ANNO QUINQUAGESIMO TERTIO

GEORGII III. REGIS.

Cap. 24.

An Act for enlarging the Term and Powers of an Act of His present Majesty, for repairing the Roads leading from the Parishes of *Yoxford*, *Saxmundham*, and *Benhall*, in the County of *Suffolk*, to the Town of *Aldeburgh*, in the said County.

[1st *April* 1813.]

WHEREAS an Act was passed in the Thirty-second Year of the Reign of His present Majesty, intituled *An Act for amending, widening, and keeping in Repair the several Roads, or Branches of Road, leading from the Parishes of* Yoxford, Saxmundham, *and* Benhall, *in the County of* Suffolk, *to the Town of* Aldeburgh, *in the said County*: And whereas the Trustees appointed in or by virtue of the said Act have proceeded to put the same in Execution, for which Purpose they have borrowed considerable Sums of Money on the Credit of the Tolls thereby granted, which still remain due, and cannot be repaid, nor can the said Roads be properly amended, improved, and kept in Repair, unless the Term of the said Act be continued, and some of the Powers and Provisions of the said Act be altered and enlarged, and the Tolls increased: 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, passed in the Thirty-second Year of the Reign of His present Majesty, and all and every the Authorities, Powers, Privileges, Provisions, Penalties, and Clauses therein contained, (except such as relate to Exemption from Stamp Duties, and such as are hereby varied, altered, 32 G. 3. c. 126.

Further continued.

altered, or repealed) ſhall be and continue in full Force, and be executed for and during the Term herein-after mentioned, as fully and effectually, to all Intents and Purpoſes, as if the ſame were herein particularly repeated and re-enacted, but ſubject nevertheleſs to the Amendments, Variations, Alterations, and Additions herein contained, and which ſhall commence and take Effect upon the paſſing of this Act; and this Act and the additional Term hereby granted ſhall be ſubject and liable to the Payment of all Money now due and owing upon the Credit or on Account of the ſaid former Act, or which may hereafter be borrowed or become due and owing on the Credit of the ſaid Act and this Act, and of all Intereſt due and to grow due for the ſame reſpectively.

Truſtees.

II. And be it further enacted, That the Honourable *Gerard Vanneck*, the Honourable *Thomſon Vanneck*, and *Jacob John Whittington* Eſquire, ſhall, from and immediately after the paſſing of this Act, be added to and joined with the Truſtees appointed by or in purſuance of the ſaid recited Act, for putting the ſame and this Act in Execution; and the Truſtees hereby appointed, and their Succeſſors, being qualified according to the Directions of the ſaid recited Act, are hereby empowered to put the ſaid recited Act and this Act into Execution, as fully and effectually, to all Intents and Purpoſes, as if they had been named in and appointed by the ſaid recited Act.

Power to appoint additional Truſtees.

III. And be it further enacted, That it ſhall be lawful for the ſaid Truſtees, or any Five or more of them, at a Meeting to be held for that Purpoſe, of which Meeting, and of the Purpoſe thereof, Twenty Days Notice ſhall be given as is directed by the ſaid recited Act, reſpecting the Appointment of future Truſtees on Vacancies, to elect, nominate, and appoint any Number of fit and proper Perſons, not exceeding Ten, to be Truſtees for the Purpoſes of the ſaid recited Act and this Act, in addition to the Truſtees hereby nominated and appointed.

Truſtees may ſue and be ſued in the Name of their Clerk or Treaſurer.

IV. And be it further enacted, That the ſaid Truſtees may ſue and be ſued for or concerning any Thing to be done by virtue or in purſuance of the ſaid recited Act and this Act, either in the Names of the Truſtees who may be Parties to any Deed or Inſtrument in Writing, upon which any Action ſhall or may be brought, or in the Name of their Clerk or Treaſurer for the Time being; and that no Action or Suit to be brought or commenced by the Direction of or againſt the Truſtees, in their Names, or in the Name of their Clerk or Treaſurer, ſhall abate, or be diſcontinued, by the Death, Incapacity, or Removal of any Truſtee or Truſtees, or Clerk or Treaſurer, or by the Act of ſuch Clerk or Treaſurer, without the Conſent of the ſaid Truſtees, or any Five or more of them; but that the Clerk or Treaſurer for the Time being to the ſaid Truſtees, in caſe ſuch Action ſhall be brought againſt or defended in the Name of ſuch Clerk or Treaſurer ſhall be deemed to be Plaintiff or Defendant (as the Caſe may be) in every ſuch Action: Provided always, that ſuch Truſtees, or Clerk or Treaſurer, in whoſe Names or Name any Suit or Action ſhall be commenced, proſecuted, or defended, in purſuance of the ſaid recited Act or this Act, ſhall be fully reimburſed and paid, out of the Monies to ariſe by virtue of the ſaid recited Act and this Act, all ſuch Coſts, Charges, Damages, and Expences, as by the Event, or in conſequence of any ſuch Action or Proceedings they or he ſhall bear, pay, expend, or be put unto, or

or become chargeable with, by reaſon of their or his being ſo made Plaintiffs or Defendants, or Plaintiff or Defendant, as aforeſaid.

Former Tolls repealed.

V. And be it further enacted, That from and after the paſſing of this Act, all and every the Tolls by the ſaid recited Act authorized to be taken, ſhall ceaſe, and be no longer payable, and from thenceforth it ſhall be lawful for the ſaid Truſtees, or any Perſon to be appointed Collector or Collectors by virtue of the ſaid recited Act or of this Act, to demand and take the ſeveral Tolls and Duties herein-after particularly mentioned at each and every of the Turnpikes or Toll Gates already erected, or which ſhall at any Time hereafter be erected in, upon, acroſs, or on the Sides of any Part or Parts of the ſaid Roads, and acroſs any Way or Lane leading into or out of the ſame, except as herein-after is expreſsly directed or provided to the contrary, and 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); (that is to ſay),

Tolls granted by the Act.

