ANNO VICESIMO TERTIO

VICTORIÆ REGINÆ.

Cap. xli.

An Act to provide for the Management, Maintenance, and Repair of the Turnpike Road from *Lincoln Heath* to *Market Deeping*, and other Roads in connexion therewith; and for other Purposes. [15th *May* 1860.]

WHEREAS an Act was passed in the Third Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act for more effectually improving the Roads leading from the East Side of* Lincoln Heath *to the City of* Peterborough, *and several other Roads therein mentioned, in the Counties of* Northampton *and* Lincoln, *and for making a new Branch of Road to communicate with the said Roads from* Bourn *to* Spalding *in the said County of* Lincoln, whereby certain former Acts relating to some of the said Roads were repealed, and Provision was made for the Improvement, Maintenance, and Management of the Turnpike Roads therein mentioned, and for other Purposes: And whereas the Term granted by the said Act, and from Time to Time continued and extended by virtue of divers Acts of Parliament, for continuing certain Turnpike Acts for limited Periods, will expire on the First Day of *November* One thousand eight hundred 3 G. 4. c. lxvi.

and sixty, unless Parliament shall in the meantime continue the same: And whereas the Turnpike Roads to which the said recited Act applies were and are divided into Seven Districts, known respectively as "the North District," "the Middle District," "the South District," "the South-east District," "the West District," "the North-east District," and "the *Bourn* and *Spalding* District:" And whereas the Sum of One thousand seven hundred Pounds has been borrowed on the Credit of the Tolls arising and to arise on the North District of the said Roads, which Sum is still owing and unpaid, and the Particulars thereof are set forth in the First Schedule to this Act annexed; and the Sum of One thousand seven hundred and seventy-five Pounds has been borrowed on the Credit of the Tolls arising and to arise on the Middle District of the said Roads, which Sum, together with an Arrear of Interest thereon, is still owing and unpaid, and the Particulars thereof are set forth in the Second Schedule to this Act annexed; and the Sum of Four thousand one hundred and thirty Pounds has been borrowed on the Credit of the Tolls arising and to arise on the South-east District of the said Roads, which Sum is still owing and unpaid, and the Particulars thereof are set forth in the Third Schedule to this Act annexed; and the Sum of Twenty-five Pounds has been borrowed on the Credit of the Tolls arising and to arise on the West District of the said Roads, which Sum is still owing and unpaid, together with an Arrear of Interest, and the Particulars thereof are set forth in the Fourth Schedule to this Act annexed; and the said several Sums cannot be paid off unless a further Term and further Powers be granted: And whereas it is expedient that the recited Act should be repealed, and that further Powers should be granted and further Provision be made as to all the Roads comprised in the said several Districts, except the Road constituting the South District, being the Road from *Market Deeping* to the City of *Peterborough*, and except the Road constituting the *Bourn* and *Spalding* District, being the Road from *Bourn* to *Spalding*, and that some of the Districts should be united and consolidated, and that further and more effectual Provision should be made for the Management, Improvement, and Maintenance of the Roads to be comprised within such Districts respectively, except as aforesaid, and for satisfying the Obligations aforesaid, but such Purposes cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title.

I. This Act may be cited for all Purposes as "The *Lincoln Heath* and *Market Deeping* Roads Act, 1860."

Commencement of Act.

II. This Act shall come into effect at the Hour of Twelve of the Clock at Noon of the First Day of *October* next after the passing thereof, and shall continue in force for the Term of Twenty-one Years, and

and from thence to the End of the Session of Parliament which shall then next follow.

Recited Act repealed, and this Act to be put in force.

III. From and after the coming into effect of this Act the said recited Act of the Third *George* the Fourth shall be repealed, and this Act shall thenceforth and during the Term aforesaid be put in execution for the Purposes herein-after mentioned.

Interpretation of *Terms*.

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

The Expression "the Trustees" shall mean the Trustees for the Time being for executing this Act:

The Expression "the Roads" shall mean the respective Roads to which this Act applies:

The Expression "Toll Gates" shall denote and include Turnpike Gates, Toll Bars, Side Gates, Side Bars, and Chains.

Preserving Contracts.

V. Notwithstanding the Repeal of the recited Act, all Bonds, Covenants, Contracts, and Agreements made or entered into by any Person to or with the Trustees for executing the repealed Act, so far as the same relate to the Roads or any of them to which this Act applies, shall remain in full Force and Effect, and shall be and continue available and enforceable at Law or in Equity, until the same respectively are fully satisfied, performed, or determined; and all Contracts, Agreements, Leases, Bonds, Mortgages, and Securities duly made or entered into, and all Notices duly given, under the Provisions of the repealed Act, by or on behalf of the Trustees for executing the same, to or with any Person, for any Purpose relating to the Roads therein respectively mentioned, or to the Execution of the said Act, and all Assignments or Transfers of any such Bonds or Mortgages, shall, subject to the Provisions and Enactments herein contained, and except so far as the same are varied, altered, or otherwise provided for by this Act, remain in full Force and Effect, and shall be observed, kept, and performed by the Trustees for executing this Act, according to the Terms and true Intent thereof.

Former Books to be Evidence.

