ANNO SEXTO

GULIELMI IV. REGIS.

Cap. lxxxiii.

An Act for more effectually improving and maintaining the Turnpike Road leading from the *Cow-Cawsey* near the Town of *Newcastle-upon-Tyne* to the Town of *Belford*, and from thence to *Buckton Burn*, in the County of *Northumberland*. [21st *June* 1836.]

WHEREAS an Act was passed in the Fifty-fifth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for enlarging and altering the Term and Powers of an Act of His present Majesty for repairing the Road leading from the* Cow-Cawsey *near the Town of* Newcastle-upon-Tyne *to the Town of* Belford, *and from thence to* Buckton Burn, *in the County of* Northumberland: And whereas considerable Sums of Money have been borrowed on the Credit of the Tolls granted and authorized to be taken on the said Road, which still remain due and cannot be paid, nor can the said Road and the new Roads or Diversions herein-after mentioned be effectually improved, made, and maintained, and kept in good and sufficient Repair, unless the Term of the said Act be enlarged and continued, and some of the Provisions thereof be altered and amended, and other and further Powers granted in relation to the same: And whereas the said Road forms Part of the great and common Post Road from the Town of *Newcastle-upon-Tyne* to the Town of *Berwick-upon-Tweed* and City of *Edinburgh*, and several Parts of the said Road are hilly, inconvenient, and circuitous, and it would be of great Public Utility, and would promote the Intercourse between distant Parts of the United Kingdom, if new and 55 G. 3. c. 33.

more commodious Lines of Road, or Deviations from the said Road, were made between the several and respective Parts or Places herein-after mentioned; but the several Purposes aforesaid 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 from and after the Third *Tuesday* next after the passing of this Act the said recited Act of the Fifty-fifth Year of the Reign of His said late Majesty King *George* the Third shall be and the same is hereby repealed, and that instead thereof, on the same Day, this Act shall commence and take effect and shall be put in execution for and during the Term herein-after mentioned, for amending, widening, altering, improving, repairing, and maintaining the said Road leading from the North End of the *Cow-Cawsey* near the Town of *Newcastle-upon-Tyne* to the Town of *Belford*, and from thence to *Buckton Burn*, in the County of *Northumberland*, or such Part or Parts thereof as shall not be altered or diverted under the Authority of this Act.

Recited Act repealed, and this Act to be executed instead thereof.

Trustees authorized to make certain new Lines of Road.

II. And be it further enacted, That it shall be lawful for the said Trustees and they are hereby empowered to make and maintain the several new Lines or Deviations of Road herein-after mentioned; (that is to say,) a new Piece of Road commencing a little to the North of *Stannington* Bridge, and extending from thence nearly in a direct Line Northwards to join the present Turnpike Road at the *Shoulder of Mutton* Inn, and proceeding from thence along the present Turnpike Road about Two hundred Yards Northwards, where it again leaves the same and passes along the East Side of the present Turnpike Road, and joins it again about a Quarter of a Mile to the North of *Stannington* Village, to be used instead of the present Turnpike Road by a certain House near the South End of the said Village, and commonly called the *Swan*; another new Piece of Road from the North End of the Town of *Morpeth*, and extending from thence nearly in a direct Line Northwards to join the said present Turnpike Road about One hundred Yards to the North of the Third Mile Stone North of the said Town of *Morpeth*, in lieu of the present Turnpike Road by *Morpeth* North Toll Bar; another new Piece of Road from the present Turnpike Road near to *Earsdon* Windmill, and extending from thence nearly in a direct Line Northwards to the Top of *Felton South Bank*, where it again joins the present Turnpike Road, to be used instead of the present Turnpike Road by *Cawsey Park* Bridge and *West Moor*; another new Piece of Road from the North End of *Felton* Bridge, and extending from thence nearly in a direct Line Northwards to the East Side of the Village of *Old Felton*, and from thence Northwards passing along the East Side of *Newton* Villa to join the present Turnpike Road about a Quarter of a Mile to the North of *Hampeth* Bridge, to be used instead of the present Turnpike Road by *Nelson*'s Monument and *Newton-on-the-Moor*; another new Piece of Road from near the First Mile Stone North of *Alnwick*, and from thence proceeding in nearly a direct Line to a Point a little to the West of a Cottage House called the *Old Fence*, and from thence

