

thereof, and were embodied in One Act: And whereas an Act was passed in the Fifth Year of the Reign of His present Majesty King George the Fourth, intituled *An Act to enable Justices of the Peace for Ridings, Divisions, or Sokes, to act as Trustees for repairing and maintaining Turnpike Roads*: And whereas the beneficial Purposes herein-before mentioned cannot be effected without the Aid and Authority of Parliament: 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 from and after the First Day of *October* now next ensuing the said recited Act of the Fiftieth Year of the Reign of His late Majesty King George the Third shall be and the same is hereby declared to be repealed.

Recited Act of 50 G. 3. repealed.

Defining the Object and Powers of this Act.

II. And be it further enacted, That this Act shall be put in execution, for and during the Term herein-after mentioned, for the Purpose of amending, improving, repairing, and maintaining in repair the Road leading from *Catterick Bridge* in the County of *York*, by the Town of *Yarm* in the said County of *York*, and the Town of *Stockton* in the County of *Durham*, and through the Town of *Sedgefield* in the said County of *Durham*, to the City of *Durham*.

Powers of 5 G. 4. c. 69. extended to this Act.

III. And be it further enacted, That the said recited Act passed in the Fifth Year of the Reign of His present Majesty, and all and every the Powers and Provisions therein contained, (except so far as they are repealed, varied, or altered by this Act,) shall be as valid and effectual for carrying this Act into execution as if they had been repeated and re-enacted in the Body of this Act.

Trustees.

IV. And be it further enacted, That *John Allan, Watson Alcock, John Addie* Doctor of Medicine, *Robert Appleby, Robert Alderson, Joseph Arrowsmith* Clerk, *Thomas Ayres, John Arden, William Allan, Blackwell Grange, Henry Robert Allan, Rowland Burdon senior, Rowland Burdon junior, George Baker, Thomas Bowes of Bradley, Thomas Bowes of Darlington, Ralph Henry Brandling* Clerk, *Charles John Brandling, John Brewster senior, Clerk, John Brewster junior, Clerk, Thomas Booth, Robert Bower, Robert Bell, Thomas Baker* Clerk, *John Barker, James Brittain, William Beckwith, William Bayley, Viscount Barrington, Calverley Bewicke Bewicke, Featonby Burrell, the Honourable George Barrington, the Honourable Augustus Barrington, William Beckwith the younger, David Burton, Robert Bald, William Bone, John Cartwright, William Chaytor, Robert Chaloner, Warcop Consett, Peter Consett, Robert Crowe, Farrow Chilton, John Chilton, William Chilton, Collyer, William Cust, Robert Clarke, Eliska Cocks, Henry Andrew William Cocks, George Coates senior, James Cundill* Clerk, *George Coates junior, Sheldon Craddock, Edward Davison* Clerk, *Edward Davison the younger, Heneage Dundas, William Dent, Richard Dickson, John Dunn, Thomas Davison, William Nicholas Darnell* Clerk, *James Dalton* Clerk, *John Dixon, Morton John Davison,*