VI. All Books of Proceedings which have been kept by the respective Trustees acting in execution of the Act hereby repealed, and of the Acts thereby repealed, or by their Treasurer or Clerk under their Direction, according to the Provisions of such Acts, and made Evidence thereby, shall be admitted as Evidence in all Courts, and by all Judges, Justices, and others.

VII. All

Monies and Property to vest in new Trustees.

VII. All Monies due to, and all Property, Lands, Books, Accounts, Papers, Writings, or other Things, and all Choses in Action, vested in or belonging to the Trustees under the Act hereby repealed, (except the Monies in the Possession of the Trustees, or due to them in respect of Tolls arising within the South District and the *Bourn* and *Spalding* District, and the Property and Things within those Districts now vested in them,) shall immediately on the Commencement of this Act be vested in and belong to the Trustees for executing this Act, and such last-mentioned Trustees may sue for and recover the same, and act in respect thereof, as effectually as if the same had been vested in and belonged to them under such repealed Act, and they shall be liable to all the Debts and Engagements to which the Trustees under the Act hereby repealed were liable at the Repeal thereof, except in so far as those Debts and Engagements are by this Act varied.

Materials of Toll Houses, &c. in the South District and Bourn and Spalding District to be sold, and Money to be distributed.

VIII. Immediately after the Commencement of this Act the Trustees shall sell and dispose of, at the highest Price that can be obtained for the same, all the Materials of the Toll Houses and Toll Gates and all other Property upon or belonging to the said South District and *Bourn* and *Spalding* District respectively; and all Monies arising from such Sale, together with all Monies in the Hands of the said Trustees at the Commencement of this Act, which shall have arisen within the same Districts respectively, and which shall not have been *bonâ fide* expended in the Repair, Maintenance, and Management of the Roads in such Districts respectively, shall be paid to the respective Surveyors of the Highways for the Time being of the several Parishes through which such Districts respectively pass, in such Proportions as the Extent of Road within each Parish bears to the entire Length of Road within such Districts respectively; and the Receipts of such Surveyors shall be sufficient Discharges to the Trustees for such Monies; and such Monies respectively shall be applied by the said Surveyors respectively in aid of the Highway Rates of such Parishes respectively.

Actions, &c. not to abate.

IX. Any Action, Suit, Prosecution, or other Proceeding commenced by or against the Trustees under the said repealed Act before the coming into effect of this Act shall not abate or be discontinued or prejudicially affected by this Act, but shall continue and take effect both in favour of and against the Trustees in the same Manner to all Intents as if this Act had not been passed, save only that the Trustees shall be substituted therein for the Trustees under the said repealed Act.

Officers continued.

X. The Clerks, Treasurers, Surveyors, and all other Officers or Servants appointed by virtue of or under the said repealed Act respectively shall, so far as Circumstances will permit, hold and enjoy their Offices and Employments, with the Salaries thereunto annexed, and be deemed

deemed Officers and Servants of the Trustees, until they shall respectively be removed by the Trustees, and shall have the like Powers and Authorities for the Purposes of this Act, and be subject to the like Rules and Regulations, as if they had been appointed under this Act.

Roads to which this Act applies.

XI. The Roads to which the Provisions of this Act, and the Powers to be carried into execution by virtue thereof, shall apply are the following; (that is to say,)

1. The Road leading from the North End of *Dunsby Lane* in the Parish of *Brauncewell* in the County of *Lincoln* to a Place called *Graby Gate* in the Parish of *Aslackby-cum-Graby* in the same County, and a Branch Road leading out of the before-mentioned Road at the Guide Post in the Parish of *Quarrington* in the County of *Lincoln* to the West End of a Place called *Long Hedge* in the same Parish, being the Roads heretofore constituting the North District:
2. The Road from the East End of a Lane called *Hale Drove* in the Parish of *Great Hale* to its Junction with the Main Road comprised in the North District in the Parish of *Old Sleaford* in the County of *Lincoln*, being the Road heretofore constituting the North-east District:
3. The Road leading from *Graby Gate* aforesaid to the North Side of the *Deeping and Morcott* Turnpike Road in the Town of *Market Deeping* in the said County of *Lincoln*, being the Road heretofore constituting the Middle District:
4. The Road leading from a Junction with the West Side of the *Bourn and Stamford* Turnpike Road in the Parish of *Bourn* to the Town of *Colsterworth*, both in the said County of *Lincoln*, being the Road heretofore constituting the West District:
5. The Road leading from *Donington High Bridge* in the Parish of *Donington* in the said County of *Lincoln* to the Way Post in *Hacconby Field* in the Parish of *Hacconby* in the said County of *Lincoln*, being the Road heretofore constituting the South-east District.

Defining and amalgamating the Districts.

XII. From and after the coming into effect of this Act, the Roads firstly and secondly above described shall form and constitute One District, under the Name of "the *Sleaford* District;" the Roads thirdly and fourthly above described shall form and constitute another and separate District, under the Name of "the *Bourn* District;" and the Road fifthly above described shall remain and be another separate District, under the Name of "the *Billingborough* District;" and this Act shall be put into execution for the Purpose of improving, maintaining, and keeping in repair the said several Roads comprised in and constituting those Districts respectively.

Mortgages to be charged on the new Districts respectively.

