ANNO QUINQUAGESIMO TERTIO

GEORGII III. REGIS.

Cap. 91.

An Act to continue the Term and enlarge the Powers of an Act of His present Majesty, for repairing the Road from *Cornhill Burn* to *Milfield March Burn*, and by *Ford Bridge* to *Lowick*, and other Roads in the said Act mentioned, in the Counties of *Northumberland* and *Durham*; and for making Two new Branches of Road to communicate therewith. [21st *May* 1813.]

WHEREAS an Act was passed in the Thirty-second Year of the Reign of His present Majesty King *George* the Third, intituled *An Act for repairing and improving the Road leading from* Cornhill Burn, *by* Pallinsburn *and* Flodden Lane *to* Milfield March Burn, *and by* Ford Bridge *to* Lowick, *and also several other Roads therein mentioned, all in the Counties of* Northumberland *and* Durham: And whereas the Trustees appointed in or by virtue of the said recited Act have proceeded to put the same in Execution, for which Purpose they have borrowed several considerable Sums of Money on the Credit of the Tolls thereby granted; which Money still remains due and owing, and cannot be paid off, nor can the said Roads be effectually amended, widened, improved, and kept in Repair, unless the Term granted by the said recited Act be continued, and some of the Powers thereof amended, altered, and enlarged: And whereas such Parts of the Roads described in the said recited Act as lead from a Place called *Blue Bell* to *Branxton* and *Mindrum* to the Border of 32 G. 3. c. 145.

Scotland, and alſo the Road leading from *Old Learmouth* Weſtward to a Place called *Pott's Cloſe*, on the Border of *Scotland*, are now become of little or no public Utility; and it is therefore expedient that the Truſtees for executing the ſaid recited Act and this Act ſhould be diſcharged from the future Care, Management, and Repair of the ſaid Roads reſpectively: And whereas the making and maintaining of a Road to lead from the Weſt End of a Place called *Barmoor Lane End* to *Kimmerſtone*, and from thence through *Red Scar Ford* on the River *Till*, to join the *Wooler* Road leading acroſs *Milfield Plain*, would be a great Advantage and Accommodation to the Neighbourhood, and of public Utility: And whereas the common Highway or Road leading from *Flodden Lane* to *Flodden Howtel*, *Kilham Pawſton* and *Shotton*, to the Border of *Scotland*, and alſo the common Highway or Road leading from *Old Learmouth* to the Eaſt End of the Village of *Wark*, all in the ſaid County of *Northumberland*, are very much out of Repair, incommodious and dangerous to Paſſengers and Travellers, and cannot be effectually amended, widened, improved, and kept in Repair by the ordinary Courſe of Law; and it would be a great Benefit and Advantage to the Neighbourhood, and of public Utility, if the ſame were to be amended, widened, improved, and kept in Repair, and put under the Care and Management of the Truſtees for executing the ſaid recited Act and this Act; but the aforeſaid beneficial Purpoſes cannot be effected without the Aid and Authority of Parliament: May it therefore pleaſe Your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid recited Act, paſſed in the Thirty-ſecond Year of the Reign of His preſent Majeſty, and all and every the Authorities, Powers, Privileges, Proviſoes, and Clauſes therein contained, (ſave and except ſuch Part or Parts thereof as relate to Exemption from Stamp Duties, and alſo ſuch Part or Parts thereof as are by this Act repealed,) ſhall be and continue in full Force and Effect, and be executed for and during the Term herein-after mentioned, in as full, large, and ample a Manner, and as effectually to all Intents and Purpoſes, as if the ſaid recited Act, and all the Authorities, Powers, Privileges, Proviſoes, and Clauſes therein contained, were repeated and re-enacted in the Body of this Act, as well for amending, widening, altering, improving, and keeping in Repair the Roads included or compriſed in the ſaid recited Act, (ſave as herein-after mentioned,) as for amending, widening, altering, improving, and keeping in Repair the ſaid new and additional Branches of Road to lead from the Weſt End of a Place called *Barmoor Lane End* to *Kimmerſtone*, and from thence through *Red Scar Ford* on the River *Till*, to join the *Wooler* Road leading acroſs *Milfield Plain*, the common Highway or Road leading from *Flodden Lane* to *Flodden Howtel*, *Kilham Pawſton* and *Shotton*, to the Border of *Scotland*, and alſo the common Highway or Road leading from *Old Learmouth* to the Eaſt End of the Village of *Walk*, all in the ſaid County of *Northumberland*; but ſubject nevertheleſs to the Amendments, Alterations, and Additions in this Act contained, and which ſhall commence and take Effect immediately on the paſſing of this Act; and that this Act, and the additional Term and Powers hereby granted, ſhall be and are hereby declared to be ſubject and liable to the Payment of all Monies now due and owing, or which ſhall or may hereafter be borrowed or become due and owing on

