



ANNO TERTIO

GULIELMI IV. REGIS.

Cap. lvi.

An Act for more effectually repairing the Road from the North End of the Road called the *Coal Road*, near *West Auckland* in the County of *Durham*, to the *Elsdon Road* near *Elishaw* in the County of *Northumberland*.

[17th May 1833.]

WHEREAS an Act was passed in the Thirty-second Year of the Reign of His Majesty King George the Third, intituled *An Act for altering, raising, widening, repairing, and preserving the Road leading from the North End of the Turnpike Road called the Coal Road, near West Auckland in the County of Durham, to the Elsdon Turnpike Road at or near Elishaw in the County of Northumberland, and for making necessary and convenient Bridges, Mounts, and Batteries upon the same* : And whereas an Act was passed in the Fifty-third Year of His said Majesty's Reign, intituled *An Act for more effectually amending, widening, and keeping in repair the Road leading from the North End of the Turnpike Road called the Coal Road, near West Auckland, in the County* 32G.3. c.113.
[Local.] 53 G. 3. c.40.

Recited Acts
repealed.

of Durham, to the Elsdon Turnpike Road at or near Elishaw in the County of Northumberland : And whereas the Trustees acting under or by virtue of the said recited Acts have in pursuance of the Powers to them thereby given proceeded in putting the same into execution, and have borrowed Money on the Credit of the Tolls authorized by the said recited Acts respectively to be taken on the said Road : And whereas the said Roads cannot be effectually amended and kept in repair unless the Term granted and continued by the said Act be further continued ; and it is expedient that the said recited Acts should be repealed, and further and more effectual Powers granted for repairing and improving the said Road ; but the same cannot be effected without the Aid and Authority of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from and after the passing of this Act the said several recited Acts shall be and the same are hereby declared to be repealed.

This Act to
be put in
execution for
the Purposes
herein men-
tioned.

II. And be it further enacted, That this Act shall from thenceforth commence and take effect and be put in execution, for and during the Term herein-after mentioned, for the Purpose of repairing and otherwise improving the Road leading from the North End of the Turnpike Road called the *Coal Road*, near *West Auckland*, in the County of *Durham*, to the *Elsdon Turnpike Road* at or near *Elishaw* in the County of *Northumberland*.

Trustees.

III. And be it further enacted, That all His Majesty's Justices of the Peace for the Time being acting for the Counties of *Northumberland* and *Durham*, or either of them, together with *Adam Askew*, *Robert Lancelot Allgood*, *Sir Edward Blckett* Baronet, *Thomas Wentworth Beaumont*, *Matthew Bell*, *George Bainbridge*, *George Baker*, *Charles William Bigge*, *Charles Samuel Barrett Bigge*, *Christopher Blckett*, *Ralph Brandling* Clerk, *James Burnett*, *Nicholas Burnett*, *John Burrell*, *George Burdon*, *Stamp Brooksbank*, *Sir Thomas John Clavering* Baronet, *Charles John Clavering*, *Matthew Hutton Chaytor*, *John Clarvaux Chaytor*, *Henry Chaytor*, *William Cook* Clerk, *James Cookson*, *Edward Charlton*, *Francis Cholmely*, *William John Charlton*, *William Henry Charlton*, *Edward Charlton*, *Robert Currey*, *Nathaniel Clayton*, *Edward Collingwood*, *John Blenkinsopp Coulson*, *John Coulson*, *Matthias William Dunn*, *John Davison*, *Thomas Dodd*, *Simon Dodd*, *William Donkin*, *Sir Robert Eden* Baronet, *Cuthbert Ellison*, *George Elstob*, *Frederick Errington*, *Rowland Errington*, *James Fenwick*, *Charles Bacon Grey*, *George Gibson*, *William Thomas Greenwell*, *John Greenwell*, *Henry Gipps* Clerk, *Anthony Gregson*, *John Grey*, *John Garthorne*, *William Hodgson*, *Ridley Hall*, *John Creswell Jobling*, *Thomas James*, *James Kirsopp*, *William Kirsopp*, *John Kirsopp*, *Nicholas Leadbitter*, *William Laws*, *Charles Lee* Clerk, *Sir Charles Miles Lambert Monck* Baronet, *J G. Milner*, *Charles Atticus Monck*, *Arthur Mowbray*, *John Messenger* Clerk, *Simon Mewburn* the younger, *George Newby* Clerk, *William Ord*, *William Henry Ord*, *Robert Ormston*, *Robert Ormston* the younger, *Robert Pearson*, *Sir Matthew White Ridley* Baronet, *John Reed*,

