

WHEREAS the opening, making, and maintaining of a Turnpike Road to commence from the *Gateshead* and *Hexham* Turnpike Road at or near to *Arxwell Park Gate*, on the *River Derwent*, in the Township of *Winlaton* in the Parish of *Ryton* in the County of *Durham*, and to terminate at the Village of *Shotley Bridge* in the said County of *Durham*, and extending to or passing through or into or made within the several Parishes of *Ryton* and *Lanchester*, and the several Townships of *Winlaton*, *Chopwell*, *Medombsley*, *Ebchester*, and *Benfieldside*, all in the County of *Durham*, would be of great Benefit and Advantage to the Inhabitants of the said Parishes of *Ryton*, *Lanchester*, and of the said Village of *Shotley Bridge*, and the adjacent Country, and also to the Public at large; and it is proposed that the same should be made and executed; but the same cannot be carried into execution 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

[Local.] 20 Y Spiritual

Act to be
put in exe-
cution for
making new
Road.

Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That this Act shall be put in execution, for and during the Term herein-after mentioned, for making and maintaining, and from Time to Time improving and keeping in repair, the said proposed Turnpike Road from the *Gateshead* and *Hexham* Turnpike Road at or near *Axwell Park Gate*, on the River *Derwent*, to the Village of *Shotley Bridge* aforesaid.

Trustees ap-
pointed.

II. And be it further enacted, That all His Majesty's Justices of the Peace for the County of *Durham*, together with *Robert Lancelot Allgood*, *John Annandale*, *Peter Annandale*, *Alexander Annandale*, *John Bowes*, *William Browell*, *Robert Ward Browell*, *Nicholas Burnett*, *Stamp Brooksbank*, *Sir Thomas John Clavering* Baronet, *William Alozzius Clavering*, *Charles John Clavering*, *John Clayton*, *Matthew Clayton*, the Reverend *Robert Clarke*, *John Cookson*, *Thomas Cookson*, *Isaac Thomas Cookson*, *Alexander Cochran*, *George Thomas Dunn*, *William Dunn*, *Matthias William Dunn*, *William Nicholas Darnell*, the Reverend *William George Thomas Ellison*, *Ralph Fenwick*, *Thomas Fenwick*, *Ralph B Fenwick*, *Nathaniel Grace*, *Joseph Gray*, *William Greenwell*, *John Grey*, *John Hodgson*, *Nathaniel John Hollingsworth*, *George Handcock* the elder, *George Handcock* the younger, *G. S. James*, the Honourable *Henry Thomas Liddell*, *Humble Lamb*, *Alexander Chatto Lamb*, *Nicholas Leadbitter*, *James Mulcaster*, *George Kepple Ramsay*, *Jonathan Richardson*, *Anthony Surtees*, *Robert Surtees of Hamsterley*, *Robert Surtees of Redworth*, *Henry Smales*, the Reverend *Charles Thorp*, *Peregrine Edward Towneley*, *Charles Towneley*, *John Towneley*, *John Wilson*, *Thomas Wilson*, *Thomas White*, *John White*, the Reverend *Thomas White junior*, *Matthew Wheatley*, *Matthew Wheatley* the younger, and their Successors, being duly qualified according to the Provisions and Directions of the several Acts for repairing Turnpike Roads in *England*, shall be and they are hereby appointed Trustees for putting this Act into execution.

Power to
appoint addi-
tional Trus-
tees.

III. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered, at any Meeting to be held for that Purpose, to elect and appoint any Number of 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 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.

Meetings of
the Trustees.

IV. And be it further enacted, That the said Trustees shall meet at the Assembly Rooms or some other convenient Place in the Town and County of *Newcastle upon Tyne* on the First *Saturday* in the Month of *July* next after the passing of this Act, or as soon as conveniently may be, between the Hours of Eleven of the Clock in the Morning and Two of the Clock in the Afternoon, and shall then and there proceed to put this Act into execution, and shall and

may then and from Time to Time afterwards adjourn to and meet at such Times, and either at *Newcastle upon Tyne* aforesaid or at such Places either upon or near to some Part of the said Road, as the said Trustees; or the major Part of them, present at any such Meetings, shall think proper and appoint.

V. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby fully authorized and empowered, to set out, make, and complete a Turnpike Road from the *Gateshead* and *Hexham* Turnpike Road at or near to *Axwell Park* Gate, on the River *Derwent*, in the Township of *Winlaton* in the Parish of *Ryton* in the County of *Durham*, to the Village of *Shotley Bridge* in the said County of *Durham*, and to maintain and keep the said Road in repair.

Power to make the Road.

VI. And whereas a Map or Plan describing the Line of the said intended Road, and the Lands through which the same is intended to be carried, together with a Book of Reference containing a List of the Names of the Owners or reputed Owners and Occupiers of such Lands, have been deposited with the Clerk of the Peace for the County of *Durham*; be it therefore further enacted, That the said Map or Plan and Book of Reference shall remain in the Custody of the Clerk of the Peace for the said County of *Durham*, to the end that all Persons may at all reasonable Hours of the Day have Liberty to inspect and peruse the same, and to have Copies or Extracts therefrom, at their Will and Pleasure, paying such Clerk of the Peace the Sum of One Shilling for every such Inspection, and at the Rate of Sixpence for every One hundred Words of such Copies of the said Map or Plan and Book of Reference; and that the said Trustees in making the said Road shall not deviate more than One hundred Yards from the Line described in the said Map or Plan, without the Consent and Approbation in Writing of the Person or Persons, Body Politic, Corporate, or Collegiate, through whose Lands or Grounds such Deviation shall be made.

Map or Plan deposited with the Clerk of the Peace for Durham to remain there, and be open to Inspection.

Limiting Deviation from Plan.

VII. Provided always, and be it further enacted, That it shall be lawful for the said Trustees to make the proposed new Road into, through, across, and over the Lands and other Hereditaments described in the said Map or Plan, although the Name or Names of the Owners or Occupiers thereof may happen to be omitted or misstated in the said Book of Reference, provided it shall appear to any Two or more Justices of the Peace for the County or Place wherein such Lands or other Hereditaments shall be situated, and be certified by Writing under their Hands, that such Error or Omission proceeded from Mistake, or that the Owners or Occupiers of such Lands or other Hereditaments had Notice that the same would be wanted for the Purposes of this Act.

Misnomers or Omissions not to prevent Execution of Act.

VIII. And be it further enacted, That it shall be lawful for the said Trustees and they are hereby empowered and authorized to enter upon and take possession of and use all and every or any of the Houses, Buildings, Yards, inclosed Grounds, Hereditaments, and Premises

Power to take down Buildings, &c. in the Schedule.

Premises comprised and mentioned in the Schedule to this Act annexed, for the Purposes of this Act, at such Time or Times, within the Space of Three Years to be computed from the passing of this Act, as they may think proper, tendering or making Satisfaction to the Owners thereof and Persons interested therein for the Loss or Damage they may thereby sustain : Provided always, that if the said Trustees shall not within the Space of Three Years after the passing of Act agree for, or cause to be valued and paid for, the several Houses or other Buildings, Lands, Hereditaments, and Premises comprised in the said Schedule, and which they are by this Act empowered to purchase, take, and use, or so much thereof as they shall respectively deem necessary or proper for the Purposes of this Act, then and from thenceforth the Powers hereby given them for such Purpose shall cease, determine, and be utterly void, except with the Consent of the Owners or Occupiers thereof respectively.

As to the
Park and
Pleasure
Grounds of
Sir Thomas
John Claver-
ing Baronet.

IX. Provided always, and be it further enacted, That nothing herein contained shall extend to authorize or empower the said Trustees to cut down, prune, or lop the Branches of any Trees growing by the Side of the said proposed new Road in the Park or Pleasure Grounds of Sir *Thomas John Clavering* Baronet, called *Arxwell Park*, without the Licence and Consent in Writing of the said Sir *Thomas John Clavering*, his Heirs or Assigns, for that Purpose first had and obtained.

Trustees to
cause proper
Approaches
to Lands,
&c. to be
made.