thence in a direct Line Northwards to join the present Turnpike Road a little to the South of *Rock Lodge*, to be used instead of the present Turnpike Road by the *Loaning Head*, *Heckley* Toll Bar, and *Heiferlaw* Bank; another new Piece of Road extending from the North End of the *Priest's Dean* Bridge, and extending in nearly a direct Line Northwards where it again joins the present Turnpike Road at or near *Warenford* Bridge, to be used instead of the present Turnpike Road by *Warenford* Cottage and *Warenford* Blacksmith's Shop; and another new Piece of Road extending from a Point a little to the South of the *Blue Bell* Inn in *Belford*, passing through the Western Portion of the said Inn called the *Old House*, and Offices and other Buildings attached thereto, and from thence in a nearly Northern Direction to a little Westward of *Middleton* Farm House, and from thence in a direct Line Northwards where it again joins the present Turnpike Road at a Point a little to the South of the *Broken Cross*, to be used instead of the present Turnpike Road by *Cleekem-in and Cath-a-Penny*: Provided always, that no such new Line or Piece of Road as herein-before mentioned shall be made, nor shall any Entry be made into any Lands for the Purpose of staking out or making any such new Line or Piece of Road, until after the Consent in Writing of the Owner or Proprietor of the Lands through which the same is intended to be made shall have been previously obtained.

Trustees appointed.

III. And be it further enacted, That *Robert Lancelot Allgood*, *Adam Atkinson*, the Reverend *James Allgood*, *John Murray Aynsley*, *William Appleby*, *John Appleby*, *Matthew Anderson*, *John Anderson*, *Bryan Burrell*, *Matthew Burrell*, *Thomas Buston*, *Roger Buston*, *Henry Peareth Burrell*, *Henry Brumell*, *William Baird*, *Matthew Bell*, *G. T. Blenkinsopp*, *Charles John Bigge*, *Robert Bullock*, *Robert Briggs*, *John Brandling*, *John Baird*, *William Palfrey Burrell*, *Job James Bullman*, *John Carr*, *John Dixon Clark* Clerk, *John Francis Carr*, *Richard Carr*, *Henry Cramlington*, *John Cay*, *Ralph Carr*, *Charles John Clavering*, *John Clutterbuck*, *Thomas Cook*, *Shafto Craster*, *William Cresswell*, *William Cuthbert*, *Joseph Cook* Clerk, *Robert Clarke Casswell* Clerk, *Thomas Cookson*, *John Cookson* junior, *John Church*, *Samuel Edward Cook*, *William Hodgson Cadogan*, *Ralph Hanson Dawson*, *Henry Dinning*, *William Dickson*, *James Dand*, *Nicholas Francis Skelly Davison*, *Robert Dand*, *Middleton Henry Dand*, *Hugh Percy Davison*, Sir *William Davison* Knight, *George Darling*, *Dixon Dixon*, *Robert De Lisle*, *James Dand* junior, the Reverend *Frederick Ekins* Clerk, *Andrew Robert Fenwick*, *Robert Fenwick*, *Thomas Forster* of *Adderstone*, *John Robinson Forster*, *James Fenwick*, *John Manners Fenwick*, *Christopher Fenwick*, *Percival Fenwick*, *John Peregrine Lascelles Fenwick*, *Gordon Joseph Forster*, *Thomas Forster* of *Burradon*, *William Fenwick*, *Ralph Fenwick*, *Francis Fenwick*, *Joseph Forster*, the Honourable Lieutenant General Sir *Henry George Grey*, *Charles Bacon Grey*, *John Grey*, *Robert Grey*, *Robert William Goodenough* Clerk, *George Grey*, *Stephen Fryer Gillum*, the Reverend *Robert Green* Clerk, *Edward Haggerston*, *Henry Hewitson*, *Joseph Hughes*, *John Hopper*, the Honourable *Henry* Lord Viscount *Howick*, *John Herdman* Clerk, *Robert Hedley*, *Charles Venables Vernon Harcourt* Clerk, *Robert Charles Ilderton*, *Thomas Jameson*, *John Jobson*, *William Lawson*, *John Lambton Loraine*, *John*

