



ANNO VICESIMO & VICESIMO PRIMO

# VICTORIÆ REGINÆ.

\*\*\*\*\*

## *Cap. Iv.*

An Act to repeal the Act relating to the *Newcastle-under-Lyme and Leek* Turnpike Roads, and to make other Provisions in lieu thereof.

[27th July 1857.]

**W**HEREAS an Act was passed in the Ninth Year of the Reign of King *George* the Fourth, intituled *An Act for* 9 G. 4. c. iv. *repairing and improving the Road from Newcastle-under-Lyme to Leek, and several Branch Roads, all in the County of Stafford*: And whereas the Powers granted by the said Act, and continued from Time to Time by virtue of divers Acts of Parliament for continuing certain Turnpike Acts for limited Periods, will expire on the First Day of *November* One thousand eight hundred and fifty-seven, unless the same be in the meantime further continued: And whereas considerable Sums of Money have been advanced upon the Credit of the Tolls authorized to be taken by the said Act, and the Principal Sum so borrowed and now due is Six thousand four hundred and fifty-three Pounds Six Shillings and Eightpence, with an Arrear of Interest thereon amounting to Two thousand four hundred and twenty-nine Pounds: And whereas to assist the Trustees in constructing

[Local.] 9 H

---

*The Newcastle-under-Lyme and Leek Roads Act, 1857.*

---

structing the Branch Road between *Cobridge* and *Endon* herein-after mentioned, the Sum of Six thousand Pounds was in the Year One thousand eight hundred and forty-two advanced by the Exchequer Loan Commissioners at Interest, and the Repayment thereof was secured by a Mortgage of the said Tolls and by the personal Bond of several of the acting Trustees of the said Road; and there now remains owing in respect thereof the Principal Sum of One thousand eight hundred Pounds only, with the current Year's Interest thereon, at Four Pounds *per Centum per Annum*: And whereas the said Principal Moneys and Interest cannot be paid off unless further Powers are granted: And whereas since the passing of the said Act the Trustees have made and completed Two new Branches in connexion with the said Main Road; (*videlicet*,) a Branch commencing at or near to the Toll Gate in *Hot Lane* in the Parish of *Burslem* in the County of *Stafford*, and terminating at a Point in the Branch Road next herein-after described, where a Weighing Machine has been erected by *Ralph Sneyd* Esquire or his Lessees; and another Branch, Four and a Half Miles in Length, commencing at or near to a Building lately used as a Weighing Machine, situate near *Cobridge* in the said Parish of *Burslem*, late in the Occupation of the *Cobridge* Colliery Company, but now occupied as a Dwelling House, and terminating at the Toll Gate House called the *Endon Gate*, on the Main Line of Road comprised in the said recited Act, in the Parish of *Leek* in the said County of *Stafford*, which are of great Convenience and Advantage to the Public, and it is expedient that the same should be vested in and maintained by the Trustees as Part of their said Trust: And whereas there is due and owing a further Sum of One thousand two hundred and fifty Pounds, the Purchase Money for Part of the Lands taken for the Formation of such Two new Pieces of Road, and for the Land heretofore taken in making the Road from *Smallthorne* towards *Burslem*: And whereas it is necessary for the Repayment of such last-mentioned Sum that the Trustees should be empowered to borrow further Sums of Money, or to execute Mortgages of the Tolls in favour of the Parties to whom such Money is owing: And whereas under and by virtue of a certain Act of Parliament made and passed in the Eighteenth and Nineteenth Years of the Reign of Her present Majesty, intituled "The *Leek* Improvement Act, 1855," in which was incorporated "The Towns Improvement Clauses Act, 1847," a certain Portion of the said Main Road, measuring One thousand five hundred Yards from the Gas Lamp Post in the Centre of *Leek* Market Place, in the Town of *Leek*, in the Direction of *Newcastle-under-Lyme* aforesaid, has ceased to be subject to or within the Provisions of the herein-before recited Act of the Ninth of King *George* the Fourth: And whereas it is expedient that the said recited Act of the Ninth *George* the Fourth should be repealed, and that further

*The Newcastle-under-Lyme and Leek Roads Act, 1857.*

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; (that is to say,)

I. Upon the First Day of *November* next after the passing of this Act, the said recited Act of the Ninth Year of the Reign of 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.

