Anno ſecundo

Georgii III. Regis.

An Act for building a Bridge croſs the River *Teeſe*, at or near the Ferry in the Pariſh of *Stockton*, in the County of *Durham*.

WHEREAS the building a Bridge croſs the River Teeſe, above the Town of Stockton, at or near unto, and inſtead of, the Ferry now uſed as a Paſſage over the ſaid River, would tend greatly to communicate, encourage, and improve, Trade and Commerce between the Counties of York, Durham, and Northumberland, and be a Means to obviate and prevent great Dangers and Inconveniencies to many of His Majeſty's Subjects, and be of Uſe and Service to the Publick: Wherefore, and for the obtaining and effecting the good Ends and Purpoſes above-mentioned, May it 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 Honourable Frederick Vane, Sir George Savile, Sir Ralph Millbank, Sir James Lowther, Sir Thomas Clavering, Sir Hedworth Williamſon, Sir John Eden, Sir William Pennyman, Sir William Foulis, Sir Thomas Robinſon, the Mayor of Stockton for the time being, Sober Allan, John Burdon, James Bland, Rowland

Preamble.

Truſtees Names.

Rowland Burdon, Henry Brown, Ralph Bradley, Tomlinſon Bunting, Edmund Bunting, Rowland Burdon, Nicholas Brown, William Chaloner, William Chayter, Nathaniel Cholmley, Peter Conſet, George Carey, Robert Cookſon, Matthew Conſet, George Crowe, Thomas Daviſon, Morton Daviſon, Jonathan Daviſon, Ralph Daviſon, William Daviſon Clerk, Richardſon Ferrand, Gaſcoyne Finch, Ralph Gowland, Roger Henry Gale, James Huſtler, Nicholas Halhead, George Hoar, Strickland Hill, Samuel Hall, Thomas Hogg, Samuel Howlet, Ralph Jackſon, John Jackſon, William Jackſon, William Jackſon junior, Edwin Laſcelles, Daniel Laſcelles, Edward Laſcelles, Lawrence Jopſon, Thomas Mauleverer, Francis Middleton, John Matthews, William Maddeſon, Thomas Murgatroyd Clerk, Samuel Nicholſon, John Neeſham, Ralph Ord, Thomas Peirſe, Thomas Peirſe junior, Edmund Preſwick, William Peacock, Joſeph Preſton, John Preſton, John Preſton junior, Ralph Robinſon, Roger Roper, Leonard Robinſon, Thomas Raiſbeck, John Stapleton Raiſbeck, Thomas Raper, Thomas Rudd, John Rutter, John Reeves, Robert Shafto, Edward Shipperdſon, Thomas Skottowe, Coulſon Skottowe, William Sutton, William Sleigh, George Sutton, Charles Sleigh, John Scurfield, George Scurfield, John Swainſton, Micah Shields, Michael Smith, Thomas Shafto Clerk, John Skelly Clerk, John Tempeſt, John Tempeſt junior, William Turner, Charles Turner, Thomas Troy, Lyonel Vane, Henry Vane Doctor in Divinity, John Wilſon, Richard Wright, William Webſter, John Watſon, John Wilkinſon junior, William Oſbaldiſton, Fountayne Wentworth Oſbaldiſton, John Hall Stephenſon, Conſtantine Phipps, Francis Wanley Doctor in Divinity, George Hartley, John Killinghall, Robert Raikes Fulthorp, William Rudd, Marſhall Robinſon, Ralph Bell, William Maſterman, William Siſſon Clerk, and William Lawſon, ſhall be, and they are hereby conſtituted and appointed Commiſſioners and Truſtees for putting this Act in Execution, by the Ways and Means and in the Manner herein after-mentioned, directed, and appointed.

Times and Place of Truſtees Meeting.

And, for that Purpoſe, be it further enacted by the Authority aforeſaid, That the ſaid Truſtees, or any Five or more of them, ſhall and may, and they are hereby authorized and required to meet together at the Town-houſe, being the Sign of The Anchor and Caſtle in Stockton aforeſaid, on that Day Month next after the paſſing of this Act, and proceed to the Execution of the Truſts, Powers, and Authorities, given to, and veſted in, them in and by and for the Purpoſes of this Act; and

alſo at their Firſt or any other ſubſequent Meeting for the Purpoſes aforeſaid, from time to time, to adjourn themſelves, and meet again either at the ſame or any other Place, as the ſaid Truſtees, or any Five or more of them, ſhall think proper and requiſite for putting this Act in Execution; and if there ſhall not appear at any Meeting a ſufficient Number of Truſtees to act and to adjourn, then, and in ſuch Caſe, the Clerk to the ſaid Commiſſioners and Truſtees for the time being, ſhall and may, from time to time, adjourn ſuch Meeting to ſome other Day, to be held at the ſame Place, or ſome other convenient Place, within the Space of Thirty Days from ſuch Adjournment, and ſhall cauſe publick Notice to be given in Writing, to be placed upon the Toll-houſe or Turnpike hereafter mentioned, and publiſhed in the Newcaſtle News Papers, at leaſt Six Days before the Day thereby appointed for ſuch Meeting; and that the ſaid Truſtees ſhall, at all their Meetings, defray their own Charges and Expences.

In Default of a ſufficient Number to act,

Notice to be given of another Meeting.

Truſtees to defray their own Expences.

Provided always, and be it further enacted by the Authority aforeſaid, That no Perſon ſhall be qualified or capable of acting as a Truſtee in the Execution of this Act (other than and except the Mayor of the Borough of Stockton aforeſaid, for the time being) unleſs at the Time of acting therein he ſhall, in his own Right, or in Right of his Wife, be in the actual Poſſeſſion and Enjoyment, or Receipt of Rents and Profits of a Real Eſtate, in Law or Equity, of the clear yearly Value of One hundred Pounds above Reprizes, or be Heir Apparent of a Perſon poſſeſſed of a Real Eſtate of the clear yearly Value of Two hundred Pounds above Reprizes; nor ſhall any Perſon appointed or to be appointed a Commiſſioner or Truſtee for the Purpoſes aforeſaid be capable of having any Office or Place of Profit to be appointed by virtue or in purſuance of this Act, or of having any Share or Intereſt in any Contract or Agreement to be entered into for or towards the executing, carrying on, or effecting, the Purpoſes of this Act: And if any Perſon, not qualified, or holding any Office or Place of Profit, or being intereſted as aforeſaid reſpectively, ſhall nevertheleſs preſume to act, in Contravention and contrary to the true Intent and Meaning of this Act, he ſhall, for every ſuch Offence, forfeit the Sum of Fifty Pounds, to be recovered by any Perſon who will ſue for the ſame, in any of His Majeſty's Courts of Record at Weſtminſter, or in the Court of Pleas at Durham, by Action of Debt, or on the Caſe, wherein no Eſſoin, Protection, Privi-

Qualification of Truſtees.

Penalty on acting, not being qualified.

lege, or Wager of Law, or more than One Imparlance ſhall be allowed.

On Death, &c. of Truſtees, others to be choſen.

And be it further enacted by the Authority aforeſaid, That from time to time, as often as any Truſtee hereby appointed, or hereafter to be elected, ſhall die or refuſe to act, it ſhall be lawful for the ſurviving or remaining Truſtees, or any Seven or more of them, at any publick Meeting, by any Writing or Writings under their Hands and Seals, to elect and appoint One other Perſon living in either of the ſaid Counties of Durham or York, qualified to act in Manner as aforeſaid, as a Truſtee: and all Perſons ſo, from time to time, to be elected and appointed, ſhall be, and they are hereby enabled to act in the Execution of all the Powers herein contained, as fully to all Intents and Purpoſes as if they had been appointed and nominated Truſtees in and by this Act.

Truſtees may erect a Bridge croſs the River *Teeſe*,

and remove Impediments on the Road;

And be it further enacted by the Authority aforeſaid, That the ſaid Truſtees, or any Five or more of them, or ſuch Perſon or Perſons as they, or any Five or more of them, ſhall appoint for that Purpoſe, ſhall be and are hereby authorized and impowered to erect and build a Stone Bridge croſs the River Teeſe, at or near the Ferry in the Pariſh of Stockton, in the County of Durham, and to dig and make proper Foundations in the ſaid River, and on the Lands and Grounds lying and being on each Side thereof, for the Piers and Abutments of the ſaid Bridge, and to cut and level the Banks of the ſaid River in ſuch Manner as ſhall be neceſſary and proper for building the ſaid Bridge; and to cut, remove, and take away, all Trees, Roots of Trees, Beds of Gravel, Sand, Mud, or any other Impediment whatſoever, which may in any ways hinder the erecting and completing the ſaid Bridge; and to erect and make in or over the ſaid River, and the Lands adjoining or near to the ſame, any Campſhots, Trenches, and Landing Places; and to widen or enlarge any Bridle or Horſe Roads and Ways leading to the ſaid Bridge, ſo as to make the ſame fit for Carriages; and to make all ſuch new or other Roads and Ways to and from ſuch Bridge as may facilitate the Approach to, and Paſſage over, the ſaid Bridge; and alſo to do and perform and execute all other Matters and Things requiſite and neceſſary, uſeful or convenient, for erecting and building, maintaining and ſupporting, the ſaid intended Bridge, according to the Tenor and true Meaning of this Act; they the ſaid Truſtees, and the Perſons to be by them appointed as afore-

ſaid, doing as little Damage as may be, and making ſuch Satisfaction as is herein after-mentioned to the reſpective Owners and Occupiers of ſuch Lands and Grounds as ſhall be altered, damaged, ſpoiled, taken, or made uſe of, by Means or for the Purpoſes of this preſent Act. making Satisfaction to the Owners of the Ground.