For every Horſe or other Beaſt drawing any Coach, Landau, Berlin, Hearſe, Chariot, Phaeton, Curricle, Chair, Calaſh, Chaiſe, or Taxed Cart, or any ſuch like Carriages, the Sum of Sixpence:

For every Horſe or other Beaſt drawing any Waggon, Wain, Cart, (not being a Taxed Cart), or any ſuch like Carriage, the Sum of Threepence:

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

And for every Drove of Calves, Sheep, Lambs, or Swine, the Sum of Sixpence *per* Score, and ſo in Proportion for any leſs Number:

And for every Horſe, Mare, Gelding, Mule, or Aſs travelling on the ſaid Roads, or any of them, laden or unladen, and not drawing, the Sum of Three Halfpence:

Tolls to be veſted in Truſtees.

Which ſaid Tolls ſhall be and are hereby veſted in the ſaid Truſtees appointed or to be appointed to put the ſaid Act and this Act in Execution, and ſhall and may be demanded and recovered in the ſame Manner and Form as the Collector or Collectors is or are by the ſaid recited Act authorized to demand and recover the Tolls by that Act made payable; and the ſaid Tolls and Duties hereby granted, and every Part thereof, ſhall, after paying the Charges of paſſing this preſent Act, be ſubject and liable to the Payment of the Money borrowed or due, or to be borrowed or become due on the Credit of the ſaid Act and this Act, and ſhall be paid, applied, diſpoſed of, aſſigned, or transferred to and for the ſeveral Uſes, Intents, and Purpoſes, and in ſuch Manner as the Tolls granted by the ſaid Act are thereby directed and appointed to be paid, applied, and diſpoſed of, aſſigned, or transferred, and to or for no other Uſe, Intent, or Purpoſe whatſoever; and the Securities given on the Tolls granted by the ſaid Act ſhall be deemed and conſtrued to extend to and embrace the Tolls hereby granted, in the ſame Manner as if the ſame had been actually in being at the Time of the Execution of the ſaid Securities, and had been duly comprized therein.

Tolls payable at only One of the Gates, and but once a Day, except as after mentioned.

VI. And be it further enacted, That no Perſon or Perſons who ſhall have paid the Tolls hereby granted at any one of the Turnpikes or Toll Gates erected or to be erected by virtue of the ſaid recited Act or this Act, ſhall be liable or compellable to pay for paſſing through any of the other

other Turnpikes or Toll Gates ſo erected or to be erected, on one and the ſame Day, with the ſame Horſe or other Beaſt, Cattle, or Carriage (except as herein-after mentioned); but that ſuch Perſon or Perſons, as ſhall have ſo paid ſuch Tolls at any of the ſaid Turnpikes or Toll Gates, ſhall receive, *gratis*, a Note or Ticket from the Collector of the Tolls, to whom he, ſhe, or they ſhall have paid the ſame, denoting ſuch Payment; which ſaid Note or Ticket, upon being produced and ſhewn to the Collector at any other of ſuch Turnpikes or Toll Gates, ſhall enable ſuch Perſon or Perſons, and ſuch Horſe or other Beaſt, Cattle, or Carriage to go, paſs, and repaſs on the ſame Day (to be computed from Twelve of the Clock at Night to Twelve of the Clock in the ſucceeding Night) through all or any other of ſuch Turnpikes or Toll Gates, without paying any further Toll, except as herein-after mentioned with reſpect to Carts and Waggons returning from the Town of *Aldeburgh* aforeſaid with a freſh Loading.

Half Tolls payable upon Back Carriage from Aldeburgh.

VII. Provided nevertheleſs, and be it enacted, That in caſe any Waggon, Cart, or other Carriage of the like Kind ſhall paſs through any Turnpike or Toll Gate already erected or hereafter to be erected, in purſuance of the ſaid recited Act or this Act, in *Aldeburgh* aforeſaid, laden at the Time of ſuch paſſing, with Corn, Grain, or other Goods, and ſhall return on the ſame Day, to be computed as aforeſaid, with any other Lading, then and in ſuch Caſe there ſhall be due and payable in reſpect of ſuch Waggon, Cart, or other Carriage, or Horſes or Beaſts drawing the ſame, at the ſaid Turnpike or Toll Gate, One Half of the Tolls herein-before granted, notwithſtanding ſuch former Payment of Toll; any Thing in the ſaid recited Act, or in an Act made in the Thirteenth Year of the Reign of His preſent Majeſty, relating to the Turnpike Roads within that Part of *Great Britain* called *England*, or in this preſent Act, to the contrary thereof in anywiſe notwithſtanding.

Truſtees may reduce the Tolls.

VIII. And be it further enacted, That it ſhall be lawful for the ſaid Truſtees, or any Seven or more of them, from Time to Time, when they ſhall think proper, to leſſen or reduce all or any of the Tolls by this Act granted or made payable, and to cauſe the ſame to be collected in ſuch Manner, Parts, and Proportions as they ſhall think fit; and to raiſe the ſame again, ſo as they do not at any Time exceed the Tolls by this Act granted and made payable, and ſo as every ſuch Reduction thereof be made with the Conſent of the Perſon or Perſons for the Time being entitled to Two-third Parts at the leaſt of the Money then due on the Credit or Security of the Tolls: Provided alſo, that no Reduction ſhall be made in any of the ſaid Tolls, unleſs Notice of the Intention to make ſuch Reduction, and of the Meeting to be holden for that Purpoſe, ſhall be given by Writing, to be affixed upon all the Turnpikes and Toll Gates which ſhall be then ſtanding in, upon, acroſs, or on the Sides of the ſaid Roads, and inſerted in ſome Newſpaper publiſhed or circulated in the ſaid County of *Suffolk*, at leaſt Twenty-one Days before ſuch Meeting.

Power to remove Turnpikes and Toll Gates, with the Conſent of a certain Proportion of the Creditors.

