



ANNO QUINTO

GULIELMI IV. REGIS.

Cap. xxv.

An Act for more effectually repairing the *Darlington* and *West Auckland* and the *Cockerton Bridge* and *Staindrop* Roads in the County of *Durham*, and for consolidating the Trusts thereof.

[12th June 1835.]

WHEREAS an Act was passed in the Thirty-fifth Year of the Reign of His Majesty King George the Third, intituled *An Act for continuing the Term, and altering, enlarging, and consolidating the Powers of Two Acts of Parliament passed in the Twenty-fourth and Twenty-ninth Years of the Reign of His late Majesty King George the Second, for repairing the High Roads from Darlington to West Auckland in the County of Durham, and several other Roads in the same County therein mentioned*: And whereas another Act was passed in the Fifty-fourth Year of the Reign of His Majesty King George the Third, intituled *An Act for enlarging the Term and Powers of an Act of His present Majesty, for repairing the Roads from Darlington to West Auckland, and several other Roads therein mentioned, in the County of Durham*: And whereas another Act was passed in the Thirty-third Year of the Reign of His Majesty King George the Third, intituled *An Act for repairing the High Road leading from Cockerton Bridge near Darlington in the County of Durham to Staindrop in the said County*: And whereas another Act was passed in the Fifty-fourth Year of the Reign of His Majesty King George the Third, intituled *An Act for enlarging the Term and Powers of an Act of His present Majesty, for repairing the Road from Cockerton Bridge*

35G.3.c.139.

54 G. 3. c. 25.

33G.3.c.146.

54 G. 3. c. 19.

[Local.]

8 E

to

to Staindrop in the County of Durham : And whereas considerable Sums of Money have been borrowed on the Credit of the Tolls arising on the said Roads respectively, a great Part of which Money still remains undischarged and cannot be paid off, nor can the said Roads be effectually repaired, amended, widened, altered, diverted, improved, and maintained, unless the Tolls authorized by the said Two recited Acts of the Fifty-fourth Year of the Reign of His Majesty King *George* the Third to be collected be increased and altered, and new Tolls be granted, and unless the Terms of the said recited Acts are enlarged, and the Powers and Provisions thereof varied and extended, and new and additional Powers and Provisions granted and made : And whereas it would be more convenient if all the said recited Acts were repealed, and the Trusts thereof consolidated, and further Powers and Provisions granted for more effectually repairing, amending, widening, altering, diverting, improving, and maintaining the Roads comprised in the said recited Acts ; but the beneficial Purposes aforesaid 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 passing of this Act the said Four several recited Acts of the Thirty-fifth and Fifty-fourth and Thirty-third and Fifty-fourth Years of the Reign of His Majesty King *George* the Third shall be and the same are hereby declared to be repealed, and null and void, to all Intents and Purposes whatsoever (except so far and during such Time as the existing Tolls are herein-after directed to be continued in force).

Recited Acts repealed except, &c.

This Act to commence and be put in force.

II. And be it further enacted, That this Act shall thereupon commence and take effect and shall be put in execution, for and during the Term herein-after mentioned, for the Purpose of more effectually repairing, amending, widening, altering, diverting, improving, and maintaining the Two Districts of Road herein-after described ; (that is to say,) "The First District of Road," which shall be called "The *Darlington* and *West Auckland* District," and shall comprise the present Turnpike Road leading from the *Boroughbridge* and *Durham* Turnpike Road at the East End of *Bondgate* in *Darlington*, and from the *Boroughbridge* and *Durham* Turnpike Road at the Five Cross Lanes at or near to the *Angel* Inn to a Point opposite to the Blacksmith's Shop belonging to *Thomas Pickering Pick* Esquire, now in the Occupation of *Thomas Booth*, at or near to the East End of *Cockerton Bridge*, and from the North Side of the *Stockton* and *Barnard Castle* Road near *Piercebridge* to the Sign of the *Royal Oak*, and from the said Blacksmith's Shop at or near to the East End of *Cockerton Bridge*, through the West End of the Town of *West Auckland*, over the River *Gaundless*, to the *Red House* at *Etherley*, in the Occupation of *Henry Stobart* Esquire, and also through the East End of the Town of *West Auckland*, over the River *Gaundless*, to the West End of the Village of *Saint-Helen-Auckland*, and from thence to the *Greenfield Lane* ; and "The Second District of Road," which shall be called "The *Cockerton Bridge* and *Staindrop* District," and shall comprise the present Turnpike Road leading from *Cockerton Bridge*

to *Staindrop*, both which Two Districts of Road are situate in the County of *Durham*.

