Anno tricesimo secundo

Georgii II. Regis.

An Act to continue, amend, and make effectual an Act passed in the Twelfth Year of the Reign of His present Majesty, intituled, *An Act for repairing the Roads from the North-west Parts of the County of* Lincoln, *through* Nettlam Fields, Wragby Lane, *and* Baumber Fields, *to the* Wolds, *or North-east Part of the said County;* and also for repairing and widening the Roads from the *Well*, in *Eastgate* in the City of *Lincoln*, and from the North-west End of *Horncastle*, and from the *Guide Post* at the East End of *Hainton*, through *Barkwith*, to the Roads directed to be repaired by the said Act.

WHEREAS by an Act made in the Twelfth Year of the Reign of His present Majesty, intituled, An Act for repairing the Roads from the North-west Parts of the County of *Lincoln*, through *Nettlam Fields*, *Wragby Lane*, and *Baumber Fields*, to the *Wolds*, or North-east Part of the said County, several Tolls and Powers were granted for repairing the said Roads; which said Act was to commence from the Twenty fourth Day of June, One thousand seven hundred and thirty nine, and to continue Preamble.

for the Term of Twenty one Years: And whereas the Monies raised by virtue of the said Act have been duly applied, and some Progress hath been made in repairing the said Roads; but the same cannot be effectually amended, unless the said Act be further continued, and rendered more effectual: And whereas the Roads leading from the Well in East Gate, in the City of Lincoln, through Lincoln Field, and from the North-west End of Horncastle, from the House now or lately in the Tenure of Denham Atkinson, and also from the Guide Post at the East End of Hainton, through Hainton Inclosure, and through the Parishes of East Barkwith and West Barkwith, into the Roads directed to be repaired by the said Act, are in a ruinous Condition, and in several Places very narrow and incommodious; and the same cannot be effectually repaired and widened by the ordinary Methods appointed by the Laws in being; 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 Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Act, made in the Twelfth Year of the Reign of His present Majesty, intituled, An Act for repairing the Roads from the North-west Parts of the County of *Lincoln*, through *Nettlam Fields*, *Wragby Lane*, and *Baumber Fields*, to the *Wolds*, or North-east Part of the said County, shall, from and after the Expiration of the Term thereby granted, and of the Term granted by an Act made in the Twenty eighth Year of the Reign of His present Majesty, intituled, An Act to amend an Act made in the Twenty sixth Year of the Reign of His present Majesty, intituled, *An Act for the Amendment and Preservation of the publick Highways and Turnpike Roads of this Kingdom, and for the more effectual Execution of the Laws relating thereto*, shall continue in full Force, and be executed for and during the further Term of Twenty one Years, and from thence to the End of the then next Session of Parliament, subject to the Amendments, Alterations, and Variations, herein after contained.

Act 12 *Geo.* II. continued for 21 Years.

And be it further enacted by the Authority aforesaid, That from and after the passing of this present Act, the said Act made in the Twelfth Year of His present Majesty's Reign, except such Parts thereof as are hereby varied or altered, shall, during the Remainder of the Term thereby granted, and also the Terms granted by

Powers of the 12th, and Terms of 28 *Geo.* II. extended to this Act.

the said Act made in the Twenty eighth Year of his present Majesty's Reign, and this Act, extend, and is hereby extended to, and shall operate and be executed with respect and in relation to, the said Roads leading from the Well in East Gate, in the City of Lincoln, through Lincoln Field, and from the North-west End of Horncastle, from the House now or lately in the Tenure of Denham Atkinson, and also from the Guide Post at the East End of Hainton, through Hainton Inclosure, and through the Parishes of East Barkwith and West Barkwith, into the Roads directed to be repaired by the said Act, and to and for all the Purposes of this Act, as fully and effectually, to all Intents, and in such Manner, as if all the Clauses, Provisions, Powers, Penalties, Forfeitures, Punishments, Matters, and Things, contained in the said Act made in the Twelfth Year of his present Majesty's Reign, were herein repeated and re-enacted, with the Variations and Alterations herein after contained with respect and in relation to the Purposes of this Act, and to the said Roads.

Additional Trustees Names.