Act further continued.

the Credit of the ſaid recited Act and of this Act, or either of them, and all Intereſt now due and to become due for the ſame reſpectively; and that all Mortgages and Securities for ſecuring the Repayment of any Money borrowed on the Credit of the Tolls authoriſed to be taken upon the ſaid Roads, and which are now in force, ſhall remain and continue in force during the Term granted by this Act, unleſs the Money thereby ſecured, with the Intereſt thereof, ſhall be ſooner paid off and diſcharged.

Truſtees.

II. And be it further enacted, That the Honourable *Henry Grey Bennet*, *Charles Bigge* Eſquire, *Thomas Bates*, *James Bell*, *John Barber*, the Right Honourable commonly called *Lord Boyle*, *Thomas Burrel*, *George Culley*, *Matthew Culley* ſenior, *Matthew Culley* junior, *John Carr*, *John Graham Clark*, *John Crawford*, *Fenwick Compton*, *Alexander Daviſon*, *Percy Daviſon*, *William Daviſon*, *Thomas Dodds*, *John Strangeways Donaldſon* ſenior, *John Strangeways Donaldſon* junior, *Ralph Foſter*, *James Foſter*, *Matthew Foſter*, *John Grey* ſenior, *James Grey*, *George Grey*, *John Grey* junior, *Thomas Howey*, *Bartholomew Hair*, *Robert Hair*, *Edward Henderſon*, *James Henderſon*, *Thomas Haggerſtone* junior, *Saunderſon Ilderton*, *Collingwood Foſter James*, *Richard Jobſon*, *William Jobſon*, Sir *Thomas Liddell* Baronet, *David Lee*, *David Logan*, *John Murray*, *Henry Morton*, *Thomas Morton*, *Alexander Mole*, *Thomas Neſbit*, *Chriſtopher Neſbit*, the Right Honourable *Charles Auguſtus Bennet* commonly called *Lord Oſſulſton*, *William Pickerton*, *Francis Peacock*, *Horace St. Paul*, *Henry Heneage St. Paul*, *Charles Maxamelian St. Paul*, *James Rea*, *William Smith* ſenior, *William Smith* junior, *Edward Smith*, *Thomas Smith*, *Greive Smith*, *Andrew Scot*, *Alexander Thomſon*, *Adam Thomſon*, *Johnſon Thompſon*, *Robert Thompſon*, *Thomas Vardy*, *William Wilſon*, *James White*, *Oſwald Younghuſband*, and *Aaron Young*, being qualified in the Manner herein-after mentioned, ſhall be added to and joined with the Truſtees appointed by or in purſuance of the ſaid recited Act, for putting the ſaid Act and this Act in Execution, and ſhall be and are hereby empowered to act in the Execution of the ſaid recited Act and this Act, as fully and effectually to all Intents and Purpoſes, as if they had been appointed Truſtees in or by virtue of the ſaid recited Act.

Qualification of Truſtees.

III. Provided always, and be it further enacted, That no Perſon ſhall be capable of acting as a Truſtee in the Execution of the ſaid recited Act or this Act, unleſs he ſhall be in his own Right, or in the Right of his Wife, in the actual Poſſeſſion and Enjoyment or Receipt of the Rents and Profits of Lands, Tenements, or Hereditaments of the clear yearly Value of One hundred Pounds above Reprizes, or ſhall be Heir Apparent of a Perſon ſeiſed of a Real Eſtate in Lands, Tenements, or Hereditaments of the clear yearly Value of Three hundred Pounds above Repriſes, or ſhall be poſſeſſed of or entitled unto a Perſonal Eſtate of Three thouſand Pounds, nor (except in adminiſtering the Oath or Affirmation herein-after mentioned) until he ſhall have taken and ſubſcribed, before any Five or more of the ſaid Truſtees, an Oath or Affirmation in the Words or to the Effect following; (that is to ſay,)

Oath.