Davison, Sir Robert Johnson Eden Baronet, William Eden, Thomas Erbank Clerk, Benjamin Evans Clerk, George Elstob, William Eeles, Thomas Eeles, Sir Thomas Frankland Baronet, William Frankland, Roger Frankland, Joseph Frank, Thomas Fawell, Benjamin Flounders, John Ralph Fenwick Doctor of Medicine, Marshall Fowler, Sir William Foulis Baronet, John Featherstone, Harworth, James Favell, William Addison Fountaine Clerk, William Fawcett, John Fawcett Clerk, Wilson Fawcett, Ralph William Grey, John Grey, Thomas Greenwell, Thomas Robinson Grey the elder, John Griffith, William Grey of Stockton, William Scarfield Grey, John Gilpin Clerk, Charles Garthorne, John Gregson, Thomas Robinson Grey the younger, William Grey Son of Thomas Robinson Grey the elder, George Hutchinson, Henry Hutchinson, John Hutchinson, William Harland, Thomas Hustler, John Hixon, Thomas Hutchinson, Anthony Hammond, Fowler Hicks, James Hewgill Clerk, Henry Hewgill, George Hartley, Thomas Hopper of Durham, Thomas Hopper of Silksworth, Thomas Haswell, Isaac Hopper, John Mason Hopper, Sir Henry Hardinge, John Hogg, Thomas Jefferson Hogg, George Head, Robert Hunter, William Ward Jackson, Ralph Ward Jackson, Richard Jackson, George Ward Jackson, Thomas Jennett, Isaac Kingston, Sir Henry Lawson Baronet, Sir Charles Loraine Baronet, Ralph John Lambton, Thomas Leighton Clerk, Benjamin Lumley Clerk, Robert Lamb, William Hilton Longstaffe, George Marwood Clerk, Thomas Meynell the elder, George Meynell, Robert Henry Macdonald, Charles Mason, Thomas Meynell the younger, Robert William Mills, John Maynard, William Middleton Clerk, John Douthwaite Nesham, Ralph Ord Clerk, Benjamin Ord, the Honourable William John Frederick Powlett commonly called Lord Powlett, Sir William Henry Pennyman Baronet, Richard William Christopher Pierse, Richard Pierse, John Peacock, Daniel Mitford Peacock Clerk, John Procter, John Page, John Prince, Edward Pease the elder, James Allan Park Clerk, Charles John Plumer Clerk, Edwards Peacock, Edward Pease the younger, Sir Matthew White Ridley Baronet, William Russell, Ralph Robinson, Mark Ruddock, Haigh Robson, George Robinson, John Russell Rowntree, Leonard Raisbeck, William Richmond, Richard Richardson Clerk, Francis Richardson Richmond, Thomas Richmond, George Thomas Rudd Clerk, John Richmond, Robert Rayson, Thomas Surtees Raine, Thomas Linwood Strong, Robert Eden Duncombe Shafto, Thomas Shafto, Robert Duncombe Shafto, Edward Shipperdson, Thomas Richard Shipperdson Clerk, Robert Surtees of Mainsforth, Robert Surtees of Redworth, Thomas William Salvin, Henry Stapylton, John Stapylton, Thomas Robert Swinburn, Marshal Stonehouse, Henry Story, John Silvertop, William Skinner the elder, William Skinner the younger, William Sleigh, Thomas Sowerby, Edward Shafto, John Sewell, George William Sutton, George Skinner, John Holt Skinner, Gerard Salvin, John Smith, Thomas Simpson the elder, Thomas Simpson the younger, William Simpson, Robert Simpson, Thomas Stapylton, Daniel Seddon, Walter Scruton, John Stagg, William Stobart, Henry Stobart, John Trotter, John Theakstone Clerk, George William Todd, Thomas Allison Tennant, Michael Ann Tasburg, Francis Skelly Tidy, Henry Vansittart, Thomas Vincent, William Vollum, Thomas Williamson, Richard Wright, Rowland

Rowland Webster, William Webster, Robert Hopper Williamson, John Waldy, Matthew Wadson, John Wharton, William Wright, George Wray Doctor of Medicine, Christopher White, John Wilkinson of Stockton, Stephen Walton, John Wilkinson, Norton, Thomas Walker, Edward Garmonsway Waldy, George Willis, Thomas Wilkinson, Anthony Wilkinson, Robert Waugh, John Watson, Thomas William Waldy, Mathew Woodfield, Richard Walker the younger, Matthew Wilkinson of Enter Common, and Henry Walker Yeoman, and their Successors, being duly qualified according to the Provisions and Directions of the several Acts for regulating Turnpike Roads in England, shall be and they are hereby appointed Trustees for carrying into execution this Act.

Power to
appoint ad-
ditional Trus-
tees.

