Repair of any such Bridge the new Road where interfered with thereby shall, at the Cost of such Owner as aforesaid, be sufficiently watched, guarded, and lighted from Sunset to Sunrise, and that at the like Cost all Damage to such new Road arising in the Course of such Construction or Repair of the said Bridge shall be made good, and the Part of the Road so damaged be afterwards kept in repair for the Space of Twelve Calendar Months from the Completion of the Works.

Power for Landowners to make Drains in new Roads.

24. Nothing in this Act contained shall extend or be construed to extend to prevent the respective Landowners on the said new Roads from constructing and placing underneath the said new Roads, and afterwards repairing when necessary, Main Sewers or Drains for the Purpose of draining any of their adjoining Lands, on condition of their constructing the same at their own Cost and Risk, and in such Manner as the Trustees or their Surveyor may direct or approve, and of their making good to the Satisfaction of the Trustees all Damage which they may from Time to Time cause to the said new Roads by any Interference with the same in the Course of the Formation of such Main Sewers or

Drains, and afterwards keeping the Part of the same new Roads so interfered with in repair for Twelve Calendar Months from the Completion of the Works, and during any such Interference with the said Roads respectively sufficiently watching, guarding, and lighting the Works from Sunset to Sunrise: Provided always, that the Trustees shall be fully empowered to make any Chimneys, Culverts, Eyes, or Grids to communicate with such said Drains or Sewers, and to use the same Sewers and Drains for the Purpose of the said Roads jointly with the said Landowners.

Section 5. of 9 G. 4. c. 77. to apply to the Roads.

25. All the Powers of the Fifth Section of the "General Turnpike Road Act" passed in the Ninth Year of the Reign of His Majesty King *George* the Fourth, Cap. 77, shall apply to the new Roads as well as o the old Roads respectively.

Power to erect Weighing Machines.

26. The Trustees may from Time to Time erect, build, and set up any Weighing Machine or Weighing Machines, with all appurtenant Erections necessary and convenient thereto, upon or at the Side of any Part or Parts of the Roads, either adjacent or near to any Toll Gate or Toll Gates, or otherwise apart and at a Distance therefrom respectively, and afterwards take down, remove, or discontinue such Weighing Machine or Weighing Machines and Appurtenances respectively.

Power to take Tolls.

27. The Tolls now payable at the several Toll Gates on the old Roads shall continue payable thereat until Midnight on the Thirtieth Day of *September* One thousand eight hundred and sixty-three, and on and after Midnight on the said last-mentioned Day it shall be lawful for the Trustees to demand and take at each and every of the Toll Gates which shall then or thereafter by virtue of this Act be in, upon, or across the Roads, or on the Sides thereof respectively, the Tolls or Sums not exceeding the following; (that is to say,)

For every Horse, Mule, or other Beast (excepting an Ass) drawing any Carriage, the Sum of Threepence:

For every Horse, Mule, or other Beast (excepting an Ass) drawing any Cart,

If the Tire of every such Wheel is throughout of the Breadth of Six Inches or upwards, Twopence Halfpenny;

If the Tire of any such Wheel is throughout of the Breadth of Four Inches and a Half or upwards, and less than Six Inches, Threepence;

If the Tire of any such Wheel is in any Part of less Breadth than Four Inches and a Half, Fourpence:

For any Ass drawing any Carriage or Cart, One Half of the Tolls made payable for a Horse so drawing:

For every Beast of Draught or Burden (except an Ass) laden or unladen, but not drawing, the Sum of One Penny:

For every Ass, laden or unladen, but not drawing, One Halfpenny:

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 Tolls shall be respectively taken and paid before any Horse, Beast, or Cattle in respect of which such Toll or Tolls shall be payable shall be entitled or permitted to pass through any Toll Gate.

As to the Fraction of a Halfpenny in Tolls.

28. 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.

Tolls to be paid but once for passing and repassing in any Day.

29. All Horses, Beasts, and Cattle (except Horses, Beasts, or Cattle drawing any Postchaise, Stage Coach, Waggon, or other Stage Carriage, as herein-after mentioned,) shall, after Payment at any Toll Gate of the Tolls by this Act authorized to be taken in respect of such Horses, Beasts, or Cattle, and on producing a Ticket denoting such Payment, be permitted to return Toll-free through the same Toll Gate on the same Day, to be computed from Twelve of the Clock at Night to Twelve of the Clock in the next succeeding Night, and if such Horses, Beasts, or Cattle shall pass or go through any such Toll Gate a Third Time on the same Day a new Toll shall be demanded and taken, and so *toties quoties*.

