

*Land Owners in Sutton Saint Mary and Tyd Saint Mary to run their Waters into Dereham's Drain.*

LVII. Provided, and be it further enacted, That nothing herein contained shall extend, or be construed to extend, to prevent the Owners and Occupiers of Lands and Hereditaments in the said several Parishes of *Sutton Saint Mary* and *Tyd Saint Mary*, from Time to Time, and at all Times hereafter, from running their Waters out of the said Parishes into the said Drain called *Dereham's Drain*, but that such Right shall for ever hereafter be enjoyed, in such Manner as they have heretofore enjoyed, and now do enjoy the same.

*Penalty on destroying Works.*

LVIII. And be it further enacted, That all and every Person or Persons who shall, at any Time or Times hereafter, wilfully or maliciously cut, throw down, burn, or otherwise destroy any Bank, Mill, Engine, Floodgate, or Sluice, which shall at any Time hereafter be made or erected for the draining or improving the said Lands or Grounds, or any Part thereof, or let in Salt Water at either of the said Sluices, and shall thereof be lawfully convicted, shall be guilty of Felony, and liable to be transported as a Felon, for Seven Years.

*Penalty on Persons damaging Drains, &c.*

LIX. And be it further enacted, That if any Person or Persons shall, at any Time or Times hereafter, wilfully or designedly damage any Drain, Watercourse, Door, Dam, Bridge, or other Work or Works, already made or erected, or which shall at any Time hereafter be made or erected, for answering any the Purposes aforesaid, all and every Person and Persons so offending, and being thereof convicted before Two or more Justices of the Peace for the said Parts of *Holland Elloe*, who are hereby authorized and required to hear and determine the same, on the Oath of One or more credible Witness or Witnessess, (or on the Confession of the Party offending), shall forfeit for every such Offence any Sum not exceeding Fifty Pounds, nor less than Five Pounds, (as the said Justices shall order and direct), to be paid to the

said Commissioners, or the said Trustees, or any Five or more of them, to be applied for the Purposes of this Act, and to be levied by Distress and Sale of the Goods, Chattels, and Cattle of all and every such Offender or Offenders, by Warrant under the Hands and Seals of any Two or more of the said Justices of the Peace before whom such Conviction shall be made, and in Default of such Distress or Payment, the Person or Persons so offending shall, by the said Justices, be committed to the House of Correction of the said Parts of *Holland Elloe*, there to be kept to hard Labour, for such Time as the said Justices shall order and direct, not exceeding Three Calendar Months, at the Discretion of the said Justices, by whom such Commitment shall be made.

*Application of the Fines.*

LX. And be it further enacted, That the respective Fines, Forfeitures, and Penalties by this Act imposed and inflicted, the Application whereof is not herein-before particularly directed, shall be paid into the Hands of the Superintendant for the Time being, and shall be applied and disposed of in defraying the Works of Drainage aforesaid, and to and for no other Use or Purpose whatsoever.

*A Reservation of Controul to the Court of Sewers.*

LXI. And be it further enacted, That the laying down and repairing such Tunnels, as may from Time to Time become necessary for the conveying of fresh Water through the Banks and other Works of this Drainage, and under Controul and Direction of the Court of Sewers, or such other Person as had cognizance thereof, in the same Manner as before the passing of this Act, the same Controul and Direction being hereby reserved, shall not be construed to be the damaging or destroying any of the Works of this Drainage within the Meaning of this Act; any Thing herein contained to the contrary thereof notwithstanding.

*Another Reservation.*

LXII. Provided always, and be it further enacted, That nothing in this Act contained shall extend, or be construed to extend, to impower or authorize the Commissioners or



Trustees herein appointed, or any other Person or Persons whomsoever, to lay down any Tunnel through the East Bank of the River *Welland*, or to use or exercise any Power or Authority over any Tunnel lying through the said Bank, for the purpose of taking in fresh Water, or anywise to intermeddle with the Navigation on the said River; but that all Power and Authority over such Tunnels and Navigation, shall remain and continue in the Court of Sewers, and in the Adventurers of *Deeping Fen*, in the same Manner as before the passing of this Act; any Thing herein contained to the contrary thereof in anywise notwithstanding.

