ANNO DECIMO SEXTO & DECIMO SEPTIMO

VICTORIÆ REGINÆ.

****

Cap. cxii.

An Act to repeal the Act for repairing the *Alston* Turnpike Roads, and to make other Provisions in lieu thereof. [4th *August* 1853.]

WHEREAS an Act was passed in the Fifth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act for repairing the Road from* Burtryford *in the* 5 G. 4. c. xxxiv.
County of Durham, *through* Alston *in the County of* Cumberland, *to* Burnstones *in the County of* Northumberland, *and from* Summerod's Bar *near* Hexham *to* Alston *aforesaid, and several other Roads in the said Counties and in the North Riding of the County of* York, *and for erecting Bridges over the River* Tyne, whereby the Trustees acting in the Execution of that Act were empowered to alter the Line of certain Parts of the said Roads, and to make and maintain certain new Roads, Branch Roads, and Bridges: And whereas the Trustees acting in the Execution of the said Act duly made several of the said Alterations, new Roads, and Branch Roads, the Bridge across the North Branch of the River *Tyne* at or near *Bellingham*, and the Bridge across the South Branch of the same River at or near *West Boat Ferry*, by the said Act authorized to be made, and have partially

made others of the said Alterations, new Roads, and Branch Roads: And whereas the Powers granted by the said Act, and continued from Time to Time by virtue of divers Acts of Parliament for continuing certain Turnpike Acts for limited Periods, will expire on the First Day of *November* One thousand eight hundred and fifty-three, unless the same be in the meantime further continued by Parliament: And whereas considerable Sums of Money are now owing upon the Credit of the Tolls by the said Act authorized to be taken, and such Money cannot be paid off unless further Powers are granted: And whereas it is expedient that the recited Act should be repealed, and that further and more effectual Powers should be granted in lieu thereof; but the Purposes aforesaid cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen'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, as follows; (that is to say,)

Recited Act repealed.

I. That upon the First Day of *November* next after the passing of this Act the said recited Act of the Fifth Year of the Reign of His Majesty King *George* the Fourth shall be repealed, and that this Act shall thereafter be put into execution during the Term and for the Purposes herein-after mentioned.

Short Title.

II. That in citing this Act for any Purpose whatsoever it shall be sufficient to use the Expression "The *Alston* Roads Act, 1853."

Monies and Property to vest in the new Trustees.

III. That all Monies due to, and all Lands, Roads, Bridges, Property, and all Choses in Action vested in, the Trustees under the said recited Act, shall immediately on the Commencement of this Act be vested in the Trustees for executing this Act, and such last-mentioned Trustees may hold and enjoy, sue for and recover, the same Monies, Lands, Roads, Bridges, Property, and Choses in Action respectively, and act in respect thereof, as effectually, as if the same had been vested in them under the said recited Act, and they shall be liable to all the Debts and Engagements to which the Trustees under the said recited Act were liable at the Repeal thereof, save and except such of the same Debts and Engagements as are by this Act extinguished.

Appointment of Trustees.

IV. That all Her Majesty's Justices of the Peace for the Time being respectively acting for the respective Counties of *Northumberland*, *Durham*, *Cumberland*, and the North Riding of the County of *York*, together with *John Atkinson*, *Peter Annandale*, *Lancelot Allgood*, *Lancelot John Hunter Allgood*, *James Allgood*, *William Bragg*, *Robert Walton Bell*, *Wentworth Blackett Beaumont*, *Stamp Brooksbank*, Sir *Edward Blackett* Baronet, *Edward William Blackett*, *William*

The Alston Roads Act, 1853.