XIII. All Mortgages which at the coming into effect of this Act are a subsisting Charge upon the Tolls arising or to arise upon or within what was heretofore the North District shall, from and after the coming into effect of this Act, be a Charge upon the Tolls arising and to arise upon and within the *Sleaford* District hereby constituted; and all Mortgages which at the coming into effect of this Act are a subsisting Charge upon the respective Tolls arising or to arise upon or within the Districts heretofore called the Middle District and the West District shall, from and after the coming into effect of this Act, be a Charge upon the Tolls arising and to arise upon and within the *Bourn* District hereby constituted; and all Mortgages which at the coming into effect of this Act shall be a subsisting Charge upon the Tolls arising or to arise upon or within the District heretofore called the South-east District shall, from and after the passing of this Act, be a Charge upon the Tolls arising and to arise upon and within the same District hereby re-constituted as the *Billingborough* District; and the several Holders of such Mortgages respectively shall have and may enforce all the Rights, Powers, and Remedies which they would have had and might have enforced if the Money secured by the same Mortgages respectively had been expressly charged and secured upon the Tolls arising and to arise upon and within the respective Districts hereby made chargeable therewith.

Appointment of Trustees.

XIV. All Her Majesty's Justices of the Peace for the Time being acting for the Parts of *Kesteven* and *Holland* in the County of *Lincoln*, or either of them, together with *John Arden*, *Henry Ashington* Clerk, *Henry Anders* Clerk, *George Bettinson*, *Henry Bott*, *Joseph Pare Baker*, *Theophilus Russell Buckworth*, *James Tillard Bonner* Clerk, *John Henry Bissill*, *John Hopkinson Boot* M.D., *William Burcham*, *William Brown*, *Edward Brown* Clerk, *Henry Brown*, *William Emmerson Chapman* Clerk, *Edward Martin Chapman* Clerk, *John Nevile Calcraft* Clerk, *George Cox*, *Tamberlain Cubley*, *John Cooper*, *William Cooper* Clerk, *John Henry Casswell*, *Tom Casswell*, *Joseph Dodsworth* Clerk, Sir *Philip Duncombe Pauncefort Duncombe*, *Seth Ellis Dean*, *William Charles Denshire* Clerk, *Henry Draper Dove*, *Thomas Everingham*, *Charles Farebrother* Clerk, *Richard Godson*, *Joseph Godson*, *George Godson*, *Edward Gray*, *George Henry Gould*, *Thomas Colbeck Holdsworth* Clerk, *William Holland*, *William Hopkinson* the younger, *William Hunt*, *Richard Healy*, *Philip Handley*, *Henry Harris* Clerk, *Edward Hardwicke*, *James Gould*, *John Kynaston* Clerk, *Charles Augustus Johnson*, *Charles Kirk*, *John William King* Clerk, *George Wilson Keightley* Clerk, *John Compton Lawrance*, *Thomas Lawrance*, *William Munton Lawrence*, *Richard Lucas*, *Joseph Beecraft Mawby*, *John Molecey Twigge Molecey*, *Thomas Turnell Mawby*, *Edward Reginald Mantell* Clerk, *Richard Wharton Myddleton*, *John Taylor Marston*, *Jacob Mason* Clerk, *Robert Munton*, *William Grinfield Ostler*, *William Ann Pochin*, *Thomas Plowright* senior, *Thomas Parry*, *John Payne*, *William*

William Petchel, *Charles Parker*, *Charles Thomas Samuel Birch Reynardson*, *John Birch Reynardson* Clerk, *Edward Rubbins*, *Benjamin Snow* Clerk, the Honourable and Reverend *Frank Sugden*, *Henry Smith*, *George Sewards*; *Edward Scales*, *John Tomlinson*, *Bruce Tomlinson*, *John Tindale*, *Isaac Teesdale*, *Richard Septimus Wilkinson*, *Charles Pennyman Worsley* Clerk, *John Warren* Clerk, *John Watson*, *West Wayet* Clerk, *Rowland Williams*, Sir *Thomas Whichcote* Baronet, *George Whichcote*, *George Wiles*, *Henry James Lee Warner*, *Richard Yerburgh* Clerk, and their Successors, being duly qualified to act as Trustees of Turnpike Roads in *England*, shall be Trustees for putting this Act into execution.

For regulating the Appointment and Election of new Trustees.

XV. It shall be lawful for the Trustees, from Time to Time, at any Meeting under this Act, to elect any Number of Persons, duly qualified to act as Trustees of Turnpike Roads in *England*, not exceeding Five in the whole, to be Trustees for the Purposes of this Act, in addition to the Trustees hereby nominated, and when and so often as any Trustee hereby nominated or elected or substituted by virtue hereof shall die, or become disqualified, or resign, or refuse to act, to nominate, elect, and appoint One other Person to be a Trustee in the Stead of such Trustee, and the Trustees so elected and substituted shall have the same Powers for executing this Act as if they had been herein nominated.

Providing for the First and other Meetings of the Trustees.

XVI. The Trustees shall hold their First Meeting for the *Sleaford* District at some convenient Place in *Sleaford* upon the Second Day of *October* next after the passing of this Act, or as soon after as conveniently may be, and may then and from Time to Time thereafter adjourn to and meet at such Times and at such Place at or near *Sleaford* as they shall think proper; the Trustees shall hold their First Meeting for the *Bourn* District at some convenient Place in *Bourn* upon the Third Day of *October* next after the passing of this Act, or as soon thereafter as conveniently may be, and may then and from Time to Time adjourn to and meet at such Times and at such Place in or near *Bourn* as they shall think proper; the Trustees shall hold their First Meeting for the *Billingborough* District at some convenient Place in *Billingborough* upon the Fourth Day of *October* next after the passing of this Act, or as soon thereafter as conveniently may be, and may then and from Time to Time adjourn to and meet at such Times and at such Place in or near *Billingborough* as they shall think proper.