Horses drawing different Carts.

30. The Tolls by this Act authorized to be taken shall be paid in respect of Horses or other Beasts of Draught drawing any laden Cart for every Time during the same Day, to be computed as aforesaid, that such Horse or other Beast of Draught shall pass through any Toll Gate upon the Roads drawing any other Cart 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 such Tolls shall have been paid.

Postchaises to be subject to Toll on every new Hiring.

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

Stage Coaches every Time of passing.

32. Also for and in respect of all Horses or other Beasts drawing any Stage Coach, or any Stage Waggon, Van, Caravan, or other such Carriage, conveying Goods or Passengers for Payment, Hire, or Reward, for which Toll shall have been paid, and which shall return on the same Day, to be computed as aforesaid, conveying Goods or Passengers for Payment,

Payment, Hire, or Reward through any Toll Gate on the Roads, the Tolls hereby made payable shall be again paid for repassing through such Toll Gate in like Manner as if no Toll had been before paid.

Limiting the Number of Tolls at each Toll Gate.

33. No more than Three full Tolls shall be demanded or taken in the same Day, to be computed as aforesaid, for or in respect of the same Horse, Cattle, or Beast for passing or repassing through any Toll Gate on the Roads, but all and every Person and Persons after having paid Three full Tolls as aforesaid at such Gate, and producing a Note or Ticket denoting the Payment of the said Tolls, shall afterwards pass with the same Horses, Cattle, and Beasts Toll-free during such Day, to be computed as aforesaid, through the same Toll Gate.

Limiting Number of Tolls on old Roads.

34. No more than Four full Tolls shall be demanded or taken on the same Day, to be computed as aforesaid, for or in respect of the same Horse, Cattle, or Beast for passing or repassing through the Toll Gates on the old Roads, but all and every Person or Persons having paid Four full Tolls, and producing a Ticket denoting such Payment, shall afterwards pass or repass with the same Horse, Cattle, or Beast Toll-free during such Day through all the Gates on the old Roads.

24 & 25 Vict. c. 70. to apply.

35. The Provisions of "The Locomotive Act, 1861," shall apply to this Act.

One Horse Carts liable to be weighed.

36. Notwithstanding any Law or Statute to the contrary, all Carts and other Carriages drawn by One Horse or other Beast shall be liable to be weighed at any Weighing Machine or Weighing Machines now erected or which hereafter may be erected upon or for the Benefit of the Roads, or any or either of them, 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 shall be liable to the same additional Tolls for Overweight as Carts or other Carriages drawn by Two or more Horses or other Beasts are liable to pay by Law.

Trustees may order any One Toll Gate to free another.

37. It shall be lawful for the Trustees from Time to Time, at any Special Meeting to be duly called for the Purpose, to order and direct that any Horse, Beast, or Cattle for which Toll shall have been paid at any Toll Gate or Toll Gates on the Roads may pass Toll-free or at any reduced Rate of Toll through any other Toll Gate or Toll Gates on the Roads on the same Day, to be computed as aforesaid, and under such Regulations and upon such Terms as the Trustees may think fit to direct,

and

and which Order or Orders the Trustees may vary or rescind at any Special Meeting or Meetings duly called for the Purpose of varying or rescinding such Orders respectively.

Removal of Lees Toll Gate on Payment of Mortgage and Floating Debt.

38. So soon as the Mortgage Debt mentioned in the First Schedule to this Act, and an Amount of One hundred and fifty Pounds, being the Amount of the Floating or Simple Contract Debt of the Trust, shall be paid off and discharged or otherwise extinguished, the Trustees shall and they are hereby required, upon the Expiration of Three Calendar Months from and after the Date of such Payment or Extinguishment, or the last of such Payments, to remove the *Lees* Toll Gate from and out of the District of the *Lees* Local Board, and from that Time the Portion of the Road within the said District shall cease to form or be a Portion of the Roads.

Local Board of Lees may pay off Mortgage and Floating Debt.