And be it further enacted by the Authority aforesaid, That the Right Honourable Robert Manners, commonly called Lord Robert Manners; the Right Honourable Brownlow Bertie, commonly called Lord Brownlow Bertie; the Honourable George Hobart, Sir Cecil Wray, Sir Francis Knollys, Sir John Heathcote, Sir Francis Dashwood, Sir Robert Lawley, Charles Amcotts, the Reverend Bates, William Baldwin, John Baldwin, George Banks, Thomas Brackenbury, Hurton Barker, Henry Boulton, Langhorn Burton, James Birch, John Coltman, John Chaplin, Charles Chaplin, the Reverend Carr, Samuel Dashwood, Dickenson of Baumber, Henry Doughty, Edward Drax, William Drake, Edward Dymoke, John Dymoke, Thomas Dickinson, William Elmhirst, the Reverend Fowler, Joseph Fowler, Thomas Farr, Jonathan Fields, James Grenville, the Reverend Green D. D. the Reverend Langley Gace, Joseph Gace, Robert Banks Hodgkinson, the Reverend Hodgson, George Heald, John Hudson, George Harrison, John Harrison, Benjamin Hudson, George Heneage, Windsor Heneage, Thomas Robert Jenkinson, Bennet Langton, Thomas Lister, John Lawrence, Dymoke Lister, the Reverend Bonham Langley, John Lincoln, Thomas Mainwaring, Thomas Moore, Thomas Moore junior, William Marsham, Charles Mel-

lish, Thomas Missingberd, the Reverend John Marriot, Christopher Nevile, Richard Pilkington, Shelley Pennell, Paul Parnell, Charles Pilkington, Charles Pilkington junior, Paul Pell, William Rayner, Henry Reade, Samuel Reynardson, the Reverend George Reynolds LL.D. the Reverend Charles Reynolds D.D. Thomas Scrope, the Reverend Dixon Story, David Stephenson, the Reverend John Smith of South Ormsby, Edward Smith, Peter Short, Richard Southwell, Coningsby Sibthorpe junior, J. Thorold M.D. Thomas Timberland, Thomas Vivian, Willoughby Wood, William Watson, the Reverend Barnard Wilson D.D. Charles White, Joseph Walls, James Ward, Henry Walsh, Thomas Wallis, and John Ward, shall, from and after the passing of this Act, be added to, and joined with, the Trustees appointed by or in pursuance of the said former Act, for putting the said former Act and this present Act in Execution; and the Trustees herein before nominated are hereby impowered to act in the Execution of the said former Act and this present Act, as fully and effectually, to all Intents and Purposes, as if they had been appointed Trustees by the said former Act; and the Trustees appointed by or in pursuance of the said former Act and this present Act, or any Seven or more of them, shall have the same Authority for electing new Trustees from time to time, instead of such of the Trustees hereby appointed, and their Successors, who shall die, remove, or refuse to act, as is authorized for the Choice of new Trustees, in the said former Act.

Qualifications of Trustees.

Provided always, and be it further enacted by the Authority aforesaid, That from and after the Twenty fourth Day of June, One thousand seven hundred and fifty nine, no Person shall be capable of acting as a Trustee, in the Execution of the said former Act or this present Act, unless he shall have or be seised of, in his own Right, or in the Right of his Wife, and be in the actual Possession, Enjoyment, or Receipt, of the Rents and Profits of a Real Estate in Law or Equity, of the clear yearly Value of Thirty Pounds above Reprizes, or possessed of a Personal Estate alone, or a Real and Personal Estate together, to the Amount of Eight hundred Pounds, or be Heir Apparent of a Person possessed of an Estate in Lands of the yearly Value of Sixty Pounds: And if any Person not being qualified as aforesaid, shall presume to act in the said Trust, every such Person shall, for every such Offence, forfeit the Sum of Fifty Pounds to any

Penalty on acting if not qualified.

Person or Persons who shall inform or sue for the same, to be recovered in a summary Way before the Justices of the Peace, at their Quarter Sessions, or by Action of Debt, or on the Case, Bill, Suit, or Information, in any of His Majesty's Courts of Record at Westminster, wherein no Essoin, Protection, Wager of Law, or more than One Imparlance, shall be allowed; and the Person so prosecuted shall prove that he is qualified as aforesaid, or otherwise shall pay the said Sum of Fifty Pounds, without any other Proof or Evidence on the Part of the Prosecutor, than that such Person hath acted as a Trustee in the Execution of this Act.