Present Tolls continued till 31st October 1860.

XVII. Notwithstanding the Repeal of the recited Act, the several Tolls thereby granted and made payable shall be paid at the Toll Gates on the Roads until the Thirty-first Day of *October* One thousand eight hundred and sixty inclusive.

XVIII. On

Tolls.

XVIII. On and after the First Day of *November* One thousand eight hundred and sixty it shall be lawful for the Trustees to demand and take at the several and respective Toll Gates which shall be continued or set up by virtue of this Act on or on the Sides of the Roads within the respective Districts constituted by this Act, until the respective Principal Sums of Money mentioned in the Schedules to this Act, and charged upon the Tolls arising and to arise within such Districts respectively, are paid off and discharged, such Tolls as the said Trustees at any of their Meetings shall direct, not exceeding the Sums following; (that is to say,)

For every Horse, Ass, Mule, Dog, or other Animal drawing any Coach, Stage Coach, Landau, Barouche, Berlin, Landaulet, Phaëton, Chariot, Chaise, Curricle, Calash, Hearse, Gig, Break, Van, Caravan, Cart with Springs, or other Carriage of the like Kind, the Sum of Sixpence:

For every Horse, Ass, Mule, Ox, or other Beast of Draught drawing any Waggon, Wain, Drug, Cart without Springs, or other Carriage having the Wheels of the Breadth of Six Inches or more, the Sum of Threepence:

For every Horse, Ass, Mule, Ox, or other Beast of Draught drawing any Waggon, Wain, Drug, Cart without Springs, or other Carriage of the like Kind, having the Wheels thereof of a less Breadth than Six Inches, the Sum of Fourpence Halfpenny:

For every Four-wheeled Carriage in any Manner fixed to any Waggon, Wain, Drug, Cart, or other Carriage, if empty, the Sum of Sixpence, but if in any Manner laden or having any Person therein, the Sum of One Shilling:

For every Two-wheeled Carriage having any Person therein or being laden in any Manner, fixed to any Waggon, Wain, Cart, or other Carriage, the Sum of Sixpence, and unladen or empty, the Sum of Threepence:

For every Horse, Mule, Ass, or other Beast, laden or unladen, and not drawing, the Sum of One Penny Halfpenny:

For every Score of Horned or Neat Cattle, the Sum of Tenpence, and so in proportion for any greater or less Number:

For every Score of Calves, Swine, Sheep or Lambs, the Sum of Fivepence, and so on in proportion for any greater or less Number:

For every Drug so constructed as that the Distance between the Axletrees thereof shall be more than Nine Feet, and laden otherwise than with a single Piece or Block of Timber or Stone, the Sum of One Shilling and Sixpence, over and above the Toll payable for Horses drawing the same:

For every Carriage, of whatever Kind, propelled or drawn by Steam or any Power other than Animal Power, for each Wheel thereof One Shilling:

And when the Principal Sums of Money by this Act charged upon the Tolls arising and to arise within any District constituted by this Act are paid off and discharged, the Trustees may demand and take within such District such several and respective Tolls as they shall from Time to Time direct, provided the same are of smaller Amount than the respective Tolls demanded and taken before such Sums of Money were respectively paid off and discharged; and the said several Tolls hereby continued or granted may be respectively taken before any Animal or Carriage for which the same shall be payable shall be permitted to pass through any Toll Gate; and the said Tolls shall be vested in the Trustees, and shall be applied for the Purposes of this Act in manner herein-after mentioned.

As to the fractional Parts of a Halfpenny.

XIX. In all Cases where there shall be a fractional Part of a Halfpenny in the Amount of any of the Tolls hereby continued or granted the Sum of One Halfpenny shall be demanded and taken instead of such fractional Part.

Tolls on certain specified Roads not to be charged more than once a Day, and on certain other specified Roads not more than twice a Day.

XX. Except as herein-after provided, no Person shall be liable to pay any of the Tolls hereby continued or granted in respect of any Carriage or Animal passing through any of the Toll Gates continued or to be erected by virtue of this Act more than once in any One Day, to be computed from Twelve of the Clock at Night to Twelve of the Clock in the next succeeding Night, on the Portions of Road hereinafter next described; (that is to say,)

Between *Dunsby Lane* and the Town of *Sleaford*;
Between the Town of *Sleaford* and *Graby Gate*;
Between the Town of *Sleaford* and the East End of *Hale Drove*;
Between *Graby Gate* and *Kate's Bridge*; and
Between *Kate's Bridge* and *Market Deeping Bridge*;

nor more than twice in any One Day, to be computed as aforesaid, on the following Portions of Road; (that is to say,)

Between the Town of *Bourn* and the Town of *Colsterworth*; and
Between *Donington High Bridge* and the Way Post in *Hacconby Field*:

Provided that the Person claiming to be exempt from the Payment of further Tolls in the respective Cases aforesaid shall produce to the Collector a Ticket or Tickets denoting that the respective Tolls have been paid once on the same Day in the Case of the Portions of Road first mentioned, and twice on the same Day in the Case of the Portions of Road secondly mentioned, which respective Tickets the Collectors of the Tolls are hereby required to deliver *gratis* on the Receipt of such Tolls respectively.

