

[17 & 18 GEO. 5.] *Gainsborough Bridge* [Ch. lxxxvii.]  
(Acquisition) Act, 1927.



## CHAPTER lxxxvii.

An Act to authorise the county councils of the administrative counties of Nottingham and of the Parts of Lindsey Lincolnshire and the Gainsborough Urban District Council to purchase and the Company of Proprietors of Gainsborough Bridge to sell to them the undertaking and property of that Company and for other purposes. A.D. 1927.

[29th July 1927.]

**W**HEREAS by the Act 27 George III cap. xv. intituled "An Act for building a Bridge at or near the Ferry over the River Trent from Gainsborough in the County of Lincoln to the opposite shore in the Parish of Saundby in the County of Nottingham" (hereinafter referred to as "the Act of 1787") the Company of Proprietors of Gainsborough Bridge (hereinafter referred to as "the Company") were incorporated and were authorised to build a bridge over the River Trent from Gainsborough in the county of Lincoln to Saundby in the county of Nottingham and to charge tolls for persons animals and vehicles passing over the said bridge :

And whereas the Company constructed and now own the said bridge which forms one of the principal means of communication between the county of Lincoln and the remainder of the country in addition to being the only bridge forming a means of communication between the counties of Lincoln and Nottingham in or near to the town of Gainsborough and the Company under

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And whereas it has been agreed between the Company on the one hand and the county councils of the administrative counties of Nottingham and of the Parts of Lindsey Lincolnshire and the Gainsborough Urban District Council (which councils are hereinafter referred to as "the three Councils") on the other hand that subject to the necessary statutory powers being obtained the Company shall sell to the three Councils and the three Councils shall purchase for the sum of one hundred and thirty thousand pounds the undertaking and property of the Company with a view to the eventual abolition of the tolls chargeable for the use of the said bridge and it is expedient that the agreement for such sale and acquisition set forth in the First Schedule to this Act should be confirmed and that the provisions contained in this Act with respect to the extinguishment of the said tolls should be enacted :

And whereas with the object of defining in relation to modern conditions the rights of the three Councils or the Joint Committee constituted by this Act on their behalf in regard to the levying of tolls it is expedient that the tolls set forth in the Third Schedule to this Act should be authorised for the period during which tolls are chargeable under the provisions of this Act :

And whereas it is expedient that the other provisions contained in this Act should be enacted :

And whereas the purposes of this Act cannot be effected without the authority of Parliament :

And whereas the three Councils have agreed that subject to the Minister of Transport agreeing to contribute one-half of the cost of acquiring the said undertaking and property and of obtaining this Act they will defray in the proportions referred to in this Act the remainder of such cost :

And whereas in relation to the Bill for this Act the requirements of the Borough Funds Acts 1872 and 1903 so far as the same are applicable to the three Councils respectively have been observed :

May it therefore please Your Majesty that it may be enacted and be it enacted by the King's most Excellent Majesty by and with the advice and consent of the Lords

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Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows (that is to say):—

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PART I.

PRELIMINARY.

1. This Act may be cited as the *Gainsborough Bridge (Acquisition) Act 1927.* Short title.

2. This Act is divided into Parts as follows:— Act divided into Parts.

Part I.—Preliminary.

Part II.—Transfer of undertaking and dissolution of company.

Part III.—Constitution and powers of Joint Committee.

Part IV.—Tolls.

Part V.—Financial and miscellaneous provisions.

3. In this Act unless the subject or context otherwise requires— Interpretation.

“The Lindsey Council” means the county council of the administrative county of the Parts of Lindsey Lincolnshire;

“The Nottinghamshire Council” means the county council of the administrative county of Nottingham;

“The County Councils” means the Lindsey Council and the Nottinghamshire Council;

“The Gainsborough Council” means the Gainsborough Urban District Council;

“The three Councils” means the County Councils and the Gainsborough Council;

“The Joint Committee” means the Joint Committee of representatives of the three Councils incorporated by this Act;

“The county fund” and “the county rate” mean respectively the county fund and the county rate of the administrative county of the Parts of Lindsey Lincolnshire or of the administrative county of Nottingham according as the context requires;

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- “The district fund” and “the district rate” mean respectively the district fund and the general district rate of the urban district of Gainsborough;
- “The Act of 1787” means the Act 27 George III cap. xv;
- “The Company” means the Company of Proprietors of Gainsborough Bridge incorporated by the Act of 1787;
- “Directors” means members of the committee of proprietors of the Company appointed pursuant to the Act of 1787;
- “Shareholders” or “holders of shares” means proprietors of the Company;
- “The appointed day” means the thirty-first day of October one thousand nine hundred and twenty-seven or the later date of the actual payment or tender of the purchase money payable under the scheduled agreement;
- “The scheduled agreement” means the agreement set forth in the First Schedule to this Act;
- “The bridge” means the existing Gainsborough Bridge constructed under the powers of the Act of 1787 and the site thereof and the ascents or approaches thereto;
- “The toll rights” means the rights of the Company to ask demand receive recover and take for pontage as or in the name of a toll or duty the sums authorised in that behalf by the Act of 1787;
- “The toll period” means the period during which the toll rights shall continue to be exerciseable by the Joint Committee under the provisions of this Act;
- “The toll revenue” means the revenue derived by the Joint Committee from the collection of tolls;
- “The undertaking of the Company” means the bridge and the toll-houses and conveniences erected thereon and the toll rights and the rights of ferry vested in the Company by the Act of 1787 or otherwise and all other lands property rights powers privileges exemptions

and interests of every description vested in or exerciseable or enjoyed by the Company under or by virtue of the Act of 1787 or exerciseable used or enjoyed by the Company as the owners of or with or in connection with the bridge howsoever the same may have been acquired or are held used exercised or enjoyed but does not include—

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(a) Any investments belonging to the Company; or

(b) Any moneys standing to the credit of the Company at their bankers or in the hands of any other person persons or body on their behalf; or

(c) Such of the minute books books of account and other books and papers belonging to the Company as may properly be required by them for the purposes of the winding up and dissolution of the Company;

“Financial year” means any period of twelve months ending on the thirty-first day of March;

“Statutory security” means in relation to the Gainsborough Council any security in which trustees are for the time being by or under any Act of Parliament passed or to be passed authorised to invest trust money and any mortgage bond debenture debenture stock stock or other security authorised by or under any Act of Parliament passed or to be passed of any county council or municipal corporation or other local authority as defined by section 34 of the Local Loans Act 1875 but does not include annuities rentcharges or securities transferable by delivery or any securities of the Gainsborough Council.

## PART II.

### TRANSFER OF UNDERTAKING AND DISSOLUTION OF COMPANY.

4. The agreement dated the seventeenth day of January one thousand nine hundred and twenty-seven and made between the three Councils of the one part

Confirmation of scheduled agreement.

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Purchase  
and vesting  
of under-  
taking of  
Company.

5.—(1) On the appointed day the Joint Committee shall pay to the Company the purchase money payable to them under the provisions of the scheduled agreement and all other sums (if any) payable to them pursuant to that agreement and upon such payment and as from the appointed day—

(a) The undertaking of the Company (other than the toll rights) shall by virtue of this Act be transferred to and vest in the County Councils jointly and the bridge shall subject to the provisions of this Act but notwithstanding anything contained in the Act of 1787 become and be a county bridge under the joint jurisdiction control and management of the County Councils and shall be maintained by them accordingly at their joint expense; and

(b) the toll rights shall by virtue of this Act and subject to the provisions thereof be transferred to and vest in the Joint Committee.

(2) A receipt in writing under the hands of any two or more of the directors and the treasurer of the Company for the sums payable to the Company as aforesaid shall for all purposes be a sufficient discharge for the payment thereof.

Undertaking  
of Company  
to vest free  
from all  
liabilities  
&c.

6. The undertaking of the Company shall vest in the County Councils and the Joint Committee respectively as aforesaid freed and discharged from all debentures mortgages charges debts and liabilities (if any) affecting the same except as hereinafter provided and all such debentures mortgages charges debts and liabilities shall be discharged by the Company before the appointed day and if not so discharged shall be charged upon and paid out of the purchase money payable to the Company under the provisions of the scheduled agreement. Provided that any liabilities (other than any liability in the nature of a mortgage or charge or in

respect of any debt incurred or accrued before or up to the appointed day) existing under any such agreement as is referred to in the section of this Act of which the marginal note is "Contracts to be binding" shall as from the appointed day so far as such liabilities affect the toll rights be binding on the Joint Committee and so far as such liabilities affect the undertaking of the Company (other than the toll rights) be binding on the County Councils.

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7.—(1) All contracts agreements conveyances deeds leases and other instruments affecting the undertaking of the Company and subsisting or in force on the appointed day shall (except as by this Act otherwise provided) as from the appointed day be as binding and of as full force and effect against or in favour of—

Contracts to be binding.

(a) the County Councils as respects any such contract agreement conveyance deed lease or other instrument affecting the undertaking of the Company (other than the toll rights); and

(b) the Joint Committee as respects any such contract agreement conveyance deed lease or other instrument affecting the toll rights;

and may be enforced as fully and effectually as if instead of the Company the County Councils or the Joint Committee (as the case may be) had been a party thereto or bound thereby or entitled to the benefit thereof. Provided that no contract agreement conveyance deed lease or other instrument made or entered into by the Company after the date of the scheduled agreement shall be binding on or of any force or effect against or in favour of the County Councils or the Joint Committee if made or entered into without the consent in writing of the three Councils.

(2) If and so far as it is necessary for the purposes of this section the rights and liabilities of the Company on the one hand and the County Councils or the Joint Committee on the other hand shall be apportioned between them and any necessary adjustments shall be made.

8. All books and documents which if this Act had not been passed would have been evidence in respect of any matter for or against the Company shall be admitted

Books &c. to remain evidence.

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A.D. 1927. in evidence in respect of the same or the like matter for or against the Joint Committee or the County Councils as the case may require.

Obligations  
of Company  
to cease  
as from  
appointed  
day.

9. As from the appointed day all liability of the Company to repair and maintain the bridge or to provide or maintain a ferry in lieu thereof and (subject to the provisions of the sections of this Act of which the marginal notes are respectively "Undertaking of Company to vest free from all liabilities &c." "Contracts to be binding" and "Company to wind up affairs") all other liabilities or obligations of the Company in relation to the undertaking of the Company shall cease and determine.

Company to  
wind up  
affairs.

10.—(1) From and after the appointed day the Company shall continue to exist only for the purpose of discharging paying and satisfying the mortgages charges debts debentures and liabilities (if any) upon or affecting the undertaking of the Company or due or payable by the Company and for the purpose of bringing defending settling or compounding any actions accrued or accruing and of receiving and recovering the purchase money payable to the Company in accordance with the provisions of this Act and of winding up the affairs of the Company and carrying into effect the purposes of this Act so far as they relate to the Company. The directors who are in office on the appointed day and the survivors or survivor of them shall continue without re-election to hold the office of directors and they or a majority of them shall have full power and authority to take all necessary proceedings for carrying into effect the several purposes of this section. If the number of directors be reduced by death resignation or otherwise below nine before the completion of the winding up the continuing directors shall from time to time choose a shareholder or shareholders of the Company to fill the vacancy or vacancies so caused.

