



ANNO QUADRAGESIMO PRIMO

# GEORGII III. REGIS.

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## *Cap. 87.*

An Act for continuing for Twenty-one Years, and from thence to the End of the then next Session of Parliament, the Term, and altering and enlarging the Powers of an Act, passed in the Twentieth Year of the Reign of His present Majesty, for making and maintaining the Road from *Sage Cross*, in the Town of *Melton Mowbray* in the County of *Leicester*, to the Town of *Grantham* in the County of *Lincoln*.  
[20th June 1801.]

**W**HEREAS an Act was passed in the Twentieth Year of the Reign of His present Majesty King George the Third, intituled, *An Act for making and maintaining a Road from Sage Cross, in the Town of Melton Mowbray in the County of Leicester, to the Town of Grantham in the County of Lincoln*: And whereas the Trustees appointed in or by virtue of the said Act have proceeded in the Execution of the Powers thereby vested in them, and have from Time to Time for that Purpose borrowed several considerable Sums of Money on the Credit of the Tolls thereby granted, which Money, together with a very considerable Arrear of Interest, now remains due: And whereas the Money so borrowed cannot be repaid, nor the said Road be properly amended, kept in Repair, and improved, unless the Term of the said Act be further continued, and the Powers and Provisions thereof in some Respect altered and enlarged, and the Tolls raised and increased; 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  
[Loc. & Per.] 18 E Consent



Former Act to  
continue in  
force, subject  
to Amend-  
ments.

Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Term granted by the said recited Act shall be repealed; and that the said recited Act, and all and every the Authorities, Privileges, Powers, Provisions, Exemptions, Clauses, Matters, and Things therein contained, and which are now in force (except such as are hereby varied, altered, or repealed, and also such as relate to Exemption from Stamp Duties) and also this present Act, shall be and are hereby declared to be in full Force and Effect, and shall have Continuance for and during the further Term herein-after mentioned, as fully and effectually to all Intents and Purposes as if the same were hereinafter repeated and re-enacted; and that this Act and the additional Term hereby granted shall be and are hereby made subject and liable to the Payment of all Monies now due and owing, or which shall be borrowed upon the Credit of the said recited Act and this present Act, and of all Interest due or to grow due thereon respectively.

Additional  
Trustees.

II. And be it therefore enacted, That Robert Alderman, Gilbert Beresford Clerk, James Bingham Junior, Clerk, Bissell Clerk, Thomas Black, John Bright, Edward Bright, Henry Brown Clerk, Edward Brudenell Clerk, John Bullivant, Charles Lucas Calcroft, Samuel Caldecott, Andrew Carpendale, William Todkill Catlett, Mountague Cholmeley Senior, Mountague Cholmeley Junior, John Cholmeley Clerk, John Cleathing Clerk, John Clementson, James Cooke, George Coward, John Corrie Clerk, George Crabbe Clerk, Cragg Clerk, Cragg Clerk, the Honourable Henry Cust, the Honourable John Cust, Darker, Elias Benjamin de la Fontaine, John Dixon, William Dodwell Clerk, Jeremiah Ellis D. D. Charles Gery Clerk, George Gordon Clerk, Thomas Gozna, Sir Edmund Cradock Hartopp Baronet, George Harry William Hartopp, Edward Hartopp Junior, Robert Heron, Robert Heron Clerk, Richard Holt, Rowland Hoyle Clerk, Samuel Hurst, James Raymond Johnson, Jordan Clerk, George Anthony Legg Keck, William King, Charles Latham, William Latham, Joseph Laurence, Beaumont Leeson Senior, Beaumont Leeson Junior, David Lely, John Rowland Litchfield Clerk, the Honourable Charles Manners commonly called Lord Charles Manners, the Honourable Robert Manners commonly called Lord Robert Manners, Sir William Manners Baronet, Charles Manners, John Manners, Thomas Manners Clerk, John Manners of Grant-ham, Thomas Marriott, George Marriott, John Maydwell Clerk, Edward Monkton, John Morres Clerk, John Myers Junior, Clerk, Noble Clerk, Richard Norman, George Osborne Clerk, William Ostler, Richard Palmer Junior, Clerk, Matthew Pape, the Honourable Edward Percival, William Peters Clerk, Charles Raby, Roberts Clerk, John Scott Clerk, William Shepherd, William Shipman, Edmund Sparke Clerk, John Grundy Thompson Clerk, John Hayford Thorold, William Thorold, Michael Thorold Clerk, Henry Thorold Clerk, Burgoyne Tomkins, Torkington D. D. Torkington D. D. James Torkington, John Frewin Turner, Baptist Noel Turner Clerk, Edmund Turner, William Underwood, William Earle Welby Junior, John Whitchurch Junior, William Gregory Williams, George Williamson, Thomas Wilson M. D. Vincent Wing, and Simon York, shall be and they are hereby added to and joined with the Trustees appointed by or in pursuance of the said recited Act for putting the same and this Act in Execution, and the Trustees herein nominated and their Successors (being qualified according to the Directions of the said recited Act) are hereby empowered to act in the Execution of the said recited Act and



