ANNO DECIMO NONO

# VICTORIÆ REGINÆ.

## *Cap.* xxviii.

**An Act to repeal the Acts relating to the *Sleaford and Tattershall* Turnpike Road, and to make other Provisions in lieu thereof. [5th *June* 1856.]**

WHEREAS an Act was passed in the Thirty-third Year of the Reign of His Majesty King *George* the Third, intituled *An Act for widening, turning, altering, repairing, and maintaining the Road leading from the East Side of the Market Place in* New Sleaford *to and through the Town of* Anwick *in the County of* Lincoln, *and for making public the Drove Road from the said Town of* Anwick *to* Kyme Praie Grounds, *and for making a Road from thence to join the present Road near* North Kyme *Town, and for widening, turning, altering, repairing, and maintaining the Road leading from thence through the said Town of* North Kyme *near* Billinghay Dales *to the River* Witham, *and also the Road from the opposite Shore of the said River to the Town of* Tattershall *in the said County of* Lincoln, *and for building a Bridge over the* Witham *at or near to* Tattershall Ferry: And whereas an Act was passed in the Fifty-fourth Year of the Reign of His said Majesty King *George* the Third, intituled *An Act for continuing the Term and altering and enlarging the Powers of an Act of His present Majesty for widening and maintaining the Road leading form the East Side of the Market* 33 G. 3. c. cl. 54 G. 3. c. lv.

*The Sleaford and Tattershall Road Act*, 1856.

*Place in* New Sleaford *to and through the Town of* Anwick *in the County of* Lincoln, *and other Roads therein mentioned in the said County, and for building a Bridge over the* Witham *at or near to* Tattershall Ferry: And whereas the Term granted by the said last-recited Act, and from Time to Time continued 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 and fifty-six, unless Parliament shall in the meantime continue the same: And whereas the Trustees acting by virtue of the said recited Acts, have proceeded to carry the same into execution and the several Principal Sums of Money, amounting altogether to the Sum of Six thousand one hundred and fifty Pounds, particularly mentioned in the Schedule to this Act annexed, have been advanced or secured on the Credit of the Tolls authorized to be taken upon the Roads and Bridge made and maintained under the said recited Acts, which Sums still remain owing: And whereas the said Principal Sums cannot be paid off, nor can the said Roads and Bridge be effectually kept in repair and amended, unless further Powers be granted: And whereas it is expedient that the said Two recited Acts should be repealed, and that further and more effectual Powers should be granted in lieu thereof; 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 Commons, in this present Parliament assembled, and by the Authority of the same, as follows; that is to say,

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

I. The said recited Acts of the Thirty-third Year of the Reign of His Majesty King *George* the Third and the Fifty-fourth Year of the Reign of His said Majesty shall continue in force until the First Day of *October* next, and from and after that Date the same are hereby repealed; and this Act shall thereafter be put into execution during the Term and for the Purposes herein-after mentioned.

Short Title.

II. In citing this Act in other Acts of Parliament, or in any Instrument or Document, or for any Purpose whatsoever, it shall be sufficient to use the Expression "The *Sleaford and Tattershall* Road Act, 1856."

Road to which this Act is applicable.

III. This Act shall be put in execution for the Purpose of more effectually amending, widening, improving, and keeping in repair the Road leading from the East Side of the Market Place in the Parish of *New Sleaford*, through the Towns of *Anwick* and *North Kyme*, to the River *Witham*, and from thence to the Town of *Tattershall*; and also the Bridge over the said River *Witham* at *Tattershall Ferry*.

IV. In

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 repugnant to such Construction; (that is to say,)

The Word "Person" shall include "Corporation:"

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

The Expression "the Road" and "the Bridge" shall mean respectively the Roads and the Bridge over the River *Witham*, to which this Act applies:"

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

Bonds, &c. under the recited Acts to be good under this Act.

