



ANNO UNDECIMO

GEORGIIV. REGIS.

Cap. xciii.

An Act for more effectually repairing and improving the Road leading from the Town of *Stamford* to the Division Stone in *South Witham* in the County of *Lincoln*. [29th May 1830.]

WHEREAS an Act was passed in the Forty-eighth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for more effectually repairing and improving the Road leading from the Town of Stamford to the Division Stone in South Witham in the County of Lincoln*; being that Part of the Road between *Stamford* and *Grantham* called "The South District:" And whereas the Trustees acting under and by virtue of the said recited Act have proceeded in the Execution thereof, and several considerable Sums of Money have been borrowed on the Credit of the Tolls thereby authorized to be taken, which Money still remains due and owing, and cannot be repaid, nor can the Road comprised in the said Act be effectually amended, widened, improved, and kept in repair, unless further Tolls, Powers, and Provisions are granted and made for those Purposes: And whereas it would facilitate the Execution of the Purposes aforesaid if the said recited Act were repealed, and other Tolls, Powers, and Provisions were granted instead thereof: May it therefore please Your Majesty that it may be enacted; and be it enacted by the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

48G.3.c.113.

[*Local.*]

28 X

Lords

Recited Act
repealed.

Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That upon the First Day of *June* next after the passing of this Act the said recited Act passed in the Forty-eighth Year of the Reign of His late Majesty King *George* the Third shall be and the same is hereby declared to be repealed.

This Act to
take effect for
the Purposes
herein men-
tioned.

II. And be it further enacted, That this Act shall commence and be put in execution, for and during the Term herein-after mentioned, for the Purpose of more effectually repairing, amending, widening, improving, and keeping in repair the present Turnpike Road leading from a certain Place called *Scotgate*, in the Town of *Stamford* in the County of *Lincoln*, to a certain Stone on a Place called *Witham Common*, in the Parish of *South Witham* in the said County, commonly called "The Division Stone," marked on the one Side thereof "South District," and on the other Side thereof "North District," through the several Parishes, Townships, and Places of *Saint John* and *All Saints* in *Stamford* aforesaid, *Little Casterton*, *Great Casterton*, *Tickencote*, *Empingham*, *Exton*, *Greetham*, *Stretton*, and *Thistleton*, in the County of *Rutland*, and *North Witham* and *South Witham* aforesaid in the said County of *Lincoln*, or some of them.

Former
Debts, &c.
vested in new
Trustees.

III. And be it further enacted, That all Arrears of Tolls or Rents or other Monies due to, and Property Real or Personal, and all Choses in and Rights of Action, either at Law or in Equity, vested in the said Trustees under the said recited Act hereby repealed, or any of them, shall immediately on the Commencement of this Act be vested in the Trustees for executing this Act, who shall be and they are hereby empowered to sue for and recover the same, and for that Purpose to cause to be commenced and prosecuted all Actions and Suits at Law or in Equity, and to act in respect thereof as effectually as if the same had become due to or had been vested in them under or by virtue of this Act.

Trustees.

IV. And be it further enacted, That all His Majesty's Justices of the Peace for the Time being acting for the Parts of *Kesteven* in the County of *Lincoln*, and for the County of *Rutland*, respectively, together with the Reverend *Richard Atlay*, *Thomas Graham Arnold* M. D., the Reverend *Henry Atlay*, the Reverend *Charles Arnold*, the Reverend *Martin Amphlett*, the Reverend *Charles Atlay*, *William Addy*, *William Ades*, *Edward Brown*, the Reverend *William Belgrave*, the Honourable *Montague Bertie*, *Samuel Barker*, the Reverend *Thomas Kaye Bonney*, the Reverend *Robert Boon*, the Reverend *Charles Bush*, the Reverend *Gregory Bateman*, the Reverend *Edward Brown*, the Reverend *Hen. de Baker*, the Reverend *John Cheales*, the Reverend *Chr. Cookson*, *John Chapman*, the Reverend *Richard Carey*, the Honourable *Thomas Cecil* (commonly called Lord *Thomas Cecil*), *Edward Cayley*, *George Richards Denshire*, *John Dixon*, *Thomas Dove*, the Reverend *John Robert Deverill*, the Reverend *J G Dymoke*, the Reverend *Robert Deeker*, *John Eagleton*, *Stephen Eaton*, *George Fludger*, *Samuel Richard Fydell*, the Reverend *William Foster*, *Jonathan Gibbons*,