Tolls not to be charged more than

XXI. Except as herein-after provided, no Person shall be liable to pay any of the Tolls hereby continued or granted in respect of any Carriage

once a Day at the same Toll Gate.

Carriage or Animal passing through the same Toll Gate more than once in any One Day, to be computed from Twelve of the Clock at Night to Twelve of the Clock in the succeeding Night.

Proviso by way of Exception to the preceding Clauses.

XXII. Provided, That the Tolls hereby continued or granted shall be payable in respect of any Horse or other Animal drawing any Post-chaise or other Carriage travelling for Hire or Reward for every Time of passing or repassing through the said Toll Gates when a new Hiring thereof shall have taken place, in the same Manner as if no previous Payment of Toll in respect of such Horse or other Animal or Carriage had been made on the same Day; and the Tolls hereby continued or granted shall be payable for every Horse or other Animal drawing any Stage Coach, Omnibus, Stage Waggon, Van, Caravan, or other Stage Carriage carrying Passengers or Goods for Hire or Reward for every Time of passing and of repassing through the said Toll Gates.

Further Exception.

XXIII. Provided also, That in case the Toll in this Act mentioned shall have been paid in respect of any Horse or other Animal drawing any Waggon, Wain, or Cart, or other Carriage of a like Description, at any Toll Gate upon or on the Side of the Roads, and any such Horse or other Animal shall be afterwards employed on the Roads during the same Day in drawing a different laden Waggon, Wain, Cart, or other Carriage of a like Description from that which it was employed in drawing when such Payment was made, every such Horse or other Animal so drawing shall notwithstanding such Payment be again liable to Toll in the same Manner as if no previous Payment of Toll in respect of the same had been made.

Continuing and extending Exemptions.

XXIV. From and after the coming into effect of this Act, all the several Exemptions from Tolls which shall then or from Time to Time thereafter be subsisting and in force, under the Authority of any General Act or Acts of Parliament relating to Turnpike Roads, shall apply to the several Tolls respectively hereby continued or granted; but the Exemptions from Tolls in respect of any Dung, Soil, Compost, or Manure shall extend to and include every Kind of Substance or Liquid intended at the Time of its being carried or conveyed to be used only for improving Land; and no Toll shall be taken by virtue of this Act for any Sheep going to be or returning from being washed or clipped, or for any Carriage conveying Drain Tiles or Drain Pipes intended to be used only for draining Land.

Power to erect Toll Gates, &c.

XXV. The Toll Gates now standing or being on the Roads or on the Sides thereof shall be continued until removed by Order of the Trustees; and it shall be lawful for the Trustees, subject to the Provisions of this Act, and of an Act of the Ninth Year of the Reign of King *George* the Fourth, Chapter Seventy-seven, with reference to continuing and erecting

Toll

Toll Gates and Toll Houses, to order and cause to be erected and set up, in, upon, or across the Roads or on the Sides thereof, any Toll Gate, and to remove the present or any future Toll Gates as they shall think proper.

Provision for Repairs of Bridge End Causeway.

XXVI. And whereas the Reverend *Edward Brown* is seised of certain Lands and Tenements in *Bridge End* in the Parish of *Horbling* in the County of *Lincoln*, formerly belonging to Sir *Philip Boteler* Baronet, subject to repair and amend a certain Highway called *Bridge End Causeway*, from the West End of the Hamlet or Town of *Bridge End* to the Bridge across the *Hammond Beck* called or known as *Donington High Bridge*, being Three Miles or thereabouts in Length: And whereas it has been agreed that the said Highway should be kept in repair by the Trustees, in consideration of an annual Sum to be paid to them by the Owner for the Time being of the said Lands and Tenements, and that such annual Payment should be made to them accordingly: Therefore, upon Payment by the said *Edward Brown*, or other the Owner for the Time being of the said Lands and Tenements, yearly during the Term hereby granted, of the clear yearly Sum of Two hundred Pounds, to the Trustees, in aid of the Tolls and other Monies to arise within the *Billingborough* District, by half-yearly Payments, or otherwise as may be agreed, the first of such Payments to be made on the Day next after the Day on which this Act shall come into operation, the said Lands and Tenements so subject as aforesaid shall during the Term hereby granted be discharged and exonerated from the Obligation to repair and keep in repair the said Highway, and from all Charges and Expenses relating to the same; and in case the said Payments shall not be made within One Calendar Month after the Time when they are respectively due, and after Demand thereof, the Trustees may recover the same by Action in any competent Court, and without Prejudice to such Right of Action; and it shall in the like Case be lawful for any Justice of the Peace acting for the County or Division wherein such Lands or Tenements are situate, on the Application of the Trustees or their Clerk, to issue his Warrant for levying by Distress, out of and from the said Lands and Tenements or any Part thereof, the Sum of Money so in arrear, and such Distress and Levy may thereupon be made, and the Goods thereby distrained and levied may be sold at any Time after Five Days from the making of such Distress for the best Price that can be got for the same, and the Overplus, if any, after satisfying the said Sum in arrear, and all reasonable and proper Charges of such Distress and Sale, shall be rendered to the said *Edward Brown* or the Owner for the Time being of the said Lands and Tenements.