3 G 4. c. 126.

V. And be it further enacted, That it shall be lawful for the said Trustees from Time to Time, at any of their Meetings to be held in pursuance of this Act, of which Meetings and of the Purpose thereof respectively at least Ten Days previous Notice shall be given in manner by an Act passed in the Third Year of the Reign of His present Majesty, intituled *An Act to amend the General Laws now in being for regulating Turnpike Roads in that Part of Great Britain called England*, directed with respect to Meetings for the Appointment of Trustees on Vacancies, to elect and appoint any Number of Persons, not exceeding Three in the whole, to be Trustees for the Purposes of this Act, in addition to the Trustees herein named; and such additional Trustees so elected, and being duly qualified as herein-before mentioned, shall have the like Powers and Authorities for executing this Act as if they had been named herein.

First Meet-
ing of Trus-
tees.

VI. And be it further enacted, That the Trustees for executing this Act shall hold their First Meeting at the Town House in *Stockton*, or at some other convenient Place in *Stockton* aforesaid, on the First *Tuesday* next after the Commencement of this Act, or as soon after as conveniently may be, and shall and may then and from Time to Time after adjourn to and meet at such Times and Places within the Town of *Stockton* aforesaid or in the Neighbourhood of the said Road as the said Trustees or the major Part of them present at such respective Meetings shall think proper and appoint.

Power to
continue the
present Toll
Gates, &c.

VII. And be it further enacted, That it shall be lawful for the said Trustees to continue all and every or any of the Toll Gates, Toll Bars, and Toll Houses and Weighing Machines now standing and being upon the said Turnpike Road or upon the Sides thereof, and also to erect or build, in lieu thereof or in addition thereto, upon the said Road or any Part thereof, or upon the Sides thereof or any Part thereof, when and where and as they shall judge proper, any Toll Gate or Toll Bars, Toll Houses and Weighing Machines, with Outhouses and Conveniences thereto, and to take in and inclose suitable Garden Spots for the same, not exceeding One Eighth Part of a Statute Acre each, as they shall judge proper, and from Time to
Time

Time to alter or take down and rebuild or to discontinue and remove the same or any of them, as they the said Trustees shall think proper.

VIII. And be it further enacted, That the Tolls to be taken by virtue of this Act shall not exceed the Tolls herein-after mentioned and specified; (that is to say,) Tolls.

For every Horse, Ass, Mule, or other Beast or Cattle drawing any Coach, Stage Coach, Landau, Berlin, Barouche, Sociable, Chariot, Calash, Hearse, Litter, Break, Chaise, Curricule, Gig, or other such like Carriage, the Sum of Five-pence :

For every Horse, Ass, Mule, or other Beast or Cattle drawing any Waggon, Wain, Cart, Van, Caravan, or other such like Carriage, having the Fellies of the Wheels thereof of the Breadth of Six Inches or upwards at the Bottom or Sole thereof, the Sum of Three-pence; and in case the Fellies of the Wheels thereof are of less Breadth than Six Inches and not less than Four Inches and a Half, the Sum of Four-pence; and in case the Fellies of the Wheels thereof are of less Breadth than Four Inches and a Half, the Sum of Five-pence :

For every Horse, Ass, Mule, or other Beast or Cattle, laden or unladen, and not drawing, the Sum of Two-pence :

For every Score of Oxen, Cows, or Neat Cattle, the Sum of Ten-pence, and so in proportion for any less Number :

For every Score of Calves, Swine, Sheep, or Lambs, the Sum of Five-pence, and so in proportion for any less Number :

For every Waggon, Wain, Cart, or other such like Carriage, having the Nails of the Tire of the Wheels projecting more than One Quarter of an Inch above such Tire, the Sum of Ten Shillings :

Such last-mentioned Toll to be in lieu of any Penalty to which by virtue of an Act passed in the Fourth Year of the Reign of His present Majesty, intituled *An Act to explain and amend an Act passed in the Third Year of the Reign of His present Majesty, to amend the General Laws now in being for regulating Turnpike Roads in that Part of Great Britain called England*, the Owner or Driver of any such Waggon, Wain, Cart, or other Carriage would be subject or liable to by reason or on account of the Nails of the Tire of the Wheels thereof projecting more than One Quarter of an Inch above such Tire : 4 G. 4. c. 95.

