ANNO QUINQUAGESIMO QUINTO

GEORGII III. REGIS.

Cap. xxxiii.

An Act for enlarging and altering the Term and Powers of an Act of His present Majesty, for repairing the Road leading from the *Cow Causey*, near the Town of *Newcastle-upon-Tyne*, to the Town of *Belford*, and from thence to *Buckton Burn*, in the County of *Northumberland*.

[2d *May* 1815.]

WHEREAS an Act was passed in the Twentieth Year of the Reign of His late Majesty King *George* the Second, intituled *An Act for repairing the High Road leading from the North End of the* Cow Causey, *near the Town of* Newcastle-upon-Tyne, *to the Town of* Belford, *and from thence to* Buckton Burn, *in the County of* Northumberland: And whereas another Act was made in the Thirtieth Year of the Reign of His said late Majesty, intituled *An Act for enlarging the Term and Powers granted by an Act passed in the Twentieth Year of the Reign of His present Majesty, for repairing the High Road leading from the North End of the* Cow Causey, *near the Town of* Newcastle-upon-Tyne, *to the Town of* Belford, *and from thence to* Buckton Burn, *in the County of* Northumberland, *and for making the same more effectual:* And whereas an Act was passed in the Thirty-fourth Year of the Reign of His present Majesty, intituled *An Act for enlarging the Terms and Powers of Two Acts, made in the Twentieth and Thirtieth Years of the Reign of His late Majesty King* George *the Second, for repairing the*

20 G. 2. c. 9.

30 G. 2. c. 52.

34 G. 3. c. 130.

High Road leading from the North End of the Cow Cawſey, *near the Town of* Newcaſtle-upon-Tyne, *to the Town of* Belford, *and from thence to* Buckton Burn, *in the County of* Northumberland; whereby it was enacted, that the Term granted and continued by the ſaid former Acts, ſhould be continued for the further Term therein limited; and that inſtead of the Clauſes and Proviſions contained in the ſaid Acts of the Twentieth and Thirtieth Years of the Reign of His ſaid late Majeſty, the ſeveral Clauſes, Proviſions, Matters, and Things therein contained, ſhould be put in Execution, and be in force for repairing the ſaid Road: And whereas the Truſtees for putting the ſaid ſeveral Acts in Execution, have borrowed conſiderable Sums of Money, on the Credit of the Tolls granted and authorized to be taken on the ſaid Road, which ſtill remain due and cannot be paid, nor can the ſaid Road be effectually improved and maintained and kept in good and ſufficient Repair, unleſs the Term of the ſaid Act of the Thirty-fourth Year of His preſent Majeſty is enlarged, and the Tolls thereby granted altered and increaſed; and it would be more convenient to the Truſtees, and the ſaid Road would be more effectually improved and repaired, if the Powers and Proviſions therein contained were repealed, and other and further Powers granted inſtead thereof: 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 on the Day of the Commencement of this Act, the ſaid recited Act of the Thirty-fourth Year of the Reign of His preſent Majeſty ſhall be and the ſame is hereby declared to be repealed; and that inſtead thereof, on the ſame Day, this Act ſhall commence and take effect, and ſhall be put in Execution for and during the Term herein-after mentioned, for the Purpoſe of amending, widening, improving, maintaining, and keeping in repair the ſaid Road leading from the North End of the *Cow Cawſey*, near the Town of *Newcaſtle-upon-Tyne*, to the Town of *Belford*, and from thence to *Buckton Burn*, in the County of *Northumberland*, and for the ſeveral other Purpoſes herein mentioned; and this Act and the Tolls hereby granted ſhall be ſubject and liable to the Payment of all Sums of Money now due and owing upon the Credit of the ſaid former Acts, or any of them, and alſo to the Payment of all Sums of Money which ſhall or may hereafter be borrowed on the Credit of this Act, and of all Intereſt due and to grow due for the ſame reſpectively.

34 G. 3. repealed, and this Act to be executed inſtead thereof.

This Act to be ſubject to the Payment of all Sums due on the Credit of former Acts, and alſo of ſuch as may be borrowed on the Credit of this Act.

II. And be it further enacted, That *James Allgood*, *Ralph Annett*, *George Adam Aſkew*, *Adam Atkinſon*, *Ralph Atkinſon*, the Chamberlains of *Alnwick* for the Time being, *Charles Bacon*, *John Bacon*, *William Baird*, *Joſeph Bainbridge*, *Charles William Bigge*, *Thomas Hanway Bigge*, *Edward Bennett*, *John Boag*, *William Bolton*, *Charles Boſanquet*, *Charles John Brandling*, *Robert William Brandling*, *Robert Briggs*, *Henry Brumell*, *William Sadlier Bruere*, *Thomas Bullock*, *Job Bulman*, *William Burdon*, *William Burrell*, *Palfrey George Burrell*, *William Palfrey Burrell*, *Henry Peareth Burrell*, *Thomas Buſton*, *Andrew Boult* Clerk, *John Carr* of Hedgley, *John Carr* of *Alnwick*, *John Carr* of *Weſt Ditchburn*, *Richard Carr*, *John Carnaby*, *John Cay*, *William Clerk*, *John Clavering*, *Charles John Clavering*, *Nathaniel Clayton*, *Thomas Clennell*, *John Clutterbuck*, *Richard Clutterbuck*, *Henry Collingwood*, *Thomas Cook*, *Iſaac Cookſon* the younger,

Truſtees appointed.

younger, *Shafto Craſter*, *Edmund Craſter*, *William Crawford*, *John Crawford*, *Addiſon John Creſswell*, *Matthew Culley* of *Akeld*, *Matthew Culley* of *Fowberry*, *William Cuthbert*, *Joſeph Cook* Clerk, *Robert Clarke Caſwall* Clerk, *John Davidſon*, *Thomas Davidſon*, *Nicholas Daviſon*, *Alexander Daviſon*, *John Dinning*, *Thomas Daviſon* Clerk, *George Embleton*, *Frederick Ekins* Clerk, *Nicholas Fenwick*, *James Fenwick*, *John Manners Fenwick*, *Chriſtopher Fenwick*, *Percival Fenwick*, *Ralph Fenwick*, *Robert Fenwick*, *Thomas Ferguſon*, *Joſeph Forſter*, *Francis Forſter*, *Thomas Forſter*, *John Frankland*, the Honourable Lieutenant General *Henry George Grey*, *Stephen Fryer Gillum*, *Anthony Gregſon*, *John Grey*, *Henry Grey*, *Marmaduke Grey*, *Robert Grey*, Sir *Carnaby Haggerſton* Baronet, *Thomas Haggerſton*, *Thomas Haggerſton* the younger, *William Hargrave*, *Joſhua Hewitſon*, *Henry Hewitſon*, *Henry Howey*, *Jacob Hudſon*, *George Hughes*, *Joſeph Hughes*, *John Hogg*, *William Jameſon*, *William James*, *Sanderſon Ilderton*, *Francis Johnſon*, Lieutenant General *Walter Ker*, *Thomas Kerr*, Sir *Thomas Henry Liddell* Baronet, Sir *Charles Loraine* Baronet, *John Lawſon*, *Edward Lawſon*, *William Lawſon*, *William Laws*, *George Laing*, *Henry Liddell*, *Robert de Liſle*, *John Lambton Loraine*, *James Loſh*, Sir *Charles Miles Lambert Monck* Baronet, *Thomas Meggiſon*, *Thomas Meggiſon* the younger, *Bertram Mitford*, *James Maniſty* Clerk, *William Bell Moiſes* Clerk, the Bailiffs of *Morpeth* for the Time being, *Edward Nicholſon* Clerk, the Honourable *Charles Auguſtus Bennett* commonly called Lord *Oſſulſton*, *Robert Ogle*, *Charles Ogle*, *William Ogle Wallis Ogle* the younger, *William Orde* of *Nunnykirk*, *William Ord* of *Fenham*, *George Pawſon*, *Robert Pearſon*, *John Pratt*, *Matthew Potts*, *Charles Dalſton Purvis*, *William Procter* Clerk, Sir *Matthew White Ridley* Baronet, *John Reed*, *Archibald Reed*, *Thomas Reed*, *Lancelot Reed*, *Ralph Riddell* of *Felton Park*, *Ralph Riddell* of *Cheeſeburn Grange*, *James Robſon*, *Richard Robſon*, *John Robinſon*, *William Rocheſter*, *Nicholas Ruddock*, *John Ruddock*, Sir *John Edward Swinburne* Baronet, Sir *Horace Saint Paul* Baronet, *John Sadler*, *Thomas Selby*, *Thomas Selby* the younger, *Henry Collingwood Selby*, *Prideaux John Selby*, *John Smart*, *William Lynn Smart*, *David William Smith*, *Thomas Smith*, *Thomas George Smith*, *Edward Stamp* the younger, *Edward Swinburne*, Sir *John Trevelyan* Baronet, *John Collingwood Tarleton*, *John Tate*, *Henry Taylor*, *George Taylor*, *John Taylor*, *William Taylor*, *Robert Thorp*, *John Thirlwall*, *Walter Trevelyan*, *John Trevelyan*, *Walter Blackett Trevelyan*, *Raleigh Trevelyan*, *John Wailes*, *William Watſon* of *North Seaton*, *William Watſon* of *Glanton*, *Edwards Werge*, *Charles Grenville Wheler*, *John Wilkinſon*, *John Allen Wilkie*, *Robert Hopper Williamſon*, *John Wilſon*, and *Benjamin Woodman*, ſhall be, and they and their Succeſſors, to be elected as herein-after mentioned, are hereby appointed Truſtees for more effectually repairing and keeping in repair the ſaid Road, and for putting in Execution the ſeveral Powers and Authorities in and by this Act given and granted.

Power to appoint additional Truſtees.

III. And be it further enacted, That it ſhall be lawful for the Truſtees nominated by this Act, and they are hereby authorized and empowered at any of their Meetings to be holden in purſuance of this Act, to elect any Number of Perſons not exceeding Ten in the whole to be Truſtees for the Purpoſes of this Act, in addition to the Truſtees hereby appointed, and ſuch Truſtees ſo elected and being duly qualified ſhall be and are hereby inveſted with the ſame Powers and Authorities for executing this Act, as if they had been herein named and appointed.

IV. And

For appointing new Truſtees on Vacancies.

IV. And be it further enacted, That when and as often as any of the Truſtees hereby appointed, or to be elected and appointed in Manner herein-after mentioned, ſhall die, or by Writing under their Hands refuſe to act in the Execution of this Act, it ſhall be lawful for the ſurviving or remaining Truſtees from Time to Time to elect and appoint One other fit Perſon to be a Truſtee in the room of every Truſtee dying or refuſing to act as aforeſaid; provided that Notice of the Time and Place of Meeting of the Truſtees for every ſuch Election be given by the Clerk or Clerks to the ſaid Truſtees, by affixing the ſame in Writing upon all the Toll Gates or Turnpikes erected upon the ſaid Road, and by inſerting ſuch Notice in One or more of the Newſpapers publiſhed at *Newcaſtle-upon-Tyne*, Twenty Days at leaſt before every ſuch Meeting; and every Perſon who ſhall be elected and appointed a Truſtee purſuant to the Directions of this Act, ſhall and may act with the ſurviving and remaining Truſtees in the Execution of this Act, to all Intents and Purpoſes as if he had been named and appointed a Truſtee in and by this Act.

Five Truſtees may act unleſs otherwiſe directed.

V. And be it further enacted, That all Acts, Proceedings, Matters, and Things relative to the Execution of this Act may be done and executed by any Five or more of the Truſtees hereby appointed, or who ſhall hereafter be elected and appointed as aforeſaid, except only in the Caſes herein particularly directed to be done and executed by any greater Number of them.

Qualification of Truſtees.

VI. Provided always, and be it further enacted, That no Perſon ſhall be capable of acting as a Truſtee in the Execution of this Act unleſs he ſhall be in his own Right, or in Right of his Wife, ſeized or poſſeſſed of, and in the actual Poſſeſſion or Receipt of the Rents and Profits of Meſſuages, Lands, Tenements, Tithes, or Hereditaments, of the clear yearly Value of One hundred Pounds above Reprizes, or ſhall be Heir Apparent of a Perſon ſo ſeized or poſſeſſed of Meſſuages, Lands, Tenements, Tithes or Hereditaments of the clear yearly Value of Three hundred Pounds above Reprizes, or ſhall be poſſeſſed of a clear Perſonal Eſtate of the Amount or Value of Three thouſand Pounds; and if any Perſon not being ſo qualified ſhall preſume to act as a Truſtee in the Execution of this Act, every ſuch Perſon ſhall for every ſuch Offence forfeit and pay the Sum of Fifty Pounds to any Perſon or Perſons who ſhall ſue for the ſame, to be recovered in any of His Majeſty's Courts of Record, by Action of Debt, or on the Caſe, by Bill, Suit, or Information, wherein no Eſſoign, Protection, or Wager of Law, nor more than One Imparlance ſhall be allowed; and every Perſon ſo proſecuted ſhall prove that he is qualified as aforeſaid, or otherwiſe ſhall pay the ſaid Penalty upon Proof given of his having acted as a Truſtee in the Execution of this Act: Provided nevertheleſs, that all Acts and Proceedings by any ſuch Perſon as a Truſtee in the Execution of this Act, previous to his being convicted of the ſaid Offence, ſhall be as valid and effectual, as if ſuch Perſon had been qualified according to the Directions of this Act.

Acts of unqualified Truſtees previous to Conviction declared valid.

Truſtees to take an Oath.

VII. Provided alſo, and be it enacted, That every Truſtee appointed or to be elected and appointed by virtue of this Act, before he ſhall act as ſuch (except in adminiſtering the Oath next herein-after mentioned at the Firſt or Second Meeting of the ſaid Truſtees), ſhall take and ſubſcribe an Oath before any Two or more of the ſaid Truſtees, (who are hereby empowered

to

to adminiſter the ſame), in the Words or to the Effect following; (that is to ſay),

Oath.

'I *A. B.* do ſwear, That I am in my own Right, (*or*, in Right of my Wife), truly and *bonâ fide* ſeiſed or poſſeſſed of, and in the actual Poſſeſſion or Receipt of the Rents and Profits of Meſſuages, Lands, Tenements, Tithes or Hereditaments, of the clear Yearly Value of One hundred Pounds above Reprizes; [and in the Caſe of an Heir Apparent] I *A. B.* do ſwear, that I am Heir Apparent of *C. D.* who to the beſt of my Knowledge and Belief is truly and *bonâ fide* ſeiſed or poſſeſſed of and in the actual Poſſeſſion or Receipt of the Rents and Profits of Meſſuages, Lands, Tenements, Tithes, or Hereditaments, of the clear yearly Value of Three hundred Pounds above Reprizes; [and in caſe of Perſonal Eſtate,] I *A. B.* do ſwear, that I am truly and *bonâ fide* poſſeſſed of a clear Perſonal Eſtate of the Amount or Value of Three thouſand Pounds; and that I will truly and faithfully execute the Powers and Truſts repoſed in me by an Act of Parliament paſſed in the Fifty-fifth Year of the Reign of His Majeſty King *George* the Third, intituled *An Act* [*here ſet forth the Title of the Act*].'

Truſteeshold-ing Places of Profit ſhall not act.

VIII. Provided alſo, and be it enacted, That no Perſon ſhall be capable of acting as a Truſtee in the Execution of this Act, during the Time he ſhall hold any Place of Profit under this Act; and that all ſuch Truſtees as are Juſtices of the Peace may act as Juſtices of the Peace in the Execution of this Act, notwithſtanding their being Truſtees, except only in Caſes where they ſhall be perſonally intereſted.

Truſtees who are Juſtices may act as ſuch.

No Truſtee to vote for Officers who has not acted in the preced-ing Year.

IX. Provided always, and be it enacted, That no Truſtee ſhall be capable of voting upon a Vacancy of any Office or Place of Truſt held under the ſaid Truſtees, (except at the Firſt Meeting of the ſaid Truſtees, next herein-after appointed,) unleſs ſuch Truſtee ſhall have attended and been preſent at ſome Meeting of the ſaid Truſtees, and have acted there as a Truſtee within the Space of Twelve Calendar Months next preceding ſuch Vacancy.

Meetings ap-pointed.