John Lambert, *William Laws*, *Henry Liddell*, the Honourable *Henry Thomas Liddell*, *John Charles Langlands*, the Reverend *Timothy Myers* Clerk, *Bertram Mitford*, Sir *Charles Miles Lambert Monk* Baronet, *James Mainsty* Clerk, *William Nelson*, *George Nelson*, the Reverend *Edward Otter* Clerk, *William Ogle Wallis Ogle*, *William Ord* of *Whitfield*, the Honourable *Charles* Lord Viscount *Ossulston*, *Charles William Orde*, the Reverend *William Procter* Clerk, *Matthew Potts*, the Reverend *Charles Perigal* Clerk, *William Pawson*, Sir *Horace Saint Paul*, *John Potts*, *Lancelot Reed*, *James Railston*, *Richard Robson*, Sir *Matthew White Ridley* Baronet, *John Reed*, *Archibald Reed*, *William Rochester*, *John Ruddock*, the Reverend *George Rooke* Clerk, *William Roddam*, *John Railston*, *Matthew White Ridley*, *Thomas Riddell*, Sir *John Edward Swinburne* Baronet, *Thomas George Smith*, *Edward Swinburne*, *William Spours*, *Edward Stamp*, *Thomas William Smith*, *William Strother*, *John Scaife*, *George Selby*, *John Thirlwall*, *Robert Thorp*, *Benjamin Thompson*, *Henry Taylor*, Sir *John Trevelyan* Baronet, *William Trotter*, *George Taylor*, the Reverend *Henry Baker Tristram*, *Walter Calverley Trevelyan*, *Raleigh Trevelyan*, *John Tewart*, *Richard Taylor*, *William Tewart*, *Thomas Tate*, *John Tate*, *John Wilkinson*, *Thomas Wood*, the Reverend *Thomas Cave Winscom* Clerk, *Christopher Wealleans*, *John Ayton Wood* Clerk, *Luke Yarker* Clerk, and their Successors, to be elected as herein-after mentioned, being duly qualified according to the Directions of the Acts for regulating Turnpike Roads in *England*, shall be and they are hereby appointed Trustees for more effectually amending, widening, altering, improving, repairing, and maintaining the said Road, and for otherwise carrying the several Acts for regulating Turnpike Roads in *England* and this Act into execution.

Power to appoint additional Trustees.

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

Meetings appointed.

V. And be it further enacted, That the Trustees for executing this Act shall hold their First Meeting at the House called the *White Swan* Inn, in the Town of *Alnwick*, or at some other convenient Place, on the Third *Tuesday* next after the passing of this Act, or as soon after as conveniently may be, and shall and may then and from Time to Time adjourn and meet again at such Times and at such Place or Places upon or near to the said Road as they shall think proper.

Places for holding General Meetings.

VI. And be it further enacted, That the General Annual Meetings of the said Trustees or Commissioners shall be held at *Alnwick* and *Morpeth* alternately.

VII. And

Power to appoint Committees.

VII. And be it further enacted, That the said Trustees may appoint Committees out of their own Number to take the Care and Management of particular Parts or Lines of the said Roads, or to execute the other particular Purposes of this Act, according to such Instructions, Rules, and Regulations as shall be given and laid down by the said Trustees at any General Meeting assembled as directed by this Act; and the said Committees and their Surveyors may direct the repairing and keeping in repair such Part or Parts, Line or Lines of the said Road as shall be intrusted to their Care; but such Committees, and their Clerks, Surveyors, and other Officers, shall always be accountable for the Money which they shall draw or receive according to the Instructions, Rules, and Regulations so to be made by the said Trustees at their General Meetings.

Limiting Deviation from Plan.

VIII. And whereas a Map or Plan describing the Line of the said several Pieces of Road or Diversions, and the Lands, Hereditaments, and Premises through or over which the same is or are to be made or carried, together with a Book of Reference containing Lists of the Names of the Owners and Occupiers of such Lands, Hereditaments, and Premises, have been deposited in the Office of the Clerk of the Peace for the County of *Northumberland*; be it therefore further enacted, That the said Trustees in making the said new Pieces of Road or Diversions shall not deviate more than One hundred Yards from the Line described in the said Map or Plan without the Consent in Writing of the Person or Persons, or Party or Parties, or Body or Bodies Politic, Corporate, or Collegiate, through whose Lands such new Pieces of Road or Diversions shall be made; and the said Map or Plan and Book of Reference shall remain in the Custody of the said Clerk of the Peace, to the end that all Persons may at all seasonable Times have Liberty to inspect and peruse the same, and to take Copies or Extracts thereof at their Will and Pleasure, paying to such Clerk of the Peace the Sum of One Shilling for every such Inspection, and at the Rate of Sixpence for every One hundred Words of such Copies or Extracts; and the same, or any Copy or Copies thereof, certified by the said Clerk of the Peace to be a true Copy or true Copies thereof, shall be and is and are hereby declared to be good Evidence, and shall be admitted as such by all Judges, Justices, and others in all Courts of Law and elsewhere.