The following to be taken instead of those granted by the former Act.

And be it further enacted by the Authority aforesaid, That from and after the First Day of May One thousand seven hundred and fifty nine, instead of the Tolls and Duties granted by the said former Act, the following Tolls and Duties shall be received and taken at each of the Gates or Turnpikes erected or to be erected in pursuance of the said former Act or this present Act (subject to such Exemptions as are mentioned in the said former Act, with respect to the Tolls thereby granted) that is to say,

The Tolls.

For every Horse, Mare, Gelding, Mule, Ass, Ox, Bullock, or other Beast of Draught, drawing any Carriage, Three Pence.

For every Horse, Mare, Gelding, Mule, Ass, or other Beast of Burthen, not drawing, One Penny Halfpenny.

For every Drove of Oxen, Cows, or Neat Cattle, the Sum of Ten Pence per Score; and so in Proportion for every greater or less Number.

For every Drove of Calves, Hogs, Sheep, or Lambs, the Sum of Five Pence per Score; and so in Proportion for every greater or less Number.

Which said respective Sums of Money shall be demanded and taken in the Name of, or as, a Toll and Duty; and shall be and are hereby vested in the said Trustees, and shall be collected, levied, paid, and accounted for, and may be compounded for, in such and the same Manner as the Tolls granted by the said former Act are directed to be collected, levied, paid, and accounted for, and authorized to be compounded for: And the Tolls and Duties hereby granted, and the Monies to be borrowed on the Credit thereof, and also all Monies which shall have been received by virtue of the said former Act, and remain undisposed

Tolls vested in the Trustees.

Application of the Monies.

posed of, shall be applied, in the first Place, in defraying all the Charges occasioned by the procuring and passing of this Act, and afterwards in defraying all Expences which shall have been incurred, and remain undischarged, in or upon account of the Execution of the said former Act, and of erecting and maintaining Turnpikes and Toll-houses upon, and in repairing, widening, and keeping in Repair, the Roads mentioned in the said former Act and this present Act, and in discharging the necessary Expences which shall be incurred in, or upon account of, the Execution of the said former Act and this present Act, subject to the Payment of the Interest and Principal of the Monies to be borrowed, in Manner herein after mentioned.

Penalty on making illegal Claims, not being intitled thereto.

And be it further enacted by the Authority aforesaid, That if any Person shall claim, and take the Benefit of, any Exemption or Exemptions, allowed in the said former Act, from the Payment of Tolls, not being intitled thereto, every such Person, for every such Offence, shall forfeit the Sum of Forty Shillings; and One Moiety thereof shall go to the Informer, and the other Moiety shall be applied in such Manner as the Penalties and Forfeitures are herein after directed to be applied.

No Turnpike to be erected between the Towns of *Edlington* and *Horncastle*, &c.

Provided nevertheless, and be it further enacted by the Authority aforesaid, That no Turnpike shall be erected by virtue of this Act, across the said Road, between the Towns of Edlington and Horncastle, or between the Chapel in the Town of Wragby and Clay Bridge in the Lordship of Bullington.

Tolls to be paid but Once a Day.

Provided also, and be it further enacted by the Authority aforesaid, That no more than One Toll shall be paid in any One Day (to be computed from Twelve of the Clock at Night to Twelve of the Clock in the succeeding Night) for the same Horse, Beast, Cattle, or Carriage, at all or any of the Turnpikes across and on the Sides of the said Road, between the Well in East Gate of the City of Lincoln and the Kiln in the Parish of Goltho; nor shall any more than One Toll be paid in any One Day (to be computed as aforesaid) for the same Horse, Beast, Cattle, or Carriage, at all or any of the Turnpikes across and on the Sides of the said Roads, between the said Kiln in the Parish of Goltho and the Towns of Hainton and Horncastle; but that all Persons, after Payment of One Toll within the Limits respectively as aforesaid, shall afterwards, during the Day on which such Toll shall be paid, pass with the Horse, Beast, Cattle, or Carriage, in respect whereof such Toll was

was paid, through all the Turnpikes within such respective Limits, Toll-free, upon producing a Note or Ticket, denoting the Payment of such Toll; which Notes or Tickets the Collectors of the Tolls are hereby required to give gratis, on the Receipt of the Toll.