(2) Forthwith after the appointed day the directors shall proceed to wind up the affairs of the Company and after discharging paying and satisfying the mortgages charges debts debentures and liabilities (if any) upon or affecting the undertaking of the Company or due from or payable by the Company and the settlement of outstanding actions as aforesaid (including the costs and



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expenses of and incidental to the winding up of the affairs of the Company and carrying into effect the purposes of this Act) shall pay and distribute the net moneys remaining in their hands and available for distribution to and among the several persons who at the appointed day are the registered holders of shares in the capital of the Company or their respective executors administrators or assigns according to the amount of the shares held by them respectively and for the purpose of such distribution the several persons whose names shall appear in the books of the Company at the appointed day as the proprietors of shares therein shall unless the contrary be proved to the satisfaction of the directors be considered to be shareholders of the Company and the receipt in writing of such persons or of their executors administrators or assigns or of the committee or guardian of the estate of any such person who shall be an idiot lunatic or minor shall be an effectual discharge to the Company and the directors for the money therein expressed to be received and shall exonerate them from any obligation affecting the shares or interest in respect whereof that money is paid.

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(3) If the directors are for six months after the appointed day unable after diligent inquiry to ascertain the person to whom any money ought to be paid or who can give an effectual receipt for the same or if there is no person able to give an effectual receipt therefor the directors may pay the said money into the High Court or where the amount does not exceed five hundred pounds into the county court of Lincolnshire holden at Gainsborough under any Act for the time being in force for the relief of trustees and every such payment into court shall effectually discharge the Company and the directors from all further liability with respect to the money so paid in.

11. When and so soon as the Company shall have completed the winding up of their affairs (as to which a certificate in writing under the hands of any two or more of the directors and the clerk of the Company shall be filed with the clerk of the peace for the Parts of Lindsey and shall be conclusive evidence) the Company shall by virtue of this Act be dissolved and wholly cease to exist.

Dissolution  
of Company.

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PART III.

CONSTITUTION AND POWERS OF JOINT COMMITTEE.

Establish-  
ment of  
Joint Com-  
mittee.

**12.**—(1) A Joint Committee to be called “the Gainsborough Bridge Joint Committee” shall be and is hereby incorporated for the purpose of exercising for and on behalf of the three Councils the powers by this Act conferred upon the Joint Committee and such other powers (if any) by this Act conferred upon the three Councils as may from time to time be delegated to the Joint Committee by the three Councils.

(2) The Joint Committee shall subject to the provisions of this Act be a body corporate with perpetual succession and a common seal and with power to acquire hold and dispose of lands and shall consist of three members to be appointed by the Lindsey Council three members to be appointed by the Nottinghamshire Council and three members to be appointed by the Gainsborough Council and the chairman and vice-chairman of the Joint Committee shall be appointed by and from the members of the Joint Committee but shall not both be persons appointed by the same council.

(3) Subject to the provisions of this Act the provisions of the Second Schedule to this Act with respect to the constitution and proceedings of the Joint Committee shall have effect.

(4) The proceedings of the Joint Committee shall not require the approval of the three Councils or any of them but the Joint Committee shall comply with any directions or instructions from time to time given to them in writing by the three Councils jointly.

Standing  
arbitrator.

**13.**—(1) At the first meeting of the Joint Committee and subsequently at the first meeting of the Joint Committee held after the first day of April in each year a standing arbitrator shall be appointed to determine questions submitted to him under the provisions of this Act and unless three-fourths of the members of the Joint Committee present and voting at a meeting of the Joint Committee holden not earlier than the seventh day after notice calling the meeting and specifying the object of the meeting agree in the choice of a standing arbitrator he shall from time to time be a person nominated by the Minister of Transport.

(2) This Act shall be deemed within the meaning and for the purposes of the Arbitration Act 1889 to be a submission by the Joint Committee to the standing arbitrator as a single arbitrator of all differences which by this Act are referred to the decision of the standing arbitrator.

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(3) Every standing arbitrator chosen or appointed under the provisions of this Act shall continue in office for one year from the time of his appointment and thereafter until re-appointment or until the appointment of another standing arbitrator by the Joint Committee unless in any case the office is sooner vacated by death incapacity to act resignation or otherwise in which case a standing arbitrator shall be chosen or appointed in his place in manner hereinbefore provided but to hold office only to the end of the period for which his predecessor was appointed.

(4) Any standing arbitrator vacating office shall be capable of re-appointment.

(5) The remuneration of the standing arbitrator shall be fixed from time to time by the Joint Committee and shall be paid as part of the expenses of the Joint Committee under this Act.

14.—(1) If any question as to any matter in which the interests of the three Councils are not identical (as to which a memorandum in writing under the hands of a majority of the members of the Joint Committee representing any one of the three Councils shall be conclusive) arise at a meeting of the Joint Committee then on the request in writing of the representatives or of the majority of the representatives of any one of the three Councils signified under their hands and delivered to the chairman or clerk of the Joint Committee within ten days after such meeting such question shall be referred to the standing arbitrator and shall be decided by him notwithstanding that his term of office expires before his decision shall have been given.

References  
to standing  
arbitrator.

(2) The decision of the standing arbitrator shall in all cases be final and binding on the Joint Committee and on the three Councils.

(3) The standing arbitrator shall nevertheless on the request of the Joint Committee or of a majority of the members representing any one of the three Councils on

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Accounts of  
Joint Com-  
mittee.

**15.**—(1) The accounts of the receipts and expenditure of the Joint Committee and of any sub-committees of the Joint Committee shall be made up and audited in like manner and subject to the same provisions as the accounts of a county council and the enactments relating to the audit of those accounts and to all matters incidental thereto or consequential thereon (including the penal provisions of those enactments) shall apply and have effect as if they were herein re-enacted and in terms made applicable.

(2) The said accounts and all minute books of the Joint Committee and of any sub-committees of the Joint Committee shall at all reasonable times be open to inspection and transcription without payment by any member of any of the three Councils or by any officer of any of the three Councils authorised by such council for that purpose.

(3) The Joint Committee shall every year within two months after the closing of their financial year or such longer period as the Minister of Transport may allow furnish to the Minister of Transport a copy of their annual accounts as made up.

(4) A copy of the auditor's report and of the abstract of the accounts of the Joint Committee when duly audited shall be sent by the Joint Committee to each of the three Councils.

Dissolution  
of Joint  
Committee.

**16.**—(1) Upon and as from the date of the expiration of the toll period the Joint Committee shall continue to exist only for the purpose of making up and completing their accounts for the final year of the toll period and procuring the same to be audited and of paying to the three Councils their respective proportions of any surplus of the toll revenue for that year and generally of winding up the affairs of the Joint Committee and upon the completion of all such matters (as to which a certificate in writing under the hands of the chairman for the time being of the Joint Committee and the clerk to the Joint Committee shall be conclusive evidence) the Joint

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Committee shall cease to exist and shall be by virtue of this Act dissolved. A.D. 1927.

(2) Upon the dissolution as aforesaid of the Joint Committee any lands or other property vested in the Joint Committee shall become and thenceforth be the property of the County Councils jointly and all rights and powers exercisable by the Joint Committee under the authority of this Act shall (so far as such rights and powers shall continue to be exercisable under the provisions of this Act) become and thenceforth be exercisable by the County Councils jointly.

PART IV.

TOLLS.

17. The Joint Committee may exercise the toll Tolls. rights until—

(a) the expiration of the period of eight years from the appointed day; or

(b) the end of the financial year of the Joint Committee in which the aggregate amount of the tolls collected by them in pursuance of this Act in respect of traffic using the bridge (after deducting therefrom—

(i) the amount of the expenses incurred in and about such collection and all other charges costs and expenses payable by the Joint Committee; and

(ii) one equal fourth part of the costs charges and expenses preliminary to and of and incidental to the preparing applying for obtaining and passing of this Act or consequent on such passing and of such costs as are payable to the Company under the scheduled agreement)

shall amount to thirty-two thousand five hundred pounds together with a sum representing (a) the aggregate amount of interest actually payable during the interest period as hereinafter defined by the three Councils or any of them upon so much as shall from time to time remain outstanding of any sums borrowed by them respectively for the purposes (b) and (d) mentioned in

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the tables set forth in the sections of this Act of which the marginal notes are respectively "Power to Lindsey Council to borrow" "Power to Nottinghamshire Council to borrow" and "Power to Gainsborough Council to borrow" and (b) the aggregate amount of interest at the rate of five per centum per annum for each year of the interest period as hereinafter defined on so much (if any) of the sums authorised to be borrowed for the said purposes as shall have been provided by the three Councils or any of them in the manner authorised by the section of this Act of which the marginal note is "Power to three Councils to provide contributions out of rates" and shall from time to time not have been repaid pursuant to subsection (2) of the section of this Act of which the marginal note is "Application of toll revenue"

(whichever shall first happen) and as from the expiration of the said period of eight years or the end of the said financial year the toll rights shall cease and determine.

The interest period shall extend from the commencement of the toll period until the Joint Committee shall have repaid in accordance with the provisions of the section of this Act of which the marginal note is "Application of toll revenue" to each of the three Councils the moneys provided by them for the purposes (b) and (d) mentioned in the tables set forth in the sections of this Act of which the marginal notes are respectively "Power to Lindsey Council to borrow" "Power to Nottinghamshire Council to borrow" and "Power to Gainsborough Council to borrow."

Defining  
maximum  
tolls.

**18.** The toll rights shall be deemed to entitle the Joint Committee to charge during the toll period such tolls as they may from time to time think fit not exceeding the tolls set forth in the Third Schedule to this Act.

Revision of  
tolls.

**19.**—(1) The Minister of Transport may at any time and from time to time on the application of the Joint Committee by order revise add to or vary all or any of the tolls set forth in the Third Schedule to this Act and may fix the date as from which such order shall take effect and thenceforth such order shall be observed until the

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same expires or is revoked or modified by a further order of the said Minister made in pursuance of this section and during the continuance of any such order the tolls therein authorised shall be leviable and chargeable as if the same were expressly authorised by this Act. Provided that before making any order under this section the Minister may if he thinks fit cause an inquiry to be held with reference thereto in pursuance of the Board of Trade Arbitrations &c. Act 1874 which Act shall apply for the purposes of this Act:

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Provided also that no such revision or variation as aforesaid shall be made so that (so far as can be estimated) the toll revenue will be so reduced that the aggregate amount referred to in the section of this Act of which the marginal note is "Tolls" (after making the deductions referred to in that section) is not received within the period of eight years from the appointed day.

(2) An application made to the Minister under this section shall be accompanied by such information and particulars as the Minister may deem necessary certified in such manner as he may require and the Minister and the person holding an inquiry for the purposes of this section may call for such documents and accounts as they may consider relevant and may hear such witnesses as they shall think fit and shall have power to take evidence on oath and for that purpose may administer oaths.

**20.** The Joint Committee may during the toll period occupy and use and shall maintain the existing toll-houses toll-gates and other conveniences provided for or in connection with the collection of tolls and may from time to time with the consent in writing of the three Councils provide set up maintain and remove upon or near to the bridge such other toll-houses toll-gates and conveniences as may be necessary or convenient for or in connection with the exercise and discharge of their powers and duties.

Power to provide toll houses &c.

**21.** The list of tolls which shall from time to time be charged by the Joint Committee under the powers of this Act shall at all times be exhibited in a conspicuous place at or near the bridge.

List of tolls to be exhibited.

**22.** The tolls to be demanded and taken by the Joint Committee under the powers of this Act shall be paid to such persons and at such place at or near the

Regulations as to payment of tolls.

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Power to compound for payment of tolls.

**23.** The Joint Committee may compound and agree with any person using the bridge for the passage thereover of animals or vehicles. Provided that such compositions shall be paid in advance and in the like circumstances at all times charged equally to all persons.

Prohibiting passage over bridge except on payment of tolls.