*Persons aggrieved may appeal to the Sessions, whose Determination shall be final.*

LXIII. And be it further enacted, That all Persons who shall think themselves aggrieved by the Order or Judgement of any Justice or Justices of the Peace, by reason of any Penalties or Damages to be levied by virtue of this Act, may appeal to the Justices of the Peace for the Wapentake of *Elloe*, in the County of *Lincoln*, at the next General or Quarter Sessions of the Peace to be held for the said Wapentake, after the Cause of such Appeal shall happen, the Person or Persons so appealing first entering into a Recognizance with Two sufficient Sureties, to the Satisfaction of the said Justices, whose Order or Judgement shall be so appealed against, to prosecute such Appeal with Effect, and to pay the Costs which shall be ascertained by the said Justices in the said General or Quarter Sessions, in case such Orders and Judgement shall be affirmed; and the said Justices, in their said General or Quarter Sessions, are hereby authorized and required to hear and determine such Appeal, and give such Costs to either Party as they shall think reasonable, and to make such Order therein as to them shall appear just, which Order shall be final and conclusive to all Parties, and shall not be removed or removeable by any Writ of *Certiorari*, or otherwise, into any of His Majesty's Courts of Record at *Westminster*, or elsewhere.

*Proceedings not to be quashed for want of Form.*

LXIV. And be it further enacted, That no Order or other

Proceeding to be made or had by or before any Justice or Justices of the Peace, by virtue of the Powers of this Act granted, shall be quashed or vacated for Want of Form only.

*Limitation of Actions.*

LXV. And be it further enacted by the Authority aforesaid, That if any Action, Suit, or Information, shall be commenced or prosecuted against any Person or Persons for any Thing done or to be done in pursuance of this Act, every such Action or Suit shall be commenced within Six Calendar Months next after the Fact committed, and not afterwards, and shall be brought and laid in the said County of *Lincoln*, and not elsewhere;

*General Issue.*

And the Defendant or Defendants in such Action or Suit shall and may plead the General Issue, and, if in Replevin, may justify and avow by virtue of this Act, and give this Act and the Special Matter in Evidence, without specially pleading the same, (other than as aforesaid), at any Trial before limited for bringing the same, and if the same shall be brought in any other County, then the Jury shall find for the Defendant or Defendants, Avowant or Avowants;

*Treble Costs.*

Or if the Plaintiff or Plaintiffs shall become nonsuited, or discontinue his, her, or their Suit, or Suits, or if any Verdict shall pass, or Judgement be given against him, her, or them, upon Demurrer or otherwise, then, and in any of the said Cases, the Defendant or Defendants, Avowant or Avowants, shall recover Treble Costs, for which he, she, or they shall have the like Remedy as where Costs are awarded.

*Not to recover but for special Damage.*

LXVI. And be it further enacted, That where any Distress shall be made for any Sum or Sums of Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers, on Account of any Defect or Want of Form in the Summons, Conviction, War-



rant of Distress, or other Proceedings relating thereto; nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers *ab initio*, on account of any Irregularity which shall be afterwards committed by the Party or Parties distraining; but the Person or Persons aggrieved by such Irregularity shall and may recover full Satisfaction for the special Damage, in any Action upon the Case.

*As to Manorial Rights.*

LXVII. Provided always, and be it further enacted, That nothing herein contained shall prejudice the Rights of the present or any future Lord or Lords, Lady or Ladies of any Manor or Manors, of, in, or to the Seignories, Royalties, Rights, and Services, incident and belonging to the respective Manors within the Parishes and Hamlets aforesaid, or any of them; but that such Lord or Lords, Lady or Ladies respectively, for the Time being, and all Persons claiming or to claim under or in Trust for him, her, or them, or any of them respectively, as Lord or Lords, Lady or Ladies of the said respective Manors, shall at all Times hereafter hold and enjoy all Rents, Services, Rights, Royalties, Courts, Perquisites of Court, and all Profits of Court, Waifs, Strays, Fishings, and all other Royalties and Privileges to the said respective Manors, or to the Lords or Ladies thereof belonging, or in anywise appertaining, in as full, ample, and beneficial a Manner, to all Intents and Purposes whatsoever, as they, he, or she, or either of them, might have held and enjoyed the same, in case this Act had never been made.