Plan deposited with the Clerk of the Peace to remain there and be open to Inspection.

Lands marked in the Plan may be used, notwithstanding Errors in Names in the Book of Reference.

IX. Provided always, and be it further enacted, That it shall be lawful for the said Trustees to make the said several new Lines of Road or Diversions into, through, across, or over the several Lands, Hereditaments, and Premises of any Person or Persons who is or 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 Map or Plan as aforesaid, although the Name or Names of such Person or Persons may happen to be omitted or mis-stated in the said Book of Reference, in case it shall appear to any Two or more of the Justices of the Peace for the County of *Northumberland*, and be certified by Writing under their Hands, that such Error or Omission proceeded from Mistake only.

The Freehold and Inheritance of Lands to remain and be vested in the Persons of whom they are purchased.

X. And be it further enacted, That in case any Lands shall, in pursuance of this Act or of the Acts for regulating Turnpike Roads in *England*, be purchased by the said Trustees for the Purposes of this Act, the Freehold and Inheritance, in case the same shall be of Freehold Tenure, or, if the same be of any other Tenure, the Estate and Interest of and in the Lands so purchased, shall not (notwithstanding any Provisions in the said Acts or any of them to the contrary) by means of any such Purchase, or any Conveyance made in pursuance thereof, be vested in the said Trustees, but that the Freehold and Inheritance, and the Estate and Interest of and in the Lands so purchased shall, notwithstanding such Purchase and Conveyance, remain and be vested in the Person or Persons in whom the same were vested immediately prior to such Purchase by the said Trustees; and the said Trustees shall by means of such Purchase and Conveyance be entitled to a perpetual Right of Way in, over, or upon the Lands purchased by them in pursuance of this Act.

The Right of Way to cease when Lands are not wanted.

XI. Provided always, and be it further enacted, That if at any Time any Land purchased by the said Trustees for the Purposes of the Roads mentioned in this Act, or any of them, shall not be wanted for the same, then and in such Case the Right of Way in, over, or upon the Lands vested in the said Trustees shall cease, determine, and be extinguished, and the Freehold and Inheritance and the Estate and Interest of the said Lands shall be and remain in the Person or Persons then entitled to the same, freed and discharged of and from such Right of Way.

The Trustees to have the same Power of cutting the Lands taken by them as if they had purchased the Fee Simple.

XII. Provided also, and be it further enacted, That the said Trustees shall have such and the same Power and Authority of cutting and digging and otherwise using the Lands and Hereditaments taken by them for the Purposes of this Act, and of building any Toll House, or any Bridge or any other Erections thereon, as fully and effectually to all Intents and Purposes as the said Trustees would have had in case they had purchased the Fee Simple of the said Lands and Hereditaments under and by virtue of the Powers contained in any of the Acts now in force for regulating Turnpike Roads in *England*; any thing herein contained to the contrary in anywise notwithstanding.

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

XIII. And be it further enacted, That the said Trustees, or such other Person or Persons as they shall direct or appoint, shall and may continue or build and erect, or cause to be continued, built, and erected, such and so many Toll Gates or Turnpikes, Side Gate or Side Gates, Side Bar or Side Bars, or Chain or Chains, and any Weighing Machine or Weighing Machines, in, upon, or across or on the Side of any Part or Parts of the said Road, and also a Toll House to each Gate or Turnpike, with Outhouses and Conveniences suitable thereto, at or near each Toll Gate and Weighing Machine, and also shall and may inclose such convenient Gardens, not exceeding One Quarter of an Acre each to the said Toll Houses, as the said Trustees shall think fit, and may cause any such Toll Gates or Turnpikes and Toll Houses from Time to Time to be taken down, altered, or removed, as they shall judge proper, subject nevertheless to such Restrictions

Restrictions and Directions as are herein-after mentioned concerning the same.