X. And be it further enacted, That the ſaid Truſtees ſhall meet at the Town Hall in *Alnwick*, in the ſaid County of *Northumberland*, on the Day of the Commencement of this Act at Eleven of the Clock in the Forenoon, and proceed to the Execution of this Act, and ſhall then and from Time to Time afterwards adjourn themſelves, and meet at the ſame Place, or at ſuch other Place or Places upon or near and within the Limits of the ſaid Road, as the ſaid Truſtees ſhall think moſt convenient for putting this Act in Execution, but no Adjournment ſhall be made for any longer Space of Time than Three Calendar Months; and if at any Meeting to be held by virtue of this Act there ſhall not appear a ſufficient Number of Truſtees to adjourn to another Day (Two Truſtees being hereby declared to be ſufficient for the Purpoſe of Adjournment); or in caſe the Truſtees at any Time aſſembled ſhall omit or neglect to adjourn themſelves, the Clerk or Clerks to the ſaid Truſtees ſhall from Time to Time in either of ſuch Caſes, by Notice in Writing to be affixed upon all the Toll Gates or Turnpikes erected upon the ſaid Road, and inſerted in One or more of the Newſpapers publiſhed at *Newcaſtle-upon-Tyne*, at leaſt Ten Days before the next intended Meeting, appoint the Truſtees to meet at

Clerk to call Meetings if Truſtees do not attend, or the Truſtees omit to ad-journ.

the Place where the laſt Meeting was appointed to be held, or at ſome other fit and convenient Place upon or near and within the Limits of the ſaid Road, on ſuch a Day as ſhall be ſpecified in ſuch Notice, not exceeding Three Calendar Months, nor leſs than Three Weeks after the Day on which ſuch laſt-mentioned Meeting was ſo appointed; and in caſe the Clerk or Clerks to the ſaid Truſtees ſhall refuſe or neglect to give Notice, or ſhall by any Means be prevented from giving Notice as aforeſaid, it ſhall be lawful for the ſaid Truſtees, although not aſſembled at a Meeting at any Time or Times after the Space of Ten Days after ſuch Refuſal, Neglect, or Prevention of ſuch Clerk or Clerks by Notice in Writing under their Hands, to be affixed and inſerted in Manner aforeſaid, to appoint the Truſtees to meet at the Place where the laſt Meeting was appointed to be held, or at ſome other fit and convenient Place upon or near and within the Limits of the ſaid Road, upon the Day Fortnight after the Date of ſuch laſt mentioned Notice; but no Buſineſs ſhall be proceeded upon by the Truſtees at any Meeting to be held under this Act, before the Hour of Ten in the Forenoon, and no Adjournment ſhall be made to, or any Meeting appointed to be held at any Hour later than Four in the Afternoon of the Day on which ſuch Meeting ſhall be appointed to be held; and the ſaid Truſtees at all ſuch Meetings ſhall defray their own Expences; and all Orders, Agreements, and Determinations of the ſaid Truſtees in the Execution of this Act, ſhall be made at Meetings to be held in purſuance of this Act, and not otherwiſe (except as herein particularly mentioned); and no Order, Agreement, or Determination ſhall be made unleſs a Majority of the Truſtees preſent at a Meeting ſhall concur therein; nor ſhall any ſuch Order, Agreement, or Determination be revoked or altered at any ſubſequent Meeting unleſs Nine or more Truſtees ſhall be preſent, and unleſs the Perſon or Perſons applying to have any ſuch Order, Agreement, or Determination revoked or altered, ſhall give Notice thereof in Writing to the Clerk or Clerks to the ſaid Truſtees, and for want of ſuch Clerk or Clerks to the Perſon or Perſons acting as Treaſurer or Treaſurers to the ſaid Truſtees, to be by him or them affixed and inſerted in Manner herein-before mentioned at leaſt Ten Days previous to the Meeting.

If Clerk omit to call ſuch Meetings Truſtees may do it, though not aſſembled at a Meeting.

Hours of Meeting.

Truſtees to pay their own Expences.

Orders to be made at Meetings only, &c.

Orders not to be revoked unleſs Nine Truſtees are preſent, &c.

Meetings may be held on Emergencies.

XI. And be it further enacted, That if at any Time it ſhall be thought neceſſary for the better Execution of this Act that the Truſtees ſhould meet before the Time to which any Meeting is adjourned, the Perſon or Perſons acting as Clerk or Clerks to the ſaid Truſtees by an Order in Writing ſigned by any Five or more of them, naming the Time and Place of ſuch Meeting, ſhall, as ſoon as may be, give Notice thereof by Advertiſement in One or more of the *Newcaſtle* Newſpapers, and in ſuch Notice appoint a Meeting of the Truſtees to be held at ſuch Time and Place as ſhall be directed by ſuch Order, (ſuch Time not being leſs than Fourteen Days after Publication of the ſaid Notice), which Notice ſhall alſo expreſs the particular Buſineſs intended to be done and tranſacted at ſuch Meeting, and ſuch Buſineſs when done at ſuch Meeting by a ſufficient Number of Truſtees authorized to tranſact ſuch Buſineſs, ſhall be as valid as if the ſame had been done at any other Meeting of Truſtees held by virtue of this Act: Provided always, that no other Buſineſs than what ſhall be ſpecified in ſuch Notice ſhall be tranſacted at any ſuch Meeting.

Fourteen Days Notice to be given in the Newcaſtle Newſpapers, and the Intent of ſuch Meeting ſpecified;

and no other Buſineſs to be then tranſacted.

XII. And

Truſtees to appoint Officers.

XII. And be it further enacted, That the ſaid Truſtees, at their Firſt or any ſubſequent Meeting, as Occaſion ſhall require, ſhall and may by Writing under their Hands elect and appoint a Treaſurer or Treaſurers, Receiver or Receivers, Collector or Collectors of ſuch Money as ſhall become due and payable by virtue of this Act, and ſhall take ſuch Security from ſuch Treaſurer or Treaſurers, Receiver or Receivers, Collector or Collectors, for the due and faithful Execution of his or their Office or Offices, as the ſaid Truſtees ſhall think fit, and alſo a Clerk or Clerks, Surveyor or Surveyors, and ſuch other Officers as they the ſaid Truſtees ſhall think proper; and alſo may, from Time to Time, remove ſuch Clerks, Treaſurers, Collectors, Receivers, Surveyors, and other Officers, or any of them, as they the ſaid Truſtees ſhall ſee Occaſion; and the ſaid Truſtees ſhall and may out of the Money to be raiſed by virtue of this Act make ſuch Allowance unto the Clerks, Treaſurers, Receivers, Collectors, Surveyors, or other Officers ſo appointed for and in conſideration of the Care and Pains reſpectively taken in the Execution of their reſpective Offices, and to ſuch other Perſons as ſhall be aſſiſting in and about the Execution of this Act, as to them the ſaid Truſtees ſhall ſeem proper; and all ſuch Officers and Perſons ſhall from Time to Time, when thereunto required by the ſaid Truſtees, deliver to ſuch Truſtees, or to ſuch Perſon or Perſons as they ſhall for that Purpoſe appoint, a true and perfect Account in Writing under their reſpective Hands of all Monies which ſhall have been by them reſpectively had, collected, or received, and how, to whom, or for what Purpoſe the ſame and every Part thereof hath been diſpoſed of, together with the Vouchers and Receipts for ſuch Payments, and all ſuch Officers and Perſons ſhall and are hereby reſpectively required to pay all ſuch Monies as upon the Balance of ſuch Account or Accounts ſhall appear to be in their Hands to ſuch Perſon or Perſons as the ſaid Truſtees ſhall appoint to receive the ſame; and if the ſaid Officers or Perſons, or any of them, ſhall refuſe or neglect to render and give ſuch Account as aforeſaid, or to produce and deliver up the Vouchers and Receipts relating to the ſame, or to pay the Balance remaining in their Hands when thereunto required in Manner aforeſaid, or if any ſuch Officers or Perſons ſhall refuſe or neglect to deliver up to the ſaid Truſtees, or to ſuch Perſon or Perſons as they ſhall appoint, within Ten Days after being thereunto required by the ſaid Truſtees, all Books, Papers, and Writings, in their Cuſtody or Power relating to the Execution of this Act, then and in every ſuch Caſe, (Complaint being made by the ſaid Truſtees, of any ſuch Neglect or Refuſal to any Juſtice of the Peace for the County or Place where the Officer or Officers, Perſon or Perſons ſo neglecting or refuſing ſhall live or reſide), ſuch Juſtice may and is hereby authorized and required by Warrant or Warrants to cauſe ſuch Officer or Officers, Perſon or Perſons to be brought before him, and upon his or their appearing, or not being to be found, to hear and determine the Matter of ſuch Complaint in a ſummary Way, and to ſettle the ſaid Account or Accounts, if produced, in ſuch Manner as the ſaid Truſtees might have done; and if upon the Confeſſion of the Officer or Officers, Perſon or Perſons againſt whom ſuch Complaint ſhall be made, or by the Oath or Oaths of any Witneſs or Witneſſes, it ſhall appear to ſuch Juſtice that any of the Monies which ſhall have been collected or received ſhall be in the Hands of ſuch Officer or Officers, Perſon or Perſons, ſuch Juſtice may and is hereby authorized and empowered, upon Non-payment thereof, by a Warrant or Warrants under his Hand and Seal, to cauſe ſuch Money to

Officers to account.

Puniſhment on their Refuſal.

to be levied by Diſtreſs and Sale of the Goods and Chattels of ſuch Officer or Officers, Perſon or Perſons reſpectively; and if no Goods and Chattels can be found ſufficient to anſwer and ſatisfy the ſaid Money, and the Charges of taking and making ſuch Diſtreſs, and of ſelling the ſame, or if ſuch Officer or Officers, Perſon or Perſons ſhall not appear before the ſaid Juſtice, at the Time and Place appointed for that Purpoſe, unleſs prevented by ſome reaſonable Cauſe or Excuſe, to be allowed as ſufficient by ſuch Juſtice, or if appearing ſhall refuſe or neglect to give and deliver to the ſaid Juſtice, an Account or Accounts of Receipts and Payments as aforeſaid, or to produce and deliver up to the ſaid Juſtice the ſeveral Vouchers and Receipts relating to ſuch Accounts reſpectively, or to deliver up all ſuch Books, Papers, and Writings as aforeſaid, then and in any of the Caſes aforeſaid, the ſaid Juſtice may and is hereby authorized and required by Warrant or Warrants under his Hand and Seal to commit ſuch Officer or Officers, Perſon or Perſons, to the Common Gaol or Houſe of Correction of the County or Place, where he or they ſhall live or reſide, there to remain without Bail or Mainprize until he or they ſhall have delivered in and ſettled his or their Accounts, and ſhall have delivered the Vouchers and Receipts relating thereto, and ſhall have paid all the Money which ſhall appear to be in his and their reſpective Hands, and the reaſonable Charges of ſuch Diſtreſs and Sale, as ſhall in that Reſpect have been made, or until he or they ſhall have compounded with the ſaid Truſtees for the ſame, and paid the Compoſition Money to the ſaid Truſtees, or to ſuch Perſon or Perſons as they ſhall appoint to receive the ſame, and which Compoſition the ſaid Truſtees are hereby empowered to make, or until he or they ſhall have delivered up ſuch Books, Papers, and Writings as aforeſaid, or given Satisfaction in reſpect thereof, to the ſaid Truſtees: Provided always, that no Perſon who ſhall be committed for Want of ſufficient Diſtreſs ſhall be detained in Priſon for any longer Time than Six Calendar Months.

Treaſurers and other Officers to give Security.

XIII. And be it further enacted, That the ſaid Truſtees ſhall and are hereby required to take ſuch Security from the Treaſurer or Treaſurers, Receiver or Receivers, Collector or Collectors, Surveyor or Surveyors, and other Officers to be appointed for the Purpoſes of this Act, for the faithful Execution of their reſpective Offices, as they the ſaid Truſtees ſhall think proper.

Accounts to be audited Half-yearly at Alnwick and Morpeth alternately.

XIV. And be it further enacted, That the Accounts of the Treaſurer or Treaſurers, and Surveyor or Surveyors of the ſaid Road ſhall be audited and ſettled Half-yearly in the Months of *January* and *July*, and the Meetings for that Purpoſe ſhall be held at *Alnwick* and *Morpeth* alternately, the Clerk giving Eight Days Notice of the Time and Place of ſuch Meetings, by inſerting the ſame in One or more of the Newſpapers publiſhed at *Newcaſtle-upon-Tyne*.

Proceedings to be entered in a Book.

XV. And be it further enacted, That all Orders and Proceedings of the ſaid Truſtees in Execution of the Powers hereby to be given, ſhall from Time to Time be entered in a Book or Books to be kept for that Purpoſe by the Clerk or Clerks to the ſaid Truſtees, and ſuch Orders and Proceedings ſo entered ſhall be ſigned by the ſame Number of the ſaid Truſtees, as are in and by this Act empowered to make or direct ſuch Orders and

Proceedings reſpectively, and ſhall be deemed and taken to be original Orders; which ſaid Book or Books, and alſo the Book directed to be kept for regiſtering the Mortgages and Aſſignments, or Transfers, ſhall and may be produced and read in Evidence in all Courts whatſoever.

Truſtees may ſue and be ſued in the Name of their Clerks.

XVI. And be it further enacted, That the ſaid Truſtees may ſue and be ſued for or concerning any Thing to be done by virtue or in purſuance of this Act, in the Name or Names of their Clerk or Clerks for the Time being, and that no Action or Suit to be brought or commenced by the Direction of or againſt the ſaid Truſtees by virtue of this Act, in the Name or Names of their Clerk or Clerks, ſhall abate or be diſcontinued by the Death or Removal of any ſuch Clerk or Clerks, or by the Act of any ſuch Clerk or Clerks, without Conſent of the ſaid Truſtees, but that the Clerk or Clerks for the Time to the ſaid Truſtees ſhall be deemed to be Plaintiff or Plaintiffs, or Defendant or Defendants, as the Caſe may be, in every ſuch Action.

Power to continue and erect Toll Gates, Toll Houſes, Cottages, &c.

XVII. And be it further enacted, That the ſaid Truſtees, or ſuch other Perſon or Perſons as they ſhall direct or appoint, ſhall and may continue or build and erect, or cauſe to be continued, built, and erected ſuch and ſo many Toll Gates or Turnpikes in, upon, or acroſs or on the Side of any Part or Parts of the ſaid Road, and acroſs any Lane, Road, or Way leading into or out of the ſame; and alſo a Toll Houſe to each Gate or Turnpike, and alſo ſhall and may incloſe ſuch convenient Gardens not exceeding One-fourth of an Acre each to the ſaid Toll Houſes as the ſaid Truſtees ſhall think fit, and may cauſe any ſuch Toll Gates or Turnpikes, and Toll Houſes from Time to Time to be taken down, altered, or removed, as they ſhall judge proper, ſubject neverthelefs to ſuch Reſtrictions and Directions as are herein-after mentioned, concerning the ſame.

Toll Houſes, Cottages, Turnpikes, and Materials veſted in Truſtees.

XVIII. And be it further enacted, That the Right, Intereſt, and Property of all the ſaid Toll Houſes, Turnpike Gates, and of all Poſts and Rails, and all other Things whatſoever, erected or provided by virtue of the ſaid former Acts, or which ſhall be erected or provided by virtue of this Act, and of the Materials for building the ſame reſpectively, and alſo all the Materials which ſhall be got or collected for repairing the ſaid Road, ſhall be and are hereby veſted in the ſaid Truſtees, and they ſhall and may uſe, ſell or otherwiſe diſpoſe thereof in ſuch Manner, for the Purpoſes of this Act, as they ſhall think fit; and the ſaid Truſtees ſhall and may in the Name or Names of their Clerk or Treaſurer, Clerks or Treaſurers, bring Actions and prefer Bills of Indictment againſt, or otherwiſe proſecute any Perſon or Perſons who ſhall ſteal, take away, break down or damage any of the Toll Houſes, Turnpike Gates, Poſts, or Rails, which have been or ſhall be built, erected, or provided by virtue of the ſaid former Acts, or this preſent Act, or any of the Materials herein-before mentioned.

Power to take Tolls.