And be it further enacted by the Authority aforeſaid, That the ſaid Bridge ſhall be built with ſuch Materials, and conſiſt of ſuch Number of Arches, as the ſaid Truſtees, or any Five or more of them, ſhall think proper and requiſite; and that One or more of the great Arch or Arches thereof ſhall be Seventy two Feet wide at the leaſt, and ſhall be full Twenty three Feet high from Low-water Mark, to the Intent that the Navigation of the ſaid River Teeſe may not in any wiſe be defeated, prejudiced, or obſtructed, and that the Road or Way over the ſaid Bridge ſhall be Twenty one Feet wide in the Clear; that is to ſay, The Paſſage for Carriages, Horſes, Beaſts, and other Cattle, Eighteen Feet wide; and a Path or Cauſeway raiſed Twelve Inches, and Three Feet wide, for Perſons paſſing on Foot; and that no Houſe or Building ſhall be ſet up, erected, or built, upon the ſaid Bridge, except ſuch Toll-houſe or Toll-houſes, as the ſaid Truſtees, or any Five or more of them, ſhall think requiſite and neceſſary for the Purpoſes of this Act. The Conſtruction of the Bridge.

And be it further enacted by the Authority aforeſaid, That the ſaid Truſtees, or any Five or more of them, ſhall have, and they have hereby full Power and Authority to contract and agree with any Perſon or Perſons whomſoever, to erect and build the ſaid Bridge, and to repair, maintain, and ſupport the ſame when built, in ſuch Manner as by the ſaid Truſtees, or any Five or more of them, ſhall be judged proper; and alſo that the ſaid Commiſſioners and Truſtees, or any Seven or more of them, ſhall and may, and they are hereby authorized and impowered to treat, contract, and agree, for the Purchaſe of any Lands, Grounds, Tenements, or Hereditaments, which they reſpectively ſhall think fit and neceſſary to be employed or made uſe of for the erecting and building the ſaid Bridge, or for the repairing, amending, extending, widening, making, enlarging, and facilitating, the Ways, Roads, and Paſſages, on each Side of the ſaid intended Bridge leading to and from the ſame, with the Owners and Occupiers of the ſaid Lands and Grounds, Tenements and Hereditaments, and other Perſons intereſted in the ſame, and particularly the Roads and Paſſages leading to and from the ſaid intended Bridge, to and from a certain Lane called Ladgate Lane, within the ſaid North Truſtees may contract for erecting the Bridge, &c. and for the Purchaſe of Lands, &c.

North Riding of the County of York; and also to settle, adjust, and agree, with such Owners, Occupiers, and Persons interested, or any of them, what Recompence, Compensation, or Satisfaction, ought reasonably to be made for any Losses, Damages, or Expences, which they respectively shall or may sustain or be put unto for or by reason or on account of the Building of the said Bridge, or the Execution of any of the Powers of this Act; and shall and may, by and out of the Money to be raised and collected by virtue of this Act, or out of any Money to be borrowed on the Credit thereof, pay as well for the Purchase of such Lands, Tenements, and Hereditaments, as also for such Losses or Damages to be sustained, as all such Sum or Sums of Money as shall be contracted and agreed to be paid for the same respectively.

Bodies Politick, &c. may contract for the Sale of such Lands.

And whereas it may happen that some Person or Persons, Bodies Politick or Corporate, Femes Covert, Guardians, Committees, Trustees, or others, who are seised or possessed of, or intitled to, Lands, Grounds, Tenements, or Hereditaments, which may be necessary and requisite to be applied and made use of for the Purposes of this Act, may be willing to treat and agree for the Sale or Disposition of such Lands, Grounds, Tenements, or Hereditaments; but are under a Disability of making an effectual Grant or Conveyance of the same for the Purposes aforesaid; be it therefore further enacted by the Authority aforesaid, That it shall and may be lawful to and for all Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, and all Feoffees in Trust, Executors, and Administrators, Guardians, Committees, or other Trustees whatsoever, on Behalf of any Infants, Femes Covert, Lunaticks, Ideots, or Cestuique Trusts, and for all and every Person and Persons whomsoever, who are or shall be seised, possessed of, or interested in, any such Lands, Tenements, or Hereditaments, to treat, contract, and agree with the said Trustees, or any Seven or more of them, for the Sale of such Lands, Tenements, and Hereditaments, or any Part thereof, or for their Interest therein, for the Purposes aforesaid, and to sell and convey or let the same to the said Trustees, or to such Person or Persons in Trust for them, and in such Manner as the said Trustees, or any Seven or more of them, shall direct, and as Occasion shall require; and that all Contracts, Agreements, Sales, and Conveyances, which shall be so made, shall be valid to all Intents and Purposes; any Law, Statute, Usage, or any other Matter or Thing whatsoever,

to

to the contrary thereof in any wiſe notwithſtanding: And all Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, Feoffees in Truſt, Executors, Adminiſtrators, Guardians, Committees, and Truſtees, and all other Perſons, are and ſhall be hereby indemnified for what they ſhall do by virtue or in purſuance of this Act.

Where Perſons refuſe to treat, &c. for Sale of ſuch Lands, &c.

And be it further enacted by the Authority aforeſaid, That if any ſuch Bodies Politick or Corporate, or other Perſon or Perſons, ſo ſeiſed, poſſeſſed, intitled, or intereſted as aforeſaid, ſhall refuſe to treat, or ſhall not agree, for the Sale of any ſuch Lands, Tenements, or Hereditaments, or any Part or Parts thereof, or for their Intereſt therein, or by reaſon of Abſence ſhall be prevented from treating, then, and in any ſuch Caſe, it ſhall be lawful for the ſaid Truſtees, or any Five or more of them, Thirty Days at the leaſt before any General or Quarter Seſſions of the Peace to be holden for the County of Durham, or North Riding of the County of York reſpectively, wherein ſuch Lands, Tenements, or Hereditaments, are reſpectively ſituate, to give, or cauſe to be given, to ſuch Owners or Perſons intereſted, Truſtees or Committees reſpectively, or to the principal Officer or Officers of ſuch Bodies Politick or Corporate, or leave, or cauſe to be left, at the Houſe of the Tenant in Poſſeſſion of any ſuch Lands, Grounds, Tenements, or Hereditaments, Notice in Writing, denoting, ſpecifying, or deſcribing, the Lands, Tenements, or Hereditaments, ſo intended to be purchaſed, and purporting that the Value thereof will be adjuſted and ſettled by a Jury at the ſaid Seſſion: And the Juſtices at their ſaid Seſſion, upon Proof to them made of ſuch Notice having been ſo given or left, are hereby authorized and required to charge the Jury which ſhall attend at ſuch Seſſion, or ſome other Jury of Twelve honeſt Men, to be then and there impanelled and returned by the Sheriff of the ſaid County of Durham, or by the Sheriff of the ſaid County of York, or the Deputy Sheriff of the ſaid Riding, as the Caſe ſhall require, without Fee or Reward, and cauſe them to be ſworn, well and truly on their Oaths to aſſeſs the Value of the Lands, Tenements, or Hereditaments comprized, ſpecified, and deſcribed in the ſaid Notice, and the Damages and Recompence to be given for the ſame, or ſuch Part or Parts thereof as ſhall be intended to be uſed for the Purpoſes of this Act, to the reſpective Owners, Occupiers, and Perſons intereſted, according to their reſpective Intereſts therein; and the ſaid Juſtices are hereby required to adminiſter ſuch Oath to the ſaid Jury; and the ſaid Truſtees, and

Damages to be ſettled by Jury.

Jurors may be challenged.

all Parties intereſted, ſhall have their lawful Challenges to the ſaid Jury; and the ſaid Jury being ſo charged and ſworn as aforeſaid, and after proper Evidence on Oath to them given, concerning the Nature, Quantity, and Value of ſuch Lands, Tenements, and Hereditaments, or ſuch Part or Parts thereof as aforeſaid, ſhall, by their Verdict, aſſeſs, declare, and aſcertain the Quantum of the Damages and Recompence to be given for the ſame to ſuch reſpective Owners, Occupiers, and Perſons, according to their reſpective Intereſts therein; and ſuch Verdict of the ſaid Jury, and the Judgement of the ſaid Juſtices upon the ſame, ſhall bind and be finally concluſive to the ſaid Truſtees, and to all Perſons and Parties intereſted in the ſaid Lands, Grounds, Tenements, or Hereditaments.

Verdict of the Jury to be binding.

Money allowed for Lands, how to be charged and tendered.

And be it further enacted by the Authority aforeſaid, That all ſuch Sums of Money, Conſideration, Recompence, or Satisfaction, as ſhall be agreed for or aſſeſſed as aforeſaid, for the Purchaſe or Damage done to any Lands, Tenements, or Hereditaments, or any Part thereof, ſhall be, and is and are hereby charged and chargeable upon the Tolls, by this Act granted and made payable, and ſhall be paid thereout, or out of the Monies to be borrowed upon the Credit of the ſame, to the reſpective Perſons intitled thereto; and that upon the Payment of ſuch Sum or Sums, which ſhall be ſo aſſeſſed for the Purchaſe of ſuch Lands, Tenements, and Hereditaments as aforeſaid, or Tender thereof, or in caſe any Perſon or Perſons, after Ten Days Notice to be given to him, her, or them, or left at the Houſe of the Occupier of the Premiſſes, ſhall refuſe or neglect to receive the ſame, then, upon ſeaping the ſame in the Hands of the Treaſurer or Clerk of the Truſtees, to be paid upon Demand to ſuch Perſon or Perſons, it ſhall be lawful for the ſaid Truſtees, or any Five or more of them, their Workmen or Agents, to enter upon, and take Poſſeſſion of, ſuch Lands, Tenements, or Hereditaments as aforeſaid, and to hold and employ the ſame, or ſuch Part thereof as they ſhall think fit, for the Purpoſes of this Act; and to do all and every ſuch Act, Matter, and Thing, with relation thereto, as they the ſaid Truſtees, or any Five or more of them, ſhall from time to time think neceſſary or convenient.

Upon Payment or Tender of the Purchaſe-money,

the Truſtees may make uſe of the Lands.

Truſtees may erect Turnpikes and Toll-houſes;

And be it further enacted by the Authority aforeſaid, That the ſaid Truſtees, or any Five or more of them, ſhall and may, and they are hereby authorized and impowered, to erect, or cauſe to be erected, a Turnpike or Toll-houſe, upon or at either End of the ſaid Bridge;

and

and that the following Tolls or Pontage-duties ſhall and may be demanded and taken, by ſuch Perſon or Perſons as the ſaid Truſtees, or any Five or more of them, ſhall from time to time appoint for that Purpoſe, at the ſaid Turnpike or Toll-houſe, before any Paſſage over the ſaid Bridge ſhall be permitted (that is to ſay) and take the following Tolls thereat.