39. Provided always, That it shall be lawful for the Trustees and the Local Board of the District of *Lees* to enter into any Arrangements for the Liquidation of the said Mortgage Debt and Floating Debt, and, notwithstanding the Provisions herein-after contained regarding the Application of Monies and Tolls, it shall be lawful for the Trustees and they are required to apply in or towards such Liquidation any Sum of Money received by them for that Purpose.

Subscriptions to the Dobcross Road.

40. The several Persons named in the Second Schedule to this Act having agreed to subscribe the Sums of Money set opposite to their respective Names in and towards the Construction of the *Dobcross Road*, such Sums of Money respectively shall be applied to that Purpose, and the Trustees may call for such Monies from the said Subscribers, their Heirs, Executors, Administrators, and Assigns, as and when they shall think fit, and such Sum or Sums of Money may be recovered, with Costs, by the Trustees as a Debt due to them in any Court of competent Jurisdiction, but shall, nevertheless, when so recovered, be considered as and be a Loan to the Trustees on the Credit of the Tolls of that Road.

Application of Subscriptions for the Dobcross Road.

41. The Money so to be subscribed shall be expended by the Trustees in the Execution of this Act with respect to the making of the *Dobcross Road*, and all Works connected therewith and incidental thereto, including all Surveys, Plans, and Sections made, and all Law Expenses solely incurred, in respect of that Road, and the Erection of all Toll Houses and Toll Gates thereon.

Application of Tolls on Dobcross Road.

42. All Tolls and other Monies (except as aforesaid) which shall come to the Hands of the Trustees for or in respect of the said *Dobcross Road* shall be applied as follows:

First, in setting apart the Sinking Fund in manner herein-after provided:

Secondly, in paying the Expenses of maintaining and repairing the said Road:

Thirdly, in paying Interest after the Rate of Three Pounds *per Centum per Annum* upon the Principal Sum of Nine hundred Pounds set forth in the Second Schedule to this Act annexed:

Lastly, in paying off and discharging the said Principal Sum of Nine hundred Pounds.

Power to borrow Money for the Delph Road.

43. The Trustees may, for the Purposes of the Construction of the *Delph Road*, take up at Interest on Bond or Mortgage, on the Credit of the Tolls of that Road, any Sum not exceeding Two thousand Pounds, but the Trustees shall not beyond that borrow any further Sum in respect of that Road.

Application of Money borrowed for the Delph Road.

44. The Money which the Trustees shall so borrow shall be expended by them in the Execution of this Act with respect to the making of the *Delph Road*, and all Works connected therewith and incidental thereto, including all Surveys, Plans, and Sections made, and all Law Expenses solely incurred, in respect of that Road, and the Erection of all Toll Houses and Toll Gates thereon.

Application of Tolls on Delph Road.

45. All the Tolls and other Monies (except as aforesaid) which shall come to the Hands of the Trustees for or in respect of the said *Delph Road* shall be applied as follows:

First, in setting apart the Sinking Fund in manner herein-after mentioned:

Secondly, in paying the Expenses of maintaining and repairing the said Road:

Thirdly, in paying Interest after the Rate of Three Pounds *per Centum per Annum* upon the Principal Sum of Money to be borrowed as last aforesaid, or so much thereof as shall for the Time being be due or owing on the Credit of the Tolls of that Road:

Lastly, in paying off and discharging the said Principal Sum of Two thousand Pounds.

Sinking Fund in respect of new Roads.

46. The Trustees shall set apart and appropriate every Year, out of the Tolls to be received on the new Roads respectively, a Sum equal in Amount to Five *per Centum* upon the Sums to be respectively borrowed or subscribed upon the Security of the said Tolls thereof respectively as a Sinking Fund, to be applied in paying off and discharging the Principal Sums so to be borrowed or subscribed: Provided always, that the Sum directed to be set apart as a Sinking Fund pursuant to the Provisions of this Act shall be in lieu of and substitution for the Sum required to be set apart as a Sinking Fund by the Act 12th & 13th *Victoria*, Chapter 87.

47. In

Interest on Money borrowed for new Roads to be extinguished in certain Events.