XIX. And be it further enacted, That the following Tolls ſhall be demanded and taken by the ſaid Truſtees, or by ſuch Perſon or Perſons as the ſaid Truſtees ſhall from Time to Time appoint for that Purpoſe, before any Horſe, Beaſt, Cattle or Carriage, upon which any Toll is hereby impoſed, ſhall be permitted to paſs through any of the Toll Gates, Turnpikes

pikes or Side Gates to be continued or erected by virtue of this Act, (that is to say),

Tolls.

For every Coach, Chariot, Chaise, Hearse, or other such Carriage, drawn by Six or more Horses, Mares, Geldings, Mules, or other Cattle, the Sum of Twelve Shillings; and drawn by Four Horses, Mares, Geldings, Mules, or other Cattle, the Sum of Eight Shillings; and drawn by Three Horses, Mares, Geldings, Mules, or other Cattle, the Sum of Six Shillings; and drawn by Two Horses, Mares, Geldings, Mules, or other Cattle, the Sum of Four Shillings:

For every Chaise, Chair, or Taxed Cart, drawn by One Horse, Mare, Gelding, or Mule, or other Beast of Draught, the Sum of Two Shillings:

For every Horse, Mare, Gelding, Mule, or Ass, laden or unladen, and not drawing, (except Asses going for and returning laden with Coals only), the Sum of One Shilling; and for every such Ass so used in carrying Coals only, and not drawing, the Sum of Four-pence Halfpenny:

For every Score of Oxen, Cows, Calves, or Neat Cattle, and so in Proportion for a greater or less Number, the Sum of Three Shillings:

For every Score of Hogs, Swine, Goats, Sheep, or Lambs, and so in Proportion for a greater or less Number, the Sum of One Shilling and Six-pence:

For every 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, and rolling a Surface of that Breadth so flat or level as not to deviate more than One Inch from a flat Surface, and drawn by Eight Horses, Oxen, or other Beasts of Draught, the Sum of Sixteen Shillings; and drawn by Seven Horses, Oxen, or other Beasts of Draught, the Sum of Fourteen Shillings; and drawn by Six Horses, Oxen, or other Beasts of Draught, the Sum of Twelve Shillings; and drawn by Five Horses, Oxen, or other Beasts of Draught, the Sum of Ten Shillings; and drawn by Four Horses, Oxen, or other Beasts of Draught, the Sum of Eight Shillings; and drawn by Three Horses, Oxen, or other Beasts of Draught, the Sum of Six Shillings; and drawn by Two Horses, Oxen, or other Beast of Draught, the Sum of Four Shillings; and drawn by One Horse, Ox, or other Beast of Draught, the Sum of Two Shillings:

For every Waggon, Wain, Cart, or other such Carriage having the Sole or Bottom of the Fellies of the Wheels of the Breadth or Gauge of Six Inches, and rolling a flat or level Surface as aforesaid, and drawn by Eight Horses, Oxen, or other Beasts of Draught, the Sum of One Pound Four Shillings; and drawn by Seven Horses, Oxen, or other Beasts of Draught, the Sum of One Pound One Shilling; and drawn by Six Horses, Oxen, or other Beasts of Draught, the Sum of Eighteen Shillings; and drawn by Five Horses, Oxen, or other Beasts of Draught, the Sum of Fifteen Shillings; and drawn by Four Horses, Oxen, or other Beasts of Draught, the Sum of Twelve Shillings; and drawn by Three Horses, Oxen, or other Beasts of Draught, the Sum of Nine Shillings; and drawn by Two Horses, Oxen, or other Beasts of Draught, the Sum of Six Shillings; and drawn by One Horse, Ox, or other Beast of Draught, the Sum of Three Shillings:

For every Waggon, Wain, Cart, or other such Carriage having the Sole or Bottom of the Fellies of the Wheels of less Breadth or Gauge than Six Inches, and drawn by Eight Horses, Oxen, or other Beasts of Draught, the Sum of One Pound Twelve Shillings; and drawn by Seven Horses,

Oxen, or other Beasts of Draught, the Sum of One Pound Eight Shillings; and drawn by Six Horses, Oxen, or other Beasts of Draught, the Sum of One Pound Four Shillings; and drawn by Five Horses, Oxen, or other Beasts of Draught, the Sum of One Pound; and drawn by Four Horses, Oxen, or other Beasts of Draught, the Sum of Sixteen Shillings; and drawn by Three Horses, Oxen, or other Beasts of Draught, the Sum of Twelve Shillings; and drawn by Two Horses, Oxen, or other Beasts of Draught, the Sum of Six Shillings; and drawn by One Horse, Ox, or other Beast of Draught, the Sum of Three Shillings:

Tolls to be taken in certain Proportions.

And which said Tolls and Duties shall be collected and taken in the Proportions and Manner following (that is to say) One-third Part thereof in Two equal Sums between the Towns of *Newcastle* and *Morpeth*, One-third Part thereof in Two equal Sums between the Towns of *Morpeth* and *Alnwick*, and the other One-third Part thereof, in Two equal Sums between *Alnwick* and *Buckton Burn* aforesaid.

XX. And whereas in pursuance and under the Authority of the said former Acts a Turnpike or Toll Gate hath been erected and set up on the Side of the High or Post Road thereby directed and appointed to be repaired, at a Place where the Road from *Longhorsley* communicates with and falls into the said High or Post Road; now it is hereby further enacted, That it shall and may be lawful to and for the said Trustees to impose, and to and for the Collector or Receiver, at such Gate or Turnpike so erected and set up on the Side of the same Road, to receive and take, before any Horse, Coach, Chariot, Chaise, Hearse, Chair, Taxed Cart, or other such Carriage, shall be permitted to pass through the said Side Gate or Turnpike which leads from *Longhorsley* aforesaid, the several Tolls and Duties following, and no more; (that is to say),

Tolls to be taken at Longhorsley Gate.

For every Coach, Chariot, Chaise, Hearse, or other such Carriage, drawn by Six Horses, Mares, Geldings, Mules, or other Cattle, the Sum of Two Shillings; and drawn by Four Horses, Mares, Geldings, Mules, or other Cattle, the Sum of One Shilling and Four-pence; and drawn by Three Horses, Mares, Geldings, Mules, or other Cattle, the Sum of One Shilling; and drawn by Two Horses, Mares, Geldings, Mules, or other Cattle, the Sum of Eight-pence:

For every Chaise, Chair, or Taxed Cart, drawn by One Horse, Mare, Gelding, Mule, or other Beast of Draught, the Sum of Four-pence:

For every Horse, Mare, Gelding, Mule, or Ass, laden or unladen, and not drawing (except Asses going for and returning laden with Coals only), the Sum of Two-pence; and for every such Ass, so used in carrying Coals only, and not drawing, the Sum of Three Farthings:

For every Waggon, Wain, Cart, or other such Carriage drawn by Eight Horses, Oxen, or other Beasts of Draught, the Sum of Two Shillings and Eight-pence; and drawn by Seven Horses, Oxen, or other Beasts of Draught, the Sum of Two Shillings and Four-pence; and drawn by Six Horses, Oxen, or other Beasts of Draught, the Sum of Two Shillings; and drawn by Five Horses, Oxen, or other Beasts of Draught, the Sum of One Shilling and Eight-pence; and drawn by Four Horses, Oxen, or other Beasts of Draught, the Sum of One Shilling and Four-pence; and drawn by Three Horses, Oxen, or other Beasts of Draught, the Sum of One Shilling; and drawn by Two Horses, Oxen, or other Beasts of Draught, the Sum of Eight-pence; and drawn by One Horse, Ox, or other Beast of Draught, the Sum of Four-pence:

Which

Tolls veſted in Truſtees.

Which ſaid reſpective Tolls and all other Tolls by this Act impoſed, and all and every Sum and Sums of Money which ſhall ariſe and be produced therefrom, ſhall be veſted in the ſaid Truſtees for the Time being, and the ſame and every Part thereof ſhall be paid, applied, diſpoſed of, and aſſigned, in ſuch Manner as is herein-after mentioned; and if any Perſon or Perſons, ſubject to the Payment of any of the ſaid Tolls ſhall, after Demand thereof made by any Collector or Collectors appointed to receive the ſame, neglect or refuſe to pay the ſaid Tolls, or any of them, or any Part or Parts thereof, it ſhall be lawful for the ſaid Collectors, or any of them reſpectively, or any other Perſon or Perſons whom they reſpectively ſhall take to their Aſſiſtance therein, to diſtrain any Horſe or Cattle, Beaſt or Carriage, upon which any of the ſaid Tolls are by this Act impoſed, or any of the Lading, Harneſs or Accoutrements thereof reſpectively, or any of the Goods and Chattels of ſuch Perſon or Perſons ſo neglecting or refuſing to pay the ſame; and the Collector or Collectors ſo diſtraining ſhall and may, at his or their Election, either detain and keep the Horſe, Cattle, Beaſt, Carriage, Goods and Chattels, or other Articles ſo diſtrained, until ſuch Tolls, with the reaſonable Charges of ſuch Diſtreſs and of detaining and keeping the ſame, ſhall be paid, or if ſuch Tolls and Charges ſhall not be paid within the Space of Five Days after the Day of making ſuch Diſtreſs, the Perſon or Perſons ſo diſtraining ſhall and may, at any Time or Times thereafter, ſell the Horſe, Cattle, Beaſt, Carriage, Goods and Chattels, or other Articles ſo diſtrained, and out of the Money which ſhall ariſe by ſuch Sale pay ſuch Tolls and all reaſonable Charges incurred by ſuch Diſtreſs and Sale, returning the Overplus of the Money which ſhall ariſe by ſuch Sale, and what ſhall remain unſold (if any) upon Demand, to the Owner or Owners thereof.

For compelling Payment of Tolls.

For ſettling Diſputes concerning Tolls.

XXI. And be it further enacted, That if any Diſpute ſhall happen about any Tolls due, or the Charges for keeping any Diſtreſs, it ſhall be lawful for the Collector or Perſon ſo diſtraining, to retain ſuch Diſtreſs, or the Money ariſing from the Sale thereof, as the Caſe may happen, till the Quantity of the Tolls, or the Charges of Diſtreſs and Sale, and of keeping the Diſtreſs, as the Caſe may happen, be aſcertained by ſome Juſtice of the Peace for the ſaid County of *Northumberland*, who, upon Application made to him for that Purpoſe, ſhall examine the Matter by the Oath of the Parties, or of a Witneſs or Witneſſes, and ſhall determine the Quantity of the Toll due, and ſhall award ſuch Coſts and Charges to either Party, as to the ſaid Juſtice ſhall appear right and proper; all which Coſts and Charges ſhall and may be levied and recovered, in caſe of Non-payment thereof, forthwith by Warrant under the Hand and Seal of ſuch Juſtice, rendering the Overplus, (if any), on Demand, after deducting the Coſts and Charges of making ſuch Diſtreſs and Sale to the Perſon or Perſons whoſe Goods and Chattels ſhall be ſo diſtrained and ſold.

Toll Collectors to put up their Names.

XXII. And be it further enacted, That all and every Toll Collector appointed either by the ſaid Truſtees, or any Five or more of them, or by any Leſſee or Leſſees under them, to collect the Tolls payable at any Turnpike or Toll Gate to be continued or erected by virtue of this Act, ſhall, and he is hereby required to place his Chriſtian and Surname, painted on a Board in legible Characters, in the Front or on ſome other conſpicuous Part of the Toll Houſe or Toll Gate, immediately upon his coming

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on Duty, and shall continue the same so placed during the whole Time he shall be upon such Duty; and if any Collector of the said Tolls shall not place such Board as aforesaid, and keep the same there during the Time aforesaid, or shall demand or take a greater or less Toll from any Person or Persons than he shall be authorized to do by virtue of the Powers of this Act, or shall demand and take a Toll from any Person or Persons who shall be exempt from the Payment thereof, and claim such Exemption, or shall refuse to permit or suffer, or shall in anywise hinder any Person or Persons from reading such Christian or Surname, or shall refuse to tell his Christian or Surname to any Person or Persons who shall demand the same on having paid the said Tolls, or any of them, or shall give a false Name or Names on such Demand, or shall refuse or neglect to give a Ticket to denote the Payment of the Toll when demanded, or shall make use of any scurrilous or blasphemous Language to any Person or Persons travelling upon the said Road, or shall, without sufficient Cause, detain or delay any Person or Persons travelling thereon, then and in every such Case every such Collector shall forfeit and pay any Sum not exceeding Five Pounds for every such Offence, as the Justice or Justices before whom the Information shall be laid shall adjudge; and such Penalties shall be recovered and applied as other Penalties are by this Act directed to be recovered and applied.

Collectors declared not incompetent Witnesses.

XXIII. And be it further enacted, That in case any Dispute, Suit, or Litigation shall arise touching or in anywise relating to the said Tolls, the Person or Persons appointed to collect the same, or any other Person or Persons acting by or under the Authority of the said Trustees, shall be and are hereby declared to be competent to give Evidence in any such Dispute, Suit, or Litigation, notwithstanding his, her, or their being interested in the said Tolls.

Toll Gates to be placed at certain Distances from Alnwick and Morpeth.

XXIV. Provided always, and it is hereby enacted and declared, That no Turnpike or Toll Gate shall be erected or set up, upon, across, or on the Side of any Part of the said Road hereby directed to be repaired and amended as aforesaid, nearer to the Town of *Alnwick* on the South, than the South Side of the Lane or Road leading from the High Post Road to *Alemouth*; nor nearer to the said Town of *Alnwick* on the North, than One Mile from the North End of the Bridge there; nor nearer to the Town of *Morpeth* on the South, than the South Side of the Gate leading into *Morpeth Low Common*; nor on the North, nearer than the Lane or Road leading to *Longhorsley*.

Tolls to be paid but once a Day.

XXV. And be it further enacted, That no Person or Persons having paid the Tolls authorized to be taken by virtue of this Act, for passing with any Horse, Beast, Cattle, or Carriage whatsoever, through any Turnpike or Toll Gate continued or erected by virtue of this Act, shall be subject to pay any further or other Toll for returning and repassing with the same Horse, Beast, Cattle, and Carriage, as often as he, she, or they shall have Occasion on the same Day, to be computed from Twelve of the Clock in the Night to Twelve of the Clock in the succeeding Night, through the same Gate where such Toll shall have been so paid, such Person or Persons producing a Ticket of the Day denoting such Payment; all which Tickets shall specify the Name of the Gate paid or cleared thereby, and the Collec-

tors of the Tolls are hereby required to give the ſame *gratis* on Receipt of the Toll, if demanded.

Truſtees may compound for Tolls.

XXVI. And be it further enacted, That it ſhall and may be lawful for the ſaid Truſtees from Time to Time as they ſhall ſee convenient, to compound and agree for any Term not exceeding One Year at any one Time, with all or any of the Inhabitants of the ſeveral Townſhips, Hamlets, Pariſhes, or Places to or through which the ſaid Road leads, for the paſſing of their Horſes, Cattle, or Carriages through all or any of the Toll Gates or Turnpikes now erected or to be erected on the ſaid Road, or on the Sides thereof reſpectively, which Compoſition Money ſhall be paid yearly in Advance, and in Default thereof, the Compoſition or Agreement with the Perſon or Perſons making ſuch Default, ſhall from thenceforth be void, and all ſuch Compoſition Money ſhall be paid and applied in ſuch Manner as the Tolls are hereby directed to be paid and applied.

Power to leaſe the Tolls.

XXVII. And be it further enacted, That it ſhall and may be lawful for the ſaid Truſtees, after giving Twenty-one Days Notice in Writing to be affixed on all the Toll Gates or Turnpikes then erected upon the ſaid Road, and adverti ſing the ſame in One or more of the Newſpapers publiſhed at *Newcaſtle-upon-Tyne*, from Time to Time to leaſe and demiſe the Tolls granted by this Act or any Part or Parts thereof for any Term of Years, not exceeding Three Years at any one Time, for the beſt Price that can be gotten for the ſame, payable at ſuch Time and under ſuch Covenants as the ſaid Truſtees ſhall think fit, they the ſaid Truſtees having a Counterpart of ſuch Leaſe or Leaſes, and taking ſuch ſufficient Security from the Perſon or Perſons to whom any ſuch Tolls ſhall be leaſed or demiſed for Payment of the Rents and Performance of the Covenants to be reſerved and comprized in ſuch Leaſe or Leaſes as the ſaid Truſtees ſhall think fit.

Tolls may be leſſened or altered.