**24.** Except with the consent of the Joint Committee it shall not be lawful for any animal or vehicle in respect of which a composition has not been paid under the provisions of the section of this Act of which the marginal note is "Power to compound for payment of tolls" to pass over the bridge unless the person in charge of any such animal or vehicle shall pay to the Joint Committee in respect of such passage the toll payable according to the list exhibited pursuant to the section of this Act of which the marginal note is "List of tolls to be exhibited" and the Joint Committee may take all such steps as may be necessary for preventing the passage of such animal or vehicle otherwise than on payment of such toll.

Apportionment of tolls between Company and Joint Committee.

**25.** The Company shall be entitled to all tolls for the use of the bridge up to and including the day preceding the appointed day and the Joint Committee shall be entitled to all tolls for the use of the bridge on and after the appointed day and if and so far as may be necessary for the purposes of this section there shall be an apportionment of tolls between the Company and the Joint Committee and any necessary adjustment shall be made.

Exemption from tolls in case of persons in service of Crown &c.

**26.** Without prejudice to any existing right of His Majesty and save as provided by the Army Act and the Air Force Act nothing in this Act shall extend to authorise any tolls to be demanded or received from any person when on duty in the service of the Crown or for any animal vehicle or goods the property of or when being used in the service of the Crown or returning after being so used or from any police officer acting in the execution of his duty or for any mail bag as defined by the Post Office Act 1908. If any person wilfully and with intent to defraud claims or takes the benefit of any such exemp-



tion as aforesaid without being entitled thereto he shall for every such offence be liable on summary conviction to a fine not exceeding ten pounds.

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## PART V.

### FINANCIAL AND MISCELLANEOUS PROVISIONS.

**27.**—(1) The three Councils shall respectively be liable for the proportions hereinafter specified of the costs charges and expenses of carrying the provisions of this Act into execution (so far as the same are not by this Act otherwise provided for) after deducting any amount which may be contributed by the Minister of Transport or any proportion of the said sums for which the said Minister may agree to be liable. The said proportions are as follows (that is to say) :—

Contributions by three Councils.

The Lindsey Council—thirty-seven and a half per centum;

The Nottinghamshire Council—twenty-five per centum;

The Gainsborough Council—thirty-seven and a half per centum.

(2) The amount representing the proportion of the said sums for which any one of the three Councils is liable under the provisions of this section is in this Part of this Act referred to as the “contribution” of that council.

**28.**—(1) The Joint Committee shall be entitled on behalf of the three Councils to receive from the Minister of Transport the sums which the said Minister may agree to contribute towards the purchase money and other sums (if any) payable to the Company pursuant to the scheduled agreement.

Provision of purchase money &c.

(2) The three Councils shall on or before the appointed day pay to the Joint Committee their respective contributions towards such a sum as (together with any amount received by the Joint Committee from the Minister of Transport by way of contribution towards the purchase money and other sums (if any) payable to the Company pursuant to the scheduled agreement) will suffice to enable the Joint Committee to make the payment to the Company provided for by the section of this Act of which the marginal note is “Purchase and vesting of undertaking of Company.”

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(3) A receipt in writing under the seal of the Joint Committee for any moneys paid to the Joint Committee under the provisions of this section shall be a sufficient discharge to the Minister of Transport and the three Councils respectively for the moneys so paid.

Power to  
Lindsey  
Council to  
borrow.

29. The Lindsey Council may subject to the provisions of this Act (in addition to any moneys which they are now authorised to borrow or which they may hereafter be authorised to borrow) borrow at interest for the purposes set forth in the first column of the following table the sums requisite for those respective purposes and all moneys so borrowed shall be charged on the county fund and the county rate and shall be repaid within the respective periods mentioned in the second column of the said table (that is to say):—

Purpose.	Period for Repayment.
(a) For paying three equal thirty-second parts of the purchase money and other sums (if any) payable to the Company under the scheduled agreement.	Fifty years from the date or dates of borrowing.
(b) For paying three other equal thirty-second parts of such purchase money and other sums.	Ten years from the date or dates of borrowing.
(c) For paying three equal thirty-second parts of the costs charges and expenses of this Act as hereinafter defined.	Five years from the passing of this Act.
(d) For paying three other equal thirty-second parts of the said costs charges and expenses.	Five years from the passing of this Act.

Power to  
Notting-  
hamshire  
Council to  
borrow.

30. The Nottinghamshire Council may subject to the provisions of this Act (in addition to any moneys which they are now authorised to borrow or which they may hereafter be authorised to borrow) borrow at interest for the purposes set forth in the first column of the following table the sums requisite for those respective purposes and all moneys so borrowed shall be charged on the county fund and the county rate and shall be repaid

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within the respective periods mentioned in the second column of the said table (that is to say) :— A.D. 1927.

Purpose.	Period for Repayment.
(a) For paying one equal sixteenth part of the purchase money and other sums (if any) payable to the Company under the scheduled agreement.	Fifty years from the date or dates of borrowing.
(b) For paying one other equal sixteenth part of such purchase money and other sums.	Ten years from the date or dates of borrowing.
(c) For paying one equal sixteenth part of the costs charges and expenses of this Act as hereinafter defined.	Five years from the passing of this Act.
(d) For paying one other equal sixteenth part of the said costs charges and expenses.	Five years from the passing of this Act.

**31.** The Gainsborough Council may subject to the provisions of this Act (in addition to any moneys which they are now authorised to borrow or which they may hereafter be authorised to borrow) borrow at interest for the purposes set forth in the first column of the following table the sums requisite for those respective purposes and all moneys so borrowed shall be charged on the district fund and the district rate and shall be repaid within the respective periods (each of which is in this Act referred to as "the prescribed period") mentioned in the second column of the said table (that is to say) :—

Power to Gainsborough Council to borrow.

Purpose.	Period for Repayment.
(a) For paying three equal thirty-second parts of the purchase money and other sums (if any) payable to the Company under the scheduled agreement.	Fifty years from the date or dates of borrowing.
(b) For paying three other equal thirty-second parts of the said purchase money and other sums.	Ten years from the date or dates of borrowing.

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A.D. 1927:

Purpose.	Period for Repayment.
(c) For paying three equal thirty-second parts of the costs charges and expenses of this Act as hereinafter defined.	Five years from the passing of this Act.
(d) For paying three other equal thirty-second parts of the said costs charges and expenses.	Five years from the passing of this Act.

Additional power to the three Councils to borrow.

**32.**—(1) The three Councils may respectively with the consent of the Minister of Health borrow such moneys as may be necessary for any of the purposes of this Act in addition to the sums referred to in the sections of this Act of which the marginal notes are respectively “ Power to Lindsey Council to borrow ” “ Power to Nottinghamshire Council to borrow ” and “ Power to Gainsborough Council to borrow.”

(2) Any moneys borrowed under the powers of this section shall be repaid within such period as may be prescribed by the Minister of Health.

(3) In order to secure the repayment of any money borrowed under the powers of this section and the payment of interest thereon the three Councils may respectively mortgage or charge such funds or rates as may be prescribed by the Minister of Health.

Regulations in section 69 of Local Government Act 1888 not to apply.

**33.** The powers of borrowing money given by this Act to the County Councils shall not be restricted by any of the regulations contained in section 69 (Borrowing by county council) of the Local Government Act 1888 and in calculating the amounts which the County Councils may respectively borrow under that Act or any other enactment any sums which they may borrow under this Act shall not be reckoned. Subject as aforesaid any sums so borrowed shall be borrowed under and subject to the provisions (so far as applicable) of the said Act of 1888 as amended by this Act save that the consent of the Minister of Health shall not be required to the borrowing or the period of repayment of any of the sums referred to in the sections of this Act of which the marginal notes are respectively “ Power to Lindsey Council to borrow ” and “ Power to Nottinghamshire Council to borrow ” and that if the County Councils or either of them determine

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to pay off the said sums otherwise than by one of the methods prescribed in subsection (6) of section 69 of the said Act of 1888 they may do so by instalments of principal (not necessarily equal in amount but so that the aggregate amount of instalments paid by either of the County Councils in any financial year other than the financial year in which the final instalment is paid is not less than the yearly amount which would have been payable by that County Council if the said sums had been required to be paid off by equal instalments of principal) payable at such intervals not exceeding one year as they may from time to time determine. A.D. 1927.  
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**34.**—(1) The powers of borrowing money given by this Act to the Gainsborough Council shall not be restricted by any of the regulations contained in section 234 (Regulations as to exercise of borrowing powers) of the Public Health Act 1875 and in calculating the amount which the Gainsborough Council may borrow under that Act any sums which they may borrow under this Act shall not be reckoned. Provisions relating to borrowing by Gainsborough Council.

(2) The Gainsborough Council may raise all or any moneys which they are authorised to borrow under this Act by mortgage or by the issue of debentures or annuity certificates under and subject to the provisions of the Local Loans Act 1875 or partly in one way and partly in another or others Provided that the provisions of subsection (5) of this section shall apply to sinking funds formed for the repayment of moneys borrowed by the Gainsborough Council under the Local Loans Act 1875 instead of the provisions of sections 15 and 16 of that Act.

(3) The following sections of the Public Health Act 1875 shall extend and apply to mortgages granted by the Gainsborough Council under this Act (that is to say):—

- Section 236 (Form of mortgage);
- Section 237 (Register of mortgages);
- Section 238 (Transfer of mortgages);
- Section 239 (Receiver may be appointed in certain cases).

(4) The Gainsborough Council shall pay off all moneys borrowed by them on mortgage under the powers of this Act either by instalments of principal (payable at intervals not exceeding one year and not necessarily

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equal in amount but so that the aggregate amount of instalments paid in any financial year other than the financial year in which the final instalment is paid is not less than the yearly amount which would have been payable if the Gainsborough Council had been required to pay off the said moneys by equal instalments of principal) or by equal yearly or half-yearly instalments of principal or of principal and interest combined or by means of a sinking fund or partly by such instalments and partly by a sinking fund and the payment of the first instalment or the first payment to the sinking fund shall be made within twelve months if by yearly repayments or within six months if by half-yearly repayments from the time of borrowing the sum in respect of which the payment is made.

(5) (a) If the Gainsborough Council determine to repay by means of a sinking fund any moneys borrowed by virtue of this Act such sinking fund shall be formed and maintained either—

(i) by payment to the fund throughout the prescribed period of such equal annual sums as will together amount to the moneys for the repayment of which the sinking fund is formed. A sinking fund so formed is hereinafter called a "non-accumulating sinking fund"; or

(ii) by payment to the fund throughout the prescribed period of such equal annual sums as with accumulations at a rate not exceeding three pounds ten shillings per centum per annum or such higher rate as the Minister of Health may from time to time approve will be sufficient to pay off within the prescribed period the moneys for the repayment of which such sinking fund is formed. A sinking fund so formed is hereinafter called an "accumulating sinking fund."

(b) Every sum paid to a sinking fund and in the case of an accumulating sinking fund the interest on the investments of the sinking fund shall unless applied in repayment of the loan in respect of which the sinking fund is formed be immediately invested in statutory securities the Gainsborough Council being at liberty from time to time to vary and transpose such investments.

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(c) In the case of a non-accumulating sinking fund the interest on the investments of the fund may be applied by the Gainsborough Council towards the equal annual payments to the fund.

(d) The Gainsborough Council may at any time apply the whole or any part of any sinking fund in or towards the discharge of the moneys for the repayment of which the fund is formed. Provided that in the case of an accumulating sinking fund the Gainsborough Council shall pay into the fund each year and accumulate during the residue of the prescribed period a sum equal to the interest which would have been produced by such sinking fund or part thereof so applied if invested at the rate per centum per annum on which the annual payments to the sinking fund are based.