William Bleaymire, *John Moor Bates* M.D., *William Matthew Bigge*, *George Richard Bigge*, *John Frederick Bigge* Clerk, *Meyrick Beebee* Clerk, *George Bellamy* Clerk, *John Burstead*, *Thomas Butler*, *Christopher Bird* Clerk, *Christopher Bird* junior, Clerk, *Robert Bainbridge*, *Robert Walton Bainbridge*, *Utrick Bainbridge*, *John Blenkinsop Coulson*, *John Blenkinsop Coulson* junior, *Gustavus Hamilton Coulson* R.N., *Thomas Emerson Crawhall*, *Isaac Crawhall*, *Thomas Wilson Crawhall*, *William Cuthbert*, *William Cuthbert* junior, *John Coats*, *William Henry Charlton*, *Edward Charlton* M.D., *Francis Charlton*, *Robert Charlton*, *Nathaniel Clayton*, *John Clayton*, *Matthew Clayton*, *Richard Clayton* Clerk, Commissioners of *Greenwich Hospital*, Secretary and Receiver of *Greenwich Hospital*, *John Cowper*, *Frederick Cowper* junior, *Dixon Dixon*, *Thomas Dodd*, *Henry Dodd*, *Joseph Dickinson* of *Loveladyshield*, *Joseph Dickinson* junior, *John Dickinson*, *Joseph Dickinson* of *Alston*, *Lancelot Storey Dixon*, *Rowland Errington*, *Cuthbert Ellison*, *John Errington*, *George Elstob*, *Edward Emerson*, *John Falder* of *Winskill*, *John Falder* of *Gamblesby* and *Unthank*, *John Peter Featherstone*, *Timothy Featherstonhaugh*, *George Foster*, *Hugh Watson Friend*, *Jasper Gibson*, *Richard Gibson*, *Henry Gipps* Clerk, *John Grey*, *Charles Bacon Grey*, *Ralph William Grey*, *George Annett Grey*, *Charles Grey*, *Railton Gill* M.D., *William Guy*, *Lawrence Harrison*, *Charles Head*, *John Oswald Head*, *Joseph Hudson* Clerk, Sir *Edward Haggerstone* Baronet, *John Haggerstone*, *John Hodgson Hind*, *Richard Grave Hindson*, the Honourable *Charles Howard* M.P., *Robert Hodgson*, *Thomas Helmer*, *Timothy Hutchinson*, *William Ives* Clerk, *Thomas James*, *Octavius James* Clerk, *Edward James*, *William Ponsonby Johnson*, *William Kirsopp*, *James Kirsopp*, *Francis Kirsopp*, *George Lee*, *Charles Lee* Clerk, *Parkin Lee*, *Nicholas Lowes*, *John Lowes*, *Nicholas Leadbitter*, the Honourable *Henry Cecil Lowther*, *Henry Lowther* Clerk, *Simon Mewburn*, *William Mewburn*, *John Marshall* Clerk, *Nicholas Maughan*, *William Marshall* M.P., Sir *George Musgrave* Baronet, *Philip Musgrave*, *George Gill Mounsey*, *Tinniswood Millican*, *John Millican*, *Robert Ormstone*, *William Ord*, *William Parker* junior, *John Powley*, *John Ruddock*, *George Richmond* Clerk, *John Ridley*, *Thomas Ridley*, *John Matthew Ridley*, *Thomas Riddell*, *John Ramshay*, *Randel Wilkinson Saunders*, *Thomas Sowerby*, *John Pearson Spedding*, *John Stokoe*, *William Stokoe*, *Robert Stokoe*, *Henry Silvertop*, *Thomas Hobbes Scott* Clerk, *George Shadforth*, Sir *John Edward Swinburne* Baronet, *Edward Swinburne*, *James Delaval Shaftoe*, *William Smith* of *Nelmebly*, *William Smith*, *William Smith* junior, *William Nash Snowe* Clerk, *Thomas Sopwith*, *Mark Sherlock*, *Anthony Todd*, *Anthony Todd* junior, *John Turnbull*, *William James Darby Waddilove*, *George Marmaduke Waddilove*, *Charles Ludovic Waddilove*, the Honourable *James Hope*

Hope Wallace, *Henry Wilson*, *Wylam Walker*, *Jacob Wilson*, *Thomas Wilson* of *Shotley Hall*, *Joseph Wilson*, *Thomas Wilson* of *Newcastle*, *Henry Vipond Wilson*, *George Wilson*, *John Wilson*, *Jonathan Walton*, *Jacob Walton*, *John Whitfield*, and *Henry Whitfield*, and their Successors, being duly qualified to act as Trustees of Turnpike Roads in *England*, shall be Trustees for putting this Act into execution.

Power to appoint additional Trustees.

V. That it shall be lawful for the Trustees from Time to Time at any Meeting under this Act to elect any Number of Persons, duly qualified to act as Trustees of Turnpike Roads in *England*, not exceeding Three, to be Trustees for the Purposes of this Act, in addition to the Trustees hereby nominated, and such Trustees so elected shall have the same Powers and Authorities for executing this Act as if they had been hereby appointed.

Meetings of Trustees.