IX. And be it further enacted, That it ſhall be lawful for the ſaid Truſtees, or any Seven or more of them, and they are hereby empowered from Time to Time, when and as often as they ſhall think proper, (with the Conſent and Approbation of ſuch Perſon or Perſons as ſhall be entitled to Two-third Parts at the leaſt of the Money which ſhall be then due and owing upon the Credit of the ſaid Tolls, but not otherwiſe), to cauſe any of

of the Turnpikes or Toll Gates erected or to be erected by virtue of the ſaid recited Act, or of this Act, in, upon, or acroſs, or on the Sides of the ſaid Roads, to be removed to and erected in, upon, or acroſs ſuch other Part or Parts of the ſaid Roads, or the Sides thereof, as to the ſaid Truſtees, or any Seven or more of them, ſhall ſeem expedient; and again from Time to Time as often as they ſhall think fit, to remove the ſame Turnpikes or Toll Gates, and to cauſe the ſame to be erected in, upon, or acroſs the Part or Parts of the ſaid Roads whereon they formerly ſtood, or in, upon, or acroſs any other Part or Parts thereof; provided nevertheleſs, that no ſuch Removal ſhall be made without ſuch previous Notice of the Intention to remove the ſame be given, as by the ſaid recited Act is required.

Exemptions.

X. And be it further enacted, That none of the Tolls hereby authorized to be taken, ſhall be demanded, taken, or received at any of the Turnpikes or Toll Gates erected or to be erected, or continued in, upon, acroſs or on the Sides of any Part of the ſaid Roads, for any Horſes, Cattle, or Carriages of whatſoever Deſcription, employed or to be employed in conveying the Mails of Letters and Expreſſes under the Authority of His Majeſty's Poſtmaſter General, either when employed in conveying, fetching, or guarding ſuch Mails or Expreſſes, or in returning therefrom, nor for the Horſes belonging to any Officers or Soldiers on their March, or on Duty, nor for any Horſes, Cattle, or Carriages employed in carrying or conveying the Arms or Baggage of any ſuch Officers or Soldiers, or in carrying any wounded, ſick, or diſabled Officers or Soldiers; nor for any Waggon, Wain, Cart, or other Carriage whatſoever, or the Horſes drawing the ſame, which ſhall be employed in conveying any Ordnance, Barrack, or Commiſſariat, or other public Stores, of or belonging to His Majeſty, or for the Uſe of His Majeſty's Forces; nor for any Rector, Vicar, or Curate going to or returning from his own Pariſh Church, or other Place of Divine Worſhip, or viſiting his ſick Pariſhioners; nor from any Perſon or Perſons going to or returning from any Church, Chapel, or other Place of Religious Worſhip within the Pariſh or Place where he, ſhe, or they may reſide, on *Sundays*, or on any other Day on which Divine Worſhip is or ſhall be ordered by Authority to be celebrated, or attending the Funeral of any Perſon or Perſons who ſhall die or be buried in any Pariſh, Hamlet, or Place through which any Part of the ſaid Roads lie; nor for any Horſes, Beaſts, Cattle, or Carriages uſed or employed for the Purpoſe only of carrying or conveying Perſons to or from any Election of a Knight or Knights of the Shire to ſerve in Parliament for the County of *Suffolk*; or of any Burgeſs or Burgeſſes to ſerve in Parliament for the Town or Borough of *Aldeburgh* aforeſaid; or of carrying or conveying Vagrants ſent by legal Paſſes; or of carrying or conveying Hay, Straw, or Corn in the Straw, for the Uſe of the Owners, and not for Sale or purchaſed; or of carrying or conveying any Mould, Manure, Dung, or Compoſt, to be uſed only for manuring the Land, or going or returning empty in that Employment; nor for any Horſes, Beaſts, or Cattle employed in carrying or conveying, or going to carry or convey, or returning from carrying or conveying, having been employed only in carrying or conveying any Plough, Harrow, or other Implement of Huſbandry, unleſs the Carriage bearing any ſuch Plough, Harrow, or other Implement of Huſbandry, be alſo laden with any other Thing not hereby intended to be exempted from Payment of Toll; nor for any

any Horſe, Beaſt, or Cattle paſſing to or repaſſing from Water or Paſture, nor for any Horſe, Beaſt, or other Cattle when going to or returning from being ſhod or farried; nor for any Horſe, Beaſt, or Cattle uſed or employed for the Purpoſe only of carrying or conveying Materials for making or repairing any Highway or public Road within any ſuch Pariſh, Hamlet, or Place as aforeſaid, or for rebuilding, building, or repairing any preſent or future Bridge or Bridges on the ſaid Roads under this Truſt; nor for any Horſe, Beaſt, Cattle, or Carriage, which ſhall only croſs the ſaid Roads, and ſhall not paſs more than One hundred Yards thereon; nor for any Horſe, Mare, or Gelding furniſhed by or for any Perſon belonging to any Corps of Yeomanry or Volunteer Cavalry, and rode by him in going to or returning from any Place appointed for Exerciſe, Inſpection, or Review, provided that ſuch Perſon is in the Uniform of his Corps, and has his Arms, Furniture, and Accoutrements, according to the Regulations for ſuch Corps at the Time of claiming the Exemption; and if any Perſon ſhall claim and take the Benefit of any Exemption in this Act contained or provided for, not being entitled to the ſame, every ſuch Perſon ſhall, for every ſuch Offence, forfeit and pay any Sum not exceeding Forty Shillings; and in all Caſes the Proof of Exemption ſhall lie upon the Perſon claiming the ſame.

Owners or Drivers of Waggons conveying Military Stores not ſubject to Penalties for Overweight.

XI. And be it further enacted, That no Perſon owning or driving, or cauſing to be driven, any Waggon, Wain, Cart, or other Carriage, provided for the Service of His Majeſty's Forces, or conveying any Ordnance, Barrack or Commiſſariat, or other public Stores of or belonging to His Majeſty, or for the Uſe of His Majeſty's Forces, ſhall be ſubject to any Penalty or Forfeiture for Overweight, nor ſhall any ſuch Waggon, Wain, Cart or other Carriage be ſtopped or detained by reaſon of any Weight in any ſuch Waggon, Wain, Cart, or other Carriage, or of being drawn by any Number of Horſes or Oxen; but it ſhall be lawful for any Owner or Driver of any ſuch Waggon, Wain, Cart, or other Carriage, to put any Number of Horſes or Oxen to ſuch Waggon, Wain, Cart, or other Carriage, any Thing in any Act or Acts of Parliament relating to Highways or Turnpike Roads, or in the ſaid recited Act or this Act contained to the contrary notwithſtanding.