*Saving Clause to Commissioners of Sewers over Lands not comprised within the Act.*

LXVIII. And be it further enacted, That nothing herein contained shall extend, or be construed to extend, in any Manner howsoever, to destroy, affect, or injure the Rights and Interests of the Mayor, Aldermen, and capital Burgesses of the Town or Borough of *Stamford*, in the County of *Lincoln*, or their Successors, Tenants, or Agents, or of the Court of Sewers, or of the Adventurers of *Deeping Fen*, of, in, and to the said River *Welland*, or any Part thereof, or the Navigation thereof, or to take from the said Court of Sewers,

or from the said Adventurers of *Deeping Fen*, any Jurisdiction, Right, Power, or Authority that they now have in or over the Lands, Drains, Tunnels, and other Works in *South Holland* aforesaid, not herein expressly taken out of the said Court of Sewers, or from the said Adventurers, and vested in the said Trustees for this Drainage; but that the same Jurisdiction, Right, Power, and Authority, so not taken out of the said Court of Sewers, or Adventurers, and vested in the said Trustees, shall remain vested in the said Court of Sewers and Adventurers respectively, in the same Manner as before the passing of this Act: Provided always, that the Exercise of such Jurisdiction, Right, Power, and Authority so reserved, shall not interfere with or interrupt the Execution of this Act.

*Publick Act.*

LXIX. And be it further enacted, That this Act shall be deemed, taken, and allowed to be a Public Act; and all Judges, Justices, and other Persons, are hereby required to take Notice thereof as such, without specially pleading the same.





ANNO TRICESIMO QUINTO

GEORGII III. REGIS.

An Act to enable the Commissioners and Trustees for executing an Act passed in the Thirty-third Year of the Reign of His present Majesty, intituled, *An Act for draining, preserving, and improving certain Lands lying in the several Parishes of Spalding, (including the Hamlets of Cowbit and Peakill), Weston, Moulton, Whaplode, Holbeach, Fleet, Gedney, Sutton Saint Mary and Sutton Saint Nicholas, otherwise Lutton, all in South Holland, in the County of Lincoln*, to support and repair a certain Bank extending from *Spalding High Bridge* to *Brother House* in the said County, and to amend and repair the road thereupon; and for compounding with the Creditors, under an Act passed in the Twelfth Year of His present Majesty's Reign, for making and keeping in Repair the said Road. [22d June, 1795.]

*Preamble.*

WHEREAS an Act was passed in the Sixteenth and Seventeenth Years of the Reign of His late Majesty King *Charles the Second*, [Act 16 and 17 *Charles II.*] intituled, *An Act for draining of the Fen called Deeping Fen, and*



other Fens therein mentioned, by which Act the Trustees thereby appointed, being Undertakers or Adventurers for the Drainage of *Deeping Fen*, were empowered and required (amongst other Works) to make and maintain the Bank on the East side of the River *Welland*, from a Place in *Crowland*, in the County of *Lincoln*, called *Brother House*, to *Spalding High Bridge*, in the said County: And whereas an Act was passed in the Twelfth Year of the Reign of His present Majesty, [Act 12 Geo. III.] intituled, *An Act for the better Preservation of the Great Bank of the River Welland, from Spalding High Bridge, through Cowbit, Peakill, Crowland, and Peakirk, and for making and keeping in Repair a Road thereon, and from thence to the Village of Glenton, in the Counties of Lincoln and Northampton*; which Act expired at the End of the last Session of Parliament: And whereas an Act was passed in the Thirty-third Year of the Reign of His present Majesty, [Act 33 Geo. III.] intituled, *An Act for draining, preseving, and improving certain Lands lying in the several Parishes of Spalding, (including the Hamlets of Cowbit and Peakill), Weston, Moulton, Whaplode, Holbeach, Fleet, Gedney, Sutton Saint Mary, and Sutton Saint Nicholas, otherwise Lutton, all in South Holland, in the County of Lincoln*; and under the Provisions of the said last-mentioned Act, it was enacted, That the Sum of One thousand five hundred Pounds should be paid by the Commissioners therein named, to the said Undertakers or Adventurers, as and for a full Compensation to the said Undertakers or Adventurers, for their Right and Interest in a certain subterraneous Tunnel, and in a certain Drain, called *Lord's Drain*, and the several Bridges over the same, and the Sluices and other Works thereto belonging; and that on Payment of the said Sum of One thousand five hundred Pounds, the said subterraneous Tunnel, Drain, and other Works, should vest in the said Trustees appointed by the the said Act of the Thirty-third Year of the Reign of His present Majesty:

*Debt due on the Credit of the Act 12 Geo. III. at the Time it expired.*

And whereas, previous to the Expiration of the said Act

of the Twelfth Year of the Reign of His present Majesty, there was due and owing to the several Persons who advanced Money on the Credit thereof, or to the legal Representatives or Assignees of such Persons, divers Sums of Money, amounting to the Sum of Eight Thousand nine hundred and twenty-five Pounds, besides upwards of Thirteen Years Interest due thereon, and for which respective Sums the several Persons had Mortgages of the Tolls duly made by the Trustees appointed to put the said last mentioned Act in Execution; and the last-mentioned Trustees having neglected to apply to Parliament for a Continuance of the Term granted by such Act, the Securities so granted as aforesaid became void, and the Whole of the Money which was so lent on the Faith and Credit of the said Act, together with the said Arrear of Interest, remains unpaid;

*The Bank from Spalding High Bridge to Brother House to be vested in the Trustees under the Act of 33 Geo. III.*

And whereas it is expedient that so much of the said Bank as extends from *Spalding High Bridge* to *Brother House* aforesaid, the same being the Barrier Bank for defending the Country called *South Holland* from the Waters of the River *Welland*, should be taken out of the Jurisdiction of the said Undertakers or Adventurers, and vested in the Trustees named or appointed by the said Act of the Thirty-third Year of the Reign of His present Majesty; and an Agreement has already been made, that the said Undertakers or Adventurers shall pay the Sum of One thousand five hundred Pounds to the Commissioners or Trustees appointed by the last-mentioned Act, as a Compensation to the Proprietors interested in the Drainage of *South Holland* aforesaid, for exonerating the said Undertakers or Adventurers from the future Repairs of the said Bank, and vesting the same in the said Trustees;

*One Thousand five hundred Pounds paid by the Deeping Fen Adventurers to the South Holland Trustees, to be applied in Part Discharge of the Debt due on the Act 12 Geo. III.*

And whereas the Proprietors of Lands comprised within the *South Holland* Drainage, have agreed that the said Sum of One thousand five hundred Pounds shall be paid to the said



Creditors out of the Fund provided by the said Act of the Thirty-third Year of His present Majesty, in Part Compensation for the Improvement that has been made in the said Barrier Bank, by means of the Materials that have been brought thereto for the making and repairing of the said Road, so far as relates to that Portion of the said Bank which extends from *Spalding High Bridge* to *Brother House* aforesaid :

*Five hundred Pounds to be paid by the Bedford Level Corporation towards further Discharge of the said Debt.*

And whereas the Honourable Corporation of *Bedford Level* have agreed that the Sum of Five hundred Pounds shall be paid out of the Funds of the said *North Level*, Part of the said *Bedford Level*, to the said Creditors, as a Compensation for the Improvement that has been made to such Part of the said Bank as belongs to the said Corporation, by means of the Materials that have been brought thereto, as far as relates to such last-mentioned Part of the said Bank ; and in consequence of such Agreements the major Part of the said Creditors have appointed *George Maxwell*, *Henry Boulton*, *Fairfax Johnson*, and *Thomas Pulvertoft*, Esquires, or any Three of them, to act for the said Creditors as Delegates or Trustees for receiving the said several Sums of One thousand five hundred Pounds, and Five hundred Pounds, so agreed to be paid as aforesaid ; which said several Sums of One thousand five hundred Pounds, and Five hundred Pounds, together with the further Sum of One thousand five hundred and seventy Pounds, to be likewise paid out of the said *South Holland* Fund, in consideration of the Tolls herein-after directed to be taken, will pay the Creditors herein-after mentioned after the Rate of Forty Pounds *per Centum* on the several Principal Sums due and owing to them, amounting together to the Sum of Eight thousand nine hundred and twenty-five Pounds ; and which said Sum of One thousand five hundred and seventy Pounds is likewise to be received by the said *George Maxwell*, *Henry Boulton*, *Fairfax Johnson*, and *Thomas Pulvertoft*, or any Three of them, and to be paid and applied by them, together with the said several Sums of One thousand five hundred Pounds, and Five hundred Pounds, equally to

and amongst such Creditors, in Proportion to the several Principal Sums which were due and owing to them previous to the Expiration of the said Road Act, and in full Discharge thereof, and of all Arrears of Interest then due and owing to them ;