For every Coach, Chariot, Landau, Berlin, Hearſe, Chaiſe, Calaſh, or Chair, drawn by Six Horſes, Mares, Geldings, or Mules, the Sum of Two Shillings; and drawn by Four Horſes, Mares, Geldings, or Mules, the Sum of One Shilling and Eight Pence; and drawn by Two Horſes, Mares, Geldings, or Mules, the Sum of One Shilling and Four Pence; and drawn by One Horſe, Mare, Gelding, or Mule, the Sum of Eight Pence. The Tolls.

For every Waggon, Wain, Cart, or other Carriage, being laden, and drawn by Six Horſes, Oxen, or Beaſts of Draught, the Sum of One Shilling and Six Pence; and drawn by Five Horſes, Oxen, or Beaſts of Draught, the Sum of One Shilling and Five Pence; and drawn by Four Horſes, Oxen, or Beaſts of Draught, the Sum of One Shilling and Four Pence; and drawn by Three or Two Horſes, Oxen, or Beaſts of Draught, the Sum of Eight Pence; and drawn by One Horſe, Ox, or Beaſt of Draught, the Sum of Six Pence.

For every Waggon, Wain, Cart, or other Carriage, being empty and unladen, and drawn by Six Horſes, Oxen, or Beaſts of Draught, the Sum of Ten Pence; and drawn by Five Horſes, Oxen, or Beaſts of Draught, the Sum of Nine Pence; and drawn by Four Horſes, Oxen, or Beaſts of Draught, the Sum of Eight Pence; and drawn by Three or Two Horſes, Oxen, or Beaſts of Draught, the Sum of Six Pence; and drawn by One Horſe, Ox, or Beaſt of Draught, the Sum of Four Pence.

For every Horſe, Mare, Gelding, Mule, or Aſs, laden or unladen, and not drawing, the Sum of One Penny.

For every Drove of Hogs, Sheep, or Lambs, the Sum of Six Pence per Score, and ſo in Proportion for any greater or leſs Number.

For all Cows and Horned Cattle, each One Penny.

For every Foot Paſſenger, One Halfpenny.

Which ſaid reſpective Sums of Money ſhall be demanded and taken in the Name of and as a Toll or Pontage-duty; and the Money ſo to be raiſed and received is hereby Tolls veſted in the Truſtees.

hereby vested in the said Trustees, and shall be applied to and for the several Uses, Intents, and Purposes, and in such Manner, as is by this Act directed: And if any Person or Persons, subject to the Payment of any of the said Tolls, shall refuse to pay the same, or any Part thereof, it shall be lawful for the Person or Persons appointed to collect the said Tolls as aforesaid to seize and distrain any Horse or other Cattle, or any Carriage or other Thing, upon or in respect whereof any such Toll or Duty is by this Act imposed, or the Goods and Chattles of such Person or Persons as ought to pay the same, and to detain such Distress for any Time not exceeding the Space of Four Days; and then, if such Toll or Duty, together with the Charges of such Seizure, Distress, and Detainer, shall not be fully paid and satisfied, the Person or Persons so distraining, shall and may sell the Cattle or other Goods so distrained, returning the Overplus of the Money to arise by such Sale (if any be) upon Demand, to the Owner thereof, after such Toll or Duty, and all reasonable Charges occasioned by such Distresses, shall be deducted.

Tolls may be levied by Distress and Sale.

Distress may be sold after 4 Days.

And it is hereby further enacted, That if any Person or Persons shall, at any Time or Times, unload, or cause to be unloaden, any Grain, Goods, Wares, Merchandizes, or other Thing whatsoever; or take off any Horse or Beast of Draught, from any Coach, Waggon, Cart, or other Wheel Carriage, within Five hundred Yards from either End of the said intended Bridge; and carry, or cause to be carried, such Grain, Goods, Wares, Merchandizes, or other Things, so to be taken off and unloaden, over the said intended Bridge, either on Foot or on Horseback, with an Intent to avoid any of the Tolls or Duties hereby granted and imposed, every Person so offending, shall, for every such Offence, forfeit and pay the Sum of Ten Shillings, to be recovered, levied, and applied, as any other Penalties and Forfeitures are to be recovered, levied, and applied, by virtue of this Act.

Penalty on unloading, &c. to avoid paying the Tolls.

And be it further enacted by the Authority aforesaid, That the said Trustees, or any Five or more of them, by any Writing under their Hands and Seals, may elect and appoint a Clerk or Clerks, Treasurer or Treasurers, Receiver or Receivers, Collector or Collectors of the said Tolls, and also a Surveyor or Surveyors; and, from time to time, as they shall see Occasion, remove such respective Officers, and appoint new ones, in case of such Removals or Death; and out of the Money arising by virtue of this Act, the said Trustees, or any Five or more

Trustees may appoint Officers;

and remove them, and appoint others.

Trustees to allow Officers Salaries.

more of them, ſhall and may make ſuch Allowances to the ſaid reſpective Officers, for their Care and Pains, as to the ſaid Truſtees, or any Five or more of them, ſhall ſeem reaſonable: And ſuch Clerk or Clerks, Treaſurer or Treaſurers, Receiver or Receivers, Collector or Collectors, and every of them, ſhall, from time to time, when thereunto required, at any Meeting of the ſaid Truſtees, or any Five or more of them, or at any other Time, to be by them for that Purpoſe ordered and appointed, deliver in, upon Oath (which Oath any Five or more of the ſaid Truſtees, are hereby impowered to adminiſter) a true, exact, and perfect Account in Writing, under their reſpective Hands, of all Monies which he or they reſpectively ſhall to ſuch Time have received and diſburſed by virtue of this Act, on account of his or their reſpective Offices: And in caſe the ſaid Clerks, Treaſurers, Receivers, Collectors, or Surveyors, or any of them, ſhall neglect or refuſe to make and deliver ſuch Account in Manner aforeſaid, or ſhall not pay the Money remaining in his or their Hand or Hands, unto the ſaid Truſtees, or any Five or more of them, or ſuch Perſon or Perſons as they ſhall, by Writing under their Hands and Seals, impower to receive the ſame; then, and in either of the ſaid Caſes, any Two or more Juſtices of the Peace of the ſaid County of Durham, or for the North Riding of the ſaid County of York, ſhall make Enquiry of and concerning ſuch Default, in a ſummary Way, as well by the Confeſſion of the Parties themſelves, as by the Teſtimony of One or more Witneſs or Witneſſes upon Oath (which Oath the ſaid Juſtices are hereby required and impowered to adminiſter without Fee or Reward): And if any Perſon or Perſons ſhall be thereof convicted, ſuch Juſtices ſhall commit the Party or Parties offending to the County Gaol, there to remain without Bail or Mainprize, until he or they ſhall have made a true and perfect Account and Payment as aforeſaid, or ſhall have compounded for the ſame, and paid ſuch Compoſition; which Compoſition the ſaid Truſtees, or any Five or more of them, are hereby impowered to make.

Officers to account upon Oath.

Officer refuſing to account,

Juſtices may enquire into the Default,

and commit the Offender, until he ſhall conform, &c.

And be it further enacted by the Authority aforeſaid, That the ſaid Truſtees, or any Five or more of them, ſhall or may, and they are hereby authorized and required, to take ſuch Security from the Treaſurer or Treaſurers, Collector or Collectors, and other Officers, who ſhall be employed or concerned in the Receipt, Payment, or Diſburſement of any of the Monies to be borrowed or collected under or by virtue of this Act, for the due Execu-

Treaſurer to give Security.

tion of their respective Offices, as to the said Trustees, or any Five or more of them, shall seem proper and requisite.

Surveyors may dig Gravel, &c. from Waste Grounds,

And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Surveyor or Surveyors, and such other Person or Persons as he and they shall employ or appoint for that Purpose, and he and they is and are hereby respectively authorized and impowered, from time to time, to cut, dig, gather, take, and carry away Furze, Heath, Gravel, Stones, Chalk, Sand, Flints, Ballast, or other Materials, proper for building or repairing the said Bridge, or the making or repairing the Ways, Roads, or Passages to, from, or over the same, in, upon, out of, or from any Waste Ground or Waste Grounds, River, or Brook, in the said Parish of Stockton, or in the Parishes of Sainton, Marton, and Acklam, in the said County of York, or in any neighbouring Parish or Place,

without paying for the same;

without paying or making any Satisfaction for the same, they the said Surveyor or Surveyors, or other Persons, filling up the Pits or Holes, and levelling the Ground, from which such Materials shall be so taken, or railing or fencing the same, so that such Pits or Holes be not dangerous to Passengers or Cattle;

levelling the Pits.

Or Materials may be taken from private Grounds;

and also in, upon, or out of and from any Lands and Grounds of any Person or Persons whatsoever (not being a Yard, Garden, Orchard, Park, Paddock, Wood, Coppice, Nursery, Walk, or Avenue planted with Trees, for the Ornament of any House) such Surveyor or Surveyors, or other Person or Persons, having an Order from the said Trustees, or any Five or more of them, for so doing, and filling up the Pits or Holes, and levelling the Ground, from which such Materials shall be taken;

making Satisfaction to the Owners of the Grounds.

and paying, or offering to pay, to the respective Owners and Occupiers of such Land or Grounds, for the Damages they respectively shall thereby sustain, as the said Trustees, or any Five or more of them, shall adjudge reasonable:

Justices to determine Differences.

And in case of any Difference concerning the same, any Two or more Justices of the Peace of the County, Riding, or Place where such Materials shall be so cut, digged, gathered, taken and carried away, shall and may, on Ten Days Notice thereof to be given by the said Surveyor or Surveyors to such Owner or Owners, Occupier or Occupiers, or by such Owners or Occupiers to the said Surveyor or Surveyors respectively, to be left at their respective Places of Abode, with some or One of their respective Families, hear, settle, and determine the Matters in Dispute, and ascertain what Damages shall be paid

paid; and the Order and Determination of the ſaid Juſtices ſhall be final and concluſive to all Parties.