'I *A. B.* do ſwear [*or*, being one of the People called *Quakers*, do ſolemnly affirm], That I truly and *bonâ fide* am in my own Right [*or*, in the Right of my Wife] in the actual Poſſeſſion and Enjoyment

'[*or*,

'[*or*, Receipt] of the Rents and Profits of Lands, Tenements or Here-
'ditaments, of the clear yearly Value of One hundred Pounds above
'Reprizes, [*or*, am Heir Apparent of *A. B.*, who to the beſt of my
'Knowledge and Belief is ſeiſed of ſuch an Eſtate of the clear yearly
'Value of Three hundred Pounds; *or*, am poſſeſſed of a Perſonal Eſtate
'of the Amount of Three thouſand Pounds,] after all my Debts are
'paid; and that I will well and truly execute and perform all and every
'the Powers and Authorities veſted and repoſed in me, in purſuance of
'Two Acts, paſſed in the Thirty-ſecond and Fifty-third Years of the
'Reign of His Majeſty King *George* the Third, for, &c. [*here inſert*
'*ſhortly the Titles of the Two Acts.*]

'So help me GOD.'

Which Oath or Affirmation any One or more of the ſaid Truſtees is and are hereby empowered to adminiſter; and if any Perſon not being ſo qualified ſhall preſume to act as ſuch Truſtee in the Execution of the ſaid recited Act and 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 with full Coſts of Suit, in any of His Majeſty's Courts of Record at *Weſtminſter*, by Action of Debt or on the Caſe, or by Bill, Plaint, Suit, or Information, whereon 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, without any other Proof or Evidence on the Part of the Proſecution than that ſuch Perſon hath acted as a Truſtee in the Execution of the ſaid recited Act and this Act: Provided always nevertheleſs, that all Acts and Proceedings of any Perſon or Perſons acting as a Truſtee or Truſtees in the Execution of the ſaid recited Act and this Act, previous to his or their being convicted of the ſaid Offence, ſhall, notwithſtanding ſuch Conviction, be as good, valid, and effectual, as if ſuch Perſon or Perſons had been qualified according to the Directions of this Act; any Thing in the ſaid recited Act to the contrary notwithſtanding.

Power to appoint additional Truſtees.

IV. And be it further enacted, That it ſhall be lawful for the ſaid Truſtees, or any Five or more of them, at a Meeting to be held for that Purpoſe, (of which Meeting, and of the Purpoſe thereof, Twenty Days Notice ſhall be given, in Manner as in the ſaid recited Act is directed reſpecting the Appointment of new Truſtees on Vacancies,) to elect, nominate, and appoint any Number, not exceeding Ten, fit and proper Perſons to be Truſtees for the Purpoſes of the ſaid recited Act and this Act, in addition to the Truſtees by the ſaid recited Act and this Act nominated and appointed.

Truſtees diſcharged from the Care, &c. of certain Roads.

V. And be it further enacted, That ſo much of the ſaid recited Act as relates to thoſe Parts of the ſaid Roads as lead from the ſaid Place called *Blue Bell* to *Branxton* and *Mildrum*, to the Border of *Scotland*, and alſo the Road leading from *Old Learmouth* Weſtward to a Place called *Pott's Cloſe*, on the Border of *Scotland*, ſhall be and the ſame is hereby repealed; and that the Truſtees for executing the ſaid recited Act and this Act ſhall be and they are hereby diſcharged from the future Care and Management of the aforeſaid Parts of the ſaid Roads.

VI. And

Power to erect a Gate and take Toll on the new Branch of Road.