Archibald

Archibald Reed, Thomas Riddell, Edward Riddell, Matthew Russell, John Rutherford, William Railton Clerk, John Ruddock, Nicholas Ruddock, John Ridley, Matthew Reed, Sir John Edward Swinburne Baronet, Edward Swinburne, George Silvertop, Charles Silvertop, Anthony Surtees, Robert Surtees, William Smith, Edward Stephenson, Sir John Trevelyan Baronet, Raleigh Trevelyan, Francis Thompson Clerk, William Trotter, Henry Witham, Henry Witham the younger, William Witham, Thomas Witham Clerk, Bartholomew Walker, and their Successors, being duly qualified to act as Trustees for Turnpike Roads in England, shall be and they are hereby appointed the Trustees for the Purpose of putting this Act into execution.

IV. And be it further enacted, That it shall be lawful for the said Trustees, at their First or other Meeting to be holden in pursuance of this Act, to elect and appoint any Number of Persons, not exceeding Five in the whole, in addition to the Trustees herein named and appointed, being duly qualified, to be Trustees for the Purposes of this Act; and such Persons, when so elected and appointed, shall have the same Powers and Authorities as if they had been appointed by this Act.

Power to
appoint ap-
ditional
Trustees.

V. And be it further enacted, That the Trustees for executing this Act shall hold their First Meeting at some convenient House in *Corbridge* in the said County of *Northumberland*, or some other convenient Place on the said Road, on the Eighth Day of *June* next after the passing of this Act, or as soon after as conveniently may be, between the Hours of Twelve of the Clock in the Forenoon and Four of the Clock in the Afternoon, and shall then and there proceed to put this Act in execution, and shall then and from Time to Time afterwards adjourn to and meet at such Times and Places at or near the said Road as they shall think proper; and if at any Meeting appointed to be held by virtue of this Act there shall not appear a sufficient Number of Trustees to act, the Meeting shall be adjourned; and Two Trustees shall be sufficient for the Purpose of Adjournment only.

First Meet-
ing of
Trustees.

VI. And be it further enacted, That it shall be lawful for the said Trustees, or for their Collectors or Lessees, or any present or future Mortgagee or Mortgagees when in actual Possession, to demand and take at each Toll Gate, Turnpike, Side Bar, and Chain which now is or hereafter shall be standing across or at the Side of the said Road, on every Day (such Day to be computed from Twelve of the Clock in one Night to Twelve of the Clock in the next succeeding Night), the Tolls following; (that is to say,)

Power to
take Tolls.

For every Horse or other Beast drawing any Coach, Chariot, Landau, Berlin, Chaise, Curricule, Phaeton, Calash, Chair, Hearse, or other such Carriage, the Sum of Sixpence :

Tolls.

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

For every Drove of Oxen, Cows, or Neat Cattle, the Sum of Eight-pence *per* Score, and so in proportion for a greater or less Number :

For

For every Drove of Calves, Hogs, Goats, Sheep, or Lambs, the Sum of Sixpence *per* Score, and so in proportion for a greater or less Number :

For every Horse or other Beast drawing any Four-wheeled Waggon, Wain, Cart, or other such Carriage, having the Sole or Bottom of the Fellies of the Wheels thereof of the Breadth or Gauge of Nine Inches, the Sum of Sixpence :

For every Horse or other Beast drawing any Two-wheeled Waggon, Wain, Cart, or other such Carriage, having the Sole or Bottom of the Fellies of the Wheels thereof of the Breadth or Gauge of Nine Inches, the Sum of Four-pence :

For every Horse or other Beast drawing any Four-wheeled Waggon, Wain, Cart, or other such Carriage, having the Sole or Bottom of the Fellies of the Wheels thereof of the Breadth or Gauge of Six Inches, the Sum of Five-pence :

For every Horse or other Beast drawing any Two-wheeled Waggon, Wain, Cart, or other such Carriage, having the Sole or Bottom of the Fellies of the Wheels thereof of the Breadth or Gauge of Six Inches, the Sum of Five-pence :

