



ANNO UNDECIMO

# GEORGII IV. REGIS.

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## *Cap. xxxviii.*

An Act for maintaining the Road from *Haverhill* in the County of *Suffolk* to *Redcross* in the Parish of *Great Shelford* in the County of *Cambridge*.

[3d May 1830.]

**W**HEREAS an Act was passed in the Sixth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for repairing and widening the Road leading from the present Turnpike Road at Haverhill to Redcross in the Parish of Shelford in the County of Cambridge*: And whereas another Act was passed in the Thirteenth Year of the Reign of His said late Majesty, intituled *An Act to enlarge the Term and Powers of an Act passed in the Sixth Year of His present Majesty's Reign, intituled 'An Act for repairing and widening the Road from the present Turnpike Road at Haverhill to Redcross in the Parish of Shelford in the County of Cambridge:'* And whereas another Act was passed in the Forty-ninth Year of the Reign of His said late Majesty, intituled *An Act to continue and amend Two Acts for repairing and widening the Road from the present Turnpike Road at Haverhill to Redcross in the Parish of Shelford in the County of Cambridge*: And whereas considerable Sums of Money have been borrowed on the Credit of the Tolls authorized to be taken on the said Road, and are still due and cannot be repaid, nor can such Road be properly maintained in repair, unless the Term and Powers of the said Acts are enlarged,

6 G. 3. c. 84.

13 G. 3. c. 110.

49 G. 3. c. 26.

[*Local.*]

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Recited Acts  
repealed;

some additional Powers are granted, and the Tolls are increased: And whereas it would facilitate the Execution of the Objects herein-before mentioned if the said Acts were repealed, and if other Powers and Provisions were granted and made instead thereof, and were embodied in One Act: And whereas the beneficial Objects herein-before mentioned cannot be effected without the Aid and Authority of Parliament: 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 Third *Monday* next after the passing of this Act the said recited Acts of the Sixth, Thirteenth, and Forty-ninth Years of the Reign of His late Majesty King *George* the Third shall be and the same are hereby declared to be repealed.

and this Act  
to take effect.

II. And be it further enacted, That this Act shall be put in execution for and during the Term herein-after mentioned, for the Purpose of maintaining in repair the Road from the End or Termination of the *Halsted* Turnpike Road in the *Town Street* of *Haverhill*, where the Counties of *Essex* and *Suffolk* meet, to *Redcross* in the Parish of *Great Shelford* in the County of *Cambridge*.

Trustees.

III. And be it further enacted, That *Henry John Adeane*, *John Peter Allix*, *Gilbert Ainslie* D. D., *Stanlake Batson*, *Thomas Barnard*, *James Barker* Clerk, *John Bullen* Clerk, *William Baldero* Clerk, *Charles Beales*, *John Addison Carr* Clerk, *Thomas Crick* Clerk, *Benedict Chapman* Clerk, *Francis Deyrell*, *Edmund Fisher* Clerk, *Henry Finch* Clerk, *Charles Goodwin* Clerk, *John Hall*, *William Parker Hamond*, *Richard Huddleston*, *John Hailstone* Clerk, *John Hemington*, *Benjamin Keene*, *Thomas Bridge Littell*, the Right Honourable Lord *Charles Somerset Manners*, *William Henry Markby* Clerk, *Sir John Cheatham Mortlock* Knight, *Thomas Mortlock*, *William Mayd* Clerk, the Right Honourable Lord *Francis Godolphin Osborne*, *George Edward Graham Foster Pigott*, *Edward Serocold Pearce* Clerk, *Thomas Cozens Percival* Clerk, *Samuel Prest*, *George Pearson* Clerk, *Christopher Pemberton*, *Robert Roberts* Clerk, *Barrington Blomfield Syer* Clerk, *Barrington Blomfield Syer junior*, *Richard Greaves Townley*, *Radcliffe Pearle Todd*, *Charles Townley* Clerk, *Charles Walton*, *Sir Charles Watson* Baronet, *Edward Wollaston* Clerk, *Anthony George Wright*, *Sir Charles Wale* K. C. B., and the Right Honourable *Charles Yorke*, and their Successors, being duly qualified according to the Provisions and Directions of the several Acts for regulating Turnpike Roads in *England*, shall be and they are hereby appointed Trustees for carrying into execution this Act.

Power to  
appoint  
additional  
Trustees.

3G.4. c.126.

