



ANNO QUINQUAGESIMO PRIMO

# GEORGI III. REGIS.

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## Cap. 41.

An Act to continue and enlarge the Term and Powers of Two Acts of His present Majesty, for repairing the Road leading from *Berwick-upon-Tweed*, by *Ayton Bridge*, to *Dunglas Bridge*; and the Roads from *Billie Causeway* and *Preston Bridge*, to join the said Road at or near *Cockburnspath Tower*, in the County of *Berwick*. [6th May 1811.]

**W**HEREAS by an Act passed in the Twenty-seventh Year of the Reign of His present Majesty, intituled, *An Act for repairing and widening the Road leading from the Borough of Berwick-upon-Tweed, by Ayton Bridge, and the new Bridge over the Pees or Pass of Cockburnspath to Dunglas Bridge; and also the Roads leading from Billie Causeway and Preston Bridge, to join the said Road at or near Cockburnspath Tower, in the County of Berwick:* and by another Act passed in the Forty-fifth Year of the Reign of His present Majesty, intituled, *An Act to continue the Term, and alter and enlarge the Powers of an Act made in the Twenty-seventh Year of His present Majesty, for repairing the Road leading from Berwick-upon-Tweed, by Ayton Bridge, to Dunglas Bridge; and also the Roads from Billie Causeway and Preston Bridge, to join the said Road at or near Cockburnspath Tower, in the County of Berwick,* certain Persons were appointed Trustees for making and repairing the Roads therein mentioned, and for levying Tolls and Duties thereon: And whereas the Trustees by the said Acts appointed, have proceeded to put the same into Execution, and have borrowed divers Sums of Money upon the Credit of the Tolls and Duties in and by the said recited Acts granted, and made payable, and also upon their own personal Credit, for the Purposes of the said Acts, which Sums of Money are still due and owing: but the said Roads cannot be effectually repaired and kept in

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[Loc. & Per.]

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Repair



Acts conti-  
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Repair, nor the Sums of Money borrowed and owing as aforesaid be repaid, unless the Term and Powers of the said Acts be continued and enlarged, some of the Powers and Provisions thereof altered and amended, and Power given to levy additional and increased Tolls and Duties, and to erect additional Toll Bars; May it therefore please Your Majesty, That it may be enacted, and be it enacted by the King'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, That the said recited Act of the Twenty-seventh Year of the Reign of His present Majesty, and all and every the Clauses, Exemptions, Powers, Authorities, Articles, Rules, Penalties, Forfeitures, Matters and Things therein contained (except in so far as the same were altered or varied by the said recited Act of the Forty-fifth Year of the Reign of His present Majesty, or are altered and varied by this Act); and also that the said recited Act of the Forty-fifth Year of the Reign of His present Majesty, and all and every the Clauses, Exemptions, Powers, Authorities, Articles, Rules, Penalties, Forfeitures, Matters and Things therein contained (except in so far as the same are altered or varied by this present Act), shall continue and be executed for and during the Term hereinafter mentioned, as fully and effectually, to all Intents and Purposes, as if the said recited Acts were hereby repeated and re-enacted, which said additional Term is hereby declared to be subject and liable to the Payment of all Sums of Money now due and owing on the Credit of the said recited Acts, or on the personal Security of the Trustees appointed by the said Acts, and of such Sum or Sums of Money as shall or may be borrowed for the Purposes of the said Acts or this Act, and of all Interest now due or to grow due for the same respectively.

Trustees.

II. And be it enacted, That the Persons nominated and appointed Trustees for executing the said Acts of the Twenty-seventh and Forty-fifth Years of the Reign of His present Majesty, and all and every other Person or Persons who may lawfully act as Trustees under these Acts, shall be and they are hereby appointed Trustees for putting the said recited Acts and this Act into Execution.

Power to  
erect a new  
Toll-House  
or Toll-Bar  
on the Great  
Post Road,  
&c.

III. And be it enacted, That it shall and may be lawful to and in the Power of the said Trustees, or any Seven or more of them, at any of their Annual or General Meetings assembled, to build and erect, or cause to be built and erected, an additional Toll-House and Toll-Bar, on the said Great Post Road from *Berwick* to *Dunglas Bridge*, at the North or South End of *Ayton Bridge*, in addition to the Toll-Bars already erected on the said Great Post Road; to take, demand and levy thereat the Tolls and Duties hereby granted and made payable; which additional Toll-House and Toll-Bar are hereby declared to be vested in the said Trustees, under the Provisions of the aforesaid Acts, and this Act.

Tolls.

IV. And be it enacted, That it shall and may be lawful to and for the said Trustees, or any Seven or more of them, assembled at any of the said Annual or other Days of Meeting, to authorise and direct their Collectors and Receivers, in lieu of the Tolls and Duties by the said recited Acts, or any of them, granted, to demand, take and levy, at each of the Toll-Bars already erected, or to be erected as aforesaid, on the said Great Post Road, and also at each of the said Toll-Bars erected or to be erected on the said Branches of Road from *Billie Causeway* and *Preston Bridge*



Bridge to the said Post Road, the following Tolls, before Passage is permitted, viz.