VI. That the Trustees shall hold their First Meeting at *Alston* in the County of *Cumberland*, or at some other convenient Place in the Neighbourhood of the said Roads, at Noon, on the Third Day of *November* next after the Commencement of this Act, and shall then and from Time to Time thereafter adjourn to and meet at such Time and such Places in the Neighbourhood of the said Roads as they shall think proper.

Power to appoint Committees.

VII. That the Trustees may appoint Committees out of their own Number to execute any of the Purposes of this Act according to such Instructions and Regulations as shall be laid down by the Trustees at any General Meeting, and the said Committees may proceed and act according to such Appointment, but shall always be accountable according to the Instructions and Regulations so to be made.

Roads to which this Act is applicable.

VIII. That this Act shall be put in execution for the Purpose of managing and maintaining the existing Turnpike Roads and Bridges herein-after described; (that is to say,)

The Road from *Burtryford* in the County of *Durham* to and through *Alston* in the County of *Cumberland*, and from *Alston* aforesaid by the *Dyke* to *Burnstones* in the County of *Northumberland* (including the Variation in the Line of that Road commencing at *Town Green*, and terminating at or near *Burnstones* aforesaid):

The Road from the Termination of the firstly-described Road at *Burnstones* aforesaid to *Hall Bank* in the Parish of *Farlam* in the County of *Cumberland*:

The Road from *Summerrod's Bar* to the Town of *Hexham* in the County of *Northumberland* (being the Road abandoned by the Trustees of the *Hexham* Roads as in the said repealed Act mentioned):

The Road from *Summerrod's Bar* near the Town of *Hexham* in the County of *Northumberland* to and through the Town of *Alston* in the County of *Cumberland* (which last-mentioned Road is herein-after referred to as the *Summerrod's Bar* and *Alston Road*), including the following Variations of that Road, *videlicet*, One of such Variations commencing at *Parmontley Bank* and terminating at or near the South-west Part of the *Whitfield Moor* or *Common*; another of such Variations commencing at the high Part of *Clargill Bank* in the Parish of *Alston*, and returning into the *Summerrod's Bar* and *Alston Road* at or near *Clargill* in the said Parish; and the Third of such Variations commencing at *Newshield* in the said Parish of *Alston*, and returning into the *Summerrod's Bar* and *Alston Road* at *Newshield Bank* in the said Parish:

The Road from the Termination of the *Summerrod's Bar* and *Alston Road* at *Alston* through *Melmerby* to *Carlton* in the County of *Cumberland*:

The Road from the Termination of the *Summerrod's Bar* and *Alston Road* at *Alston* by *Nattrass Gill* and *Yadmoss* to *Middleton* in the County of *Durham*:

The Branch Road from *Cupola Bridge* to *Haydon Bridge*, and from thence by *Fourstones* to *Bellingham* in the Parish of *Bellingham* in the said County of *Northumberland*:

The Bridge across the North Branch of the River *Tyne* at or near *Bellingham* in the County of *Northumberland*, with the Causeways thereon and the Approaches thereto in the Line of the lastly-described Branch Road:

The Branch Road from the Line of the said Branch Road at *Fourstones* by the *West Boat* to the *Hexham* Turnpike Road at or near to the *Highwood* in the said County of *Northumberland*:

The Bridge across the South Branch of the River *Tyne* in the County of *Northumberland* in the Line of the lastly-described Branch Road:

The Branch Road from near *Clargill* in the Line of the *Summerrod's Bar* and *Alston Road* by *Blagill* to *Hudgill Burn* in the said County of *Cumberland*:

Provided always, that when and so soon as the Principal Sum payable to *William Henry Charlton* Esquire under the Provisions of this Act shall be discharged, the Trustees shall no longer repair or be liable to repair the Road from *Fourstones* to *Bellingham*, or the Bridge across the North Branch of the River *Tyne* at or near *Bellingham* aforesaid, or the Causeways thereon or the Approaches thereto, nor shall they thenceforth collect any Tolls on that Road or Bridge, or on those Causeways or Approaches; and the said Road from *Fourstones* to *Bellingham*, and the said Bridge across the North Branch of

the River *Tyne* at or near *Bellingham*, shall thereupon cease to be maintained as a Turnpike Road.

Bridges to form Part of Roads.