No Perſon liable to any Penalty, or additional Toll, on account of Overweight of Waggons loaded with Wheat, &c.

XII. And whereas the accuſtomed Mode of the Sale and Delivery of Wheat and other Grain within the County of *Suffolk*, is by the Laſt, or Ten Quarters, and the Waggons uſually employed in carrying ſuch Wheat or other Grain, have the Soles or Bottoms of the Fellies of the Wheels thereof of leſs Breadth than Six Inches, and are uſually laden with Ten Quarters of Wheat or other Grain, which Quantity is of greater Weight than is by an Act made in the Thirteenth Year of the Reign of His preſent Majeſty, relating to the Turnpike Roads, within that Part of *Great Britain* called *England*, allowed to be carried along Turnpike Roads, in ſuch Waggons as before mentioned: And whereas it would be a great Inconvenience to Perſons who ſhall have Occaſion to ſend their Wheat and other Grain in Waggons, along any Part of the Roads by the ſaid recited Act and this Act directed to be repaired, if they ſhould be obliged to ſend a leſs Quantity at a Time than Ten Quarters, be it therefore enacted, That no Perſon ſhall be ſubject or liable to any Penalty, Forfeiture, or additional Toll, for or on account of Overweight of any Waggon paſſing along any Part of the ſaid Roads, and laden only with Ten Quarters of Wheat

Wheat or other Grain; any Thing in the ſaid recited Act or in the ſaid Act of the Thirteenth Year of the Reign of His preſent Majeſty, to the contrary thereof in anywiſe notwithſtanding.

For removing Annoyances and Encroachments on the Roads.

XIII. And whereas Doubts have ariſen, whether the ſaid former Act has provided a ſufficient Remedy to prevent Encroachments and Annoyances upon the ſaid Road, be it therefore further enacted, That no Perſon or Perſons whatſoever ſhall make, raiſe, or ſet any new Wall or Walls, Hedge or Hedges, Fence or Fences of Thorns or Quickſets, or any other Fences whatſoever, in or upon the Lands or Grounds next adjoining to the ſaid Roads to be repaired by virtue of this Act, on either Side of the Ditches thereof, nearer than the Space of Five Yards from the Centre of the ſaid Roads; and if any Perſon or Perſons ſhall make any Incloſure, Wall, Hedge or Fence, on the Side of ſuch Roads, contrary to the Directions of this Act, then and in ſuch Caſe it ſhall be lawful for the ſaid Truſtees, or any Five or more of them, from Time to Time, upon their View or Sight of ſuch new Incloſure ſo made, to order ſuch new Incloſure, Wall, Fence or Hedge, to be levelled, thrown down and removed by the Surveyor of the ſaid Roads, or by his Order, and to levy the Expence thereof upon ſuch Offender or Offenders, in and by ſuch Ways and Means, and in ſuch and the ſame Manner, as any Penalties or Forfeitures, by the ſaid recited Act, or this Act, are directed to be levied and recovered; and it ſhall and may be lawful for the ſaid Truſtees to order and direct any Ditch or Ditches, on either Side of the ſaid Roads, to be filled in and levelled, and a Floor Bank raiſed againſt the ſaid Road, and a Ditch made at the Expence of the ſaid Truſtees on the oppoſite or inner Side of the Fence adjoining to the ſaid Roads, if ſuch Ditch ſhall be neceſſary, or be required by the Owner or Occupier of the Lands on which any ſuch Fence ſhall ſtand or grow; and alſo to order and direct all Gates opening out of any incloſed Grounds, into any Part of the ſaid Roads, or the Sides thereof to be hung, ſo that the ſame may be made to open or ſwing into ſuch incloſed Grounds, and not into the ſaid Roads: Provided alſo, that all Fences hereafter to be made on either Side of the ſaid Roads, or any of the preſent Fences which may be thrown down, ſhall be raiſed with a Floor Bank next to the ſaid Roads, and with a Ditch, if neceſſary, on the oppoſite or incloſed Side of every ſuch Fence.

Penalty on Perſons injuring Mile Stones.

XIV. And be it further enacted, That if any Perſon or Perſons ſhall wilfully or deſignedly pull down, dig up, injure, or deſtroy any Stones or Poſts erected, or to be erected on the ſaid Roads, under the ſaid recited Act, or this Act, or eraſe, obliterate or deface any of the Inſcriptions thereon, or cauſe or procure the ſame to be done; or if any Perſon ſhall ride upon any Footway adjoining to the ſaid Roads, or either of them, or ſhall drive or lead any Horſes or other Cattle, or any Swine, or any Cart or other Carriage thereon, or ſhall cauſe any Damage to be done to ſuch Footway; or if any Perſon ſhall haul or draw, or cauſe to be hauled or drawn upon any Part of the ſaid Roads, any Tree or Piece of Timber, or any Stone, otherwiſe than upon Wheel-Carriages, or ſhall ſuffer any Part of any Tree, or Piece of Timber, or Stone, which ſhall be carried on Wheel Carriages, to drag upon any Part of the ſaid Roads to the Prejudice thereof; or if any Perſon driving any