(e) (i) If and so often as the income of an accumulating sinking fund is not equal to the income which would be derived from the amount invested if the same were invested at the rate per centum per annum on which the annual payments to the fund are based any deficiency shall be made good by the Gainsborough Council.

(ii) If and so often as the income of an accumulating sinking fund is in excess of the income which would be derived from the amount invested if the same were invested at the rate per centum per annum on which the annual payments to the fund are based any such excess may be applied towards such annual payments.

(f) Any expenses connected with the formation maintenance investment application management or otherwise of any sinking fund under this section shall be paid by the Gainsborough Council in addition to the payments provided for by this Act.

(g) If it appears to the Gainsborough Council at any time that the amount in the sinking fund with the future payments thereto in accordance with the provisions of this section together with the probable accumulations thereon (in the case of an accumulating sinking fund) will not be sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed it shall be the duty of the Gainsborough Council to make such increased payments to the sinking fund as will cause the sinking

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A.D. 1927. — fund to be sufficient for that purpose. Provided that if it appears to the Minister of Health that any such increase is necessary the Gainsborough Council shall increase the payments to such extent as the Minister of Health may direct.

(*h*) If the Gainsborough Council desire to accelerate the repayment of any loan they may increase the amounts payable to any sinking fund.

(*i*) If the amount in any sinking fund with the future payments thereto in accordance with the provisions of this section together with the probable accumulations thereon (in the case of an accumulating sinking fund) will in the opinion of the Minister of Health be more than sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed the Gainsborough Council may reduce the payments to the sinking fund either temporarily or permanently to such amounts as will in the opinion of the Minister of Health be sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed or with the consent of the said Minister may suspend such payments for such period as he may approve.

(*j*) If the amount in any sinking fund at any time together with the probable accumulations thereon (in the case of an accumulating sinking fund) will in the opinion of the Minister of Health be sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed the Gainsborough Council may with the consent of the Minister discontinue the annual payments to such sinking fund until the Minister shall otherwise direct.

(*k*) Any surplus of any sinking fund remaining after the discharge of the whole of the moneys for the repayment of which it was formed shall be applied to such purpose or purposes as the Gainsborough Council with the consent of the Minister of Health may determine.

(6) (*a*) The Gainsborough Council shall have power—

(*i*) to borrow for the purpose of paying off any moneys previously borrowed under this Act which are intended to be forthwith repaid; or



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(ii) to borrow in order to replace moneys which during the previous twelve months have been temporarily applied from other funds of the Gainsborough Council in repaying moneys previously borrowed under this Act and which at the time of such repayment it was intended to replace by borrowed moneys. A.D. 1927.

(b) Any moneys borrowed under this subsection shall for the purposes of repayment be deemed to form part of the original loan and shall be repaid within that portion of the prescribed period which remains unexpired and the provisions which are for the time being applicable to the original loan shall apply to the moneys borrowed under this section.

(c) The Gainsborough Council shall not have power to borrow for the purpose of making any payment to a sinking fund or of paying any instalment or making any payment which has or may become due in respect of borrowed moneys.

(d) The Gainsborough Council shall not have power to borrow in order to replace any moneys previously borrowed which have been repaid—

- (i) by instalments or annual payments; or
- (ii) by means of a sinking fund; or
- (iii) out of moneys derived from the sale of land; or
- (iv) out of any capital moneys properly applicable to the purpose of the repayment other than moneys borrowed for that purpose.

**35.** Moneys borrowed or raised by the three Councils respectively under this Act shall be applied only to the several purposes in respect of which they were respectively authorised to be borrowed or raised and to which capital is properly applicable. Application of money borrowed.

**36.**—(1) The clerk of each of the three Councils (in this section referred to as “the clerk”) shall if and when he is requested by the Minister of Health so to do transmit to the Minister a return showing the provision made for the repayment of any loans raised by his council under this Act. Return to Minister of Health with respect to repayment of debt.

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(2) The return shall show such particulars and shall be made up to such date and in such form as the Minister may require and shall if so required by him be verified by statutory declaration of the clerk or the chief accounting officer of the council to whom the return relates and shall be transmitted within one month after the making of the request and in the event of his failing to make such return the clerk shall for each offence be liable to a penalty not exceeding twenty pounds to be recovered by the Minister in a court of summary jurisdiction and notwithstanding the recovery of such penalty the making of the return shall be enforceable by writ of mandamus to be obtained by the Minister out of the High Court.

(3) If it appears to the Minister by such a return as aforesaid or otherwise that any of the three Councils have failed to pay any instalment or annual payment required to be paid or to appropriate any sum required for any sinking fund (whether such instalment or annual payment or sum is required by this Act or by the Minister in virtue thereof to be paid appropriated or set apart) or have applied any portion of any sinking fund to any purpose other than those authorised the Minister may by order direct that the sum in such order mentioned not exceeding the amount in respect of which default has been made shall be paid or applied in the manner and by the date in such order mentioned and the council with reference to whom the order is made shall notify the Minister as soon as the order is complied with and any such order shall be enforceable by writ of mandamus to be obtained by the Minister out of the High Court.

Power to  
one of three  
Councils to  
borrow on  
behalf of  
others.

**37.**—(1) Notwithstanding anything contained in the foregoing provisions of this Part of this Act any one of the three Councils may if they think fit at the request in writing of any other or others of them borrow at interest for and on behalf of such other council or councils the whole or part of the moneys which such other council or councils are authorised by this Act to borrow.

(2) If any one of the three Councils shall agree to borrow money under the powers of this section for and on behalf of any other or others of them the amount which the council so agreeing are authorised by this

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Act to borrow shall be increased and the amount or  
respective amounts which such other council or councils  
are so authorised to borrow shall be reduced by the  
amount which such first-mentioned council shall have  
agreed so to borrow. A.D. 1927.

(3) All moneys which any one of the three Councils  
shall borrow under the powers of this section shall  
before the appointed day be paid by them to the council  
or respective councils for whom and on whose behalf  
such moneys were borrowed.

(4) The annual provision from time to time required  
to be made by any one of the three Councils who shall  
borrow moneys under the powers of this section for  
interest on and repayment of the moneys so borrowed  
together with the expenses incurred by that council  
in raising such moneys and the cost from time to time  
of managing the loans shall on demand be paid or  
repaid to them by the council or councils for whom  
and on whose behalf such moneys were borrowed.

**38.**—(1) Notwithstanding anything contained in  
the sections of this Act of which the marginal notes  
are respectively “Power to Lindsey Council to borrow”  
“Power to Nottinghamshire Council to borrow” and  
“Power to Gainsborough Council to borrow” the  
three Councils or any of them may if they think fit  
provide in the manner following the whole or part  
of their respective contributions (that is to say):—

As regards the Lindsey Council or the Nottingham-  
shire Council out of the county fund; and

As regards the Gainsborough Council out of the  
district fund and the district rate.

(2) If the three Councils or any of them determine  
so to provide the whole or any part of their respective  
contributions the amount which they may respectively  
borrow under the powers of the said sections of this  
Act shall be reduced by the sum so determined to be  
provided.

**39.**—(1) The toll revenue shall be applied by  
the Joint Committee in payment of the cost of collection  
of the toll revenue and all other charges costs and  
expenses incurred or payable by the Joint Committee  
and the surplus of the toll revenue for each financial  
Application  
of toll  
revenue.

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A.D. 1927. — year during the toll period remaining after making such payments in respect of that year (as appearing in the accounts of the Joint Committee for that year) shall be applied as follows (that is to say) :—

- (a) the Joint Committee shall pay to each of the three Councils who shall have raised by borrowing the sums required for the purposes (b) and (d) mentioned in the tables set forth in the sections of this Act of which the marginal notes are respectively "Power to Lindsey Council to borrow" "Power to Nottinghamshire Council to borrow" and "Power to Gainsborough Council to borrow" the sums actually payable by such councils respectively in respect of the preceding financial year by way of interest on so much of the sums so borrowed as shall for the time being be outstanding;
- (b) the Joint Committee shall pay to each of the three Councils who shall have provided under the powers of the section of this Act of which the marginal note is "Power to three Councils to provide contributions out of rates" the moneys required for the said purposes (b) and (d) interest in respect of the preceding financial year at the rate of five per centum per annum upon so much of the moneys so provided by them respectively as shall from time to time not have been repaid under the provisions of subsection (2) of this section;
- (c) the Joint Committee shall pay to the three Councils in proportion to their respective contributions the balance of the said surplus remaining after making the payments hereinbefore provided for.

(2) Any sums paid to the three Councils pursuant to subsection (1) of this section shall be applied by them (to the extent requisite) in or towards (i) the payment of interest on and the making of provision for repayment of moneys borrowed by them for the purposes (b) and (d) mentioned in the tables set forth in the sections of this Act of which the marginal notes are respectively "Power to Lindsey Council to borrow" "Power to Nottinghamshire Council to borrow" and

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“Power to Gainsborough Council to borrow” or (ii) the repayment by the County Councils respectively to the county fund and by the Gainsborough Council to the district fund of any moneys provided by the said Councils respectively for the said purposes out of the said funds under the powers of the section of this Act of which the marginal note is “Power to three Councils to provide contributions out of rates.”

A.D. 1927.

(3) Any sums so paid to the three Councils and not required for the purposes of subsection (2) of this section shall as regards sums paid to the County Councils respectively be paid into and form part of the county fund and as regards sums paid to the Gainsborough Council be paid into and form part of the district fund.

40.—(1) The County Councils may retain hold and use for any purpose or may at their discretion sell let or otherwise dispose of or deal with the lands and other property (other than the bridge) which are under or by virtue of this Act vested in them whether on the appointed day or on the dissolution of the Joint Committee.

Powers to County Councils with reference to property vested in them.

(2) The County Councils shall pay to the Minister of Transport one-half of the net proceeds of any such sale letting disposal or dealing and the remaining half of such net proceeds shall be divisible between the County Councils in equal shares.

(3) If the County Councils or either of them shall have provided their contributions or contribution out of the county fund the shares or share in any such proceeds as aforesaid of the County Councils or county council having so provided their contribution shall be paid into and form part of the county fund.

(4) Subject to the provisions of subsection (3) of this section the shares of the County Councils in any such proceeds as aforesaid shall be applied by them respectively in or towards the extinguishment of any loan raised by them under the powers of this Act and such application shall be in addition to and not in substitution for any other mode of extinguishment provided by this Act except to such extent and upon such terms as may be approved by the Minister of Health and subject as aforesaid the said shares shall be applied to such purposes (being purposes to which capital moneys are

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A.D. 1927. properly applicable) as the County Councils may respectively determine with the approval of the Minister of Health.

As to payments out of county fund.

41. All payments to be made by the County Councils respectively out of the county fund pursuant to this Act shall be so made as payments for general county purposes within the meaning of and as authorised by the Local Government Act 1888.

Inquiries by Minister of Health.

42.—(1) The Minister of Health may direct any inquiries to be held by his inspectors which he may deem necessary in regard to the exercise of any powers conferred upon him or the giving of any consents under this Act and the inspectors of the said Minister shall for the purposes of any such inquiry have all such powers as they have for the purposes of inquiries directed by the said Minister under the Public Health Act 1875.

(2) The council or councils in connection with whose affairs any such inquiry is held shall pay to the Minister of Health (and if more than one council is concerned then in such proportions as the said Minister may direct) any expenses incurred by the said Minister in relation to that inquiry including the expenses of any witnesses summoned by the inspector holding the inquiry and a sum to be fixed by the said Minister not exceeding five guineas a day for the services of such inspector.

Partial repeal of Act of 1787.

43.—(1) Except as hereinafter provided the Act of 1787 is hereby repealed as from the appointed day.