IX. That the said Bridges shall be deemed and taken to be Part of the Roads comprised in this Act, and all Clauses and Provisoes of every Public General Act relating to Turnpike Roads in *England* applicable to the Roads comprised in this Act shall also extend and apply to the said Bridges, unless there be something in the Subject or Context repugnant to such Extension and Application.

Present Tolls continued for a Term.

X. That, notwithstanding the Repeal of the said recited Act, the several Tolls and Pontages thereby granted and made payable shall continue to be paid at the Toll Gates to be continued or erected on or on the Sides of the said Roads and Bridges until the First Day of *December* One thousand eight hundred and fifty-three.

Power to take new Tolls.

XI. That upon and after the said First Day of *December* One thousand eight hundred and fifty-three it shall be lawful for the Trustees to demand and take at the several and respective Toll Gates which now are or hereafter shall be upon or on the Sides of or adjoining the said Roads and Bridges respectively such Tolls as the Trustees at any of their Meetings shall direct, not exceeding the Sums following; (that is to say,)

For every Horse, Mule, or other Beast drawing any Coach, Chariot, Phaeton, Calash, Curricle, Vis-à-vis, Chaise, Diligence, Caravan, Chair, Hearse, Litter, or other such Carriage, Eightpence:

For every Horse or other Beast drawing any Waggon, Wain, Cart, or other such Carriage, Sixpence:

For every Horse or other Beast drawing any Waggon, Wain, Cart, or other such Carriage laden with Lime for agricultural Purposes, Fourpence:

For every Score of Oxen, Cows, and Neat Cattle, Tenpence; and so in proportion for any greater or less Number:

For every Score of Calves, Hogs, Sheep, or Lambs, Fivepence; and so in proportion for any greater or less Number:

For every Dog drawing any Truck, Barrow, Cart, or Carriage, One Penny:

For every Carriage drawn or propelled by Steam or other Machinery, or by any Power or Agency other than Animal Power, the Sum of One Shilling for each Wheel thereof:

For every Horse, Mule, or Ass, laden or unladen, and not drawing, at any Toll Gate upon, across, on the Sides of, or adjoining either of the said Bridges, Twopence; and at any Toll Gate upon, across, or on the Sides of the said Roads, Twopence:

For every Foot Passenger or Person on Foot (except the Driver of any Waggon, Wain, Cart, or other such Carriage) who shall

shall pass any Toll Gate upon or on the Sides of or adjoining either of the said Bridges, whether he shall travel or go more or less than One hundred Yards on the said Roads (any Law or Statute to the contrary notwithstanding), One Penny:

For every Person who shall ride through any such last-mentioned Toll Gate in or upon any Waggon, Wain, Cart, or other such Carriage (not usually employed for carrying Passengers for Hire), or upon any Horse or Beast drawing any such Waggon, Wain, or other such Carriage, whether the same shall travel or go more or less than One hundred Yards on the said Roads (any Law or Statute to the contrary notwithstanding), One Penny:

Which said Tolls shall be taken before any Horse, Mule, Ass, Beast, or other Cattle, or Carriage, or Foot Passenger whatsoever, liable to the said Tolls, shall be permitted to pass through any Toll Gate which shall be by virtue of this Act upon or across the said Roads or Bridges, or on the Sides thereof, or adjoining thereto.

Limiting Number of Tolls to be taken.

XII. That for passing and repassing any Number of Times on the same Day with the same Horses or other Animals, Carriage or Thing, liable to Toll or Duty, through all the Toll Gates erected or to be erected or continued on or on the Sides of any Road herein-after specified (exclusive of the said Bridges), no more than the Number of Tolls herein-after limited with reference to such Road shall be taken; (that is to say,)

On the *Summerrod's Bar* and *Alston Road* (including the aforesaid Variations thereof), Two full Tolls:

On the Road from *Burtryford* to *Alston*, Two full Tolls:

On the Road from *Alston* to *Carlton*, Two full Tolls:

On the Road from *Alston* to *Hall Bank* (including the aforesaid Variation thereof), Two full Tolls:

On the Road from *Alston* to *Middleton*, Two full Tolls:

On the Road from *Fourstones* to *Alston*, Two full Tolls:

On the Road from *Fourstones* to *Bellingham*, One full Toll:

On the Road from *Fourstones* to *Highwood*, One full Toll:

On the Road from *Clargill* to *Hudgill Burn*, One full Toll.

General Acts to extend to Bridge Tolls.