Pigs

Pigs or Swine upon the ſaid Roads, ſhall ſuffer the ſame to root up or damage the ſame, or any Part thereof, or the Fences, Hedges, Backings, or Copſe, on either Side thereof; or if any Perſon driving any Coach, Chaiſe, Waggon, Cart, or other Carriage upon the ſaid Roads, and meeting another Coach, Chaiſe, Waggon, Cart or other Carriage, ſhall not keep his Carriage on the Left Side of the ſaid Roads; or if any Perſon ſhall in any Manner wilfully prevent any other Perſon or Perſons from paſſing him, her, or them upon the ſaid Roads, or the Coach, Chaiſe, Waggon, or other Carriage under his Care; or if any Perſon ſhall make, or aſſiſt in making any Fire or Fires, commonly called *Bonfires*, or ſhall ſet fire to or let off or throw any Squib, Rocket, Serpent, or Fire Work whatſoever, on any Part or Parts of the ſaid Roads; or if any Perſon ſhall, without ſufficient Cauſe, leave any Coach, Chaiſe, Waggon, Wain, Cart, or other Carriage, in, upon, or on the Side of any Part of the ſaid Roads, longer than may be neceſſary for loading or unloading the ſame, either with or without any Horſe or Beaſt of Draught harneſſed or yoked thereto, or ſhall lay any Timber, Wood, Straw, Dung, Rubbiſh, or other Matter or Thing whatſoever, on any Part of the ſaid Roads, or on the Side or Sides thereof, to the Prejudice thereof, or to the Prejudice or Annoyance of Perſons travelling thereon; every Perſon ſo offending ſhall forfeit and pay a Sum not exceeding Five Pounds for every ſuch Offence, One Moiety whereof ſhall be paid to the Informer, and the other Moiety ſhall be applied towards repairing the ſaid Roads.

XV. And for the more eaſy and ſpeedy Conviction of Offenders againſt the ſaid recited Act or this Act, be it further enacted, That all and every Juſtice or Juſtices of the Peace, before whom any Perſon or Perſons ſhall be convicted of any Offence againſt the ſaid recited Act or this Act, ſhall and may cauſe the Conviction to be drawn up in the following Form of Words, or in any other Form of Words to the ſame Effect, as the Caſe ſhall happen; that is to ſay,

Form of Conviction.

To wit. } ‘BE it remembered, That on the Day of in the Year of our Lord ‘ *A. B.* is convicted before me, *C. D.* one of His ‘ Majeſty's Juſtices of the Peace for the County of [*or*, ‘ Counties of *as the Caſe may be*], *ſpecifying the Offence, and* ‘ *the Time and Place when and where the ſame was committed, as the* ‘ *Caſe ſhall be*]. Given under my Hand and Seal the Day and Year ‘ firſt above written.”

For ſecuring tranſient Offenders.

XVI. And whereas Offences may be committed againſt the ſaid recited Act or this Act, by Perſons unknown to the Collectors, Surveyors, or other Officers appointed to put the ſaid Acts in Execution, be it therefore enacted, That it ſhall be lawful for any of the ſaid Truſtees, or their Clerk or Clerks, or their Collectors, Surveyors, or other Officers reſpectively, and ſuch other Perſon or Perſons as he or they ſhall call to his or their Aſſiſtance, without any Warrant or other Authority than this Act, to ſeize and detain any ſuch unknown Perſon or Perſons who ſhall commit any ſuch Offence or Offences, and take him, her, or them before any Juſtice of the Peace for the County of *Suffolk*; and ſuch Juſtice is hereby empowered and directed to proceed immediately to the hearing and

and determining of the Complaint, or to oblige such Person or Persons so offending, to give Security for his, her, or their Appearance at the next Justice Sitting, to be holden within the Division of the said County in which such Offence or Offences shall have been committed, to answer the said Complaint; and the Justices present at such Sitting, or any Two or more of them, are hereby authorized and required to hear and determine the Matter of the said Complaint in a summary Way; and upon Conviction of the Offender or Offenders (either by the Justice before whom he, she, or they shall be first taken, or by the Justices at such Sittings as aforesaid), it shall be lawful for such Justice or Justices respectively, to commit him, her, or them to any Common Gaol or House of Correction for the same County, there to remain for any Time not exceeding Fourteen Days, unless he, she, or they shall sooner pay the respective Penalties, by him, her, or them incurred for such Offence or Offences, together with the Costs and Charges attending his, her, or their Conviction or Commitment.

Collectors of Tolls not incompetent to give Evidence.

XVII. And be it further enacted, That in case any Dispute, Suit, or Litigation shall happen to arise touching or in anywise relating to the Tolls to be collected on the said Roads, or the Recovery of such Tolls, the Person or Persons appointed to collect the same, or any other Person or Persons acting by or under the Authority of the said Trustees, shall not be incompetent to give Evidence in any such Dispute, Suit, or Litigation, by reason of their or his being appointed to collect the said Tolls, or acting under the Authority of the said Trustees as aforesaid.

Surveyors of Parishes to give immediate Notice of any Prosecutions, &c. to the Treasurer or Clerk of the Trustees.

XVIII. And be it further enacted, That in case any Complaint, Indictment, or Prosecution shall be preferred or brought, or any Notice given of any Complaint, Indictment, or Prosecution being intended to be preferred or brought against the Surveyor or Surveyors of the Highways of any Parish or Place in which the said Roads, or any Part thereof do or doth lie, by reason or on account of the said Roads being out of Repair, or on any other Account relating thereto, then such Surveyor or Surveyors is and are hereby directed and required forthwith to give Notice thereof in Writing to the Treasurer or Clerk to the said Trustees; and in case such Surveyor or Surveyors shall neglect or refuse to give such Notice as aforesaid, he, she, or they shall for every such Default forfeit and pay to the said Trustees, or to their Treasurer for the Time being, any Sum not exceeding Twenty Pounds, to be levied and recovered in like Manner as other Penalties are directed to be recovered and levied by the said recited Act, or this Act.

Waggons, &c. with Wheels, having the Fellies of less Breadth than Nine Inches, not to be drawn by Horses in Pairs.

