

This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

*Legislative Assembly Chamber, }
Sydney, 23 March, 1870. }*

STEPHEN W. JONES,
Clerk of Legislative Assembly.

New South Wales.



ANNO TRICESIMO TERTIO

VICTORIÆ REGINÆ.

No. .

An Act to provide for and regulate Roads.

WHEREAS it is expedient to make better provision for opening Preamble.
widening altering and improving Roads Be it therefore
enacted by the Queen's Most Excellent Majesty by and with the advice
and consent of the Legislative Council and Legislative Assembly of
5 New South Wales in Parliament assembled and by the authority of
the same as follows :—

1. The Act fourth William the Fourth number eleven is hereby Repeal of 4 Wm. IV
repealed No. 11. Provided nevertheless that all proceedings matters or things
commenced thereunder shall not by the repeal thereof be invalidated
10 but may be continued and completed as if the same had been com-
menced under this Act Provided also that wherever reference is made
to the said repealed Act in any Act in force for the time-being the
provisions of this Act shall so far as applicable be substituted in lieu
of the said repealed Act.

15 2. The following terms in inverted commas shall unless the Interpretation.
context otherwise indicate bear for the purposes of this Act the
meanings set against them respectively—

“Arbitration”—Arbitration as prescribed by this Act

20 “Government”—Governor with the advice of the Executive
Council

24—A

“Justice”—

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- “Justice”—Any Justice of the Peace
- “Laid before Parliament”—Laid before both Houses of Parliament if sitting and if not then within fourteen days after the commencement of the next following Session
- 5 “Minister”—The Minister for the time being in charge of the Lands Department and of roads other than main roads
- “Occupant”—Any person in possession of land and not being owner thereof as herein defined
- 10 “Owner”—Any person in possession of land and having an estate or interest equal at least to an estate of freehold therein
- “Proclaimed” or “Proclamation”—Proclaimed or proclamation by public notice.
- 15 “Public notice”—Proclamation or notification in the *Government Gazette* and by any other method of publication prescribed by regulations under this Act
- “Public road”—Any road or part of a road proclaimed as such by the Government by public notice or opened or confirmed under this Act
- 20 “Run”—Crown Lands as so defined by the “Crown Lands Occupation Act of 1861” or occupied by the same person in one area
- “Sufficient fence”—A substantial fence capable of preventing the ingress or egress of animals under ordinary circumstances
- 25 “Surveyor General”—The Surveyor General of New South Wales or any person duly authorized to act for him or on his behalf
- 30 “Track”—Any line or route between two points upon Crown Lands proclaimed as such by the Government by public notice under the nineteenth section of the “Crown Lands Occupation Act of 1861.”
3. This Act shall not affect any road described or specified as a main road in the Act of Parliament of this Colony twenty-first Victoria number eight known as the “Main Roads Management Act” or in the Schedule thereto. Act not to affect 21 Vict. No. 8.
- 35 4. The Surveyor General may subject to this Act construct improve or maintain any public road now or hereafter to be made or any part thereof or any bridge or other work forming part or necessary to the construction improvement or maintenance of any public road. Surveyor General to form roads.
- 40 5. Whenever it shall be deemed expedient by the Surveyor General to open or make a new road or to amend any existing road by increasing the width or altering the boundaries or direction thereof he shall cause a plan of such new or amended road to be exhibited in his office in Sydney showing the exact course bearings and measurements of such road required for the same the lands through which it is proposed that such road shall pass and the name of every owner or occupant thereof so far as known. And he shall also cause a notice to be published in the *Government Gazette* and a written notice to be served personally upon or at the residence of every such owner or occupant or where the same shall not be known by affixing such notice on some conspicuous part of the ground describing generally the aforesaid particulars and referring to the said plan and calling upon all persons affected thereby to state in writing addressed to the Minister within two calendar months from the date of the first publication of such notice any objections they may have to the adoption of such new or amended road or to any part thereof. Provided that no such plan of any proposed new or amended road shall include any land enclosed by a stone or brick wall or in actual use as a garden or cemetery Preliminary notice.
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cemetery or as an avenue planted walk or lawn or as a yard garden or orchard or enclosed or planted as an ornament or shelter to a house or planted and set apart as a nursery for trees or situated within two hundred yards of any mansion house being the principal house on such land or enclosed for the purpose of carrying on any manufactory.