(2) The sections of the Act of 1787 of which the numbers and marginal notes are set forth in Part I of the Fourth Schedule to this Act shall continue in force wholly or (where and as indicated in the said Part I) partially until the date of the final dissolution of the Company under the provisions of this Act and shall be and are hereby to the extent aforesaid repealed as from that date.

(3) The sections or parts of sections of the Act of 1787 of which copies are set forth in Part II of the said Fourth Schedule shall continue in force until the expiration of the toll period and shall from and after the appointed day be read and have effect as if the Joint Committee had been referred to therein instead of the Company and as from the expiration of the toll period

the said sections or parts of sections shall be and are hereby repealed. A.D. 1927.

(4) The sections or parts of sections of the Act of 1787 of which copies are set forth in Part III of the said Fourth Schedule shall continue in force and shall from and after the appointed day be read and have effect as if the County Councils had been referred to therein instead of the Company.

44. The County Councils shall not under the powers of this Act construct on over or under the shore or bed of the sea or of any creek bay arm of the sea or navigable river communicating therewith below high-water mark of ordinary spring tides any work without the previous consent of the Board of Trade to be signified in writing under the hand of one of the secretaries or assistant secretaries of the Board of Trade and then only according to such plan and under such restrictions and regulations as the Board of Trade may approve of in writing under hand as last aforesaid and where any such work may have been constructed the County Councils shall not at any time alter or extend the same without obtaining previously to making any alteration or extension the like consent or approval. If any work be commenced altered extended or completed contrary to the provisions of this section the Board of Trade may abate and remove the same and restore the site thereof to its former condition at the cost and charge of the County Councils and the amount of such costs and charges shall be a debt due from the County Councils to the Crown and shall be recoverable as a Crown debt or summarily.

Works  
below high-  
water mark  
not to be  
constructed  
without  
consent of  
Board of  
Trade.

45. Nothing in this Act shall operate to take away or prejudice any right title claim or demand which Sir Hickman Beckett Bacon baronet may have at the passing of this Act or which his heirs or successors in estate or any person in trust for him or them would have had at any time if this Act had not been passed whether in to or over the bed or foreshore of the river Trent or otherwise:

For protec-  
tion of Sir  
Hickman  
Beckett  
Bacon  
baronet.

Provided always that nothing herein contained shall be held to admit or confirm any right title or claim of the said Sir Hickman Beckett Bacon baronet or his heirs or successors in estate or any person in trust for him or them in the bed or foreshore of the said river or otherwise but the right and title to such bed and foreshore or otherwise

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For protec-  
tion of Lord  
Middleton.

46. Nothing in this Act shall operate to take away or prejudice any right title claim or demand which the Right Honourable Michael Guy Percival Baron Middleton may have at the passing of this Act or which his heirs or successors in estate or any person in trust for him or them would have had at any time if this Act had not been passed whether in to or over the bed or foreshore of the river Trent or otherwise :

Provided always that nothing herein contained shall be held to admit or confirm any right title or claim of the said Baron Middleton or his heirs or successors in estate or any person in trust for him or them in the bed or foreshore of the said river or otherwise but the right and title to such bed and foreshore or otherwise shall remain in the same state as if this Act had not been passed.

Crown  
rights.

47. Nothing in this Act affects prejudicially any estate right power privilege or exemption of the Crown and in particular nothing herein contained authorises the County Councils or the Joint Committee to take use or in any manner interfere with any portion of the shore or bed of the sea or of any river channel creek bay or estuary or any land hereditaments subjects or rights of whatsoever description belonging to His Majesty in right of His Crown and under the management of the Commissioners of Crown Lands or of the Board of Trade respectively without the consent in writing of the Commissioners of Crown Lands or the Board of Trade as the case may be on behalf of His Majesty first had and obtained for that purpose.

Costs of Act.

48. The costs charges and expenses preliminary to and of and incidental to the preparing applying for obtaining and passing of this Act as taxed and ascertained by the taxing officer of the House of Lords or of the House of Commons shall (after deducting any amount which may be contributed by the Minister of Transport in respect thereof or any proportion thereof for which the said Minister may agree to be liable) be paid by the three Councils out of moneys to be borrowed or provided by them in the proportions referred to in the section of this Act of which the marginal note is "Contributions by three Councils."



The SCHEDULES referred to in the  
foregoing Act.

A.D. 1927.

THE FIRST SCHEDULE.

Stamp.

Ten  
Shillings.

MEMORANDUM OF AGREEMENT made the seventeenth day of January one thousand nine hundred and twenty-seven between the COUNCIL OF THE ADMINISTRATIVE COUNTY OF THE PARTS OF LINDSEY in the County of Lincoln the COUNCIL OF THE ADMINISTRATIVE COUNTY OF NOTTINGHAM (which two councils are hereinafter together referred to as "the County Councils") and the COUNCIL OF THE URBAN DISTRICT OF GAINSBOROUGH in the said county of Lincoln (which council and the County Councils are all hereinafter together referred to as "the three Councils") of the one part and the COMPANY OF PROPRIETORS OF GAINSBOROUGH BRIDGE whose office is situate at Gainsborough in the said county of Lincoln (hereinafter called "the Company") of the other part.

Whereby subject to the provisions of this agreement the Company agree to sell to the three Councils free from all incumbrances whatsoever and the three Councils agree to purchase from the Company for the sum of one hundred and thirty thousand pounds (hereinafter called "the purchase money") the undertaking of the Company authorised by the provisions of the Act 27 Geo. III Cap. XV. (hereinafter called "the special Act").

The expression "the undertaking" in this agreement includes the existing Gainsborough Bridge over the river Trent known as Gainsborough Bridge situate partly in the county of the Parts of Lindsey Lincolnshire and partly in the county of Nottingham and the site and soil thereof and the toll houses and conveniences erected thereon and the ascents and approaches thereto and all the rights of the Company to ask demand receive recover and take sums for pontage as or in the name of a toll or duty before any passage over the said bridge shall be permitted (which last mentioned rights are hereinafter referred to as "the toll rights") and the rights of ferry vested in the Company by the special Act or otherwise and (except as hereinafter expressly mentioned) all other lands property rights powers privileges

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A D. 1927. exemptions and interests of every description vested in or exerciseable or enjoyed by the Company under or by virtue of the special Act or exerciseable used or enjoyed by the Company as the owners of or with or in connection with the said bridge howsoever the same may have been acquired or are held used exercised or enjoyed but excepting all investments now or hereafter belonging to the Company and all moneys now or hereafter standing to the credit of the Company at their bankers or in the hands of any other person persons or body on their behalf and excepting also such of the minute books books of account and other books and papers belonging to the Company as may properly be required by the Company for the purposes of the winding up and dissolution of the Company.

And whereby the three Councils and the Company agree respectively as follows:—

1. The three Councils for their part agree—

(A) In the next coming session of Parliament the three Councils or some or one of them shall promote and (subject as hereinafter provided) use their best endeavours to procure the passing into law of a Bill (hereinafter called "the Bill") to provide (amongst other things)—

(i) That on the appointed day the undertaking shall vest—

(a) As to the said bridge and the site and soil thereof and the ascents and approaches thereto in the County Councils as a joint county bridge;

(b) As to the remainder of the undertaking other than the toll rights in the County Councils jointly; and

(c) As to the toll rights in the three Councils jointly or in the Joint Committee to be constituted as hereinafter mentioned;

free from all debentures mortgages charges debts and liabilities affecting the same except as expressly provided by clause 3 (f) and (h) of this agreement;

(ii) That any liability on the part of the Company to repair and maintain the said bridge and the ascents or approaches thereto or to provide or maintain a ferry in lieu thereof and all other the obligations of the Company in relation to the undertaking shall cease and be extinguished as from the appointed day;

(iii) That except as expressly provided by the said clause 3 (f) and (h) of this agreement the three Councils and each and every of them and the said

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Joint Committee shall be free from any such liability or obligations as last aforesaid and from all liability or responsibility for or in respect of all debentures mortgages charges debts liabilities or obligations whatsoever of the Company or affecting the undertaking;

(iv) For the repeal as from such date or respective dates as may be specified in the Bill of all or some of the provisions of the special Act;

(v) For the winding up and dissolution of the Company as soon as practicable after the appointed day; and

(vi) Generally to give effect to the objects and intentions of this agreement and to confirm the same with or without modification;

(B) The Bill shall also provide for the payment on the thirty-first day of October one thousand nine hundred and twenty-seven or on some specified date between that day and the thirty-first day of October one thousand nine hundred and twenty-eight (or on such later date if any as may be agreed between the parties hereto) by the three Councils or by a Joint Committee acting on behalf of the three Councils (such Joint Committee to be constituted by the Bill) to the Company of the purchase money as the consideration for the transfer of the undertaking;

(C) The Bill shall also provide for (amongst other things) the exercise by the three Councils or by the said Joint Committee on their behalf of the toll rights and for the holding and application of the sums received by way of tolls or duties until—

(i) The said tolls or duties after deduction of—

(a) The cost of collection (including in such cost the wages of the toll keeper or toll keepers and all other charges costs and expenses payable by the said Joint Committee); and

(b) One equal fourth part of the costs charges and expenses preliminary to and of and incidental to the preparing applying for obtaining and passing of the Bill or consequent on such passing and of such costs as are payable to the Company under this agreement

shall amount to a sum equal to not less than one fourth of the purchase money together with interest on that amount at the rate of four pounds per centum per annum for each year of the period

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during which the toll rights shall continue to be exercisable by the three Councils or by the said Joint Committee; or

(ii) The expiration of a period to be specified in the Bill (whichever shall first happen).

2. The Company for their part agree—

- (a) To duly convene and hold all necessary meetings in connection with and to use their best endeavours to assist the three Councils (to such extent as the three Councils may require) in the promotion of the Bill or so much thereof as shall give effect to this agreement;
- (b) To maintain and carry on their undertaking until the appointed day in the ordinary course of business;
- (c) Not to enter into any contract after the making of this agreement without the consent of the three Councils save and except such agreements not extending beyond the appointed day as shall be in the ordinary course of the maintenance and conduct of the undertaking;
- (d) Not to issue create or grant any debenture mortgage or charge affecting the undertaking nor except with the consent of the three Councils or the said Joint Committee to reduce the tolls or charges now paid for the use of the said bridge;
- (e) From time to time until the appointed day to furnish the three Councils or the said Joint Committee (at the expense of the Councils or Committee requiring the same) with such information and particulars as the three Councils or the said Joint Committee may require as to the tolls or duties collected in the past or from time to time collected by the Company and to afford facilities at all reasonable times to the three Councils or the said Joint Committee for examining the books and records of the Company and making extracts therefrom;
- (f) To discharge pay and satisfy on or before the appointed day—
  - (i) All (if any) debentures mortgages and charges and any debts and liabilities whatsoever upon or affecting the undertaking accrued due or payable by them up to the appointed day;
  - (ii) Any claim or right of action that may have accrued or be accruing and any action or proceeding which may be pending on the appointed day; and

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—

(iii) Any claim for compensation by the Committee officers or servants of the Company in respect of the termination of their employment or interest or otherwise ;

and to indemnify the three Councils and the said Joint Committee in respect of all and any of the matters and things aforesaid.