And for every Horse, Mule, Ass, or other Beast drawing any Waggon, Wain, Cart, or other Carriage laden with Lead, Copper, Coals, Cinders, Lime, Goods, or other Merchandize, at any Time between the Thirty-first Day of *October* and the First Day of *March* in every Year during the Continuance of this Act, in addition to the Toll herein-before authorized to be taken for every such Horse, Mule, Ass, or other Beast drawing as last aforesaid, a further Toll or Sum of the same Amount, making a Double Toll.

IX. Provided always, and be it further enacted, That no Exemption from any of the Tolls by this Act granted shall be allowed for No Exemption allowed for Carriages
[Local.] 6 U or

having the Nails of the Tire projecting more than One Quarter of an Inch.

or in respect of any Horse, Beast, or Cattle drawing any Waggon Cart, or other Carriage, laden with any Materials for making or repairing any Highway, or for building, rebuilding, or repairing any Bridge, or with any Dung, Soil, Compost, or Manure for improving Lands, or with Ploughs, Harrows, or Implements of Husbandry, or Hay, Straw, Fodder for Cattle, or Corn in the Straw, Potatoes, or other Agricultural Produce, such Waggon, Cart, or other Carriage having the Nails of the Tire of the Wheels thereof projecting more than One Quarter of an Inch from the Surface of such Tire.

No Toll to be paid on repassing during the same Day, except with a different Carriage or fresh Loading.

X. Provided always, and be it further enacted, That in case the Toll hereby authorized to be taken shall have been paid for the passing of any Horse, Beast, or Cattle through any One of such Toll Gates or Toll Bars, such Horse, Beast, or Cattle, at any Time during the same Day, to be computed from Twelve of the Clock at Night to Twelve of the Clock in the next succeeding Night, shall, upon Production of a Ticket denoting the Payment of such Toll on that Day, be permitted to repass Toll-free (except as herein-after mentioned with respect to Horses, Beasts, or Cattle drawing Stage Coaches or other such like Carriages, or Horses, Beasts, or Cattle let out to Hire,) through the same Toll Gate or Toll Bar, and also through such other Toll Gates and Toll Bars (if any) as the Ticket for such Payment shall free: Provided nevertheless, that no Horse, Beast, or Cattle for which Toll shall have been paid at any of the said Toll Gates or Toll Bars, drawing another or different Waggon, Wain, Cart, or other such Carriage, or drawing for Hire or Reward a fresh or different Lading of the Weight of Two hundred and forty Pounds Avoirdupois or more in the same Waggon, Wain, Cart, or other such Carriage, shall be permitted to repass through the same Toll Gate or Toll Bar on the same Day without again paying Toll, if in so repassing such Horse, Beast, or Cattle shall go or travel upon the said Road for the Distance of Three Miles or more.

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

XI. Provided always, and be it further enacted, That no more than Six full Tolls (except as herein provided to the contrary) shall be taken for or in respect of the same Horses, Beasts, or Cattle or Carriages, in any One Day, for passing and repassing once through all the several Toll Gates or Toll Bars upon the said Road.

Stage Coaches, &c. to be subject for every Time of passing.

XII. Provided also, and be it further enacted, That the Tolls hereby made payable shall be paid for or in respect of all Horses, Beasts, or Cattle drawing any Stage Coach, Stage Waggon, Van, Caravan, Cart, or other Stage Carriage carrying Passengers or Goods for Hire or Reward, for each Time of passing and for each Time of repassing along the said Road.

Post Chaises, &c. to pay on every new Hiring.

XIII. Provided also, and be it further enacted, That the Tolls hereby made payable shall be paid for and in respect of all Horses, Beasts, or Cattle let out to Hire, whether for riding, or for drawing any

any Post Chaise or other Carriage, for each Time of passing along the said Road, whenever a new Hiring thereof shall take place.