IV. And be it further enacted, That it shall be lawful for the said Trustees from Time to Time, at any of their Meetings to be held in pursuance of this Act, (of which Meeting and of the Purpose thereof at least Ten Days previous Notice shall be given in manner by an Act passed in the Third Year of the Reign of His present Majesty, intituled *An Act to amend the general Laws now in being for regulating*

*Turnpike*

*Turnpike Roads in that Part of Great Britain called England*, directed with respect to Meetings for the Appointment of Trustees on Vacancies,) to elect and appoint any Number of Persons, not exceeding Five in the whole, to be Trustees for the Purposes of this Act, in addition to the Trustees herein named; and such additional Trustees so elected, as well as all Trustees to be from Time to Time elected and appointed in pursuance of and according to the Provisions of the said last-mentioned Act of the Third Year of the Reign of His said present Majesty in the Place of Trustees dying, resigning, or otherwise becoming incompetent or disqualified to act, and being duly qualified, shall have the like Powers and Authorities for executing this Act as if they had been herein named.

V. And be it further enacted, That the Trustees for executing this Act shall hold their First Meeting at the *King's Arms Inn* at *Bournbridge* in the Parish of *Little Abington* in the said County of *Cambridge*, or at some other convenient Place near to or in the Neighbourhood of the said Road, on the Third *Monday* next after the passing of this Act, or as soon afterwards as conveniently may be, and shall and may then, and from Time to Time afterwards, adjourn to and meet at such Times and Places as the said Trustees, or the major Part of them, present at such respective Meetings, shall think proper and appoint.

First Meeting of Trustees.

VI. And be it further enacted, That it shall be lawful for the said Trustees to continue all or any of the Toll Gates or Toll Bars and Toll Houses erected under the Authority of the said recited Act, hereby repealed or either of them, and also to erect or build in lieu thereof or in addition thereto, upon the said Road or any Part thereof, or upon the Sides thereof or any Part thereof, when and where and as they shall judge necessary, any Toll Gates or Toll Bars and Weighing Machines and Toll Houses, with Outhouses and Conveniences thereto, and to take in and inclose suitable Garden Spots for the same, not exceeding One Eighth Part of a Statute Acre each, as they shall think necessary, and from Time to Time to alter or take down and rebuild, or to discontinue and remove, the same or any of them, as they the said Trustees shall think proper.

Toll Houses may be continued, erected, &c.

VII. And be it further enacted, That the Tolls to be taken by virtue of this Act shall not exceed the following; (that is to say,)

Tolls.

For every Horse, Ass, Mule, or other Beast or Cattle drawing any Coach, Stage Coach, Landau, Berlin, Barouche, Sociable, Chariot, Calash, Hearse, Litter, Break, Chaise, Curricule, Gig, or other such like Carriage, the Sum of Nine-pence:

For every Horse, Ass, Mule, or other Beast or Cattle drawing any Waggon, Wain, Cart, Van, Caravan, or other such like Carriage, having the Fellies of the Wheels thereof of the Breadth of Six Inches or upwards at the Bottom or Sole thereof, the Sum of Nine-pence; and in case the Fellies of the Wheels thereof are of less Breadth than Six Inches and not less than Four and a Half Inches, the Sum of Eleven-pence; and in case the Fellies of the Wheels thereof are of less Breadth than Four and a Half Inches, the Sum of One Shilling and One Penny:

For

For every Horse, Ass, Mule, or other Beast or Cattle, laden or unladen, and not drawing, the Sum of One Penny Halfpenny :

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

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

And for every Waggon, Wain, Cart, or other such like Carriage, having the Nails of the Tire of the Wheels projecting more than One Quarter of an Inch above such Tire, the Sum of Ten Shillings :

4 G. 4. c. 95.

Such last-mentioned Toll to be in lieu of any Penalty to which, by virtue of an Act passed in the Fourth Year of the Reign of His 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*, the Owner or Driver of any such Waggon, Wain, Cart, or other Carriage would be subject or liable to by reason or on account of the Nails of the Tire of the Wheels thereof projecting more than One Quarter of an Inch above such Tire.

Fraction of a Halfpenny in Tolls.

VIII. And be it further enacted, That in all Cases where there shall be a fractional Part of a Halfpenny in the Amount of any of the Tolls hereby granted, the Sum of One Halfpenny shall be demanded and taken in lieu of such fractional Part.