VI. And be it further enacted, That the ſaid Truſtees, or any Five or more of them, ſhall and may erect or cauſe to be erected a Turnpike Gate in, upon, or acroſs any Part of the ſaid new Branch of Road from the Weſt End of *Barmoor Lane End* to *Kimmerſtone*, and from thence through *Red Scar Ford* on the River *Till*, to join the *Wooler* Road leading acroſs *Milfield Plain*, and alſo a Toll Houſe adjoining to or near the ſaid Gate, with ſuitable Outbuildings and Conveniencies at or near ſuch Toll Gate; and the ſaid Truſtees, or any Five or more of them, ſhall and may order and direct ſuch and the ſame Tolls to be taken thereat, as are now taken at any other Gate now erected upon the ſaid Roads; and it ſhall be lawful for the ſaid Truſtees, after erecting and completing a Bridge at or near *Red Scar Ford* aforeſaid, and making and repairing the Road leading thereto, to ſtop up and diſcontinue any Paſſage or Paſſages through the ſaid *Red Scar Ford*, or within the Diſtance of Half a Mile from the ſaid intended Bridge, in ſuch Way or Manner as ſhall appear to the ſaid Truſtees, or any Five or more of them, to be moſt effectual for anſwering that Purpoſe: Provided always, that no ſuch Paſſage or Paſſages ſhall be ſtopped up or diſcontinued without the Concurrence and Order of Two Juſtices of the Peace acting in and for the ſaid County of *Northumberland*, and which Order ſhall be ſubject to appeal, in ſuch Manner as is in and by the ſaid recited Act directed.

None of the Tolls ariſing from the old Roads to be applied to making the new Branch through Red Scar Ford.

VII. And be it further enacted, That none of the Tolls or other Money now collected, raiſed or borrowed, or hereafter to be collected, raiſed or borrowed, upon or on account of the Roads compriſed in the ſaid recited Act, ſhall be laid out, expended, or applied in or towards amending, widening, repairing, or otherwiſe improving the ſaid new Branch of Road leading from the Weſt End of a Place called *Barmoor Lane End* to *Kimmerſtone*, and from thence through *Red Scar Ford* on the River *Till*, to join the *Wooler* Road leading acroſs *Milfield Plain*.

All the Tolls and other Money ariſing upon the Red Scar Ford Branch to be applied in the Repair thereof excluſively.

VIII. And whereas ſeveral Perſons have ſubſcribed and advanced, or agreed to ſubſcribe and advance, divers Sums of Money, amounting to the Sum of Eight hundred Pounds, for the Purpoſe of being laid out and applied excluſively in the making, maintaining, amending, repairing, and otherwiſe improving the ſaid laſt mentioned new Branch of Road; be it therefore enacted, That the ſaid Truſtees ſhall and they are hereby authoriſed, directed, and required to lay out and apply the ſaid Sum of Eight hundred Pounds in the making, maintaining, amending, repairing, and otherwiſe improving the ſaid new Branch of Road, and in building an Accommodation Bridge over the River *Till*, and erecting a Toll Houſe and Turnpike Gate and other Works and Conveniencies thereon, and to no other Uſe or Purpoſe whatſoever; and the Tolls by this Act authoriſed to be collected upon the ſaid new Branch of Road, and all the Money hereafter to be borrowed on the Credit thereof from Time to Time as Occaſion ſhall require, ſhall be laid out and applied in the Maintenance, Repair, and Support of the ſaid new Branch of Road only, and not generally towards the Support or Maintenance of any of the other Roads included in the ſaid recited Act and this Act; and in caſe it ſhall happen that any Perſon or Perſons ſhall hereafter ſubſcribe or agree to ſubſcribe any further Sum or Sums of Money towards the Maintenance, Repair, and Support of the ſaid new Branch of Road, then and in ſuch Caſe ſuch Money ſhall be laid out and applied in ſuch

and the ſame Manner as the Tolls to ariſe upon the ſaid new Branch of Road are herein-before directed to be applied, any Thing in the ſaid recited or this Act contained to the contrary notwithſtanding.

Separate Accounts of the Money ariſing upon the new Branch and old Roads to be kept.

IX. And be it further enacted, That the ſaid Truſtees ſhall and they are hereby authorized and required to keep, or cauſe to be kept, ſeparate and diſtinct Accounts of all the Tolls and other Money received, collected, raiſed, levied, or borrowed from Time to Time, on account of the ſaid new Branch of Road, and the other Roads included in the ſaid recited Act and this Act.

No Gate to be erected or Toll taken upon the new Branch of Road, until the ſame, and the Bridge to be erected over the River Till, ſhall be completed.