XIX. And whereas great Damage hath been done to the said Turnpike Road by Waggons and other such Carriages with narrow Wheels, drawn by Horses in Pairs, or abreast, for Remedy whereof, be it enacted, That it shall not be lawful for any Waggon, Wain, Cart, or other such Carriage, having the Sole or Bottom of the Fellies of the Wheels thereof of less Breadth or Gauge than Nine Inches, to pass upon the said Turnpike Roads, or through any Turnpike Gate or Bar, already or hereafter to be erected thereon, if the same shall be drawn by Horses in Pairs or abreast, (other than and except such Waggons, Wains, Carts, or other such Carriages, having the Fellies of the Wheels thereof of the Breadth of Six Inches, as shall be authorized to be drawn in any other Manner by Order of

the ſaid Truſtees of the ſaid Roads, made at a public Meeting, conſiſting of Five Truſtees, or more, (which Order it ſhall and may be lawful for the ſaid Truſtees, or any Five of them, to revoke at any ſubſequent Meeting, and afterwards to make a new one, if they ſhall think fit, for the ſame Purpoſe) and affixed in Writing upon every Toll Gate erected, or to be erected acroſs the ſaid Roads, and except Carriages drawn by Two Horſes only); and in caſe any ſuch Waggon, Wain, Cart or other ſuch Carriage ſhall paſs on the ſaid Roads, drawn by Horſes in Pairs, or abreaſt, contrary to the Proviſion aforeſaid, (other than and except as aforeſaid), then and in every ſuch Caſe the Owner or Owners of every ſuch Waggon, Wain, Cart or other ſuch Carriage ſhall upon Conviction, either by Confeſſion of the Party or on the Oath of One or more credible Witneſs or Witneſſes, before One or more Juſtice or Juſtices of the Peace for the ſaid County of *Suffolk*, forfeit and pay for every ſuch Offence a Sum not exceeding Five Pounds, and the Driver or Drivers of every ſuch Waggon, Wain, Cart, or other ſuch Carriage, not being the Owner or Owners thereof, ſhall, upon Conviction as aforeſaid, forfeit and pay, for every ſuch Offence, a Sum not exceeding Forty Shillings, at the Diſcretion of the Juſtice or Juſtices before whom ſuch Offender or Offenders ſhall be reſpectively convicted, ſuch Penalties to be reſpectively levied and recovered, in ſuch Manner as any Penalty or Forfeiture can or may be levied and recovered by virtue of the ſaid recited Act, or this Act: Provided always, that nothing herein contained ſhall extend or be conſtrued to extend, to any Chaiſe Marine, Coach, Landau, Berlin, Chariot, Chaiſe, Chair, Calaſh, or Hearſe, or to the Carriage of ſuch Ammunition or Artillery as ſhall be for His Majeſty's Service, or to any Waggon, Wain, Cart, or other ſuch Carriage, drawn by Two Horſes, and no more; or to any Carriage having the Sole or Bottom of the Fellies of the Wheels thereof of the Breadth of Nine Inches, which ſhall be laden with One Block of Stone, One Piece of Marble, One Cable Rope, One Piece of Metal, or one Piece of Timber.

Application of Money awarded above 200l.

XX. And be it further enacted, That if any Money ſhall be agreed or awarded to be paid for any Lands, Tenements, or Hereditaments purchaſed, taken, or uſed by virtue of the Powers of the ſaid recited Act and this Act, for the Purpoſes thereof, which ſhall belong to any Corporation, Feme Covert, Infant, Lunatic, or Perſon or Perſons under any Diſability or Incapacity, as in the ſaid Act mentioned, ſuch Money ſhall, in caſe the ſame ſhall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account *ex parte* the Truſtees for executing the ſaid recited Act and this Act, purſuant to the Method preſcribed by the Act of the Twelfth Year of His late Majeſty King *George* the Firſt, Chapter Thirty-two, and the General Orders of the ſaid Court, without Fee or Reward, to the Intent that ſuch Money ſhall be applied under the Direction and with the Approbation of the ſaid Court, to be ſignified by an Order made upon a Petition to be preferred in a ſummary Way, by the Perſon or Perſons who would have been entitled to the Rents and Profits of the ſaid Lands, Tenements, or Hereditaments, in the Purchaſe of the Land Tax, or towards the Diſcharge of any Debt or Debts, or ſuch other Incumbrances or Part thereof, as the ſaid Court ſhall authorize to be paid, affecting the ſame Lands, Tenements,

or

or Hereditaments ſtanding ſettled therewith, to the ſame or the like Uſes, Truſts, Intents, or Purpoſes; or where ſuch Money ſhall not be ſo applied, then the ſame ſhall be laid out and inveſted, under the like Direction and Approbation of the ſaid Court, in the Purchaſe of other Lands, Tenements, or Hereditaments, which ſhall be conveyed and ſettled to, for, and upon ſuch and the like Uſes, Truſts, Intents, and Purpoſes, and in the ſame Manner as the Meſſuages, Lands, Tenements, and Hereditaments which ſhall be ſo purchaſed, taken, or uſed as aforeſaid, ſtood ſettled or limited, or ſuch of them as at the Time of making the Conveyance and Settlement ſhall be exiſting undetermined, and capable of taking Effect; and in the mean Time, and until ſuch Purchaſe ſhall be made, the ſaid Money ſhall, by Order of the ſaid Court of Chancery, upon Application thereto, be inveſted by the ſaid Accountant General in his Name in the Purchaſe of Three Pounds *per Centum* Conſolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the mean Time, and until the ſaid Bank Annuities ſhall be ordered by the ſaid Court to be ſold for the Purpoſes aforeſaid, the Dividends and annual Produce of the ſaid Conſolidated or Reduced Bank Annuities ſhall from Time to Time be paid, by Order of the ſaid Court, to the Perſon or Perſons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, and Hereditaments, ſo hereby directed to be purchaſed, in caſe ſuch Purchaſe or Settlement were made.

Where leſs than 200l. and above 20l.

XXI. Provided always, and be it further enacted, That if any Money ſo agreed or awarded to be paid for any Lands, Tenements, or Hereditaments purchaſed, taken, or uſed for the Purpoſes aforeſaid, and belonging to any Corporation, or to any Perſon or Perſons under any Diſability or Incapacity as aforeſaid, ſhall be leſs than the Sum of Two hundred Pounds, and ſhall exceed the Sum of Twenty Pounds, then and in all ſuch Caſes the ſame ſhall, at the Option of the Perſon or Perſons for the Time being entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments, ſo purchaſed, taken, or uſed, or of his, her, or their Guardian or Guardians, Committee or Committees, in caſe of Infancy or Lunacy, to be ſignified in Writing under their reſpective Hands, be paid into the Bank with the Privity and in the Name of the ſaid Accountant General of the High Court of Chancery, and be placed to his Account as aforeſaid, in order to be applied in Manner herein-before directed; or otherwiſe the ſame ſhall be paid, at the like Option, to Two Truſtees, to be nominated by the Perſon or Perſons making ſuch Option, and approved of by Five or more of the Truſtees for executing the ſaid recited Act and this Act, (ſuch Nomination and Approbation to be ſignified in Writing under the Hands of the nominating and approving Parties), in order that ſuch Principal Money, and the Dividends ariſing thereon, may be applied in any Manner herein-before directed, ſo far as the Caſe be applicable, without obtaining or being required to obtain, the Direction or Approbation of the ſaid Court of Chancery.