XXVIII. And be it further enacted, That the ſaid Truſtees may and are hereby authorized and empowered from Time to Time, when and as often as they ſhall think proper, to leſſen, vary, or alter all or any of the Tolls hereby granted at all or any of the Toll Gates or Turnpikes, and to cauſe the ſame to be collected in ſuch Manner, Parts, and Proportions as they ſhall think fit, and to raiſe the ſame again, ſo as they do not exceed the Tolls by this Act granted, and ſo as every Reduction thereof be made with the Conſent of the ſeveral Perſons who ſhall then be entitled to Three Fifth Parts of the Money then due on Security of the ſaid Tolls; but no ſuch Reduction ſhall be made unleſs Twenty-one Days Notice in Writing be given for that Purpoſe, by affixing the ſame upon all the Turnpikes then erected upon the ſaid Road, and by inſerting ſuch Notice in One or more of the Newſpapers publiſhed at *Newcaſtle-upon-Tyne*.

General Exemptions from Toll.

XXIX. And be it further enacted, That no Toll ſhall be demanded or taken for any Horſe or Horſes or other Beaſt or Cattle, or for any Waggon, Wain, Cart, or other Carriage employed in carrying or conveying, or going empty to fetch, carry, or convey, or returning empty from carrying or conveying on the ſame Day, any Stones, Bricks, Timber, Wood, Gravel, or other Materials for making or repairing the ſaid Road, or any of the Roads in the Townſhips or Pariſhes in which any Part of the ſaid Road

doth lie, or with Green Clover for ſoiling Cattle, Hay, Straw, or Corn in the Straw only, not ſold or diſpoſed of, but paſſing to be laid up or placed in the Houſes, Barns, Outhouſes, or Yards, or on the Lands of the Owners or Occupiers thereof; or for any Horſe, Beaſt, or other Cattle or Carriage employed in carrying or conveying, or going empty to fetch, carry, or convey, or returning empty from carrying or conveying on the ſame Day any Ploughs, Harrows, or Implements of Huſbandry, or any Mould, Dung, Compoſt, or Manure (except Lime) employed in Huſbandry for manuring or improving Lands, or for any Horſes or other Beaſts going to or returning from Plough or Harrow, or to or from Paſture or Watering Place; or going to be, or returning from being ſhoed or farried, or from any Perſon or Perſons going to or returning from his, her, or their proper Parochial Church, Chapel, or other Place of Religious Worſhip on *Sundays*, or any other Day on which Divine Service is ordered by Authority to be celebrated; or going to or returning from attending the Funeral of any Perſon who ſhall die and be buried in any of the Pariſhes in which the ſaid Road doth lie; or from any Clergyman going to viſit or returning from viſiting any ſick Perſon, or on other his Parochial or Miniſterial Duty; or for any Horſes or Carriages of whatever Deſcription, employed or to be employed in conveying the Mails of Letters and Expreſſes, under the Authority of His Majeſty's Poſtmaſter General, either when employed in conveying or guarding ſuch Mails or Expreſſes, or in returning back from conveying the ſame; or for the Horſe or Horſes of any Officers or Soldiers, or Militia or Local Militia on their March or on Duty; or for any Horſe or Horſes or other Beaſt, or any Cart, Carriage, or Waggon employed in carrying or conveying, or returning empty from carrying or conveying, having been employed only in carrying or conveying the Arms or Baggage of any Officers or Soldiers, or employed in carrying or conveying, or returning empty from having been employed only in carrying or conveying any ſick, wounded, or diſabled Officers or Soldiers; or for any Waggon, Wain, Cart, or other Carriage whatſoever, or the Horſe or Horſes or other Cattle drawing the ſame, employed in conveying any Ordnance or Barrack, or Commiſſariat or other Public Stores of or belonging to His Majeſty, or for the Uſe of His Majeſty's Forces, or returning empty from having been ſo employed; or for any Horſe, Mare, or Gelding, furniſhed by or for any Perſon belonging to any Corps of Yeomanry or Volunteer Cavalry or Infantry, and rode by him in going to or returning from any Place appointed for and on the Days of Exerciſe, Inſpection, or Review; provided that ſuch Perſon ſhall be dreſſed in the Uniform of his Corps, and ſhall have his Arms, Furniture, and Accoutrements, according to the Regulations of ſuch Corps at the Time of claiming the Exemption; or for Horſes, Carts, or Waggons, travelling with Vagrants ſent by legal Paſſes, or returning empty after having been only ſo employed; or for any Horſe or Horſes, Coaches, or other Carriages going to or returning from any Election of any Knight or Knights of the Shire to ſerve in Parliament for the County of *Northumberland*, on the Day or Days of ſuch Election, or the Day before or the Day after ſuch Election ſhall begin or be concluded; and if any Perſon ſhall by any fraudulent or colluſive Means whatſoever claim or take the Benefit of any of the Exemptions aforeſaid, not being entitled to the ſame, every ſuch Perſon ſhall forfeit and pay for every ſuch Offence any Sum not exceeding Five Pounds, at the Diſcretion of the Juſtice or Juſtices before whom ſuch Offender ſhall be convicted; One Moiety whereof ſhall be paid

to

to the Informer, and the other Moiety shall be applied to the Purposes of this Act.

Exempting Carriages conveying King's Stores, &c. from Penalties for Overweight.

XXX. And be it further enacted, That no Person owning or driving, or causing to be driven, any Waggon, Wain, Cart, or other Carriage provided for the Service of His Majesty's Forces, or conveying any Ordnance or Barrack or Commissariat or other Public Stores of or belonging to His Majesty, or for the Use of His Majesty's Forces, shall be subject to any Penalty or Forfeiture for Overweight, nor shall any such Waggon, Wain, Cart, or other Carriage, or the Horse or Horses drawing the same while so employed, be stopped or detained by reason of any Weight in any such Waggon, Wain, Cart, or other Carriage, or of being drawn by any Number of Horses or Oxen; but it shall be lawful for the Owner or Driver of any such Waggon, Wain, Cart, or other Carriage, to put any Number of Horses or Oxen to such Waggon, Wain, Cart, or other Carriage; any Thing in any Act or Acts of Parliament relating to Highways or Turnpike Roads or in this Act contained to the contrary notwithstanding.

Penalty on evading the Tolls.

XXXI. And be it further enacted, That if any Person or Persons shall, with any Horse, Cattle, Beast, or Carriage, pass through any Lands or Grounds, not being the Owner or Owners, or Occupier or Occupiers thereof, and any of his, her, or their Family, or in his, her, or their Employ, lying near any Turnpike or Toll Gate to be continued or erected by virtue of this Act (the same not being a Public Highway); or if any Owner or Occupier of such Lands, Grounds, or Hereditaments, shall knowingly permit or suffer any Person or Persons to pass with any Horse, Cattle Beast, or Carriage whatsoever, through any such Lands or Grounds as aforesaid, for the Purpose of evading the said Tolls, or any of them; or if any Person or Persons shall give to or receive from any Person or Persons any Ticket, or shall forge or counterfeit any Ticket by this Act directed to be given, whereby the Payment of any of the said Tolls, or any Part thereof, shall or may be avoided; or if any Person or Persons shall forcibly pass through any such Turnpike or Toll Gate with any Horse or other Beast or Cattle, without Payment of Toll, or shall take off, or cause to be taken off, any Horse, Beast, or other Cattle from any Carriage, or shall leave or cause to be left upon or near to any Part of the said Road, or at any House adjoining thereto, any Draught or Carriage Horse, Beast, or Cattle, with an Intent to avoid the Payment of any of the said Tolls, or of any Part thereof, or with such Intent shall unload any Goods from any Carriage chargeable with any of the Tolls aforesaid; every Person offending in all or any of the Cases aforesaid shall for every Offence forfeit any Sum not exceeding Five Pounds, whereof One Moiety shall be paid to the Informer or Informers, and the other Moiety shall be applied for the Purposes of this Act.

The present Leases declared valid, and no Alteration to be made in the Tolls until the Expiration of said Leases.

XXXII. And whereas the Trustees appointed or elected by virtue of the said Act of the Thirty-fourth Year of the Reign of His present Majesty have, by certain Indentures of Lease, leased and demised the Tolls in and by the said Act granted and authorized to be taken, to several Persons for a Term which will not expire until the Tenth Day of *June* One thousand eight hundred and sixteen: Now it is hereby provided, enacted, and declared, That the several Leases so made by the said Trustees of the

Tolls

Tolls granted and authorized to be taken by the ſaid Act of the Thirty-fourth Year of the Reign of His preſent Majeſty, until the ſaid Tenth Day of *June* One thouſand eight hundred and ſixteen, and alſo the Counterparts of ſuch Leaſes, and the Bonds conditioned for Payment of the Rents and Performance of the Covenants contained therein reſpectively, ſhall in all Reſpects continue and be valid and binding, and that no Increaſe or Alteration whatſoever ſhall be made in the Tolls ſo thereby leaſed and demiſed, during the Continuance of the Term thereby letten; any Thing in this Act contained to the contrary notwithſtanding.

Truſtees may diſcharge Collectors miſbehaving and appoint others till next Meeting.

XXXIII. And be it further enacted, That when and as often as any Collector or Receiver of the Tolls ſhall groſsly neglect, or be incapable of performing his Duty, or ſhall abſcond or abſent himſelf, any Three or more of the ſaid Truſtees, although not aſſembled at a Meeting of the ſaid Truſtees appointed by virtue of this Act, ſhall and may lawfully diſcharge ſuch Collector or Receiver ſo neglecting, or being incapable of performing his Duty, or abſconding or abſenting himſelf; and in ſuch Caſe, and alſo in caſe any ſuch Collector or Receiver ſhall die, ſuch Truſtees ſhall and may nominate and appoint a proper Perſon to be Collector or Receiver of the ſaid Tolls, to continue until the then next Meeting of the ſaid Truſtees, in the Stead of ſuch Collector or Receiver as ſhall die or be diſcharged; and ſuch Perſon ſo nominated and appointed ſhall have the like Power and Authority, and be anſwerable and accountable in the ſame Manner in all reſpects as the Perſon who ſhall ſo die or be diſcharged would have had or would have been ſubject to; and that if any Collector or Receiver of the ſaid Tolls who ſhall be diſcharged from his Office by virtue of this Act, or the Wife or Widow or any of the Children, Family, or other Repreſentative or Repreſentatives of any Collector or Receiver who ſhall die or be diſcharged, or any other Perſon, ſhall refuſe to deliver up the Poſſeſſion of any Toll Houſe or Building erected on the ſaid Road for the Space of Two Days after Demand thereof made, and Notice in Writing given for that Purpoſe by any Three or more of the ſaid Truſtees although not aſſembled at a Meeting, or by their Clerk or Clerks, Treaſurer or Treaſurers for the Time being, then and in any of the ſaid Caſes it ſhall and may be lawful for any Juſtice or Juſtices of the Peace for the County or Place, by Warrant under his or their Hand and Seal, or Hands and Seals, to order any Conſtable or other Peace Officer with ſuch Aſſiſtance as ſhall be neceſſary to enter ſuch Houſe or Building in the Day Time, and to remove the Perſon or Perſons who ſhall be found therein, together with his, her, or their Goods out of the ſame, and to put the ſaid Truſtees or any Three or more of them, or ſuch new appointed Collector or Receiver into the Poſſeſſion thereof.

Three Truſtees may appoint temporary Collectors.

How Truſtees may recover Poſſeſſion of Toll Houſes and Buildings.

Truſtees may borrow Money.

XXXIV. And be it further enacted, That it ſhall and may be lawful for the ſaid Truſtees, or any Seven or more of them, to borrow and take up at Intereſt, upon the Credit of the Tolls to ariſe by virtue of this Act, any Sum or Sums of Money they ſhall think neceſſary for the Purpoſes of this Act, and by any Writing or Writings under their Hands and Seals to aſſign over the Tolls ariſing by virtue of this Act, or any Part or Parts thereof, to the Perſon or Perſons who ſhall lend and advance the ſame, his, her, or their Truſtee or Truſtees, (the Coſts and Charges of aſſigning the ſame, to be borne and paid out of the ſaid Tolls), during the Continuance of this Act, as a Security for the Sum or Sums of Money which ſhall be ſo lent and advanced, with ſuch Intereſt as ſhall be agreed upon for the ſame; which

which Writing or Writings may be made in the Form following, or in any other Words to the like Effect; (that is to say),

Form of an Assignment of the Tolls by way of Mortgage.

'BY virtue of an Act made in the Fifty-fifth Year of the Reign of His Majesty King *George* the Third, intituled [*here set forth the Title of this Act*], We whose Names are hereunto subscribed and Seals affixed, being of the Trustees for putting the said Act into Execution, in Consideration of the Sum of in hand advanced and paid by *A. B.* of to the Treasurer of the said Road, do hereby grant, bargain, sell, and assign, unto the said *A. B.* his Executors, Administrators, and Assigns, such Proportion of the Tolls to arise upon the said Road, and of the Turnpikes and Toll Houses, already or hereafter to be erected, for collecting the same, as the said Sum of doth or shall bear to the whole Sum now or hereafter to become due and owing on the Credit thereof, to be had and holden from the Day of the Date hereof, for and during the Continuance of the said Act, unless the said Sum of with Interest after the Rate of *per Centum per Annum* shall be sooner repaid and satisfied. Given under our Hands and Seals this Day of in the Year of our Lord.'

No Money to be borrowed after the First Meeting, unless Notice be given for that Purpose.

But no Money shall be borrowed by the said Trustees on the Credit of the Tolls hereby granted after the Tenth Day of *June* One thousand eight hundred and sixteen, unless Notice be for that Purpose fixed in Writing under the Hand or Hands of the Clerk or Clerks to the said Trustees upon all the Toll Gates or Turnpikes which shall then be erected upon the said Road, and also advertised in One or more of the *Newcastle* Newspapers, at least Fourteen Days before the borrowing such Money.

Assignments of Mortgages to be entered.

XXXV. And be it further enacted, That all and every the Assignment and Assignments to be made by the said Trustees as aforesaid, shall be entered at Length in a Book or Books to be kept for that Purpose by the Clerk or Clerks, Treasurer or Treasurers to the said Trustees, which said Book or Books shall and may be seen and perused at all seasonable Times without Fee or Reward.

Mortgages may be transferred.

XXXVI. And be it further enacted, That all and every Person and Persons to whom any Assignment or Assignments shall have been made by virtue of the said former Acts, or to whom any Assignment shall be made by virtue of this Act, or who shall be entitled to the Money secured by the said Acts, or any of them, shall and may from Time to Time by any Writing or Writings under his, her, or their Hand and Seal, or Hands and Seals, to be duly executed in the Presence of Two or more credible Witnesses, assign or transfer his, her, or their Right, Title, Interest, or Benefit to the Principal and Interest Money thereby secured, or any Part thereof, to any Person or Persons whomsoever; which Assignment or Transfer shall be made in the following Form, or in any Words to the like Effect; (that is to say),

Form of Transfer.

'I *A. B.* of (*or* I, *C. D.* of Executor or Administrator of *A. B.* late of) in Consideration of 'the

‘ the Sum of to me paid by *E. F.* of
‘ do hereby assign and transfer unto the said *E. F.* his Executors, Ad-
‘ ministrators, and Assigns, a certain Mortgage or Security bearing Date
‘ the Day of in the Year of Our Lord
‘ , under the Hands and Seals of
‘ of the Trustees for putting into Execution an Act of Parliament passed in
‘ the Fifty-fifth Year of the Reign of His Majesty King *George* the Third,
‘ intituled [*here set forth the Title of this Act,*] with all my Right and Title
‘ to the Principal Sum of thereby secured,
‘ and all Interest now due and hereafter to grow due thereon. Dated this
‘ Day of in the Year of our Lord
‘ .’

Which Transfer shall be produced and notified to the said Clerk or Clerks and Treasurer or Treasurers within Three Calendar Months next after the Day of the Date thereof, who shall enter the same in the said Book or Books to be kept for entering the original Mortgages, for which Entry the said Clerk or Clerks, or Treasurer or Treasurers, shall be paid the Sum of Six Shillings and Eight-pence and no more; and such Transfer shall then entitle such Assignee, his Executors, Administrators, and Assigns to the full Benefit of such Mortgage Security; and every such Assignee may in like Manner assign and transfer the same, and so *toties quoties*; and it shall not be in the Power of any Person or Persons (except the Person or Persons to whom the same shall be last transferred, his, her, or their respective Executors or Administrators) to release, discharge, or make void the original Mortgage Security or the Monies due thereon or any Part thereof; and all Persons to whom any Mortgage or Transfer has been or shall be made as aforesaid shall, in Proportion to the Sum or Sums of Money thereby secured, be Creditors on the Tolls by this Act granted and on the said Turnpikes and Toll Houses in equal Degree one with another, and shall have no Preference in respect of the Priority of advancing their Monies or of the Dates of their respective Securities; and that whenever the said Trustees shall be enabled to pay off any of the Money which has been or shall hereafter be borrowed as aforesaid, they shall ascertain the Securities to be first paid off by Ballot in such Manner as they shall think proper.