And whereas the Honourable and Right Reverend Richard Lord Biſhop of Durham, as Lord of the Manor of Stockton, and in Right of the See and Church of Durham, is ſeiſed of, and entitled to, the ſaid Ferry over the River Teeſe, and to a Meſſuage or Tenement called The Boat Houſe, and the Ground and Soil thereof, and alſo a Piece or Parcel of Ground, lying near the ſaid Boat Houſe, and belonging to, or uſually held or enjoyed therewith, bounded by the River Teeſe on the Eaſt; by a Field, Parcel of the Demeſne Lands of the ſaid Lord Biſhop, called Caſtle-barn Field, on the Weſt; and by a Ditch or Watercourſe, over which a Wood Bridge is built, on the South; and containing in Length, from the South Side of the ſaid Boat Houſe, Southwards, Seventy nine Yards, or thereabouts; and alſo to certain Demeſne Lands, lying and being at the South End of the ſaid Town of Stockton; and it will be requiſite and neceſſary that Part of the Lands and Grounds ſhould be made uſe of and applied for making a convenient Carriage Road from the Weſt End of the ſaid intended Bridge into the Town of Stockton; and for other the Purpoſes of this Act; and the ſaid Lord Biſhop hath conſented and agreed that the ſaid Ferry, the ſaid Boat Houſe, and Parcel of Ground thereto belonging, and Part of the ſaid Lands and Ground, ſhall be taken, held, enjoyed, veſted, applied, and diſpoſed of, to and for the ſeveral Uſes, Truſts, Intents and Purpoſes herein aftermentioned, provided, and declared; be it therefore further enacted by the Authority aforeſaid, That the ſaid Ferry, and the Rates, Tolls, Duties, and Profits ariſing from, due, and payable for, the Paſſage over the ſaid River Teeſe, and the ſaid Boat Houſe, and Piece or Parcel of Ground lying near the ſame, and all the Benefits and Advantages, Rights, Privileges, and Appurtenances thereto reſpectively belonging, ſhall, from and after the Firſt Day of Auguſt, One thouſand ſeven hundred and ſixty two, be ſettled upon and veſted, and the ſame are hereby from thenceforth ſettled upon and veſted in the ſaid Commiſſioners and Truſtees, their Heirs and Aſſigns, freed and diſcharged, and abſolutely acquitted, exonerated, and diſincumbered, of, from, and againſt all the Right, Intereſt, Property, Claims, and Demands whatſoever, of, from, or by the ſaid Lord Biſhop of Durham, and his Succeſſors, Biſhops of Durham for the time being, and all claiming under him or them; but nevertheleſs to, for, and upon the ſeveral Uſes, Truſts, Intents, and Purpoſes

Reſervation of Rights.

poses herein after mentioned, expressed, and declared; that is to say, To the Use, Intent, and Purpose, that the present Lessees, or Persons intitled to the Benefit of the said Ferry, their Heirs and Assigns, during the Continuance of their Estate and Interest, and after the Determination of their said Estate and Interest, the said Lord Bishop, and his Successors, Bishops of the said See of Durham for the time being; his or their Lessees or Assigns, shall and may, by and out of the same Premisses, have, receive, take, and enjoy the annual Sum or yearly Rent of Ninety Pounds of lawful Money of Great Britain, free from all Deductions, for or in respect of any present or future Taxes, Charges, Assessments, or Impositions, or other Matter, Cause, or Thing whatsoever, as and for a Recompence, Satisfaction, and Compensation to the present Lessees of the said Ferry, their Heirs and Assigns, and to the said Lord Bishop, and his Successors in the said See, and to his and their Lessees and Assigns, for the Loss and Damage that will fall upon, and be sustained by, the See of Durham, and to the present Lessees thereof, and by reason or means of the building of the said intended Bridge, and the Loss and Deprivation of the Ferry, Boat House, Piece or Parcel of Ground, and Tolls, Duties, and Benefit thereof, by force and virtue of this present Act; the said yearly Rent or Sum of Ninety Pounds to be paid and payable at or on the Eleventh Day of November, the Second Day of February, the First Day of May, and the First Day of August, in every Year, by equal Portions, until the said intended Bridge shall be built, finished, completed, and made passable for Wheel Carriages; the first Payment of the said yearly Rent to begin and be made at or on the Eleventh Day of November, in the Year of our Lord One thousand seven hundred and fifty two; and also to this further Use, Intent, and Purpose, that in case the said yearly Rent of Ninety Pounds, or any Part thereof, shall be behind and unpaid for Fourteen Days after any of the Days herein before appointed for Payment thereof, then and in such Case, from time to time, as often as it shall so happen, it shall and may be lawful to and for the said present Lessees, or Persons intitled to the Benefit of the said Ferry, their Heirs and Assigns, during the Continuance of their Estate and Interest, and after the Determination of their said Estate and Interest, to and for the said Lord Bishop, and his Successors for the time being, and his and their Lessee or Lessees, Assignee or Assigns, to enter into and upon the said Ferry, Boathouse, Lands, Grounds, Tenements, and Premisses, so charged

Recompence to the See of *Durham* till the Bridge is built.

Power to enter and distrain, &c.

ed with the ſaid annual Sum or yearly Rent, and either to diſtrain upon and take the Boats, Tackle, Furniture, and Utenſils, thereunto belonging and therewith uſed, and other Goods and Chattles upon the ſaid Tenements, Ground, and Premiſſes, liable to be diſtrained for Rent, and to ſell and diſpoſe thereof reſpectively according to Law; or otherwiſe, at the Option and Diſcretion of the ſaid preſent Leſſees of the ſaid Ferry, their Heirs or Aſſigns, during the Continuance of their Eſtate and Intereſt, and, after the Determination thereof, at the Option and Diſcretion of the ſaid Lord Biſhop and his Succeſſors, and his and their Leſſees and Aſſigns reſpectively, to take and receive the Rents, Iſſues, Tolls, Duties, and Profits of the ſaid Ferry, Boathouſe, Parcel of Ground, and Premiſſes, to and for his and their own Uſe and Benefit, until thereby or therewith, or otherwiſe, all Arrears of the ſaid yearly Sum or Rent of Ninety Pounds then grown due, and that during ſuch Poſſeſſion ſhall grow due, and all Coſts, Charges, and Expences, attending ſuch Entry, Diſtreſs, and Perception of the Rents and Profits of the Premiſſes, and all Damages to be ſuſtained by them, or any of them reſpectively, by reaſon of the Nonpayment thereof, at the Times hereby for that Purpoſe appointed, ſhall be fully paid, ſatisfied, and diſcharged; and as to, for, and concerning the ſaid Ferry, Boathouſe, Parcel of Ground, and Premiſſes, herein before veſted in the ſaid Commiſſioners and Truſtees as aforeſaid, with their and every of their Rights, Profits, and Appurtenances (ſubject nevertheleſs to the ſaid yearly Sum or Rent of Ninety Pounds payable to the preſent Leſſees of the ſaid Ferry, their Heirs and Aſſigns, and to the ſaid See of Durham, its Leſſees and Aſſigns as aforeſaid, and the Remedies and Powers for ſecuring and recovering the ſame) to the Uſe of the ſaid Commiſſioners and Truſtees herein before named, their Heirs and Aſſigns, upon Truſt that the ſame may be held, enjoyed, uſed, applied, and diſpoſed of, to and for the Uſes, Intents, and Purpoſes, in and by this Act mentioned, directed, provided, and declared. to the Uſe of the Commiſſioners, &c.

And for that Purpoſe, it is hereby further enacted, That the ſaid Commiſſioners and Truſtees herein before nominated and appointed, and their Aſſigns, ſhall and may, after the ſaid Firſt Day of Auguſt, One thouſand ſeven hundred and ſixty two, from time to time, until the ſaid intended Bridge ſhall be built, finiſhed, compleated, and made paſſable as aforeſaid, uſe, work, exerciſe, and employ, the ſaid Ferry, as and for a Paſſage and Conveyance of Perſons, Cattle, and Carriages, over the Commiſſioners to work the Ferry, &c.

said River, and shall and may take and receive such and the like Tolls and Duties for Passage over the same, as are herein before given, granted, and directed to be paid, for Passage over the said intended Bridge, when the same shall be built, finished, and compleated as aforesaid; and also shall and do in the mean Time enter upon, hold, and enjoy the said Boathouse, and the said Piece or Parcel of Ground, with the Appurtenances, and take and receive the Rents, Issues, and Profits thereof, in as full, ample, and beneficial Manner, to all Intents and Purposes, as the said Lord Bishop, or his Lessees, could or might have done before the passing this Act, or in case the same had not been made.

If the Bridge be not built in due time, Ferry may be resumed.

Provided always, and it is hereby enacted and declared, That if the said intended Bridge shall not be erected, built, compleated, and made passable, in the Space of Ten Years, from the said First Day of August, One thousand seven hundred and sixty two, within the true Intent and Meaning of this Act, and the same shall not have been retarded or prevented by some unavoidable Difficulty or unforeseen Accident, it shall and may be lawful to and for the said Lord Bishop of Durham, and his Successors, and all and every Person and Persons now claiming, or at any Time hereafter to claim, under him, them, or any of them respectively, at any Time after the End of the said Ten Years, commencing as aforesaid, to enter upon and take Possession of the said Ferry, and the said Boathouse and Piece of Ground, with the Appurtenances, and also the Boats, Tackle, and Utensils, of and belonging to the same, and the Rents, Tolls, Issues, and Profits thereof respectively to take and receive to his and their own Use, in as full, ample, and beneficial Manner, to all Intents and Purposes, as if this Act had not been made; and also freed, discharged, and exonerated from the Payment of all or any Sum or Sums of Money which shall have been borrowed by the said Trustees, or any of them, on the Credit thereof, and of the Interest attending the same; and also freed and discharged from all Mortgages, Debts, and Incumbrances, made, contracted, and incurred, by the said Commissioners and Trustees, or any of them.