III. And be it further enacted, That all His Majesty's Justices of Trustees. the Peace for the Time being acting for the County of *Durham*, together with *Robert Henry Allan*, *George Thomas Allan*, *Henry Allison*, *William Allison*, *Thomas Allison*, the Honourable *Richard Pepper Arden*, *Thomas Arrowsmith*, *John Harrison Aylmer*, *Jonathan Backhouse*, *Edward Backhouse*, *William Backhouse*, *John Backhouse*, *James Backhouse*, *Bulkley Bandinel* Doctor in Divinity, *John Barker*, *James Barnes*, *Henry Collingwood Blackett*, *Thomas Booth*, *John Booth*, *Richard Booth*, *Robert Bootherby*, *John Bourne*, *John Bourne the younger*, *John Bowes*, *Thomas Bowes*, *Richard Bowser*, *William Burnett*, *Richard Byron*, *Richard Byron the younger*, *John Carter*, *Thomas Charge*, *Matthew Hutton Chaytor*, *William Clementson Clerk*, *Charles Colling*, *John Colling*, *William Colling*, *Robert Colling*, *James Nicholson Collyer*, *Henry Cocks*, *James Cookson*, *Edward Thomas Copley*, *Sheldon Cradock*, *James Scaife Crawford*, *James Crow*, *Matthew Culley*, *James Cundell Clerk*, *Richard Cundell*, *William Cust Clerk*, *James Dalton Clerk*, *Cecil Wray Dalton Clerk*, the Right Honourable the Earl of *Darlington*, *Robert Mowbray Darnell*, *Edward Davison the younger*, Clerk, *Morton Davison*, *Benjamin Dunn*, *Sir Robert Johnson Eden* Baronet, *John Fogg Elliot*, *William Addison Fountaine Clerk*, *Samuel Gamlen Clerk*, *Edward Handcock Garthwaite*, *William Grey*, *Thomas Robinson Grey*, *Sir Charles Hardinge* Baronet, *Sir Henry Hardinge* Knight Companion of the Bath, *Frederic Hardinge*, *Charles William Harland*, *Thomas Harrison*, *Cornelius Harrison*, *John Hawdon*, *Henry Hewgill*, *James Hewgill Clerk*, *Robert Hildyard*, *William Hodgson*, *John Humphries*, *Thomas Humphries*, *Henry Hutchinson*, *George Hutchinson*, *William Hutt*, *John Hutton*, *Ralph John Lambton*, *Hedworth Lambton*, *Newby Lowson*, *George Macfarlan Clerk*, *Christopher Mason*, *John Mason*, *Edward Mason*, *Jacob Maude*, *Thomas Mitchinson Maude*, *William Maude*, *Warren Maude the younger*, *John Maynard*, *Anthony Lax Maynard*, *Sir John Penniston Milbank* Baronet, *Mark Milbank*, *Arthur Mowbray*, *John Nelson*, *John Douthwaite Nesham the younger*, *James O'Callaghan*, *Thomas Ord*, *Benton Ord*, *John Ord*, *Ralph Page*, *James Pallister*, *Thomas Peacock Clerk*, *Thomas Peacock the Younger*, *Edward Pease*, *Edward Pease the younger*, *John Pease*, *John Beaumont Pease*, *Joseph Pease*, *Joseph Pease the younger*, *Henry Pease*, *Thomas Benson Pease*, *Robert Pescot*, *Richard William Pierse*, *James Potts Clerk*, the Honourable *William Powlett* commonly called Lord *William Powlett*, *William Luke Prattman the younger*, *William Raine Clerk*, *John Richmond*, *William Richmond*, *George Richmond*, *Thomas Pickering Robinson*, the Right Honourable *Edward Lord Rokeby*, *William Russell*, *William Thomas Salvin*, *Gerard Salvin*, *Brian John Salvin*, *Robert Sanderson*, *Thomas Freshfield Scarth*, *George Scurfield*, *Luke Seymour*, *William Hutton Seymour*, *Robert Eden Duncombe Shafto*, *Thomas Shafto*, *Robert Duncombe Shafto*, *Robert Sheraton*, *William Sheraton*, *John Sheraton*, *William Sherwood*, *Thomas Simpson*, *John Pemberton Simpson Clerk*, *William Skinner*, *William Skinner the younger*, *George Skinner*, *John Hoult Skinner*, *John Smith*, *Henry Pascoe Smith*, *Josiah Smithson*, *John Smurthwaite*, *Thomas Sowerby*,
Thomas