XIII. That all the Clauses and Provisions of every Public General Act relating to Turnpike Roads in *England* for the Time being in force applicable to Tolls shall extend and apply to the Bridge Tolls, unless there be something in the Subject or Context repugnant to such Extension and Application.

Penalties for evading Bridge Tolls.

XIV. That (in addition to the Penalties imposed by any Public General Act relating to Turnpike Roads in *England* for evading the Payment of Tolls, and which Penalties shall extend and apply to

the

the Bridge Tolls,) every Person who shall unload or cause to be unloaded any Grain, Goods, Wares, Merchandise, or other Things whatsoever from any Coach, Waggon, Cart, or other Wheel Carriage, and carry or cause to be carried such Grain, Goods, Wares, Merchandise, or other Things across either Branch of the River *Tyne* either on Foot or on the Back of any Animal, or in any Carriage, Cart, Waggon, Boat, or Vessel, and every Foot Passenger who shall forcibly or fraudulently pass through any Toll Gate with Intent to avoid Payment of the Bridge Tolls, shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

As to the Fraction of a Halfpenny in Tolls.

XV. That in all Cases in which there shall be a fractional Part of a Halfpenny in the Amount of the Tolls by this Act authorized to be collected the Sum of One Halfpenny shall be payable in lieu of such fractional Part.

Horses, &c. having paid Toll to return Toll-free.

XVI. That all Horses and Cattle (except Horses or Cattle let for Hire, or drawing any Stage Coach, Waggon, or other Stage Carriage, Postchaise, or other Carriage travelling for Hire, or drawing over either of the said Bridges any Cart, Waggon, or Carriage laden with Timber, Bricks, Tiles, Mortar, Sand, or Stones as herein-after mentioned,) in respect whereof the Toll hereby authorized to be taken shall have been paid at any Toll Gate on the said Roads or on the Sides thereof shall, upon a Ticket denoting such Payment being produced, be permitted in returning, passing, and repassing through the same Toll Gate, and in going and returning, passing and repassing, through such other Toll Gate (if any) as the Ticket for such Payment shall free, to pass Toll-free at all Times on the same Day.

Horses, &c. drawing different Waggons, &c.

XVII. Provided also, That the said Tolls shall be payable at each and every Toll Gate belonging to the Trustees in respect of Horses or other Beasts of Draught drawing any Waggon, Wain, Cart, or Caravan, or such like Carriage, for every Time during the same Day that any such Horse or other Beast of Draught shall pass through any of the Toll Gates of the Trustees drawing any other laden Waggon, Wain, Cart, Van, Caravan, or such like Carriage than that which such Horse or other Beast of Draught was employed in drawing at any former Time during the same Day, and at which Tolls shall have been paid.

Postchaises, &c. to pay on fresh Hiring.

XVIII. That the Tolls hereby made payable shall be paid for all Horses or other Animals let for Hire, whether laden or unladen, and for all Horses or Cattle drawing any Postchaise or other Carriage travelling for Hire, as often as any new Hiring shall take place, in the same Manner as if no previous Payment of Toll had been made in respect of such Horses, Animals, or Cattle on the same Day.

XIX. That

Stage Coaches every Time of passing.

XIX. That the Tolls by this Act imposed upon all Horses and Cattle drawing any Stage Coach, Waggon, or other Stage Carriage conveying Passengers or Goods for Hire or Reward shall be payable and paid for every Time of passing or repassing along the said Roads or any of them.

Further Regulations as to Stage Coaches.

XX. That all Horses and Cattle drawing any Stage Coach, Waggon, or other Stage Carriage conveying Passengers or Goods for Hire or Reward, in respect whereof the Toll hereby authorized to be taken shall have been paid at any Toll Gate, shall, upon a Ticket denoting such Payment being produced, be permitted to pass once Toll-free on the same Day through any other Toll Gate which such Ticket would free in the Case of Horses or Cattle drawing any other Carriage; and no further or additional Toll shall be payable in respect of any Stage Coach or other such Carriage as aforesaid at any such other Toll Gate the Payment at which shall be freed by such Ticket as aforesaid on account only of their conveying other Passengers, or of the Horses or Cattle drawing the same having been changed.

Regulations as to Bridge Tolls.