3. And it is mutually agreed between the parties hereto—
- (a) The appointed day shall be the thirty-first day of October one thousand nine hundred and twenty-seven or the later date of the actual payment or tender of the purchase money ;
  - (b) The Bill shall contain such provisions to be approved by the Company as may be necessary or advisable for the winding up and dissolution of the Company and for the other matters with which the Company are concerned and specifically dealt with under this agreement and shall also contain such further provisions not inconsistent with this agreement as may be deemed desirable by the three Councils or (with the approval of the three Councils) by the Company ;
  - (c) The vesting of the undertaking in accordance with this agreement shall take effect free from all debentures mortgages charges debts and liabilities whatsoever upon or affecting the same in the hands of the Company except as expressly provided for by paragraphs (f) and (h) of this clause ;
  - (d) A receipt for the purchase money signed on behalf of the Company by any two or more of the members of the committee of the Company and by the treasurer of the Company shall be a full and sufficient discharge to the three Councils and the said Joint Committee for the payment thereof and a provision to this effect shall be included in the Bill ;
  - (e) The hereditaments comprised in the undertaking are sold subject to and with the benefit of the tenancies specified in the schedule hereto and subject to all easements and rights affecting the said hereditaments ;
  - (f) All contracts and agreements which the Company may have entered into before the date of this agreement or (with the consent of the three Councils) after that date and which shall be subsisting on the appointed day shall be taken over and performed and fulfilled as from that day by the three Councils or the said Joint Committee and the three Councils shall indemnify the Company from all claims demands and liability in respect thereof as from that day ;

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- (g) The three Councils hereby accept the title of the Company to the undertaking;
- (h) The Company shall be entitled to all tolls rents profits receipts and sums of money accruing due in respect of the undertaking up to and including the appointed day and up to that day shall be liable for all accruing liabilities and outgoings in respect thereof From and after the appointed day all liabilities and outgoings accruing after that day shall be borne and paid by the three Councils or the Joint Committee who shall be entitled as from that day to all tolls rents profits receipts and sums of money in respect of the said undertaking So far as may be necessary for the purposes of this clause such liabilities outgoings tolls rents profits receipts and sums of money shall be apportioned between the Company and the three Councils or the Joint Committee as on the appointed day;
- (i) This agreement is subject to the approval of Parliament and to such modifications thereof as Parliament may think fit to make but in the event of—

(i) A Committee of either House of Parliament making any material modification of the terms herein contained or any material alteration of the Bill as deposited or imposing any obligation or restriction upon the three Councils or any of them or the said Joint Committee or the Company with which any of the three Councils or the said Joint Committee or the Company are unable or unwilling to comply; or

(ii) The Minister of Transport for any reason not consenting to make a grant of a sum equal to fifty per centum of the purchase money and of the cost of promoting the Bill including any expenses incurred by the three Councils in complying with the provisions of the Borough Funds Act 1872 or any Act amending or applying the same; or

(iii) The Bill not being passed into law before the thirty-first day of October one thousand nine hundred and twenty-eight; or

(iv) The structure of the said bridge being so materially damaged as to render the said bridge dangerous or impassable for vehicular or pedestrian traffic; or

(v) The promotion of the Bill not being approved at a meeting of the local government electors of the urban district of Gainsborough held under the

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Borough Funds Act 1903 or at any poll which may be held under the said Act after any such meeting; A.D. 1927.

then and in any such case any of the three Councils or in either of the events referred to in paragraphs (i) or (iii) of this sub-clause the Company shall be at liberty by notice in writing to the other parties hereto to cancel this agreement and upon any such cancellation the three Councils shall withdraw the Bill:

Provided always that in the event mentioned in paragraph (v) of this sub-clause the County Councils shall be at liberty if they think fit so to do to proceed with the promotion of the said Bill without the said council of the urban district of Gainsborough and that on the happening of any of the other events hereinbefore in this sub-clause mentioned any two or one of the three Councils shall be at liberty if they think fit so to do to proceed with the promotion of the Bill without the others or other of them and in that case this agreement shall as between the three Councils and the Company be read and construed in all respects as if the Council or Councils not proceeding with the promotion had not been a party hereto (but without prejudice to the Company's right to cancel this agreement in the event of the making or imposition of any such material modification alteration obligation or restriction as aforesaid affecting the Company or in the event of the Bill not being passed into law before the said thirty-first day of October one thousand nine hundred and twenty-eight);

- (j) The three Councils shall pay to the Company or their solicitor all the reasonable taxed costs charges and expenses of the Company as from the eighth day of October one thousand nine hundred and twenty-six (as between solicitor and own client and subject as hereinafter provided by way of complete indemnity throughout) of or incidental to the negotiation preparation approval execution completion stamping or cancellation of this agreement and the presentation promotion negotiation approval and passing or withdrawal of the Bill and the presentation or withdrawal of any petition by the Company against the Bill and the vesting of the undertaking in the three Councils or any of them or the said Joint Committee and any other matters or dealings hereinbefore referred to or ancillary to the purposes of this agreement or the Bill including all counsel's fees and the reasonable

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travelling and hotel expenses of the solicitor and officers and members of the committee of the Company and all other costs charges and expenses in connection with the premises And so that the Company's solicitor may act and be remunerated as a stranger in relation to any of the matters or dealings aforesaid notwithstanding that he may be the clerk or other officer (whether paid or unpaid) of the Company Provided that the total sum payable by the three Councils under this paragraph shall not exceed four hundred pounds and any sum so payable shall be contributed by the three Councils respectively in the same proportions as apply in the case of the contributions of the three Councils toward the purchase money;

(k) If any question or difference shall arise between the three Councils or any of them on the one hand and the Company on the other hand as to the effect of any of the provisions of this agreement or as to anything to be done or not to be done hereunder such question or difference shall be referred to and determined by an arbitrator to be agreed between the parties or failing such agreement to be appointed on the application of the three Councils or the Company (after notice in writing to the other parties) by the President for the time being of the Law Society and subject as aforesaid the provisions of the Arbitration Act 1889 shall apply to any such reference and determination.

In witness whereof the three Councils and the Company have hereunto affixed their common seals the day and year first above written.

The SCHEDULE above referred to:—

Date of Tenancy Agreement.	Description of Premises.	Name of Tenant or Tenants.	Particulars of Tenancy.
25th June 1921.	A piece of garden ground adjoining the United Services Club in Bridge Street Gainsborough.	John Drysdale Sandars (since dead) Hermann Dickenson Marshall and Frederick Ferdinando Linley (trustees of the United Services Club).	The tenancy is a yearly one subject to six months' notice to quit Rent £8 5s. 0d. per annum.

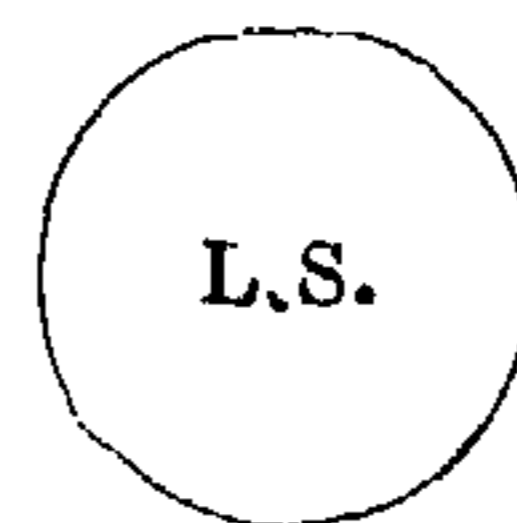


[17 & 18 GEO. 5.] *Gainsborough Bridge* [Ch. lxxxvii.]  
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A.D. 1927.

Date of Tenancy Agreement.	Description of Premises.	Name of Tenant or Tenants.	Particulars of Tenancy.
23rd December 1925.	Dwelling-house warehouse stables &c. 140 Bridge Street Gainsborough.	William Curtis Watson Gainsborough painter.	The tenancy is a half-yearly one subject to three months' notice to quit Rent £20 per annum.
No written agreement.	Wharf Bridge Street Gainsborough.	Gainsborough Urban District Council.	Rent £20 per annum.

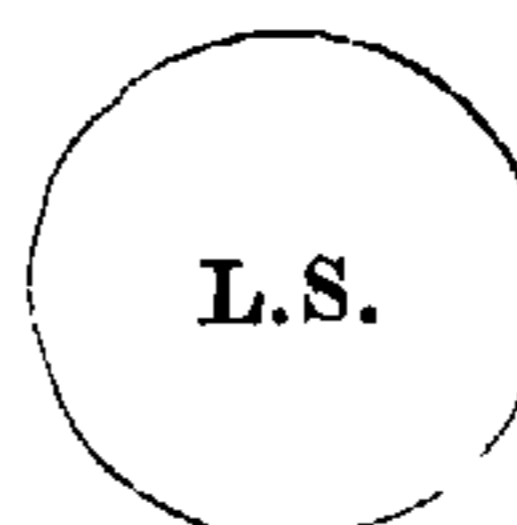
The common seal of the council of the administrative county of the Parts of Lindsey Lincolnshire was affixed hereto in pursuance of a resolution of the council in the presence of



H. B. BACON  
 Member of the Council  
 having custody of the key of the seal.

ERIC W. SCORER  
 Clerk of the Council.

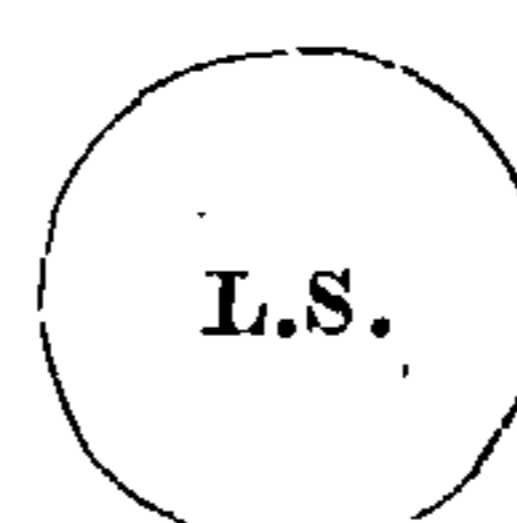
The common seal of the council of the administrative county of Nottingham was affixed hereto in pursuance of a resolution of the council in the presence of



HENRY MELLISH  
 Member of the Council  
 having custody of the key of the seal.

TWEEDALE MEABY  
 Clerk of the Council.

The common seal of the council of the urban district of Gainsborough was affixed hereto in pursuance of a resolution of the council in the presence of

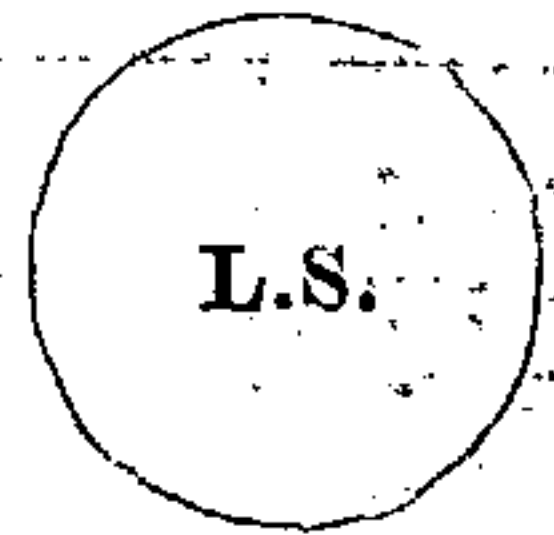


G. HUNSLEY  
 Chairman of the Council.

GILBERT JONES  
 Clerk of the Council.

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A.D. 1927. The common seal of the Company was }  
affixed hereto in the presence of }



CHARLES COOPER  
Chairman of the Company.

J. A. DONSON }  
FRANK LOBLEY } Members of the Special Committee.  
C. W. GILBERT }

R. W. FORREST  
Clerk to the Company.

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THE SECOND SCHEDULE.

CONSTITUTION AND PROCEEDINGS OF THE GAINSBOROUGH  
BRIDGE JOINT COMMITTEE.