and of this present Act, as fully and effectually to all Intents and Purposes as if they had been appointed Trustees by or in pursuance of the said recited Act.

III. And be it further enacted, That so much of the said Act of the Twentieth Year of His present Majesty as relates to the Appointment of new Trustees, and the Times and Places of Meetings and Adjournments thereof, and the Revocation of Orders made by Five Trustees, shall be and the same is hereby repealed; and that in case any of the Trustees named in or appointed by virtue of the said former Act and this Act, or either of them, shall die, or by Writing under his Hand delivered to the Clerk of the said Trustees shall refuse to act as a Trustee, it shall be lawful for the surviving or remaining Trustees, or any Five or more of them, by Writing under their Hands, to be entered into their Minute Book, and made a Part of the Order (at any Meeting whereof at least Fourteen Days Notice shall have been given upon all the Toll Gates then erected upon the said Road, and specifying that an Appointment of new Trustees is intended to be made at such Meeting) to nominate and appoint some other Person to be a Trustee in the Room of each Trustee so dying or refusing to act as aforesaid; and every Person so nominated and appointed (being qualified as aforesaid) shall have the like Power and Authority to act as a Trustee under the said former Act and this Act as the Person had in whose Stead he shall be so appointed.

Appointment  
of new Trustees  
on Vacancies.

IV. And be it further enacted, That the said Trustees, or any Three or more of them, shall meet together on the Third *Monday* next after the passing of this Act, between the Hours of Ten of the Clock in the Forenoon and Two of the Clock in the Afternoon, at some convenient Place in the Town of *Groxton Kerial*, in the County of *Leicester* aforesaid, or at such other Time and Place as the Clerk or Treasurer to the said Trustees shall appoint, by Notice in the Manner herein-after prescribed with respect to Meetings on Emergencies, and shall then and there proceed to carry into Execution the said recited Act and this Act, and shall also yearly and every Year during the Continuance of the said recited Act and this Act meet at some convenient Place in *Grantham* aforesaid on the Second *Wednesday* in the Month of *March*, and at some convenient Place in *Melton Mowbray* aforesaid on the Second *Wednesday* in the Month of *July*, and shall and may at such Meetings and from Time to Time afterwards adjourn themselves to meet again at such Place or Places on or near to any Part of the said Road as the said Trustees, or the major Part of them present at any such Meetings, shall think proper and appoint, for putting this Act and the said recited Act into Execution.

Meeting of  
Trustees.

V. And be it further enacted, That in case a competent Number of Trustees shall not appear at any Time and Place appointed for a Meeting of Trustees for putting the said recited Act and this Act in Execution, either then to act or to adjourn to any other Time (Two Trustees being hereby declared to be sufficient for the Purpose of Adjournment) or in case the Trustees at any Time assembled shall neglect or omit to adjourn themselves, then and in either of the said Cases it shall be lawful for the Clerk or Treasurer to the said Trustees for the Time being, by Notice in Writing affixed upon all the Toll Gates erected upon the said Road, and in some publick Place in each of the said Towns of *Grantham* and *Melton Mowbray*

Power to  
adjourn.