Application of the Money.

XXXVII. And be it further enacted, That all the Monies which shall arise and be produced by and from the Tolls by this Act granted and made payable, together with the Monies which shall be borrowed upon the Credit thereof, and all other Monies which shall arise and be produced by virtue of this Act, the Application whereof is not hereby otherwise directed, shall be vested in the said Trustees for the Time being, and be 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 the Costs, Charges, and Expences incident to or attending the obtaining and passing of this Act; in the Second Place, in defraying the Expences of erecting and providing Turnpikes, Toll Houses and other Buildings, and repairing the same, and of altering, raising, widening, repairing, and preserving the said Road, and of erecting and making necessary and convenient Bridges and Arches upon the same, and of executing the other Purposes of this Act; in the Third Place, in paying the Interest accruing upon the several Principal Sums of Money which now remain due and secured by virtue of and under the said former Acts, or any of them, or which shall hereafter

hereafter from Time to Time be ſecured in purſuance of this Act; and laſtly, in reducing, paying off and diſcharging the Principal Sums of Money which have been ſecured by the ſaid former Acts, or any of them, and alſo ſuch Principal Sums of Money as ſhall be ſecured in purſuance of the preſent Act, in the Manner or Courſe herein-before directed or mentioned.

For getting Materials.

XXXVIII. And be it further enacted, That it ſhall be lawful for the Surveyor and Surveyors, and ſuch Perſon and Perſons as he or they ſhall appoint, to dig, take, and carry away, any Furze, Heath, Stone, Sand, Gravel, and other Materials, proper or convenient for repairing the ſaid Road, out of any Common or Waſte or common River or Brook (not being within the Diſtance of Thirty Yards from any Bridge, Dam, Weir, or Jetty), in any Pariſh, Townſhip, or Place within which the ſaid Road or any Part or Parts thereof reſpectively do lie, and for want of ſufficient Quantities of ſuch Furze, Heath, Stone, Sand, Gravel, or other Materials, in the Places laſt deſcribed, then to dig, take, and carry away, the like Materials out of any Common or Waſte or common River or Brook, (not being within the like Diſtance from any Bridge, Dam, Weir, or Jetty) in any neighbouring Pariſh, Town, Village, or Hamlet, without making any Recompence for the ſame, the ſaid Surveyor and Surveyors filling up, fencing, or levelling all ſuch Pits and Holes as ſhall be made or occaſioned by the digging for or taking any ſuch Materials, and making ſuch Allowance or Satisfaction to the Perſon or Perſons through whoſe Lands or Private Ways ſuch Materials ſhall be led and carried for the Damages done and occaſioned thereby, as the ſaid Truſtees ſhall think fit and reaſonable; and in caſe the ſaid Truſtees ſhall be of Opinion, that ſuch Materials cannot conveniently be gotten from ſuch Waſtes, Commons, Rivers, and Brooks, as aforeſaid, on account of the Diſtance thereof from the ſaid Road, or from any other reaſonable Cauſe, that then it ſhall be lawful for ſuch Surveyor or Surveyors, by order of the ſaid Truſtees, to dig for and take away the like Materials out of the Private Grounds of any Perſon or Perſons (not being a Garden, Orchard, Yard, Park, Paddock, Planted Walk, or Avenue to any Houſe, or incloſed Ground planted, ſet apart, or uſed as a Nurſery for Trees) where ſuch Materials are and may be found, and from Time to Time to carry away ſuch and ſo much of the ſaid Materials reſpectively, as the ſaid Surveyor or Surveyors ſhall judge neceſſary for repairing and amending the ſaid Road as aforeſaid, paying ſuch Recompenſe for ſuch Materials and for the Damage done to the Owners and Occupiers of the reſpective Grounds, where, through, and from whence the ſame ſhall be digged and carried away, as the ſaid Truſtees ſhall judge reaſonable; and in caſe of any Difference between ſuch Owners and Occupiers or any of them, and the ſaid Truſtees, touching the Payment for ſuch Materials, or the Damages aforeſaid, any Two or more Juſtices of the Peace for the County wherein the Lands lie, from which ſuch Materials ſhall be taken, or over or through which the ſame ſhall have been led or carried, on Ten Days Notice being given by either Party to the other in Writing, ſhall and may aſſeſs, adjudge, and determine the ſame in ſuch Manner as they ſhall think fit and expedient.

Materials not to be taken from incloſed Grounds till after Notice.

XXXIX. Provided always, and be it further enacted, That it ſhall not be lawful for ſuch Surveyor or Surveyors, or ſuch other Perſon or Perſons as aforeſaid, under the Authority of this Act, to dig, gather, take, or carry away any ſuch Materials as aforeſaid, for any of the Purpoſes of

this Act, in or from any incloſed Lands or Grounds until after Twenty-one Days Notice in Writing, ſigned by the ſaid Surveyor or Surveyors, or ſome other Officer or Officers of the ſaid Truſtees, ſhall have been given to the reſpective Owners or Occupiers of the Lands or Grounds from which ſuch Materials are intended to be taken, or left at their uſual Place of Reſidence, to appear before One or more Juſtice or Juſtices of the Peace acting for the County in which ſuch incloſed Lands lie, at a certain Time and Place ſpecified in ſuch Notice, to ſhew Cauſe why ſuch Materials ſhall not be taken away; and in caſe ſuch reſpective Owners or Occupiers ſhall, by themſelves or their reſpective Agents, attend purſuant to ſuch Notice, ſuch Juſtice or Juſtices ſhall, if they or he ſhall think proper, authorize ſuch Surveyor or other Officer to dig, gather, take, and carry away ſuch Materials at ſuch Time or Times as to ſuch Juſtice or Juſtices ſhall ſeem proper; or if ſuch reſpective Owners or Occupiers ſhall neglect or refuſe to appear by themſelves or their reſpective Agents, ſuch Juſtice or Juſtices ſhall and may make ſuch Order therein as they or he ſhall think fit, as fully and effectually to all Intents and Purpoſes as if ſuch reſpective Owners or Occupiers had attended in Manner aforeſaid.

Penalty on taking away Materials got by Surveyors.

XL. And be it further enacted, That if any Perſon whomſoever ſhall take or carry away any Materials which ſhall have been digged, gathered, or wrought for the Purpoſe of making, completing, or amending the ſaid Road, or for any other the Purpoſes of this Act, or ſhall get or take away any Materials out of any Pit or Quarry which ſhall have been made for the Purpoſe of getting Materials for the ſaid Road before the ſaid Surveyors or their Workmen ſhall have diſcontinued working therein for the Space of Three Calendar Months (except the Owner or Occupier of any private Ground, and the Perſon or Perſons authorized by ſuch Owner or Occupier to get Materials therein for his own private Uſe only, and not for Sale) every Perſon ſo offending ſhall forfeit for every ſuch Offence a Sum not exceeding Five Pounds.

Surveyors may remove Annoyances.

XLI. And be it further enacted, That it ſhall be lawful for the ſaid Surveyor and Surveyors, and ſuch Perſon or Perſons as he or they ſhall appoint from Time to Time to prevent all Nuiſances and Annoyances on any Part or Parts of the ſaid Road, by Timber, Stone, Carriages, Saw Pits or other Pits, Aſhes, Dung, Filth, Rubbiſh, or otherwiſe, and to remove and carry away the ſame, in caſe the Perſon or Perſons occaſioning ſuch Nuiſances or Annoyances ſhall refuſe or neglect ſo to do for the Space of Three Days after Notice in Writing given for that Purpoſe, under the Hand or Hands of ſuch Surveyor or Surveyors, the Charges whereof (to be ſettled by the Truſtees) ſhall be reimburſed to the ſaid Surveyor or Surveyors by the Perſon or Perſons occaſioning or refuſing or neglecting to remove ſuch Nuiſances or Annoyances as aforeſaid; which Charges ſhall be levied and recovered in the ſame Manner as Forfeitures and Penalties are herein-after directed to be levied and recovered; and if after the Removal of any ſuch Nuiſances or Annoyances any Perſon or Perſons ſhall offend again in the like Manner, every ſuch Perſon ſhall, for every ſuch Second or further Offence, forfeit and pay any Sum not exceeding Five Pounds.

Surveyors may turn Water-courſes, lop Trees and Hedges, &c.

XLII. And be it further enacted, That it ſhall be lawful for the ſaid Surveyor and Surveyors, and ſuch Perſon or Perſons as he or they ſhall appoint, from Time to Time to turn any Water-courſes, Gutters, Conduits, or Drains,

Drains running into the ſame to the Prejudice thereof, and to open, ſcour and cleanſe, deepen and enlarge any Gutter, Ditch, Conduit or Watercourſe adjoining or near to the ſaid Road or any Part or Parts thereof reſpectively; and alſo to cut down, lop or top at proper Seaſons of the Year any Trees, Branches or Buſhes growing in the Hedges or Fences adjoining thereto, ſuch Tree or Trees not being in any Garden, Orchard, Park, Paddock, planted Walk, or Avenue to a Houſe, or not being an Ornament or Shelter to a Houſe, or not being within Fifteen Feet of the Centre of the ſaid Road, (ſo as to reduce ſuch Hedges to any Height not leſs than Four Feet) and to take and carry away the ſame in caſe the reſpective Owners or Occupiers of the Lands where ſuch Annoyances ſhall happen to be ſhall neglect ſo to do for the Space of Ten Days after Notice in Writing given for that Purpoſe, under the Hand or Hands of ſuch Surveyor or Surveyors, the Charges whereof (to be ſettled by the ſaid Truſtees) ſhall be reimburſed to the ſaid Surveyor or Surveyors by ſuch reſpective Owners or Occupiers neglecting to cut down ſuch Trees, Branches or Buſhes, or to open, ſcour, cleanſe, deepen and enlarge ſuch Gutters, Ditches, Conduits or Watercourſes as aforeſaid, over and above the Sum of Three-pence *per* Rood for every Rood of Hedge ſo cut down and ſcoured, and for every Rood of Watercourſe ſo opened, cleanſed, deepened and enlarged; which Charges and Sums of Money ſhall be levied and recovered in the ſame Manner as Forfeitures and Penalties are herein-after directed to be levied and recovered.

Surveyors may make Cauleways, Drains, &c.

XLIII. And be it further enacted, That it ſhall be lawful for ſuch Surveyor and Surveyors and ſuch other Perſon and Perſons as ſhall be appointed by order of the ſaid Truſtees, to make Cauſeways in or along the Sides of the ſaid Road, and to cut and make Drains or Watercourſes upon and through any Grounds lying contiguous to the ſaid Road, and to erect and keep in repair Bridges and Arches thereupon; and alſo to make Ditches or Trenches in ſuch Places and in ſuch Manner as ſuch Surveyor or Surveyors or other Perſon or Perſons ſhall judge neceſſary; and alſo to make ſufficient Fenders, Barriers, and other Erections on any Part or Parts of the ſaid Road in order to prevent any River or Current of Water from flooding the ſame, as ſuch Surveyor or Surveyors, or other Perſon or Perſons ſhall judge neceſſary; and alſo to make or cauſe to be made any temporary Road or Roads through, over and along the Grounds adjoining to any narrow or ruinous Part or Parts of the ſaid Road (not having a Houſe or other Building thereon, and not being a Garden, Orchard, Park, Planted Walk, or Avenue to any Houſe, or a Nurſery for Trees) to be made uſe of as a Road while the old Road ſhall be repairing, and until the ſame ſhall be made ſafe and convenient for Travellers, making ſuch Satisfaction to the Owners or Occupiers of ſuch Grounds ſo to be uſed, cut through, or built upon for the Damages which they or any of them ſhall ſuſtain thereby, as the ſaid Truſtees ſhall judge reaſonable; and in caſe any Difference ſhall happen between ſuch Owners or Occupiers and the ſaid Truſtees touching ſuch Damages, the ſame ſhall be ſettled by any One or more Juſtice or Juſtices of the Peace for the ſaid County of *Northumberland*, on Ten Days Notice being given by either Party to the other in Writing for that Purpoſe.

To prevent Injury to

XLIV. And be it further enacted, That if any Perſon or Perſons ſhall at any Time hereafter ride or drive any Horſe, Mule, Aſs, Beaſt or Cattle, or wheel,

wheel, draw, thruſt, or drive any Wheel-barrow, Truck, Dray, Sledge, or other Carriage, or make or cauſe any Nuiſance, Annoyance, or Obſtruction, upon or otherwiſe injure or deſtroy any Footpath or Cauſeway made or to be made on either Side of the ſaid Road for the Accommodation of Foot Paſſengers, every Perſon ſhall for every ſuch Offence forfeit and pay a Sum not exceeding Twenty Shillings, whereof one Moiety ſhall be paid to the Informer or Informers, and the other Moiety ſhall be applied to the Purpoſes of this Act.

Footpaths and Cauſeways.

XLV. And be it further enacted, That no Dung, Soil, Aſhes, Compoſt, Manure or other Thing, (except Materials to be uſed in repairing or altering the ſaid Road), ſhall be unloaded or laid down by the Sides of the ſaid Road between the Fences or Incloſures on each Side thereof, and within which Fences or Incloſures the ſaid Road doth paſs; and that no Dung, Soil, Aſhes, Compoſt, Manure or other Thing, except as aforeſaid, ſhall be unloaded or laid down upon any Moor, Common, or Waſte adjoining upon the ſaid Road, or any Part thereof, nearer to the Side of the ſaid Road upon which the ſame ſhall be laid down, than the Diſtance of Forty Feet, upon Pain that the Owner or Owners, or Driver or Drivers of the Carriage or Carriages from which ſuch Dung, Soil, Aſhes, Compoſt, Manure or other Thing ſhall in either caſe have been ſo unloaded or laid down, ſhall forfeit and pay for the Firſt Offence any Sum not exceeding Twenty Shillings, and for every other Offence any Sum not exceeding Forty Shillings, to be recovered and applied as herein-after is mentioned, ſave only that the Perſon or Perſons giving Information of any of the ſaid Offences ſhall be entitled to a Moiety of ſuch Forfeitures.

No Manure, &c. to be laid down between the Fences on each Side of the Road, or within 40 Feet of the Side of the Road upon any Common Waſte.

XLVI. And be it further enacted, That if any Perſon ſhall haul or draw, or cauſe to be hauled or drawn, upon any Part of the ſaid Road, any Tree or Piece of Timber, or any Stone, otherwiſe than upon Wheeled Carriages, or ſhall ſuffer any Part of any Tree or Piece of Timber, which ſhall be conveyed upon Wheeled Carriages, to drag upon any Part of the ſaid Road to the Prejudice thereof, every ſuch Perſon ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Forty Shillings.

Penalty on drawing Timber and Stone on the Road, except on Wheel Carriages.

XLVII. And be it further enacted, That the ſaid Truſtees ſhall be and are hereby empowered and required to cauſe the ſaid Road to be meaſured and Mile Stones or Poſts to be ſet up, and from Time to Time renewed on the Sides thereof, with Inſcriptions thereon, denoting the Number of Miles and Diſtance of Places, and alſo proper Direction Poſts, where any other Roads lead out of or into the ſaid Road hereby directed to be repaired, with Inſcriptions thereon, denoting to what Place or Places ſuch other Roads reſpectively do lead, as they ſhall think fit.

Road to be meaſured and Mile Stones erected.

XLVIII. And be it further enacted, That if any Perſon or Perſons ſhall wilfully or wantonly break, pull down, injure, obliterate, or deface any Mileſtone or Poſt, or Direction Poſt or Stone, or ſhall break, damage, or throw down any of the Stones, Bricks, or Wood fixed upon the Parapets or Battlements of any of the Bridges upon the ſaid Road, every Perſon ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Five Pounds, over and above the Charges of repairing the Damage done, to be recovered and applied as herein-after is mentioned; ſave only, that the Perſon or Perſons giving Information of any Offence or

To prevent Injury to Mile Stones, Direction Poſts, and Parapets of Bridges.