Commissioners may make a Road thro' the Demesne Lands of the Bishop of *Durham*, &c.

Provided always, and it is hereby enacted and declared, That it shall and may be lawful to and for the said Commissioners and Trustees, or any Seven or more of them, at such Time or Times as they shall think proper and requisite, to enter into and upon the Demesne Lands and Grounds of the See of Durham, herein before mentioned and described, and to ascertain, mark, and set out

and

and appoint, such Part thereof as they shall think requisite and necessary in that Behalf, as and for a Road or Way from the South End of the Town of Stockton aforesaid to the said intended Bridge, and for any other of the Purposes aforesaid, and to lay out, form, and make, a proper Road or Way for Horses, Cattle, and Carriages, in and upon the same; and that after the said intended Bridge shall be erected, built, finished, and made passable as aforesaid, not only the said Road so to be laid out and made as aforesaid, but also the said several Roads and Passages between the said intended Bridge and the said Lane called Ladgate Lane, shall be used, deemed, and taken, as and for publick Highways or Roads for all his Majesty's Subjects; and the same Highways or Roads, and also the Hedges, Ditches, Mounds, and Fences, made to inclose, separate, and divide the same from the said Demesne Lands and Grounds of the See of Durham, shall from time to time be repaired, maintained, supported, and kept in Repair, by such Ways and Means as other publick Roads or Highways within this Kingdom are or ought by Law to be repaired, maintained, and kept in Repair.

to be deemed and repaired as publick Roads.

Provided always, and be it further enacted by the Authority aforesaid, That the Hedges and Fences to be made to inclose, separate, and divide, the said Road or Way to be made and formed as aforesaid, shall, on the making thereof, be by the said Commissioners and Trustees, or any Seven or more of them, set or planted with good Quicks or Quickſets, which shall be maintained, supported, nurtured, cultivated, and preserved, by the said Commissioners and Trustees, for the Term or Time of Ten Years, commencing and to be computed from the Time of the planting or setting of the said Quickſets respectively, out of the Money to be raised and levied by virtue of this Act; any thing herein contained to the contrary thereof in any wise notwithstanding.

The new Hedges to be set with Quickſets;

and supported by the Commissioners for 10 Years.

And it is hereby further enacted and declared, That it shall and may be lawful to and for the said Lord Bishop of Durham, and his Successors, Bishops of Durham for the time being, at any Time or Times after the said intended Bridge shall be built, finished, and compleated, as aforesaid, and the said Roads over the said Demesne Lands shall be laid out, made, and fenced in, as aforesaid, to demise or grant so much of the said Demesne Lands as shall not be made use of and applied in and for the said Road, or other the Purposes of this Act as aforesaid, or any Part or Parts thereof respectively, unto any Person or Persons who shall be willing to build upon the same,

Power to the Bishop of *Durham* to let building Leases of the Demesne Lands.

for any Term or Number of Years, not exceeding Forty one Years, reſerving upon every ſuch Leaſe ſo to be made and granted, to continue payable Half-yearly during the Terms thereby reſpectively to be granted, ſuch yearly Rent or Rents as can or may be reaſonably had or gotten for the ſame; ſo as ſuch reſerved Rent or Rents be not leſs than or under Three Pounds for every Acre of the ſaid Demeſne Lands which ſhall be ſo demiſed and granted, and ſo in Proportion for any Quantity thereof under or leſs than an Acre; and ſo as in every ſuch Leaſe there be contained a Clauſe or Condition of Re-entry for Non-payment of the Rent or Rents thereby reſpectively to be reſerved; and ſo as the reſpective Leſſees execute Counterparts of ſuch Leaſes, and enter into proper Covenants to build and keep in Repair the Houſes, Tenements, and Buildings, intended and agreed to be built upon the Land and Ground thereby to be leaſed, and to leave and yield up the ſaid Houſes and Buildings at the End or Determination of ſuch Leaſes reſpectively; and ſo as no Clauſe be contained in any of the ſaid Leaſes, giving Power to any Leſſee to commit Waſte, or exempting him, her, or them, from Puniſhment for committing the ſame; and alſo that it ſhall and may be lawful to and for the ſaid Lord Biſhop of Durham, and his Succeſſors, Biſhops of Durham, from time to time, to renew ſuch Leaſes, upon ſuch Terms, and in ſuch Manner, as ſhall be agreed upon by the Lord Biſhop of Durham for the time being, and the Leſſee or Leſſees applying for ſuch Renewal, ſo as the Rent or Rents to be reſerved in every ſuch renewed Leaſe be not leſs or under the Rent or Rents reſerved and made payable by ſuch Leaſes reſpectively as ſhall be ſo renewed.

No Ferry to be worked by the Biſhop, &c.

And be it further enacted by the Authority aforeſaid, That it ſhall not be lawful to or for the Lord Biſhop of Durham for the time being, or any Perſon or Perſons claiming, or to claim, by, from, or under, him, at any Time during the Space of Ten Years, commencing as aforeſaid, or at any Time after the ſaid Bridge ſhall have been finiſhed, compleated, and made paſſable, as aforeſaid, to ſet up, erect, uſe, or work, any Ferry Boat or Veſſel, for the Carriage or Conveyance of any Perſon, Cattle, Carriages, or Wares, Goods or Things whatſoever, for Hire or otherwiſe, croſs any Part of the ſaid River, near or within the Pariſh of Stockton aforeſaid, ſave and except in caſe of Non-payment of the ſaid yearly Rent or Sum of Ninety Pounds, or any Part thereof; and alſo ſave any except in ſuch other Caſes,

and

and in ſuch other Events, as are particularly mentioned and provided for in and by this Act.

After Bridge built, the Boat-houſe and Piece of Ground to be conveyed to the Mayor and Aldermen of *Stockton*;

And it is hereby further enacted by the Authority aforeſaid, That immediately after the ſaid intended Bridge ſhall be built, finiſhed, compleated, and made paſſable as aforeſaid, the ſaid Commiſſioners and Truſtees for the time being, or any Seven or more of them, ſhall and may, and are hereby authorized, by ſuch Conveyances and Aſſurances in the Law as by Counſel learned in the Law ſhall be adviſed, to grant, convey, and aſſure, the ſaid Boat-houſe, and the ſaid Piece and Parcel of Ground belonging to the ſame, with their and every of their Appurtenances, unto the Mayor and Aldermen of the Borough of Stockton, and their Succeſſors, and who ſhall ſtand ſeiſed thereof upon the Truſts, and for the Purpoſes, herein after mentioned; that is to ſay, Upon Truſt to pay, apply, and diſpoſe of, the Rents, Iſſues, and Profits thereof, for the ſupporting, maintaining, and keeping the ſaid Boat-houſe, with the Appurtenances, in good Order and tenantable Repair, ſo long as the ſaid Corporation ſhall, from time to time, think requiſite and neceſſary; and alſo, from time to time, as they ſhall think proper and expedient, to make and grant any Leaſe or Leaſes of the ſaid Boat-houſe, Ground, and Premiſes, unto any Perſon or Perſons, in order to be built upon, or otherwiſe repaired or improved, for ſuch Term or Terms for Years, and at ſuch Rent or Rents, and for ſuch Fine or Fines, and other Conſiderations, as, from time to time, ſhall be thought requiſite and convenient.

who have Power to grant Building Leaſes thereof.

Application of the Fines and Rents.

And it is hereby enacted and declared, That the Rents and Fines to be reſerved and taken upon making and granting ſuch Leaſes reſpectively, ſhall be paid, applied, and diſpoſed of, by the ſaid Corporation for and towards paying the ſaid yearly Rent or Sum of Ninety Pounds ſo long as the ſame ſhall be due, and keeping the ſaid intended Bridge in Repair, and to and for ſuch other Uſes and Purpoſes as the Tolls and Pontage Duties granted and directed to be levied by this Act, and the Monies to be raiſed upon the Credit thereof reſpectively, are hereby directed and appointed to be paid, applied, and diſpoſed of.

Recompence to the See of *Durham* after the Bridge is built.

And it is hereby further enacted by the Authority aforeſaid, That immediately after the ſaid intended Bridge ſhall be built, finiſhed, compleated, and made paſſable, as aforeſaid, there ſhall be paid out of the Rents and Profits of the ſaid Boat-houſe and Piece of Ground, and the Buildings to be thereupon erected and built, and the Tolls and Pontage Duties granted and made payable by this Act

unto the present Lessees or Persons intitled to the Benefit of the said Ferry, their Heirs and Assigns, during the Continuance of their Estate and Interest, and after the Determination of their said Estate and Interest, unto the said Lord Bishops of Durham, and his Successors Bishop of Durham, or his or their Lessee or Lessees, or such other Person or Persons who shall be intitled or duly authorized and impowered to receive the same, the several yearly Rents or annual Sums following, to commence and take Effect respectively at such Times, and in such Manner, as is herein after mentioned; that is to say, The yearly Rent or Sum of Ninety Pounds free from all Deductions whatsoever, to commence and take Effect from such Time as the said intended Bridge shall be built, finished, compleated, and made passable, as aforesaid, as a Recompence, Satisfaction, and Compensation, for the Loss and Damage to be sustained by the present Lessees of the said Ferry, their Heirs and Assigns, and by the See of Durham, by means of the Building the said Bridge, and the Loss and Deprivation of the Profits and Benefit of the said Ferry, Boat-house, and Piece of Ground belonging to the same, as aforesaid; and that over and above the said yearly Rent or Sum of Ninety Pounds there shall be paid to the said Bishop, and his Successors Bishops of Durham, and to his and their Lessees or Assigns, and to all and every other Person and Persons having Power or Right to receive the same, the yearly Rent or Sum of Three Pounds for every Acre of the said Demesne Lands and Grounds aforesaid; and in the like Proportion for any Quantity thereof under or less than an Acre, which shall be taken, employed, and made use of, by the said Commissioners and Trustees for making and forming the Road or Way from the said intended Bridge to the Town of Stockton as aforesaid, and the Fences to the same, or for other the Purposes of this Act; to commence and take Effect from such Time as the said Commissioners, or their Agents, shall enter upon and take Possession of the said Demesne Lands of the said See of Durham, or any Part thereof, for the Purposes aforesaid; the said several yearly Rents or annual Payments of Ninety Pounds, and Three Pounds an Acre, to continue payable and be paid from the several Terms herein before limited and appointed for the Commencement thereof respectively, at or on the Eleventh Day of November, the Second Day of February, the First Day of May, and the First Day of August, in every Year for ever, by equal Portions; the First Payment of the said several yearly Payments or Sums to begin and be made at or

on

on ſuch of the ſaid Days as ſhall firſt and next happen after the Commencement of the ſaid reſpective Rents of Ninety Pounds, and Three Pounds an Acre.

