



ANNO SEXTO & SEPTIMO

VICTORIÆ REGINÆ.

Cap. xciv.

An Act for repairing and maintaining the Roads from *Spalding High Bridge*, through *Littleworth*, to *James Deeping Stone Bridge* and *Handley's Bridge* in the County of *Lincoln*, and from *Deeping Stone Bridge* *Maxey Outgang* in the County of *Northampton*. [10th August 1843.]

WHEREAS an Act was passed in the Second Year of the Reign of King *George* the Fourth, intituled *An Act for repairing and maintaining the Roads leading from Spalding High Bridge, through Littleworth, and by Frognall, to James Deeping Stone Bridge in the County of Lincoln, and thence to Maxey Outgang in the County of Northampton, adjoining the High Road there: And* whereas considerable Sums of Money have been advanced upon the Credit of the Tolls authorized to be taken on the said Roads, which Money still remains owing, together with large Arrears of Interest thereon, and such Money cannot be paid off, or the Interest thereof discharged, nor can the said Roads be effectually improved and kept in repair, unless further Powers are granted, and the Term of the said Act further continued, and the existing Tolls altered, and other Tolls granted: And whereas it would be of public Utility if the Trustees for executing this Act were empowered to make and extend as well

[Local.] 33 Y as

1 & 2 G. 4. c. 34.

as to make Variations in the Line of the said Roads as herein-after mentioned: And whereas it is expedient that the said recited Act should be repealed, and that further and more effectual Powers should be granted, as well for repairing and improving the said present Roads as also for making and maintaining the proposed Lines of Road; but the Purposes aforesaid cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted, by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act the said recited Act of the Second Year of the Reign of King *George* the Fourth shall be repealed, and that this Act shall thereafter be put into execution during the Term and for the Purposes herein-after mentioned.

Recited Act repealed, and this Act to be put in force.

All Arrears of Tolls and Monies due under recited Act vested in the Trustees under this Act.

II. And be it enacted, That all Monies due to and all Property and all Choses in Action vested in the Trustees under the Act hereby repealed shall immediately on the Commencement of this Act be vested in the Trustees for executing this Act, and such last-mentioned Trustees may sue for and recover the same and act in respect thereof as effectually as if the same had been vested in them under the said recited Act, and they shall be liable to all the Debts and Engagements to which the Trustees under the recited Act were liable at the Repeal thereof.

Appointment of Trustees.

III. And be it enacted, That all Her Majesty's Justices of the Peace for the Time being acting for the Parts of *Kesteven* and *Holland* in the County of *Lincoln*, or either of those Parts, or for the County of *Soke and Liberty of Peterborough* in the County of *Northampton*, together with *Sir John Trollope* Baronet, Vice Admiral *Sir Thomas Williams*, *Joseph Allen*, *Thomas Albin*, *Henry Bugg* the elder, *Henry Bugg* the younger, *John Butters*, *Leonard Browne*, *William Bull*, *Charles Bonner*, *Charles Foster Bonner*, *John Mawbey Cooper* Clerk, *John Cartwright*, *John Richard Carter*, *William Carter*, *John Carter*, *George Richards Denshire*, *William Dods*, *Henry Dods*, *George Maxwell Edmonds*, *George Maxwell Edmonds* the younger, *Henry Everard*, *Robert Everard*, *Robert Everitt*, *William Fitzhugh*, *Joshua Fletcher*, *Richard Glead*, *Joseph Glead*, *William Goodale*, *Charles Green*, *Henry Hawkes*, *William Hildyard* Clerk, *William Hunt*, *Samuel Graves Harvey*, *William Hobson*, *William Hobson* the younger, *Thomas Harrison*, *Maurice Johnson*, *Theophilus Fairfax Johnson*, *Theophilus Maurice Stephen Johnson*, *George Jennings*, the Reverend *William Moore* Doctor in Divinity, *Maurice Peter Moore*, *Edward Moore* Clerk, *George Augustus Moore*, *Charles Moore* Clerk, *Moses Martell*, *John Molcey Twigge Molcey*, *Joseph Beecraft Mawby*, *Francis Millns*, *William Massey*, *John Kitchen Miller*, *Charles Odlin*, *Robert Parr*, *Robert Parr* the younger, *Peter William Pegus* Clerk, *John Pawlett*, *Jonathan Pilkington*, *Thomas Smith*, *Thomas Henry Smith*, *Samuel Johnson Sharpe*, *John Tatam*, *William Hardy Tatam*, *West Wayet* Clerk, and their Successors, being duly qualified to act as Trustees of Turnpike Roads in *England*, shall be Trustees for putting this Act into execution.