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

II. In citing this Act for any Purpose whatsoever it shall be sufficient to use the Expression "*The Newcastle-under-Lyme and Leek Roads Act, 1857.*"

Short Title.

III. 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 Constructions; (that is to say,)

Interpretation of Terms.

The Word "Person" shall be understood to include "Corporation:"  
The Expression "the Trustees," or "the said Trustees," shall mean the Trustees for the Time being acting in the Execution of this Trust:

The Expression "the Roads," or "the said Roads," shall mean the Roads to which this Act specially applies:

The Expression "Toll Gate," or "Toll Gates," shall include Turnpikes, Bars, Chains, and Side Gates.

IV. All existing Agreements entered into by the Trustees of the said recited Acts for letting the Tolls, and all Rents, Arrears of Tolls, and other Moneys due to, and all Property and all Choses in Action vested in the same Trustees shall immediately on the Commencement of this Act be vested in the Trustees for executing this Act; and such last-mentioned Trustees may enforce, sue for, and recover the same, and act in respect thereof as effectually as if the same had been vested in them under the said recited Act, and they shall be liable to all the Debts, Contracts, and Engagements to which the Trustees under the said recited Act were liable at the Repeal thereof, except such as are hereby reduced, varied, or extinguished.

Moneys and Property to vest in the new Trustees.

V. All Her Majesty's Justices of the Peace for the Time being acting for the County of *Stafford*, together with *John — Anderson* Clerk,

Appointment of Trustees.

*The Newcastle-under-Lyme and Leek Roads Act, 1857.*

Clerk, *John Alcock, George Alcock, Samuel Alcock, Charles Alkins, Edward Adams, John Bateman, James Bateman, Richard Mountford Baddeley, William Brownfield, Robert Brown, Jeremiah Barnes Clerk, Ralph Clews, John Challenor, Joseph Clementson, Edward Challinor of Fenton, Colin Campbell, Richard Dean, Timothy Dimmock, Francis Davis, Thomas Firmstone, Charles Flint, John Godwin, John Gaunt, Josiah Gaunt, Francis Bazett Grant Clerk, Charles Hales, John Ford Hyatt, Robert Hill, Howard Haywood, Richard Haywood, Elijah Hughes, Thomas Hackwood, William Harding, Charles Heaton, William Gallimore Harrison, Charles Harbord Heath Clerk, James Hall, Henry Hall, Michael Daintry Hollins, John Heathcote Hacker, Thomas Heaton, Isaac Hitchen, William Dunn Lamb Clerk, Robert Johnson, Samuel Keeling, Thomas Keeling, Charles Keeling, Herbert Minton, Joseph Mayer, Charles Meigh, Charles Hughes May, William Mellor Meigh, John Drewry Mort, John Maddock, William Phillips, George Paddock, George Paddock junior, Samuel Cooper Pears, William Pointon, Joseph Peake, Thomas Phillips, Edward Ridgway, Hugh Sleigh, Thomas Smith of Park Lane, John Sleigh, John Adams Stevenson, Joseph Twigg, Andrew Thompson, Daniel Turner Clerk, James Taylor junior, James Vernon, Josiah Wedgwood, Francis Wedgwood, John Ward, Thomas Ward, John William Ward, Charles Wickstead, Robert Williamson, Hugh Henshall Williamson, Edward Wood, Thomas Whittingham, Andrew Jukes Worthington, Godfrey Wedgwood, Samuel Young, James Yates of Stanley, and William Yates of Thorney Edge, and their Successors, being duly qualified to act as Trustees of Turnpike Roads in *England*, shall be Trustees for putting this Act into execution.*

Power to  
appoint  
additional  
Trustees.

VI. It shall be lawful for the Trustees from Time to Time, at any Meeting under this Act, to elect any Number of Persons duly qualified to act as Trustees of Turnpike Roads in *England*, not exceeding at any One Time Three, 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.

Meetings of  
Trustees.

VII. The Trustees shall hold their First Meeting at the Town Hall, *Hanley*, or at some other convenient Place in the Town of *Hanley*, on the First *Wednesday* next after the Commencement of this Act, or as soon thereafter as conveniently may be, and shall then and from Time to Time thereafter adjourn to and meet at such Time and at such Places in the Neighbourhood of the said Roads as they shall think proper.