6. Copies of such plan shall be kept for examination and shall be exhibited without charge during the like period of two calendar months at every Court House of Petty Sessions within five miles of the proposed road and if there be none within that distance then at the Court House nearest thereto or at any other place prescribed by regulations under this Act.

Copies of plan to be exhibited.

7. Before the expiration of the said period the Surveyor General may amend the plan and the description of lands owners or occupants Provided that every such amendment of any plan or of any description of lands owners or occupants shall be notified and exhibited as hereinbefore provided in case of any new or amended road.

Amendment of plan.

8. After the expiration of the said period and due consideration of all objections so stated as aforesaid the Government may by notification in the *Gazette* confirm the making or amendment of the road according to the said plan and description or amendment of the same as aforesaid.

Government may alter or confirm line of road.

9. Upon the notification of such confirmation the Surveyor General may enter upon and appropriate for public use and for the purposes of this Act the land required for the purpose of making or amending the road so notified and confirmed and thereupon the land so appropriated shall be a public road.

After confirmation Surveyor General may enter and make road.

10. Every owner or occupant of land entered upon or appropriated under this Act shall be entitled according to the nature of his estate or interest therein to compensation for such entry or appropriation as hereinafter provided and also for any loss or damage he may sustain by reason of such entry and appropriation Provided that the value of any adjacent land vested as hereinafter provided in such owner or occupant in lieu of any land so appropriated of which he was owner or occupant shall be deducted from such compensation Provided also that every such claim for compensation shall be made in writing within twelve months after such entry and appropriation or the occurrence of such loss or damage as aforesaid.

Right of compensation.

11. Whenever in lieu of any road or portion of a road any adjacent land shall be taken from any owner or occupant for the purposes of this Act the Minister shall notify in the *Gazette* the road or portion thereof in lieu of which the said adjacent land has been so taken and may declare such road or portion thereof to be vested in such owner for such estate or interest as he possessed in the land so appropriated and thereupon the road or portion thereof so notified and declared shall be vested in such owner and shall cease thereafter to be a public road.

Road in lieu of land taken.

12. Whenever in any grant of land from the Crown a general power has been or may be hereafter reserved of taking any portion of such land for the purpose of making roads unless the quantity of land required for such purpose be specified in such grant or the land so required be described or the situation and direction of the roads so reserved be defined such general power shall after the passing of this Act be null and void and the owners or occupants of such land shall whensoever such power shall be exercised be entitled to compensation under this Act for the land so taken as if no such general power had been reserved Provided that nothing herein shall apply to any public roads already made or confirmed or dedicated to public use.

General powers of right of road abolished.

13. The Surveyor General may stop all traffic on any road in process of formation or repair and may make use of any adjacent uncultivated

Temporary road over uncultivated land.

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uncultivated land for the purpose of constructing a temporary road for public use until the permanent road shall be completed or repaired And such temporary road shall be fenced in or otherwise so secured as to afford to the person through whose land it may pass as sufficient
5 a protection against trespass as he possessed before the construction of such temporary road.

14. The Surveyor General while engaged in surveying defining or marking out any road or the site for and approaches to any bridge or other work forming part thereof may occupy any adjacent unculti-
10 vated land not attached to an occupied house and not more than half a mile distant therefrom required for the purposes of this Act and may graze any stock thereon Provided that no such occupation or grazing shall continue for a longer period than one week upon any land or be repeated at a less distance than two miles therefrom.

Power to occupy and to graze any stock on land.

15. The Surveyor General while engaged in making amending or repairing any roads or bridges under this Act may occupy any adjacent uncultivated land as aforesaid in order to deposit thereon the materials required for the purposes of this Act.

Power to occupy and deposit materials on land.

16. The owner or occupant of any land through which any road or portion of a road heretofore or at any time hereafter dedicated to or lawfully used by the public may pass may place a gate or gates across such road where the same passes through his land upon obtaining permission to do so from the Surveyor General Provided that notice of such permission shall be published in the *Gazette* and
25 that the form and position of such gates be approved by the Surveyor General.

Permission to erect gates in certain cases.

17. The Surveyor General after twelve months notice in the *Gazette* of his intention so to do may revoke and cancel wholly or in part any such permission for the erection of gates and thereafter the
30 continuance of any such gate shall be illegal.

Revocation of permission.