Meetings on  
Emergencies.

No Order to  
be revoked  
but at Meet-  
ings of Nine  
Trustees.

Discontinuing  
the former  
Tolls and  
granting new  
ones.

*Mowbray* at least Seven Days before the next Meeting, to appoint the said Trustees to meet at the same Place where the last Meeting was held or was to have been held, on such future Day as shall be specified in such Notice, not exceeding Six Weeks after the Day on which such Meeting was held or was to have been held as aforesaid; and in case such Clerk or Treasurer respectively shall refuse or neglect to give Notice, or shall by any Means be prevented from giving Notice as aforesaid, it shall be lawful for any Five of the said Trustees, although not assembled at any Meeting, at any Time or Times after such Refusal, Neglect, or Prevention respectively as aforesaid, by Notice in Writing under their Hands to be affixed in Manner aforesaid, to appoint the said Trustees to meet in some House near to the said Road upon some Day within Three Weeks after the Date of such last mentioned Notice; and if after any Adjournment of the said Trustees it shall be thought necessary that they should meet at an earlier Time than the Day appointed by such Adjournment, in that Case the Clerk to the said Trustees, upon an Order in Writing signed by Five or more of them, mentioning the Time, Place, and Purpose of such Meeting, shall forthwith give Notice thereof in the Manner before directed, of the Time and Place which shall be mentioned in such Order (such Time being not less than Seven Days after such Notice) and such earlier Meeting shall and may be held accordingly, and all the Proceedings of the Trustees at such Meetings as aforesaid shall be as valid and effectual as they would have been in case such Meetings had been held in pursuance of Adjournment: Provided always, that no Order made by Five Trustees shall be revoked or altered unless Nine Trustees shall be present and Seven of them concur therein, at a Meeting to be held for that Purpose, of the Purport of which Meeting Fourteen Days Notice shall be given by affixing the same upon all the Toll Gates erected upon the said Road, and in some publick Place in each of the Towns of *Grantham* and *Melton Mowbray*.

VI. And be it further enacted, That from and after the Commencement of this Act, all the Tolls by the said recited Act of the Twentieth Year of His present Majesty's Reign granted and authorized to be taken upon the said Road shall cease, determine, and be no longer paid; and that instead and in lieu thereof the following Tolls shall be demanded and taken, under such Restrictions as are in this Act contained, and under such Powers as are hereby and by the former Act given, at each and every of the Toll Gates erected or to be erected upon the said Road, of the Person or Persons attending any Cattle or Carriage, or other Thing liable to the Payment of Tolls, by such Person or Persons as the said Trustees, or any Five or more of them, shall from Time to Time appoint for that Purpose, before any Horse, Cattle, Beast, or Carriage herein-after specified shall be permitted to pass through the same on any Day of the Week; (that is to say)

For every Horse or other Beast of Draught drawing any Coach, Berlin, Landau, Chariot, Chaise, Calash, Hearse, or Chaise Marine, Chair, Gig, Whiskey, or other Four or Two-wheeled Carriage of the like Kind, the Sum of Sixpence:

For every Horse or other Beast of Draught drawing any Waggon, Wain, Cart, or other Carriage of the like Kind, the Sum of Sixpence:

For



For every Four-wheeled Carriage in any Manner fixed to any Waggon, Wain, Cart, or other Carriage drawing, the Sum of One Shilling :

For every Two-wheeled Carriage, having any Person therein, or being laden in any Manner, fixed to any Waggon, Wain, Cart, or other Carriage drawing, the Sum of One Shilling :

For the same if unladen or empty the Sum of Sixpence :