VIII. The

*The Newcastle-under-Lyme and Leek Roads Act, 1857.*

VIII. The said Trustees may appoint Committees out of their own Number to execute any of the Purposes of this Act, according to such Instructions and Regulations as shall be laid down by the Trustees at any General or Special Meeting; and the said Committees and their Survivors may proceed and act according to such Appointment, but shall always be accountable according to the Instructions and Regulations so to be made.

Power to  
appoint  
Committees.

IX. This Act shall be put in execution for the Purpose of managing and maintaining,

Roads to  
which this  
Act is appli-  
cable.

The Road leading from the *Compasses Inn*, in the Borough of *Newcastle-under-Lyme*, through *Etruria*, *Cobridge*, *Smallthorne*, *Norton-in-the-Moors*, and *Endon*, and to a Place parallel with the Dwelling House appurtenant to a Farm in the said Township of *Leek* belonging to *John Davenport*, called *Wall Bridge*:

The Road leading out of the last-mentioned Road at *Etruria Turnpike*, by *Etruria Wharf*, to the South-west Corner of a Piece of Land at *Shelton*, formerly the Site of a Manufactory in the holding of *Noah Robinson*, but for some Time past occupied as a Garden appurtenant to a Dwelling House belonging to *Charles Meigh*, and adjoining the *Uttoxeter Turnpike Road* at *Shelton*, and called the *Old Field Lane*:

The Road leading from the *Cobridge Old Turnpike* to the *New Hall Manufactory*, called *Booden Lane*:

The Road from the *King's Head Inn* in *Shelton*, by *Snape Marsh*, otherwise *Marsh Street*, the *New Hall Works*, and by a Manufactory in *Cobridge*, formerly belonging to *Andrew Stevenson*, and now to *William Brownfield*, to the Corner of a House in the *Waterloo Road*, late belonging to *William Walker*, and now to the Representatives of *William Wain*, and parallel with the old Church at *Burslem*:

The Road leading from the old Schoolhouse in *Cobridge*, through *Hot Lane* to the Dwelling House late of *Jonathan Adams*, where *Isaac Cartledge's* House formerly stood, but now belonging to *Charles Hughes May*, and occupied by *Charles Williams*:

The Road leading from the aforesaid Schoolhouse to *Waterloo Gate*, called *Grange Lane*:

The Road leading from *Smallthorne* towards *Burslem* to the First Sough or Culvert in the late *John Wedgwood's* Land, called the *Moorland Road*:

The Road leading from *Etruria Turnpike*, by *Bell's Mill*, to the Dwelling House and Smithy late belonging to *Peter Ashley*, and now to *John Morris*, and in the Occupation of *John Satt*, where

[Local.]

9 I

it

---

*The Newcastle-under-Lyme and Leek Roads Act, 1857.*

---

it joins the Branch Road from the *King's Head* Inn in *Shelton*, to the House late of *William Walker* as above named, and called the *Mill Street* :

The Road leading from *Hot Lane* Toll Gate to the Corner of a House late in the Occupation of *William Bourne*, and now belonging to the said *Charles Hughes May*, and in the Occupation of *Thomas Bickerston*, where it unites with the Road leading from *Cobridge* to *Smallthorne* :

The herein-before described new Branch Road, commencing at or near to the Toll Gate in *Hot Lane*, and terminating in the Road next herein-after described at a Weighing Machine erected by *Ralph Sneyd* or his Lessees :

And the said other herein-before described new Branch Road, commencing at or near to a Weighing Machine near *Cobridge*, late in the Occupation of the *Cobridge* Colliery Company, and terminating at the Toll-gate House, called the *Endon Gate*, on the before-mentioned Main Line of Road from *Newcastle-under-Lyme* to *Leek*, all in the County of *Stafford* ; and the said Roads shall be called " *The Newcastle-under-Lyme and Leek Roads.*"

Trustees may grant Mortgages to Land-owners on the Two Lines of Roads already constructed in satisfaction of Purchase Money.