Offences herein, ſhall be entitled to a Moiety of ſuch Forfeitures, and notwithſtanding the ſame, his, her, or their Teſtimony, ſhall be deemed good and competent in Law for the convicting any Offender or Offenders.

Gates to open inwards.

XLIX. And be it further enacted, That all Gates to be hereafter made and placed in any Field or Ground adjoining any Part of the ſaid Road, ſhall be made and hung to open and ſwing inwards towards ſuch Field or Ground and not towards the ſaid Road; and that it ſhall be lawful for the ſaid Truſtees to order all ſuch Gates as are now erected or may hereafter be erected, and open and ſwing outwards towards the ſaid Road, to be altered and made to open and ſwing inwards, as they the ſaid Truſtees ſhall think proper; and if any Occupier or Occupiers of the Lands upon which any Gate or Gates is or are or ſhall be conſtructed ſo as to open and ſwing outwards towards the ſaid Road, ſhall (after Ten Days Notice from the Surveyor of the ſaid Road, requiring him, her, or them to alter any ſuch Gate or Gates, and to make the ſame to open and ſwing inwards) refuſe or neglect to make ſuch Alterations, every ſuch Occupier or Occupiers ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Forty Shillings.

Truſtees may widen, turn, or alter the Road.

L. And be it further enacted, That the ſaid Truſtees ſhall have full Power and Authority from Time to Time to widen the ſaid Road, and to divert, turn, or alter the Courſe or Direction of any Part or Parts thereof reſpectively, through or over any Moor or Waſte Ground, without making any Satisfaction for the ſame; and alſo through or over any private Grounds or Hereditaments, firſt making Satisfaction to the Owners thereof and Perſons intereſted therein for the Damage they may thereby ſuſtain; and for that Purpoſe it ſhall be lawful for the ſaid Truſtees to treat, contract, and agree with the Owners of and Perſons intereſted in any private Grounds, Tenements or Hereditaments for the Purchaſe thereof, or for the Loſs and Damage ſuch Owners and Perſons intereſted or any of them ſhall or may any ways ſuſtain by ſuch widening, turning, or altering any Part or Parts of the ſaid Road; and it ſhall be lawful for

Corporations and incapacitated Perſons empowered to ſell, &c.

all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, and all Feoffees in Truſt, Executors, Adminiſtrators, Guardians, or other Truſtees whatſoever, for or on Behalf of any Infant, Feme Covert, Ceſtuique Truſt, and for all and every Perſon or Perſons whomſoever, who are or ſhall be ſeized or poſſeſſed of or intereſted in any ſuch Lands, Tenements, or Hereditaments, to contract and agree with the ſaid Truſtees for the Satisfaction to be made for ſuch Damage as aforeſaid, or to ſell and convey to them all or any of ſuch Lands, Tenements, or Hereditaments as Occaſion ſhall be and require; and all Contracts, Sales, and Conveyances which ſhall be ſo made ſhall, without any Fine or Fines, Common Recovery or Recoveries, be valid and effectual in the Law to all Intents and Purpoſes, any Law, Statute, or Uſage, or any other Matter or Thing whatſoever to the contrary notwithſtanding; and all ſuch Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Feoffees in Truſt, Executors, Adminiſtrators, Guardians, and Truſtees, and all other Perſons, are and ſhall be hereby indemnified for what they ſhall do by virtue of or in purſuance of this Act; and if any ſuch Owner, Proprietor, Occupier, Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Truſtees, or any other Perſon or Perſons intereſted in any ſuch Lands, Grounds, Te-

On Refuſal to ſell, a Jury to ſettle the Recompence.

nements

nements or Hereditaments upon Notice to him, her, or them given, or left in Writing at the Dwelling Houſe or Houſes, or Place or Places of Abode of ſuch Perſon or Perſons, or of the Head Officer or Officers of ſuch Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, or at the Houſe of the Tenant in Poſſeſſion of the Lands, Grounds, Tenements or Hereditaments ſo to be taken in and added to any Part of the ſaid Road, or into which any Part or Parts of ſuch Road are or is to be turned or altered, ſhall by the Space of Ten Days after ſuch Notice given or left as aforeſaid, neglect or refuſe to treat, or ſhall not agree in the Premiſes, or by reaſon of Abſence ſhall be prevented from treating, then and in every or any ſuch Caſe, the ſaid Truſtees ſhall cauſe it to be enquired into and aſcertained by and upon the Oath of a Jury of Twelve indifferent Men of the County of *Northumberland*, (which Oath any One or more of the ſaid Truſtees are hereby empowered and required to adminiſter), what Damages will be ſuſtained by, and what Recompence and Satisfaction ſhall be made to ſuch Owners, Occupiers, or Proprietors, or other Perſon or Perſons intereſted, for or on account of the taking of ſuch Lands, Grounds, Tenements, or Hereditaments into the ſaid Road, or turning any Part or Parts of ſuch Road into the ſame Lands, Grounds, Tenements or Hereditaments; and in order thereto, the ſaid Truſtees are hereby empowered and required, from Time to Time as Occaſion ſhall be or require, to ſummon and call before the ſaid Jury and examine upon Oath, all and every Perſon and Perſons whomſoever, who ſhall be thought neceſſary and proper to be examined as a Witneſs or Witneſſes touching or concerning the Premiſes, (which Oath any One or more of the ſaid Truſtees are hereby empowered to adminiſter), and they ſhall alſo order and cauſe the ſaid Jury to view the Places in Queſtion, if there be Occaſion, and uſe all lawful Ways and Means, as well for their own as for the Jury's better Information in the Premiſes, as the ſaid Truſtees ſhall think fit; and after the ſaid Jury ſhall have enquired of, aſcertained, and ſettled ſuch Damage and Recompence, the ſaid Truſtees ſhall thereupon order and adjudge the ſaid Sum or Sums of Money, ſo aſſeſſed by the ſaid Jury, to be paid to the ſaid Owners, Occupiers or Proprietors of, or other Perſons intereſted in the ſaid Lands, Grounds, Tenements, or Hereditaments, according to ſuch Verdict or Inquiſition of the ſaid Jury; which ſaid Verdict, or Inquiſition and Judgment, Order or Determination ſo had and made, ſhall be final, binding, and concluſive to all Intents and Purpoſes, againſt all Parties and Perſons whomſoever, claiming in Poſſeſſion, in Fee, or in Tail General or Special, Reverſion or Remainder, or otherwiſe, their Heirs and Succeſſors, as well abſent as preſent, Infants, Femes Covert, and Perſons under any other Diſability whatſoever, Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, as well as all other Perſons whomſoever; and all and every ſuch Owners, Occupiers, and Proprietors, and all and every Perſon and Perſons anyways intereſted in ſuch Lands, Grounds, Tenements, or Hereditaments ſhall, upon Payment or Tender of the Sum or Sums of Money ſo aſſeſſed as aforeſaid, thereby be from thenceforth to all Intents and Purpoſes diveſted of all Right, Title, Claim, Intereſt, and Property of, in, to, or out of the ſame; and for the ſummoning or returning of ſuch Jury or Juries, the ſaid Truſtees are hereby empowered to iſſue their Warrant or Warrants to the Sheriff of the ſaid County of *Northumberland*, thereby commanding and requiring him to impannel, ſummon, and return an indifferent Jury of Twenty-four Perſons to appear before the ſaid Truſtees, at ſuch Time and Place, and within ſuch County, as in ſuch

Their Verdict to be final.

Sheriffs to ſummon Juries.

Warrant ſhall be appointed, and the ſaid Sheriff, or his Deputy or Deputies, is and are hereby required to impannel, ſummon, and return ſuch Number accordingly; and out of the Perſons ſo impannelled, ſummoned, and returned, or out of ſuch them as ſhall appear upon ſuch Summons, the ſaid Truſtees, or any One or more of them, ſhall ſwear or cauſe to be ſworn Twelve, who ſhall be the Jury for the Purpoſes aforeſaid; and in default of a ſufficient Number of Jurymen, the ſaid Sheriff, or his Deputy or Deputies, ſhall return other honeſt and indifferent Men of the Standers-by, or that can be ſpeedily procured to attend that Service, to the Number of Twelve; and all Perſons concerned ſhall have their lawful Challenges againſt any of the ſaid Jurymen when they come to be ſworn, but ſhall not challenge the Array; and the ſaid Truſtees acting in the Premiſes ſhall have Power from Time to Time to impoſe any reaſonable Fine or Fines on ſuch Sheriff, or his Deputy or Deputies, Bailiffs or Agents making Default in the Premiſes, and on any of the Perſons who ſhall be ſummoned and returned on ſuch Jury and ſhall not appear, or who ſhall refuſe to be ſworn on the ſaid Jury, or being ſo ſworn, ſhall refuſe to give or ſhall not give his Verdict, or in any other Matter wilfully neglecting their Duty therein, contrary to the true Intent and Meaning of this Act, and on any of the Perſons who being required to give Evidence before the ſaid Jury touching the Premiſes, ſhall refuſe or neglect to appear, or appearing, ſhall refuſe to be ſworn and give Evidence; and from Time to Time to levy and apply ſuch Fine or Fines in the ſame Manner as other Penalties, Forfeitures, and Fines are herein-after directed to be levied and applied, ſo that ſuch Fine ſhall not exceed the Sum of Twenty Pounds upon any Sheriff or his Deputy, nor the Sum of Five Pounds upon any other Perſon for any One Offence.

Jury may be challenged.

Sheriff, &c. to be fined on Neglect of Duty.

Money allowed for Lands, &c. how to be charged and paid.

LI. And be it further enacted, That every Sum of Money or Recompence to be agreed for or aſſeſſed as aforeſaid, ſhall be paid out of the Tolls, or out of the Monies borrowed on the Credit thereof, either into the Bank of *England*, or to the Parties or Perſons reſpectively entitled thereto, or to their Agents, as the Caſe may require, as herein-after mentioned; and upon Payment thereof, or in caſe of Refuſal to accept the ſame, upon leaving the ſame in the Hands of the Treaſurer of the ſaid Truſtees for the Uſe of ſuch Parties or Perſons, and after Ten Days Notice thereof given to ſuch Parties or Perſons, or their Agents, ſuch Lands, Tenements, or Hereditaments, ſhall be laid into and made Part of the ſaid Road, in ſuch Manner as the ſaid Truſtees ſhall direct, and ſhall be by them or by ſuch Perſon or Perſons as they ſhall appoint ſufficiently drained, ditched, fenced, and ſet out for that Purpoſe, and ſhall to all Intents and Purpoſes whatſoever become and be, and be deemed and taken to be a Common Highway and Part of the ſaid Road, and ſhall be repaired and kept in Repair in ſuch Manner as the ſame Road hereby appointed to be made and repaired is by this or any other Law to be made and repaired; and after ſuch new Road ſhall be completed, the Lands conſtituting ſuch former Road or any Part thereof, unleſs leading over ſome Moor or Waſte Ground, or to ſome Village, Town, or Place to which ſuch New Road doth not lead, ſhall be veſted in and ſhall and may be ſold and conveyed by the ſaid Truſtees for the beſt Price that can be gotten for the ſame, and the Money ariſing from ſuch Sale ſhall be applied to the Purpoſes of this Act; and the ſaid Truſtees are hereby empowered to give in Exchange any Part or Parts of the Lands conſtituting the former

When new Road completed, the former Road, not wanted, may be ſold or exchanged.

Road for any Part or Parts of such New Road; and the Sale or Sales, Conveyance or Conveyances, Exchange or Exchanges to be made of such Lands or Grounds being executed by the said Trustees and enrolled in the Office of the Clerk of the Peace for the County of *Northumberland*, shall be good and effectual in Law to all Intents and Purposes whatsoever; but this Act shall not extend to the taking down of any Dwelling House or other Building, or to the taking in of any Garden, Orchard, Yard, Park, Paddock, Planted Walk or Avenue to a House, or Nursery of Trees, without the Consent in Writing of the Owners or Proprietors thereof, any Thing herein contained to the contrary notwithstanding.

Not to extend to the taking down of any Dwelling House, &c.

LII. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands, Tenements, or Hereditaments purchased, taken, or used by virtue of the Powers of this Act, for the Purposes thereof, which shall belong to any Body Politic, Corporate or Collegiate, or to any Feoffee in Trust, Executor, Administrator, Husband, Guardian, Committee, or other Trustee, for or on Behalf of any Infant, Lunatic, Idiot, Feme Covert, or other Cestuique Trust, or to any Person whose Lands, Tenements, or Hereditaments are limited in Strict or other Settlement, or to any Person under any other Disability or Incapacity whatsoever, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed, be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account there, *ex parte* the said Trustees, to the Intent that such Money shall be applied under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Person or Persons who should have been entitled to the Rents and Profits of the said Lands, Tenements or Hereditaments, in the Purchase of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrance or Part thereof, as the said Court shall authorize to be paid affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments, standing settled therewith to the same or to the like Uses, Intents or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested under and with the like Direction and Approbation of the said Court, in the Purchase of other Lands, Tenements, or Hereditaments, which shall be conveyed and settled to, for and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Lands, Tenements, and Hereditaments which shall be so purchased, taken or used as aforesaid, stood settled or limited, or such of them as at the Time of making such Conveyance or Settlement shall be existing undetermined or capable of taking Effect; and in the mean Time and until such Purchases shall be made, the said Money shall, by Order of the said High Court of Chancery, upon Application thereto, be invested by the said Accountant General, in his Name, in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the mean Time and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Lands, Tenements, and Hereditaments

Application of Compensation when equal to 200l.

ditaments ſo to be purchaſed under the Authority of this Act, in caſe ſuch Purchaſe or Settlement was made.

Application where the Sum ſhall be leſs than 200l. and exceed 20l.

LIII. Provided always, and be it further enacted, That if any Money ſo agreed or awarded to be paid for any Lands, Tenements, or Hereditaments purchaſed, taken, or uſed for the Purpoſes aforeſaid, and belonging to any Corporation, or to any Perſon or Perſons under any Diſability or Incapacity as aforeſaid, ſhall be leſs than the Sum of Two hundred Pounds, and ſhall amount to or exceed the Sum of Twenty Pounds, then and in ſuch Caſes, the ſame ſhall, at the Option of the Perſon or Perſons for the Time being, entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments ſo purchaſed, taken, or uſed, or of his, her, or their Guardian or Guardians, Committee or Committees, in caſe of Infancy or Lunacy, to be ſignified in Writing under their reſpective Hands, be paid into the Bank of *England*, in the Name and with the Privity of the ſaid Accountant General of the High Court of Chancery, and be placed to his Account as aforeſaid, in order to be applied in Manner herein-after directed, or otherwiſe the ſame ſhall be paid at the like Option to Two Truſtees, to be nominated by the Perſon or Perſons making ſuch Option, and approved of by the ſaid Truſtees for executing this Act, (ſuch Nomination and Approbation to be ſignified in Writing under the Hands of the nominating and approving Parties) in order that ſuch Principal Money, and the Dividends ariſing thereon, may be applied in Manner herein-before directed, ſo far as the Caſe be applicable, without obtaining or being required to obtain the Direction or Approbation of the ſaid High Court of Chancery.

Application where the Money is leſs than 20l.

LIV. Provided alſo, and be it further enacted, That where ſuch Money ſo agreed or awarded to be paid, as next herein-before mentioned, ſhall be leſs than Twenty Pounds, then and in all ſuch Caſes the ſame ſhall be applied to the Uſe of the Perſon or Perſons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments ſo purchaſed, taken, or uſed for the Purpoſes of this Act, in ſuch Manner as the ſaid Truſtees ſhall think fit; or in caſe of Infancy or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Uſe and Benefit of ſuch Perſon or Perſons ſo entitled reſpectively.

Application in caſe of not making out Titles, or when the Party entitled cannot be found.