V. Notwithstanding the Repeal of the said recited Acts, all Bonds, Covenants, Contracts, Agreements, and Securities made or entered into by any Person or Persons to or with the Trustees for executing the said recited Acts, according to the Provisions and Directions thereof respectively, shall (except as herein mentioned) remain in full Force and Effect, and shall be and continue available in all Courts of Law and Equity until the same are or shall be fully satisfied, performed, or determined; and all Contracts, Agreements, Leases, Mortgages, and Securities duly made or entered into by the Trustees for executing the said Acts to or with any Person or Persons shall (except as aforesaid) remain in full Force and Effect, and shall be binding on the Trustees for executing this Act, and shall be observed and kept by them, according to the Terms and Stipulations and Tenor thereof respectively.

Monies and Property to vest in the new Trustees.

VI. All Monies due to, and all Property, Books, Accounts, Papers, Writings, or other Things, and all Choses in Action and Rights vested in or belonging to the Trustees under the said recited Acts, shall be immediately on the Commencement of this Act 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 the said recited Acts; and they shall be liable to all the Debts and Engagements to which the Trustees under the said recited Acts were liable at the Repeal thereof, except such Debts and Liabilities as are by this Act altered, reduced, or extinguished.

Bridge and its Tolls vested in the new Trustees.

VII. The said Bridge, together with all its Rights and Appurtenances, and the Tolls hereby authorized to be taken for passing over the same, shall be immediately on the Commencement of this Act and remain vested in the said Trustees and their Successors, in such and the same Manner, and upon the same Conditions, and with such and the same Powers, Privileges, and Authorities, as are herein

provided

provided and given to the said Trustees with respect to the Toll Houses, Materials, and other Articles, Matters, and Things on the said Road and the Tolls hereby authorized to be taken thereon; and all the Powers, Privileges, Authorities, Penalties, Forfeitures, and other Provisions and Regulations which under or by virtue of this Act or any general Law for regulating Turnpike Roads in *England* shall for the Time being be in force respecting the Tolls to be collected on the said Road, shall extend to and be in force respecting the Tolls to be collected on the said Bridge, so far as is not herein otherwise provided, and so far as the same may be compatible with the general Tenor and Purport of this Act.

Provisions respecting Tolls of the Road to extend to Tolls of the Bridge.

Trustees.

VIII. All Her Majesty's Justices of the Peace for the Time being respectively acting for the Parts of *Lindsey* and the Parts of *Kesteven* in the said County of *Lincoln*, or for either of the said Divisions, together with *Henry Ashington* Clerk, *William Burcham*, the Honorable *Charles Henry Cust*, *Thomas Chaplin*, *William Cragg*, *George Cooke*, *Thomas Cartwright*, *Tamberlain Cubley*, *George Cox*, *Philip Dundas*, *Joseph Dent*, *John Walter Dudding*, *William Foster*, *Richard Godson*, *Edward Charles Frederick Jenkins* Clerk, *John William King* Clerk, *Charles Kirk*, *Richard Wharton Myddleton*, *John Mackinnon* Clerk, *Stotherd Samuel Mugliston*, *Edward Newbatt*, *Wilkinson Peacock*, *Edward Pollard* Clerk, *William Petchel*, *John Peacock* Clerk, *Thomas Parry*, *William Henry Peacock*, *Benjamin Snow*, *Thomas Tindale*, *John Tindale*, *John Tindale* the younger, *John Tomlinson*, Sir *Thomas Whichcote* Baronet, *Zachariah Shrapnell Warren* Clerk, *Christopher Whichcote* Clerk, *Roland Williams*, *John Willcock*, and *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.

Power to appoint additional Trustees.

IX. It shall be lawful for the said Trustees at any Meeting to be holden in pursuance of this Act to elect any Number of Persons, being qualified to act as Trustees of Turnpike Roads in *England*, not exceeding Three in the whole, to be Trustees for the Purposes of this Act in addition to the Trustees hereby nominated, and such Trustees so elected shall have the same Powers and Authorities for executing this Act as if they had been hereby appointed.

First Meeting of Trustees.

X. The said Trustees shall hold their First Meeting at the *Bristol Arms* Inn in *New Sleaford* in the County of *Lincoln*, or at some other convenient House or Place in *New Sleaford*, on the Thirteenth Day of *October* next, between the Hours of Ten of the Clock in the Forenoon and Three of the Clock in the Afternoon, and shall then and from Time to Time thereafter adjourn to and meet at such Times

Times and Places in the Neighbourhood of the said Road as they shall think proper.