X. Provided alſo, and be it enacted, That no Toll Bar ſhall be erected or Toll taken upon the ſaid new Branch of Road, until the ſaid new Branch of Road and the Bridge intended to be erected over the River *Till* ſhall have been reſpectively completed, and the Completion thereof certified, by Seven or more Truſtees for executing the ſaid recited Act and this Act, at a Meeting, of which not leſs than Twenty Days public Notice ſhall be given of the Day fixed for the ſaid Meeting, for viewing and certifying the ſame; and it ſhall be lawful for the ſaid Truſtees to erect and build a Toll Gate either on the Eaſt or Weſt Side of the River *Till* aforeſaid, provided that the ſame ſhall not be placed on any Part of the Line of Road leading from *Milfield* to *Ewart*.

Repealing the Power of taking but One-third of the Tolls on the Learmouth Branch.

XI. And whereas it is in and by the ſaid recited Act directed, that no more than One-third of the ſeveral and reſpective Tolls, at any Time taken at any other Gate or Turnpike thereby authorized to be erected, ſhould be demanded or taken for the Paſſage of any Cattle or Carriages through the Gate to be erected upon the *Learmouth* Branch of the Roads in the ſaid recited Act mentioned: And whereas the Proviſion aforeſaid hath been found inconvenient and detrimental to the ſaid Roads; be it therefore enacted, That the ſame ſhall be and is hereby declared to be repealed.

Repealing the Power in the ſaid Act of regulating the Payment of Tolls.

XII. And whereas it is in and by the ſaid recited Act enacted, that every Perſon who ſhall have paid the ſaid One-third of the Toll at the ſaid Gate or Turnpike on the *Learmouth* Branch, ſhall, upon producing a Note or Ticket denoting ſuch Payment, pay and be liable to pay Two-thirds more of the full Toll for paſſing through any other of the ſaid Gates or Turnpikes, and ſhall and may then paſs and repaſs at any Time or Times the ſame Day, with the ſame Cattle and Carriage, Toll free, through the ſame Two Gates or Turnpikes; but if ſuch Perſon ſhall paſs through any other Gate or Turnpike, he or they ſhall then pay another full Toll, and may then paſs and repaſs Toll free the ſame Day, with the ſame Cattle or Carriage, through all the Gates or Turnpikes erected by virtue of the ſaid recited Act; and that every Perſon who ſhall firſt have paid the full Toll at any Gate or Turnpike on the ſaid Roads, ſhall, on producing a Note or Ticket denoting ſuch Payment, paſs and repaſs Toll free the ſame Day, with the ſame Horſes, Cattle, and Carriages, through the ſame or any other Gate or Turnpike to be erected by virtue of the ſaid Act; but if ſuch Perſon ſhall paſs through any Third Gate or Turnpike to be erected by virtue of the ſaid Act, (the ſaid Gate or Turnpike on the *Learmouth* Branch in that Caſe not excepted,) ſuch Perſon ſhall be liable to pay another and a Second full Toll at ſuch Gate or Turnpike, it being

intended by the ſaid Act that every Perſon ſhall be liable to pay Two full Tolls and no more in the ſame Day, for paſſing and repaſſing with the ſame Horſes, Cattle, and Carriages through all the Gates or Turnpikes to be erected by virtue of the ſaid Act; and every Collector of the Tolls, on the Receipt of the reſpective Toll, ſhall, on Demand thereof by the Perſon or Perſons paying ſuch Toll, deliver a Note or Ticket denoting ſuch Payment, *gratis*: And whereas the aforeſaid Proviſion has been found very inconvenient, be it therefore enacted, That the ſame ſhall be and is hereby declared to be repealed.

Eſtabliſhing other Regulations inſtead thereof.