The Biſhop of *Durham* impowered to leaſe the ſaid reſerved Rent of 90*l.*

Provided always, and it is hereby further enacted and declared, That it ſhall and may be lawful to and for the ſaid Lord Biſhop of Durham, and his Succeſſors, from time to time, and at all Times after the Determination of the preſent Leaſe or Grant of the ſaid Ferry, to grant, leaſe, or demiſe, the ſaid yearly Rent or Sum of Ninety Pounds hereby limited or directed to be paid as a Recompence and Compenſation for the Loſs of the ſaid Ferry as aforeſaid, unto any Perſon or Perſons for ſuch Term and Number of Lives and Years, and to reſerve ſuch annual Rent or Rents, not leſs than Twenty Shillings per Annum, and to take ſuch Fine or Fines upon every ſuch Grant, Leaſe, or Demiſe reſpectively, or for adding or exchanging any Life or Lives in ſuch reſpective Grants or Leaſes, to be from time to time named and inſerted, in ſuch Manner as the ſaid Biſhop or his Succeſſors could or might have done in or upon any Leaſe or Leaſes of the ſaid Ferry, Lands, Grounds, and Premiſſes, in reſpect of which the ſaid yearly Rent or Sum of Ninety Pounds is hereby veſted or ſecured, or intended to be ſecured, at any Time before the paſſing this Act, or in caſe the ſame had not been made.

Rents to the Lord Biſhop of *Durham* how to be recovered.

And be it further enacted by the Authority aforeſaid, That in caſe the ſaid yearly Rent or Sum of Ninety Pounds, and the ſaid yearly Rent of Three Pounds an Acre, hereby reſpectively directed to be paid to the preſent Leſſees of the ſaid Ferry, their Heirs or Aſſigns, during the Continuance of their ſaid Eſtate and Intereſt, and to the ſaid Lord Biſhop of Durham and his Succeſſors, or his or their Leſſee or Leſſees, or ſuch other Perſon or Perſons who ſhall be intitled or duly authorized and impowered to receive the ſame as aforeſaid, or any Part thereof reſpectively, ſhall be in Arrear or unpaid by the Space of Thirty Days next over or after any of the ſaid Days herein before limited or appointed for Payment thereof reſpectively, and Demand thereof ſhall have been made to any Five or more of the ſaid Commiſſioners and Truſtees for putting this Act in Execution, or to their Treaſurer, Clerk, or Collector, for the time being, by or on the Behalf of the ſaid preſent Leſſees of the ſaid Ferry, their Heirs or Aſſigns, during the Continuance of their ſaid Eſtate and Intereſt, or for or on Behalf of the ſaid Lord Biſhop of Durham, or his Succeſſors Biſhops of Durham, or any other Perſon or Perſons who ſhall be intitled or duly authorized and impowered to receive the ſame,

same, respectively; then, and so often as such Case shall so happen, it shall be lawful for the said present Lessees of the said Ferry, their Heirs and Assigns, during the Continuance of their said Estate and Interest, and for the said Lord Bishop of Durham and his Successors Bishops of Durham, and his or their Lessee or Lessees, or such other Person or Persons intitled, authorized, or impowered, to receive the same respectively, to commence and prosecute One or more Action or Actions at Law, on the Case, or in Debt, against the Treasurer or Treasurers, Clerk or Collector, to the said Commissioners and Trustees, and shall and may upon such Action or Actions recover the Money then due, together with his, her, or their lawful Costs of Suit, and have such Remedy for the same as is allowed by Law in other Cases; which said Money and Costs so recovered, when paid, shall be allowed to such Treasurer, Clerk, or Collector, in his Account with the said Commissioners and Trustees; or otherwise it shall and may be lawful to and for the said present Lessees of the said Ferry, their Heirs and Assigns, during the Continuance of their said Estate and Interest, and for the said Lord Bishop of Durham, and his Successors Bishops of Durham, his or their Lessees, or Assigns, or such other Person or Persons intitled as aforesaid, respectively, or his or their Agent or Agents, to enter upon and take Possession of the said Bridge, and of the Turnpike or Turnpikes, Toll-house or Toll-houses, which shall be placed thereon, or to erect any Turnpike or Toll-house across or at either End of the said Bridge, and to collect and receive the said Tolls or Pontage-duties, to and for his and their own Use, until thereby or therewith, or otherwise, all Arrears of the said yearly Rents, or annual Payments of Ninety Pounds, and Three Pounds an Acre, which shall be due at the Time of such Entry, and that during such Possession shall grow due, and all Costs and Charges attending such Entry and Possession, and the Receipt of such Tolls and Pontage Duties, and all Damages to be sustained by the said present Lessees of the said Ferry, their Heirs or Assigns, or by the said Lord Bishop of Durham and his Successors, or their Assigns, by reason of the Non-payment thereof at the Times and in Manner aforesaid, shall be fully paid, satisfied and discharged.

And it is hereby enacted and declared, That the present Lessees of the said Ferry, their Heirs and Assigns, and the said Lord Bishop and his Successors Bishops of Durham, and such other Person or Persons intitled as aforesaid, respectively, and his and their Agent or Agents,

shall

ſhall in that Caſe have the like Powers and Remedies for the levying and recovering ſuch Tolls and Pontage Duties as are herein before given and granted to and veſted in the ſaid Commiſſioners and Truſtees in that Behalf.

Rents to the Biſhop of *Durham* to have a Priority, &c.

And it is hereby further enacted and declared, That the ſaid yearly Rents or Sums of Ninety Pounds and Three Pounds an Acre ſhall have a Priority to all other Payments directed to be made by this Act; and that the Tolls, Pontage, and other Duties, which ſhall be collected by or on the Behalf of the ſaid preſent Leſſees of the ſaid Ferry, their Heirs or Aſſigns, or by or on Behalf of the ſaid Lord Biſhop of Durham or his Succeſſors, or ſuch other Perſon or Perſons intitled as aforeſaid, or his or their Agents, and made payable at or for the Paſſage over the ſaid Ferry or Bridge, by virtue or in purſuance of or under this preſent Act, ſhall not, nor ſhall any of them be charged with or ſubject or liable to the Payment of any Principal or Intereſt Monies, or any other Debt due or owing upon the Credit of this Act; but ſuch Tolls, Rates, and Sums of Money reſpectively ſhall from time to time be received for the ſole Uſe and Benefit of the ſaid preſent Leſſees of the ſaid Ferry, their Heirs or Aſſigns, and of the ſaid Lord Biſhop of Durham and his Succeſſors Biſhops of Durham, or ſuch other Perſon or Perſons intitled as aforeſaid, until all ſuch Arrears and reaſonable Charges ſhall be from time to time fully paid and ſatisfied.

and not to be ſubject to any Debt, &c.

Application of the Tolls and Money to be borrowed.

And be it further enacted by the Authority aforeſaid, That the ſaid Commiſſioners and Truſtees, and their Succeſſors, ſhall and do apply and diſpoſe of the Tolls and Duties granted and made payable by this Act, and alſo the Monies to be raiſed upon the Credit thereof reſpectively, in Manner following; that is to ſay, In the Firſt Place, towards the Satisfaction and Payment of the ſaid ſeveral Rents or Sums of Ninety Pounds and Three Pounds an Acre, and all Coſts and Charges to be occaſioned by the Non-payment thereof; and in the next Place, for paying and diſcharging all the Coſts and Expences attending the obtaining and paſſing this preſent Act, and alſo the Charges and Expences of working and maintaining the ſaid Ferry until the ſaid intended Bridge ſhall be built, finiſhed, compleated, and made paſſable, and alſo in and for the building the ſaid Bridge, and making the neceſſary Roads and Paſſages to and from the ſame; and for other the Purpoſes directed to be executed and performed by this Act, at ſuch Times and in ſuch Manner as herein-mentioned, until the ſaid intended Bridge ſhall be finiſhed and compleated; and afterwards

do and shall apply the Residue and Surplus of the said Tolls and Duties which shall from time to time remain after, and shall not be issued and applied as aforementioned, in and for the paying, satisfying, and discharging, the several Sums of Money to be borrowed and advanced upon the Credit of this Act, and the Interest attending or to grow due for the same, and for other the Purposes of this Act, as the same Tolls and Duties shall come in and be received, and do and shall place out the Residue and Surplus thereof upon Government or real Securities at Interest, in the Names of the said Commissioners or Trustees, or any Seven or more of them; and also from time to time and in like Manner to place out the Interest, Dividends, and yearly Proceed, arising and produced from the said Funds and Securities, as the same shall come in and be received, according to the Course of Compound Interest, until by the Ways and Means aforementioned they shall have collected and accumulated such Sum or Sums of Money as shall be sufficient and necessary for the Purposes hereinafter mentioned; and after such Money shall be accumulated and made up as aforesaid, shall and do lay out and apply the same, or a competent Part thereof, with the Approbation of the Lord Bishop of Durham for the time then being, in One or more Purchase or Purchases of Lands, Tenements, and Hereditaments, in Fee-simple in Possession of sufficient yearly Rent or Value to answer, satisfy, and pay, the said yearly Rent or Sum of Ninety Pounds to the said present Lessees of the said Ferry, their Heirs and Assigns, during the Continuance of their said Estate and Interest, and after the Determination thereof, to the said Lord Bishop of Durham, and his Successors, Lessees, and Assigns, and to answer, satisfy, and pay, the said yearly Rent or Sum of Three Pounds an Acre to the said Lord Bishop of Durham, his Successors of the said See, and his and their Assigns; and immediately after such Purchase or Purchases shall be made, shall and do settle, convey, and assure, so much and such Part of the Lands and Hereditaments so to be purchased as will be sufficient to satisfy and pay the said yearly Rent or Sum of Ninety Pounds unto and upon and to the Use of the said Lord Bishop of Durham for the time being, and his Successors Bishops of Durham for ever; and also shall and do, by different or other Settlement and Conveyances, settle, convey, and assure, the Residue and Remainder of the Lands and Hereditaments to be purchased as aforesaid (the same being of sufficient yearly Rent or Value to answer and pay the said yearly Rent

Purchase to be made to answer the Rents to the See of *Durham*.

of

of Three Pounds an Acre) unto and upon and to the Use of the said Lord Bishop of Durham for the time being, and his Successors Bishops of Durham for ever.