IV. And

IV. And be it enacted, That it shall be lawful for the said Trustees, at any Meeting under this Act, to elect any Number of Persons duly qualified to act as Trustees of Turnpike Roads in *England*, not exceeding Five in the whole, to be Trustees for the Purposes of this Act, in addition to the Trustees hereby nominated; and such Trustees so elected shall have the same Powers and Authorities for executing this Act as if they had been hereby appointed.

Power to appoint additional Trustees.

V. And be it enacted, That the said Trustees shall hold their First Meeting at the Town Hall in *Spalding* on the Third *Thursday* after the passing of this Act, or at some other convenient Place in the Neighbourhood of the said Roads, and shall then, and from Time to Time thereafter, adjourn to and meet at such Times, and at such Places in the Neighbourhood of the said Roads, as they shall think proper.

First Meeting of Trustees.

VI. And be it enacted, That the said Trustees may appoint Committees out of their own Number to take the Care and Management of any particular Part of the said Roads, or to execute any of the other Purposes of this Act, according to such Instructions and Regulations as shall be laid down by the said Trustees at any General Meeting; and the said Committees and their Surveyors may proceed and act according to such Appointment, but shall always be accountable according to the Instructions and Regulations so to be made.

Power to appoint Committees.

VII. And be it enacted, That this Act shall be put in execution for the Purpose of more effectually improving, maintaining, and keeping in repair the present Turnpike Road leading from *Spalding High Bridge*, through *Littleworth*, and by *Frognall*, and over *James Deeping Stone Bridge*, in the County of *Lincoln*, to *Maxey Outgang* in the County of *Northampton*, adjoining the High Road there, and also for making and maintaining as Turnpike the Road called *Horse Gate*, leading from the said present Turnpike Road at a Place called *Lindsey Cross*, through Part of the Parish of *Deeping Saint James*, into the *Stamford* Turnpike Road at or near *Handley's Bridge*, and also the Road called *Bell Lane*, leading out of the said Road called *Horse Gate*, with an Extension thereof by a new Piece of Road through Lands in the Parish of *Deeping Saint James* to *Deeping Saint James Stone Bridge*.

Roads to which this Act is applicable.

VIII. And whereas a Map or Plan, describing the Lines of the Roads intended to be made Turnpike, and of the intended Variations and Extension of the Line thereof, and the Lands through which the same are intended to be made, together with a Book of Reference thereto, containing a List of the Names of the Owners and Occupiers of such Lands, has been deposited at the Office of the Clerk of the Peace for the Parts of *Kesteven* in the County of *Lincoln*; be it therefore enacted, That the said Map or Plan and Book of Reference shall remain in the Custody of the Clerk of the Peace for the said Parts of *Kesteven*, to the end that all Persons may at all seasonable Times inspect and peruse the same, and have Copies thereof

Map or Plan deposited at the Office of the Clerk of the Peace to remain there, and be open to Inspection.

thereof or Extracts therefrom, paying to the Clerk of the Peace the Sum of One Shilling for every such Inspection, and at the Rate of Sixpence for every One hundred Words of such Copies or Extracts; and the said Map or Plan and Book of Reference, or any Copy thereof respectively, or of any Part thereof respectively, certified by the Clerk of the Peace for the said Parts of *Kesteven*, or his Deputy for the Time being, to be a true Copy thereof, shall be good Evidence in all Courts of Law or elsewhere.

Power to make new Line of Road according to Plan.

IX. And be it enacted, That it shall be lawful for the said Trustees to set out, make, and complete the Variations and new Piece of Road herein-before mentioned in the Line and through the Lands delineated in the Map or Plan and described in the Book of Reference herein-before mentioned, of such Width as they may think proper, not exceeding Sixty Feet, together with such Footpaths, Bridges, Embankments, Ditches, Drains, Fences, and other necessary Works upon or near thereto as they may think requisite, and for the Purposes aforesaid to take possession of the Lands and Premises described in such Map or Plan and Book of Reference, making Satisfaction for the same to the Owners thereof and other Persons interested therein, for the Damage which such Owners or other Persons may respectively sustain thereby; and it shall be lawful for the said Trustees, and for their Surveyors and Workmen, from Time to Time to enter upon the said several Lands, and to stake out the same for the Purposes of this Act, at such Times and in such Manner as the said Trustees or Surveyors shall think necessary or expedient.