X. The Trustees may grant One or more Mortgages upon the Tolls payable under and by virtue of this Act, for any Sum or Sums not exceeding in the whole the Sum of One thousand two hundred and fifty Pounds, to all or any of the Owners of the Lands taken by the said Trustees for the Formation of the Two new Pieces of Road (which have been so constructed, and which Lands have not been paid for as aforesaid), who shall be willing to accept the same in lieu and in satisfaction of the Purchase Money of the said Lands so taken, and such Mortgages shall be deemed Part of the Debt owing by the Trustees upon the Security of the Roads and the Tolls thereof, and shall bear the same Rate of Interest, and be payable and redeemable in the same Manner as the other Mortgages due and owing upon the said Roads.

Amount of Principal Debt.

XI. One Fifth of the Sum of Two thousand four hundred and twenty-nine Pounds, being the Arrears of Interest now due and owing, shall be extinguished, and the remaining Four Fifths thereof, amounting to the Sum of One thousand nine hundred and forty-three Pounds Four Shillings, shall be added to the said Principal Sum of Six thousand four hundred and fifty-three Pounds Six Shillings and Eightpence (making together the Sum of Eight thousand three hundred and ninety-six Pounds Ten Shillings and Eightpence, and specified in the Schedule to this Act annexed), and together with the Sum of One thousand two hundred and fifty Pounds due and owing for the Land

*The Newcastle-under-Lyme and Leek Roads Act, 1857.*

Land taken for the Construction of the said Roads, and making in the whole the Sum of Nine thousand six hundred and forty-six Pounds Ten Shillings and Eightpence, shall be deemed and taken to be the Amount of the Principal Mortgage Debt now due and owing, exclusive of the Amount due to the Exchequer Loan Commissioners.

XII. Notwithstanding the Repeal of the said recited Act, the several Tolls thereby granted and made payable shall continue to be paid at the Toll Gates to be continued or erected on or on the Sides of the Roads until the Twenty-third Day of *October* inclusive next after the Commencement of this Act.

Present  
Tolls con-  
tinued for  
a Term.

XIII. Upon and after the said Twenty-third Day of *October* next after the Commencement of this Act, it shall be lawful for the Trustees to demand and take at the several and respective Toll Gates which now are or hereafter shall be upon or on the Sides of the said Roads, all or so many of the Tolls herein-after specified as the Trustees at any of their Meetings shall direct, not exceeding the Sums following; (that is to say,)

Power to  
take new  
Tolls.

For every Horse or other Beast drawing any Coach, Chariot, Chaise, Gig, or other such like Carriage, the Sum of Sixpence:

For every Horse or other Beast drawing any Waggon, Wain, Cart, or other such like Carriage, having the Fellies of the Wheels thereof of the Breadth of Four and less than Four and a Half Inches, and having perfectly flat Tire, and the Wheels being cylindrical, and the Nails of such Wheels countersunk, the Sum of Fivepence:

For every Horse or other Beast drawing any Waggon, Wain, Cart, or other such like Carriage, having the Fellies of the Wheels thereof of the Breadth of Four and a Half Inches or upwards, and having perfectly flat Tires, and the Wheels cylindrical, and the Nails of such Wheels countersunk, the Sum of Fourpence:

For every Horse or other Beast drawing any Waggon, Wain, Cart, or other such like Carriage, having the Fellies of the Wheels of the Breadth of Three Inches or upwards, the Sum of Sixpence:

For every Horse or other Beast drawing any Waggon, Wain, Cart, or other such like Carriage, having the Fellies of the Wheels of less Breadth than Three Inches at the Bottom or Soles thereof, the Sum of Eightpence:

For every Horse or other Beast of Draught or Burden, laden or unladen, and not drawing, the Sum of One Penny Halfpenny:

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

For

*The Newcastle-under-Lyme and Leek Roads Act, 1857.*

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

For every Carriage of whatever Kind propelled or drawn by Steam or any Power other than Animal Power, for each Wheel thereof the Sum of One Shilling :

Which said Tolls shall be taken before any Horse, Mule, Ass, or other Cattle or Carriage whatsoever, shall be permitted to pass through any Toll Gate which shall be by virtue of this Act upon or across the said Roads, or on the Sides thereof.

As to the Fraction of a Halfpenny in Tolls.