When leſs than 20l.

XXII. Provided alſo, and be it further enacted, That when ſuch Money ſo agreed or awarded to be paid as laſt before mentioned ſhall not exceed the Sum of Twenty Pounds, then and in all ſuch Caſes the ſame ſhall be applied to the Uſe of the Perſon or Perſons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments ſo purchaſed, taken, or uſed for the Purpoſes

poſes of this Act, in ſuch Manner as the ſaid Truſtees, or any Five or more of them, ſhall think fit; or in caſe of Infancy or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Uſe and Benefit of ſuch Perſon or Perſons ſo entitled reſpectively.

In caſe of not making out Titles;

or if Perſons cannot be found, Purchaſe Money to be paid into the Bank.

XXIII. And be it further enacted, That in caſe the Perſon or Perſons to whom any Sum or Sums of Money ſhall be awarded for the Purchaſe of any Lands, Tenements, or Hereditaments to be purchaſed by virtue of the ſaid recited Act or this Act, ſhall refuſe to accept the ſame, or ſhall not be able to make a good Title to the Premiſes, to the Satisfaction of the ſaid Truſtees, or any Five or more of them; or in caſe ſuch Perſon or Perſons to whom ſuch Sum or Sums of Money ſhall be ſo awarded as aforeſaid cannot be found, or if the Perſon or Perſons entitled to ſuch Lands, Tenements, or Hereditaments, be not known or diſcovered, then and in every ſuch Caſe it ſhall be lawful for the ſaid Truſtees, or any Five or more of them, to order the ſaid Sum or Sums of Money ſo awarded as aforeſaid, to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the ſaid Court of Chancery, to be placed to his Account, to the Credit of the Parties intereſted in the ſaid Lands or Hereditaments [deſcribing them], ſubject to the Order, Controul, and Diſpoſition of the ſaid Court of Chancery; which ſaid Court, on the Application of any Perſon or Perſons making Claim to ſuch Sum or Sums of Money, or any Part thereof, by Motion or Petition, ſhall be and is hereby empowered, in a ſummary Way of Proceeding, or otherwiſe, as to the ſame Court ſhall ſeem meet, to order the ſame to be laid out and inveſted in the Public Funds, and to order Diſtribution thereof, or Payment of the Dividends thereof, according to the reſpective Eſtate or Eſtates, Title or Intereſt, of the Perſon or Perſons making Claim thereunto, and to make ſuch other Order in the Premiſes as to the ſaid Court ſhall ſeem juſt and reaſonable; and the Caſhier or Caſhiers of the Bank of *England*, who ſhall receive ſuch Sum or Sums of Money, is and are hereby required to give a Receipt or Receipts for ſuch Sum or Sums of Money, mentioning and ſpecifying for what and for whoſe Uſe the ſame is or are received, to ſuch Perſon or Perſons as ſhall pay any ſuch Sum or Sums of Money into the Bank as aforeſaid.

Subject to the Order of the Court of Chancery on Motion or Petition.

Where any Queſtion ſhall ariſe touching the Title to Money to be paid, the Perſon who ſhall be in Poſſeſſion at the Time of Purchaſe ſhall be deemed entitled thereto.

XXIV. Provided always, and be it further enacted, That where any Queſtion ſhall ariſe touching the Title of any Perſon to any Money to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the ſaid Court of Chancery, in purſuance of this Act, for the Purchaſe of any Lands or Hereditaments, or of any Eſtate, Right, or Intereſt in any Lands or Hereditaments, to be purchaſed in purſuance thereof, or to any Bank Annuities to be purchaſed with any ſuch Money, or to the Dividends or Intereſt of any ſuch Bank Annuities, the Perſon or Perſons who ſhall have been in Poſſeſſion of ſuch Lands, Tenements, or Hereditaments, at the Time of ſuch Purchaſe, and all Perſons claiming under ſuch Perſon or Perſons, or under the Poſſeſſion of ſuch Perſon or Perſons, ſhall be deemed and taken to have been lawfully entitled to ſuch Lands or Hereditaments according to ſuch Poſſeſſion, until the contrary ſhall be ſhewn to the Satisfaction of the ſaid Court of Chancery; and the Dividends or Intereſt of the Bank Annuities ſhall be paid, applied,

and diſpoſed of accordingly, unleſs it ſhall be made to appear to the ſaid Court that ſuch Poſſeſſion was a wrongful Poſſeſſion, and that ſome other Perſon or Perſons was or were lawfully entitled to ſuch Lands, Tenements, or Hereditaments, or to ſome Eſtate or Intereſt therein.

The Court of Chancery may order reaſonable Expences of Purchaſes to be paid.

XXV. Provided alſo, and be it further enacted, That where by reaſon of any Diſability or Incapacity of the Perſon or Perſons or Corporation entitled to any Lands or Hereditaments to be purchaſed under the Authority of the ſaid recited Act or of this Act, the Purchaſe Money for the ſame ſhall be required to be paid into the ſaid Court, and to be applied in the Purchaſe of other Lands, Tenements, or Hereditaments to be ſettled to the like Uſes in purſuance thereof, it ſhall be lawful for the ſaid Court to order the Expences of all Purchaſes, from Time to Time, to be made in purſuance of the ſaid recited Act or of this Act, or ſo much of ſuch Expences as the Court ſhall deem reaſonable, together with the neceſſary Coſts and Charges of obtaining ſuch Order, to be paid by the ſaid Truſtees out of the Monies to be received by virtue of the ſaid recited Act and this Act, who ſhall from Time to Time pay ſuch Sums of Money for ſuch Purpoſes as the ſaid Court ſhall direct.