Trustees not to deviate from Plan without Consent.

X. And be it enacted, That it shall not be lawful for the said Trustees to deviate from the Lines of the Variations and new Piece of Road delineated upon the said Map or Plan, without the Consent in Writing of the Party in or through whose Lands any such Deviation shall be proposed to be made.

Lands marked on the Plan may be used, notwithstanding Errors in the Book of Reference or Schedule.

XI. And be it enacted, That it shall be lawful for the said Trustees to make the said Variations and new Piece of Road in or through the Lands delineated upon the said Map or Plan, although such Lands, or the Situation thereof, or the Names of the Owners or Occupiers thereof, may happen to be omitted, mis-stated, or erroneously described in this Act, or in the Schedule thereto, or in the said Map or Plan, or in the said Book of Reference, in case it shall appear to any Two or more Justices of the Peace for the said Parts of *Kesteven*, in Petty Sessions assembled, and be certified by Writing under their Hands, that such Omission or Mis-statement proceeded from Mistake; and the Certificate of the said Justices shall be deposited with and remain in the Custody of the Clerk of the Peace for the Parts of *Kesteven* for the Time being.

The Freehold and Inheritance of Lands to remain and be vested in

XII. And be it enacted, That in case any Lands shall be hereafter purchased by the said Trustees for the Purpose of making or improving any Road mentioned in this Act, the Freehold and Inheritance in the Lands so purchased, in case the same shall be of Freehold Tenure, and in case the same shall be of any other Tenure

the Estate and Interest therein, shall not (notwithstanding any Provisions in any of the Acts in force for regulating Turnpike Roads in *England*) by means of any such Purchase, or any Conveyance or Assurance made in pursuance thereof, be vested in the said Trustees, but such Freehold and Inheritance, or the Estate and Interest in such Lands, shall, notwithstanding such Purchase and Conveyance or Assurance, remain and be vested in the Persons in whom the same were vested immediately prior to such Purchase by the said Trustees, and the said Trustees shall, by means of such Purchase and Conveyance or Assurance, be entitled to a perpetual Right of Way in, over, or upon the Lands so purchased by them.

the Persons of whom they are purchased.

XIII. Provided always, and be it enacted, That if at any Time any Land purchased by the said Trustees under the Authority of this Act shall not be wanted for the Purposes thereof, and the Road for which the same was purchased shall cease to be a Highway, then the Right of Way in or over the said Lands shall cease and be extinguished, and the Freehold and Inheritance in the said Lands in case the same shall be of Freehold Tenure, and the Estate and Interest in such Lands in case the same shall be of any other Tenure, shall be and remain in the Persons then entitled to the same, freed and discharged from such Right of Way.

The Right of Way to cease when Lands are not wanted.

XIV. Provided also, and be it enacted, That the said Trustees shall have the same Power and Authority of cutting, digging, and using the Lands taken by them for the Purposes of this Act as the said Trustees would have had in case they had purchased the Fee Simple or the whole Estate and Interest in the said Lands.

Trustees to have same Powers of cutting as if Fee Simple Proprietors.

XV. Provided always, and be it enacted, That the Powers and Authorities given by this Act shall not authorize the said Trustees to take or pull down, or to use or injure, any Dwelling House or other Building, or to take, use, or injure any Curtilage, Orchard, Garden, Yard, Park, Paddock, Lawn, Shrubbery, planted Walk or Avenue to a House, or any inclosed Ground planted and set apart as a Nursery for Trees, or any Part thereof respectively, (except such as are mentioned in the Schedule to this Act annexed,) without the previous Consent in Writing of the Owner or Proprietor thereof and other Persons interested therein.

Trustees restrained from pulling down Houses not in Schedule.