X. And be it further enacted, That upon the said new Road when completed the said Trustees shall, at their Expence, make or cause to be made proper Approaches to the Lands and Roads on each Side, with sufficient Gates to the same ; and that the said Trustees shall make proper Fences on each Side of the said new Road, and where there is either cutting or embanking such Fences shall be made both at the Top and Bottom of the Slopes ; and that the said Trustees shall also make proper Drains along the Sides of and under the said new Road to conduct the Water to the natural Watercourses, so that the same may not injure the adjacent Fields.

Power to
take Tolls.

XI. And be it further enacted, That it shall be lawful for the said Trustees and they are hereby required to erect upon the said Road Two or more Toll Gates, Toll Bars, or Turnpikes ; and it shall be lawful for the said Trustees, or any Person or Persons to be appointed Collector or Collectors of the Tolls authorized to be taken by virtue of this Act, to demand and take, at each and every such Toll Gate, Toll Bar, or Turnpike, on each and every Day, before any Horse, Beast, Cattle, Coach, Cart, or other Carriage upon which any Toll is by this Act imposed shall be permitted to pass through the same, the several Tolls following ; (that is to say,)

Tolls.

For every Horse or other Beast drawing any Coach, Chariot, Landau, Berlin, Chaise, Curricule, Chair, Calash, Hearse, Waggon, Wain, Cart, Dray, or other Carriage of any Description, having the Sole or Bottom of the Fellies of the Wheels thereof of the Breadth or Gauge of less than Three Inches, the Sum of Eight-pence :

For

For every Horse or other Beast drawing any Coach, Chariot, Landau, Berlin, Chaise, Curricule, Chair, Calash, Hearse, Waggon, Wain, Cart, Dray, or other Carriage of any Description, having the Sole or Bottom of the Fellies of the Wheels thereof of the Breadth or Gauge of Three Inches and upwards, 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, or Neat Cattle, the Sum of One Shilling *per* Score, and so in proportion for a greater or less Number :

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

Which said Tolls or Sums of Money shall be and are hereby vested in the said Trustees, and shall be applied in manner herein-after directed.

XII. Provided always, and be it further enacted, That no more than Two full Tolls shall be demanded or taken for or in respect of the same Horses, Cattle, or Beasts for passing the whole Length of the said Road, and such full Tolls shall not be demanded or taken more than Once on the same Day for or in respect of the same Horses, Cattle, or Beasts passing Twice through all the Toll Gates or Turnpikes to be erected upon the said Road, but if the same Horses, Cattle, or Beasts shall on the same Day pass more than Twice through such Toll Gates or Turnpikes, such full Tolls may be demanded and taken on the Third Time of passing, and again on the Fifth and every other alternate Time after the Third.

Limitation of
Number of
Tolls to be
taken.

XIII. Provided also, and be it further enacted, That the several Tolls hereby made payable shall be paid for or in respect of all Horses or other Beasts drawing any Stage Coach, or any Stage Waggon, Van, Caravan, or other Stage Carriage carrying or conveying Passengers or Goods for Payment, Hire, or Reward, for every Time of passing or repassing through such Toll Gates or Turnpikes : Provided nevertheless, that no further or additional Toll shall be payable in respect of Horses drawing Stage Coaches on account only of the Horses drawing the same having been changed.

Stage
Coaches, &c.
to pay each
Time of
passing and
repassing ;

XIV. Provided also, and be it further enacted, That the said Tolls hereby made payable shall be paid for and in respect of all Horses or other Beasts drawing any Post Chaise or other Carriage travelling for Hire, for every Time of passing or repassing through the said Toll Gates or Turnpikes, whenever a new Hiring thereof shall have taken place.

Post Chaises
on every new
Hiring.