Statute Work

XXVI. And be it further enacted, That ſo much of the ſaid recited Act as relates to the Performance of Statute Labour on the ſaid Roads ſhall be, and the ſame is hereby repealed; and that all Perſons who by Law are or ſhall be liable to do Statute Work, or are or ſhall be chargeable towards repairing and amending the ſaid Roads, or any Part thereof, ſhall ſtill remain liable thereto in like Manner as heretofore; and it ſhall be lawful for any Two or more Juſtices of the Peace for the County of *Suffolk*, and they are hereby required and empowered, upon Application made to them by the ſaid Truſtees, or by their Clerk or Surveyor, or by their Order, yearly to adjudge and determine what Part or Proportion of Statute Work ſhall every Year be done upon the ſaid Roads by the Inhabitants of the reſpective Pariſhes, Hamlets, or Places in which the ſaid Roads lie, and alſo what Proportion of the Money received by the Surveyor or Surveyors of the Highways of every ſuch Pariſh, Hamlet, or Place, in lieu of or as a Compoſition for ſuch Statute Work as aforeſaid, ſhall be by him, her, or them paid to the ſaid Truſtees, or to their Treaſurer or Treaſurers; and in order thereto, it ſhall be lawful for ſuch Juſtices from Time to Time to ſummon the Surveyor or Surveyors of the Highways for every ſuch Pariſh, Hamlet, or Place, to bring in Liſts before ſuch Juſtices at ſome Place to be expreſſed in ſuch Summons (within Five Days after the ſerving of ſuch Summons) of the Names of the ſeveral Perſons who within ſuch Pariſh, Hamlet, or Place are by Law ſubject and liable to do Statute Work for that Year, or to the Payment of any Money in lieu of or as a Compoſition for ſuch Statute Work, diſtinguiſhing the Nature of the Work to be done, whether with Teams or Draughts, or otherwiſe, and alſo the Amount of the reſpective Sums to be paid; which Liſts of Names ſhall be made in ſuch Manner, and under ſuch Regulations and Reſtrictions as are or may be directed by any Law or Statute in Force or Effect for the Repairs of the public Highways; and out of ſuch Liſts the ſaid Juſtices ſhall and may appoint and order ſuch and ſo many of the Perſons as ſhall appear to be ſubject and liable to Statute Work as aforeſaid, to do ſuch Number of Days Statute Work in every Year upon the ſaid Roads, as the

ſaid Juſtices ſhall think reaſonable, and the ſame ſhall be done on ſuch Days and at ſuch Times (not being Hay-time or Harveſt) and in ſuch Parts of the ſaid Roads as the ſaid Truſtees, or their Surveyor or Surveyors, ſhall from Time to Time order, direct, and appoint; and the ſaid Juſtices ſhall and may alſo order and direct the Perſons who by ſuch Liſts ſhall appear to be ſubject and liable to the Payment of any Money in lieu of or as a Compoſition for Statute Work as aforeſaid, to pay ſuch Proportion thereof as the ſaid Juſtices ſhall think proper, to the Truſtees or their Treaſurer, at ſuch Time or Times as the ſaid Juſtices ſhall direct; and in Default of Payment thereof, the ſame ſhall and may be recovered by Diſtreſs and Sale of the Goods and Chattels of the reſpective Perſons liable to the Payment thereof, in like Manner as any Penalty is by the ſaid recited Act authorized or directed to be recovered; and each and every Perſon who ſhall neglect or refuſe to do ſuch Statute Work as aforeſaid, after Notice in Writing given to or left for him, her, or them, at his, her, or their laſt or uſual Place or Places of Abode for that Purpoſe, by any Surveyor of the ſaid Truſtees, ſhall for every Day of his, her, or their Default, or the Default of any Labourer or Labourers, Team or Teams, Draught or Draughts, Horſe or Horſes, Beaſt or Beaſts, to be provided by him, her, or them, be ſubject and liable to ſuch Pains, Penalties, and Forfeitures, as ſuch Perſon or Perſons may be ſubject or liable to by any Law or Statute in Force or Effect for the Repairs of the public Highways; and if any Perſon who ſhall come to work as a Labourer, or ſhall be ſent with any Team or Draught to work on the ſaid Roads, ſhall be found idle or negligent by any Surveyor to the ſaid Truſtees, ſuch Surveyor is hereby empowered to remove and diſcharge the Perſon who ſhall be found idle or negligent as aforeſaid, and in that Caſe every ſuch Perſon ſhall be ſubject and liable to the reſpective Forfeitures and Payments aforeſaid, as if he had neglected or refuſed to come, or ſuch Team or Draught had not been ſent to work on any Part of the ſaid Roads; all which Forfeitures ſhall be paid to the Treaſurer to the ſaid Truſtees, and applied towards amending the ſaid Roads; and if any Surveyor of the Highways for any of the ſaid Pariſhes, Hamlets, or Places ſhall refuſe or wilfully neglect to give in ſuch Liſts as aforeſaid, or ſhall knowingly and wilfully give in falſe or imperfect Liſts, every ſuch Surveyor ſo offending ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Forty Shillings.

For paying the Expences of this Act.

XXVII. And be it further enacted, That the Charges and Expences incurred in and about the obtaining and paſſing of this Act, together with lawful Intereſt for the Money which ſhall be advanced from Time to Time for that Purpoſe, ſhall be paid out of any Money already raiſed by virtue of the ſaid recited Act, or out of the firſt Monies which ſhall be raiſed or borrowed upon the Credit of the ſaid recited Act and this Act, in preference to all other Payments whatſoever.

Public Act.

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

Commencement and Duration of this Act.

XXIX. And be it further enacted, That the ſaid recited Act (ſubject to the Alterations, Additions, and Amendments in this Act contained, which

affect the same) and this Act shall be put in force and be executed for and during the Residue now to come of the Term granted by the said recited Act, and from the Expiration thereof, for and during the further Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN,
Printers to the King's most Excellent Majesty. 1813.