Penalty on Persons permitting, or going through, private Passage,

And be it further enacted by the Authority aforesaid, That if any Person or Persons shall, with any Horse, or other Cattle, Coach, Waggon, or other Carriage, pass through any Ground, Parcel of Land, or other Place, adjoining to, or lying near any Turnpike erected or to be erected by virtue of the said former Act, or this present Act, the same not being a Common Road (the Owner or Occupier of such Ground, Land, or Hereditament, through such Gate or Way as he hath usually passed through the same, excepted) or if any Owner or Occupier of any Ground, Land, or Hereditament, which shall adjoin or lie near to any such Turnpike, shall knowingly or willingly permit or suffer any Person or Persons, with any Horse, or other Cattle, or any Coach, Waggon, or other Carriage, to pass through any such Ground, Land, or Hereditament, or any such Gate; or if any Person or Persons shall give to, or receive from, any other Person or Persons, or shall forge or counterfeit any Ticket of the Day, by the said former Act, or this Act, directed to be given by the Collectors of the Tolls, whereby the Payment of any of the said Tolls, or any Part thereof, shall be avoided; or if any Person or Persons shall take off, or cause to be taken off, any Horse, or other Cattle, from any Coach, Waggon, or other Carriage, with an Intent to avoid paying any of the said Tolls, or any Part thereof; or shall leave, or cause to be left, upon or near to any Part of the said Roads, any Coach, Waggon, or other Carriage, Horse, or other Cattle, with such Intent as aforesaid, whereby the Payment of the said Tolls, or any Part thereof, shall be avoided, every Person so offending in each, any, or either of the Cases aforesaid, shall, for every such Offence, forfeit the Sum of Twenty Shillings; whereof One Moiety shall be paid to the Informer or Informers, and the other Moiety shall be applied in such Manner as the other Penalties are herein after directed to be applied.

or giving or receiving Tickets,

or taking off Horses, &c. to avoid Payment of the Tolls.

Trustees, with Consent of the Creditors, may lessen the Tolls.

And be it further enacted by the Authority aforesaid, That it shall be lawful for the said Trustees, or any Nine or more of them, from time to time, assembled at a Meeting or Meetings to be held for that Purpose, and they are hereby impowered, from time to time, with the

Consent of such Person or Persons as shall be intitled to Two Thirds or more of the Money which shall have been advanced upon the Credit of the said Tolls, to lessen or reduce all or any of the Tolls by this Act granted, and for such Time or Times, as they the said Trustees, or any Nine or more of them, shall think proper; and may afterwards, from time to time, advance all or any of the Tolls so lessened, to any Sum or Sums of Money not exceeding the respective Rates herein before-mentioned; and the said Trustees, or any Nine or more of them, may, from time to time, order and direct the Tolls hereby granted, or so reduced as aforesaid, to be collected in such Parts and Proportions as they shall think proper; and such reduced Tolls, and also such Parts and Proportions as aforesaid, shall and may be collected, levied, and applied, in such and the same Manner as the Tolls hereby granted are directed to be collected, levied, and applied; but no Meeting shall be held for any of the Purposes aforesaid, unless Twenty Days previous Notice at the least shall be given thereof in Writing, to be affixed upon all the Turnpikes which shall be then erected by virtue of the said former Act and this Act.

Tolls may be assigned for Money borrowed.

And be it further enacted by the Authority aforesaid, That it shall be lawful for the said Trustees, or any Five or more of them, from time to time, to assign over the Tolls arising by virtue of this Act, or any Part thereof (the Costs and Charges of assigning the same to be paid out of such Tolls) for any Time or Term during the Continuance of the said former Act and this present Act, as a Security for any Sum or Sums of Money to be borrowed, with Interest, not exceeding Four Pounds per Centum per Annum, to such Person or Persons, or their Trustees, who shall advance the same, by the following Words of Assignment, under their Hands, or by any other Words in Writing to that Purpose:

Form of Assignment.