Thomas Stamp, William Stow Stowell, Robert Lambton Surtees, George William Sutton, Arthur Trevor, John Trotter of Ketton, John Trotter Doctor of Physic, George Dale Trotter, William Trotter, John Tyson Clerk, Cuthbert Usher, the Honourable Harry Vane commonly called Lord Harry Vane, Edward Garmondsway Waldy, John Sanders Walton, George Edward Watts, James Watson, Benjamin John Wetherell, Gerard Blisson Wharton, John Hall Wharton, William Loyd Wharton, Thomas Wheldon, Christopher White, Matthew Wilkinson, Loyzelure Wilkinson, Sir Hedworth Williamson Baronet, William Hamilton Williamson, Henry Witham, Henry John Witham, William Laurence Witham, George Witham, Thomas Witham, George Wray, John Allan Wright, Thomas Wrightson, and William Battie Wrightson, 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 more effectually repairing, amending, widening, altering, diverting, improving, and maintaining the said several Roads, and for otherwise carrying this Act into full and complete Execution.

Power to
appoint ad-
ditional
Trustees.

IV. And be it further enacted, That it shall be lawful for the said Trustees and they are hereby authorized and empowered from Time to Time, at any of their Meetings, to elect and appoint any Number of fit and proper Persons not exceeding Three in the whole to be Trustees for executing this Act, in addition to the Trustees hereby appointed; and such Persons to be so elected and appointed, and being duly qualified as aforesaid, shall be Trustees for the Purposes of this Act, and they are hereby invested with the same Powers and Authorities for executing this Act as if they had been named and appointed Trustees in and by this Act.

First Meet-
ing of
Trustees.

V. And be it further enacted, That the Trustees for executing this Act shall hold their First Meeting at the Town Hall in *Darlington* in the County of *Durham*, or at some other convenient Place in *Darlington* aforesaid, on the Second *Monday* next after the Commencement of this Act, or as soon afterwards as conveniently may be, and shall and may from Time to Time afterwards adjourn to and meet at such Times and Places within the Town of *Darlington* aforesaid, or at any Place or Places in or near to the said Roads, as they shall think proper.

The Free-
hold and In-
heritance of
Lands to re-
main and be
vested in the
Persons of
whom they
were pur-
chased.

VI. And be it further enacted, That in case any Lands shall be purchased by the said Trustees for the Purposes of this Act, the Freehold and Inheritance of and in the Lands so purchased shall not (notwithstanding any Provisions in any of the Acts in force for regulating Turnpike Roads in *England*) by means of any such Purchase, or any Conveyance made in pursuance thereof, be vested in the said Trustees; but that the Freehold and Inheritance of and in the Lands so purchased shall, notwithstanding such Purchase and Conveyance, remain and be vested in the Person or Persons in whom the same were vested immediately prior to such Purchase by the said Trustees; and the said Trustees shall, by means of such Purchase and Conveyance or either of them, be entitled to a perpetual Right of Way in, over, or upon the Lands so purchased by them.

VII. Pro-

VII. Provided always, and be it further enacted, That if at any Time any Land purchased by the said Trustees for the Purposes of the Roads mentioned in this Act, or any of them, shall not be wanted for the same, then and in such Case the Right of Way in, over, or upon the said Lands vested in the said Trustees shall cease, determine, and be extinguished, and the Freehold and Inheritance of the said Land shall be and remain in the Person or Persons then entitled to the same freed and discharged of and from such Right of Way.