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

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

For every Horse, Mare, Gelding, Mule, or Ass, laden or unladen, and not drawing, the Sum of Two-pence :

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

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

VII. Provided always nevertheless, That nothing herein contained shall extend or be construed to extend to empower the said Trustees, or any of them, to cause more than Three full Tolls to be demanded and taken for the Passage of the same Cattle, Carriages, Beasts, or other Things through all the Toll Gates erected or to be erected between the Town of *Melton Mowbray* and the Town of *Grantham* aforesaid on the same Day, nor more than Two full Tolls for the Passage of the same Cattle, Carriages, Beasts, or other Things through all the Toll Gates erected or to be erected between the Town of *Melton Mowbray* aforesaid and the Town of *Croxton Kerial*, in the said County of *Leicester*, on the same Day, nor more than Two full Tolls for the Passage of the same Cattle, Carriages, Beasts, or other Things through all the Toll Gates erected or to be erected between the said Town of *Grantham* and the Town of *Walsham in the Wolds*, in the said County of *Leicester*, on the same Day, to be computed from Twelve of the Clock at Night to Twelve of the Clock the next Night ; which said Tolls or Duties, and every Part thereof shall be vested in the said Trustees, and shall be paid, applied, and disposed of for such Uses, Intents, and Purposes, as are by the said recited Act and this present Act directed and appointed, and to and for no other Use, Intent, or Purpose whatsoever.

Not more than Three full Tolls to be taken.

Tolls vested in Trustees.

VIII. And be it further enacted, That the said Trustees, or any Five or more of them, at any Meeting to be holden for that Purpose, whereof at least Twenty Days Notice shall be given in Writing affixed on all the Toll Gates erected on the said Road, may, and they are hereby authorized and empowered from Time to Time (in case it shall appear requisite and expedient) to lessen and reduce, and again to raise and advance the Tolls and Duties hereby authorized to be taken, or any Part thereof, and to order the same to be taken in such Parts and Proportions as they shall think fit, so that the respective Tolls so raised never exceed the Tolls

Power to vary the Tolls, with Consent of Creditors.

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by this Act authorized to be taken, and so that the Tolls so granted or raised be never lessened until the Money borrowed on the Credit thereof, together with the Interest, be repaid, except the Person or Persons entitled to Three Fourth Parts or more of such Money consent thereto; and such Tolls and Duties so raised, and every of them, shall be collected, recovered, and applied in the same Manner as the Tolls and Duties hereby authorized to be taken are directed to be collected, recovered, and applied.

Power to vary  
additional  
Tolls.

IX. Provided nevertheless, That it shall and may be lawful for the said Trustees, or any Seven or more of them, and they are hereby empowered from Time to Time, either with or without the Consent of the Persons entitled to the Whole, or any Proportion of the Money which shall be borrowed and then owing on the Credit of the Tolls arising on the said Road, to lessen or reduce the Toll of Sixpence hereby granted for every Horse or other Beast of Draught, drawing any Waggon, Wain, Cart, or other Carriage of the like Kind, to any Sum not less than Fourpence Halfpenny, and again from Time to Time to raise the same to any Sum not exceeding the Sum of Sixpence; also to reduce or lessen the Toll of Two-pence hereby granted for every Horse, Mare, Gelding, Mule, or Ass, laden or unladen, and not drawing, to any Sum not less than the Sum of One Penny Halfpenny, and again from Time to Time to raise the same to any Sum not exceeding the Sum of Two-pence.

Toll on Wag-  
gons with  
Wheels of  
Six Inches,  
but of less  
than Nine  
Inches  
Breadth, and  
drawn by  
Horses in  
Pairs.