Provision as to Road next Grimsthorpe Park.

XXVII. Nothing herein contained shall take away or alter the Obligation of the Owner or Owners for the Time being of *Grimsthorpe Park* to support, maintain, and keep in repair the Portion of Road particularly

particularly described in the said Act (being Six hundred and ten Yards of the Roads beginning at the West End of the Town of *Grimsthorpe* at or near a House now or heretofore called by the Sign of the *Horse and Groom*), and by the said Act directed and required to be for ever thereafter supported, maintained, and kept in repair by such Owner or Owners, and the same shall for ever hereafter be supported, maintained, and kept in repair by such Owner or Owners to the Satisfaction of the Trustees.

Power to Trustees to make Agreements and Compositions with Surveyors of Highways and other Persons.

XXVIII. It shall be lawful for the Trustees from Time to Time to compound and agree, by the Year or otherwise, with the Owners or Occupiers of any Lands or with any other Persons liable to or chargeable with or towards the Repair of any Part of the Roads, or of any Bridges, Arches, Drains, Sewers, or Watercourses lying in, upon, or under the same, for the Payment of a Sum of Money in lieu of such Repairs, and also for the respective Surveyors of the Highways of any of the Parishes or Districts through which the Roads pass to compound and agree, by the Year or otherwise, with the Trustees, for and in lieu of the Liability of the Inhabitants of such Parishes and Districts respectively to repair any Part or Parts of the Roads, all which Composition Monies shall be paid in advance, and shall be applied in the Repair of the Roads; and such Surveyors shall be reimbursed the Money so by them paid in such Manner as Surveyors of Highways are by Law to be reimbursed the Monies expended in buying Materials for the Repairs of the Highways.

Power to recover such Composition Monies.

XXIX. In case the Composition Money agreed to be paid in lieu of any such Repairs as aforesaid, or any Part thereof, shall not be paid within Fifteen Days after the same shall become payable, it shall be lawful for any Two or more Justices of the Peace for the Division, District, or Place in which such Case shall happen, by Writing under their respective Hands and Seals, to empower the Person or Persons authorized to receive such Composition Money, satisfactory Proof having been first given to such Justices that the same has been demanded and remains due, to levy such Composition Money by Distress and Sale of the Goods and Chattels of the Surveyor of the Highways, or other Person so having compounded or agreed to pay or being liable to the Payment of such Composition Money as aforesaid, returning the Overplus (if any), after deducting such Composition Money, and the reasonable Charges of such Distress and Sale, upon Demand, to the Owner thereof.

Contribution to Expenses of Act.

XXX. The several Districts hereby constituted shall contribute towards the Expenses of this Act in the Proportion of the Number of Miles of Road comprised within such Districts respectively.

XXXI. The

Appropriation of Funds.

XXXI. The Tolls and other Monies payable to and received by the Trustees, in virtue and for the Purposes of this Act, within the respective Districts hereby created, shall be appropriated and applied as follows:

As to the *Sleaford* District:

First, in paying the Proportion to be contributed by that District of the Expenses of and incident to the procuring and passing of this Act:

Secondly, in paying the Salaries of the Clerk, Surveyor, and other Officers employed by the Trustees in and for the same District, and the other Expenses of and incident to the Management of the Roads therein, not exceeding in any One Year One hundred and fifty Pounds, exclusive of the Costs of prosecuting and defending Actions, Suits, Indictments, and Proceedings before Magistrates, and of the Wages of Toll Collectors, and of the Costs of newly erecting Toll Houses when necessary:

Thirdly, in paying Interest from the Commencement of this Act after the Rate of Three Pounds *per Centum per Annum* on the said Sum of One thousand seven hundred Pounds, being the Amount as aforesaid borrowed on the Tolls within the North District, and still subsisting, or on so much thereof as shall for the Time being be unpaid:

Fourthly, in paying the Expenses incurred and remaining unpaid and to be incurred in repairing and maintaining the Roads within and constituting the said District, but not exceeding in any One Year Seven hundred Pounds:

Fifthly, in reducing and paying off in manner herein-after provided the said Sum of One thousand seven hundred Pounds, or so much thereof as shall for the Time being be unpaid:

Sixthly, in paying the further Expenses of managing, repairing, and improving the Roads within the same District, and of putting this Act into execution in relation thereto:

As to the *Bourn* District:

First, in paying the Proportion to be contributed by that District of the Expenses of and incident to the procuring and passing of this Act:

Secondly, in paying the Salaries of the Clerk, Surveyor, and other Officers employed by the Trustees in and for the same District, and the other Expenses of and incident to the Management of the Roads therein, not exceeding in any One Year One hundred and fifty Pounds, exclusive of the Costs of prosecuting and defending Actions, Suits, Indictments, and Proceedings before Magistrates, and of the Wages of Toll Collectors, and of the Cost of newly erecting Toll Houses when necessary:

Thirdly, in paying Interest from the Commencement of this Act after the Rate of Three Pounds *per Centum per Annum* on the said Sums of One thousand seven hundred and seventy-five Pounds and Twenty-five Pounds, being the Amount as aforesaid borrowed on the Tolls within the Middle and West Districts respectively, and still subsisting, or on so much thereof respectively as shall for the Time being be unpaid:

Fourthly, in paying the Expenses incurred and remaining unpaid and to be incurred in repairing and maintaining the Roads within and constituting the said District, but not exceeding in any One Year Eight hundred Pounds:

Fifthly, in reducing and paying off, in manner herein-after provided, the said Sums of One thousand seven hundred and seventy-five Pounds and Twenty-five Pounds, or so much thereof respectively as shall for the Time being be unpaid:

Sixthly, in paying the further Expenses of managing, repairing, and improving the Roads within the same District, and of putting this Act into execution in relation thereto:

As to the *Billingborough* District:

First, in paying the Proportion to be contributed by that District of the Expenses of and incident to the procuring and passing of this Act:

Secondly, in paying the Expenses of repairing and maintaining the said Highway called *Bridge End Causeway*, but not exceeding in any One Year Two hundred Pounds:

Thirdly, in paying the Salaries of the Clerk, Surveyor, and other Officers employed by the Trustees in and for the same District, and the other Expenses of and incident to the Management of the Roads therein, not exceeding in any One Year Fifty Pounds, exclusive of the Costs of prosecuting and defending Actions, Suits, Indictments, and Proceedings before Magistrates, and of the Wages of Toll Collectors, and of the Cost of newly erecting Toll Houses when necessary:

Fourthly, in paying Interest from the Commencement of this Act after the Rate of Two Pounds *per Centum per Annum* on the said Sum of Four thousand one hundred and thirty Pounds, being the Amount as aforesaid borrowed on the Tolls within the South-east District, and still subsisting, or on so much thereof as shall for the Time being be unpaid:

Fifthly, in paying the further Expenses of repairing and maintaining the said Highway called *Bridge End Causeway:*

Sixthly, in reducing and paying off, in manner herein-after provided, the said Sum of Four thousand one hundred and thirty Pounds, or so much thereof as shall for the Time being be unpaid:

Seventhly, in paying the Expenses of managing, repairing, and improving the Roads within the same District, other than the said Highway called *Bridge End Causeway*, and of putting this Act into execution in relation thereto.

Trustees not to lay out Money or take Tolls in Towns.

XXXII. The Trustees shall not lay out any Money coming to their Hands for the Purposes of this Act in repairing, amending, or improving any of the Roads, Streets, Footways, or Pavements within the Towns of *Sleaford* and *Bourn*, or within the Limits of any Local Act for the Improvement of any other Town, nor shall any Toll be collected within any such Town or Limits.

Repairs of Road in the Billingborough District (except Bridge End Causeway).

XXXIII. From and after the coming into effect of this Act, and so long as any Part of the said Sum of Four thousand one hundred and thirty Pounds, or of the Interest thereof, shall remain unpaid, so much of the Road within the *Billingborough* District (except the said Highway called the *Bridge End Causeway*) as is situate in any Parish shall be maintained and kept in repair as a common Highway in the same Manner as the other Highways in such Parish are or may be by Law repairable, and so much of the said Road (except as aforesaid) as passes through or over any Extra-parochial Land shall be maintained and kept in repair as a common Highway by the Person or Persons for the Time being liable to repair the same, at Common Law, by Statute, or otherwise.

Mortgagees not to take possession of Toll Gates, &c. except for Arrears of Interest.

XXXIV. Whenever and so long as the Interest upon the Mortgage Debts for the Time being respectively due, according to the Provisions of this Act, shall be duly paid, within Three Calendar Months next after the same shall become due, no Holder of any Mortgage of the Tolls shall be entitled to enter into possession of the Toll Gates upon the respective Roads, or into the Receipt of the Tolls arising thereon, or of the Rent payable upon any Letting of such Tolls; and every Mortgagee entering into possession of such Toll Gates, or into the Receipt of such Tolls or Rent, shall pay the Interest from Time to Time becoming due, and without any Priority or Preference between the Mortgagees, and may also reimburse himself any Costs to which he may be entitled; and every such Mortgagee so being in possession or receipt as aforesaid shall, within Twenty-one Days next after each of the half-yearly Days whereon the Interest on such existing Mortgages shall be payable, render to the Clerk or Clerks to the Trustees for the Time being a full and true Account of his Receipts and Expenditure while so in possession or receipt as aforesaid, with proper Vouchers for the same; and if it shall appear by any such Accounts that the Interest due on such Mortgages up to the last of such half-yearly Days, and all such Costs as aforesaid, have been fully paid and satisfied or provided for, then such Mortgagee shall, when thereunto required by the Trustees, pay over to their Treasurer the Balance, if any, remaining in his Hands, and deliver up Possession of the said Toll Gates, and the

Receipt

Receipt of the said Tolls, and of any such Rent as aforesaid, to the Trustees, or any Person appointed by them to receive the same, anything in this Act or in any Statute or Law in force relating to Turnpike Roads in *England* to the contrary notwithstanding.

As to Mode of discharging Debt.