XXI. That the Tolls hereby imposed shall be paid for all Foot Passengers, and every Person riding or being in any Waggon, Wain, Cart, Dray, or such like Carriage (not being the Driver thereof, or Person attending on the same), and for all Horses or Cattle drawing any Cart, Waggon, or Carriage laden with Timber, Bricks, Tiles, Mortar, Sand, or Stones, (except upon the Return of any Cart, Waggon, or Carriage so laden after having paid Toll on the same Day in passing over such Bridge unladen,) for every Time of passing and repassing over either of the said Bridges, whether the same shall travel or go more or less than One hundred Yards on the said Roads.

Extinguishing Arrears of Interest.

XXII. That inasmuch as the Principal Sums advanced for the Purposes of the recited Act and of the Acts thereby repealed, or some of them, and now remaining unpaid, amount in the whole to the Sum of Forty-eight thousand five hundred and eighty Pounds Eight Shillings and Fivepence, which is due to the several Persons named in the Schedule to this Act, their Executors, Administrators, or Assigns, in the respective Proportions or Sums set opposite to their respective Names in that Schedule, with a large Arrear of Interest thereon, and no effective Arrangement can be made for the Liquidation of the said Principal Sums unless the said Arrear of Interest be extinguished, therefore all Arrears of Interest now due on the said Principal Sums respectively shall be and are hereby wholly extinguished, and shall be considered as satisfied and discharged, and no Interest shall henceforth be paid or payable upon or in respect of the said Principal Sums, or any of them, or any Part thereof.

Mortgages to be given to Creditors.

XXIII. That the Trustees shall, on being required so to do, make and deliver to the Persons named in the Schedule to this Act, their Executors, Administrators, or Assigns, Mortgages of the Tolls by this Act authorized to be taken for securing the Sums due to such Persons according to the Provisions of this Act; and such Mortgages and any Assignments or Transfers thereof may be in the Form (so far as the same shall be applicable) and made in the Manner provided by any Law or Statute relating to Turnpike Roads in *England* for the Time being in force with regard to Mortgages of Tolls and Assignments or Transfers thereof; and the Expenses of and attending the making and Delivery of such Mortgages may be paid by the Trustees out of any Money in their Hands as Part of the Expenses of managing the said Roads.

Application of Monies.

XXIV. That all Monies which shall come to the Hands of the Trustees by virtue of this Act shall be applied as follows; (that is to say,)

Firstly, in paying and discharging the Expenses of obtaining and passing this Act, or incident thereto:

Secondly, in defraying the Expenses of erecting, altering, and repairing Toll Gates and Toll Houses, and of the Management of the said Roads, and the Salaries of Officers and other incidental Expenses, but not exceeding in any One Year the Sum of Three hundred Pounds, exclusive of Payments to Toll Collectors, and of the Costs of prosecuting or defending any Actions or Suits:

Thirdly, in maintaining and repairing the Roads and Bridges, and putting this Act in execution with reference thereto, but so that the Amount expended for these Purposes shall not exceed One thousand six hundred Pounds in any One Year:

Fourthly, in paying, without Interest, the Sum of Four hundred and sixty-nine Pounds Two Shillings and Sevenpence due to *William Henry Charlton* Esquire in respect of Monies advanced by him for the Purposes of the said Bridge and Road at or near to *Bellingham*:

Fifthly, in paying, without Interest, in manner herein-after provided, the Sum of One thousand Pounds due to the Earl of *Carlisle* and other Subscribers to the *Brampton Road* named in the Second Part of the Schedule hereunto annexed:

Sixthly, in paying without Interest, in the Manner herein-after provided, the other Principal Sums named in the Third Part of the Schedule hereunto annexed, now due on the Credit of the Tolls arising on the said Roads:

Lastly, in maintaining, repairing, and improving the said Roads.

Mortgagees not to take Possession of Toll Gates, &c.

XXV. That no Holder of any Mortgage of the Tolls collected upon the said Roads or Bridges shall be entitled to enter into possession of

of the Toll Gates, Toll Houses, or Buildings upon or adjoining the said Roads or Bridges, or into the Receipt of the Tolls arising thereon, or of the Rent payable upon any Letting of such Tolls, anything in this Act or in any Statute or Law in force relating to Turnpike Roads in *England* to the contrary notwithstanding.

As to Mode of discharging Debt.