For every Horse, Mare, Gelding, Mule or Afs, or Pair of Oxen, drawing any Waggon, Wain, Cart, Sledge, or other such Carriage, the Sum of Four-pence Halfpenny Sterling :

For every Horse, Mare, Gelding, Mule or Afs, or Pair of Oxen, drawing any Waggon, Wain, Cart, Sledge, or other such Carriage, laden with Corn, Meal, or Coal, the like Toll-Duty of Four-pence Halfpenny Sterling :

For every, Horse, Mare, Gelding, Mule or Afs, or Pair of Oxen, drawing any Waggon, Wain, Cart, Sledge, or other such Carriage, laden with Dung, Compost or Marle, the like Toll-Duty of Four-pence Half penny Sterling :

For every Horse, Mare, Gelding, Mule or Afs, whereon any Person shall ride, the Sum of Three-pence Sterling :

For every Horse, Mare, Gelding, Mule or Afs, laden or unladen, and not drawing, the Sum of One-penny Halfpenny Sterling :

For every Horse, Mare, Gelding, Mule or Afs, or other Beast of Draught, drawing any Coach, Chaise, Chariot, Chair, Calash, Phaeton, Curricule, Barouche, Landau, Berlin, Hearse, or other such Carriage, the Sum of Nine-pence Sterling :

For every Drove of Oxen, or Neat Cattle, the Sum of Two Shillings and Six-pence Sterling, *per* Score; and so in Proportion for any greater or less Number :

And for every Drove of Calves, Hogs, Sheep, or Lambs, the Sum of Seven-pence Halfpenny Sterling *per* Score; and so in Proportion for any greater or less Number.

V. And be it enacted, That the said Tolls and Duties shall be, and they are hereby vested in the said Trustees; and the same, and every Part thereof, after defraying the Expences of passing this Act, (which the said Trustees, or any Seven or more of them, are hereby authorised to pay out of the Produce of the said Tolls in the first Place,) shall be paid, applied, disposed of or assigned, to and for the several Uses, Intents and Purposes, and in such Manner, as the Tolls and Duties in and by the said recited Acts granted, are directed to be paid, applied, disposed of, or assigned, and to no other Use or Purpose whatsoever.

Tolls vested in Trustees.

VI. And be it further enacted, That the Exemptions from Toll contained in the before-recited Acts, in favour of Waggons, Wains, Carts, or other Carriages, laden with Dung, Compost or Marle, shall from and after the passing of this Act cease and determine; and Carriages of all Kinds laden with Dung, Compost, or Marle, shall pay the Tolls and Duties before specified: Provided always, That Dung, Compost, or Marle, made upon, or dug, or taken from any Farm, and carried from any Part of a Farm to another Part of the same Farm, and also Sea Ware, shall nevertheless be exempted from Tolls and Duties, any Thing in this Act contained to the contrary notwithstanding.

Exemption in former Acts in favour of Dung, repealed.

VII. And be it further enacted, That no Person owning or driving, or causing to be driven, any Waggon, Wain, or Cart, or other Carriage provided for the Service of His Majesty's Forces, or conveying any Ordnance, Barrack, or Commissariat or other public Stores, of or belonging to His Majesty, or for the Use of His Majesty's Forces, shall be subject to any Penalty or Forfeiture for Overweight; nor shall any such Waggon,

Exempting Carriages with Stores



gon, Wain, Cart, or other Carriage, be stopped or detained by reason of any Weight in any such Waggon, Wain, Cart, or other Carriage, or of being drawn by any Number of Horses or Oxen; but it shall be lawful for any Owner or Driver of any such Waggon, Wain, Cart, or other Carriage, to put any Number of Horses or Oxen to such Waggon, Wain, Cart, or other Carriage; any Thing in any Act or Acts of Parliament relating to Highways or Turnpike Roads, or in the said recited Acts, or this Act, contained to the contrary notwithstanding.

No Ticket to be received at the Toll-Bars.

VIII. And be it enacted, That no Ticket received at any of the Toll-Bars erected, or to be erected, on the said Great Post Road, or on the said Roads leading from *Billie Causeway* and *Preston Bridge* to the same, shall entitle any Person to pass Toll-free through any other of the Toll-Bars erected, or to be erected, in virtue of the before recited Acts, or this Act, although the said Toll-Bars should be situated within less Distance of each other than Six Miles.

Trustees may lessen Tolls.

IX. Provided always, and be it enacted and declared, That the said Trustees, or any Seven or more of them, assembled at any of their Annual or General Meetings, may, and they are hereby authorised and empowered, from Time to Time, with the Consent of the Persons who may have lent Five-sixth Parts of the Money that may be due on these Tolls and Duties for the Time, to lessen the several Tolls and Duties granted and made payable by the said recited Acts and this Act, or any of them, and to order and direct the same so lessened, to be collected, received and taken, in such Manner, and in such Parts and Portions as they shall think fit, and to raise the same again, from Time to Time, so as not to exceed the Tolls and Duties hereby granted, any Thing in this Act contained to the contrary notwithstanding.

Recovery of Penalties.

X. And be it enacted, That all Questions relative to Offences against the said recited Acts or this present Act, shall be judged of and determined, and all Tolls, Duties, Penalties and Forfeitures, by the said recited Acts or this Act granted and imposed, shall be levied and recovered, and applied in Manner as by the said recited Acts are directed, with regard to the Offences, Tolls, Duties, Penalties and Forfeitures thereby granted or imposed.

Public Act.

XI. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken Notice of as such by all Judges, Justices and others, without being specially pleaded.

Continuation of the Act.

XII. And be it enacted, That the Term granted by the said recited Act of the Forty-fifth Year of the Reign of His present Majesty, shall, from and after the passing of this Act, cease and determine, and that the said recited Act of the Twenty-seventh Year of the Reign of His present Majesty, in so far as the same is not altered or varied by the said recited Act of the Forty-fifth Year of the Reign of His present Majesty, or by this Act, and the said recited Act of the Forty-fifth Year of the Reign of His present Majesty, in so far as the same is not altered or varied by this Act, and this Act shall from thenceforth continue and be in Force for and during the Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament.