



ANNO NONO

GEORGIIV. REGIS.

Cap. li.

An Act for more effectually repairing the Road from *Christopher's Bridge* in the Borough of *Thetford* in the County of *Suffolk*, to the North-east End of the Town of *Newmarket* in the County of *Cambridge*.
[13th May 1828.]

WHEREAS an Act was passed in the Eighth Year of the Reign of His late Majesty King *George the Third*, intituled *An Act for amending the Road from Christopher's Bridge in the Borough of Thetford in the County of Suffolk, to the North-east End of the Town of Newmarket in the County of Cambridge*: And whereas another Act was passed in the Tenth Year of the Reign of His said late Majesty, intituled *An Act for enlarging the Term and Powers of an Act for amending the Road from Christopher's Bridge in the Borough of Thetford in the County of Suffolk, to the North-east End of the Town of Newmarket in the County of Cambridge*: And whereas another Act was passed in the Forty-seventh Year of the Reign of His said late Majesty, intituled *An Act to continue and amend Two Acts passed in the Eighth and Tenth Years of His present Majesty, for amending the Road from Christopher's Bridge in the Borough of Thetford in the County of Suffolk, to the North-east End of the Town of Newmarket in the County of Cambridge*: And whereas an Act was passed in the Third Year of the Reign of His present Majesty King *George the Fourth*, intituled *An Act to amend the General Laws now*
[Local.] 12 Q in
8 G. 3. c. 55. ✓
10 G. 3. c. 60. 2
47 G. 3. Sess. 1. c. 5. 3
3 G. 4. c. 126.

in being for regulating Turnpike Roads in that Part of Great Britain called England: And whereas another Act was passed in the Fourth Year of the Reign of His said present Majesty, intituled *An Act to explain and amend an Act passed in the Third Year of the Reign of His present Majesty, to amend the General Laws now in being for regulating Turnpike Roads in that Part of Great Britain called England:* And whereas an Act was passed in the Fifth Year of the Reign of His present Majesty, intituled *An Act to enable Justices of the Peace for Ridings, Divisions, or Sokes, to act as Trustees for repairing and maintaining Turnpike Roads:* And whereas another Act was passed in the Seventh and Eighth Years of the Reign of His said present Majesty, intituled *An Act to amend the Acts for regulating Turnpike Roads in England:* And whereas the Trustees appointed in or by virtue of the said Three first-recited Acts have in the Execution thereof borrowed several Sums of Money on the Credit of the Tolls authorized to be taken on the said Road, which Money is still due, and cannot be repaid, nor can the said Road be effectually amended and kept in repair, unless the Term of the same Acts which is near expiring be continued, and further and other Powers and Provisions be enacted for more effectually improving, maintaining, and keeping in repair the said Road: 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 from and after the Second Day of *June* One thousand eight hundred and twenty-eight, the said recited Acts made in the Eighth, Tenth, and Forty-seventh Years of the Reign of His said late Majesty King *George the Third*, shall be and the same are hereby repealed, and instead thereof this Act shall be put in execution for and during the Term herein-after mentioned, for more effectually improving, maintaining, and keeping in repair the said Road leading from *Christopher's Bridge* in the Borough of *Thetford* to the North-east End of the Town of *Newmarket* aforesaid.

Recited Acts of 8, 10, & 47 G. 3. repealed, and this Act to take effect.

Debts contracted under the former Acts secured by this Act.

II. And be it further enacted, That all Debts and Sums of Money which on the said Second Day of *June* shall be due and owing on the Security or Credit of the said Acts hereby repealed, or any of them, or on the Tolls thereby respectively granted, with Interest on such of them as carry Interest, shall be and the same are hereby charged upon the Tolls by this Act granted, and shall be payable and may be recovered in like Manner as if the same had been contracted or secured on the Credit of this Act or on the Tolls hereby granted.

Powers of General Turnpike Acts extended to this Act.

III. And be it further enacted, That the said recited Act passed in the Third Year of the Reign of His present Majesty, and all the Powers, Provisions, Exemptions, Penalties, Forfeitures, Payments, Remedies, Matters, and Things therein contained, (except such Parts thereof as are varied, altered, or repealed,) and also the said recited Act passed in the Fourth Year of the Reign of His present Majesty, and all the Powers, Provisions, Exemptions, Penalties, Forfeitures, Payments, Remedies, Matters, and Things therein contained, (except such Parts thereof as are varied, altered, or repealed,) and also the

said recited Act passed in the Fifth Year of the Reign of His present Majesty, and also the said recited Act passed in the Seventh and Eighth Years of the Reign of His present Majesty, and all the Powers, Provisions, Exemptions, Penalties, Forfeitures, Payments, Remedies, Matters, and Things therein respectively contained, (except such Parts thereof as are varied, altered, or repealed,) shall respectively be as effectual for carrying this Act into Execution as if the same had been severally repeated and re-enacted in the Body of this Act.

IV. And be it further enacted, That all Bonds, Covenants, Agreements, and Securities made or entered into by any Person or Persons to or with any of the Trustees for executing the said recited Acts hereby repealed, or any of them, or any other Person or Persons on their Behalf, shall remain in full Force and Effect, and shall be available in all Courts of Law and Equity, until the same shall be fully satisfied and performed; and all Contracts, Agreements, Demises, Mortgages, and Securities duly made or entered into by the Trustees for executing the said Acts hereby repealed to or with any Person or Persons, shall remain in full Force and Effect, and shall be binding on the Trustees for executing this Act.

Bonds, &c. under former Acts, to be good under this Act.

V. And be it further enacted, That all Books containing the Accounts, Orders, and Proceedings of the Trustees for executing the said recited Acts hereby repealed, and thereby made Evidence, shall be admissible in Evidence in all Cases of Appeal, and in all Prosecutions, Suits, and Actions, in the same Manner as if those Acts had continued in force.

Books used under former Acts to be Evidence.

VI. And be it further enacted, That all His Majesty's Justices of the Peace for the Time being acting for the said Counties of *Suffolk* and *Cambridge* respectively, together with *Thomas Bull* Clerk, *Joseph Wilkinson* Clerk, *Robert Hales* Clerk, *Charles Gwilt*, *William Walker*, *William Godfrey*, *Leonard Shelford Bidwell*, *Thomas Bidwell*, *Thomas Withers Gill*, *Thomas Vipan*, *John Burrell Faux*, *Henry Best*, *Robert Snare*, *James Fison*, *John Juler*, *John Naylor*, *Garner Gill*, *George Mingay* Clerk, *Daniel Gwilt* Clerk, *Francis King Eagle*, *William Eagle*, *Jonathan Lawrence*, *Joseph Burrell*, *Philip Fuller*, *James Burrell*, *Henry Woodruffe Bailey*, *Henry Roberts Tyrrell*, and *William Catton*, and their Successors, being duly qualified according to the Provisions and Directions of the said recited Acts of the Third, Fourth, Fifth, and Seventh and Eighth Years of the Reign of His present Majesty, shall be and they are hereby appointed Trustees for amending, improving, maintaining, and keeping in repair the said Road, and for otherwise carrying this Act into Execution.

Trustees appointed.

VII. And be it further enacted, That it shall be lawful for the said Trustees and they are hereby authorized, at their First or any subsequent Meeting or Meetings to be holden in pursuance of this Act, to elect any Number of Persons (not exceeding Five in the whole) to be Trustees for the Purposes of this Act, in addition to the Trustees hereby appointed; and such Trustees so elected, and being qualified according to the Directions of the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty, shall be and they are

Power to appoint additional Trustees.

are hereby invested with the same Powers and Authorities for executing this Act as if they had been herein named and appointed.

First Meeting of the Trustees.

VIII. And be it further enacted, That the said Trustees shall and may and they are hereby required to meet together at some convenient House or Place in *Thetford* aforesaid, on *Monday* the Ninth Day of *June* One thousand eight hundred and twenty-eight, or as soon afterwards as conveniently may be, and shall then and there proceed to carry this Act into Execution, and shall and may then and from Time to Time afterwards adjourn to and meet at such Times, and at such Place or Places upon or near to the said Road, as the said Trustees or the major Part of them present at any such Meeting shall think proper and appoint.

Old Officers to continue until new ones elected.

IX. Provided always, and be it further enacted, That each and every Treasurer who shall have been appointed consistently with the Provisions of the said recited Act passed in the Seventh and Eighth Years of the Reign of His present Majesty, and not contrary to the Provisions and Directions of this Act, and each and every Clerk, Receiver, Collector, Surveyor, and other Officer appointed under and by virtue of the said Acts hereby repealed, or any of them, shall hold and enjoy such their several and respective Offices and Employments until removed therefrom by the Trustees for executing this Act; and each and every such Treasurer, Clerk, Receiver, Collector, Surveyor, and other Officer shall have the like Power and Authority for the Purposes of this Act, and for carrying the same into Execution, and shall be subject to the like Pains and Penalties, and to the like Power of Removal, and to the like Rules and Regulations in all respects whatsoever, as if he had been appointed by virtue of this Act.

Officers under the former Acts to account to the Trustees under this Act.

X. And be it further enacted, That all Persons who have been employed, or who shall have received any Tolls or other Monies by virtue or in pursuance of the said former Acts hereby repealed, or who shall have in their Custody or Possession any Books, Accounts, Papers, Writings, or Things relating to the said Road, shall account for, pay, and deliver over the same to the said Trustees, in like Manner and under the like Penalties as are by the said recited Acts of Third and Fourth Years of the Reign of His present Majesty, and this Act, or any of them, inflicted in respect to the several Persons receiving any Monies, or having the Possession of any Books, Writings, or other Things by virtue of the said Acts and of this Act.

Power to continue the present Gates, and erect others.

XI. And be it further enacted, That it shall be lawful for the said Trustees to continue or to remove all or any of the Toll Gates, Turnpikes, Bars, and Chains now standing or being in, upon, or across the said Road, or on the Sides thereof, and also from Time to Time to erect or set up, or cause to be erected and set up, in, upon, or across the said Road, or any Part thereof, or upon the Sides thereof, when, where, and as the said Trustees shall judge necessary or expedient, any Toll Gate or Toll Gates, Turnpike or Turnpikes, Bar or Bars, Chain or Chains, and also to continue or to erect and provide, or cause to be erected and provided, a Toll House with suitable Out-buildings or Conveniences at or near each Toll Gate, Turnpike, Bar,
or

or Chain, and to inclose from the Side of the said Road suitable Gardens, not exceeding One Eighth Part of a Statute Acre each, for the Use and Convenience of the Occupiers of the said Toll Houses; and from Time to Time to take down and remove or alter and discontinue such Toll Gates, Turnpikes, Bars, Chains, Toll Houses, and Gardens, or any of them, as the said Trustees shall think expedient.

XII. And be it further enacted, That it shall be lawful for the said Trustees, or any Person or Persons to be continued or appointed Collector or Collectors of the Tolls to be taken by virtue of this Act, to demand and take at each and every Toll Gate, Turnpike, and Side Gate, Bar or Chain, to be continued or erected upon, across, or on the Sides of the said Road, on every Day, such Day to be computed from Twelve of the Clock at Night to Twelve of the Clock in the next succeeding Night, before any Horse, Beast, Cattle, or Carriage upon which any Toll is by this Act imposed shall be permitted to pass through the same, the Tolls following; (that is to say,) Power to take Tolls.

For each and every Horse or other Beast drawing any Coach, Landau, Chariot, Curricule, Berlin, Phaeton, Calash, Hearse, Stage Coach, Diligence, Van, Caravan, Chaise, Chair, Gig, or other such Carriage, any Sum not exceeding Four-pence Halfpenny: Tolls.

For each and every Horse or other Beast drawing any Waggon, Wain, or other such like Carriage, upon Three or Four Wheels, the Fellies of which are of the Breadth of Six Inches or upwards, any Sum not exceeding Four-pence Halfpenny:

For each and every Horse or other Beast drawing any Cart upon Two Wheels, the Fellies of which are of the Breadth of Four and an Half Inches or upwards, if any such Cart shall be drawn by more than One Horse or other Beast, any Sum not exceeding Four-pence Halfpenny; and if any such Cart shall be drawn by only One Horse or other Beast, any Sum not exceeding Four-pence Halfpenny:

For each and every Horse or other Beast drawing any Waggon, Cart, Wain, or other such like Carriage, upon Two or more Wheels, the Fellies of which are of less Breadth than Four and an Half Inches, any Sum not exceeding Four-pence Halfpenny:

For every Horse, Mule, or Ass, laden or unladen, and not drawing, any Sum not exceeding One Penny Halfpenny:

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

And for every Drove of Calves, Sheep, Lambs, Hogs, or Swine, the Sum of Seven-pence Halfpenny *per* Score, and so in proportion for any less Number:

Which said respective Tolls or Sums of Money shall be and the same are hereby vested in the said Trustees, and the same, and every Part thereof, shall be paid, applied, and disposed of in such Manner as is herein-after mentioned.

XIII. Provided always, and be it further enacted, That if the Toll hereby authorized to be taken shall have been paid for the passing of any Horse, Cattle, Beast, or Carriage through any One of the said Turnpikes or Toll Gates, Bars or Chains, to be continued or erected Tolls to be paid but Once a Day.

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by virtue of this Act, such Horse, Cattle, Beast, or Carriage shall, upon a Ticket denoting the Payment thereof for that Day being produced, (which Ticket the Collector or Collectors of such Tolls is and are hereby required to deliver gratis to the Person paying the same, and whereon shall be named and specified the Gate at which the same shall have been paid, and also the Gate or Gates (if any) freed by the Payment of such Toll,) be permitted to pass Toll-free through the same Turnpike or Toll Gate, Bar or Chain, and also through such other Turnpike or Toll Gate, Bar or Chain, as the Ticket for such Payment shall free, at any Time or Times during the same Day, to be computed as aforesaid.

No more than Two full Tolls to be taken in One Day on the whole Line.

XIV. Provided always, and be it further enacted, That no more than Two full Tolls in any One Day shall be demanded or taken for or in respect of the same Horses, Beasts, or Cattle, drawing the same Coach, Chariot, Chaise, Waggon, Cart, or other Carriage, or for or in respect of the same Horse, Mule, Ass, or other Beast or Cattle, laden or unladen, and not drawing, or for or in respect of the same Oxen, Neat Cattle, Calves, Swine, Sheep, or Lambs, passing through all the Toll Gates on the whole Line of the said Road, except as herein after mentioned.

Stage Coaches, &c. to pay every Time of passing.

XV. Provided also, and be it further enacted, That the Tolls hereby made payable for and in respect of Horses or Beasts drawing any Stage Coach, Diligence, Van, Caravan, Stage Waggon, or other Stage Carriage, or any Cart, conveying Passengers or Goods for Pay or Reward, shall be payable and paid every Time of passing or repassing along the said Road.

Post Chaises, &c. on every new Hiring.

XVI. Provided also, and be it further enacted, That the Tolls hereby made payable for and in respect of Horses or Beasts let out to Hire, and drawing any Post Chaise or other Carriage, shall be payable and paid every Time of passing along the said Road whenever any new Hiring thereof shall take place.

Application of Tolls and other Monies.

XVII. And be it further enacted, That all the Monies which the said Trustees, or any Person or Persons on their Behalf, shall be possessed of or entitled to by virtue of the said recited Acts hereby repealed, or any of them, shall be applied for the Purposes of this Act, and out of such Monies, and also out of the Monies which shall arise by virtue of this Act, the Expences attending the preparing and passing this Act shall be first paid and discharged, and the Remainder thereof shall from Time to Time be applied in paying the Interest of all Monies now due upon the Credit of the said recited Acts hereby repealed, or which may hereafter become due upon the Credit of this Act, and afterwards in amending, widening, altering, diverting, turning, repairing, improving, and keeping in repair the said Roads, and in erecting, repairing, and maintaining Turnpikes, Toll Gates, and Toll Houses, and all other Expences incurred in the Execution of this Act, and then in reducing, paying off, and discharging the Principal Sums now due and owing on the Credit of the same Acts, or which may hereafter become due and owing under this Act.

XVIII. And be it further enacted, That it shall not be lawful for the said Trustees to apply, expend, or appropriate any of the Tolls hereby granted, or any of the Monies now borrowed or hereafter to be borrowed upon the Credit thereof, in paving, lighting, watching, repairing, or improving any of the Streets within the said Borough of *Thetford*.

Trustees not
to repair
Streets. *A*

XIX. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others, without being specially pleaded.

Public Act. *5*

XX. And be it further enacted, That this Act shall commence and take effect from the Second Day of *June* One thousand eight hundred and twenty-eight, and shall continue and be in force for and during the Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament.

Commence-
ment and
Continuance
of this Act.

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