18. Whosoever after having opened or passed through any such gate as aforesaid shall fail to close the same shall on conviction thereof before any Justice forfeit and pay over and above the amount of the injury occasioned by such neglect such sum of money not exceeding
35 five pounds as to the Justice shall seem meet And if it be proved that such gate was wilfully left open the offender shall on conviction thereof before any two Justices forfeit and pay over and above the amount of the injury occasioned by such misconduct such sum of money not exceeding fifty pounds as to the Justices shall seem meet and in default
40 of payment thereof together with the costs (if ordered) shall be imprisoned for a period not exceeding six months unless payment be sooner made.

Penalty for leaving gates open.

19. Nothing herein shall be held to affect the right of the Crown to open make or repair any roads specially reserved in or
45 through any lands whatsoever.

Act not to interfere with the right of Crown.

20. In all cases when it shall be deemed expedient to make repair or amend any street lane passage square market market-place quay or wharf in any city or town the like proceedings shall be adopted applicable thereto as are hereinbefore provided for the making
50 repairing or amending of roads and the Government may after notice and exhibition as hereinbefore directed confirm the same and the owner or occupant of land required for any of the purposes aforesaid shall be entitled to compensation for any damages or losses he may sustain in respect thereof as hereinafter provided And the Surveyor
55 General arbitrators or umpire appointed as hereinafter provided may enter into and examine all such houses buildings or erections as it may be found necessary to remove and after arbitration and payment of the compensation in accordance therewith may take down and remove such houses buildings or erections.

Procedure for opening &c. streets &c. in town.

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21. The Surveyor General may enter upon and search for dig take and carry away from any adjacent land any stone gravel sand or other material which may be required for the formation construction and repair of any road or bridge Provided that the owner or occupant of the land from which any such materials shall have been so taken shall be entitled to compensation therefor as hereinafter provided and also for any special damage that may have been caused directly or indirectly by their removal. Power to take material from adjoining land.
22. The Surveyor General may cut through any land such drains or ditches remove all such obstructions to the free passage of water off any road erect such causeways bridges archways and sewers as may be requisite for the purposes of this Act without being deemed a trespasser Provided that the owner or occupant of such land shall be entitled to compensation as hereinafter provided for any loss or damage that he may sustain in consequence of the exercise of any of the powers herein conferred. Other powers of Surveyor General.
23. The Surveyor General may cut down or lop any brushwood or trees not being shrubs or trees planted or kept for ornament or shelter shrubs or trees along the line of any road made or amended under this Act within the distance of twenty yards from either side of such road Provided that the owner or occupant of the land upon which such brushwood or trees shall have been so cut down or lopped shall be entitled to compensation as hereinafter provided for any loss or damage caused by such cutting down lopping or removal And if such owner or occupant shall not remove the brushwood or trees so cut down or lopped within fourteen days from the time of their being so cut down or lopped the Surveyor General may remove or burn the same. Trees may be lopped.
24. Any person who shall knowingly erect any building or fence on or at the side of any public road in such manner as to reduce the breadth thereof or who shall in any way encroach on any such road or fill up or obstruct any ditch at the side thereof or make any drain gutter sink or water-course across or otherwise break up or injure any road or any part thereof or shall in any manner obstruct the free use thereof shall on conviction thereof in a summary way before two Justices forfeit and pay for every such offence a sum not exceeding ten pounds And whoever having been convicted of any such offence shall within three months after such conviction commit the like offence and shall be convicted thereof in like manner shall forfeit and pay any sum not exceeding twenty pounds and a further penalty not exceeding five pounds for every day during which such encroachment or obstruction may remain And the Surveyor General may cause such fence building drain sink watercourse gutter or other encroachment or obstruction to be removed filled up or cleared as the case may require And any two Justices upon proof thereof to them upon oath may levy the expenses of such removing filling up or clearing as well as the respective penalties hereby imposed by distress and sale of the offender's goods and chattels rendering the surplus if any to the owner. Power to remove buildings obstructing road.
25. If before the passing of this Act any erection building fence drain gutter sink or watercourse on or at the side of any road traced and marked out under this Act or by the Commissioners of the three Main Roads or of any road or thoroughfare dedicated to or vested in trustees for public use shall have been constructed or made in such manner as to reduce the breadth of or in any way encroach on any such road or if the same shall have been erected or made in contravention of the provisions of the Act second William Fourth number twelve or if the free use thereof shall have been in anywise obstructed the Surveyor General shall cause Encroachments or obstructions already made how removed.