Power to appoint Committees.

XI. The said Trustees may appoint Committees out of their own Number to take the Care and Management of any particular Parts of the said Road and Bridge, or to execute any of the Purposes of this Act or of any General Act affecting the said Road and Bridge respectively, according to such Instructions and Regulations as shall be laid down by the Trustees at any General Meeting, and the said Committees and the Surveyor and other Officers may proceed to act according to such Appointment, but shall be always accountable according to the Instructions and Regulations so to be made.

Present Leases of Tolls confirmed, and present Tolls continued till 22d July 1858.

XII. And whereas the Trustees acting in the Execution of the said recited Acts have entered into certain Contracts or Agreements for letting the Tolls now payable on the said Road and Bridge respectively for Terms which will expire at Twelve o'Clock at Noon on the Twenty-second Day of *July* One thousand eight hundred and fifty-eight, and it is expedient that such Contracts or Agreements should, so far as the same are conformable to Law, continue in force according to the Tenor thereof respectively, and that the Tolls heretofore authorized to be taken on the said Road and Bridge respectively shall continue to be payable until Twelve o'Clock at Noon on the said Twenty-second Day of *July* One thousand eight hundred and fifty-eight: And whereas it is expedient that from and after Twelve o'Clock at Noon on the said Twenty-second Day of *July* One thousand eight hundred and fifty-eight, as well Chalk, Lime, Ashes, and Soot, which are excepted from the Exemptions from Tolls on the said Road created by the said secondly-recited Act, as all other Substances and Liquids intended to be used only for improving Lands, should be entitled to Exemption from Tolls on the said Road: And whereas it will be expedient that from and after Twelve o'Clock at Noon on the Twenty-second Day of *July* One thousand eight hundred and fifty-eight, the Tolls to be taken on the said Road and Bridge should be varied in manner herein-after mentioned: Be it therefore enacted, That, notwithstanding the repeal of the said recited Acts, the several Contracts or Agreements for letting the Tolls on the said Road and Bridge respectively which are now subsisting shall, so far as the same respectively are conformable to Law, continue in force according to the Tenor thereof respectively; and the several Tolls for the said Road granted by the said secondly-recited Act, subject only to the Exemptions to which the same are now subject under the said recited Acts or any General Law, and the several Tolls for the said Bridge granted by the said first-recited Act, shall continue to be payable at the Toll Gates to be continued or placed on or on the Sides of the said Road and Bridge respectively up to and until Twelve o'Clock at Noon on the Twenty-second

second Day of *July* One thousand eight hundred and fifty-eight, without prejudice, nevertheless, as to all the said several Contracts Agreements, and Tolls, to such Power or Right of varying the same respectively as is now vested in the Trustees for the Time being of the said Road and Bridge.

Road Tolls to be taken after 22d July 1858.

XIII. From and after Twelve o'Clock at Noon on the said Twenty-second Day of *July* One thousand eight hundred and fifty-eight it shall be lawful for the said 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 said Road such Tolls, not including the Tolls hereby authorized to be taken for passing the said Bridge, as the said Trustees at any of their Meetings shall direct, not exceeding the Sums following; that is to say,

For every Horse, Mare, Gelding, Mule, Ass, Ox, Bullock, or other Beast of Draught drawing any Carriage with or without Wheels, the Sum of One Shilling:

For every Horse, Mare, Gelding, Mule, or Ass, whether laden or unladen, not drawing any Carriage with or without Wheels, the Sum of Threepence:

For every Bull, Ox, Cow, Steer, Heifer, Calf, or other Neat Cattle, a Sum not exceeding the Rate of Two Shillings *per* Score:

For every Pig, Sheep, or Lamb, a Sum not exceeding the Rate of One Shilling *per* Score:

For every Carriage not drawn by any Horse or other Beast, but propelled by Steam or Machinery, or otherwise than by Human or Animal Power, the Sum of One Shilling for each Wheel:

Bridge Tolls to be taken after 22d July 1858.