*Road on Welland to be continued to be repaired.*

And whereas it will be a great Convenience and Advantage to the Neighbourhood and to the Publick, and likewise a Security against the Waters of the said River *Welland*, if a Road is continued not only upon the said Bank from *Spalding High Bridge*, through the said Parish of *Spalding*, (including the Hamlets of *Cowbit* and *Peakill*), to the said Place called *Brother House* in the said Parish of *Crowland*, but also on such Part of the said Bank leading from a certain Tunnel at the South-west end of *Crowland* aforesaid, to the End of the Bank at *Peakirk* aforesaid, belonging to the said Corporation, being Part of the Road which has been made and repaired by and under the said expired Act ; and it is also requisite that the Commissioners and Trustees respectively under the said Act of the Thirty-third Year of His present Majesty's Reign, should be empowered to take certain Tolls or Duties in order to enable them to keep in a thorough State of Repair such Part of the said Bank and Road as extends from *Spalding High Bridge* to *Brother House* as aforesaid ; and that the Corporation of *Bedford Level* should also be empowered to take certain Tolls or Duties, as a Compensation for the future Use and Accommodation of such Part of the said Bank as belongs to the said Corporation of *Bedford Level* ;

*The 3000l. above mentioned to be deemed as paid, and the said Portion of the Welland Bank vested in the South Holland Trustees.*

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 on passing this Act the said several Sums of One thousand five hundred



Pounds, and One thousand five hundred Pounds, shall be deemed and considered as paid by and to the said several Trustees, in as full and ample Manner as if the same had been actually paid in lawful Money of *Great Britain*; and that from and after the passing of this Act all Right and Interest of the Trustees appointed under the Provisions of the said Act of the Sixteenth and Seventeenth Years of the late King *Charles* the Second, as well over the said Bank and Road, extending over *Spalding High Bridge* to *Brother House* aforesaid, as over the said Drain called *Lord's Drain*, the subterraneous Tunnel under the River *Welland*, and other Works in *South Holland* aforesaid, for which a Compensation under the said Act of the Thirty-third Year of His present Majesty was provided to be made to the last-mentioned Trustees by the Commissioners or Trustees appointed under the last-mentioned Act, shall cease and determine, and be for ever extinguished, and the same and every of them shall vest, and are hereby vested in the Trustees appointed by and under the said in Part recited Act of the Thirty-third Year of His present Majesty, and shall remain and be for ever subject to the Jurisdiction, Power, and Controul of the Commissioners and Trustees appointed by the last-mentioned Act; and it shall be lawful for the said Commissioners and last-mentioned Trustees respectively to take up and remove the said subterraneous Tunnel and other Works in *South Holland* aforesaid; and that the said Undertakers, Adventurers, or Trustees, appointed by the said Act of the Sixteenth and Seventeenth Years of the late King *Charles* the Second, shall be for ever afterwards freed, exonerated, and discharged, from the future Repairs, Maintenance, and support, of such Bank and other Works; any Thing contained in the said last-mentioned Act, or any other Act or Acts, or any Law, Statute, Usage, or Custom, to the contrary thereof in anywise notwithstanding.

*Power for Commissioners or Trustees to pay 40l. per Cent. to Creditors.*

II. And be it further enacted, That the said Commissioners appointed by the said Act of the Thirty-third Year of the Reign of His present Majesty shall be, and they are hereby

authorized, empowered, and required, as soon as may be after the passing of this Act, to pay, out of the Monies to arise by virtue of the said last-mentioned Act, unto the said *George Maxwell*, *Henry Boulton*, *Fairfax Johnson*, and *Thomas Pulvertoft*, or any Three of them, such Sum of Money as, together with the said Sum of Five hundred Pounds so agreed to be paid by the said Corporation of *Bedford Level*, will amount to Forty Pounds *per Centum* on the Sum of Eight thousand nine hundred and twenty-five Pounds, in Trust for the Creditors, in respect to the several Principal Sums which were due and owing to them previous to the Expiration of the said Act of the Twelfth Year of the Reign of His present Majesty; and the Receipt of the said *George Maxwell*, *Henry Boulton*, *Fairfax Johnson*, and *Thomas Pulvertoft*, or any Three of them, shall be a full Discharge to the said Commissioners or Trustees; and the said *George Maxwell*, *Henry Boulton*, *Fairfax Johnson*, and *Thomas Pulvertoft*, and their several and respective Heirs, Executors, and Administrators, are hereby required to pay the same unto the said Creditors, Share and Share alike, in Proportion to the said Principal Sums which were due and owing as aforesaid.