When Purchase made to answer the Rent to the See of *Durham*, the Bridge to be a free Bridge, and repaired as such.

And it is hereby further enacted and declared, That immediately after such Purchase, Settlements, and Conveyances shall be made and executed as aforesaid, not only all the Tolls and Pontage Duties given, granted, and directed to be levied by this Act, but also the said several yearly Rents of Ninety Pounds and Three Pounds an Acre shall cease and determine, and the said Bridge shall from thenceforth be deemed, used, and taken as a free Bridge, and shall be repaired, maintained, and kept in Repair, at the equal Charges and Expences of the Counties of Durham and the said North Riding of the County of York respectively, by such Ways and Means, and in such Manner, as other County Bridges are or ought by Law to be repaired, maintained, and kept in Repair; and that in the mean time, and until such Settlements and Conveyances shall be made, the Tolls, Pontage Duties, and Profits of the said Bridge, shall be taxed, rated, charged, and assessed, in the Township of Stockton aforesaid, to all publick and parochial Taxes, Rates, and Assessments, at and after the Rate of Ninety Pounds a Year, and no more.

To be rated in the County of *Durham*.

The Bishop of *Durham* impowered to lease the Lands purchased to answer the Rent of 90 *l.* a Year.

Provided always, and it is hereby further enacted and declared, That it shall and may be lawful to and for the said Lord Bishop of Durham, and his Successors, from time to time and at all Times after such Purchase, Settlement, and Conveyance, to answer, satisfy, and pay the said yearly Rent or Sum of Ninety Pounds, shall be made and executed as aforesaid, to grant, lease, or demise the Lands, Hereditaments, and Premisses, so to be settled and conveyed, to answer and pay the said yearly Rent of Ninety Pounds as aforesaid, unto any Person or Persons, for such Term and Number of Lives and Years, and to reserve such annual Rent or Rents, not less than Twenty Shillings per Annum, and to take such Fine or Fines upon every such Grant, Lease, or Demise respectively, or for adding or exchanging any Life or Lives, in such respective Grants or Leases to be from time to time named and inserted, in such Manner as the said Bishop, or his Successors, could or might have done in or upon any Lease or Leases of the said Ferry, Lands, Grounds, and Premisses, in respect of which the said yearly Rent or Sum of Ninety Pounds is hereby vested or secured, or intended to be secured, at any Time before the passing of this Act, or in case the same had

had not been made; any Thing herein contained to the contrary notwithſtanding.

Penalty on ferrying.

And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall uſe or employ any Boat, Barge, or other Craft, in ferrying or conveying croſs the ſaid River Teeſe, within or near the Parish of Stockton aforeſaid, any Merchandize, Perſons, Cattle, Carriages, or other Thing whatſoever, for Hire or Gain, the Owner or Owners of every ſuch Boat, Barge, or other Craft, or the Perſon or Perſons employing or uſing the ſame, ſhall forfeit the Sum of Twenty Shillings, for every Parcel or Piece of Merchandize, and for every Perſon, Horſe, Mare, Gelding, Mule, Aſs, Beaſt, Sheep, Swine, Calf, Lamb, and every Coach, Waggon, and every other Carriage or Thing whatſoever, which ſhall be ſo ferried or conveyed croſs the ſaid River.

Property of the Ferry, &c. veſted in Truſtees.

And be it further enacted by the Authority aforeſaid, That the Right and Property of the ſaid Ferry, and of the ſaid intended Bridge, and of the ſaid Turnpike and Toll-houſe, and of the Poſts and Rails to be ſet up by virtue of this Act, and the Materials of which the ſame ſhall conſiſt, ſhall be and are hereby veſted in the ſaid Commiſſioners and Truſtees, and they, or any Five or more of them, are hereby impowered to bring Actions, or proſecute Indictments, in the Name of their Treaſurer or Clerk, againſt any Perſon or Perſons who ſhall diſturb or injure them in the Poſſeſſion or Property thereof; ſubject nevertheleſs to the Reſtrictions and Proviſions in this Act inſerted and contained concerning the ſame.

Reſervation of Right to *James Huſtler*, &c.

Provided always, and it is hereby enacted and declared, That nothing herein contained ſhall extend, or be conſtrued to extend, to prejudice, impeach, or defeat, ſuch Right, Title, Eſtate, Intereſt, or Property, as James Huſtler of Acklam, in the County of York, Eſquire, now hath or enjoyeth, of, in, or to, a Ferry croſs the ſaid River Teeſe, between a Place called Newport, in the County of York, and the oppoſite Shore in the County of Durham; but that the ſaid Ferry, and all the Profits and Benefit thereof, ſhall and may be held and enjoyed by him, and all claiming under him, or any of his Anceſtors, as fully and effectually as the ſame are now by him uſed, exerciſed, or enjoyed.

Power to borrow Money on the Credit of the Tolls.

And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Commiſſioners and Truſtees, or any Five or more of them, from time to time, upon the Credit of the Tolls hereby made payable, or any Part or Parts thereof, to borrow and take up at Intereſt, not exceeding Five Pounds per Centum

Centum per Annum any Sum or Sums of Money, as they shall think requisite and necessary; and they are hereby authorized and impowered to grant or assign over the said Tolls or Pontage Duties, or any Part or Parts thereof, unto any Person or Persons, for any Term or Number of Years, by way of Mortgage, as a Security for, and redeemable on Payment of, the Sum and Sums of Money so to be borrowed with Interest; and that Copies of all such Grants, Assignments, or Securities, or Abstracts thereof, shall be entered in a Book or Books, to be kept for that Purpose by the Clerk or Clerks, Treasurer or Treasurers for the time being to the said Trustees; and all the Sums of Money, so to be borrowed, shall be applied in such Manner as the Tolls hereby granted are directed to be applied, and for no other Use or Purpose whatsoever: And that all and every Person or Persons to whom any such Grant or Grants, Assignment or Assignments, shall be made by such Commissioners or Trustees as aforesaid, or any Person or Persons claiming under them, or who shall be intitled to the Money thereby secured, shall and may from time to time, by Assignment, to be indorsed on his, her, or their Security, or by any other 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 of, in, and to the Principal and Interest Money thereby secured, or any Part thereof, and to the Tolls and Pontage Duties made liable to the Payment thereof, unto any Person or Persons whatsoever, and so toties quoties; and that such Assignment or Transfer shall be produced and notified to the Treasurer or Clerk of the said Commissioners or Trustees to be appointed by virtue of this Act, within Three Calendar Months after the Date thereof; and that such Treasurer or Clerk shall cause an Entry or Memorandum to be made of every such Assignment or Transfer, containing the Dates, Parties Names, and Sums of Money therein mentioned to be transferred, in a Book to be kept for that Purpose; for which the said Clerk shall be paid such Sum or Sums of Money as the said Trustees, or any Five or more of them, shall order and direct; and after such Entry made, and not before, such Assignment or Transfer shall intitle such Assignee or Assignees, his, her, or their Executors, Administrators, and Assigns, to the Benefit thereof, and Payment thereon; and such Assignee or Assignees may, in like Manner, assign and transfer, and so toties quoties.

Assignments may be transferred, and the Manner of doing so.

Entries to be made of all Assignments.

Provided

14 Days Notice to be given of borrowing Money.

Provided alſo, and it is hereby declared, That no Money ſhall be borrowed on the Credit of this Act by the ſaid Truſtees, after their Firſt Meeting, unleſs Notice in Writing under the Hand of the Treaſurer or Clerk to the ſaid Truſtees, be, by Order of the ſaid Truſtees, or any Five or more of them, fixed upon the Market Croſs in the ſaid Town of Stockton, or upon the Ferry-houſe, or at the Turnpike or Toll-houſe to be erected by virtue of this Act, at leaſt Fourteen Days before the borrowing of ſuch Money.

Ferry to be uſed when Bridge dangerous.

And whereas it may happen that the ſaid Bridge may receive ſuch Damage, by unforeſeen Accidents, that the Paſſage thereof may, for ſome Time, become dangerous or impracticable; be it therefore enacted by the Authority aforeſaid, That, from time to time, as often as it ſhall ſo happen, it ſhall and may be lawful to and for the ſaid Commiſſioners and Truſtees, or any Seven or more of them, and they are hereby authorized and required, to make and provide, or cauſe to be made, a proper and convenient Ferry or Paſſage over the ſaid River, near the ſaid intended Bridge, with able Ferrymen, Boats, Tackle, Utenſils, and Materials, proper and convenient for that Purpoſe; and to take ſuch and the like Tolls and Duties as they are authorized and impowered to demand, take, and collect, at the Turnpikes or Toll-gates to be erected by virtue and in purſuance of this Act.

Upon Truſtees Default, the Lord Biſhop of *Durham* may uſe a Ferry, &c.