XIII. And be it further enacted, That every Perſon who ſhall paſs through any Gate or Turnpike now erected or hereafter to be erected on any of the ſaid Roads, with any Waggon, Wain, Cart, or other Carriage, or with any Horſes, Cattle, Sheep or Lambs, ſhall pay one full Toll directed by the ſaid Act to be paid for the ſame, and on Demand, the Collector of the ſaid Tolls ſhall and he is hereby required to deliver a Note or Ticket, denoting ſuch Toll having been paid, which Note or Ticket, on being produced to the Collector of the Tolls at the next Gate or Turnpike upon the ſaid Roads, the Perſon producing the ſame ſhall paſs free through ſuch Toll Gate, and ſhall and may paſs and repaſs through the ſaid Two laſt mentioned Toll Gates or Turnpikes in the ſame Day, to be computed from Twelve of the Clock in one Night to Twelve of the Clock in the next enſuing Night, without paying any more or further or additional Toll; but if ſuch Perſon ſhall paſs through any other Gate or Turnpike now erected or hereafter to be erected upon the ſaid Roads, he, ſhe, or they ſhall then pay another full Toll, and may then paſs and repaſs Toll free the ſame Day, with the ſame Cattle or Carriage, through all the Gates or Turnpikes erected or to be erected by virtue of the ſaid recited Act or this Act; and that every Perſon who ſhall firſt have paid the full Toll at any Gate or Turnpike now erected or hereafter to be erected on the ſaid Roads, ſhall, on producing a Note or Ticket denoting ſuch Payment, paſs and repaſs Toll free the ſame Day (to be computed as aforeſaid) with the ſame Horſes, Cattle and Carriages, through the ſame or any other Gate or Turnpike erected or to be erected by virtue of the ſaid recited Act and this Act, or either of them; but if ſuch Perſon ſhall paſs through any Third Gate or Turnpike now erected or to be erected by virtue of the ſaid Act and this Act, ſuch Perſon ſhall and he or ſhe is hereby declared to be liable to pay another and a Second full Toll at ſuch Gate or Turnpike, it being intended by this Act that every Perſon ſhall be liable to pay Two full Tolls, and no more in the ſame Day, (to be computed as aforeſaid,) for paſſing and repaſſing with the ſame Horſes, Cattle and Carriages, through all the Gates or Turnpikes now erected or hereafter to be erected on the ſaid Roads; and every Collector of the Tolls by the ſaid recited Act and this Act granted and continued, on the Receipt of the reſpective Tolls aforeſaid, ſhall, on Demand thereof by the Perſon or Perſons paying ſuch Toll, deliver *gratis* a Note or Ticket denoting ſuch Payment.

General Exemptions from Toll.

XIV. Provided always, and be it further enacted, That none of the Tolls granted by the ſaid recited Act 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, having been employed only in carrying or conveying, on the ſame

ſame Day, any Stones, Bricks, Timber, Wood, Gravel, or other Materials for making or repairing the ſaid Roads, or any of the Roads and Bridges in the Townſhips or Pariſhes in which any Part of the ſaid Roads lies; or for Seed for ſowing the Ground, or Hay, Fodder, Turnips, 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 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, having been employed only in carrying or conveying, on the ſame Day, any Ploughs, Harrows, or Implements of Huſbandry, or any Mould, Dung, Compoſt or Manure (Coals and Lime excepted) employed in Huſbandry for manuring or improving Lands, or any Thing employed in the Management of any Farm or Lands; or for any Horſes or other Beaſts going to or returning 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 on 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 Roads 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 from conveying the ſame; or for the Horſe or Horſes of any Officers or Soldiers 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 therefrom, having been employed only in carrying or conveying the Arms or Baggage of any ſuch Officers or Soldiers, or 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, which ſhall be employed in conveying any Ordnance, Barrack or Commiſſariat, or other public Stores of or belonging to His Majeſty, or for the Uſe of His Majeſty's Forces, or returning 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 after having been ſo employed; or for any Horſes, Coaches or other Carriages, going to or returning from any Election of a Knight or Knights of the Shire to ſerve in Parliament for the Counties of *Northumberland* and *Durham*, or the Boroughs within the ſame reſpectively, 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 and take the Benefit of any of the Exemptions aforeſaid,

aforesaid, not being entitled to the same, every such Person shall forfeit and pay for every such Offence, any Sum not exceeding Forty Shillings, One Moiety whereof shall be paid to the Informer, and the other Moiety shall be applied to the Purposes of this Act; any Thing in the said recited Act contained to the contrary notwithstanding.

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

XV. 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 the said recited Act or this Act, contained to the contrary notwithstanding.

New Branches of Roads to be made according to Plans deposited at the Offices of the Clerks of the Peace.