XIV. And for regulating the Weights to be allowed to Carts or other such Carriages which shall be drawn upon the said Road by One Horse, Beast, or Cattle only; be it further enacted, That the Weights to be allowed to Carts or other such Carriages drawn by One Horse, Beast, or Cattle, shall never exceed the Weights following; (that is to say), from the First Day of *May* to the Thirty-first Day of *October* (both Days inclusive) One Ton and Ten Hundred Weight for each such Carriage and the Lading thereof; and from the First Day of *November* to the Thirtieth Day of *April* (both Days inclusive) One Ton and Seven Hundred Weight for each such Carriage and the Lading thereof.

Weight of
Single-horse
Carts limited.

XV. And be it further enacted, That all Carts or other such Carriages passing along the said Roads drawn by only One Horse, Beast, or Cattle, shall and may be weighed at any Weighing Machine on the said Road, and the like additional Tolls demanded and recovered for the Overweight thereof as are by Law payable in respect of the Overweight of Carts or other Carriages drawn by Two or more Horses; and all the Powers, Regulations, and Penalties now in force relating to the weighing of Carts or other Carriages drawn by Two or more Horses, shall be applicable to Carts or other such Carriages passing on the said Road drawn by only One Horse, Beast, or Cattle, and to the Drivers and Owners thereof.

One-horse
Carts to be
weighed.

XVI. And be it further enacted, That the Monies already received or to be received by the said former Act hereby repealed, and also all Monies which shall be received under this Act, shall be applied by the said Trustees in manner following; (that is to say,) in the first place, in paying and discharging all the Costs, Charges, and Expences which shall have been incurred in preparing, applying for, and obtaining this Act, or otherwise incident thereto, with lawful Interest for any Money which may have been advanced for the Payment thereof, or of any Part thereof, from the Time that the same or any Part thereof shall have been advanced to the Time of the same being repaid by the said Trustees; and in the next place, in paying and discharging any Interest which may from Time to Time be owing on the Credit of the said former Act hereby repealed, or which may at any Time hereafter become due on the Credit of this Act, and afterwards in defraying the Expences of amending, improving, repairing, and maintaining in repair the said Road, and of otherwise executing the several Purposes of this Act; and in the next place, in discharging the Debt or Sum of Seven hundred and thirty-five Pounds incurred by the Trustees acting under the said former Act in and about an Alteration and Improvement of the said Road between the Town of *Stockton* aforesaid and the Village of *Thorpe Thewles* in the said County of *Durham*; and lastly, in reducing and discharging any Principal Sum or Sums of Money which may have been borrowed and secured under or upon the Credit of the said

Application
of the Tolls
and Money
borrowed.

said former Act, and also any Principal Sum or Sums of Money which may hereafter be borrowed and secured under or upon the Credit of this Act.

Leases may
be vacated.

XVII. And be it further enacted, That it shall be lawful for the said Trustees at any of their Meetings to be held within Three Calendar Months next after the passing of this Act, or at any Adjournment thereof, to declare and order that all Demises, Leases, and Agreements for Leases of the Tolls granted by the said former Act hereby repealed, and of the several Toll Houses and Buildings and Appurtenances thereto belonging, shall cease and be vacated from and after the Twenty-fifth Day next after such Meeting, and from and after such Declaration and Order the same shall cease and be void to all Intents and Purposes, except as to the Right and Power of the said Trustees to receive and recover Payment of all Rent and Arrears of Rent and Payments due and to become due thereon; and the said Trustees shall and they are hereby required to make a fair and just Compensation and Satisfaction to the respective Lessees of the said Tolls for any Loss or Damage which they shall sustain thereby, to be paid at such Times and in such Proportions as they the said Trustees shall deem reasonable and proper; and such Compensation and Satisfaction may be recovered by such respective Lessees, or their respective Executors, Administrators, or Assigns, from the said Trustees, in case the same shall not be paid within Six Calendar Months after the same shall be due and demanded of the Clerk or Treasurer to such Trustees, by Action of Debt or on the Case in any of His Majesty's Courts of Record at *Westminster*: Provided always, that in case such Trustees and Lessees respectively cannot agree upon the Amount of Compensation and Satisfaction, the same shall and may be recovered by Action at Law as aforesaid: Provided also, that nothing herein contained shall prevent the said Trustees from entering into any new or other Agreement with all or any of the present Lessees of the Tolls for such additional Rent for the Tolls hereby granted and made payable, as they shall think reasonable and proper, for the unexpired Term of their respective Leases or Agreements.