Power to take Tolls.

XIV. And be it further enacted, That upon and from and after the Tenth Day of *June* One thousand eight hundred and thirty-seven the said Trustees, or any Person or Persons duly authorized by them or by a Committee of their Number, shall be and they are hereby authorized and empowered to demand and take, or cause to be demanded and taken, at each of the said several Gates, Bars, Chains, and Turnpikes already erected or to be erected in virtue of this Act, and whether the new intended Roads shall be wholly and entirely completed or partly made and formed or not, a Sum not exceeding the Rates and Duties herein-after specified, before any Carriage or any Horse or other Cattle shall pass through any Gate or Turnpike erected or to be erected as aforesaid; (that is to say,)

Tolls.

For every Horse, Mule, or other Beast of Draught drawing any Coach, Landau, Berlin, Phaeton, Chariot, Chaise, Calash, Hearse, Litter, Van, Caravan, Curricle, Gig, Chair, or other such Carriage, the Sum of Seven-pence:

For every Horse, Mule, Ox, or other Beast (except an Ass) drawing any Wain, Cart, or other such Carriage upon Two Wheels, the Sum of Five-pence; and for every Ass drawing such Carriage the Sum of Two-pence:

For every Horse, Mule, Ox, or other Beast drawing any Waggon or other such Carriage upon Three or Four Wheels (the Fellies of the Wheels whereof are of less Breadth than Six Inches), the Sum of Eight-pence:

For every Horse, Mule, Ox, or other Beast drawing any Waggon or other such Carriage upon Three or Four Wheels (the Fellies of the Wheels whereof are of a greater Breadth than Six Inches), the Sum of Sixpence:

For each and every Wheel of any Coach, Chaise, or other Carriage, Waggon, Cart, Van, Caravan, or other Vehicle, of what Description soever, drawn or propelled by Steam or Gas, or moved by any Power than by Animal Power, the Sum of Sixpence:

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

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

For every Score of Hogs, Swine, Goats, Sheep, or Lambs, and so in proportion for a greater or less Number, the Sum of Three-pence.

Limiting the Number of Tolls to be taken in one Day.

XV. And be it further enacted, That no more than Six full Tolls shall be demanded or taken for or in respect of the Passage of the same Horses or other Beasts on the same Day through all the several Turnpikes or Toll Gates, Bars, or Chains to be continued or erected on the said Road from the *Cow-Cawsey* to *Buckton Burn*, and that the same shall be collected and taken in the Proportions and Manner following; (that is to say,) Two of such full Tolls shall be collected and taken between the Towns of *Newcastle* and *Morpeth*; Two of such

such full Tolls between the Towns of *Morpeth* and *Alnwick*, and Two of such full Tolls between the Town of *Alnwick* and *Buckton Burn* aforesaid.

Tolls to be paid but once a Day.

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

Post Chaises to pay each Time of passing.

XVII. And be it further enacted, That the Tolls hereby made payable shall be paid for every Horse or other Beast let out to Hire, and drawing any Post Chaise or other Carriage, for each Time of passing or repassing along the said Road whenever any fresh Hiring thereof shall take place.

Stage Carriages travelling for Hire, &c. to pay each Time of passing.

XVIII. And be it further enacted, That the Tolls hereby made payable shall be paid for every Horse or other Beast drawing any Stage Coach, Caravan, Stage Waggon, or other Stage Carriage conveying Passengers or Goods for Hire or Reward, for each Time of passing or repassing along the said Road: Provided nevertheless, that no further or additional Toll shall be payable in respect of the Horses or other Beasts drawing any such Stage Coach, Caravan, Stage Waggon, or other Stage Carriage on account only of the Horses drawing the same having been changed.

No Money to be laid out in Branches when there is no Turnpike erected or no Tolls taken.

XIX. Provided always, and be it further enacted, That no Money arising from any of the Tolls mentioned in this Act shall be applied in or towards the Repair of any Line of Road comprised in this Act, unless some Toll Gate, Toll Bar, or Turnpike shall be erected and continued upon such Line of Road, nor unless the Tolls mentioned in this Act shall be demanded and taken thereat: Provided also, that no more Money shall be expended by the said Trustees in or towards the Repair of any such Line of Road than shall be collected thereno.