XXVI. That when and so often as the Monies applicable to the Discharge of the Principal Sums for the Time being owing on the Credit of the said Tolls (other than the Monies so due to *William Henry Charlton* Esquire as aforesaid) shall amount to the Sum of Two hundred Pounds, the Trustees shall at any General Annual or other Meeting apply such Sum in the Payment of a proportionate Part of the Principal Sums to the Discharge of which such Monies shall under the Provisions of this Act be applicable, and shall, Twenty-eight Days at least before such General Annual or other Meeting, cause Notice to be given of such Meeting and of the Purposes thereof, so far as the same shall relate to the Application of such Monies, by Letter addressed to each Creditor respectively, or in some Newspaper published in the County of *Cumberland*, or if there shall be no Newspaper published therein, then in some Newspaper published in an adjoining County; and at such Meeting the Trustees shall apply such Monies or a Portion thereof (as the Case may require) in or towards the Discharge of the Principal Sums to the Discharge of which such Monies shall, under the Provisions of this Act, be applicable, to the Creditor who shall, by Proposal in Writing transmitted to the Clerk of the Trustees before such Meeting, have offered to accept the lowest Composition in respect of such Sums, and after Payment to such Creditor as aforesaid shall apply the Surplus (if any) of such Monies or a Portion thereof (as the Case may require) in or towards the Discharge of any other Principal Sum owing to the Creditor who, by Proposal as aforesaid, shall have offered to accept the next lowest Composition in respect of the Principal Monies due to him, and so in like Manner until the Monies applicable to such Payments shall be exhausted; and if and whenever Two or more Creditors of the same Class, by such Proposals as aforesaid, shall have offered to accept an equal Rate of Composition, it shall be lawful for the Trustees to determine by Lot the Preference between or amongst such Creditors, or to pay such Composition rateably between or amongst such Creditors, as the Trustees think fit; and if there be no such Proposal as aforesaid, or if there be any Surplus of the Monies applicable to such Payments, after applying the same so far as may be necessary in or towards the Discharge of the Principal Sums to which any such Proposals relate, the Trustees may apply the Monies applicable to such Payments, or the Surplus thereof (as the Case may be), rateably amongst the Creditors of the same Class, or may pay the same to such of them as may be determined by Lot, as the Trustees think fit.

XXVII. That

No more Money to be borrowed.

XXVII. That no Money shall be borrowed by the Trustees upon the Credit of the Tolls by this Act authorized to be taken.

Bridges not to be deemed County Bridges.

XXVIII. That so long as the Trustees shall be liable to repair either of the said Bridges the same shall not be adjudged or taken to be a County Bridge, nor shall the County of *Northumberland* be liable to repair, amend, or support the same, any Law or Statute to the contrary notwithstanding.

No Ferry to be set up near either of the Bridges.

XXIX. That no Ferry shall be set up or used by any Person (except the Trustees or Persons acting under their Authority) across either Branch of the River *Tyne*, within the Distance of Six hundred Yards of either of the said Bridges, so long as the Trustees shall be liable to repair such Bridge; and every Person (except as before excepted, and except the Owners and Occupiers of Lands on both Sides of either Branch of the said River in crossing over such Part of such Branch as lies between such Lands,) who shall ferry or convey for Hire in any Boat, Barge, or other Vessel any Carriages, Cattle, Persons, Goods, Wares, Merchandise, or other Things across, or shall either on Foot or on Horseback, or in any Carriage whatsoever, ford or pass over either Branch of the said River within the Distance aforesaid of either of the said Bridges so long as the Trustees shall be liable to repair such Bridge, shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Trustees to provide Ferries if Bridges become impassable.

XXX. That if either of the said Bridges shall, at any Time while the Trustees shall be liable to repair the same, become impassable or unsafe for Travellers and Carriages, the Trustees shall and they are hereby required to provide, and, so long as such Bridge shall continue impassable or unsafe as aforesaid, maintain, a proper and convenient Ferry for the Passage of Carriages, Animals, and Foot Passengers over the Branch of the said River traversed by such Bridge, and as near to such Bridge as conveniently may be; and the Trustees may demand, recover, and receive the same Tolls for passing over such Ferry, and in like Manner, as they might have taken for passing over the Bridge for which the same shall be substituted, before any Animal, Carriage, or Person liable thereto shall be allowed to pass over such Ferry.

For Recovery of Penalties.

XXXI. That all Penalties, Forfeitures, and Fines by this Act inflicted or authorized to be imposed shall be levied and recovered (together with the Costs of levying and recovering the same) in like Manner, and by the same Ways and Means, as all Penalties, Forfeitures, and Fines inflicted or authorized to be imposed by the Public General Acts relating to Turnpike Roads in *England* (the Manner of levying and recovering and applying whereof is not herein otherwise

otherwise directed) are by those Acts authorized to be levied and recovered, and shall be applied in like Manner.