XVI. Provided also, and be it enacted, That in case the said Trustees shall not within the Space of Three Years from the Commencement of this Act pay for the Lands which they are by this Act authorized to take, then and from thenceforth all the Powers by this Act or by any other Act granted in relation to the taking of Lands for the Purposes of Turnpike Roads shall, so far as relate to the Lands herein-before authorized to be taken for the Purposes of this Act, cease and be utterly void, unless with the Consent of the Owners and Occupiers of such Lands respectively,

Limiting the Time for purchasing Property.

XVII. And whereas the making of the aforesaid intended Variations and Extension of the Line of the said Road may render it expedient to discontinue the Repair as Turnpike Road of such Part

Provision for discharging the Trustees from the Care of

[Local.]

33 Z

of

of Part of the Road when the Improvements are completed.

of the present Road as leads from *Lindsey Bridge*, by *Frognall*, to *James Deeping Stone Bridge*; be it therefore enacted, That it shall be lawful for the Trustees, at any Meeting to be held at any Time after the said Variations and Extension shall have been completed, to order the whole or any Part of the said Road extending from *Lindsey Cross*, by *Frognall*, to *James Deeping Stone Bridge*, to be discontinued as a Turnpike Road, and from and after the making of such Order, or from and after any Day which shall be specified in such Order, the same shall be discontinued as a Turnpike Road accordingly, and the Trustees shall thenceforth be discharged from the Care, Repair, and Maintenance thereof.

Power to take Tolls.

XVIII. And be it enacted, That it shall be lawful for the said Trustees to demand and take, at the several and respective Toll Gates or Toll Bars which shall by virtue of this Act be upon or on the Sides of the said Roads, such Tolls as the said Trustees at any of their Meetings shall direct, not exceeding the Sums following; (that is to say,)

Tolls.

For every Horse, Ass, Mule, or other Beast of Draught, drawing any Coach, Landau, Barouche, Chariot, Chaise, Landaulet, Phaeton, Hearse, Curricule, Chair, Gig, Van, Caravan, Taxed Cart, or other Carriage of a like Description, by whatsoever Name called or known, the Sum of Sixpence :

For every Horse, Ass, Ox, Mule, or other Beast of Draught, drawing any Waggon, Wain, Cart, Timber Carriage, Tumbrel, or other Carriage of a like Description, by whatsoever Name called or known, having the Fellies of the Wheels of the Breadth of Six Inches or upwards, with the entire Sole of such Fellies of a flat Surface, or not deviating more than One Quarter of an Inch from a flat Surface, the Sum of Four-pence :

For every Horse, Ass, Ox, Mule, or other Beast of Draught, drawing any Waggon, Wain, Cart, Timber Carriage, Tumbrel, or other Carriage of like Description, by whatsoever Name called or known, having the Fellies of the Wheels of less Breadth than Six Inches, or having a Deviation of more than One Quarter of an Inch on the entire Sole of the Fellies from a flat Surface, the Sum of Sixpence :

For every Dog, Goat, or other such like Animal, drawing any Cart, Carriage, Truck, Barrow, or other such like Carriage, the Sum of Three-pence :

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

For every Drove of Oxen, Cows, Neat Cattle, or Swine, the Sum of One Shilling and Three-pence *per* Score, and so in proportion for any less Number than a Score :

For every Drove of Calves, Sheep, Lambs, or Geese, the Sum of Five-pence *per* Score, and so in proportion for any less Number than a Score :

For every Carriage, of whatever Description, and for whatever Purpose used, not drawn by any Horse or other Beast, but impelled or set and kept in motion by or by means of Steam or Mechanism, the Sum of Two Shillings and Sixpence :

For every Carriage, of whatever Description; and for whatever Purpose used, linked or fastened to any Carriage not drawn by any Horse or other Beast, but impelled or set and kept in motion by or by means of Steam or Mechanism, and drawn by means of its being so linked or fastened thereto, the Sum of One Shilling and Sixpence :

Which said Tolls shall be taken before any Horse, Mule, Ass, Beast, or other Cattle or Animal, or Carriage whatsoever, shall be permitted to pass through any Toll Gate or Bar which shall be by virtue of this Act upon or across the said Roads or on the Sides thereof.

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

Fraction of a Halfpenny in Tolls.