No Exemption allowed for certain Carriages.

IX. Provided always, and be it further enacted, That no Exemption from any of the Tolls by this Act granted shall be allowed for or in respect of any Horse, Beast, or Cattle drawing any Waggon, Cart, or other Carriage laden with any Materials for making or repairing any Highway, or for building, rebuilding, or repairing any Bridge, or with any Dung, Soil, Compost, or Manure for improving Lands, or with Ploughs, Harrows, or Implements of Husbandry, or Hay, Straw, Fodder, Haulm for Cattle, or Corn in the Straw, Potatoes, or other Agricultural Produce, such Waggon, Cart, or other Carriage having the Nails of the Tire of the Wheels thereof projecting more than One Quarter of an Inch from the Surface of such Tire.

No Toll to be paid on repassing

X. Provided always, and be it further enacted, That in case the Toll hereby authorized to be taken shall have been paid for the passing of any Horse, Beast, or Cattle through any One of such Toll Gates or Toll Bars, such Horse, Beast, or Cattle shall, at any Time during the same Day (to be computed from Twelve of the Clock at Night to Twelve of the Clock in the next succeeding Night), upon Production of a Ticket denoting the Payment of such Toll on that Day, be permitted to repass Toll-free (except as herein-after mentioned with respect to Horses, Beasts, or Cattle drawing Stage Coaches or other such like Carriages, or Horses, Beasts, or Cattle let out to Hire,) through the same Toll Gate or Toll Bar, and also through such other Toll Gates and Toll Bars (if any) as the Ticket for such Payment shall free ; provided nevertheless, that no Horse, Beast, or Cattle for which Toll shall have been paid at any of the said Toll Gates or  
Toll

Toll Bars drawing another or different Waggon, Wain, Cart, or other such Carriage, shall be permitted to repass through the same Toll Gate or Toll Bar on the same Day without again paying Toll, if in so repassing such Horse, Beast, or Cattle shall go or travel upon the said Road for the Distance of Three Miles or more.

XI. Provided always, and be it further enacted, That no more than Two full Tolls (except as herein provided to the contrary) shall be taken for or in respect of the same Horses, Beasts, or Cattle or Carriages in any One Day for passing and repassing once through all the several Toll Gates or Toll Bars upon the said Road.

Limiting the Number of Tolls to be taken in One Day.

XII. Provided also, and be it further enacted, That the Tolls hereby made payable shall be paid for or in respect of all Horses, Beasts, or Cattle drawing any Stage Coach, Stage Waggon, Van, Caravan, Cart, or other Stage Carriage carrying Passengers or Goods for Hire or Reward, for each Time of passing and for each Time of repassing along the said Road; provided nevertheless, that no further or additional Toll shall be payable in respect of any Stage Coach, Stage Waggon, Van, Caravan, Cart, or other Stage Carriage, on account only of the Horses drawing the same having been changed.

Stage Coaches, &c. to pay Toll each Time of passing;

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

Post Chaises, &c. on every new Hiring.

XIV. And for regulating the Weights to be allowed to Carts or other such Carriages which shall be drawn upon the said Road by One Horse, Beast, or Cattle only, be it further enacted, That the Weights to be allowed to Carts or other such Carriages drawn by One Horse, Beast, or Cattle shall never exceed the Weights following; (that is to say,) from the First Day of *May* to the Thirty-first Day of *October* (both Days inclusive) One Ton and Ten Hundred Weight for each such Carriage and the Lading thereof; and from the First Day of *November* to the Thirtieth Day of *April* (both Days inclusive) One Ton and Seven Hundred Weight for each such Carriage and the Lading thereof.

Weights of Single-horse Carts limited.

XV. And be it further enacted, That all Carts or other such Carriages passing along the said Road, drawn by only One Horse, Beast, or Cattle, shall and may be weighed, and the like additional Tolls demanded and recovered for the Overweight thereof as are by Law payable in respect of the Overweight of Carts or other Carriages drawn by Two or more Horses; and all the Powers, Regulations, and Penalties now in force relating to the weighing of Carts or other Carriages drawn by Two or more Horses, shall be applicable to Carts or other such Carriages passing on the said Road drawn by only One Horse, Beast, or Cattle, and to the Drivers and Owners thereof.

One-horse Carts may be weighed.