The Right o
Way to cease
when Lands
are not want-
ed.

VIII. Provided also, and it is hereby further enacted, That the said Trustees shall have such and the same Power and Authority of cutting and digging and otherwise using the Lands and Hereditaments taken by them for the Purposes of this Act, and also of erecting any Toll House or other Building, or of building any Bridge thereon, as fully and effectually to all Intents and Purposes as the said Trustees would have had in case they had purchased the Fee Simple of the said Lands and Hereditaments.

Trustees to
have the same
Power of
using Lands
as if they had
purchased the
Fee Simple.

IX. And be it further enacted, That all the Tolls granted and now in force by or by virtue of the said Four several recited Acts to be taken on the said Roads respectively, and all existing Exemptions thereon, shall continue and be in force and be received and taken by virtue of this Act at the several Toll Gates and Turnpikes, Side Gates and Side Bars, erected on the said Roads respectively, until the First Day of *January* next after the passing of this Act, and shall and may be collected and recovered by the same Ways and Means, and applied for such and the same Purposes, as are herein expressed and contained with respect to the new Tolls hereby granted.

Former Tolls
to continue
till 1st of
January next.

X. And be it further enacted, That from and after the First Day of *January* next after the passing of this Act it shall and may be lawful for the said Trustees, or any Person or Persons being a Lessee or Farmer, or appointed or continued to be appointed Collector of the Tolls to be taken by virtue of this Act, to demand and take, or cause to be demanded and taken, at the several and respective Toll Gates and Turnpikes, Toll Houses, Side Gates, Side Bars, or Chains, which already are erected or set up, or may hereafter be erected or set up, in, upon, or on the Sides of each of the said Districts of Road, any Sum not exceeding the several and respective Tolls or Sums of Money herein-after respectively mentioned; (that is to say,)

Power to
take Tolls.

For every Horse or other Beast drawing any Coach, Stage Coach, Diligence, Chariot, Landau, Berlin, Vis-à-vis, Barouche, Chaise, Phaeton, Sociable, Curricule, Calash, Car, Chair, Gig, Wiskey, Caravan, Van, Hearse, Litter, Shandry, or any other such like Carriage built and constructed with Springs, the Sum of Sixpence: For every Horse or other Beast (except an Ass) drawing any Waggon, Wain, Cart, Dray, or any other such Carriage, and having the Sole or Bottom of the Felloes of the Wheels thereof of the Breadth or Gauge of Six Inches and upwards, the Sum of Four-pence; and having the Sole or Bottom of the Felloes of the Wheels thereof of the Breadth or Gauge of Four and a Half Inches and under

Tolls.

[Local.]

8 F

Six

Six Inches, the Sum of Five-pence ; and having the Sole or Bottom of the Felloes of the Wheels thereof of the Breadth or Gauge of Three Inches and under Four and a Half Inches, the Sum of Sixpence ; and having the Sole or Bottom of the Felloes of the Wheels thereof of a less Breadth or Gauge than Three Inches, the Sum of Seven-pence :

For every Ass drawing any Waggon, Wain, Cart, Dray, or any other such Carriage, and having the Sole or Bottom of the Felloes of the Wheels thereof of the Breadth or Gauge of Four and a Half Inches and upwards, the Sum of Two-pence Halfpenny ; and having the Sole or Bottom of the Felloes of the Wheels thereof of the Breadth or Gauge of Three Inches and under Four and a Half Inches, the Sum of Three-pence ; and having the Sole or Bottom of the Felloes of the Wheels thereof of a less Breadth or Gauge than Three Inches, the Sum of Three-pence Halfpenny :

For every Coach, Waggon, Vehicle, or other Carriage, of whatever Description, propelled or drawn by Steam, Gas, Machinery, or any other like Means, and not by Animal Power, for each Horse Power the Sum of Sixpence :

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

For every Ass, laden or unladen, and not drawing, the Sum of One Penny :

For every Drove of Oxen, Cows, Calves, or Neat Cattle, after the Rate *per* Score of the Sum of Ten-pence :

For every Drove of Hogs, Swine, Goats, Sheep, or Lambs, after the Rate *per* Score of the Sum of Five-pence.