XVI. And whereas Maps or Plans describing the Lines of the said new Branches of Roads herein-before mentioned, and the Lands, Hereditaments, and Premises through which the proposed Alterations are to be made or carried, together with a List of the Names of the Owners and Occupiers of such Lands, Hereditaments and Premises, have been deposited at the Offices of the Clerks of the Peace for the said Counties of *Northumberland* and *Durham*; be it therefore enacted, That the said Maps or Plans, and the said List of Names, shall remain in the Custody of the respective Clerks of the Peace for the said Counties, to the End that all Persons may at any seasonable Times have Liberty to inspect and peruse the same, and to take Copies or Extracts thereof respectively at their Will and Pleasure, paying the Clerk of the Peace the Sum of One Shilling for every such Inspection, and at the Rate of Sixpence for every Seventy-two Words of such Copies or Extracts; and that the said Trustees, in making the said new Branches of Roads, shall not deviate more than One hundred Yards, of Three Feet each Yard, from the Line described in the said Maps or Plans, without the Consent and Approbation in Writing of the Person or Persons, Bodies Politict Corporate or Collegiate, through whose Lands or Premises such Deviation shall be made.

Lands marked on the Plan may be used, notwithstanding Errors in the List of Names of Owners, &c.

XVII. Provided always, and be it further enacted, That it shall be lawful for the said Trustees to make the said new Branches of Roads into, through, across, or over the several Lands, Hereditaments, or Premises of any Person or Persons who is, are, or may be Owner or Owners of Lands or Premises over which the same is or are set out and described in the said Maps or Plans as aforesaid, although the Name or Names of such Person or Persons may happen to be omitted or mis-stated in the said List of Names of Owners and Occupiers, in case it shall appear to any Two or more Justices of the Peace of the County in which the said Lands or Premises shall be situate, and be certified by Writing under their Hands, that such Error or Omission proceeded from Mistake; and such

Certificate shall be deposited with and remain in the Custody of the Clerk of the Peace of such County.

Statute Labour.

XVIII. 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 Roads mentioned and described in this Act, 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 County in which such Roads to be repaired and amended shall be situate, and they are hereby empowered and required (upon Application made to them for that Purpose by the said Trustees, or by their Clerk or Surveyor by their Order) yearly to adjudge and determine what Part or Proportion of the Statute Work shall every Year be done upon the said Roads by the Inhabitants of the respective Parishes or Places in which the said Roads lie, and also what Proportion of the Money received by the Surveyor or Surveyors of the Highways of every such Parish or Place in lieu of or as a Composition for such Statute Work shall be by him or them paid to the said Trustees or their Treasurer; and in order thereunto it shall be lawful for such Justices from Time to Time to summon the Surveyor or Surveyors of the Highways for every such Parish 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) of the Names of the several Persons who within such Parish 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 Composition for such Statute Work, distinguishing the Nature of the Work to be done, whether 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 the said Justices shall and 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 Roads as the said Justices shall think reasonable, and the same shall be done on such Days and at such Times, (not being Hay-time or Harvest,) and on such Parts of the said Roads, as the said Trustees, or their Surveyor or Surveyors, shall from Time to Time order, direct, and appoint; and the said Justices may also order and direct the Persons, who by such Lists shall appear to be subject and 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 their Treasurer, 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 the said recited Act authorised or directed 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 to or left for him, her or them, at his, her, or their last or usual Place or Places of Abode 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

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 Roads, shall be found idle or negligent by any Surveyor to the said Trustees, such Surveyor is hereby empowered to remove and dismiss 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 Penalties as aforesaid, as if he had neglected or refused to come, or such Team or Draught had not been sent to work on any Part of the said Roads; all which Forfeitures shall be paid to the Treasurer to the said Trustees, and shall be applied towards maintaining, amending, and improving the said Roads; and in case the said Surveyor or Surveyors of the Highways for any of the said Parishes or Places shall refuse or wilfully 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 Forty Shillings.

Application of Compensation Money when exceeding 200*l.*

XIX. 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 the said recited Act or this Act, for the Purposes thereof, which shall belong to any Corporation, Feme Covert, Infant, Lunatic, or other Person or Persons under any other Disability or Incapacity, 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 *ex parte* the said Trustees, or any Five or more of them, 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 would have been entitled to the Rents and Profits of the said Lands, Tenements, and 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 authorise to be paid, affecting the same Lands, Tenements or Hereditaments, or affecting other Lands, Tenements or Hereditaments, standing settled therewith to the same or 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 and Settlement shall be existing undetermined or capable of taking Effect; and in the mean Time, and until such Purchase shall be made, the said Money shall, by Order of the said High Court of Chancery, upon Application to be made 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

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, Issues, and Profits of the said Lands, Tenements, and Hereditaments so to be purchased under the Authority of the said recited Act or this Act, in case such Purchase or Settlement was made.