*Corporation of Bedford Level to pay 500l. in Trust for Creditors.*

III. And be it further enacted, That the Honourable Corporation of the Great Level of the Fens called *Bedford Level*, shall be and they are hereby authorized and empowered to pay the said Sum of Five hundred Pounds into the Hands of the said *George Maxwell*, *Henry Boulton*, *Fairfax Johnson*, and *Thomas Pulvertoft*, or any Three of them, in Trust for the said Creditors; and they the said *George Maxwell*, *Henry Boulton*, *Fairfax Johnson*, and *Thomas Pulvertoft*, or any Three of them, and their several and respective Heirs, Executors, and Administrators, on Receipt thereof, are hereby required to pay the same equally to and amongst the said Creditors, in the same and like Manner as the Money hereinbefore mentioned is directed to be paid and applied; and that the Receipts of the said *George Maxwell*, *Henry Boulton*, *Fairfax Johnson*, and *Thomas Pulvertoft*, or any Three of



them, shall be a full and sufficient Discharge to the said Corporation, or their Treasurer or Treasurers, for the said Money, and as a Compensation for the Improvement that has been made to such Part of the said Bank as belongs to the said Corporation by Means of the Materials that have been brought thereto, and in full Discharge of so much of the said Principal and Interest thereof as relates to such last-mentioned Part of the said Bank.

*Continuance of the Road from Crowland to Peakirk.*

IV. And be it further enacted, That the Right of Road shall be and the same is hereby declared to be continued on that Part of the Bank leading from the Tunnel at the South-west End of *Crowland* aforesaid to the End of the Bank at *Peakirk* aforesaid, belonging to the said Corporation, with Liberty for Horses, Cattle, and Carriages at all Times to pass and repass on the same, subject to the Payment of such Tolls and also to the Restrictions herein-after mentioned and provided.

*Tolls, &c., vested in Commissioners and Trustees.*

V. And be it further enacted, That the Toll House, together with the Gate and Bar erected on the said Bank and Road, and Ground thereto belonging, near *Conbit* aforesaid, together with the Tolls payable thereat by virtue of this Act, and also all other Turnpikes and Toll Houses that shall hereafter be erected, and the Materials to be provided for building and repairing the same, and all Mile Stones to be set up on the Side of the said Road, shall be and are hereby vested in the Trustees for the Time being appointed under the said in Part recited Act of the Thirty-third Year of the Reign of His present Majesty, in like Manner, and to the same Intents and Purposes, as the several Works of Drainage in *South Holland* aforesaid are vested in and by the said Act; and the said Commissioners, or any Five or more of the said Trustees, are hereby authorized and empowered to bring, or cause any Action or Actions to be brought in the Names of the said Commissioners, or any Five or more of the said Trustees for the Time being, or their Treasurer or Treasurers, Clerk or Clerks, or to prefer, and order and direct the preferring of

any Bill or Bills of Indictment against any Person or Persons who shall keep Possession of any Turnpike or Toll House, after Notice given by the Commissioners appointed or to be appointed by and under the said last-mentioned Act, or the last-mentioned Trustees for the Time being, or any Five or more of them, or by their Clerk or Treasurer for the Time being to such Person or Persons to quit the same, or who shall dig up, break, or pull down, steal, take away, spoil, injure, or destroy, any Gate or Gates, Turnpike or Turnpikes, Toll House or Toll Houses, Mile Stone or Mile Stones, which shall by virtue of this Act be erected or provided, or any Part thereof, or any of the Materials of which the same shall be made, built, or consist, or any of the Materials of the said Road which shall be provided as hereafter mentioned.

VI. And, in order to enable the said last-mentioned Commissioners to put in a thorough State of Repair such Part of the said Bank and Road as extends from *Spalding High Bridge* to *Brother House* aforesaid, be it further enacted, That it shall be lawful for the said Commissioners, or such Person or Persons as they shall from Time to Time appoint, until the Execution of the Award directed to be made by them in and by the said Act of the Thirty-third Year of the Reign of His present Majesty; and after the Execution of the said Award, it shall be lawful to and for the Trustees for the Time being, appointed by the said Act, or such Person or Persons as the said Trustees, or any Five or more of them, shall appoint, and the said Commissioners and Trustees respectively are hereby authorized, empowered, and required, to demand, receive, and take, at the said Gate and Turnpike at or near *Conbit* aforesaid, the Tolls following, before any Horse, Cattle, or Carriage, shall be permitted to pass through the same; (that is to say),

*The Tolls.*

For every Coach, Berlin, Landau, Chariot, Calash, Chair, Chaise, Caravan, Hearse, or Litter, drawn by Six Horses, Mares, Geldings, or Mules, the Sum of Two Shillings; and drawn by Four or Five Horses, Mares, Geldings, or Mules,