For every Horse or other Beast drawing any Four-wheeled Waggon, Wain, Cart, or other such Carriage, having the Sole or Bottom of the Fellies of the Wheels thereof of a less Breadth or Gauge than Six Inches, the Sum of Seven-pence :

For every Horse or other Beast drawing any Two-wheeled Waggon, Wain, Cart, or other such Carriage, having the Sole or Bottom of the Fellies of the Wheels thereof of less Breadth or Gauge than Six Inches, the Sum of Sixpence :

And for every Carriage, Machine, or Caravan, of whatever Description, not drawn by any Horse or other Beast, but propelled or moved by Steam, Gas, or any other kind of Machinery, the Sum of Two Shillings and Sixpence :

Which several and respective Tolls or Sums of Money shall be and are hereby vested in the said Trustees, and shall be applied for the Purposes of this Act in manner herein directed.

Tolls to be
paid but
once a Day.

VII. And be it further enacted, That in case the Tolls hereby authorized to be taken shall have been paid for the passing of any Horse, Mule, Ass, or other Beast through any One of such Toll Gates, Turnpikes, or Side Bars or Chains, such Horse, Mule, Ass, or other Beast shall, upon a Ticket denoting the Payment thereof on that Day being produced, be permitted to pass Toll-free during the same Day, to be computed as aforesaid, through the same Toll Gate, Turnpike, or Side Bar or Chain, or through such other Toll Gate, Turnpike, or Side Gate or Chain as the Ticket for such Payment shall denote to be free, any thing in this Act contained to the contrary thereof in anywise notwithstanding.

VIII. Pro-

VIII. Provided always, and be it further enacted, That no more than Five full Tolls shall be demanded or taken on the same Day (to be computed as aforesaid), for passing along the whole Line of the said Road. Limiting Tolls to be taken on the whole Line.

IX. Provided also, and be it further enacted, That the Tolls hereby made payable shall be paid in respect of every Stage Coach, Van, Caravan, Stage Waggon, Cart, or other Carriage, conveying Passengers or Goods for Hire or Reward, every Time of passing or repassing through the same Gate, Turnpike, Side Bar, or Chain: Provided nevertheless, that no further or additional Toll shall be payable in respect of any such Stage Coaches, Vans, Caravans, Stage Waggons, Carts, or other Stage Carriages, on account only of the Horses drawing the same having been changed. Stage Coaches, &c. to pay every Time of passing ;

X. Provided also, and be it further enacted, That the Tolls hereby made payable for or in respect of any Post Chaise or other Carriage which shall be let out to Hire shall be payable and paid every Time of passing and also every Time of repassing along the said Road, whenever any new Hiring thereof shall take place. Post Chaises on every new Hiring.

XI. Provided always, and be it further enacted, That the Tolls hereby made payable for or in respect of any Carriage propelled or moved by Steam, Gas, or any other like Means or Machinery, shall be paid every Time of the passing and repassing of such Carriage along the said Road. Carriages propelled by Steam to pay each Time of passing.

XII. And be it further enacted, That as well all the Monies which before the Commencement of this Act shall have been raised or produced by virtue of the said several recited Acts hereby repealed, and which shall remain undisposed of, and also all the Monies which shall be produced under or by virtue of this Act, shall be applied, in the first place, in Payment of all the Expences which shall have been incurred in applying for and obtaining and passing this Act ; in the second place, in defraying the Expences of making, erecting, and keeping in repair the Toll Gates, Weighing Machines, Toll Houses, and other Buildings upon the said Road, and of widening, repairing, preserving, and otherwise improving the said Road, and in putting this Act into execution in all other respects ; and in the next place, in paying and discharging the Interest now in arrear, and accruing and becoming due upon Mortgages and Securities which have been already made and granted as aforesaid, or which shall be at any Time hereafter made or granted upon the said Tolls in pursuance of this Act ; and lastly, in reducing, paying off, and discharging the Principal Sums for the Time being due and to become due on Security of the Tolls and Duties granted by the said recited Acts and by this Act respectively, and to or for no other Use or Purpose whatsoever. Application of Tolls.

XIII. 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. Public Act.

[*Local.*]

14 X

XIV. And

Term of Act. XIV. And be it further enacted, That this Act shall commence and take effect on the passing thereof, and shall thenceforth continue and be in force for Thirty-one Years, and from thence to the End of the then next Session of Parliament.

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