XVI. And be it further enacted, That if any Person shall hang or put or place out any Linen or other Clothes on any Line, Bank, Rail,  
 [ *Local.* ] 8 M Penalty for hanging out Clothes, &c.  
or

or Fence adjoining the said Road, or shall hang or put or place any Hook or other Thing to, from, or in any House, Shop, or Place adjoining or being near to the said Road, so as to project into or over the said Road, or be an Annoyance to any Person or Cattle passing thereon, or prevent the free and safe Use of the whole Breadth of the said Road, every Person offending in any of the Cases aforesaid shall forfeit and pay any Sum not exceeding Forty Shillings for every Offence, and such Penalty shall be levied and recovered, together with the Costs and Charges of levying the same, by the same Ways and Means as any Penalty or Forfeiture for any Nuisance committed in or upon any Turnpike Road may by Law be levied or recovered, and one Moiety of such Penalty shall be paid to the Informer, and the other Moiety thereof shall be paid to the Treasurer to the said Trustees, and be applied and disposed of for the Purposes of this Act.

Leases may  
be vacated.

XVII. And be it further enacted, That it shall be lawful for the said Trustees at any of their Meetings to be held within Three Calendar Months next after the passing of this Act, or at any Adjournment thereof, to declare and order that all Demises, Leases, and Agreements for Leases of the Tolls granted by the said former Acts hereby repealed, and of the several Toll Houses and Buildings and Appurtenances thereto belonging, shall cease and be vacated from and after the Twenty-first Day next after such Meeting; and from and after such Declaration and Order the same shall cease and be void to all Intents and Purposes, except as to the Right and Power of the said Trustees to receive and recover Payment of all Rent and Arrears of Rent and Payments due and to become due thereon; and the said Trustees shall and they are hereby required to make a fair and just Compensation and Satisfaction to the respective Lessees of the said Tolls for any Loss or Damage which they shall sustain thereby, to be paid at such Times and in such Proportions as they the said Trustees shall deem reasonable and proper; and such Compensation and Satisfaction may be recovered by such respective Lessees, or their respective Executors, Administrators, or Assigns, from the said Trustees, in case the same shall not be paid within Six Calendar Months after the same shall be due and demanded of the Clerk or Treasurer to such Trustees, by Action of Debt or on the Case in any of His Majesty's Courts of Record at *Westminster*: Provided always, that in case such Trustees and Lessees respectively cannot agree upon the Amount of Compensation and Satisfaction, the same shall and may be ascertained and determined by any Two or more Justices of the Peace of the said County of *Suffolk* or the said County of *Cambridge*, and shall and may be recovered by Action at Law as aforesaid: Provided also, that nothing herein contained shall prevent the said Trustees from entering into any new or other Agreement with all or any of the present Lessees of the Tolls, for such additional Rent for the Tolls hereby granted and made payable as they shall think reasonable and proper, for the unexpired Term of their respective Leases or Agreements.

Application  
of Money.

XVIII. And be it further enacted, That out of any Money received under the Authority of the said former Acts hereby repealed, and  
now

now in the Treasurer's Hands, or out of any Money which shall be received by virtue of this Act, the said Trustees shall in the first place, and in preference to all other Disbursements whatever, pay and discharge all the Costs, Charges, and Expences relative to the obtaining of this Act, with lawful Interest for any Money which may have been advanced by any Person for the Payment thereof, from the Time that the same shall have been advanced to the Time of the same being repaid, and the Remainder of such Money shall, after defraying the necessary Expences of erecting or repairing Toll Gates, Toll Houses, Milestones, Posts, and Fences, and of Books, Advertisements, Salaries of Officers, and of other Expences incidental to the Execution of this Act, other than the Expences of maintaining the said Road, as herein-after particularly provided for, be applied in the first Instance in paying the Interest of the Principal Money advanced on the Credit of the said Acts hereby repealed and of this Act, and afterwards in repairing, improving, and maintaining in repair the said Road, and in otherwise executing the several Purposes of this Act; then in repaying the Principal Money borrowed on the Credit of the said Acts hereby repealed, and of this Act.

XIX. Provided always, 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 of this Act, in paving, lighting, watching, repairing, or improving any of the Streets in the Towns of *Haverhill* aforesaid or of *Linton* in the said County of *Cambridge*, or to collect any Tolls therein.

No Money to be laid out in repairing, &c. Streets in *Haverhill* or *Linton*.

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

Term of Act.

XXI. 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.