47. In case the Tolls to arise from the new Roads, or either of them, shall prove insufficient in any One Year (after making the other Payments herein-before provided) to pay the Interest upon any of the Sums to be borrowed or subscribed under the Provisions of this Act, then and in such Case the Interest accruing due during such Year (so far as the Tolls for that Year shall be insufficient for that Purpose) shall be extinguished, and it shall not be lawful for any Mortgagee or Mortgagees of the said Tolls to enter into possession and receipt of the same for the Purpose of obtaining Payment of such Interest.

Application of Monies and Tolls of the old Roads.

48. All Monies which shall be in the Hands of the Trustees or of their Treasurer on the Thirty-first Day of *August* One thousand eight hundred and sixty-three, or which shall then be owing to them on any Security, or which shall come to their Hands by virtue of the said recited Act or this Act, (other than Monies herein-before authorized to be received, and other than Monies subscribed, or borrowed for, or received by, from, or in respect of the new Roads aforesaid,) shall be applied as follows; (that is to say,)

First, in defraying the Costs, Charges, and Expenses incidental to and attending the obtaining and passing of this Act:

Secondly, in paying the Salaries of Officers and other Persons employed by the Trustees, and the Costs attending the Management of the Roads; but the Amount so applied shall not exceed the Sum of Ninety Pounds *per Annum*, exclusive of the Wages of Toll Collectors, and of the Cost of erecting, altering, and repairing or renting Toll Houses, Toll Gates, Toll Tables, and Weighing Machines, and of any Expenses to which the Trustees may be put in Matters relating to conveyancing, or in commencing, prosecuting, or defending Suits or Actions at Law or in Equity, or References to Arbitration, or in Proceedings before Magistrates, or in preferring or defending any Indictment or Appeal, or Suits or Proceedings before Parliament in relation to the Roads, or in taking or defending any other Proceedings for maintaining and protecting the Rights and Interests of the Trustees:

Thirdly, in paying Interest after the Rate of Three Pounds *per Centum per Annum* upon the Principal Sum of Five hundred and twenty-one Pounds Sixteen Shillings and Fivepence, named in the First Schedule to this Act annexed, now owing on the Credit of the Tolls authorized to be taken on the old Roads, or so much thereof as shall for the Time being be due or owing:

Fourthly, in paying the Expenses of maintaining and repairing the old Roads, such Expenses not to exceed the Sum of Five hundred Pounds *per Annum*:

Fifthly, in paying off and discharging, in manner herein-after provided by this Act, the said Principal Sum of Five hundred and twenty-one Pounds

Pounds Sixteen Shillings and Fivepence, or so much thereof as shall for the Time being be due or owing:

Sixthly, in further repairing, maintaining, and improving the old Roads.

Extinguishing Arrears of Interest.

49. Upon and from the Commencement of this Act all Arrears of Interest due to any Person or Persons upon any Mortgage, and all Liability or Claim upon the Trustees for Payment thereof, shall be wholly barred and extinguished, provided that no Interest shall accrue on any of the Principal Sums mentioned in the said First Schedule to this Act until the Expenses of obtaining and passing of this Act shall be paid or provided for out of the Funds of this Turnpike Trust.

Extinguishment of certain Mortgage Debts.

50. Provided always, That the several Principal Sums of Twelve Pounds Fifteen Shillings, Six Pounds Five Shillings, and One hundred and two Pounds, set out in the said First Schedule, shall be and the same are hereby extinguished, unless the Person or Persons respectively entitled thereto shall on or before the First Day of *January* One thousand eight hundred and sixty-four respectively deliver to the Clerk to the Trustees of the said Roads Notice in Writing claiming such Sums respectively, and shall within Three Calendar Months after the Delivery of such Notice satisfactorily prove their Right to receive the same respectively; and the Trustees of the Roads shall, within One Month after the passing of this Act, publish a Notice once in the *London* daily *Times* Newspaper, and once in a Newspaper published in the West Riding of the County of *York*, stating that unless the Person or Persons so entitled thereto respectively shall so establish their respective Titles to receive the same the said several Sums will be extinguished.

Monies to remain chargeable on the Road to which they respectively belong.

51. All and every Sum and Sums of Money due, subscribed, or borrowed on the Credit of the Tolls authorized to be taken on the old Roads, the *Dobcross Road*, and the *Delph Road* respectively, shall remain and continue chargeable only upon the particular Road in respect of which such Sum or Sums are or shall be so respectively due, subscribed, or borrowed.