BY virtue of an Act made in the Thirty second Year of the Reign of His Majesty King *George* the Second, to continue, amend, and make effectual, an Act passed in the Twelfth Year of the Reign of His present Majesty, intituled, *An Act for repairing the Roads from the North-west Parts of the County of* Lincoln, *through* Nettlam Fields, Wragby Lane, *and* Baumber Fields, *to* The Wolds, *or North-east Part of the said County; and also for repairing and widening the Roads from the* Well *in* Eastgate *in the City of* Lincoln, *and from the North-west End of* Horncastle, *and from the* Guide Post *at the East End of* Hainton, *through* Barkwith, *to the Roads directed to be repaired by the said Act*; We, Five of the Trustees, do assign unto *A. B.* his Executors, Administrators, or Assigns, in Consideration of the Sum of from this Day of in the Year of our Lord One thousand seven hundred during the Continuance of the said Act, or until the said Sum of with Interest at the Rate of *per Centum per Annum*, shall be repaid, such Proportion of all the Tolls arising by virtue of the said Act, as the said Sum of shall bear to the whole Sum advanced on the Credit of the same.

All Creditors to be deemed equal in Degree.

And all and every Person or Persons to whom the said Trustees, or any Five or more of them, shall, at any Time, make such Assignment or Assignments, shall be equally intitled to their Proportion of the said Tolls, according to the respective Sums in such Assignment mentioned to be advanced, to secure the Repayment thereof, with Interest as aforesaid, without any Preference by reason of Priority of Assignment, or on any other Account whatsoever; and the Money so borrowed shall be applied in such Manner as the Tolls are directed to be applied, and to no other Use or Purpose; and Entries or Memorials of every such Assignment or Assignments, containing the Date, Names of the Parties, and Sums of Money borrowed, shall be made in a Book or Books to be kept for that Purpose, by the Clerk or Clerks, Treasurer or Treasurers, to the said Trustees; which said Book or Books shall and may be perused at all seasonable Times, by all Persons whomsoever, without Fee or Reward: But no Money shall be borrowed by the said Trustees, or any of them, unless Notice be for that Purpose fixed in Writing under the Hand of the Clerk or Clerks to the said Trustees, upon all the Turnpikes then erected

erected by virtue of this Act, at least Fourteen Days before the borrowing of such Money; and all and every Person or Persons to whom any such Assignment or Assignments shall be made as aforesaid, or who shall be intitled to the Money thereby secured, may, from time to time, assign or transfer his, her, or their Right, Title, Interest, or Benefit, to the Principal and Interest thereby secured, to any Person or Persons whomsoever, indorsing on the Back of such Security, before One credible Witness, the following Words, or Words to the like Effect:

Assignments may be transferred.

Form of Transfer.

I Do transfer this Assignment, with all my Right and Title to the Principal hereby secured, and to all the Interest now due, to *C. D.* his Executors, Administrators, or Assigns. Dated this Day of

Witness, *G. H.* *A. B.*

Which said Transfer or Assignment shall be produced and notified to the said Clerk or Clerks, Treasurer or Treasurers, who shall cause an Entry or Memorial to be made of such Assignment or Transfer, containing the Date, Names of the Parties, and Sums of Money therein transferred, in the said Book or Books, to be kept for the entering the said original Assignments; for which the said Clerk or Clerks, Treasurer or Treasurers, shall be paid such Sum as the said Trustees, or any Five or more of them, shall appoint, not exceeding the Sum of Two Shillings and Six Pence; and after such Entry made, but not till then, such Assignment shall intitle such Assignee, his, her, and their Executors, Administrators, and Assigns, to the Benefit thereof, and Payment thereon; and such Assignees may, in like Manner, assign again, and so toties quoties; and it shall not be in the Power of such Person or Persons, who shall have made such Assignment, to make void, release, or discharge the same, or any Monies thereby due, or any Part thereof.

Clerk's Fee.

No Assignment to be for less than 25*l.*

Provided nevertheless, That no such Assignment as aforesaid shall be made for any less Sum than Twenty five Pounds.

Trustees may appoint Officers.