No Money to
be applied
in repairing
Streets.

XVIII. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees to collect any Tolls or to expend any Tolls in paving, cleansing, or repairing any Street, Road, or Highway within the Towns of *Yarm, Stockton, Durham, or Sedgfield*.

For opening
and cleansing
Rivulets,
Brooks, &c.
in order to
prevent the
Road from
being over-
flowed or
injured.

XIX. And whereas divers Rivulets, Stells, Brooks, and Streams of Water run across the Course of the said Turnpike Road, and through various Bridges, Arches, or Tunnels, Conduits or Drains constructed for the Passage thereof, and thence flow into the River *Tees*, the River *Wear*, and the River *Swale*, or one of them: And whereas it frequently happens that by the Neglect or Default of the Owners or Occupiers of the Lands through or in which the said Rivulets, Stells, Brooks, and Streams of Water flow or are situate, who ought to open,
widen,

widen, deepen, scour, and cleanse the same, that the Bridges, Arches, Tunnels, Conduits, or Drains through which the same respectively run or flow, and the Mounds or Batteries constructed for raising the said Road, are undermined, broken down, or taken away or damaged; for Remedy whereof, be it enacted, That the respective Owners and Occupiers of Lands or Grounds through or in which the said Rivulets, Stells, Brooks, or Streams of Water flow or are situate, shall and they are hereby required, at their own Expence, from Time to Time, when and so often as there may be Occasion, well and sufficiently to open, widen, deepen, scour, cleanse, support, repair, and amend the same, and the Bridges, Arches, Tunnels, Conduits, or Drains upon their respective Lands or Grounds, through which such Rivulets, Stells, Brooks, or Streams of Water pass or flow, for the Distance or Extent of One hundred Yards above and below the Bridges, Arches, Tunnels, Mounds, or Batteries constructed for raising the said Road as herein-before mentioned; and if any such Owner or Occupier shall refuse or neglect, after Seven Days Notice in Writing for that Purpose to him or her given or left at his or her Dwelling House or usual Place of Abode by any of the said Trustees, or by their Surveyor or Clerk for the Time being, well and sufficiently to open, widen, deepen, scour, cleanse, support, repair, and amend such Rivulets, Stells, Brooks, or Streams of Water, Bridges, Arches, Tunnels, Conduits, or Drains, so far as the same shall respectively extend through the Lands or Grounds of such Person, for the Distance or Extent herein-before mentioned, it shall be lawful for the said Trustees well and sufficiently to open, widen, deepen, scour, cleanse, support, repair, and amend the same, and to recover the Amount thereof from the Person or Persons so refusing, making Default, or neglecting as aforesaid, such Charges and Expences to be ascertained and settled by any of His Majesty's Justices of the Peace acting either for the North Riding of the said County of *York* or for the said County of *Durham*; and such Justices respectively are hereby authorized and required to assess and determine such Charges and Expences accordingly; and in default of Payment thereof on Demand, such Charges and Expences shall and may be levied by Distress and Sale of the Goods and Chattels of such Person or Persons by Warrant under the Hand and Seal of any such Justice, rendering the Overplus (if any), upon Demand, after Payment of the said Charges and Expences, and the Charges of the Proceedings before such Justice, and of such Distress and Sale, to the Owner of such Goods and Chattels; and the said Charges and Expences when so levied shall be paid to the Treasurer for the Time being of the said Trustees, and be applied towards the general Purposes of this Act.

XX. And be it further enacted, That this Act shall commence on the First Day of *October* next ensuing, and shall continue in force for the Term of Thirty-one Years, and from thence to the End of the Session of Parliament which shall then next follow.

Commence-
ment and
Continuance
of this Act.

[*Local.*]

6 X

XXI. And

Public Act.

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

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN,
Printers to the King's most Excellent Majesty. 1830.