Separate Accounts to be kept of the old and new Roads.

52. The Trustees shall cause distinct Accounts to be kept of their Income from or in respect of each of the said Three several herein-before described Roads, namely, the old Roads, the *Dobcross Road*, and the *Delph Road*; and the Monies and Income of the Trustees from or in respect of each of the same Three Roads shall be exclusively applied in defraying the Expense of maintaining and repairing such Roads respectively, and the other Matters herein-before mentioned or referred to.

53. Not-

Powers to Trustees to alter Tolls on the old and new Roads separately.

53. Notwithstanding any Law or Statute to the contrary, the Trustees may, if they think fit, from Time to Time reduce or advance (such Advance not exceeding the several Amounts herein-before granted) the Tolls payable at the several Gates on the old Roads and the new Roads separately, and not of Necessity on the Roads collectively at the same Time or in the same Amounts, but in like Manner as if the said old Roads and the said new Roads each formed a separate Trust, subject nevertheless in all other respects to the Provisions of the Statutes in force regarding such Reduction or Advance of Toll, and the respective Consents of the Mortgagees of such Tolls and otherwise.

New Roads may be amalgamated.

54. At any Time after the *Dobcross* and *Delph* Roads are completed and opened for Traffic any Two or more of the Trustees present at any Meeting of the Trustees may require that a Special Meeting of the Trustees shall be called for the Purpose of taking into consideration the Propriety of amalgamating the said *Dobcross* and *Delph* Branches, of which Special Meeting and the Purpose thereof Twenty-one Days Notice shall be given, in like Manner as Notice of the General Annual Meetings of the Trustees is by Law required to be given; and if at such Special Meeting it shall appear to a Majority of the Trustees there present that such Amalgamation is expedient, the same Meeting, with the Consent in Writing of Two Thirds in Value of the then respective Mortgage Creditors on each of the said *Dobcross* and *Delph* Branches respectively, may order and direct that the said Two Branches shall be amalgamated, and the same Two Branches shall thereupon and thenceforth be amalgamated and treated and considered as One Branch in regard to the Accounts and Receipts and Payments and otherwise, and the then Mortgage and other Creditors on each of the said Branches respectively shall thereafter have and be entitled to the same Security on both of such Branches as they respectively previously possessed in respect of any One of those Branches separately.

As to Mode of discharging Debt on all the Roads.

55. When and so often as the Sum applicable, in respect of either of the same Three Roads above described, to the Discharge of the Principal Monies for the Time being due on Security of the Tolls of the same Road shall amount to the Sum of One hundred Pounds, the Trustees shall at any General, Annual, or other Meeting apply such Sum so applicable in the Payment of the 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 Objects and Purposes thereof, so far as the same shall relate to the Application of such Sum, in some Newspaper published in the West Riding of the County of *York*, or by Letter sent by Post to each Creditor directed to his usual Place of Residence or last known Place of Abode; and at such Meetings the Trustees shall apply such Sum or a Portion thereof (as the Case may require) in or towards

the Discharge of Monies due on the Security of the same Tolls respectively 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 the Money due to him, and after Payment of 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 Payment of other Monies due on the Security of the Tolls to the Creditor who, by Proposal as aforesaid, shall have offered to accept the next lowest Composition in respect of the Principal Monies due to him, and so in like Manner until the Sum applicable to such Payment shall be exhausted; and if and whensoever Two or more Creditors, by such Proposals as aforesaid, shall have offered to accept an equal Rate of Composition, it shall be lawful for the Trustees to determine by Lot the Preference between or amongst such Creditors, or to pay such Composition rateably between or amongst such Creditors, as the Trustees shall think fit; and if there be no Proposal as aforesaid, or if there be any Surplus of the Sum applicable to such Payments, after applying the same, so far as may be necessary, in or towards the Discharge of the Monies to which such Proposals as aforesaid relate, the Trustees may apply the Sum applicable to such Payments, or the Surplus thereof, (as the Case may be,) rateably amongst the Creditors on the said Tolls, or may pay the same to such One or more of them as may be determined by Lot, as the Trustees shall think fit; but it shall be lawful for the Trustees, where it appears to them convenient so to do, to apply any Money arising from Sums set apart as required by this Act in or towards the Discharge of Debts according to the Directions of the Act, although such Monies may not amount to One hundred Pounds.