XIV. 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.

Limiting Number of Tolls to be taken.

XV. No more than Two full Tolls shall be demanded or taken (except as herein is otherwise provided) for passing or repassing at any Time or Times in the same Day, to be computed from Twelve of the Clock at Night to Twelve of the Clock on the next succeeding Night, with the same Horses, Beasts, Cattle, or other Animal, Carriage, or Thing liable to Toll, through all or any of the Toll Gates along the whole Line of the said Roads : Provided also, that the Toll Gate erected at *Smallthorne*, and the Old Toll Gate and the Chain erected or being at or near the same Place, shall for the Purpose of this Act be considered and be deemed and taken to be together One Gate only.

Persons having paid Tolls to return free.

XVI. That all Horses and Cattle or other Animal, Carriage, or Thing liable to Toll (except as herein is otherwise provided), in respect whereof the Toll hereby authorized to be taken shall have been paid at any Toll Gate on any Part of the Roads, or on the Sides thereof, shall, upon a Ticket denoting such Payment being produced, be permitted, in returning through the same Toll Gate, and in going and returning through such other Toll Gate (if any) as the Ticket for such Payment shall free, to pass Toll-free the same Day.

Postchaises, &c. to pay on fresh Hiring.

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

Stage Coaches, &c. to pay each

XVIII. For and in respect of all Horses and Cattle drawing any Stage Coach, Van, Caravan, Omnibus, Waggon, Cart, or other Stage Carriage



*The Newcastle-under-Lyme and Leek Roads Act, 1857.*

Carriage carrying Passengers or Goods for Payment, Hire, or Reward, the Tolls hereby made payable shall be paid for every Time of passing or re-passing along the said Roads, or any Part thereof. Time of passing.

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

XX. The Tolls by this Act authorized to be taken shall be paid in respect of Horses or other Beasts of Draught drawing any Waggon, Wain, Dray, Cart, or such like Carriage for every Time during the same Day that any such Horse or other Beast of Draught shall pass through any Toll Gate upon the said Roads drawing any other laden Waggon, Wain, Dray, Cart, or such like Carriage than that which such Horse or other Beast of Draught was employed in drawing at any former Time during the same Day, and in respect of which Toll shall have been paid. Horses, &c. drawing different Waggon to pay each Time of passing.

XXI. That no Exemption from Payment of Tolls in respect of any Lime, Dung, Soil, Compost, Manure, Sough, or Draining Tiles, or any Agricultural Produce shall be allowed, unless the Waggon, Wain, Cart, or other Carriage used in conveying such Articles shall have the Fellies of the Wheels thereof of the Breadth of Four and a Half Inches or upwards at the Tire Bottoms or Soles thereof, and having perfectly flat Tires rolling on a flat Surface, and the whole Breadth thereof, when rolling on a flat Surface, bearing equally thereon, and the Nails of such Wheels countersunk, and the Heads not projecting beyond the Surface of the Tire. Exemptions in regard to Manure and Agricultural Produce.

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

First. In paying and discharging the Expenses of obtaining and passing this Act, or incident thereto:

Secondly. In paying all the Simple Contract Debts owing by the said Trustees at the Commencement of this Act, including any Balance that may at the Time of the passing thereof be due to the Treasurer of the said Trust, not exceeding in the whole the Sum of Two hundred Pounds:

[Local.]

9 K

Thirdly.

*The Newcastle-under-Lyme and Lee k Roads Act, 1857.*

Thirdly. In defraying the Expenses of Management of the Road, including Salaries of Officers, altering and repairing Toll Gates and Toll Houses, and legal Expenses, except the Expenses of Suits or Actions at Law and other legal Proceedings, the whole of such Payments not to exceed in any One Year the Sum of One hundred Pounds :

Fourthly. In paying the annual Instalments of Three hundred Pounds due to the Exchequer Loan Commissioners in liquidation of the said Sum of One thousand eight hundred Pounds, and the Interest from Time to Time to become due in respect thereof at the Rate of Four Pounds *per Centum per Annum* :

Fifthly. In paying Interest at the Rate of Three Pounds Ten Shillings *per Centum per Annum* on the said Principal Sum of Nine thousand six hundred and forty-six Pounds Ten Shillings and Eightpence :

Sixthly. In paying the Expenses of maintaining, repairing, and improving the said Roads, not exceeding in any One Year the Sum of Eight hundred Pounds :

Seventhly. In reducing, paying off, and discharging in manner herein-after provided the said Principal Sum of Nine thousand six hundred and forty-six Pounds Ten Shillings and Eightpence, or such Part thereof as shall for the Time being be due and owing :

Lastly. In paying any other Expenses of maintaining, repairing, and improving the said Roads.