As to fractional Part of a Halfpenny in Tolls.

XI. And be it further enacted, That in all Cases in which there shall be a fractional Part of a Halfpenny in the Calculation or Amount of the Tolls by this Act granted, or any of them, the Sum of One Halfpenny shall be demanded and taken in lieu of such fractional Part.

Trustees empowered to reduce the Tolls on Horses, &c. drawing certain Carriages.

XII. And be it further enacted, That where any Waggon, Wain, Cart, Dray, or any other such Carriage that shall be used on the said Roads, constructed with Wheels having the Sole or Bottom of the Felloes thereof of the Breadth or Gauge of Six Inches and upwards, or of Four and a Half Inches and under Six Inches, the Nails of the Tire whereof shall be countersunk in such Manner that such Nails shall not rise above the Surface, and the Surface of the Wheels on the Soles thereof shall be even and flat next the Ground when standing upon a horizontal and flat Surface, and that the Tire of the Wheels shall not be of a narrower Breadth in any Part thereof than the Felloes on which the same is placed, it shall and may be lawful for the Trustees of the said Roads at any of their Meetings, if they shall think fit so to do, to make an Order for every Horse, Ass, or other Beast drawing any such Waggon, Wain, Cart, Dray, or any other such Carriage having the Felloes of the Wheels thereof of the Breadth or Gauge of Six Inches and upwards, or of the Breadth or Gauge of Four and a Half Inches and under Six Inches, and so constructed as aforesaid, to pass through the several Toll Gates and Turnpikes, Side Gates and Side Bars, or Chains, already erected or

set up, or that may hereafter be erected or set up, in, upon, or on the Side of any Part of the said Roads, upon paying only so much of the Tolls as shall not be less than Two Thirds of the full Toll payable by virtue of this Act for and in respect of every Horse, Ass, Beast, or Cattle drawing any Waggon, Wain, Cart, Dray, or any other such Carriage having the Sole or Bottom of the Felloes of the Wheels thereof of the Breadth or Gauge of Six Inches and upwards, or having the Sole or Bottom of the Felloes of the Wheels thereof of the Breadth or Gauge of Four and a Half Inches and under Six Inches.

XIII. Provided always, and be it further enacted, That in case the Toll by this Act granted or authorized to be taken shall have been paid for the passing of any Horse, Ass, Beast, or Cattle through any Toll Gate, Turnpike, Side Gate, Side Bar, or Chain already erected or that may hereafter be erected in, upon, or on the Side of each of the said Districts of Road, such Horse, Ass, Beast, or Cattle shall at any Time during the same Day, to be computed from Twelve of the Clock at Night to Twelve of the Clock of the next succeeding Night, 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 drawing Post Chaises or other such like Carriages, and also for and in respect of every such like Carriage moved or propelled by Steam or Machinery, or any other Power than Animal Power,) through the same Toll Gate, Turnpike, Side Gate, Side Bar, or Chain, and also through such other Toll Gates, Turnpikes, Side Gates, Side Bars, or Chains in such District of Road (if any) as the Ticket for such Payment shall free: Provided nevertheless, that no Horse, Ass, Beast, or Cattle for which Toll shall have been paid at any of the said Toll Gates, Turnpikes, Side Gates, Side Bars, or Chains, 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 Avoirdupoise or more in the same Waggon, Wain, Cart, or other such Carriage, shall be permitted to repass through the same Toll Gate, Turnpike, Side Gate, Side Bar, or Chain on the same Day without again paying Toll, if in so repassing such Horse, Ass, Beast, or Cattle shall go or travel upon such District of Road for the Distance of Two Miles or more.

No Toll to be paid on repassing.

XIV. Provided also, and be it further enacted, That none of the Tolls by this Act granted shall be demanded or taken for any Horse, Ass, or other Beast drawing any Waggon, Wain, Cart, Dray, or any other such Carriage, employed in conveying or going empty for, or returning empty from conveying, having been employed only in conveying on the same Day, Lime for the Improvement of Land.

Lime for Manure exempted from Toll.