Trustees not bound by Trusts affecting Sums owing.

56. The Trustees shall not be bound to see to the Execution of any Trust, whether express, implied, or constructive, to which any Sum of Money owing, or which shall be subscribed, borrowed, or become owing, on the Credit of the Tolls arising on the Roads, any or either of them, may be subject; and the Receipt of the Party who shall appear in the Book of Mortgages of the said Trustees to be entitled to any such Sum of Money shall from Time to Time be a sufficient Discharge to the Trustees and their Treasurer for such Sum of Money and for any Interest payable in respect thereof, notwithstanding any Trust to which such Sum may then be subject, and whether or not the Trustees, or their Treasurer, Clerk, or other Officer, shall have had Notice of such Trust, and the Trustees shall not be bound to see to the Application of the Money paid upon such Receipt.

Provisions for Payment of Monies for which a valid Dis-

57. In case any Person who shall be entitled to any Monies owing on the Credit of the Tolls arising on the Roads, any or either of them, cannot be ascertained, after twice advertising for him in some Newspaper circulated in the District in *England* where he was last known to reside,

or

or in case a valid Discharge for any such Monies cannot be given to the Trustees, then and in every such Case it shall be lawful for the Trustees, if they shall think fit, from Time to Time, with the Privity of the Accountant General of the High Court of Chancery, to pay such Monies respectively into the Bank of *England* to the Account of such Accountant General in the Matter of the "*Standedge and Oldham* Road Trust," and the Person to whom such Monies may belong (describing such Person as described in the Register or Books of the Roads, or otherwise as accurately as Circumstances may admit), in trust, to attend the Orders of the said Court; and it shall be lawful for the said Court from Time to Time to make such Orders for the Payment of such Money to the Party entitled thereto, or otherwise, as to such Court shall seem proper; and all the Provisions of an Act passed in the Session of Parliament held in the 10th and 11th Years of Her present Majesty, Chapter 96, and an Act passed in the Session of Parliament held in the 12th and 13th Years of the same Reign, Chapter 74, whether with respect to the Mode of applying for the Order of the said Court, or otherwise howsoever, shall be applicable to all Monies paid into the said Bank pursuant to this Act in like Manner as such Provisions would be applicable if such Monies had been paid into the said Bank under the said Acts; and all such Monies so paid into the said Bank pursuant to the Provisions of this Act shall, as and from the Time of such Payment and for the Purposes of this Act, be considered as paid off and discharged by the Trustees.

charge cannot be given.

58. Whenever and so long as the Interest upon the Debt for the Time being due according to the Provisions of this Act shall be duly paid within Three Calendar Months next after the same shall become due, no Holder of any Mortgage of the Tolls collected upon the Roads, any or either of them, shall be entitled to enter into possession of the Toll Gates, Toll Houses, or Buildings upon the Roads, any or either of them, or into the Receipt of the Tolls arising therefrom, or of the Rent payable on 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 due and becoming due upon the then existing Mortgages in Order by this Act directed, and without any Priority or Preference, and may also reimburse himself any Costs to which he may be entitled; and every 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 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 on such Mortgages up to the last of such half-yearly Days, and all such Costs as aforesaid, shall have been fully paid and satisfied or provided for, then such Mortgagee shall, when thereunto

Mortgagees to take possession for Arrears of Interest only.

thereunto required by the Trustees, pay over to the 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.

Roads not exempt from Provisions of any General Act which may pass.

59. Nothing in this Act contained shall exempt the Roads comprised in this Act 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.

Confirmation of Arrangement with the Trustees of the Wakefield and Austerlands Turnpike Road.