Gibbons, Horatio Thomas Gilchrist, Robert Hunt, the Reverend William Hildyard, Thomas Hotchkins, Cheselden Henson, James Hurst, William Hopkinson, William Landen Hopkinson M. D., Everson Harrison, the Reverend William Hardyman, the Reverend John Hopkinson, William Hunt, Sir Gilbert Heathcote Baronet, Gilbert John Heathcote M. P., the Reverend Thomas Toller Hurst, Robert Heathcote, the Reverend Samuel Edmund Hopkinson, Hardy, the Reverend Robert Henry Johnson, William Augustus Johnson, Thomas Kippesly Jackson, William Laxton, the Reverend Lamb, the Reverend Brownlow Villiers Layard, the Reverend Richard Lucas, Joseph Mawby, John Molecey, John Mills, Thomas Mills, the Reverend Hugh Monckton, Sir Gerard Noel Noel Baronet, Richard Newcomb, Richard Newcomb the younger, the Reverend Henry Nevill, Charles Noel, Edward Orme, Stafford O'Brien, Michael Pierrepont, the Reverend Peter William Pegus, the Reverend George Pochin, the Reverend Thomas Roberts, Thomas Birch Reynardson, William Stevenson, the Reverend Charles Swann, Nicholson Clarke Stevenson, the Reverend John Jackson Serocold, the Reverend Henry Shield, James Torkington, Thomas Tryon, Cotton Thompson, Sir John Trollope Baronet, William Thompson, the Reverend Richard Twopenny, John Ullett, John Wingfield, the Reverend William Wing, John Willis M. D., Francis Willis M. D., John Muxloe Wingfield, Sir Thomas Whichcote Baronet, and the Reverend Oldfield Wingfield, and their Successors, being duly qualified to act as Trustees of Turnpike Roads in England, shall be and they are hereby appointed Trustees for putting this Act into execution.

V. And be it further enacted, That it shall and may be lawful for the said Trustees, and they are hereby authorized and empowered, at any of their Meetings, to elect and appoint any Number of fit and proper Persons (not exceeding Five in the whole), in addition to the Trustees herein named and appointed, to be Trustees for the Purposes of this Act; and such Persons so elected and appointed, and being duly qualified to act as Trustees of Turnpike Roads in England, shall be Trustees for the Purposes of this Act, and are hereby invested with the same Powers and Authorities for executing this Act as if they had been herein named.

Power to
appoint
additional
Trustees.

VI. And be it further enacted, That the said Trustees shall meet on the First Day of June next after the passing of this Act, or as soon after as conveniently may be, between the Hours of Ten of the Clock in the Forenoon and Two of the Clock in the Afternoon, at the *George and Angel Inn* in *Stamford*, or at some other convenient Place in the Town of *Stamford* aforesaid, and shall then and there proceed to carry this Act into execution, and shall and may then and from Time to Time afterwards adjourn to and meet at such Times, and at such Place or Places on or near to the said Roads, as the said Trustees shall think proper and appoint.

First Meet-
ings of
Trustees.

VII. And be it further enacted, That it shall and may be lawful for the said Trustees, and their Lessees, Collectors, and other Persons duly authorized, to demand and take at each and every of the Turnpikes,

Power to
take Tolls.

piques, Toll Gates, Bars, or Chains which by virtue of this Act shall be continued or erected in, upon, or across, or on the Side or Sides of the said Road, or any Part thereof, and on every Day, such Day to be computed from Twelve of the Clock at Night to Twelve of the Clock on the next succeeding Night, the several Tolls following; (that is to say,)

Tolls.

For every Horse or other Beast drawing any Coach, Stage Coach, Diligence, Van, Caravan, Sociable, Landau, Berlin, Chariot, Cartee, Vis-a-vis, Barouche, Phaeton, Chaise Marine, Calash, Curricle, Chair, Gig, Tax Cart, Whiskey, Hearse, Litter, Break, Chaise, or other such like Carriage, the Sum of Sixpence :

For every Horse or other Beast of Draught drawing any Waggon, Wain, Cart, or other Carriage of the like kind, having the Wheels of the Breadth of Six or more Inches, the Sum of Three-pence :

For every Horse or other Beast of Draught drawing any Waggon, Wain, Cart, or other Carriage of the like kind, having the Wheels thereof of a less Breadth than Six Inches, the Sum of Four-pence Halfpenny :

For every Four-wheeled Carriage, in any Manner fixed to any Waggon, Wain, Cart, or other Carriage, if empty, Sixpence; but if in any Manner laden or having any Person therein, 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 Three-pence :

For every Pair of Millstones, or Block or Blocks of Timber, drawn by Five or more Horses or other Beasts of Draught, the Sum of Two Shillings and Sixpence :

For every Horse, Mule, or Ass, laden or unladen, and not drawing, the Sum of Three Halfpence :

For every Drove of Oxen or Neat Cattle, the Sum of Ten-pence *per* Score, and so in proportion for any greater or less Number :

And for every Drove of Calves, Swine, Sheep, or Lambs, the Sum of Five-pence *per* Score, and so in proportion for any greater or less Number :

Which said respective Tolls or Sums of Money shall be demanded and taken as aforesaid before any Horse, Mule, Ass, or other Beast or Cattle, or Carriage, upon which any Toll is by this Act imposed, shall be permitted to pass through any such Turnpike, Toll Gate, Bar, or Chain; and such respective Tolls or Sums of Money shall be and are hereby vested in the said Trustees, and shall be applied in manner herein-after directed.

Tolls to be paid but once for passing and repassing on the same Day.