Mortgagees  
not to take  
possession  
but for  
Arrears of  
Interest.

XXIII. So long as the Interest to accrue from the said Thirty-first Day of *December* One thousand eight hundred and fifty-five upon all existing Mortgages and Charges upon the Tolls of the said Roads, and the Interest to become due on the fresh Mortgages hereby authorized to be granted, shall be duly paid at the Rate by this Act authorized within Three Calendar Months next after the same shall become due and be demanded, no Holder of any Mortgage or Security shall be entitled to enter into possession of the Toll Gates, Toll Houses, or Buildings upon the said Roads, or the Sides thereof, or into the Receipt of the Tolls arising thereon, or of the Rent payable upon any letting of such Tolls ; and every Mortgagee entering into possession of such Toll Gates, Toll Houses, or Buildings, or into the Receipt of such Tolls or Rent, shall pay the Interest and Sums in reduction of Principal from Time to Time becoming due, at the Rates and according to the Priorities by this Act authorized, upon all the then existing Mortgages and Securities, and may also reimburse himself any Costs to which he may be entitled ; and every such Mortgagee so being in possession or receipt as aforesaid shall, within Twenty-one Days next after each of the half-yearly Days  
whereon

*The Newcastle-under-Lyme and Leek Roads Act, 1857.*

whereon the Interest on such existing Mortgages shall be payable, render to the Clerk to the said Trustees for the Time being a full and true Account of his Receipts and Expenditure while so in possession or receipt as aforesaid, with proper Vouchers for the same; and when it shall appear by any such Account that the Interest and Sums, if any, in reduction of Principal due at the Rate by this Act authorized on such Mortgages up to the last of such half-yearly Days, and all such Costs as aforesaid, have been fully paid and satisfied, then such Mortgagee shall, when thereunto required by the said Trustees, pay over to their Treasurer the Balance (if any) remaining in his Hands, and deliver up Possession of the said Toll Gates, Toll Houses, and Buildings, and the Receipt of the said Tolls and of any such Rent as aforesaid, to the said Trustees or 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.

XXIV. When and so often as the Sum applicable to the Discharge of the Principal Moneys for the Time being due on the Credit of the said Tolls shall amount to the Sum of One hundred Pounds, the Trustees shall, at any General, Annual, or other Meeting, apply such Sum in the Payment of a proportionate Part of the said Principal 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 Objects or Purposes thereof, so far as the same shall relate to the Application of such Sum, in some Newspaper published in the County of *Stafford*, or if there shall be no Newspaper published therein, then in some Newspaper published in an adjoining County; and at such Meeting the Trustees shall apply such Sum, or a Portion thereof (as the Case may require), in or towards the Discharge of Moneys owing in respect of the said Debts or Sums to the Creditor who shall, by Proposal in Writing transmitted to the Clerk of the Trustees before such Meeting, have offered to accept the lowest Composition in respect of such Moneys; and after Payment to such Creditor as aforesaid, shall apply the Surplus (if any) of such Sums, or a Portion thereof, (as the Case may require,) in or towards the Payment of the other Moneys owing on the Security of the said Tolls to the Creditor who, by Proposal as aforesaid, shall have offered to accept the next lowest Composition in respect of the Principal Moneys due to him, and so in like Manner until the Sum applicable to such Payment shall be exhausted; and if and whenever 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 as the Trustees shall think fit; and if there be no such Proposal

As to Mode  
of discharg-  
ing Debt.

*The Newcastle-under-Lyme and Leek Roads Act, 1857.*

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 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, according to the Priorities established by this Act, or may pay the same to such of them as may be determined by Lot, as the Trustees shall think fit.

No more Money to be borrowed.