X. Provided always, and be it further enacted, That in all Cases where any Waggon, Wain, Drug, Cart or other Carriage of the like Kind, having the Fellies of the Wheels thereof of the Breadth of Six Inches or upwards, but of less Breadth than Nine Inches, shall be drawn upon the said Road by Horses or other Beasts of Draught in Pairs, the same Toll or Duty shall be payable and be paid for every such Horse or Beast of Draught as shall for the Time being be payable by virtue of this Act and the General Act of the Thirteenth Year of His present Majesty's Reign relating to Turnpike Roads, for any Horse or other Beast of Draught drawing any such like Carriage having the Fellies of the Wheels thereof of less Breadth than Six Inches; any Thing in the said last mentioned Act contained to the contrary notwithstanding.

Power to  
compound.

XI. And be it further enacted, That the said Trustees, or any Seven or more of them, may, and they are hereby authorized and empowered to compound and agree by the Year or otherwise with any Persons using the said Road (common Carriers and the Proprietors of Stage Coaches only excepted) for any Sum or Sums of Money which the said Trustees, or any Seven or more of them, shall think fit, for and in lieu of Payment of any of the said Tolls or Duties; which Composition shall be immediately paid to the said Trustees, or to such Person or Persons as they, or any Five or more of them, shall appoint.

Same Powers  
for demand-  
ing Tolls as  
in the old Act.

XII. And be it further enacted, That the said Trustees or any Five or more of them, or such Person or Persons as they, or any Five or more of them, shall authorize and appoint, shall have the same Powers, Authorities, and Remedies for demanding, collecting, receiving, levying, assigning, transferring, leasing, and compounding for, the Tolls and Duties hereby



hereby made payable, as are in and by the said recited Act to them given and reserved with respect to the Tolls thereby granted.

XIII. And be it further enacted, That the Road to be made, altered, widened, and kept in Repair by the said Trustees, or any Five or more of them, shall extend only from a certain Cross called *Sage Cross*, at the East End of *Melton Mowbray*, to the North East Side of a certain Lane between or in the Parishes or Townships of *Spittlegate*, in the said County of *Lincoln*, and *Grantham* aforesaid, or One of them called *Sand Pit Lane*, and no further; any Thing in the said recited Act contained to the contrary thereof in anywise notwithstanding. Extent of Road.

XIV. And be it further enacted, That all Leases and Agreements now existing of or concerning the Tolls arising at the present Toll Gates upon or belonging to the said Turnpike Road, or any or either of them, or any Part or Parts thereof, shall, from and after the Expiration of Twenty-eight Days from the passing of this Act, be, and the same are hereby declared to be void and of none Effect; and the Lessee or Lessees, or other Persons entitled to all or any such Leases or Agreements, and their Collectors, Servants, or Persons employed by them, shall, upon receiving Ten Days Notice from any Treasurer or Clerk, to the Trustees executing the said recited Act, or this Act, to be left at such Turnpike comprised in any such Lease or Agreement, give up to such Treasurer or Clerk, or to some other Person or Persons to be appointed by the said Trustees, or any Five or more of them, the Possession of the House, Buildings, and Appurtenances included in each such Lease or Agreement, at the Expiration of Ten Days after the said Notice so being left as aforesaid; and if any such Lessee or Lessees, or other Person or Persons, in the Possession of any House, Building, and Appurtenances, shall neglect or refuse to give up the Possession thereof, after the Expiration of such Notice as aforesaid, then and in such Case the same Remedies shall be executed for obtaining the Possession thereof as are given by the said recited Act in case of any Collector of Tolls refusing to deliver up Possession of any House, Buildings, and Appurtenances enjoyed in Right of his Appointment to that Office. Leases to be void.

XV. And be it further enacted, That it shall be lawful for the said Trustees, or any Five or more of them, to continue the present *Hessac Lane* Bar, and other Side Gates, if they, or any Five or more of them, shall think proper so to do; and may cause to be erected One or more Side Gate or Side Gates, Turnpike or Turnpikes, on the Side of the said Road, and upon, in, near unto, or across any Drove Way, Lane, or other Way leading into or out of the said Turnpike Road, and to cause such Tolls to be collected and levied thereat as are appointed by this Act to be taken at the said respective Toll Bars, so as the same do not extend to a double Charge in case of passing through any other of the Turnpike Gates erected or to be erected upon the said Turnpike Road; and also may afterwards from Time to Time remove and alter the Situation of or discontinue such Side Gates, or any of them, and also all Turnpike Gates erected upon or across the said Turnpike Road, or any of them, and to replace the same in more convenient Situations, to be appointed by them from Time to Time and as often as they may think necessary. Power to erect Side Gates.