VIII. And be it further enacted, That if the Toll hereby authorized to be taken shall have been paid for the passing of any Horse, Cattle, Beast, or Carriage through any one of the Toll Gates to be continued or erected by virtue of this Act, such Horse, Cattle, Beast, or Carriage shall, upon a Ticket being produced denoting the Payment of such Toll for that Day, (which Ticket the Collector or Collectors of such Tolls is and are hereby required to deliver *gratis* to the Person paying the same, and whereon shall be named and specified the Gate at which the same shall have been paid, and also the Gate or Gates, if any, freed by the Payment of such Toll,) be permitted to pass Toll-free

free through the same Toll Gate, and also through such other Gate or Gates as the Ticket for such Payment shall free, at any Time or Times during the same Day, to be computed as aforesaid, except as herein-after provided.

IX. Provided, and be it further enacted, That no more than One full Toll shall be demanded or taken, on the same Day, for or in respect of the same Horse or Horses, or other Beast or Cattle, or Carriage or Carriages, for passing and repassing through all the Toll Gates, Bars, or Chains to be continued or erected upon or on the Sides of the said Road, except as next herein-after provided.

One full Toll only to be paid on the same Day.

X. Provided always, and be it further enacted, That the Tolls hereby made payable shall be paid for and in respect of all Horses or other Beasts drawing any Stage Coach, Van, Caravan, or Stage Waggon, or other Stage Carriage, conveying Passengers or Goods for Pay or Reward, for every Time of passing or repassing along the said Road; and also for and in respect of all Horses or other Beasts drawing any Post Chaise or other Carriage travelling for Hire, for every Time of passing or repassing along the said Road, whenever a new Hiring thereof shall have taken place: Provided nevertheless, that no further or additional Toll shall be payable in respect of Stage Coaches on account only of the Horses drawing the same having been changed.

Stage Coaches, &c. to pay every Time of passing;

Post Chaises on every new Hiring.

XI. And be it further enacted, That the said Trustees, at any Meeting to be holden for that Purpose, (whereof at least Twenty-one Days Notice shall be given in Writing to be affixed on all the Toll Gates erected and to be erected upon and across the said Roads, and inserted in some One Newspaper published or circulated in the Counties of *Lincoln* and *Rutland*;) may and they are hereby authorized and empowered from Time to Time, in case it shall appear requisite or expedient so to do, to lessen and reduce and again to raise and advance the Tolls hereby authorized to be taken, or any of them, so that the respective Tolls so raised and advanced never exceed the Tolls by this Act authorized to be taken.

Power to vary the Tolls.

XII. And be it further enacted, That all Monies now in the Hands of the said Trustees, or which shall or may be collected or received under the Powers or Authority of this Act, shall be applied in the first place, in defraying the Costs, Charges, and Expences attending the applying for and obtaining and passing of this Act; in the next place, in paying off and discharging all Arrears of Interest in respect of the Money now due and owing on the Credit of the Tolls granted and made payable by the said recited Act hereby repealed; in the next place, in paying off and discharging the Interest on any Sums of Money which shall hereafter be borrowed or taken up at Interest on Security of the Tolls hereby granted; and in the next place, in defraying the Expence of continuing, providing, erecting, and keeping in repair the Turnpikes, Toll Houses, and other Buildings, and in amending, widening, improving, and keeping in repair the said Road; and the Residue of the Monies so to be collected and received shall be applied in paying all Principal Monies

Application of the Tolls and other Monies.

due and owing on the Credit of the said recited Acts and this Act, and in defraying all other necessary Costs, Charges, and Expences attending the same, in such Manner as the said Trustees shall from Time to Time appoint.

No Money to be expended in repairing Streets.

XIII. And be it further enacted, That it shall not be lawful for the said Trustees to apply, expend, or appropriate any of the Tolls hereby granted, or any of the Monies raised by virtue of the said recited Act, or to be raised by virtue of this Act, in or towards the repairing, lighting, or improving any of the Streets, Highways, or Places within the said Town of *Stamford*, or any other Town through or into which the said Road passes, or to collect any Tolls therein.

Penalty for hanging out Clothes, &c.

XIV. And be it further enacted, That if any Person or Persons shall hang or put or place out any Linen or other Clothes on any Line, Bank, Rail, or Fence adjoining the said Road, or shall hang or put or place any Hook or Hooks, or other Thing or Things, to, from, or in any House, Shop, or Place adjoining or being near to the said Road, so as to project into the said Road or be an Annoyance to any Person or Cattle passing thereon, or prevent the free and safe Use of the whole Breadth of the said Road, every Person offending in any of the Cases aforesaid shall pay a Sum not exceeding Forty Shillings for every Offence; and such Penalty shall be levied and recovered (together with the necessary Costs and Charges of levying the same) by the same Ways and Means as any Penalty or Forfeiture for any Nuisance committed in or upon any Turnpike Road may by Law be levied or recovered; and one Moiety of such Penalty shall be paid to the Informer, and the other Moiety thereof shall be paid to the Treasurer to the said Trustees, and be applied and disposed of for the Purposes of this Act.

Public Act.

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

Term of Act.

XVI. And be it further enacted, That this Act shall commence on the First Day of *June* next after 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.

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