PART I.

PROVISIONS AS TO APPOINTMENT AND QUALIFICATION OF  
MEMBERS TENURE OF OFFICE CASUAL VACANCIES &C.

(1) The first appointment of members of the Joint Committee by the three Councils respectively (each of whom is in this schedule included in the expression "constituent authority") shall be made at a meeting of the constituent authority to be held before the appointed day and the members so appointed shall subject to the provisions of this Act continue in office until (as respects members appointed by either of the County Councils) their quarterly meeting held in the month of February or March next following and (as respects members appointed by the Gainsborough Council) the fifteenth day of April next following.

(2) (a) Each of the County Councils shall at their quarterly meeting held in the month of February or March in every year appoint the members of the Joint Committee whom they are by this Act respectively authorised to appoint to hold office until the quarterly meeting in the month of February or March in the following year.

(b) The Gainsborough Council shall at a meeting to be held in the month of April in every year appoint the members of the Joint Committee whom they are by this Act authorised to appoint to hold office until the meeting in the month of April in the following year.

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(3) If a constituent authority fail to appoint first members of the Joint Committee as by this Act provided it shall be competent nevertheless for the other members of the Joint Committee to exercise their powers under this Act and if a constituent authority fail subsequently to appoint members of the Joint Committee at the proper time for their appointment the then existing members of the Joint Committee representing such authority and qualified to be members of the Joint Committee shall continue in office until their successors are appointed. A.D. 1927.

(4) A person shall not be qualified to be a member of the Joint Committee unless he is a member of the constituent authority by whom he is appointed and if a member of the Joint Committee ceases to be a member of the constituent authority by whom he has been appointed or becomes disqualified he shall cease to be a member of the Joint Committee.

(5) A person shall be disqualified for being appointed or being a member of the Joint Committee if he—

- (a) holds any paid office under the Joint Committee; or
- (b) is concerned in any bargain or contract entered into with the Joint Committee or participates in the profit of any such bargain or contract or of any work done under the authority of the Joint Committee :

Provided that a person shall not be disqualified for being appointed or being a member of the Joint Committee by reason of being interested—

- (i) in any newspaper in which any advertisement relating to the affairs of the Joint Committee is inserted; or
- (ii) in any bargain or contract (other than an agreement for compounding tolls under the provisions of this Act) with the Joint Committee as a shareholder in or director or officer of any company; or
- (iii) in any lease sale or purchase of land or any agreement for the same;

but he shall not vote at any meeting of the Joint Committee on any question in which he is so interested.

(6) Whenever an appointment of a member of the Joint Committee has been made the clerk to the constituent authority by whom the appointment was made shall by writing under his hand certify the appointment to the Joint Committee and shall forthwith transmit the certificate to the clerk to the Joint Committee. Provided that in the case of the first appointment the clerk to each constituent authority shall return the names of the members appointed by his authority to the clerk to each of the other constituent authorities.

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(7) A member of the Joint Committee may resign his office by notifying in writing his intention so to do to the chairman or clerk to the Joint Committee.

(8) If any member of the Joint Committee dies or resigns or is disqualified or ceases to be a member of the Joint Committee the constituent authority by whom he was appointed may at any time after the happening of such vacancy appoint another person to be a member of the Joint Committee in his place who shall continue in office only so long as the person in whose place he is appointed would have been entitled to continue in office.

(9) Subject to the provisions of this Act the term of office of chairman and vice-chairman shall be one year.

(10) A chairman or vice-chairman may if otherwise qualified be re-appointed and shall continue in office until his successor is appointed unless he dies or resigns or becomes disqualified or ceases to be a member of the Joint Committee before the appointment of his successor.

(11) On a casual vacancy occurring in the office of chairman or vice-chairman by reason of death resignation disqualification or otherwise another member shall be appointed by the Joint Committee in his place to hold office until the time when the person in whose place he is appointed would regularly have gone out of office.

(12) If any member is absent from meetings of the Joint Committee for more than six months consecutively except for some reason approved by the Joint Committee he shall on the expiration of that period vacate his office.

(13) Where any member becomes disqualified for holding office or vacates his office from absence or otherwise the Joint Committee shall forthwith declare the office to be vacant and shall notify the fact to the constituent authority by whom he was appointed in such manner as the Joint Committee think fit.

## PART II.

### PROVISIONS AS TO MEETINGS AND PROCEEDINGS.

(1) The Joint Committee shall hold their first meeting at Gainsborough as soon as conveniently may be after the passing of this Act and subsequent meetings of the Joint Committee (including their annual meetings) shall be held at such places on such days and at such times as the Joint Committee may from time to time appoint.

(2) The chairman or any four or more members of the Joint Committee may at any time by writing addressed and sent to the clerk to the Joint Committee require a special meeting to be convened and the clerk shall convene a meeting accordingly.

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(3) The meetings of the Joint Committee shall be convened by the clerk to the Lindsey Council until the Joint Committee have appointed a clerk and afterwards by the clerk to the Joint Committee. Every meeting shall be convened by circular delivered to each member of the Joint Committee or sent by post to or delivered at his residence four clear days at least before the day of the meeting. A.D. 1927.

(4) To constitute a meeting of the Joint Committee there must be present not less than four members of the Joint Committee.

(5) Subject to the provisions of this Act at their first meeting and subsequently at their first meeting held after the first day of April in each succeeding year the Joint Committee shall appoint a chairman and a vice-chairman to hold office until the first meeting held after the first day of April following.

(6) (a) At every meeting the chairman of the Joint Committee shall preside but if he is not present at the time appointed for the meeting the vice-chairman if present shall preside and if neither the chairman nor vice-chairman is present the members then present shall choose one of their number to preside at that meeting.

(b) Subject to the provisions of this Act every question at a meeting of the Joint Committee shall be decided by a majority of the votes of the members present and voting on that question and in the case of an equality of votes the person presiding at the meeting shall have a second or casting vote. Provided always that if at any meeting neither the chairman nor vice-chairman be present and there be an equality of votes in choosing the member to preside at such meeting it shall be decided by lot which of the members having an equal number of votes shall so preside.

(7) Minutes of the proceedings of every meeting shall be drawn up and fairly entered in a book kept for that purpose or printed and kept in the form of a book and copies or prints of such minutes shall after each meeting be forwarded by the clerk to the Joint Committee to the clerk to each constituent authority and the minutes shall be signed by the chairman or other member presiding at the next ensuing meeting.

(8) (a) A minute of the proceedings of the Joint Committee or of a committee of the Joint Committee signed at the same or the next ensuing meeting by a member of the Joint Committee describing himself as or appearing to be chairman of the meeting at which the minute is signed shall be received in evidence without further proof.

(b) Until the contrary is proved every meeting whereof a minute has been so made shall be deemed to have been duly convened and held and all the members of the meeting shall be deemed to have been duly qualified and where the proceedings

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A.D. 1927. are proceedings of a committee the committee shall be deemed to have been duly constituted and to have had power to deal with the matters referred to in the minutes.

PART III.

GENERAL.

(1) Subject to the provisions of this Act the Joint Committee may make standing orders for the regulation of their proceedings.

(2) The Joint Committee may appoint out of their own body such and so many committees either of a general or special nature consisting of such number of persons as they think fit for any purposes which in the opinion of the Joint Committee would be better regulated and managed by means of committees and may delegate with or without any restrictions or conditions as they may think fit any of their powers or duties to any committee of the Joint Committee so appointed. The provisions of section 82 of the Local Government Act 1888 with respect to proceedings of committees of county councils shall apply to committees of the Joint Committee as if they were committees of a county council.

(3) The Joint Committee may appoint and may remunerate a clerk treasurer collector and other such officers clerks and servants as they from time to time think requisite and all officers clerks and servants so appointed shall (subject to the terms of their appointment) be removable by the Joint Committee at their pleasure. No member of the Joint Committee or of a constituent authority shall be an officer of the Joint Committee but an officer of a constituent authority may also be an officer of the Joint Committee. All acts and things required or authorised to be done by the clerk may (subject to any restrictions imposed by the Joint Committee) be done by a deputy clerk who may act notwithstanding a vacancy in the office of clerk.

(4) No act or proceeding of the Joint Committee shall be questioned on account of any vacancy in their body or on account of any defect in the appointment of any member of the Joint Committee.

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THE THIRD SCHEDULE.

A.D. 1927.

MAXIMUM TOLLS CHARGEABLE DURING THE  
 TOLL PERIOD.

	s.	d.
For each calf goat pig sheep or lamb up to and including 10	0	0½
For every two calves goats pigs sheep or lambs over 10 (odd numbers of animals to be reckoned as the next highest even number) - - - - -	0	0½
For each head of cattle up to and including 10 - - - - -	0	1
For each head of cattle over 10 - - - - -	0	0½
For each horse mule or donkey - - - - -	0	1
For each hand-cart hand-truck hand-barrow or other like vehicle including person in charge thereof - - - - -	0	2
For each vehicle with two wheels drawn by one horse - - - - -	0	6
For each vehicle with two wheels drawn by more than one horse - - - - -	0	8
For each vehicle with more than two wheels drawn by one horse - - - - -	0	8
For each vehicle with more than two wheels drawn by more than one horse - - - - -	0	9
For each motor-cycle (with or without a side-car) or motor tri-car - - - - -	0	6
For each motor car containing seating accommodation for—		
not more than 6 persons - - - - -	1	3
more than 6 and not more than 14 persons - - - - -	2	0
more than 14 persons - - - - -	2	6
For each motor van motor lorry motor tractor or steam waggon—		
not exceeding one ton (excluding load) - - - - -	1	3
exceeding one ton (excluding load) - - - - -	1	8
For each traction engine each ton or fractional part of a ton - - - - -	0	6
For each cultivator or plough forming part of steam tackle and drawn by traction engine or other motive power - - - - -	1	0
For each trailer hauled by motor car motor van motor lorry motor tractor steam waggon or traction engine—		
with two wheels with springs - - - - -	1	0
with two wheels without springs - - - - -	0	6
with more than two wheels - - - - -	1	8
For each threshing machine drawn by traction engine or other motive power - - - - -	2	0
For each straw elevator drawn by traction engine or other motive power - - - - -	1	0

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		<i>s.</i>	<i>d.</i>
A.D. 1927.	For each plough reaper hay rake hay shaker land roll or drill or other similar agricultural machine - - -	0	6
	For any vehicle not hereinbefore specified a toll not exceeding the tolls specified in this schedule for a vehicle of a similar description.		
	The tolls in respect of vehicles include the drivers thereof and persons conveyed therein or thereon.		

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THE FOURTH SCHEDULE.

PART I.

PROVISIONS OF ACT OF 1787 TO CONTINUE IN FORCE  
UNTIL DISSOLUTION OF THE COMPANY.

No. of Section.	Marginal Note.
1	“ Proprietors names Proprietors to be a Body Corporate.”
7	“ Promoters may raise 11,666 <i>l.</i> 13 <i>s.</i> 4 <i>d.</i> among themselves.”
8	“ The shares vested in the Proprietors Proprietors to have votes and may vote by proxy Proxies how to be given Questions at general meetings to be determined by majority of votes.”
13	“ General and Special Meetings when and how to be held.”
14	“ Business to be done at the first general meeting First Committee Treasurer and Clerk to be appointed.”
15	“ Subsequent Committees how to be chosen The meetings of the Committees Their expenses how to be borne.”
16	“ No member to have more than one vote in the Committee except the Chairman who shall have a casting vote.”
17	“ Committees to make reports of proceedings to the general assemblies and shall obey their orders.”
18	“ Committee to make calls of money from the Proprietors when necessary Calls how to be made The money to be paid to the Treasurer and applied by the Committee Powers of the Committee Notice of calls Persons not paying the first call may be sued Penalty on persons not paying according to subsequent calls If not paid within three months after the time appointed each Proprietor so neglecting is to forfeit all his interest and benefit to the rest of the Company who may chuse another Proprietor.”