Tolls not to be laid out in repairing any Streets.

XX. Provided always, and be it further enacted, That none of the Tolls authorized by this Act to be taken upon the said Road, or to be raised by virtue of this Act, shall be paid, laid out, or expended in the Repair or Improvement of any Street, Highway, or Place within any Town through which the said Road shall pass, nor shall any Tolls be collected therein by virtue of this Act.

XXI. And whereas the Trustees appointed or elected by virtue of the said Act of the Fifty-fifth Year of the Reign of His late Majesty King *George* the Third have by certain Indentures of Lease leased and demised the Tolls in and by the said Act granted and authorized to be taken to several Persons for a Term which will not expire until the Tenth Day of *June* One thousand eight hundred and thirty-seven; now it is hereby provided, enacted, and declared, That the several Leases so made by the said Trustees of the Tolls granted and authorized to be taken by the said Act of the Fifty-fifth Year of the Reign of his said late Majesty King *George* the Third, until the said Tenth Day of *June* One thousand eight hundred and thirty-seven, shall in all respects continue and be valid and binding upon all the Parties thereto, and that no Increase or Alteration whatsoever shall be made in the Tolls so thereby leased and demised during the Continuance of the Term thereby letten; any thing in this Act contained to the contrary notwithstanding.

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

XXII. And be it further enacted, That all the Monies already received by virtue of the said Act hereby repealed, or which shall arise and be produced by and from the Tolls by this Act granted and made payable, together with the Monies which shall be borrowed upon the Credit thereof, and all other Monies which shall arise and be produced by virtue of this Act the Application whereof is not hereby otherwise directed, shall be vested in the said Trustees for the Time being, and be applied to and for the several Uses, Intents, and Purposes, and in the Order and Manner following; (that is to say,) in the first place, in payment of all the Costs, Charges, and Expences incident to or attending the obtaining and passing of this Act; in the second place, in paying and discharging all the Interest which shall at the Commencement of this Act be owing to any Mortgagee or Mortgagees of the Tolls heretofore payable under the said recited Act hereby repealed; thirdly, in paying and discharging all Interest which shall hereafter accrue or become due upon or by virtue of any Mortgages or Securities which shall have been already made and granted of the Tolls and Duties heretofore payable, in preference to the Interest of any Monies to be borrowed on the Credit of this Act, and then in paying and discharging the Interest to accrue and become due upon or by virtue of any Mortgages or Securities which shall after the Commencement of this Act be made and granted of the Tolls hereby made payable; fourthly, in defraying the Expences of erecting and providing any additional or new Toll House and Toll Gate, Toll Houses and Toll Gates, and suitable Outhouses and other Conveniences, authorized to be built and erected by this Act in and upon or across the said Road; fifthly, in defraying the Expences of diverting, widening, and improving, repairing, and preserving the said Road, and of erecting, making, and repairing necessary and convenient Bridges and Arches upon the same, and of altering, repairing, and maintaining such Turnpikes, Toll Gates, Bars, Chains, Toll Houses, and Outbuildings as aforesaid, and otherwise in executing the other Purposes of this Act; and then in reducing, paying off, and discharging the several Principal Sums of Money which have already been secured on Mortgage of the Tolls arising on the said Road by virtue of the said herein-before recited Acts or any of them;

Application of the Money.

and lastly, in repaying the Principal Monies which may, after the Commencement of this Act, be borrowed and secured upon the Tolls hereby authorized to be collected, and all other Debts and Sums now due or hereafter to become due and owing by or on account of the Trusts under or by virtue of this Act.

Waggonways not to be damaged or obstructed;

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

provided they are made in a level and commodious Manner.

Public Act.

XXIV. And be it further enacted, That this Act shall be deemed, adjudged, and taken to be a Public Act; and shall be judicially taken notice of as such by all Judges, Justices, and others.

Term of the Act.

XXV. And be it further enacted, That the Term of this Act shall commence upon the passing thereof, and shall continue and be in force for the Term of Thirty-one Years, and from thence to the End of the then next Session of Parliament.

LONDON: Printed by GEORGE EYRE and ANDREW SPOTTISWOODE,
Printers to the King's most Excellent Majesty. 1836.