XVI. And



Exemption of  
Inhabitants of  
the Township  
of Melton  
Mowbray  
from paying  
Toll at Side-  
Gate.

XVI. And be it further enacted, That so much of the said Act of the Twentieth Year of His present Majesty as relates to the exempting of the Inhabitants of the Parish or Township of *Melton Mowbray* aforesaid from paying Toll for the Passage of their Cattle or Carriages through any Side Gate or other Gate to be erected upon or near the said Turnpike Road at the East End of the Town of *Melton Mowbray*, going to any Place whatsoever, provided such respective Cattle and Carriages do not travel upon any Part of the said Turnpike Road between the said Town of *Grantham* and a certain Bridge commonly called *Thorpe Bridge*, at the East End of the Town of *Melton Mowbray* aforesaid, shall be and the same is hereby repealed, and that no Toll shall be demanded of or paid by the Inhabitants of the Township of *Melton Mowbray* aforesaid for the Passage of their Cattle or Carriages through any such Gate going to any Place whatsoever, provided such respective Cattle and Carriages do not travel upon any Part of the said Turnpike Road between the said Town of *Grantham* and a certain Bridge commonly called *Thorpe Bridge* at the East End of the said Town of *Melton Mowbray*.

Penalty for  
evading  
Tolls.

XVII. And be it further enacted, That if any Person or Persons travelling on the said Turnpike Roads shall turn out of the same into another Road with any Horse, Cattle, or Carriages, in order to avoid the Payment of Toll, and shall afterwards proceed with such Horse, Cattle, or Carriages into and on the said Turnpike Road, every such Person so offending shall forfeit and pay, if he be the Owner of such Horse, Cattle, or Carriages, any Sum not exceeding Forty Shillings nor less than Twenty Shillings, and if he be the Driver or Servant and not the Owner, any Sum not exceeding Twenty Shillings nor less than Ten Shillings, upon Conviction, for every such Offence.

Securities to  
be entered.

XVIII. And be it further enacted, That all Assignments and Transfers of Securities to be made by virtue of the said recited Act and of this Act, shall be produced and notified to the said Clerk or Treasurer within Three Calendar Months after the Date thereof, who shall cause an Entry or Memorial to be made thereof, containing the Numbers, Dates, Names of the Parties, and Sums of Money therein mentioned to be assigned or transferred, in the said Book or Books to be kept for entering the said original Mortgages or Assignments, for which such Clerk or Treasurer shall be paid the Sum of Two Shillings and Sixpence, and no more, and which said Book or Books shall and may at all reasonable Times be perused and inspected without any Fee or Reward; and after such Entry made such Assignment or Transfer shall entitle such Assignee, his, heirs, and their Executors, Administrators, and Assigns to the Benefit thereof and Payment thereon; and such Assignee may in like Manner assign or transfer again, and to *toties quoties* as Occasion shall require, and it shall not be in the Power of any Person who shall have made any such Assignment or Transfer to make void, release, or discharge the original Security, or any Monies thereby due or any Part thereof.

Equality of  
Securities.

XIX. Provided always, That no Preference shall be given to any Person or Persons advancing any Sum or Sums of Money upon the Credit of this Act, or who shall have already advanced any Sum or Sums of Money upon the Credit of the former Act, in respect of the Priority of advancing or having advanced any such Sum or Sums of Money, but that all



all Persons to whom such Mortgages or Assignments have been or shall be made as aforesaid shall be in the Proportion to the Sum or Sums of Money therein-mentioned Creditors on the said Tolls in equal Degree one with another.