And at the several and respective Toll Gates which shall be continued or set up by virtue of this Act at or near the said Bridge, such Tolls for passing over the said Bridge, and not including the Tolls hereinbefore authorized to be taken as the said Trustees at any of their Meetings shall direct, not exceeding the Sums following; that is to say,

For every Person on Foot, One Penny:

For every Horse, Mare, Gelding, Mule, or Ass, whether laden or unladen, not drawing any Carriage with or without Wheels, the Sum of One Penny:

For every Bull, Ox, Cow, Steer, Heifer, Calf, or other Neat Cattle, the Sum of One Penny:

For every Goat, Sheep, or Lamb, the Sum of One Farthing:

For every Pig, the Sum of One Halfpenny:

For every Carriage with Three or more Wheels drawn by any Horse or Horses, or other Beast or Beasts, the Sum of One Shilling:

For every Carriage with or without Wheels drawn by any Horse or Horses, or other Beast or Beasts, the Sum of Sixpence:

For every Carriage not drawn by any Horse or other Beast, but propelled by Steam or Machinery, or otherwise than by Human or Animal Power, the Sum of One Shilling for each Wheel:

And

And the said several Tolls hereby continued or granted shall or may be taken respectively before any Animal or Carriage for which the same shall be payable shall be permitted to pass through any Toll Gate which shall be continued or placed on or at the Sides of the said Road, or at or near the said Bridge, as the Case may be; and the same Tolls shall be vested in the said Trustees, and shall be applied for the Purposes of this Act in manner herein-after mentioned.

Exemptions from Road Tolls.

XIV. All the several Exemptions from the respective Tolls now payable on the said Road under the Authority of the said recited Acts, or either of them, which are now subsisting and in force by virtue of the said recited Acts, or either of them, or any other Statute or Law, shall continue in force and be applicable to the several Tolls respectively hereby continued or granted up to Twelve o'Clock at Noon on the said Twenty-second Day of *July* One thousand eight hundred and fifty-eight; and from and after that Time 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, except the Tolls hereby continued or granted for passing over the said Bridge, which last-mentioned Tolls shall be payable for all the several Matters and Things herein-before in that Behalf specified, without any Exception and without any Right of Exemption in respect of any Person or Thing whatsoever; and from and after Twelve o'Clock at Noon on the Twenty-second Day of *July* One thousand eight hundred and fifty-eight the Exemptions from Tolls on the said Road created by any General Law in favour 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 or being about to be carried or conveyed on the said Road to be used only for improving Lands.

No Exemption from Bridge Tolls.

As to the Fraction of a Halfpenny in Tolls.

XV. In all Cases in which there shall be a fractional Part of a Halfpenny in the Amount of the Tolls by this Act authorized to be collected, the Sum of One Halfpenny shall be payable in lieu of such fractional Part.

Tolls to be paid but once a Day.

XVI. Except as herein-after provided, and as well on the Twenty-second Day of *July* One thousand eight hundred and fifty-eight, notwithstanding any Variation in the Amount of Toll taking effect on that Day, as on every other Day during the Continuance of this Act, no Person shall be liable to pay any of the Tolls hereby continued or granted more than once on the said Road or on the said Bridge in any One Day for or in respect of any Person or any Horse or other Beast, or any Carriage passing through all or any Toll Gates

continued or to be erected by virtue of this Act, such Person producing a Ticket denoting that the respective Tolls had been paid on that Day, which Ticket the Collectors of the Tolls are to deliver *gratis* on Receipt of such Toll.

Postchaises, &c. to pay every new Hiring.

XVII. From and after Twelve o'Clock at Noon on the Twenty-second Day of *July* One thousand eight hundred and fifty-eight, the Tolls hereby granted shall be payable in respect of the Horse or Horses or other Beast or Beasts drawing any Postchaise or other Carriage travelling for Hire or Reward, or in respect of such Carriage, as the Case may be, every Time of passing or repassing through the said Toll Gates when a new Hiring thereof has taken place, in the same Manner as if no previous Payment of Toll in respect of such Horses or Beasts or Carriage had been made on the same Day.

Stage Carriages, &c. to pay every Time of passing.