Railways belonging to the Earl of Carlisle not to be injured.

XXXII. And whereas large Sums of Money have been laid out and expended in making and constructing extensive Waggon-ways and Railways for the Purpose of conveying Coal and Lime from the Mines belonging to the Earl of *Carlisle* to a Staith erected near the Town of *Brampton* aforesaid: Be it enacted, That it shall not be lawful for the Trustees, in keeping in repair the said Road from *Alston* by *Burnstones* to *Hall Bank*, to alter or vary the Line or Levels of the said Waggon-ways and Railways, or in anywise injure the same, but the Trustees shall from Time to Time repair all Damage which may be occasioned by them to the said Waggon-ways or Railways; and that it shall be lawful for the said Earl, his Heirs and Assigns, at all Times hereafter to extend his or their said Waggon-ways or Railways, or any Branch of the same, across, over, or under the said Turnpike Road leading from *Alston* by *Burnstones* to *Hall Bank*, after giving One Calendar Month's Notice of such his or their Intention, by himself or themselves, or his or their Agents, to the Clerks or Clerk of the Trustees appointed by this Act, and doing as little Damage as possible to the said Turnpike Road.

No Money to be taken or laid out in Towns.

XXXIII. That no Money shall be laid out by the Trustees on the said Roads within the Limits of any Act of Parliament passed for the Improvement of any Town, nor shall any Tolls be collected by them therein.

Roads not exempted from General Act.

XXXIV. That nothing herein contained shall be deemed to exempt the said Roads from the Provisions of any General Act relating to the Consolidation or other improved Arrangement of Turnpike Roads which may pass during the present or any future Session of Parliament.

Commencement and Term of Act

XXXV. That this Act shall commence on the First Day of *November* next after the passing thereof, and shall continue in force for the Term of Twenty-one Years, and from thence to the End of the Session of Parliament which shall then next follow.

Interpretation of Terms.

XXXVI. That in this Act the following Words and Expressions shall have the several Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction; (that is to say,)

The Word "Person" shall be understood to include Corporation:

The Expression "the Trustees," or "the said Trustees," shall mean the Trustees for the Time being acting in the Execution of this Act:

The Expression "the Roads," or "the said Roads," shall mean the Roads to which the Act is applicable, and shall include the said Bridges:

The Word "Toll-gates" or "Toll-gate" shall include Turnpikes, Bars, and Chains:

The Expression "Bridge Tolls" shall mean the Tolls by this Act authorized to be taken at any Toll Gates upon, across, or on the Sides of or adjoining to the said Bridges, and shall include the Tolls by this Act authorized to be taken at any Ferry:

The Word "Tolls" shall include the Bridge Tolls.

The SCHEDULE referred to in the foregoing Act.

NAMES of the PERSONS to whom the Sum of Forty-eight thousand five hundred and eighty Pounds Eight Shillings and Fivepence, advanced for the Purposes of the Roads, is due, and the Proportion due to each.

Names of Persons.	Proportion due to each. £	s.	d.
FIRST PART.			
William Henry Charlton, Esquire - -	469	2	7
SECOND PART.			
The Subscribers to the Brampton Road, viz.:			
The Earl of Carlisle - - - -	335	0	0
Sir James Graham - - - -	125	0	0
W. P. Johnson, Esquire - - - -	125	0	0
Reverend T. Ramshaw - - - -	190	0	0
Sir Hugh Ross - - - - -	80	0	0
Mr. Graham - - - - -	80	0	0
G. G. Mounsey, Esquire - - - -	65	0	0
THIRD PART.			
The Commissioners of Greenwich Hospital -	35,174	8	4
The London Lead Company - - -	5,500	0	0
The Hudgill Burn Mine Company - -	3,000	0	0
The Earl of Lonsdale - - - -	1,000	0	0
William Ord, Esquire - - - -	1,000	0	0
Robert Hodgson, Esquire - - -	500	0	0
George Elstob, Esquire - - - -	500	0	0
The late William Errington, Esquire - -	200	0	0
The late Reverend N. Hollingsworth - -	200	0	0
The late J. Crawford, Esquire - - -	36	17	6

LONDON:
Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1853.