And be it further enacted by the Authority aforesaid, That the said Trustees, or any Five or more of them, shall be and are hereby impowered to appoint a Treasurer or Treasurers, and such other Officers as they shall think proper to employ in, or in relation to, the Execution of the said former Act and this present Act; and such Treasurer

surer or Treasurers, and all other Persons intrusted with any of the Monies to be raised or borrowed by virtue of the said former Act or this present Act, shall account for and pay such Monies in such Manner as is directed in the said former Act, with respect to the Collectors and Surveyors to be appointed by virtue thereof; and the said Trustees, or any Five or more of them, may, out of the Monies to arise by virtue of this Act, make such Allowance to such Treasurer or Treasurers, and other Officers, for their Trouble, as to the said Trustees, or any Five or more of them, shall seem reasonable: And if any such Treasurer, Receiver, Collector, or any other Person whosoever, who shall be intrusted with any of the Monies to arise by virtue of the said former Act or this present Act, shall not give in such Account, and in such Manner as is required in the said former Act to be given by the said Collectors and Surveyors, or having delivered in such Account, shall neglect or refuse to pay over such Monies as shall appear to be in his Hands, to the said Trustees, or any Five or more of them, or to such Person or Persons as they, or any Five or more of them, shall, by any Writing or Writings under their Hands, appoint to receive the same; in each and every such Case, any Two or more Justices of the Peace, at any Special Session, or Monthly Meeting of them, to be holden for any Part or Division of the said County of Lincoln, shall make Enquiry of or concerning such Default, as well by Confession of the Parties themselves, respectively, as by the Testimony of One or more credible Witness or Witnesses upon Oath (which Oath the said Justices are hereby impowered and required to administer without Fee or Reward) and if any Person or Persons shall be thereof convicted by such Justices, they shall, upon such Conviction, commit the Party or Parties to the Common Gaol of the County or Place where such Offence shall be committed, or such Offender shall be found, there to remain without Bail or Mainprize, until he or they shall give and make a true and perfect Account and Payment as aforesaid, or shall have satisfied or compounded with the said Trustees, or any Seven or more of them, and paid such Composition Monies; which Compositions the said Trustees, or any Seven or more of them, are hereby impowered to make.

Trustees to allow Officers Salaries.

Officers refusing to account;

Justices to enquire into the Default,

and may commit the Offender to Gaol,

until he shall deliver up his Account, &c.

Provided always, and be it further enacted by the Authority aforesaid, That the said Trustees, or any Five or more of them, shall take such Security from their Treasurer or Treasurers, Receivers and Collectors, for the due

Treasurer to give Security.

Execution of their respective Offices, as the said Trustees shall, from time to time, think proper.

Surveyors may remove Annoyances,

And be it further enacted by the Authority aforesaid, That it shall be lawful for the Surveyor or Surveyors appointed or to be appointed by virtue of the said former Act or this present Act, and such Persons as he or they shall appoint, from time to time (such Surveyor or Surveyors having an Order from the said Trustees, or any Five or more of them, for that Purpose) to remove and prevent all Annoyances on any Part of the said Roads, by Filth, Dung, Ashes, Rubbish, Water, or otherwise; and to turn, scour, or cleanse, any Watercourses, Sinks, or Drains, running into, along, or out of the said Roads, and make the same as deep and large as the said Trustees, or any Five or more of them, shall think proper; and also to cut down any Trees or Bushes growing in the said Roads, or to cut down, lop, or top any Trees or Bushes growing in the Hedges or Banks adjoining thereto, and to take and carry away the same, in case the Owners or Occupiers of the Premisses shall neglect to remove the same, or to cut down or carry away such Trees or Bushes as aforesaid, or to turn, open, scour, or cleanse, such Watercourses or Drains, or remove such other Annoyances, for the Space of Ten Days next after Notice in Writing given for that Purpose under the Hand or Hands of such Surveyor or Surveyors, the Charges whereof (to be settled by the said Trustees, or any Five or more of them) shall be reimbursed to the said Surveyor or Surveyors by such Owners or Occupiers, the same to be recovered in such Manner as the Penalties are herein after directed to be recovered: And if, after Removal of any of the said Annoyances, any Person shall again offend in the like Kind, every such Person shall, for every such Offence, forfeit the Sum of Twenty Shillings.

turn Watercourses,

and cut down Trees, &c.

the Owners neglecting to remove the same after Notice;

Surveyors to be reimbursed the Charges.

Penalty of a Second Offence,

And, for the more effectual Performance of Statute-work on the said Roads, be it further enacted by the Authority aforesaid, That every Person who doth or shall rent, hold, or occupy, any Lands, Tenements, or Hereditaments, of the yearly Value of Fifty Pounds, or upwards, in any of the Parishes or Townships in which any Part of the Roads by the said former Act and this present Act intended to be repaired doth lie, shall be deemed to keep a Team for every Fifty Pounds a Year he so rents, holds, or occupies, and shall perform his or her Statute-work in repairing the said Roads, in such Manner as Persons keeping Carriages are required by the said former

Persons renting 50 *l. per Annum*, to be deemed Teamholders.