XXV. No more Money shall be borrowed by the Trustees on the Credit of the Tolls arising on the said Roads.

As to Repair of Walls or Fences adjoining Roads.

XXVI. That if any Wall or Fence adjoining the said Road shall be out of repair, or not of a sufficient Height above the Road, and shall not be repaired or sufficiently raised within Ten Days after Notice in Writing (setting forth this Provision), given to the Occupier of the Land on the opposite Side of such Wall or Fence, by leaving the same at his or her usual or last known Place of Abode in *England*, it shall be lawful for the said Trustees to rebuild or repair the same, and to charge the Costs and Expenses thereof to such Occupier; and if he or she 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 said County of *Stafford*, who shall thereupon proceed to summon such Defaulter; and if he or she 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 Proof of such Notice having been given as aforesaid, and 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, together with the Cost of such Complaint, Information, and Conviction, to be levied by Distress and Sale of the Goods and Chattels of such Defaulter by Warrant, in the same Manner as any Penalty may be recovered under this or any General Turnpike Act, and the Overplus (if any) produced by such Sale shall be returned, on Demand, to the Person whose Goods and Chattels shall have been so distrained and sold.

Roads not exempted from Provisions of General Acts.

XXVII. Nothing herein contained shall be deemed to exempt the said Roads from the Provision 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.

Commencement and Term of Act.

XXVIII. This Act shall commence on the First Day of *November* next after the passing thereof, and shall continue in force for the Term of Twenty-one Years, and from thence to the End of the Session of Parliament

---

*The Newcastle-under-Lyme and Leek Roads Act, 1857.*

---

Parliament which shall then next follow, and shall for all Purposes be sufficiently described or referred to as “*The Newcastle-under-Lyme and Leek Road Act, 1857.*”

*The Newcastle-under-Lyme and Leek Roads Act, 1857.*

## The SCHEDULE referred to in the foregoing Act.

List of present Mortgagees.	Amount of Debt before passing of Act.			Present Amount, as declared by this Act, including Interest capitalized.		
	£	s.	d.	£	s.	d.
Trustees of Endon School	50	0	0	60	0	0
Challinor, John	30	0	0	46	16	0
Heaton, Charles	50	0	0	72	0	0
Bentley, Robert, Executors	400	0	0	512	0	0
Hill, Robert	140	0	0	173	12	0
Wilson, Alexander, Executors	100	0	0	132	0	0
Ford, John	50	0	0	60	0	0
Godwin, Alice	100	0	0	156	0	0
Norton, Poor	130	0	0	130	0	0
Williamson, Hugh H.	70	0	0	89	12	0
Boyes, Frederick	50	0	0	68	0	0
Dillon's Executors	225	0	0	225	0	0
Fox, and Bowers, Eli	50	0	0	72	0	0
Hitchen, Isaac	45	0	0	54	0	0
Gaunt, Misses	200	0	0	256	0	0
Heath, Ellen	100	0	0	100	0	0
Wedgwood, Josiah	700	0	0	840	0	0
Wedgwood, Francis	652	0	0	782	8	0
Sutton, Rev. Thomas	30	0	0	46	16	0
Warburton, Ann, Executors	400	0	0	480	0	0
Mare, Matthew	53	0	0	91	0	0
Minton, Rev. Thomas	33	6	8	45	6	8
Elliot, Liddle	340	0	0	435	4	0
Taylor, William, Executors	25	0	0	36	0	0
Kinnersly, Thomas	400	0	0	608	0	0
Heathcote, Richard E.	100	0	0	192	0	0
Hales, Lewis Geo.	120	0	0	172	16	0
Davenport, John	400	0	0	544	0	0
Dean, John	100	0	0	152	0	0
Sparrow, Elizabeth	100	0	0	136	0	0
Moreton, Mary, Executors	100	0	0	136	0	0
Godwin, Benjamin	30	0	0	43	4	0
Twemlow, George	200	0	0	272	0	0
Sparrow, John, Executors	160	0	0	217	12	0
Wedgwood, Thomas	500	0	0	660	0	0
Sleigh, John	120	0	0	163	4	0
Phillips, Thomas	30	0	0	40	16	0
Cattlow, John, Executors	70	0	0	95	4	0
	£	6,453	6 8	8,396	10 8	

LONDON:

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