XVIII. From and after Twelve o'Clock at Noon on the Twenty-second Day of *July* One thousand eight hundred and fifty-eight, the Tolls hereby granted shall be payable for every Horse or other Beast drawing any Stage Coach, or any Omnibus, Stage Waggon, Van, Caravan, or other Stage Carriage carrying Passengers or Goods for Hire or Reward, and for such 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 on the said Road or the said Bridge, as the Case may be.

Horses, &c. drawing different Waggons, &c. to pay every Time of passing.

XIX. That in case the Toll in this Act mentioned shall have been paid in respect of any Horse, Mare, Gelding, Mule, Ass, Ox, Bullock, or other Beast of Draught drawing any Waggon, Wain, or Cart, or other Carriage of a like Description, at any Toll Gate or Bar upon or on the Side of the said Road, and any such Horse, Mare, Gelding, Mule, Ass, Ox, Bullock, or other Beast of Draught shall be afterwards employed on the said Road 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, Mare, Gelding, Mule, Ass, Ox, Bullock, or other Beast of Draught 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.

Tolls proportioned.

XX. Provided always, That no greater Share or Proportion than One Moiety or Half Part of the several Tolls hereby continued or granted and authorized to be taken on the said Road shall be taken or demanded for any Cattle or Carriage passing through any Toll Gate on or at the Sides of that Part of the said Road which is between *New Sleaford* and the Bridge leading over *Billinghay Skirth* to the Town

Town of *Billinghay*, nor more than the like Proportion of the said Tolls for any Cattle or Carriage passing through any Toll Gate on or at the Sides of that Part of the said Road which is between the same Bridge and the Town of *Tattershall*; nor shall any Toll Gate be erected upon any Part of the said Road between *North Kyme Lane* and the said Bridge leading over *Billinghay Skirth*, or between the said Bridge over the *Witham* at *Tattershall Ferry* and the Town of *Tattershall*, nor shall any Toll be demanded or taken for the Passage of any Cattle or Carriage passing along such Two last-mentioned Parts respectively of the said Road, provided that such Cattle or Carriage shall not pass along any other Part thereof.

Respecting Toll Gates.

XXI. Subject to the Provisions of this Act, the several Toll Houses and Toll Gates now standing or being on or at the Sides of the said Road and Bridge respectively shall be continued until removed by any Order of the said Trustees; and it shall be lawful for the said Trustees, in the Manner prescribed in the Act passed in the Ninth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act to amend the Acts for regulating Turnpike Roads*, to order and cause to be set up on or arcoss the said Road or at the Sides thereof, or on or near the said Bridge, any Toll House or Toll Gate, and to remove the present or any future Toll Houses or Toll Gates; and all the Provisions of this Act with reference to any Toll Houses or Toll Gates now standing or being on or at the Sides of the said Road and Bridge respectively shall apply to any Toll House or Toll Gate to be erected or set up on or at the Sides of the said Road and Bridge respectively.

9 G. 4. c. 77.

Power to repair the Bridge and remove Obstructions.

XXII. If at any Time during the Continuance of this Act any Obstruction shall arise or happen at the said Bridge by reason of any Defects of Reparation thereof or otherwise, either to the Drainage by the said River or the Navigation of Boats or other Vessels thereon, it shall be lawful for the general Commissioners for Drainage, or for any Five or more of the said Commissioners respectively for the Time being, or for the Company of Proprietors of the *Witham* Navigation, incorporated by an Act passed in the Fifty-second Year of the Reign of His Majesty King *George* the Third, intituled *An Act for rendering more effectual an Act of His present Majesty for draining Lands lying on both Sides the River* Witham *in the County of* Lincoln, *and restoring the Navigation of the said River, and for repealing another Act of His present Majesty in relation to the said Drainage and Navigation*, from Time to Time to cause Notice in Writing to be given of such Defects of Reparation or of such Obstruction by the Clerk or Surveyor for the Time being of the said general Commissioners or Company respectively, or of either of them, to the Clerk or Surveyor of the Trustees for executing this Act, and if such Defects shall not be

52 G. 3. c. 108.

forthwith repaired, or such Obstructions removed, it shall and may be lawful for the said Commissioners or Company respectively, whose Trust or Property shall be injured thereby, to cause the same to be done at the Costs and Charges of the Trustees for executing this Act, and if the said Costs and Charges are not paid within the Space of Twenty-one Days next after the same shall be demanded, it shall be lawful for the said Commissioners, or any Five or more of them, or for the said Company under whose Order such Repairs shall be done or Obstruction removed, to enter upon and take Possession of the Gate or Bar for collecting the Tolls payable for passing over the said Bridge, and to collect the said Tolls, until such Costs and Charges, and the Expenses attending such Entry and Receipt of the said Tolls shall be fully paid and satisfied.