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cause a notice to be placed upon the land where such encroachment or obstruction exists and (such notice to be published in the *Gazette*) requiring such encroachment or obstruction to be removed within twenty days after the date of such publication and if such
 5 encroachment or obstruction shall not have been effectually removed within the aforesaid time the Surveyor General may remove such encroachment or obstruction and in every such case the person by whom such encroachment or obstruction was caused or the owner or occupant of adjacent land shall be entitled to compensation as herein-
 10 after provided for any loss or damage caused by such removal Provided always that where such encroachment or obstruction shall have reduced the breadth of any highway or turnpike road or shall have been made in contravention of the provisions of the Act second William Fourth number twelve the person by whom the
 15 obstruction was caused shall not be entitled to compensation Provided also that nothing in this section shall authorize the removal of any erection or building constructed in pursuance of the provisions of any alignment Act then in force.

26. The Government may from time to time by public notice
 20 after a like notice of four weeks previous of their intention so to do authorize or declare any track or line of direction upon Crown lands to be a track required for travelling stock under the nineteenth section of the Crown Lands Occupation Act of 1861 and to be a public road or thoroughfare for the purposes of any Act relating
 25 to the impounding of stock in force for the time being and may in like manner limit the operation of the said section in regard to any run or other Crown Lands or any part thereof held under lease to tracks so authorized and declared and may alter or revoke such limitation And any animals which shall at any time after the
 30 expiration of thirty days from the date of such first mentioned notice be driven or travel over or across any run or other Crown Lands specified in such notice without the permission of the lessee or occupant of such run or other Crown Land otherwise than by a track so authorized and declared or by a public road or main road
 35 under the Main Roads Management Act shall be liable to be impounded And any provisions contained in the twenty-third section of the Impounding Act of 1865 or any Act relating to the impounding of stock in force for the time being or to the maintenance of animals temporarily impounded and charge therefor shall so far as
 40 practicable apply to any seizure and detention hereunder but nothing herein contained shall affect any right of such lessee or occupant to compensation for any loss or damage caused by any such animals which he shall have sustained.

27. Any person who shall resist obstruct or attempt to
 45 obstruct or in any manner forcibly oppose the Surveyor General or any person duly authorized while acting under this Act shall on conviction thereof in a summary way before a Justice be liable to a penalty not exceeding ten pounds.

28. Any person who shall wilfully obliterate remove or deface
 50 any boundary mark made or erected for the purposes of this Act by or under the direction of the Surveyor General or by any arbitrators or umpire acting under this Act shall be guilty of a misdemeanor.

29. Any person who shall without proper authority wilfully
 55 break the surface of any road or bridge or deposit rubbish or material thereon or remove material therefrom or otherwise injure the same shall on conviction thereof in a summary way before a Justice be liable to a penalty not exceeding ten pounds over and above the amount of the injury occasioned thereby.

30. Any unauthorized person who shall wilfully or any duly
 60 authorized person who shall unnecessarily enter upon or encroach or interfere

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Tracks for travelling stock.

Penalty for resisting Surveyor General.

Obliteration of boundary marks a misdemeanor.

Penalty for injuring roads.

Penalty for unauthorized or unnecessary intrusion.

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interfere with or trespass upon or cause any loss or damage to any land or other property under colour or pretence of being authorized under this Act shall on conviction thereof before a Justice be liable to a penalty not exceeding twenty pounds.

5 31. Every sum of money which shall be adjudged to be paid by way of forfeiture or penalty on any summary conviction under this Act shall be assessed in each case by the convicting Justice or Justices and shall be paid to the party aggrieved so far as may be necessary for compensation. Provided that where such party is
10 unknown or there is a surplus such sum or the residue thereof shall be applied in the same manner as a penalty is by law made applicable.

Application of amount paid as damages.

32. In every case of a summary conviction under this Act (unless otherwise provided by the section creating the offence) where
15 the sum which shall be forfeited for the amount of injury done or which shall be imposed as a penalty by the Justice or Justices be not paid either immediately after the conviction or within such period as the Justice or Justices shall at the time of the conviction appoint the same shall be levied by distress and sale of the goods of the offender.

Recovery of penalties.

33. Any person summarily convicted of any offence under this
20 Act who shall have paid the sum adjudged to be paid together with costs under such conviction or shall have suffered the imprisonment awarded for non-payment thereof shall be released from all other or further proceedings for the same offence.