60. And whereas by the said recited Act hereby repealed the Trustees for executing such Act were authorized and empowered to make and maintain a new Branch or Diversion of Road from and out of the then present Road, commencing from *Wool Road* aforesaid and ending at or near *Standedge* aforesaid, and there communicating with the then present Road: And whereas shortly after the passing of the said recited Act it was arranged and agreed by Orders and Resolutions severally and respectively made and passed by the Trustees acting in execution of such last-mentioned Act, and by the Trustees acting in execution of an Act passed in the First Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for repairing and maintaining the Road from* Wakefield *to* Austerlands *in the West Riding of the County of* York, herein-after styled the *Wakefield and Austerlands* Road, that a Portion of the said Branch Road commencing at or near *Bleak Hey Nook* aforesaid, and passing towards and ending by the said Junction with the then present Road on *Standedge* aforesaid, should be made at the joint Expense of the respective Trustees of the said several Roads respectively, and that the future Repairs of the Entirety of the same Portion should be done by and at the sole Cost and Expense of the Trustees of the said *Wakefield and Austerlands* Road, and that the same Portion should be under their sole Management and Control, subject to the Restriction that no Toll Gate should be erected or Tolls collected thereon so as to take any Tolls from Persons travelling to or from the Roads comprised in the said recited Act hereby repealed: And whereas the said Arrangement and Agreement was duly carried into effect, and accordingly the said Portion of Road now forms virtually a Part of the Roads comprised in an Act passed in the Second Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for maintaining the Road from* Wakefield *to* Austerlands *in the West Riding of the County of* York, being an Act for repealing the said Act of the First Year of the Reign of King *George* the Fourth, and granting further and enlarged Powers regarding the Roads comprised therein; and it would be of public Advantage that the said Arrangement and Agreement be

be completed by Authority of Parliament, by making the said Portion of Road actually a Part of the Roads comprised in the said Act of the Second Year of the Reign of King *William* the Fourth: Therefore the said Arrangement and Agreement between the respective Trustees of the said several Roads herein-before recited is hereby confirmed, and the said Portion of Road between *Bleak Hey Nook* aforesaid and *Standedge* aforesaid shall be henceforth incorporated with and form Part of the Roads comprised in the said Act of the Second Year of the Reign of King *William* the Fourth in as full, ample, and effectual a Manner as if the same had originally formed Part of the Roads comprised in that Act, and shall be repaired by and be under the sole Management and Control of the Trustees of such last-mentioned Roads accordingly, save only that no Toll Gate shall be placed on the said Portion of Road so as to take any Toll from Persons travelling on any of the Roads comprised in the said recited Act hereby repealed or this Act.

Roads may be amalgamated with another Trust, or placed under the Highway Act, 1862.

61. When and so soon as the Debts due and owing upon the Roads respectively or any of them, and all Sums owing by the Trustees (including the Expenses of obtaining and passing of this Act), shall have been paid off, nothing herein contained shall be deemed or construed to prevent or hinder the Amalgamation under the Authority of Parliament of the said Roads or any of them with any other Turnpike Trust, or the placing of the said Roads respectively under any Board of Management for the District of *Saddleworth*, pursuant to the Provisions of the "Highway Act, 1862," or of any other General Highway Act which may hereafter be passed.

Trust to cease as to any Road amalgamated or placed under the Highway Act, 1862.

62. In case the said Roads respectively, or any of them, shall be so amalgamated or placed under the Management of any such District Board, or be otherwise dealt with in manner aforesaid, then and from thenceforth the said Trust so far as regards any such Road shall be extinguished, but nevertheless shall continue in full Force so far as regards any of the Roads not so amalgamated or placed under such Management.

Commencement and Term of Act.

63. This Act shall commence and take effect on the First Day of *September* One thousand eight hundred and sixty-three, and shall, subject to the Provisions of this Act, 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.

SCHEDULES.

The FIRST SCHEDULE herein-before referred to.

No.	Present Mortgagees of the old Roads.	Sums owing.
		£ s. d.
1	Buckley, Sarah, Representatives of - - -	12 15 0
2	Elliott, James, Representatives of - - -	125 16 5
3	Platt, John, Representatives of - - -	275 0 0
4	Taylor, James, Representatives of - - -	6 5 0
5	Worthington, Mary, Representatives of - -	102 0 0
	£	521 16 5

The SECOND SCHEDULE herein-before referred to.

No.	Persons subscribing towards the Dobcross Road.	Amounts.
		£ s. d.
1	Brown, Edwards, Devisees in Trust - - -	300 0 0
2	Eastwood, Jonas - - - - -	100 0 0
3	Hirst, John, and Sons - - - -	350 0 0
4	Lees, John - - - -	50 0 0
5	Spinks, Frederick Lowton - - -	50 0 0
6	Sykes, David - - - -	50 0 0
	£	900 0 0

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