Annual Sum of 10*l.* to be paid as Compensation to the Owner of Tattershall Ferry.

XXIII. And whereas, pursuant to the Provisions in that Behalf in the said recited Acts contained, the annual Sum of Ten Pounds is now paid and allowed to the Owner or Owners of *Tattershall Ferry* in the said recited Acts mentioned, as and for a Compensation or Recompence for the Loss of the said Ferry, and such annual Sum is payable by equal half-yearly Payments on the Fifth Day of *April* and on the Fifth Day of *October* in every Year, and it is expedient that such Provisions should be continued: Be it therefore enacted, That the Right of all and every Persons and Person in and to the said Ferry, its Emoluments and Appurtenances, shall be annihilated during the Continuance of this Act, and that the said annual Sum of Ten Pounds shall be paid half-yearly to the Owner or Owners of the said Ferry for the Time being on the Fifth Day of *April* and the Tenth Day of *October* in every Year during the Continuance of this Act, the first of the said half-yearly Payments to be made on such One of the said Days as shall happen next after the Commencement of this Act; and in case the same shall be unpaid for the Space of Forty Days after any or either of the said half-yearly Days of Payment, (Demand thereof having been first made to the Treasurer of the said Trustees,) then it shall be lawful for the Owner or Owners, Proprietor or Proprietors of the said Ferry for the Time being to enter upon, seize, and take possession of the Gate or Bar for collecting the Tolls payable for passing over the said Bridge, and to collect the said Tolls for and until such Time as the Receipt thereof shall reimburse the Owner or Owners, Proprietor or Proprietors of the said Ferry the Money so due to him or them from the said Trustees and unpaid, together with all the Charges and Expenses attending such Entry and Collection.

Penalty for conveying Persons, &c. over the

XXIV. If any Person or Persons shall pass over or convey any Person or Persons, Horse, Beast, or other Cattle across the River *Witham* within the Space of One Mile from the said Bridge erected under

under the Authority of the said first-recited Act, except at a certain Ferry called *Dogdike Ferry*, otherwise than over the said Bridge, by which the Payment of the Tolls authorized to be taken at the said Bridge shall be evaded, every such Person or Persons shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, One Moiety whereof shall be paid to the Informer, and the other Moiety to the Trustees of the said Road for the Purposes of this Act, to be recovered and levied before any Justice of the Peace for the Parts of *Lindsey* or *Kesteven* in the said County of *Lincoln*, in such Manner as is and by the general Law for regulating Turnpike Roads directed for Recovery of Penalties and Forfeitures for Evasion of Tolls: Provided always, that nothing herein contained shall extend or be construed to extend to prevent any Occupier or Occupiers of Houses or Lands adjoining the said River *Witham*, and situated within the Distance of One Mile from the said Bridge, from passing over or conveying any of their Family or Servants across the said River. River Witham.

XXV. All Tolls and other Monies vested in or which shall be received by the Trustees under or by virtue of this Act, and which shall be applicable to the Purposes thereof, shall be applied as follows; that is to say, Application of Monies.