Provided always, and it is hereby enacted and declared, That in caſe ſuch Ferry ſhall not be made and provided for the Purpoſe above-mentioned, with ſuch proper Ferrymen, Boats, Tackle, and Utenſils, for the Purpoſe and within the Tenor of this Act, within Forty Days after the ſaid intended Bridge ſhall become dangerous or impaſſable as aforeſaid, then, and in ſuch Caſe, it ſhall and may be lawful to and for the preſent Leſſees of the ſaid Ferry, their Heirs and Aſſigns, during the Continuance of their Eſtate and Intereſt, and, after the Determination thereof, to and for the ſaid Lord Biſhop of Durham, or his Succeſſors, for the time being, and his and their Leſſee or Leſſees as aforeſaid, to make, erect, and ſet up, ſuch Ferry, ſo furniſhed and provided as aforeſaid, and to take and receive ſuch Rents and Tolls for the ſame as aforeſaid, to and for his and their own Uſe and Benefit, until the ſaid Bridge ſhall be effectually repaired, amended, and made paſſable, and until, by the clear Profits of the ſaid Ferry, or otherwiſe, all Arrears of the ſaid ſeveral yearly Rents or Sums of Ninety Pounds, and Three Pounds an Acre, and all the Coſts and Charges of providing the ſaid Ferry, and

the

the Boats, Tackle, Utenſils, and Materials, of and belonging to, and uſed in and for the ſame, ſhall be paid, ſatisfied, and diſcharged.

Puniſhment of Perſons damaging the Bridge.

And, for preventing wilful and malicious burning, or otherwiſe damaging or deſtroying the ſaid Bridge, or any Part thereof, or hindering or interrupting the building the ſame, be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall wilfully and maliciouſly burn, blow up, pull down, or otherwiſe deſtroy, the ſaid Bridge, or any Part thereof, or attempt ſo to do, or ſhall wilfully and maliciouſly, and without Authority from the ſaid Truſtees, or any Five or more of them, remove or take away any Works thereunto belonging, or in any wiſe direct or procure the ſame to be done, whereby the ſaid Bridge, or the Works thereof, may be damaged, or the Lives of Paſſengers endangered, ſuch Offender or Offenders, being lawfully convicted thereof, ſhall be judged guilty of Felony, and ſhall ſuffer as a Felon.

Maſters of Boats to make Satisfaction for Damages.

And, for preventing Damages and Miſchiefs that may be done and committed by evil-minded or diſorderly Perſons rowing, navigating, or managing Boats, Barges, Lighters, or other Veſſels, in or upon the ſaid River Teeſe, and to the end that the Maſters and Owners of ſuch Boats, Barges, Lighters, or other Veſſels, may be more careful therein, be it further enacted by the Authority aforeſaid, That every Maſter and Maſters, Owner and Owners, of any Boat or other Veſſel, ſhall, and is hereby made anſwerable and reſponſible for any wilful Damage or Miſchief that ſhall be done by his or their Boat or Veſſel, or by any of the Boatmen, Bargemen, or Crew, of or belonging to any ſuch Boat or Veſſel, to the ſaid Bridge, or any Part thereof, or to any of the Works which ſhall be erected or be erecting by virtue of this Act; and the ſaid Maſter or Maſters, Owner or Owners, of any ſuch Boat or Veſſel, ſhall and may be ſued by the ſaid Truſtees, or any Five or more of them, for ſuch Treſpaſs and Damage which ſhall be ſo done, in any Court of Record whatſoever.

Commencement.

And be it further enacted by the Authority aforeſaid, That all the Powers hereby granted ſhall commence from the paſſing of this Act; and that all the Penalties and Forfeitures hereby inflicted (the Manner of levying and Recovery whereof is not otherwiſe particularly directed) ſhall, upon Proof of the Offences reſpectively before any One or more Juſtice or Juſtices of the Peace of the County, Riding, or Place, wherein the reſpective Offender or

Recovery of Penalties.

Offenders shall reside or the Offence or Offences be committed, either by the Confession of such Offender or Offenders, or by the Oath of One or more credible Witness or Witnesses (which Oath such Justice or Justices is or are hereby impowered and required to administer, without Fee or Reward) be levied by Distress and Sale of the Goods and Chattles of such Offender or Offenders, by Warrant or Warrants under the Hand and Seal, or Hands and Seals, of such Justice or Justices; which Warrant or Warrants he or they is or are hereby impowered and required to grant; and the Overplus, after such Penalties and Forfeitures, and the Charges of such Distress and Sale, are thereout deducted, shall be returned, upon Demand, unto the Owner or Owners of such Goods and Chattles; and the Penalties and Forfeitures, when recovered, shall be (if not otherwise directed to be applied by this Act) from time to time paid to the said Trustees, or any Five or more of them, or to their Treasurer or Clerk, and applied in the Execution of the Purposes of this Act; and in case sufficient Distress shall not be found, or such Penalties and Forfeitures 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 a 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 of such County, Riding, or Place, wherein such respective Offences shall be committed, or the Offender or Offenders resides, there to remain without Bail or Mainprize, for any Time not exceeding Three Months, nor less than Fourteen Days, unless such Penalties and Forfeitures, and all reasonable Charges, shall be sooner paid and satisfied.

Persons aggrieved may appeal.

Provided always, and be it further enacted, That if any Person shall think himself or herself aggrieved by any thing done in pursuance of this Act, and for which no particular Method of Relief hath been already appointed, such Person may (except where any Matter to be done by this Act is herein directed to be final) appeal to the Justices of the Peace, at any General Quarter Sessions of the Peace to be held for the County, Riding, or Place, wherein the Cause of Complaint shall arise, within Four Calendar Months next after the Cause of such Complaint shall have arisen; such Appellant first giving, or causing to be given, Fourteen Days Notice at the least in Writing of his or her Intention to bring such Appeal, and of the Cause or Matter thereof, to the Clerk or Treasurer to the said Trustees, and within Seven

Notice of Appeal to be given.

Days after ſuch Notice, entering into a Recognizance before ſome Juſtice of the Peace for ſuch County, Riding, or Place, with Two ſufficient Sureties, conditioned to try ſuch Appeal at, and abide the Order of, the ſaid Quarter Seſſions; and the ſaid Juſtices at the ſaid Seſſion, upon due Proof of ſuch Notice being given as aforeſaid, and of the entering into ſuch Recognizance, ſhall hear and finally determine ſuch Appeal in a ſummary Way; and, if they ſee Cauſe, may, by Order of ſuch Seſſion, mitigate at their Diſcretion all or any of the ſaid Penalties or Forfeitures, or vacate and ſet aſide any Conviction or Convictions, but not for want of Form only, and ſet the Party at Liberty, or otherwiſe may ratify and confirm the ſame, and award ſuch Coſts as they ſhall think proper; and the Determination of the ſaid Juſtices at ſuch Quarter Seſſion ſhall be binding and concluſive to all Intents and Purpoſes, and ſhall not be liable to be removed by Certiorari, or other Proceſs whatſoever.

Offenders how to be proceeded againſt.

Provided alſo, and be it further enacted, That all Perſons for Offences committed by the working or uſing of any Ferry croſs the ſaid River, and all other Offences committed upon the ſaid River, contrary to the true Intent and Meaning of this Act, ſhall be proceeded againſt and convicted before any Juſtice or Juſtices of the Peace for the County of Durham, or in the County or Riding wherein ſuch Offenders reſpectively ſhall reſide; and the Penalties and Forfeitures ſhall and may be levied, or the Offenders committed as aforeſaid, in ſuch and the ſame Manner as if ſuch Offenders had been committed within ſuch reſpective Counties.

Writings to be without Stamps.

Provided always, and be it further enacted by the Authority aforeſaid, That no Nomination, Appointment, Information, Order, Judgement, Conviction, Warrant, Mortgage, Grant, Aſſignment, Transfer, or other Security, for the borrowing of Money, or other Writing whatſoever, under the Hand and Seal, or Hands and Seals of, or only ſigned by, any Truſtee or Truſtees, or by any Juſtice or Juſtices of the Peace, or exhibited before them, or any of them, touching, concerning, or in Execution of any of the Powers or Authorities hereby veſted in ſuch Truſtee or Truſtees, or Juſtice or Juſtices of the Peace, or any of them, ſhall be charged or chargeable with any Stamp Duty whatſoever.

Truſtees who are in the Commiſſion of the Peace to act as Juſtices;

And be it further enacted and declared by the Authority aforeſaid, That every Truſtee, who is or ſhall be in the Commiſſion of the Peace for the County of Durham or

the said North Riding of the County of York, may act as a Justice of the Peace for putting this Act in Execution, notwithstanding his being a Trustee.

except where interested.

Provided always, That no Person shall be capable of acting as a Trustee in the Execution of this Act, during his holding any Place of Profit under this Act.

Proceedings to be entered in a Book.

And be it further enacted by the Authority aforesaid, That all Orders and Proceedings of the said Trustees shall be entered in a Book or Books to be kept for that Purpose; and being signed by any Five or more of the said Trustees, or the Clerk or Treasurer to the said Trustees, shall be deemed and taken to be original Orders; and such Book or Books, and also the Entries of all Grants and Assignments of the Tolls hereby made payable, and also of the Transfers of such Grants and Assignments, shall and may be produced and read in Evidence in all Cases of Appeal, and in any Suits or Actions, touching any thing done in pursuance of this Act.

Limitation of Actions.

And be it further enacted by the Authority aforesaid, That if any Action, Suit, or Indictment, shall be commenced against any Person or Persons, for any Thing done or to be done in pursuance of this present Act, in every such Case the Action or Suit shall be commenced within Six Calendar Months next after the Fact committed, and not afterwards; and shall be laid in One of the said Counties of York or Durham, and not elsewhere; and the Defendant or Defendants, in such Action or Suit, shall and may plead the General Issue, 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 it shall appear so to be done, or that any Action or Suit shall be brought or commenced after the Time before limited, or shall be laid in any other County or Place; that then the Jury shall find for the Defendant or Defendants; or if the Plaintiff or Plaintiffs shall become nonsuited, or discontinue his, her, or their Action or Suit; or if a Verdict shall pass against the Plaintiff or Plaintiffs; or if, upon Demurrer, Judgement shall be given against the Plaintiff or Plaintiffs; the Defendant or Defendants shall recover Treble Costs, and shall have such Remedy for the same, as any Defendant or Defendants hath or have for Costs of Suit in other Cases of Law.

General Issue.

Publick Act.

And be it further enacted by the Authority aforesaid, That this Act shall be deemed a Publick Act; and be judicially taken Notice of as such, by all Judges, Justices, and other Persons whatsoever, without specially pleading the same.

FINIS.