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No. of Section.	Marginal Note.	A.D. 1927.
19	“ Limiting time for taking advantage of forfeitures.”	
20	“ Company to have power to remove Committee men and officers and make and alter bye-laws ” so far as that section relates to matters other than rules byelaws and orders for the good and orderly management of the bridge and of the tolls to be taken in respect of the same.	
21	“ Directing how calls on shares undisposed of belonging to persons dying shall be made On default of payment other persons may be admitted as Proprietors.”	
22	“ Proprietors may sell or dispose of their shares.”	
23	“ Proprietors not to sell their shares until calls are paid up.”	
24	“ Form of transfer of shares.”	
25	“ No business to be done at Committees unless five Proprietors shall be present The Treasurer to give security.”	
42	“ For obliging the subscribers to pay their subscriptions.”	
49	“ Proceedings to be entered in books.”	

PART II.

PROVISIONS OF ACT OF 1787 TO CONTINUE IN FORCE UNTIL  
 EXPIRATION OF THE TOLL PERIOD.

2. . . . . and the said Company of Proprietors are hereby also authorised . . . . . to make . . . . . one or more toll house or toll houses on or near the said bridge with proper conveniences and to support maintain and keep the said . . . . . toll houses conveniences . . . . . in good and sufficient repair.

26. . . . . and when and so soon as the said bridge . . . . . shall be erected and built and made fit and proper for the passage of travellers cattle and carriages it shall be lawful for the said Company of Proprietors and their successors from time to time and at all times thereafter to ask demand receive recover and take to and for their own proper use and behoof for pontage as or in the name of a toll or duty before any passage over the said intended bridge shall be permitted the several sums following . . . . .

And the said tolls shall be and the same are hereby vested in the said Company of Proprietors and their successors and if any person shall after demand made thereof by any collector or collectors to be appointed as aforesaid refuse to pay the same it shall be lawful for such collector or collectors by himself or themselves

Directions for building the bridge A haling path under the bridge Obstructions in the river near the bridge may be removed and banks of the river may be cut.  
 Bridge vested in the Company  
 Tolls for passing over the bridge  
 The tolls vested in the Company with powers of distress &c.

[Ch. lxxxvii.] *Gainsborough Bridge* [17 & 18 GEO. 5.]  
(Acquisition) Act, 1927.

A.D. 1927. or taking such assistance as he or they shall think necessary to stop and prevent the passage of the person or persons so refusing or of the horse beast cattle or carriage for or in respect of which such tolls ought to be paid until full payment thereof. . . .

Tolls may be reduced and raised again.

27. And be it further enacted that it shall be lawful to and for the said Company of Proprietors from time to time at any general meeting to be held in pursuance of this Act to lessen or reduce all or any of the tolls hereby granted for such time as they shall think proper and to raise again the tolls so lessened or reduced or any part thereof so that the same do never exceed the tolls hereinbefore granted and the tolls so lessened or reduced or raised again shall be collected and recovered in the same manner as the tolls hereby granted are authorised or directed to be collected and recovered.

Persons paying toll for cattle or carriages permitted to repass toll-free once in 24 hours to be computed from 12 o'clock of the preceding night.

28. Provided always and be it enacted that every person who shall have paid toll for passing over the said bridge either on horseback or with any horses cattle or carriage shall upon producing a note or ticket denoting such payment (which note or ticket the collector of the toll is hereby required to give) be permitted to repass the said bridge once toll-free in respect of such horses cattle or carriage within twenty-four hours to be computed from twelve of the clock of the preceding night.

Penalty on evading tolls &c.

29. And be it further enacted that if any person shall take off or cause to be taken off any horse or other beast from any carriage at or near to the said bridge with intent to evade and shall thereby evade or endeavour to evade the payment of any part of the said tolls or shall forge counterfeit or alter or deliver to or receive from any other person or persons any note or ticket with intent to avoid the payment of any part of the said tolls every person so offending shall for every such offence forfeit the sum of five pounds and it shall be lawful for such collector or collectors to stop and prevent the passage of every such person till such person shall have paid the said sum of five pounds and if any person shall forcibly pass over the said bridge without having paid the said tolls or shall assault interrupt or obstruct any person employed in the collection of the said tolls every person offending in any of such cases shall for every such offence forfeit the sum of five pounds . . . [which] shall be paid to . . . the said Company of Proprietors for the purposes of this Act.

Penalty on conveying for hire persons cattle or any other article over the river within a certain distance otherwise than over the bridge.

30. And be it further enacted that after the said bridge shall be completed if any person shall for hire or recompense convey any . . . horse beast or other cattle or any stones bricks lime manure or any other article or thing across the said river Trent within the township of Gainsborough or Morton in the parish of Gainsborough and the parish of Saundby or Beckingham in the said county of Nottingham otherwise than over the said bridge every such person shall for every such offence forfeit and pay the

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sum of five pounds . . . [which] shall be paid to . . . the said Company of Proprietors for the purposes of this Act. A.D. 1927.

31. And be it further enacted that if any person or persons shall alight or get out from any coach chaise chariot berlin phaeton landau single horse chaise or other four or two wheel carriage (not being a waggon or cart) within the distance of five hundred yards from either of the abutments of the said bridge or within the township of Gainsborough and shall pass over the said bridge or river with intent to avoid the carriage toll and for that purpose shall hire or take any carriage on the side of the said bridge opposite to that where he she or they so alighted or got out and within the distance or township last mentioned or if any person or persons residing within the township of Gainsborough though he she or they shall not have alighted or got out from any coach chaise or other four or two wheel carriage as aforesaid shall pass over the said bridge or river with intent to avoid the said carriage toll and for that purpose shall hire or take any carriage within the distance of five hundred yards from the abutment on the Nottinghamshire side of the said bridge every such person so offending in either of the said cases shall forfeit and pay the sum of five pounds . . . [which] shall be paid to . . . the said Company of Proprietors for the purposes of this Act.

Penalty on evasion of the tolls in certain cases.

Penalty on inhabitants of Gainsborough for like evasion of the tolls.

32. Provided also and be it enacted that no toll shall be demanded or taken from any inhabitant of the town of Gainsborough or from his or her servant for passing the said bridge with any horse mare gelding mule or ass being bona fide the property of such inhabitant and really going to pasture in or returning from pasture out of any land or ground situate within the parish of Saundby or Beckingham aforesaid.

Exemption from toll.

33. And be it further enacted that no person or persons shall be liable to pay more than six pence for the passage over the said bridge of any coach chariot chaise or other carriage with four wheels nor more than the sum of three pence for any carriage with two wheels from any of the towns of Gainsborough Saundby or Beckingham aforesaid for the purpose of an airing only nor with the payment of more than six pence for the passage of the same carriage with four wheels and three pence for the same carriage with two wheels over the said bridge in returning to any of the said towns if within three hours to be computed from the time of passing the said bridge.

Diminution of toll in certain cases.

34. And be it further enacted that if any person shall claim and take the benefit of any of the exemptions or reductions aforesaid not being entitled thereto every such person shall for every such offence forfeit and pay the sum of five pounds . . . [which] shall be paid to . . . the said Company of Proprietors for the purposes of this Act.

Penalty of 5l. on taking the benefit of exemptions not entitled thereto.

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PART III.

PROVISIONS OF ACT OF 1787 TO CONTINUE IN FORCE.

Directions for building the bridge  
A haling path under the bridge  
Obstructions in the river near the bridge may be removed and banks of the river may be cut.

2. . . . be it further enacted that it shall be lawful for the said Company of Proprietors . . . by themselves their agents officers workmen servants or assistants at their own proper costs and charges to build a good and substantial bridge . . . over the river Trent from Gainsborough in the said county of Lincoln to the opposite shore in the parish of Saundby in the said county of Nottingham . . . and that there shall not be more than five arches or openings between the abutments of the said bridge one arch or opening whereof shall be fifty feet wide at the least and the sofete or crown of the said arch shall not be less than fifteen feet above high-water mark and all the said arches collectively (exclusive of the piers and abutments) shall not be less than one hundred and ninety-four feet wide . . . And the said Company of Proprietors are hereby also authorised and required to make . . . a good and sufficient haling path for men and horses under the said bridge on the Nottinghamshire side of the said river for the use of persons navigating on the same river . . . and to support maintain and keep the said haling path for ever in good and sufficient repair And the said Company of Proprietors are hereby also authorised to remove any shelves or other obstructions in the said river within five hundred yards of the said bridge and to take away all beds of gravel sand mud or other impediment within the like distance from the said bridge and to dig and cut the banks of the said river within the same distance on each side in such manner as they shall judge necessary and proper for erecting and building the said bridge and for the preservation thereof and from time to time to do or cause to be done all other things necessary and proper for erecting building making repairing supporting and maintaining the said bridge haling path . . . hereby authorised to be erected and made.

The rights of the ferry to be vested in the Company of Proprietors.

35. And be it further enacted that all the rights privileges and advantages of the said Frances Hickman and her heirs in respect of the said ferry (except such of them as may be altered or extinguished by this Act) shall from and after the building and completing of the said bridge as aforesaid be vested in the said Company of Proprietors and their successors and shall and may be exercised by them as fully and effectually to all intents and purposes as the same could or might have been exercised by the owner of the said ferry.

Damage done to the bridge by bargemen to be paid for by the owners.

36. And be it further enacted that if the person or persons having the care of any barge or boat which shall be navigated in or upon the said river Trent shall wilfully carelessly or negligently cause permit or suffer any damage or injury to be done to the said bridge by any such barge or boat then and in every such

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case the owner or owners of every such boat or vessel shall be answerable and liable to make satisfaction to the said Company of Proprietors for such damage or injury and such satisfaction shall and may be recovered from the owner or owners of such boat or vessel in like manner as if such damage or injury had been occasioned by or through his or their own negligence or carelessness.

A.D. 1927.

37. And be it further enacted that if the person or persons having the care of any barge boat or other vessel which shall be navigated in or upon the said river shall pass a line over the said bridge to the annoyance of passengers or cattle going over the same every such person shall for every such offence forfeit and pay the sum of twenty shillings to be paid to the . . . [said Company of Proprietors for the purposes of this Act].

Penalty for passing a line over the bridge.

39. And be it further enacted that the said bridge or the tolls thereof shall not be rated or assessed for or towards any publick or parish rate tax or duty whatsoever but the same bridge with its appurtenances shall be deemed extra parochial to all intents and purposes . . . and that the centre or middle of the said bridge shall be deemed and taken to be the boundary between the said counties for the purposes of this Act.

Bridge to be deemed extra parochial and the centre the boundary between the counties.

41. And whereas in consequence of building the said bridge vessels navigating on the said river Trent may at some particular times have occasion for capsterns and mooring posts to guide such vessels through the arches of the said bridge and prevent the same from being driven thereon be it further enacted by the Authority aforesaid that the said Company of Proprietors or their successors shall and they are hereby required upon application made to them by the Company of Proprietors of the River Trent Navigation to set up and erect a proper capstern or capsterns and mooring posts as well above as below the said bridge for the convenience of vessels navigating on the said river and from time to time to repair and keep in repair the said capsterns and mooring posts and as occasion shall require to set up and erect new capsterns and mooring posts in lieu of such as shall be worn out and become useless.

For providing capsterns and mooring posts at the bridge if required by the Company of Proprietors of the Trent Navigation.

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