First, In paying and discharging the Costs and Expenses attending the applying for, obtaining, and passing this Act, or in any Manner incidental thereto:

Secondly, In paying the said annual Sum of Ten Pounds to the Owner or Owners for the Time being of *Tattershall Ferry*, herein-before mentioned:

Thirdly, In paying the Salaries of the Clerk, Surveyor, and other Officers employed by the said Trustees, and the other Costs and Expenses attending the general Management of the said Road and Bridge, not exceeding in any One Year the Sum of Eighty Pounds exclusive of the Costs and Expenses of prosecuting and defending Actions at Law, Indictments, and other legal Proceedings, and Leases, and of the Salaries of the Toll Collectors, and the Expenses of newly erecting Toll Houses or Gates when necessary, all which Costs and Expenses properly incurred are to be deemed Costs and Expenses attending the general Management of the said Road and Bridge:

Fourthly, In paying Interest from the Commencement of this Act after the Rate of Three Pounds *per Centum per Annum* on the several Sums mentioned in the said Schedule, or on so much thereof respectively as shall for the Time being be unpaid, such Interest to be paid to and amongst the Persons entitled to such Sums in proportion to the Amount of their respective Claims, and without any Priority or Preference of the one over the others or other of them:

Fifthly,

Fifthly, In paying the Expenses incurred and remaining unpaid, and to be incurred in repairing and maintaining the said Road and Bridge, not exceeding in any One Year the Sum of Two hundred and twenty-eight Pounds:

Sixthly, In reducing and paying off, in manner herein-after provided, the several Sums mentioned in the said Schedule, or so much thereof respectively as shall for the Time being be unpaid:

Seventhly, In paying the further Expenses of managing, repairing, maintaining, and improving the said Road and Bridge, and of putting this Act into execution with reference thereto.

Interest on Debt not to be paid until Expenses of Act are discharged.

XXVI. Provided always, That no Interest on the said Debts mentioned in the said Schedule shall be paid until the Trustees shall have received sufficient Sums to pay and discharge and shall have paid and discharged the Expenses of obtaining and passing this Act.

Mortgagees to take possession for Arrears of Interest only.

XXVII. Whenever and so long as the Interest by this Act allowed upon all existing Mortgages, Securities, and Charges upon the Tolls of the said Road and Bridge shall be duly paid at the Rate by this Act authorized within Three Calendar Months next after the same shall become due, no Holder of any Mortgage or Security shall be entitled to enter into possession of the Toll Gates, Toll Houses, or Buildings on or at the Sides of the said Road and Bridge, or either of them, or into the Receipt of the Tolls arising therefrom, or of the Rent payable upon any letting of such Tolls; and every Mortgagee entering into the Possession of such Toll Gates, Toll Houses, or Buildings, or into the Receipt of such Tolls or Rent, shall pay the Interest from Time to Time due and becoming due upon all the then existing Mortgages and Securities without any Priority or Preference, 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 yearly Days whereon the Interest on such existing Mortgages and Securities shall be payable, render to the Clerk to the said Trustees for the Time being a full and true Account of his Receipts, Expenditure, and Accounts while so in possession or receipt as aforesaid, with proper Vouchers for the same; and if it shall appear by any such Account that the Interest due at the Rate by this Act authorized on such Mortgages and Securities up to the last of such yearly Days, and all such Costs as aforesaid, have been fully paid and satisfied, then such Mortgagee shall, when thereunto required by the said Trustees, pay over to their Treasurer the Balance (if any) remaining in his Hands, and deliver up possession of the said Toll Gates, Toll Houses, and Buildings, and the Receipt of the said Tolls and of any such Rent as aforesaid, to the said 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.

XXVIII. When

As to Mode of discharging Debt.