XX. Provided always, That nothing in this Act contained shall extend or be construed to extend, to prejudice the Securities already made for the Money borrowed upon the Credit of the Tolls and Duties granted by the said recited Act, or any Person or Persons claiming under the same, or any of them.

Not to prejudice former Securities.

XXI. And be it further enacted, That if any Person shall take away any Materials which shall have been digged or gathered in any Lands, Fields, Wastes, or Grounds, River or Brook, for the Purpose of making or amending the said Road, or shall get or take away any Materials out of any Pit or Quarry which shall have been made for the Purpose of getting Materials for the said Road before the Surveyor or his Workmen shall have discontinued working therein for the Space of Twenty-one Days (except the Owner or Occupier of any private Ground, and Persons authorized by such Owner or Occupier to get Materials therein for his own private Use only, and not for Sale) every such Person so offending shall forfeit for every such Offence a Sum not exceeding Three Pounds nor less than Forty Shillings.

Penalty on removing Materials.

XXII. And be it further enacted, That in case any Dispute or Litigation shall arise touching any Distress to be taken for Non-payment or Recovery of any of the Tolls payable by virtue of this Act, the Person or Persons appointed to collect the said Tolls, or any other Person or Persons acting by or under the Authority of the said Trustees, shall be at all Times and in all Courts and Places, and before any Judge or Judges, Magistrate or Magistrates, a good and competent Witness to prove the Legality of Distress, and the Non-payment of such Tolls or any Part thereof, or to give any other Proof or Proofs, Testimony or Evidence which shall be necessary in such Case.

Collectors competent Witnesses.

XXIII. And be it further enacted, That the said Trustees may sue and be sued for or concerning any Thing to be done by virtue or in pursuance of this Act in the Name of their Treasurer or Treasurers, if more than One, for the Time being, and that no Action or Suit to be brought or commenced by the Direction or against the said Trustees by virtue of this Act in the Name of their Treasurer or Treasurers, shall abate or be discontinued by the Death or Removal of any such Treasurer or Treasurers, or either of them, nor by the Act of such Treasurer, without the Consent of the said Trustees, or any Five or more of them, at a Meeting holden in pursuance of this Act, of which Ten Days previous Notice shall be given in Manner herein-before directed, and that the Treasurer or Treasurers for the Time being shall be deemed to be Plaintiff or Defendant as the Case may be, in every such Action.

Trustees may sue and be sued in the Name of the Treasurer.

XXIV. Provided always, That such Treasurer or Treasurers, in whose Name or Names any Action or Suit shall be commenced, prosecuted, or defended in pursuance of this Act, shall be fully indemnified, reimbursed, and paid, out of the Monies to arise by virtue of this Act, all such

Treasurer to be indemnified.

[Loc. & Per.]

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Costs,



Costs, Charges, Damages, and Expences, as by the Event, or in consequence of any such Action or Proceeding he shall pay, bear, expend, or be put unto or become chargeable with by reason of his being so made Plaintiff or Defendant as aforesaid.

Penalty on  
riding upon  
Footways.

XXV. And be it further enacted, That if any Person or Persons shall exercise, ride, or lead any Horse or Horses upon any Footway or Path adjoining to or made on the Side of or upon the said Road, or upon any of the Foot Pavements within the said Towns of *Melton Mowbray* and *Grantham* aforesaid, or shall wantonly drive any Horses, Cattle, or Carriages thereon, or shall cause any Damage to be done to such Footway, or if any Person driving any Pigs or Swine upon the said Road shall suffer the same to stop upon the said Road, or to root up or damage the same, or any Part thereof, or the Fences, Hedges, Backings, or Cops, or Earth Banks on either Side thereof, or if any Person driving any Coach, Chaise, Waggon, Cart, or other Carriage, shall not keep his Carriage on the left Side of the said Road, or if any Person shall in any Manner wilfully prevent any other Person or Persons from passing him upon the said Road, or the Coach, Chaise, Waggon, Cart, or other Carriage under his Care, or if any Person shall make or assist in making any Fire or Fires commonly called Bonfires, or shall set fire to, or let off or throw any Squib, Rocket, Serpent, or Firework whatsoever on any Part or Parts of the said Road, or if any Person or Persons shall leave any Coach, Chaise, Waggon, Wain, Cart, or other Carriage, in, upon, or on the Side of any Part of the said Road, either with or without any Horse or other Beast of Draught harnessed or yoked thereto, or shall lay any Piece of Timber, or any Stones, Hay, Straw, Dung, Manure, Rubbish, or other Matter or Thing whatsoever on any Part of the said Road, or on the Side or Sides thereof to the Prejudice thereof, or to the Prejudice, Annoyance, or Inconvenience of Persons travelling thereon, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings nor less than Ten Shillings.