Act to perform their Statute-work upon the Roads therein mentioned; and every such Person aforesaid, who shall neglect or refuse to perform such Statute-work, shall, for every Day's Default, forfeit the Sum of Ten Shillings: And that the Surveyors of the Highways for the said several Parishes and Townships shall, from time to time, in the Lists by them to be delivered, in Manner required by the said former Act, to the Turnpike Surveyor or Surveyors, distinguish in such Lists which of the Inhabitants in the said respective Parishes and Townships do, and by this Act shall be deemed to keep, a Team or Teams, and which of them are Labourers only; and for every Default therein, every such Surveyor shall be liable to such Penalty or Forfeiture as is imposed by the said Act upon any such Surveyors for making Default in delivering the Lists thereby required to be delivered.

Penalty on Persons not performing Statute-work.

Parish Surveyors to deliver in Lists of Persons who are chargeable with Statute-work.

Penalty on Surveyors neglecting to deliver in such Lists, &c.

Provided always, and be it further enacted by the Authority aforesaid, That the said Trustees, or any Seven or more of them, may, from Year to Year, compound with any Person or Persons for the Performance of his, her, or their Statute-work on any Part of the Roads intended to be repaired by the said former Act or this present Act; and such Composition-monies shall be applied in such Manner as the Tolls hereby granted are directed to be applied.

Trustees may compound for Statute-work.

And be it further enacted by the Authority aforesaid, That the said Trustees, or any Five or more of them, may, and are hereby impowered to cause the said Roads to be measured, and Mile-stones or Posts to be set up in or on the Sides thereof, with Inscriptions denoting the Number of Miles, and Distance of Places, as they, or any Five or more of them, shall think fit: And if any Person or Persons shall wilfully pull down, dig up, or injure, any such Stone or Post, or erase, obliterate, or deface, any of the Inscriptions which shall be made thereon, or cause or procure the same to be done; every such Person so offending shall, for every such Offence, forfeit the Sum of Forty Shillings for each Stone or Post so broken, obliterated, defaced, or pulled down; and One Moiety of such Forfeiture shall be paid to the Informer or Informers, and the other Moiety shall be applied in such Manner as the Penalties and Forfeitures are herein after directed to be applied.

Roads to be measured, and Mile-stones erected.

Penalty on defacing Mile-stones, &c.

And be it further enacted by the Authority aforesaid, That all the Penalties and Forfeitures by the said former Act or this present Act imposed (the Manner of levying whereof

Penalties and Forfeitures how to be recovered and applied.

whereof is not before in this Act particularly directed) shall be levied and recovered by Distress and Sale of the Offender's Goods and Chattles, by Warrant or Warrants under the Hands and Seals of any Five or more of the said Trustees, rendering the Overplus to the Owner or Owners of such Goods and Chattles; which Warrant or Warrants the said Trustees are hereby impowered and required to grant, upon the Information of One or more credible Witness or Witnesses upon Oath (which Oath any Two of such Trustees are hereby impowered to administer) and such Penalties and Forfeitures, when paid or levied as aforesaid, shall (except such Parts thereof as are by the said former Act or this Act otherwise directed to be disposed of) be applied in such Manner as the Tolls hereby granted are directed to be applied: And if sufficient Distress shall not be found, and Forfeitures shall not be paid; it shall be lawful for any Justice of the Peace for any Division or Place in the said County of Lincoln, and he is hereby required, upon Oath made before him by any One or more credible Witness or Witnesses (which Oath any such Justice is hereby impowered and required to administer without Fee or Reward) of such Offence, and of the Want of sufficient Distress, by any Warrant under his Hand and Seal, to commit every such Offender to the Common Gaol of the Division or Place; there to remain without Bail or Mainprize, for any Time not exceeding Three Months, nor less than Fourteen Days, unless such Penalty or Forfeiture, and all reasonable Charges, shall be sooner paid.

For want of Distress the Offender to be committed.