XXVIII. When and so often as the Sum applicable to the Discharge of the Principal Monies for the Time being due in respect of any of the Debts or Sums mentioned in the Schedule to this Act annexed shall amount to the Sum of Two hundred Pounds, the said Trustees shall at any General, Annual, or other Meeting apply such Sum in the Payment of a proportionate Part of the said Principal Monies to the Persons entitled thereto, 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 Object or Purposes thereof so far as the same shall relate to the Application of such Sum, in some Newspaper published in the County of *Lincoln*, or by Letter sent by Post to each Mortgagee, directed to his usual Place of Residence or last known Place of Abode, and at such Meeting the said Trustees shall apply such Sum or a Portion thereof (as the Case may require) in or towards the Discharge of Monies owing in respect of the said Debts or Sums to the Mortgagee who shall by Proposal in Writing transmitted to the Clerk to the said Trustees before such Meeting have offered to accept the lowest Composition in respect of such Monies, and after Payment to such Mortgagee as aforesaid, shall apply the Surplus (if any) of such Sum or a Portion thereof (as the Case may require) in or towards the Payment of the other Monies owing on the Security of the said Tolls to the Mortgagee 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 Mortgagees by such Proposals as aforesaid shall have offered to accept an equal Rate of Composition, it shall be lawful for the said Trustees to determine by Lot the Preference between or amongst such Mortgagees, or to pay such Composition rateably between or amongst such Mortgagees as the said Trustees shall think fit; and if there be no such Proposal as aforesaid, or if there be any Surplus of the same applicable to such Payment after applying the same so far as may be necessary in or towards the Discharge of the Monies to which such Proposals as aforesaid relate, the said Trustees may apply the Sum applicable to such Payments or the Surplus thereof (as the Case may be) rateably amongst the Mortgagees on the said Tolls, or may pay the same to such of them as may be determined by Lot, as the said Trustees shall think fit: Provided always, that the Trustees may from Time to Time, if they think fit, apply in manner aforesaid any Sum less than Two hundred Pounds applicable as aforesaid, or with the Consent of One of Her Majesty's Principal Secretaries of State in Writing under his Hand, postpone the Application of any Sum so applicable until the same amount to any Sum exceeding Two hundred Pounds, which they with such Consent may determine.

No Money to be laid out or taken in certain Towns.

XXIX. No Money shall be laid out by the said Trustees on the said Road within the Limits of any Act of Parliament passed for the Improvement of any Town, nor shall any Toll be collected by them therein.

Road not exempt from Provisions of General Acts.

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

Commencement and Term of Act.

XXXI. This Act shall commence and take effect on the First Day of *October* next after the passing thereof, and shall continue in force for the Term of Twenty-one Years, and from thence to the End of the Session of Parliament which shall then next follow.

The

## The SCHEDULE to which the foregoing Act refers.

| Names of Persons to whom or to whose Representatives the Principal Sums mentioned in this Act are due or reputed to be due. | Proportions due or reputed to be due to each. | | |
|---|---|---|---|
| | £ | s. | d. |
| Andrews, Harriet | 150 | 0 | 0 |
| Aveland, the Lord | 250 | 0 | 0 |
| Bankes, John Robert | 125 | 0 | 0 |
| Bates, Edward | 125 | 0 | 0 |
| Benson, Mary Catherine | 75 | 0 | 0 |
| Burtt, John, and Charles Burtt | 125 | 0 | 0 |
| Chaplin, Charles | 100 | 0 | 0 |
| Cheales, Reverend Henry | 300 | 0 | 0 |
| Conington, Reverend John | 325 | 0 | 0 |
| Fortescue, The Earl | 400 | 0 | 0 |
| Godson, Richard, William Burcham, and John Tomlinson | 75 | 0 | 0 |
| Herring, Ann | 50 | 0 | 0 |
| Jacobson, Sarah, Charles Clements, and Thomas Parry | 125 | 0 | 0 |
| Knatchbull, Dame Fanny Catherine | 300 | 0 | 0 |
| Langwith, Arabella, and Lucy Langwith | 50 | 0 | 0 |
| Loft, John | 125 | 0 | 0 |
| Mugliston, Stotherd Samuel | 300 | 0 | 0 |
| Richards, William | 125 | 0 | 0 |
| Robinson, Jane Mary | 250 | 0 | 0 |
| Rodgers, Elizabeth | 475 | 0 | 0 |
| Simpson, Reverend William Hirst | 200 | 0 | 0 |
| Sleaford, Vicar and Churchwardens of | 100 | 0 | 0 |
| Sleaford, Vicar and Churchwardens of, and Mary Hardisty, Elizabeth Abel, and Maria Wilson | 275 | 0 | 0 |
| Smith, Parker | 200 | 0 | 0 |
| Snow, Joseph | 550 | 0 | 0 |
| Snow, Benjamin | 275 | 0 | 0 |
| Whichcote, Major Benjamin, and Colonel George Whichcote | 350 | 0 | 0 |
| White, Elizabeth, Thomas Arnall, and William Sopper | 50 | 0 | 0 |
| Williams, Rowland | 300 | 0 | 0 |
| | £6,150 | 0 | 0 |

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