XV. Provided also, and be it further enacted, That for and in respect of all Horses or Beasts drawing any Stage Coach or Caravan, and also in respect of all Horses, Asses, or Beasts drawing any other Carriage whatever, and also for and in respect of every Carriage moved

Stage Coaches to pay each Time of passing.

moved or propelled by Steam, Machinery, or any other Power than Animal Power, employed in carrying Passengers, or Goods for more than One Person, for Payment, Hire, or Reward, the Tolls by this Act granted shall be paid for each Time of passing and each Time of repassing through all or any of the Toll Gates, Turnpikes, Side Gates, Side Bars, or Chains already erected or that may hereafter be erected upon the said Roads: Provided nevertheless, that no further or additional Toll shall be payable in respect of any Stage Coach, Diligence, Van, or Caravan, on account only of the Horses drawing the same having been changed.

Post Chaises
to pay on
every new
Hiring.

XVI. Provided also, and be it further enacted, That the Tolls hereby made payable shall be paid for and in respect of all Horses and other Beasts drawing any Post Chaise or other such Carriage travelling for Hire, and also for and in respect of every such Carriage moved or propelled by Steam or Machinery, or any other Power than Animal Power, travelling for Hire, for each Time of passing and each Time of repassing along each of the said Districts of Road, whenever a fresh Hiring thereof shall take place.

Limitation of
Tolls to be
taken.

XVII. Provided also, and be it further enacted, That no more of the Tolls by this Act granted than Two full Tolls (except as herein provided to the contrary) shall be demanded or taken for or in respect of the same Horse or Horses, Ass or Asses, Beast or Beasts, or Cattle or Carriages, in any One Day, for passing and repassing through all or any of the Toll Gates, Turnpikes, Side Gates, Side Bars, or Chains which already are erected or set up or that may hereafter be erected or set up in, upon, or on the Sides of each of the said Districts of Road, or upon the several Parts thereof herein-after specified, than as are herein-after mentioned; (that is to say,) no more than One full Toll on those Parts of the said First District which lie between the *Boroughbridge* and *Durham* Turnpike Road at the East End of *Bondgate* in *Darlington*, or the *Boroughbridge* and *Durham* Turnpike Road at the Five Cross Lanes at or near to the *Angel* Inn and the Sign of the *Royal Oak*, nor more than One full Toll on that Part of the same District which lies between the North Side of the *Stockton* and *Barnard Castle* Turnpike Road near the Village of *Piercebridge* and the Sign of the *Royal Oak*, nor more than One full Toll on that Part of the same District which lies between the Sign of the *Royal Oak* and the Terminations of the same District at the *Red House* at *Etherley* and the *Greenfield Lane* respectively, and no more than One full Toll on that Part of the Second District which lies between *Cockerton Bridge* and the Village of *Summerhouse*, nor more than One full Toll on that Part of the same District which lies between *Summerhouse* and *Staindrop*.

No Money to
be applied in
repairing
Streets, &c.
through
which Roads
pass.

XVIII. Provided also, and be it further enacted, That no Part of the Monies to be received by virtue of the said former Acts hereby repealed, or of this Act, shall be laid out in repairing, lighting, watching, cleansing, widening, amending, or improving any Street, Road, or Highway in the Towns of *Darlington* or *West Auckland*, which Streets, Roads, or Highways respectively now have or hereafter shall or may have Houses or other Buildings abutting upon or ranging
along

along both Sides thereof, nor shall it be lawful for the said Trustees to collect any Toll in any such Street, Road, or Highway, any thing herein contained to the contrary notwithstanding.

XIX. And for regulating the Weights to be allowed to Carts or other such Carriages which shall be drawn upon the said Roads or any of them 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 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.

Weights of
Single-horse
Carts
limited.

XX. And be it further enacted, That all Carts or other such Carriages passing along the said Roads or any of them, drawn by only One Horse, Beast, or Cattle, shall and may be weighed at any Weighing Machine erected or that may be erected upon the said Roads, 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 Roads or any of them drawn by only One Horse, Beast, or Cattle, and to the Drivers and Owners thereof.

One-horse
Carts to be
weighed.