And be it further enacted by the Authority aforesaid, That the said Trustees, or any Five or more of them, shall hold a General Meeting on the Second Thursday in July in every Year, for the passing and settling of all the Accounts of their Treasurers, Receivers, Collectors, and other Officers, relating to the said Roads, and for the Choice of Trustees in the Room of such Trustees as shall be then dead, refuse to act, or be removed; and that Ten Days Notice of all such Meetings shall be given in Writing, to be fixed upon all the Turnpikes then erected on the said Roads; and that all Elections of new Trustees shall be made at such General Meetings, and not otherwise.

Annual Meetings to be held.

Provided always, and be it enacted by the Authority aforesaid, That no Nomination, Appointment, Information, Order, Judgement, Conviction, Warrant, Deed, Conveyance,

Writings to be without Stamps.

Conveyance, Mortgage, Assignment, Transfer, or other Security for the borrowing of Money, or other Writing whatsoever, under the Hand and Seal or Hands and Seals of, or only signed by, any Trustee or Trustees, or Justice or Justices of the Peace, relating to, or in Execution of the said former Act or this Act, or exhibited before them, or any of them, concerning the same, shall be chargeable with any Stamp Duty whatsoever.

Proceedings to be entered in a Book,

And be it further enacted by the Authority aforesaid, That all Receipts, Payments, Debts, Orders, and Contracts, which shall be made or entered into for or on Account of the Execution of the said former Act or this present Act, and all other the Proceedings of the said Trustees, shall be fairly written and entered in One or more Book or Books to be kept for that Purpose by the said Clerk or Clerks, Treasurer or Treasurers; which said Book or Books shall and may be seen and perused at all reasonable Times, without Fee or Reward, by any Person or Persons whomsoever; and also that any of the said Trustees shall and may take Copies of all or any Part thereof, paying for every Copy, not exceeding One hundred Words, Six Pence, and so proportionably for any greater or lesser Number of Words; and that all such Entries shall be signed by the said Clerk or Clerks, at any Meeting of any Five or more of the said Trustees, assembled, as the Case shall require; and such Orders shall be deemed and taken to be Originals; and such Books, and also the said Books directed to be kept for registering or entering the said Assignments and Transfers, shall and may be produced and read in Evidence in all Courts whatsoever.

and signed by the Clerk.

Books may be read in Evidence.

Trustees, who are in the Commission of the Peace, may act as Justices.

And be it enacted by the Authority aforesaid, That such Trustees as shall be Justices of the Peace, may, and are hereby impowered to act as Justices of the Peace in the Execution of this Act (except in Cases where he or they shall be personally interested) and in all such Cases they shall not be intitled or impowered to act either as a Trustee or Justice; nor shall any Trustee, who shall have or accept of any Place of Profit under the said Trustees, act as a Trustee during his Enjoyment of such Place of Profit.

No Trustee to accept of a Place of Profit arising from the Tolls.

Commencement and Continuance of this Act.

And be it further enacted by the Authority aforesaid, That all the Powers and Provisions of this Act, for which no particular Commencement is before appointed, shall commence and take Place from the First Day of May, One thousand seven hundred and fifty nine; and

this Act shall continue for and during the Remainder of the Term granted by the said former Act, and also the additional Terms granted by the said Act made in the Twenty eighth Year of His present Majesty's Reign, and by this Act.

Limitation of Actions.

And be it further enacted by the Authority aforesaid, That if any Action or Suit shall be commenced against any Person or Persons for any Thing to be done in pursuance of this Act, that in every such Case, the Action or Suit shall be commenced within Six Calendar Months next after the Fact committed, and not afterwards; and shall be laid and brought in the County of Lincoln, and not elsewhere; and the Defendant and Defendants, in such Action or Suit to be brought, shall and may plead the General Issue. General Issue, Not Guilty, and give this Act, and the Special Matter, in Evidence, at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act; and if it shall appear so to be done, or that such Action or Actions shall be brought after the Time before limited for bringing the same, or shall be brought in any other County or Place; that then the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall be Nonsuited, or discontinue his, her, or their Action or Suit, after the Defendant or Defendants hath or shall have appeared; or if upon any Demurrer, Judgement shall be given against the Plaintiff or Plaintiffs, the Defendant and Defendants shall and may Treble Costs. recover Treble Costs, and have the like Remedy for the same, as any Defendant or Defendants hath or have in other Cases by Law.

Publick Act.

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

FINIS.