XV. And be it further enacted, That out of the Monies which shall be raised or received by virtue of this Act the said Trustees shall, in the first place, pay and discharge all the Expences and Costs incident to or in anywise attending the applying for, procuring, and

Application
of the Tolls.

passing of this Act; then in defraying the Expences of making, forming, repairing, widening, improving, and altering the said Road, and purchasing Lands for those Purposes, and of erecting and maintaining necessary and convenient Bridges and Culverts, and of erecting, providing, and keeping in repair Turnpikes, Toll Houses, and other Buildings, and of executing the several other Powers and Purposes of this Act, and in paying and keeping down the Interest of the Monies subscribed and advanced for the Purposes of this Act, and which shall be borrowed on the Credit of this Act; and, lastly, in reducing and paying off and discharging the Principal Sums of Money for the Time being due or owing on Mortgages of the said Tolls, Toll Houses, Turnpikes, and Premises.

Public Act.

XVI. 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.

Commence-
ment and
Continuance
of this Act.

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

SCHEDULE to which the foregoing Act refers.

Counties.	Parishes.	Description of Property.	Owners.	Occupiers.
Durham	Lanchester	Stackyard with } Barn and Byer } adjoining - }	Thomas White Esq.	John Thirlwell.
		Garden	Ditto	Ditto.
		Garden	Ditto	Ditto.
		Plantation	Ditto	{ Thomas White Esq.
		Plantation	Jonathan Richardson	{ Jonathan Richardson.
		Plantation	Ditto	{ Ditto.
		Plantation	John Wilson Esq.	{ John Wilson Esq.
		Plantation	Ditto	{ Ditto.
		Plantation	{ Robert Lancelot Allgood Esq. and Stamp Brooksbank Esq.	{ Robert Lancelot Allgood Esq. and Stamp Brooksbank Esq.
		Garden - - }	Master of Sherburn Hospital	{ Thomas Slater.
		Garden	Ditto	{ Ditto.
		Garden	Ditto	{ John Smith.
		Two Dwelling } Houses - - }	Ditto - -	{ Thomas Hardy and William Ramsay.
		House and Garden	Ditto	{ Thomas Smith.
		Garth or Close	Ditto	{ George Rutherford.
		Plantation	Anthony Surtees Esq.	{ John Cookson Esq.
		Plantation	Ditto -	{ Anthony Surtees Esq.
		Plantation	Henry Smales Esq.	{ Henry Smales Esq.
		Plantation	Ditto	{ Ditto.
		Plantation	Ann Bates Widow	{ Ann Bates Widow.
		Plantation with } Rivulet }	Ditto	{ Ditto.
		Plantation inPas- } ture Field }	Anthony Surtees Esq.	{ Anthony Surtees Esq.
		Plantation	Ditto	{ Ditto.
		Plantation	Jasper Browell Esq.	{ Robert Ward Browell Esq.
	Ryton	Private Road and } Ground in front } of Lintzford } Farm House, } with Stackyard } and Buildings }	Sir Thomas John Clavering Bart.	{ Thomas Laws.
		Plantation called } East Wood }	Ditto	{ Sir Thomas John Clavering Bart.
		Plantation	{ Ann Simpson Spinster, John Bowes Esq., the Marquess of Bute, and William Morton Pitt Esq.	{ Ann Simpson Spinster, John Bowes Esq., the Marquess of Bute, and William Morton Pitt Esq.
		Plantation	Ditto	{ Ditto.

Counties.	Parishes.	Description of Property.	Owners.	Occupiers.
Durham.	Ryton	Garden - {	Peregrine Edward {	Lancelot Robson.
		Garden	Towneley Esq.	Robert Laws.
		Cottage and Garden	Ditto	Luke Richardson.
		Plantation	Marquess of Bute	Peregrine Edward {
		Garden	Ditto	Towneley Esq.
		Garden	Ditto	Richard Harding.
		Garden	Ditto	John Williamson.
				Barbara Johnson.
		Garden	Ditto	Mary Brown and {
				Thomas Salmon,
				re-let to Thomas
				Venton.
		Garden	Ditto	Mary Brown and {
				Thomas Salmon,
				re-let to Thomas
				Hunter.
		Garden	Ditto	Robert Adamson,
				and re-let to
				William Smith.
		Garden	Ditto	Francis Harding.
		Plantation {	Sir Thomas John Cla- {	Sir Thomas John
			vering Bart.	Clavering Bart.
		Plantation in Pas- {	Ditto	Ditto.
		ture Field		
		Cottage and Garden	Ditto	Thomas English.

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