Application of Compensation Money where less than 200*l.* and above 20*l.*

XX. 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 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 all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents, Issues, 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-before 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 Three or more of the said Trustees for executing the said recited Act and 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 Court of Chancery.

Application where less than 20*l.*

XXI. Provided also, and be it further enacted, That where such Money so agreed or awarded to be paid as next before mentioned shall be less than Twenty Pounds, then and in all 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, Issues, and Profits of the Lands, Tenements, or Hereditaments so purchased, taken, or used for the Purposes of the said recited Act or this Act, in such Manner as the said Trustees, or any Three or more of them, 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.

In case of not making out good Titles, &c.

XXII. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be awarded for the Purchase of any Lands, Tenements or Hereditaments, to be purchased by virtue of the said recited Act or 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 any Three or more of them, or in case the Person or Persons to whom such Sum or Sums of Money shall be so awarded 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, or any Three or more of them, to order the ſaid Sum or Sums of Money ſo awarded 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, Controul, and Diſpoſition of the ſaid 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.

Where any Queſtion ſhall ariſe touching the Title, to whom the Money ſhall be paid.

XXIII. Provided always, and be it further enacted, That where any Queſtion ſhall ariſe touching the Title of any Perſon to any Money 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, in purſuance of the ſaid recited Act or this Act, for the Purchaſe of any Lands, Tenements or Hereditaments, or of any Eſtate, Right, Title or Intereſt, in any Lands, Tenements or Hereditaments, to be purchaſed in purſuance of the ſaid recited Act or this Act, or to any Bank Annuities to be purchaſed with any ſuch Money, or the Dividends or Intereſt of any ſuch Bank Annuities, the Perſon or Perſons who ſhall have been in 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 and 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.

Court may order reaſonable Expences to be paid by the Truſtees.

XXIV. 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 the ſaid recited Act or this Act, the Purchaſe Money for the ſame ſhall be required to be paid into the ſaid Court of Chancery,

Chancery, and to be applied in the Purchaſe of other Lands, Tenements or Hereditaments, to be ſettled to the like Uſes, in purſuance of the ſaid recited Act or this Act, it ſhall be lawful for the ſaid Court of Chancery to order the Expences of all Purchaſes from Time to Time to be made in purſuance of the ſaid recited Act or this Act, or ſo much of ſuch Expences as the ſaid Court ſhall deem reaſonable, to be paid by the ſaid Truſtees out of the Monies to be received by virtue of the ſaid recited Act or this Act, who ſhall from Time to Time pay ſuch Sums of Money for ſuch Purpoſes as the ſaid Court ſhall direct.

Compelling Subſcribers to pay their Subſcriptions.

XXV. And be it further enacted, That all and every Perſon and Perſons who hath or have ſubſcribed, or who ſhall or may hereafter ſubſcribe any Money towards the making and repairing the ſaid Roads, or otherwiſe towards carrying the Purpoſes of the ſaid recited Act and this Act into Execution, ſhall and he and they is and are hereby required to pay the ſame to the Treaſurer to the ſaid Truſtees for the Time being; which Treaſurer is hereby authoriſed and empowered to demand and receive the ſame; and in caſe of Refuſal or Neglect of Payment of ſuch Money, the ſaid Treaſurer is hereby empowered to bring, or cauſe an Action for Debt to be brought againſt, and to recover the Money due from the Perſon or Perſons ſo refuſing or neglecting to pay the ſame, in any of His Majeſty's Courts of Record at *Weſtminſter*, or elſewhere.

Expences of this Act, how to be paid.

XXVI. And be it further enacted, That all the Coſts, Charges, and Expences incident to and attending the obtaining and paſſing of this Act, ſhall be paid by the ſaid Truſtees, or any Three or more of them, out of any Money already collected or received, or out of the firſt Monies to be collected or received by virtue of the ſaid recited Act and this Act, or either of them, in preference to all other Payments whatſoever.

Public Act.

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

Commencement and Continuance of this Act.

XXVIII. And be it further enacted, That the ſaid recited Act (ſubject to the Amendments, Alterations, and Additions in this Act contained) ſhall continue and be in Force and be executed for and during the Reſidue now to come and unexpired of the Term thereby granted, and from the Expiration thereof for and during the Term of Twenty-one Years, and from thence to the End of the then next Seſſion of Parliament.

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