XX. And be it enacted, That no more than Two full Tolls shall be taken for passing and repassing in the same Day (to be computed from Twelve of the Clock at Night to Twelve of the Clock in the next succeeding Night), with the same Horses, Beasts, Cattle, or other Animal or Thing liable to Toll or Duty, through all the Toll Gates erected or to be erected or continued on the said Roads between *Spalding High Bridge* and *Marey Outgang*; and that no more than One full Toll shall be taken for passing and repassing in the same Day (to be computed as aforesaid), with the same Horses, Beasts, Cattle, or other Animal or Thing liable to Toll or Duty, through all the Toll Gates to be erected on the Road between the Northernly End of *Bell Lane* and *Handley Bridge* aforesaid, or between *Spalding High Bridge* and the Division Line (in *Littleworth Drove*) of *Kesteven* and *Holland*, or between the said Division Line and *James Deeping Stone Bridge*.

Limiting the Number of Tolls on the whole Line.

XXI. And be it enacted, That all Horses and Cattle (except Horses or Cattle drawing any Stage Coach, Waggon, or other Stage Carriage, as herein-after mentioned,) in respect whereof the Toll hereby authorized to be taken shall have been paid at any Toll Gate or Bar on any of the said Roads or on the Sides thereof shall, upon a Ticket denoting such Payment being produced, be permitted, in returning through the same Toll Gate or Toll Bar, and in going and returning through such other Gate or Bar (if any) as the Ticket for such Payment shall free, to pass Toll-free the same Day.

Persons having paid Toll to return Toll-free.

XXII. Provided always, and be it enacted, That the Tolls hereby made payable shall be paid for all Horses or Cattle drawing any Post Chaise or other Carriage travelling for Hire, as often as new Hiring shall take place, in the same Manner as if no previous Payment of Toll in respect of such Horses or Cattle had been made on the same Day.

Post Chaises to pay every Time of passing with fresh Hiring.

XXIII. And be it enacted, That all Horses and Cattle drawing any Stage Coach, Waggon, or other Stage Carriage conveying Passengers or Goods for Hire or Reward, and any Carriage propelled or drawn

Regulations as to Stage Coaches &c.

drawn by Steam or any other Power than Animal Power, in respect whereof the Toll hereby authorized to be taken shall have been paid at any Toll Gate or Bar, shall, upon a Ticket denoting such Payment being produced, be permitted to pass once Toll-free on the same Day through any other Gate or Bar which such Ticket would free in the Case of Horses or Cattle drawing any other Carriage; and no further or additional Toll shall be payable in respect of any Stage Coach or other such Carriage as aforesaid, at any Toll Gate or Bar the Payment at which shall be freed by such Ticket as aforesaid, on account only of their conveying other Passengers or of the Horses or Cattle drawing the same having been changed.

One-horse
Carts may be
weighed.

XXIV. And be it enacted, That all Carts and other such like Carriages passing along the said Roads, drawn by only One Horse or other Beast, or impelled or set and kept in motion by or by means of Steam or Mechanism, may be weighed at any Weighing Machine erected or to be erected on the said Roads, and the like additional Toll may be demanded, received, and recovered for the Overweight thereof as is by Law payable in respect of the Overweight of Carts or other Carriages drawn by Two or more Horses; and all Powers, Regulations, and Penalties now in force relating to the weighing of Waggons, Carts, and other Carriages drawn by more than One Horse shall be applicable to Carts or other such like Carriages passing on the said Roads drawn by only One Horse or other Beast, and to the Drivers, Masters, and Owners thereof respectively.

Double Toll
for extra
Weight be-
tween 1st of
November
and 1st of
April.

XXV. And be it enacted, That between the First Day of *November* in every Year and the First Day of *April* in the next succeeding Year it shall be lawful for the said Trustees to demand at each Toll Gate or Toll Bar Double the Toll hereby payable for every Horse or other Beast of Draught drawing any Waggon or other Carriage the Weight of which and of the Loading thereof shall exceed Three Tons.

Horses, &c,
drawing dif-
ferent Car-
riages to be
again sub-
ject to Toll.

XXVI. Provided always, and be it enacted, That in case the Toll in this Act mentioned shall have been paid in respect of any Horses, Beasts, or Cattle drawing any Waggon, Wain, Cart, or other Carriage at any Toll Gate or Bar upon or on the Side of the said Roads, and any such Horses, Beasts, or Cattle shall be afterwards employed on the said Roads during the same Day in drawing a different Waggon, Wain, Cart, or other Carriage from that which they were employed in drawing when such Payment was made, all such Horses, Beasts, and Cattle so drawing shall, notwithstanding such Payment, be again liable to Toll in the same Manner as if no previous Payment of Toll in respect of the same had been made.