LV. And be it further enacted, That in caſe the Perſon or Perſons to whom any Sum or Sums of Money ſhall be ſo awarded or aſſeſſed for any Lands, Tenements, or Hereditaments, to be purchaſed by virtue of this Act, ſhall refuſe to accept the ſame, or ſhall not be able to make a good Title to the Premiſes to the Satisfaction of the ſaid Truſtees; or in caſe the Perſon or Perſons to whom ſuch Sum or Sums of Money ſhall be ſo awarded or aſſeſſed as aforeſaid cannot be found, or if the Perſon or Perſons entitled to ſuch Lands, Tenements, or Hereditaments, be not known or diſcovered; then and in every ſuch Caſe it ſhall be lawful for the ſaid Truſtees to order the Sum or Sums of Money ſo awarded or aſſeſſed as aforeſaid to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account, to the Credit of the Parties intereſted in the ſaid Lands, Tenements, or Hereditaments, (deſcribing them), ſubject to the Order, Control, and Diſpoſition of the ſaid High Court

Court of Chancery; which ſaid Court, on the Application of any Perſon or Perſons making Claim to ſuch Sum or Sums of Money, or any Part thereof, by Motion or Petition, ſhall be and is hereby empowered in a ſummary Way of Proceeding, or otherwiſe as to the ſaid Court ſhall ſeem meet, to order the ſame to be laid out and inveſted in the Public Funds, and to order Diſtribution thereof, or Payment of the Dividends thereof, according to the reſpective Eſtate or Eſtates, Title or Intereſt of the Perſon or Perſons making Claim thereunto, and to make ſuch other Order in the Premiſes as to the ſaid Court ſhall ſeem juſt and reaſonable; and the Caſhier or Caſhiers of the Bank of *England*, who ſhall receive ſuch Sum or Sums of Money, is and are hereby required to give a Receipt or Receipts for ſuch Sum or Sums of Money, mentioning and ſpecifying for what and for whoſe Uſe the ſame is or are received, to ſuch Perſon or Perſons as ſhall pay any ſuch Sum or Sums of Money into the Bank as aforeſaid.

In caſe of any Queſtion of Right to the Money paid into the Bank, Perſons in Poſſeſſion preſumptively entitled.

LVI. Provided always, and be it further enacted, That where any Queſtion ſhall ariſe touching the Title of any Perſon or Perſons to any Money to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Chancery, in purſuance of this Act, for the Purchaſe of any Lands, Tenements, or Hereditaments, or of any Eſtate, Right, or Intereſt in any Lands, Tenements, or Hereditaments ſo to be purchaſed in purſuance thereof, or to any Bank Annuities to be purchaſed with any ſuch Money, or to the Dividends or Intereſt of any ſuch Bank Annuities, the Perſon or Perſons who ſhall have been in the Poſſeſſion of ſuch Lands, Tenements, or Hereditaments at the Time of ſuch Purchaſe, and all Perſons claiming under ſuch Perſon or Perſons, or under the Poſſeſſion of ſuch Perſon or Perſons ſhall be deemed and taken to have been lawfully entitled to ſuch Lands, Tenements, or Hereditaments according to ſuch Poſſeſſion, until the contrary ſhall be ſhewn to the Satisfaction of the ſaid Court of Chancery; and the Dividends or Intereſt of the Bank Annuities to be purchaſed with ſuch Money, and alſo the Capital of ſuch Bank Annuities, ſhall be paid, applied, and diſpoſed of accordingly, unleſs it ſhall be made appear to the ſaid Court, that ſuch Poſſeſſion was a wrongful Poſſeſſion, and that ſome other Perſon or Perſons was or were lawfully entitled to ſuch Lands, Tenements, or Hereditaments, or to ſome Eſtate or Intereſt therein.

In caſe of any Diſability of the Perſons entitled to Lands, the Court may order reaſonable Expences of Purchaſes to be paid by the Truſtees.

LVII. Provided alſo, and be it further enacted, That where by reaſon of any Diſability or Incapacity of the Perſon or Perſons or Corporation entitled to any Lands, Tenements, or Hereditaments to be purchaſed under the Authority of this Act, the Purchaſe Money for the ſame ſhall be required to be paid into the ſaid Court of Chancery, and to be applied in the Purchaſe of other Lands, Tenements, or Hereditaments, to be ſettled to the like Uſes in purſuance of this Act, it ſhall be lawful for the ſaid Court to order the Expences of all Purchaſes from Time to Time to be made in purſuance of this Act, or ſo much of ſuch Expences as the ſaid Court ſhall deem reaſonable, together with the neceſſary Coſts and Charges for obtaining ſuch Order to be paid by the ſaid Truſtees, out of the Monies to be received by virtue of this Act, who ſhall from Time to Time pay ſuch Sums of Money for ſuch Purpoſes as the ſaid Court ſhall direct.

Lords of Manors, &c. to have the ſame Intereſt in the new as in the old Roads.

LVIII. And be it further enacted, That the Lords of Manors and other Proprietors ſhall have the ſame Intereſt and Property in and to the Soil and Royalties of or within ſuch new Roads as they were ſeized or poſſeſſed of or entitled to in the former Roads, and in lieu whereof ſuch new Roads ſhall be made; and that all Mines, Minerals, and Foſſils lying under any Grounds made uſe of for the Purpoſes of this Act, and not conſtituting any Part or Parts of the preſent Road, as well as under the former Road, ſhall continue to be the Property of the Perſon or Perſons who would from Time to Time have been ſeized of or entitled to the ſame in caſe this Act had not been made; and in caſe the Owner of any ſuch Ground ſhall require a Certificate from the ſaid Truſtees of the Quantity and Situation of the Ground ſo made uſe of, the ſaid Truſtees are hereby empowered and required to grant ſuch Certificate *gratis*; and ſuch Certificate may be enrolled in the Office of the Clerk of the Peace for the County of *Northumberland*, and a true Copy thereof ſigned by ſuch Clerk of the Peace or his Deputy, ſhall be deemed legal Evidence of the ſame.

Truſtees not to act concerning Purchaſes where intereſted.

LIX. And be it further enacted, That no Perſon ſhall act as a Truſtee in any Caſe relating to the contracting for or purchaſing of any Lands, Grounds, Tenements, or Hereditaments, wherein he ſhall be intereſted.

How the Expences of the Jury, &c. are to be paid.

LX. And be it further enacted, That in caſe any Jury or Juries to be ſummoned and ſworn, purſuant to the Authority of this Act, ſhall give in and deliver a Verdict or Aſſeſſment for more Monies as a Recompence or Satisfaction for the Right, Intereſt, or Property of any Perſon or Perſons in any ſuch Lands, Tenements, or Hereditaments, or for any ſuch Loſs or Damage, than what ſhall have been agreed to and offered by the ſaid Truſtees before the ſummoning and returning of the ſaid Jury or Juries, as a Recompence and Satisfaction for any ſuch Right, Intereſt, or Property, or any Loſs or Damage as aforeſaid, then and in ſuch Caſe the Coſts and Expences of ſummoning and maintaining the Jury and Witneſſes for aſcertaining and determining the Value of any ſuch Right, Property, or Intereſt, or the Loſſes or Damages ſuſtained as aforeſaid, ſhall be paid by the ſaid Truſtees; but if any Jury or Juries ſo ſummoned and ſworn as aforeſaid, ſhall give in and deliver a Verdict or Aſſeſſment for no more, or for leſs Monies than ſhall have been agreed to and offered by the ſaid Truſtees before the ſummoning and returning of the ſaid Jury or Juries, as a Recompence or Satisfaction for any ſuch Right, Intereſt, or Property in any ſuch Lands, Tenements, or Hereditaments, or Loſſes or Damages as aforeſaid, then the Coſts and Expences of ſummoning and maintaining the ſaid Jury and Witneſſes ſhall be paid by the Perſon or Perſons with whom the ſaid Truſtees ſhall have had ſuch Controverſy or Diſpute; which Coſts and Expences, having been aſcertained and ſettled by ſome Two or more Juſtices of the Peace for the County of *Northumberland*, not being intereſted in the Matter in Queſtion, (who are hereby empowered and required to examine, aſcertain and ſettle the ſame) ſhall and may be deducted out of the Money ſo aſſeſſed and adjudged, as ſo much Money advanced to and for the Uſe of ſuch Perſon or Perſons; and the Payment or Tender of the Remainder of ſuch Monies ſhall be deemed and taken to all Intents and Purpoſes to be a Payment and Tender of the whole Sum or Sums ſo aſſeſſed and adjudged; or otherwiſe ſuch Coſts and Expences, in caſe the ſame be not paid on Demand,

Demand, after being ſo aſcertained and ſettled as aforeſaid, may be recovered by ſuch Ways and Means as are herein-after provided for the Recovery of Penalties, Forfeitures, and Fines.

Perſons abſent not to be charged with Expences.

LXI. Provided always, That in Caſes where any Perſon or Perſons ſhall, by reaſon of Abſence, have been prevented from treating, all ſuch Coſts and Expences ſhall be paid by the ſaid Truſtees in Manner aforeſaid.

Truſtees empowered to ſell overplus Grounds, etc.

LXII. And whereas by reaſon of the diverting of ſome Part or Parts of the ſaid Road, the Truſtees may happen to be ſeized of ſome Piece or Pieces of Ground, over and above what are or ſhall be neceſſary for effecting the Purpoſes of this Act, be it therefore enacted, That it ſhall be lawful for the ſaid Truſtees to ſell and diſpoſe of ſuch Pieces or Parcels of Ground, either together or in Parcels, and either by Public or Private Contract, as they ſhall find moſt convenient and advantageous, to ſuch Perſon or Perſons as ſhall be willing to contract for and purchaſe the ſame: Provided always, that the ſaid Truſtees, before they ſhall ſell and diſpoſe of any Piece or Pieces of Ground as aforeſaid, ſhall offer the ſame to the Perſon or Perſons from whom the ſame ſhall have been purchaſed, or where the ſame ſhall ariſe by reaſon of diverting any Part or Parts of the ſaid Road, then to the Perſon or Perſons whoſe Lands ſhall adjoin thereto; and in caſe ſuch Perſon or Perſons reſpectively ſhall not then and thereupon agree (except with reſpect to or on account of the Price thereof, as herein-after mentioned), or ſhall refuſe (except with reſpect to or on account of the Price thereof) to purchaſe or re-purchaſe the ſame reſpectively, an Affidavit to be made and ſworn before a Maſter or Maſter Extraordinary in the High Court of Chancery, or before Two of His Majeſty's Juſtices of the Peace for the County in which ſuch Land or Ground ſhall be ſituate, (who are hereby empowered and required to take the ſame), by ſome Perſon or Perſons no ways intereſted in the ſaid Piece or Pieces of Ground, ſtating that ſuch Offer was made by and on the Behalf of the ſaid Truſtees, and that ſuch Offer was not then and thereupon agreed to, or was refuſed by the Perſon or Perſons to whom the ſame was ſo offered, ſhall in all Courts whatſoever be ſufficient Evidence and Proof that ſuch Offer was made and was not agreed to, or was refuſed by the Perſon or Perſons to whom ſuch Offer was made (as the Caſe may be); and in caſe ſuch Perſon or Perſons ſhall be deſirous of purchaſing the ſame, and he, ſhe, or they, and the ſaid Truſtees, ſhall differ and not agree with reſpect to the Price thereof, then the Price or Prices thereof ſhall be aſcertained by a Jury in Manner in this Act directed with reſpect to diſputed Value of Premiſes to be purchaſed by the ſaid Truſtees in purſuance of this Act, and the Expence of hearing and determining ſuch Difference ſhall be borne and paid in Manner herein-before directed with reſpect to ſuch Purchaſes made by the ſaid Truſtees *mutatis mutandis*, and the Money to ariſe by the Sale or Sales of ſuch Pieces or Parcels of Ground ſhall be applied to the Purpoſes of this Act; but the Purchaſer or Purchaſers thereof ſhall not be anſwerable or accountable for any Miſ-application or Non-application of ſuch Money, and the Conveyances of ſuch Piece or Pieces of Ground ſhall be made to the Purchaſer or reſpective Purchaſers thereof, and in ſuch Manner and Form as is herein-before directed with reſpect to the Conveyance to be made of the Land conſtituting any Part of the Road herein-before directed to be ſold.

When Pieces of Land are to be ſold, the Firſt Offer to be made to the original Proprietor.

In caſe the Parties cannot agree the Ballot to be determined by a Jury.

LXIII. And

Truſtees to fence the new Roads.

LXIII. And be it further enacted, That in all Caſes where the ſaid Truſtees ſhall widen, turn, or alter, any Part or Parts of the ſaid Road, or make any new Road over and through any Private Grounds, the ſaid Truſtees ſhall make or cauſe to be made proper Walls or Quickſet Fences, as the Caſe ſhall require, ſo as effectually to guard and fence off the Lands adjoining to the ſaid Road, and alſo proper Gates, Bridges, and Arches, where neceſſary, out of, upon, or under the ſaid Road, into the Lands adjoining, and ſhall keep the Quickſet Fences ſo to be made in proper Order and Repair for and during the Term of Six Years from the Time that ſuch Quickſet Fences ſhall have been made or planted.

Waggon Ways not to be damaged or obſtructed;

LXIV. And be it further enacted and declared, That nothing in this Act contained ſhall be conſtrued to authorize or empower the ſaid Truſtees to pull up, alter, damage, obſtruct, or prejudice any Waggon-way laid or to be laid acroſs or near the ſaid Road, or any Part thereof, or to ſtop or obſtruct any Horſes going or returning with any Waggons laden with Coals, or empty, paſſing along the ſaid Waggon-ways, but that the Owner or Occupier of any ſuch Waggon-ways ſhall have the ſame Right and Power to uſe and enjoy the ſame, and to lay any new Waggon-way or Waggon-ways from Time to Time as Occaſion may require, and to do all ſuch Acts and Things as are or ſhall be needful or neceſſary for the Purpoſes aforeſaid, as fully and freely as if this Act had not been made: Provided always, that all ſuch Waggon-ways, as are or ſhall be laid acroſs the ſaid Road, be made and kept by the reſpective Owners or Occupiers thereof in a level, ſecure, and commodious Manner, to the Satisfaction of the Surveyor or Surveyors of the ſaid Road for the Time being, and ſo as to be attended with the leaſt poſſible Injury and Inconvenience to the ſaid Road, and to Horſes, Carriages, and Travellers paſſing thereon.

provided they are made in a level and commodious Manner.

Lands liable to the Repair of any Part of the Road, or of any of the Bridges, &c. to continue ſo.

LXV. And be it further enacted, That where any particular Part or Parts of the ſaid Road or any Bridges, Arches, Drains, or Sewers lying in and upon the ſaid Road, have been accuſtomed, or ought to be repaired and maintained by any particular Perſon or Perſons, Bodies Politic or Corporate, by reaſon of the Tenure of any Lands, Tenements, or Hereditaments, or otherwiſe, or by the ſaid County of *Northumberland*, or any Ward, Pariſh, Town, or Townſhip therein reſpectively, or otherwiſe howſoever, all and every ſuch Part and Parts of the ſaid Road, and all ſuch Bridges, Arches, Drains, and Sewers, ſhall from Time to Time be maintained and kept in repair by ſuch Perſon or Perſons, Bodies Politic and Corporate, County, Wards, Pariſhes, Towns or Townſhips, in ſuch Manner as the ſame were reſpectively maintained and kept in repair before the paſſing of this Act.

To determine Differences between the Truſtees and Perſons liable to ſuch Repairs.

LXVI. And, for determining Differences which may ariſe between the ſaid Truſtees and the Perſon or Perſons, Bodies Politic or Corporate, County, or any Ward, Pariſh, Town, or Townſhip therein, touching when, how, and in what Manner ſuch particular Part or Parts of the ſaid Road, or the Bridges, Arches, Drains, and Sewers lying in and upon the ſame, are or ought to be repaired and maintained as aforeſaid; be it further enacted, That in caſe any ſuch Difference ſhall ariſe, it ſhall be lawful for the Juſtices of the Peace of the ſaid County of *Northumberland*, and they are hereby reſpectively required and empowered at the General Quarter Seſſions to be held for the ſaid County, upon Application to them made by

the ſaid Truſtees, or by their Clerk or Clerks for the Time being, by their Direction to adjudge and determine, where, how, and in what Manner ſuch particular Part or Parts of the ſaid Road, Bridges, Arches, Drains, and Sewers ſhall from Time to Time be maintained and repaired by ſuch Perſon or Perſons, Bodies Politic or Corporate, County, or any Ward, Pariſh, Town, or Townſhip therein, who are or ſhall be chargeable or liable to repair the ſame by reaſon of the Tenure of any Lands, Tenements, or Hereditaments, or otherwiſe howſoever.