Summary conviction a bar to other proceedings.

34. No conviction under this Act shall be quashed for want of
25 form or be removed by writ of *certiorari* or otherwise into the Supreme Court and no warrant of commitment shall be held void by reason of any defect provided it be therein alleged that the party has been convicted and that there be a good and valid conviction to sustain the same.

Conviction not to be quashed for want of form.

30 35. Every question of compensation which shall arise under this Act shall unless the Surveyor General and the claimant or claimants for compensation agree upon the amount be submitted to arbitration as hereinafter provided and the Surveyor General shall be
35 one party to such arbitration and each and every claimant of compensation arising out of the same matter who shall sign a written agreement to join in the appointment of the same agent or arbitrator shall together be the other party thereto. And the agent or arbitrator so jointly appointed and hereinafter styled "claimants appointee" may in all subsequent proceedings act in behalf of such other party.

Compensation.

40 36. Unless the Surveyor General and the claimants appointee shall concur in the appointment of a single arbitrator who may in such case proceed as hereinafter provided in the case of any single arbitrator the Surveyor General and the claimants appointee as
45 aforesaid shall severally appoint an arbitrator to whom such dispute shall be referred and every such appointment shall be made in writing and shall be delivered to each arbitrator and shall be deemed a submission to arbitration on the part of any party by whom the same shall be made and after any such appointment shall have been made
50 no such party shall have power to revoke the same without the consent of the other nor shall the death of any party or parties operate as a revocation. And if for the space of one calendar month after any such dispute shall have arisen and after a request in writing in which shall be stated the matter so required to be referred to arbitration shall have been served by the one party upon the other to appoint an
55 arbitrator such last-mentioned party fail to appoint an arbitrator then the party making the request and having himself appointed an arbitrator may appoint such arbitrator to act on behalf of both parties and such arbitrator may proceed to hear and determine the matter which shall be in dispute and his award or determination shall be final.

Appointment of arbitrators.

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37. If before the matters so referred shall be determined any arbitrator die or become incapable of acting the party or parties by whom such arbitrator was appointed may appoint in writing another person to act as arbitrator and if for the space of one month after 5 notice in writing to appoint from one party the other party fail to do so the remaining or other arbitrator may proceed *ex parte* and every arbitrator so substituted as aforesaid shall have the same powers and authorities as were vested in his predecessor and every succeeding vacancy may be supplied in like manner and subject to the same 10 conditions.

Vacancy of arbitrator to be supplied.

38. Where more than one arbitrator shall have been appointed such arbitrators shall before they enter upon the matters referred to them appoint by writing under their hands an umpire to decide on any matters on which they shall differ or which shall be referred 15 to them under the provisions of this Act and if such umpire shall die or become incapable of acting they shall forthwith appoint an umpire in his place and the decision of every such umpire on the matters so referred to him shall be final.

Appointment of umpire.

39. If in either of the cases aforesaid the arbitrators shall 20 refuse or shall for seven days after request of either party to such arbitration neglect to appoint an umpire any two Justices shall on the application of either party to such arbitration and on proof of such neglect appoint an umpire and the decision of such umpire on the matters on which such arbitrators shall differ or which shall be 25 referred to such umpire under this Act shall be final.

Two Justices to appoint an umpire on neglect of the arbitrators.

40. If where a single arbitrator shall have been appointed such arbitrator shall die or become incapable of acting before he shall have made his award the matters referred to him shall be determined by arbitration under the provisions of this Act in the same manner 30 as if such arbitrator had not been appointed.

In cases of death of single arbitrator the matter to begin *de novo*.

41. If where more than one arbitrator shall have been appointed either of the arbitrators refuse or for fourteen days neglect to act the other arbitrator may proceed *ex parte* and the decision of such arbitrator shall be as effectual as if he had been the single arbitrator 35 appointed by both parties.

If either arbitrator refuse to act the other to proceed *ex parte*.

42. If where more than one arbitrator shall have been appointed and where neither of them shall refuse or neglect to act such arbitrators shall fail to make their award within one calendar 40 month after the day on which the last of such arbitrators shall have been appointed or within such extended time if any as shall have been appointed for that purpose by both such arbitrators in writing under their hands the matters referred to them shall be determined by the umpire appointed as aforesaid.