XXXV. When and so often as the Sum applicable to the Discharge of the said Principal Monies respectively shall amount to the Sum of Two hundred Pounds, the Trustees shall, at any General Annual or other Meeting, apply such Sum in the Payment of a proportionate Part of such Principal Monies to the Persons entitled thereto, so long as any Part of such Sums respectively shall remain due and owing, and shall, Twenty-eight Days at least before such General Annual or other Meeting, cause Notice to be given of such Meeting, and of the Purposes thereof, so far as the same relates to the Application of such Sum, in some public Newspaper or Newspapers usually circulated in the County of *Lincoln*, or by Letters sent by Post, addressed to each Creditor entitled as aforesaid, at his usual or last known Place of Abode; and at such Meeting the Trustees shall apply such Sum or a Portion thereof (as the Case may require) in or towards the Discharge of Monies owing on the Security of the Tolls within the District on which the same are chargeable, to the Creditor, entitled as aforesaid, who shall, by Proposal in Writing transmitted to the Clerk of the Trustees before such Meeting, have offered to accept the lowest Composition in respect of the Principal Monies due to him, and after Payment to such Creditor as aforesaid shall apply the Surplus (if any) of such Sum, or a Portion thereof, (as the Case may require,) in or towards the Discharge of other Monies owing on Security of the same Tolls to the Creditor entitled as aforesaid who by Proposal as aforesaid shall have offered to accept the next lowest Composition in respect of the Principal Monies due to him, and so in like Manner until the Sum applicable to such Payment shall be exhausted; and if and whenever Two or more Creditors entitled as aforesaid shall have offered to accept an equal Rate of Composition, it shall be lawful for the Trustees to determine by Lot the Preference between or amongst such Creditors, or to pay such Composition rateably between or amongst such Creditors, as the Trustees think fit; and if there shall be no such Proposal as aforesaid, or if there be any Surplus of the Sum applicable to such Payments, after applying the same (so far as may be necessary) in or towards the Discharge of the Monies to which any such Proposals relate, the Trustees may apply the Sum applicable to such Payments, or the Surplus thereof, (as the Case may be,) rateably amongst the Creditors, or may determine, by Lot or otherwise, as the Trustees think fit, to which of the Creditors the same shall be paid.

Receipt of Person on Register sufficient

XXXVI. The Trustees shall not be bound to see to the Execution of any Trust, whether expressed, implied, or constructive, to which any Sum of Money owing, or which shall be borrowed or become owing, on the

the Credit of the Tolls respectively, may be subject; and the Receipt of the Party who shall appear in the Book or Register of Mortgages of the Trustees to be entitled to any such Sum of Money, or if Two or more Parties shall so appear entitled, the Receipt of such Parties, shall from Time to Time be a sufficient Discharge to the Trustees and their Treasurer for such Sum of Money, and for any Interest payable in respect thereof, notwithstanding any Trust to which such Sum may then be subject, and whether or not the Trustees, or their Treasurer, Clerk, or other Officer, shall have had Notice of such Trust; and the Trustees shall not be bound to see to the Application of the Money paid upon such Receipt.

Discharge to Trustees.

XXXVII. No more Money shall be borrowed by the Trustees on the Credit of the Tolls arising on the Roads.

No more Money to be borrowed.

XXXVIII. Nothing herein contained shall be deemed to exempt the Road from the Provisions of any General Act relating to the Consolidation or other improved Management of Turnpike Roads which may pass during the present or any future Session of Parliament.

Road not exempt from Provisions of General Acts.

The SCHEDULES to which the foregoing Act refers.

The FIRST SCHEDULE.

Names of Creditors.	Sums secured. £	s.	d.
Bedford, John Raynor, Executors of	300	0	0
Bontoft, James William	100	0	0
Goodman, Thomas	200	0	0
Jacobson, Thomas, Executors of	100	0	0
Ostler, William, Executors of	300	0	0
Sleaford Church Organist	25	0	0
Toke, Sarah Sole	250	0	0
Thoroton, Nottinghamshire (Overseers of the Poor of)	25	0	0
Willson, Anthony, Esquire	100	0	0
Whichcote, Sir Thomas, Baronet	300	0	0
	£1,700	0	0

The SECOND SCHEDULE.

	£	s.	d.
Alvey's Charity	25	0	0
Brown, Reverend Edward	50	0	0
Carr, Reverend C., Executors of	200	0	0
Foster, Reverend Kingsman	100	0	0
Goodman, Thomas	100	0	0
George, Richard Whitehead	25	0	0
Hopkinson, William	150	0	0
Miller, John Kitchen	450	0	0
Parker, William, Esquire	125	0	0
Presgrave, John	25	0	0
Rawnsley, Reverend Thomas Hardwicke	375	0	0
Tupholme, Thomas	100	0	0
Wing, Reverend John, Executors of	50	0	0
	£1,775	0	0

The THIRD SCHEDULE.

	£	s.	d.
Boston Corporation - - - - - -	140	0	0
Charterhouse - - - - - - -	272	0	0
Dean Seth Ellis - - - - - -	840	0	0
Kelham, Mrs. - - - - - - -	140	0	0
Miller, Sir Thomas, Baronet - - - -	1,124	0	0
Neale, Martha, Representatives of - - -	1,124	0	0
Smith, Benjamin, Representatives of - - -	350	0	0
Smith, George - - - - - - -	140	0	0
	£4,130	0	0

The FOURTH SCHEDULE.

	£	s.	d.
Executors of William Halford - - - - -	25	0	0

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