Regulations as to Performance of Statute Work.

LXVII. Provided always, and be it further enacted, That all Perſons who by Law are or ſhall be liable to do Statute Work, or are or ſhall be chargeable towards repairing and amending the ſaid Road, or any Part thereof, and the Inhabitants of all ſuch Pariſhes, Townſhips, or Places, as have at any Time or Times done Statute Work upon, or contributed towards repairing and amending the ſaid Road or any Part thereof, ſhall ſtill remain liable thereto, in like Manner as heretofore; and it ſhall be lawful for any Two or more Juſtices of the Peace for the ſaid County of *Northumberland*, and they are hereby empowered and required (upon Application made to them for that Purpoſe by the ſaid Truſtees, or by their Clerk or Clerks, Surveyor or Surveyors, by their Order) yearly to adjudge and determine what Part or Proportion of the Statute Work ſhall every Year be done to the ſaid Road by the Inhabitants of the reſpective Pariſhes, Townſhips or Places liable thereto, or in which the ſaid Road doth lie; and alſo what Proportion of the Money received by the Surveyor or Surveyors of the Highways of every ſuch Pariſh, Townſhip or Place, in lieu of or as a Compenſation for ſuch Statute Work, ſhall be by him or them paid to the ſaid Truſtees or to their Treaſurer or Treaſurers; and in order thereto, it ſhall be lawful for ſuch Juſtices from Time to Time to ſummon the Surveyor or Surveyors of the Highways for every ſuch Pariſh, Townſhip or Place, to bring in Liſts before ſuch Juſtices, at ſome Place to be expreſſed in ſuch Summons (within Ten Days after the ſerving of ſuch Summons, either perſonally, or by leaving the ſame at his or their Dwelling Houſe or Dwelling Houſes) of the Names of the ſeveral Perſons who, within ſuch Pariſh, Townſhip or Place, are by Law ſubject and liable to do Statute Work for that Year, or to the Payment of any Money in lieu of or as a Compenſation for ſuch Statute Work, diſtinguiſhing the Nature of the Work to be done, together with Teams or Draughts, or otherwiſe, and alſo the amount of the reſpective Sums to be paid, which Liſts of Names ſhall be made in ſuch Manner, and under ſuch Regulations and Reſtrictions as is, are, or may be directed by any Law or Statute in force and effect for the Repair of the Public Highways, and out of ſuch Liſts ſuch Juſtices ſhall or may allot, appoint and order ſuch and ſo many of the Perſons who ſhall appear to be ſubject and liable to do Statute Work as aforeſaid, to do ſuch Number of Days Statute Work in every Year upon the ſaid Road as the ſaid Juſtices ſhall think reaſonable, and the ſame ſhall be done on ſuch Days and at ſuch Times, (not being Haytime or Harveſt), and on ſuch Parts of the ſaid Road as the ſaid Truſtees, or their Surveyor or Surveyors, ſhall from Time to Time order, direct and appoint, and the ſaid Juſtices ſhall and may alſo order and direct the Perſons who by ſuch Liſts ſhall appear to be ſubject or liable to the Payment of any Money in lieu of or as a Compoſition for Statute Work as aforeſaid, to pay ſuch Proportion thereof as the ſaid Juſtices ſhall think proper to the ſaid Truſtees, or to their Treaſurer or Treaſurers, at ſuch Time or Times as the

ſaid Juſtices ſhall direct; and in Default of Payment thereof, the ſame ſhall or may be recovered by Diſtreſs and Sale of the Goods and Chattels of the reſpective Perſons liable to the Payment thereof, in like Manner as any Penalty is by this Act authorized to be recovered; and each and every Perſon who ſhall neglect or refuſe to do ſuch Statute Work as aforeſaid, after Notice in Writing given or left for him, her, or them for that Purpoſe, ſigned by the Surveyor or Surveyors to the ſaid Truſtees, ſhall for every Day of his, her, or their Default, or the Default of any Labourer or Labourers, Team or Teams, Draught or Draughts, Horſe or Horſes, Beaſt or Beaſts, to be provided by him, her or them, be ſubject and liable to ſuch Pains, Penalties, and Forfeitures, as ſuch Perſon or Perſons may be ſubject or liable to by any Law or Statute in force and effect for the Repair of the Public Highways; and if any Perſon who ſhall come to work as a Labourer, or who ſhall be ſent with any Team or Draught to work on the ſaid Road, ſhall be found idle or negligent by any Surveyor to the ſaid Truſtees, ſuch Surveyor is hereby empowered to remove and turn off the Perſon who ſhall be found idle or negligent as aforeſaid; and in that Caſe every ſuch Perſon ſhall be ſubject and liable to the reſpective Forfeitures and Payments aforeſaid as if he had refuſed or neglected to come, or ſuch Team or Draught had not been ſent to work on any Part of the ſaid Road; all which Forfeitures ſhall be paid to the Treaſurer or Treaſurers to the ſaid Truſtees, and applied towards amending the ſaid Road; and in caſe the ſaid Surveyor or Surveyors of the Highways for any of the ſaid Pariſhes, Townſhips, or Places, ſhall refuſe or wholly neglect to give in ſuch Liſts as aforeſaid, or ſhall knowingly or wilfully give in falſe or imperfect Liſts, every ſuch Surveyor ſo offending ſhall, for every ſuch Offence, forfeit and pay any Sum not exceeding Ten Pounds.

Truſtees may compound for Repairs on Statute Work.

LXVIII. And be it further enacted, That it ſhall be lawful for the ſaid Truſtees to compound and agree with any Perſon or Perſons, Bodies Politic or Corporate, for the Repairs or Statute Work, to be by them done on the ſaid Road, or any Part thereof, and alſo with the Inhabitants and Occupiers of Lands, Tenements, or Hereditaments, of and in all or any of the Pariſhes, Townſhips, or Places liable thereto, or in which the ſaid Road doth lie, for a certain Sum of Money, by the Year or otherwiſe, as the ſaid Truſtees ſhall think reaſonable, in lieu of the Whole or any Part of the Statute or other Work, to be by all or any of the ſaid Inhabitants and Occupiers done on the ſaid Road; which Compoſition Money ſhall always be paid by the Surveyor or Surveyors of the Highways, or other Officer of the Pariſh, or by the Perſon or Perſons ſo compounding, to the Treaſurer or Treaſurers of the ſaid Truſtees, in advance, on or before the Firſt Day of *May* in each and every Year, or otherwiſe ſuch Perſon or Perſons, Bodies Politic or Corporate, and the Inhabitants and Occupiers of ſuch Pariſh, Townſhip, or Place, ſhall not be permitted to compound for that Year.

Truſtees may contract for Repairs.

LXIX. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Truſtees from Time to Time to contract and agree with any Perſon or Perſons for the making, altering, and repairing of the ſaid Road, or any Part or Parts thereof, and for making and erecting Arches and Bridges upon the ſame, and for making Hedges or Fences, or for doing any other Work to be performed in the Execution of this Act,

in such Manner and for such Sum or Sums of Money annually, or otherwise, or for such Consideration as the said Trustees shall think proper.

Penalty on Persons obstructing the Execution of this Act.

LXX. And be it further enacted, That if any Person or Persons shall assault or hinder, or cause to be assaulted or hindered, the Collectors of the said Tolls or any of them, in the Execution of any Part of this Act, every such Person or Persons so offending shall, for every such Offence, forfeit and pay any Sum not exceeding Ten Pounds.

Power to Collectors, &c. to detain unknown Persons guilty of Offences.

LXXI. And whereas Persons guilty of Offences against this Act may be transient Persons and unknown to the Collectors, Surveyors, or other Officers acting under this Act, be it therefore enacted, That it shall be lawful for the said Collectors, Surveyors, and other Officers respectively, with such Aid as shall be necessary, to seize and detain any such unknown Person or Persons guilty of any Offence against this Act, and forthwith to convey him, her, or them before One or more Justice or Justices of the Peace for the County or Place where such Offence or Offences shall be committed, without any other Warrant or Authority than this Act for so doing.

Penalties and Forfeitures how to be recovered and applied.

LXXII. And be it further enacted, That all Penalties, Forfeitures and Fines, by this Act inflicted or authorized to be imposed (the Manner of levying and recovering of which is not herein otherwise particularly directed) shall upon Proof of the Offences respectively before any One or more Justice or Justices of the Peace of the said County of *Northumberland*, either by Confession of the Party or Parties offending, or by the Oath of One or more Witness or Witnesses, be levied by Distress and Sale of the Goods and Chattels of the Party or Parties so offending, by Warrant or Warrants under the Hand and Seal or Hands and Seals of such Justice or Justices (which Warrant or Warrants such Justice or Justices is and are hereby authorized and required to grant for those Purposes, and to administer such Oath *gratis*) and the Overplus, after such Penalties, Forfeitures, and Fines, and the Charges of such Distress and Sale are deducted, shall be returned on Demand, to the Owner or Owners of such Goods and Chattels; and all Penalties, Forfeitures, and Fines, when so paid and levied (if not directed to be otherwise applied by this Act) shall from Time to Time be paid to the said Trustees, or to their Treasurer or Treasurers for the Time being, and shall be laid out and applied in putting this Act in Execution; and in case sufficient Distress shall not be found, and such Penalties, Forfeitures, and Fines shall not be forthwith paid, it shall be lawful for such Justice or Justices of the Peace, and he and they is and are hereby authorized and required, by Warrant or Warrants under his or their Hand and Seal or Hands and Seals, to cause such Offender or Offenders to be committed to the Common Gaol or House of Correction for the said County, there to remain without Bail or Mainprize, for any Term not exceeding Three Calendar Months, unless such Penalties, Forfeitures, and Fines, and all reasonable Charges, shall be sooner paid and satisfied.

Form of Conviction.

LXXIII. And for the more easy and speedy Conviction of Offenders against this Act, be it further enacted, That all and every the Justices or Justice of the Peace, before whom any Person or Persons shall be convicted of any Offence against this Act, may cause the Conviction to be drawn up in the following Form of Words, or in any other Form of Words, to the like

like Effect, (as the Case may happen), and shall not be obliged to set forth the Evidence at length; (that is to say),

'BE it remembered, That on the Day of in the Year of His Majesty's Reign, in the Year of our Lord A. B. is convicted before of His Majesty's Justices of the Peace for the County of [*Here specify the Offence, and when and where committed*] contrary to the Form of the Statute made in the Fifty-fifth Year of the Reign of His Majesty King *George* the Third, intituled [*Here set forth the Title of this Act*], and I, [*or* we] do therefore declare and adjudge, that the said *A. B.* hath forfeited for his said Offence the Sum of , or shall be committed to for the Space of Given under my Hand and Seal (*or* our Hands and Seals) the Day and Year first above written.'

Allowing an Appeal to the Quarter Sessions.

LXXIV. And be it further enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any Thing done in pursuance of this Act (save and except the Verdict of the Jury with respect to the Value of Messuages, Lands, or Tenements, in turning, altering, widening, or making any Part or Parts of the said Road, and any other Matter or Thing herein-before directed to be final), and for which no particular Relief hath been herein-before appointed, such Person or Persons may within Six Calendar Months next after the Cause of Complaint shall have arisen, appeal to the Justices of the Peace at any General Quarter Sessions of the Peace for the County of *Northumberland*, such Appellant or Appellants first giving, or causing to be given Ten Days Notice at least in Writing of his, her, or their Intention to bring such Appeal, and of the Cause or Matter thereof, to the Clerk or Treasurer of the said Trustees, and within Four Days after such Notice entering into a Recognizance before some Justice of the Peace for the said County, with Two sufficient Sureties, conditioned to try such Appeal at, and abide the Order of, and pay such Cost as shall be awarded against him, her, or them, by the Justices at such Quarter Sessions; and the said Justices at their said Sessions, on due Proof being given of such Notice as aforesaid, and of the entering into such Recognizance, shall proceed to hear and finally determine the Causes and Matters of such Appeal in a summary Way, and award such Costs to the Party appealing or appealed against, as they the said Justices shall respectively think proper; and the Determination of such Quarter Sessions shall be final, binding and conclusive to all Intents and Purposes.

Distress not unlawful for want of Form only.

LXXV. And be it further enacted, That where any Distress shall be made for any Sum or Sums of Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers on account of any Defect or Want of Form in the Summons, Conviction, Notice, Warrant of Distress, or other Proceedings relative thereto, nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers *ab initio* on account of any Irregularity which shall be afterwards committed by the Party or Parties distraining, but the Person or Persons aggrieved by such Irregularity may recover full Satisfaction for the Special Damages in an Action on the Case.

LXXVI. And

Proceedings not to be quashed for want of Form, nor removed by Certiorari.

LXXVI. And be it further enacted, That no Proceeding to be had touching the Conviction of any Offender or Offenders against this Act, or any Order to be made, or any other Matter to be done or transacted in or relating to the Execution of this Act, shall be quashed for Want of Form, or be liable to be removed by *Certiorari*, or any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster*, or elsewhere, any Law or Statute to the contrary notwithstanding.

Clerks to be reimbursed their Expences.

LXXVII. Provided always, That every such Clerk or Clerks, in whose Name or Names any Action or Suit shall be commenced, prosecuted, or defended in pursuance of this Act, shall be fully reimbursed and paid, out of the Monies to arise by virtue of this Act, all such Costs, Charges, Damages, and Expences, as by the Event or in consequence of any such Action or Proceeding, he or they shall pay, bear, expend, or be put unto, or become chargeable with, by reason of his or their being made Plaintiff or Plaintiffs, or Defendant or Defendants as aforesaid.

Inhabitants may be Witnesses.

LXXVIII. And be it further enacted, That any Inhabitant of any Parish, Townshiip, or Place, in which any Offence may be committed against this Act, shall be deemed and adjudged to be a competent Witness, notwithstanding he or she may be an Inhabitant of such Parish, Townshiip, or Place.

Not to recover if sufficient Tender of Amends before Action brought.

LXXIX. And be it further enacted, That no Plaintiff or Plaintiffs shall recover in any Action for any Irregularity, Trespass, or wrongful Proceeding committed in carrying the Trusts of this Act into Execution, or in any Matter or Thing concerning or relating to the same, if Tender of sufficient Amends shall be made by or on Behalf of the Party who shall have committed or caused to be committed any such Irregularity, Trespass or wrongful Proceeding, before such Action brought; and in case no such Tender shall have been made, it shall and may be lawful to and for the Defendant or Defendants in any Action, with Leave of the Court wherein such Action shall be depending, at any Time before Issue joined, to pay into Court such Sum or Sums of Money as he, she, or they shall see fit, whereupon such Proceedings or Orders and Judgements shall be had and given in and by such Court, as in other Actions where Defendants are allowed to pay Money into Court.

Limitation of Actions.

LXXX. And be it further enacted, That no Action or Suit shall be commenced against any Person or Persons for any Thing done in pursuance of this Act, until Ten Days Notice shall be thereof given to the Clerk of the said Trustees, nor after sufficient Satisfaction or Tender thereof hath been made to the Party or Parties aggrieved, nor after Six Calendar Months after the Fact committed; and every such Action or Suit shall be laid in the County where the Cause of Action shall have arisen and not elsewhere; and the Defendant or Defendants in every such Action shall or may, at his, her or their Election, plead specially, or the General Issue, Not Guilty, and give this Act and the special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act; and if the same shall appear to have been so done, or that such Action or Suit shall have been brought before Ten Days Notice thereof as aforesaid, or after a sufficient Satisfaction made or tendered as aforesaid, or after the time limited for bringing the same as aforesaid, or shall be brought

in any other County than the County as aforesaid, then the Jury shall find for the Defendant or Defendants; and upon such Verdict or Verdicts, or if the Plaintiff or Plaintiffs shall be Nonsuited, or discontinue his, her, or their Action or Suit, after the Defendant or Defendants shall have appeared, or if upon Demurrer, Judgement shall be given against the Plaintiff or Plaintiffs, then the Defendant or Defendants shall recover Treble Costs, and have such Remedy for the same as any Defendant or Defendants hath or have in any other Case by Law.

Treble Costs.

Public Act.

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

Term of the Act.

LXXXII. And be it further enacted, That the Term of this Act shall commence upon the Tenth Day of *June* One thousand eight hundred and fifteen, and shall continue and be in force for Twenty-one Years, and from thence to the End of the then next Session of Parliament.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1815.