If arbitrators fail to make their award within one calendar month the matter to go to the umpire.

43. The said arbitrators or their umpire may call for the pro- 45 duction of any documents in the possession or power of either party which they or he may think necessary for determining the question in dispute and may examine the parties or their witnesses on oath or by declaration and administer any oath of declaration necessary for that purpose.

Power of arbitrators to call for documents and administer oaths.

50 44. Before any arbitrator or umpire shall enter into the consideration of any matters referred to him he shall in the presence of a Justice make and subscribe the following declaration (that is to say)

Arbitrator or umpire to make declaration.

55 I. A. B. do solemnly and sincerely declare that I will faithfully honestly impartially and to the best of my skill and ability hear and determine the matters referred to me under the provisions of the Public Roads Act of 1869.

A. B.

Made and subscribed in the presence of

C. D. J.P.

60 And such declaration shall be annexed to the award when made.

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45. Every arbitrator or umpire who shall enter upon the consideration of any matter so referred to him without having first made and subscribed the said declaration shall be liable on conviction before any Court of Petty Session to a fine not exceeding five pounds but 5 no such arbitration shall be invalidated by reason of such omission.

Penalty for neglect to make declaration.

46. The costs incident to any arbitration shall be assessed by the arbitrators and shall be borne by the Surveyor General and paid in the same manner as is hereinafter directed in respect of compensation payable under this Act unless the arbitrators shall award the 10 same or a less sum as compensation than shall have been offered by the Surveyor General in which case each party shall bear his own costs incident to the arbitration and the costs of the arbitrators shall be borne by the parties in equal proportions.

Costs of arbitration how to be borne.

47. The arbitrator arbitrators or umpire shall deliver their or his 15 award in writing to the Surveyor General who shall retain the same and shall forthwith on demand furnish a copy thereof to the other party at such party's expense and shall at all times on demand produce the said award and allow the same to be inspected or examined by such party or any person appointed by him for that purpose.

Award to be delivered to the Surveyor General.

20 48. The submission to any such arbitration may be made a Rule of the Supreme Court on the application of either of the parties.

Submission may be made Rule of Court.

49. No award made with respect to any question referred to arbitration under the provisions of this Act shall be set aside for irregularity or informality.

Award not void for informality.

25 50. In all cases in which any compensation shall become payable in pursuance of this Act the amount thereof shall be paid to the claimant or to his agent duly authorized in that behalf by warrant under the hand of the Governor out of any sum of money to be provided by Parliament for that purpose and in the event of any 30 owner and occupant each making a several claim for such compensation the question as to the amount of the compensation to be paid to either shall be referred to arbitration And the arbitrator arbitrators or umpire shall apportion such compensation between such owner and occupant as they or he may think fit unless such 35 apportionment be previously settled by agreement.

Compensation how to be paid.

51. Nothing in this Act shall entitle any person to compensation for any land in unlawful possession of such person or dedicated to or used by the public as a road before the passing of this Act.

Compensation not authorized in certain cases.

40 52. The Government may by public notice make regulations not inconsistent with this Act for carrying the same into effect and all such regulations shall be laid before Parliament.

Government may make regulations.

53. A schedule of roads proclaimed or opened or confirmed under this Act shall be prepared from time to time and laid before Parliament.

Schedule to be laid before Parliament.

45 54. From and after the passing of this Act the Charter establishing the District Council at Maitland dated the twenty-first day of July one thousand eight hundred and forty-three and the Act of Council seventeenth Victoria number sixteen vesting the management of Roads in the District of Maitland aforesaid in such District 50 Council and all other Acts giving recognition power or authority to such Council as a District Council Road Trust or otherwise howsoever be and are hereby repealed Provided always and be it enacted that all existing contracts and all engagements whatsoever by from or to the said Council whether acting under the said Charter or under the said 55 Act as Road Commissioners or otherwise however shall be in no way prejudiced or otherwise affected hereby and for the purpose of carrying on any such contract or paying and enforcing any such agreements as aforesaid the powers privileges and authorities of such Council shall continue to exist notwithstanding the passing of this Act.

Dissolution of Maitland District Council.

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55. This Act shall be styled and may be cited as the "Public Roads Act of 1870." Short title.

SCHEDULE A.

5

- 5 William IV. Number 20.
- 2 Victoria Number 2.
- 4 Victoria Number 12.
- 14 Victoria Number 41.

[9d.]