Penalty on
Lessees of
Tolls com-
pounding for
Overweight.

XXVII. And whereas great Injury may be done to the said Roads by the Lessees or Renters of the Tolls accepting an inadequate Composition for the Tolls of Carriages by Law liable to be charged in respect of Overweight; be it therefore enacted, That if any Lessee or Renter of the Tolls by this Act granted, or any Deputy or Agent of such Lessee or Renter, shall make Composition, by the Year or otherwise, with any Person whomsoever, for or in lieu of the Tolls of any Carriage, of whatever Description, by Law liable to be charged

charged in respect of Overweight, every such Lessee or Renter, Deputy or Agent, shall, on Conviction thereof, by Confession, or on the Oath of any Witness, before any of Her Majesty's Justices of the Peace, forfeit, in addition to the Costs and Charges attending the Conviction, a Sum not exceeding Five Pounds, and also his Contract, Lease, or Agreement for renting the Tolls, if the said Trustees shall think proper to order that the same shall be made void, and every such Composition shall be null and void; and One Moiety of every such Penalty shall be paid to the Informer, and the Remainder thereof to the said Trustees, to be applied to the Purposes of this Act.

XXVIII. And be it enacted, That if any Person, having paid any Toll by this Act granted, shall give or dispose of the Note or Ticket signifying the Payment of such Toll to any other Person, in order to avoid the Payment of Toll, every Person so giving or disposing of and every Person receiving such Note or Ticket, being convicted thereof before any Justice of the Peace, shall respectively forfeit and pay any Sum not exceeding Forty Shillings for every such Offence.

Penalty on
Persons
transferring
Toll Tickets
to evade
Tolls.

XXIX. And be it enacted, That the several Toll Gates, Bars, and Toll Houses now standing or being upon the said present Turnpike Roads or on the Sides thereof shall be continued until removed by any Order of the said Trustees; and it shall be lawful for the said Trustees to order and cause to be set up in or across the said present Turnpike Roads, and also upon any Road to be made or repaired by virtue of this Act, or on the Sides thereof, any Toll Gate or Bar, and to remove the present or any future Toll Gate or Bar, as they shall think proper.

Respecting
Toll Gates.

XXX. And be it enacted, That all Monies which shall be received by the said Trustees upon the said Roads by virtue of this Act shall be applied as follows; (that is to say,)

Application
of Monies.

Firstly, in paying and discharging the Expences of obtaining and passing this Act, or incident thereto:

Secondly, in paying and discharging any Interest which may from Time to Time be owing in respect of any Money which may have been borrowed on the Credit of the Tolls authorized to be taken by any former Acts for repairing the said Roads:

Thirdly, in paying the Expences of improving, maintaining, and keeping in repair such Roads, and in putting this Act into execution with reference thereto:

Fourthly, in paying and discharging any Interest which may from Time to Time be owing in respect of any Money which may be borrowed on the Credit of the Tolls after the passing of this Act:

Fifthly, in reducing, paying off, and discharging the several Principal Sums which have been borrowed on the Credit of the Tolls authorized to be taken by any former Act for repairing the said Roads, and also any Sum which may be borrowed under this Act.

[Local.]

34 A

XXXI. And

No more Money to be laid out than taken on any Road.

XXXI. And be it enacted, That no more Money shall be expended in the Repair of any Road comprised in this Act than shall be collected on such Road, or borrowed on the Credit of the Tolls collected thereon.

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

XXXII. And be it enacted, That no Money shall be laid out on any Road comprised in this Act within the Limits prescribed by any Act of Parliament passed for the Improvement of any Town, nor shall any be collected within such Limits.

Assignments may be made of the Tolls for the Discharge of Arrears of Interest due.