Application  
or Compen-  
sation where  
exceeding  
200 l.

XXVI. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands, Grounds, or Hereditaments, purchased, taken, or used by virtue of the Powers of the said recited Act and this Act for the Purposes thereof, which shall belong to any Corporation, Feme Covert, Infant, Lunatick, or Person or Persons under any Disability or Incapacity as in the said first-recited Act particularly mentioned, such Money shall, in case the same shall amount to the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account *ex parte* the Trustees for executing the said Act and this Act, to the Intent that such Money shall be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Grounds, or other Hereditaments, in the Purchase of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrances or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands, Grounds, or other Hereditaments, standing settled therewith to the same or the like Uses, Trusts, Intents, or Purposes; or where such Money shall not be



be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Lands, Grounds, or other Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Lands, Grounds, or other Hereditaments which shall be so purchased, taken, or used as aforesaid stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking Effect; and in the mean Time and until such Purchase shall be made, the said Money shall, by Order of the said Court of Chancery, upon Application thereto, be invested by the said Accountant General in his Name, in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities, and in the mean Time and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of the said Consolidated or Reduced Bank Annuities, shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Grounds, or other Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made.

XXVII. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands, Grounds, or other Hereditaments purchased, taken, or used for the Purposes aforesaid, and belonging to any Corporation, or to any Person or Persons under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds and shall exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Lands, Grounds, or other Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank, in the Name and with the Privy of the said Accountant General of the High Court of Chancery, and be placed to his Account as aforesaid, in order to be applied in Manner herein-before directed; or otherwise the same shall be paid, at the like Option, to Two Trustees, to be nominated by the Person or Persons making such Option, and approved of by Five or more of the said Trustees (such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties) in order that such Principal Money, and the Dividends arising thereon, may be applied in any Manner herein-before directed, so far as the Case be applicable, without obtaining, or being required to obtain, the Direction or Approbation of the Court of Chancery.

Application where the Compensation does not exceed 200*l.* and above 20*l.*

XXVIII. Provided also, and be it further enacted, That where such Money so agreed or awarded to be paid as next before-mentioned shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Grounds, or other Hereditaments so purchased, taken, or used for the Purposes of the said Act and this Act, in such Manner as the said Trustees, or any Five or more of them, shall think fit; or in case of Infancy or Lunacy, then to his, her, or their

Application where the Money is less than 20*l.*

Guar-



Guardian or Guardians, Committee or Committees, to and for the Use, and Benefit of such Person or Persons so entitled respectively.

Expences of  
the Act.

XXIX. And be it further enacted, That the Charges and Expences of obtaining and passing this Act, shall be paid out of any Money already collected and received, or to be collected and received by virtue of the said recited Act or of this Act.

Publick Act.

XXX. And be it further enacted, That this Act shall be deemed, adjudged, and taken to be a Publick Act, and be judicially taken Notice of as such by all Judges, Justices, and other Persons whomsoever, without specially pleading the same.

Commence-  
ment and  
Continuance  
of this Act.

XXXI. And be it further enacted, That this Act shall commence and take place upon the Third *Monday* next after the passing thereof, and shall continue in Force for and during the Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament.

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