XXI. And be it further enacted, That all the Monies and other Effects which shall have been raised and produced by virtue of the said recited Acts hereby repealed, and which shall be in the Hands of the Trustees or any of them, or their Treasurer, or any other Person or Persons on their Behalf, or in any Manner due and owing to the said Trustees, on the Day of the Commencement of this Act, and also all the Monies which shall be produced by or from the Tolls by this Act granted or made payable, and to be collected at and to be received or to arise by virtue of this Act, at the several Turnpike Gates, Side Gates, Side Bars, or Chains already erected or that may hereafter be erected on the said Roads, together with the Monies which shall be borrowed on the Credit thereof, shall be vested in the said Trustees, and be by them applied to and for the several Uses, Intents, and Purposes, and in the Order and Manner following; (that is to say,) in the first place, in Payment of all Costs, Charges, and Expences which shall have been incurred in applying for, preparing, obtaining, and passing this Act, and otherwise relating thereto; secondly, in paying and discharging the Expences from Time to Time to be incurred in repairing, altering, or erecting Toll Gates, Toll Houses, Weighing Machines, Fences, Stones, and Posts, and for Books, Advertisements, Printing, Stationery, Salaries of Officers, and all other current and incidental Expences in the Execution of this Act, and also in the Payment of the Interest from Time to Time to accrue and become due upon or by virtue of any Mortgages or

Application
of the
Monies
raised.

[Local.]

8 G

Securities

Securities which have been already made and granted of the respective Tolls heretofore payable on each District of the said Roads, and of any Mortgages or Securities which shall hereafter be made and granted of the Tolls respectively payable and to be received or to arise on each District of the said Roads by virtue of this Act, and also in the Payment of the Interest from Time to Time to accrue and become due upon or by virtue of any Mortgages or Securities which have been already made and granted of the Tolls heretofore payable on each of the said Districts of Road, and of any Mortgages or Securities which shall hereafter be made and granted of the Tolls payable and to be received or to arise on each District of the said Roads by virtue of this Act, and also in Payment of the Interest from Time to Time to accrue and become due upon or by virtue of such Mortgages or Securities; in the third place, in defraying the Expences of repairing, amending, widening, altering, diverting, improving, and maintaining each of the said Districts of Road, and otherwise in executing the other Purposes of this Act; and lastly, in reducing, paying off, and discharging the several Principal Sums of Money which have been already borrowed or secured upon the Tolls payable under the said several recited Acts hereby repealed, and also the several Principal Sums of Money which may be hereafter borrowed and secured by virtue of this Act, and to or for no other Use or Purpose whatsoever.

Monies borrowed to be chargeable on the District to which they belong.

XXII. And be it further enacted, That all and every Sum and Sums of Money now borrowed or hereafter to be borrowed on the Credit of the Tolls authorized to be taken on either of the said Districts of Road shall remain and continue, and be borrowed and be chargeable; on each District of Road only.

Tolls on each District to be laid out on each, not generally.

XXIII. Provided always, and be it further enacted, That no more of the Tolls to arise and be collected under the Powers of this Act shall be expended by the said Trustees in or towards the Repair of the Roads comprised in any One District, or in or upon the repairing, amending, widening, altering, diverting, improving, or maintaining the same, than shall be collected thereon.

Separate Accounts to be kept.

XXIV. And be it further enacted, That the said Trustees shall cause distinct Accounts to be kept of their Income from or in respect of each of the said Districts of Road; and the Income of het said Trustees from and in respect of each of the said Districts shall be exclusively applied in defraying the Expence of repairing, amending, widening, altering, diverting, improving, and maintaining the same Districts respectively, including as a Part of such Expence such Proportion as in the Judgment of the said Trustees each District ought to bear of the Expences which shall have been incurred in or about applying for, preparing, obtaining, and passing this Act, and otherwise relating thereto, and also the Expences of the said Trustees in Salaries to Officers, and other Expences generally incurred on account of each of the said Districts of Road.

Public Act.

XXV. 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.

XXVI. And

XXVI. And be it further enacted, That this Act shall commence and take effect upon the Day the same shall receive the Royal Assent, and shall continue in force for and during the Term of Thirty-one Years, and from thence to the End of the then next Session of Parliament.

Term of this Act.

LONDON: Printed by GEORGE EYRE and ANDREW SPOTTISWOODE,
Printers to the King's most Excellent Majesty. 1835.