XXXIII. And whereas in many Cases the Arrears of Interest on the Mortgage Debts on the said Roads are of long standing; be it therefore enacted, That it shall be lawful for the said Trustees, in case they shall deem it expedient and advantageous to the said Roads, on the Request in Writing of any Mortgagee of the Tolls entitled to more than Six Years Arrears of such Interest, to grant to any such Mortgagee so entitled, in lieu and in full Satisfaction and Discharge of the whole Amount of the Arrears so due to him as such Mortgagee, any Assignment of the Tolls by this Act granted, to an Amount equal to the Amount of Interest for Six Years on the Debt due to such Mortgagee; and Interest shall be made payable on such Assignment, and be paid at a Rate not exceeding the Rate of Interest on the original Mortgage in respect whereof such Arrears were due was thereby made payable; and such Assignments, and any Transfers thereof, shall be made in the Manner and Form provided by the General Turnpike Acts on granting and transferring Mortgages or Assignments of Turnpike Road Tolls, and the Holders thereof shall be subject to the Provisions and Regulations of the said Acts, and be entitled to the Rights and Privileges thereby granted to Mortgagees of the Tolls on Turnpike Roads.

Penalty for hanging out Clothes, &c. on Sides of the Roads, &c.

XXXIV. And be it enacted, That if any Person shall hang out or put or place any Woollen, Cotton, or Linen Clothes, or other Article or Thing, on any Hedge, Fence, Rail, Bank, or Line within Twenty Yards from the Centre of the said Roads, or if any Person shall hang, fix, put, or place any Hook or other Thing to, from, or in any House, Shop, Building, or other Place adjoining or being near to the said Roads, so as to project into the said Roads, or to be a Hindrance or an Annoyance to any Person passing thereon, or so as to prevent or obstruct the safe or free Use of the whole Breadth of the said Roads, every Person offending in any of the Cases aforesaid shall forfeit and pay any Sum not exceeding Forty Shillings for every such Offence.

Trustee or Clerk a competent Witness in Actions.

XXXV. And be it enacted, That no Trustee or Clerk acting under the Authority of this Act, if not otherwise interested, shall be deemed incompetent to give Evidence, or shall be disqualified from giving Evidence, in any Action, Suit, or other Proceeding brought by or against him in such his Capacity of Trustee or Clerk, by reason of his being Plaintiff or Defendant in such Action, Suit, or Proceeding.

XXXVI. And be it enacted, That nothing herein contained shall be deemed to exempt the Roads comprised in this Act from the Provisions of any general Act relating to the Consolidation or other improved Arrangement of Turnpike Roads which may pass during the present or any future Session of Parliament. Roads not to be exempt from any general Act.

XXXVII. And be it enacted, That this Act shall commence on the first *Monday* next after the passing thereof, and shall continue in force for the Term of Twenty-one Years, and from thence to the End of the Session of Parliament which shall then next follow. Term of Act.

XXXVIII. And be it enacted, That in this Act the following Words and Expressions shall have the several Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction ; (that is to say,) Interpretation of Act.

Words importing the Singular Number shall include the Plural Number, and Words importing the Plural Number shall include the Singular Number :

The Word "Person" shall be understood to include Corporation :

Words importing the Masculine Gender shall include Females :

The Word "Lands" shall be understood to include Messuages, Tenements, and Hereditaments.

XXXIX. And be it enacted, That this Act shall be a Public Act, and shall be judicially taken notice of as such. Public Act.

SCHEDULE to which this Act refers.

No. on Plan.	Owners or reputed Owners.	Occupiers.	Description of Property.
1 } 2 }	Joseph Phillips - -	Thomas Nurse - -	Bell Public House, Out- buildings, Yard, and Pad- dock.
3	Joseph Scott - -	Himself - -	House, Garden, and Pad- dock.
4	Thomas Bell, in right of Ann his Wife, late Ann Ranby, Widow.	Riddington	House, Shop, and Yard.
5	Thomas Allum - -	Himself - -	Land and Garden Ground.
6	The Reverend John Maw- bey Cooper.	Thomas Nurse - -	Land.
7	William Rippon - -	Himself - -	Land.
8	Sarah Swift - -	Thomas Swift - -	Land.
9	Robert Batterham - -	Himself - -	Paddock.
27	Sales, Widow - -	William Everitt - -	Land.
21	Roberts - -	Thomas Robertson - -	Cottage and Garden.
22	Feoffees of Tygh's Charity	Thomas Robertson - -	Cottage and Garden.
23	Joseph Hacket - -	Himself - -	Cottage and Garden.
24	William Quanborough - -	Hainsworth - -	Cottage and Garden.
25	Feoffees of Tygh's Charity	James Lord - -	Garden.
26	William Measures - -	Himself - -	Cottage and Garden.