ANNO DECIMO QUINTO & DECIMO SEXTO

VICTORIÆ REGINÆ.

Cap. cxxxiv.

An Act for more effectually maintaining and keeping in repair the Road from *Cambridge* to *Ely*, and other Roads therein mentioned, in the Counties of *Cambridge* and *Norfolk*.

[30th *June* 1852.]

WHEREAS an Act was passed in the Fifth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act for amending and improving the Road from* Cambridge *to* Ely, *and other Roads therein mentioned, in the County of* Cambridge; *and for making a Road from or near the Town of* Littleport *in the* Isle of Ely *to the Ferry or Floating Bridge over the* Hundred Feet River *in the Parish of* Welney *in the County of* Norfolk: And whereas the Term granted by the recited Act, and from Time to Time continued by virtue of divers Acts of Parliament for continuing certain Turnpike Acts for limited Periods, will expire on the First Day of *November* One thousand eight hundred and fifty-two, unless the same be further continued: And whereas considerable Sums of Money, together with a large Arrear of Interest, are due and owing upon the Credit of the Tolls authorized to be taken by the recited Act, and such Money cannot be paid off, and the Interest thereof 5 G. 4. c. 60.

thereof discharged, unless the Term of the recited Act is further continued: And whereas it is expedient that the recited Act should be repealed, and that further and more effectual Powers should be granted instead thereof; but the Purposes aforesaid cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen'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, as follows; (that is to say,)

Recited Act repealed.

I. That upon the Commencement of this Act the recited Act of the Fifth Year of the Reign of His Majesty King *George* the Fourth shall be repealed, and this Act shall thereafter be put in execution during the Term and for the Purposes herein-after mentioned.

Monies and Property vested in Trustees.

II. That all Rents, Arrears of Tolls, and other Monies due to, and all Monies, Property, and all Choses in Action vested in the respective Trustees under the Act hereby repealed, shall immediately on the Commencement of this Act be vested in the respective Trustees for executing this Act, and such last-mentioned respective Trustees may sue for and recover the same, and act in respect thereof, as fully and effectually as if the same had been vested in them under the Act hereby repealed; and they shall be liable to all the Debts and Engagements to which the respective Trustees acting under the recited Act may be liable at the Time of the Repeal thereof, except as herein-after provided.

All Tolls, &c. vested in Trustees of the South and North Districts under former Acts vested in the Trustees of those Districts respectively.

III. That the Right and Interest of and in all such Ferries and Tolls for Ferries as by virtue of and under any of the Provisions in the recited Act hereby repealed, or the several Acts therein referred to, or any or either of them, were purchased by or vested in the Trustees of the South and North Districts respectively, shall be and the same are hereby vested in the Trustees of the District respectively in which the same are respectively situated and collected, or due and payable.

Construction of Terms.

IV. That in this Act the following Words and Expressions shall have the several Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction; (that is to say,)

The Expression "the Trustees" shall mean the respective Trustees for the Time being acting in the Execution of this Act:

The Expression "the Roads" shall mean the respective Districts of Road to which this Act applies:

The Expression "Turnpike" shall include Toll Gate, Bar, and Chain.

V. That

V. That in citing this Act for any Purpose it shall be sufficient to use the Expression "The *Cambridge and Ely* Roads Act, 1852." Short Title.

VI. That this Act shall be put in execution during the Term herein-after mentioned, for the Purpose of maintaining, improving, and keeping in repair the present Turnpike Roads herein-after mentioned; (that is to say,) the Road from a Stone in the Parish of *Saint Mary* in *Ely* near the Junction of the Road with the Road from *Ely* to *Mepall* marking the Boundary of the Road to the Northern Boundary of the Town of *Cambridge;* the Road from a Stone in the said Parish of *Saint Mary* in *Ely* in the Road from *Ely* to *Mepall* near the said Junction marking the Boundary of the Road to the Public House in the Parish of *Mepall* called the *Three Fishes;* the Road from the North End of *Short Lane* in the Parish of *Stretham*, passing through the Towns of *Wilburton* and *Haddenham*, by *Ballam Baulk*, to the Junction of the present Road from *Ely* to *Mepall;* the Road from a Stone near the Station of the *Eastern Counties* Railway Company in the Parish of *Ely Trinity* marking the Boundary of the Road to a Stone marking the Boundary of the said Road in the Parish of *Soham;* which said Roads shall be called and known by the Name of "The South District;" also the Road from a Stone near the *Oakery* in the Parish of *Ely Trinity* marking the Boundary of the Road to *Littleport*, and from thence to the *Chequer Corner* in *Downham* aforesaid, which said Road shall be called and known by the Name of "The North District;" also the Road from or near a Public House in *Littleport* called "The *Crown*," from thence through the Parishes of *Downham* in the *Isle of Ely* to *Welney* in the said *Isle of Ely* and in the County of *Norfolk*, and terminating at or near the Suspension Bridge over the *Hundred Feet River* in the said Parish of *Welney*, which said Road shall be called and known by the Name of "The North-west District." Act to be put in force for the Repair of Roads herein-mentioned.

VII. That all Her Majesty's Justices of the Peace for the Time being acting for the County of *Cambridge* and for the *Isle of Ely* respectively, the Mayor for the Time being of the Borough of *Cambridge*, and such Two Members of the Corporation of the said Borough as shall from Time to Time be annually nominated by the Council of the said Corporation for that Purpose, together with *Thomas Archer*, *Charles Muriel Bidwell*, *James Cropley*, *John Cross*, *James Evans*, *William Harlock*, *William Harlock* the younger, *John Harlock*, *Ely Saint Mary's*, *John Harlock*, *Ely Trinity*, *John Hall*, *Henry Lawrence*, *John Muriel*, *William Rayner*, *Henry Rayner*, and *George Stevens*, all of *Ely* aforesaid, *William Martin* of *Downham* in the *Isle of Ely*, *Henry Hervey Baber* Clerk, *Thomas Waddelow Granger*, *John Granger*, *William Edward Read*, and *William Wright*, Trustees for the South District.

Wright, all of *Stretham* in the said Isle, *Willson Hall* of *Landbeach* in the said County of *Cambridge*, *Edward Mason* and *William Smith Wiles*, both of *Waterbeach* in the said County of *Cambridge*, *John Percy Beaumgartner* of *Milton* in the said County of *Cambridge*, *Robert Sparrow* of *Chesterton* in the said County of *Cambridge*, *Patrick Beales* and *Charles Finch*, both of the Town of *Cambridge* in the County of *Cambridge*, *James Maling Witt* of *Swaffham* in the said County of *Cambridge*, *William Saberton* and *Thomas Saberton*, both of *Witcham* in the said Isle, *John Vipan* Esquire, *Thomas Vipan*, and *Benjamin Vipan* the younger, all of *Sutton* in the said Isle, *William Cole* and *William Vipan*, both of *Mepall* in the said Isle, *Thomas Drage*, *William Martin*, and *John Read*, all of *Haddenham* in the said Isle, and their Successors, being duly qualified to act as Trustees of Turnpike Roads in *England*, shall be and they are hereby appointed Trustees for putting this Act in execution so far as relates to the Roads within the South District.

Trustees for the North District.

VIII. That all Her Majesty's Justices of the Peace for the Time being acting for the Counties of *Cambridge* and *Norfolk* and for the *Isle of Ely* respectively, together with *Thomas Archer*, *James Cropley*, *John Cross*, *John Jackson Garratt*, *William Harlock*, *William Harlock* the younger, *John Hall*, *Henry Lawrence*, *John Muriel*, *William Rayner*, *Henry Rayner*, and *George Stevens*, all of *Ely* aforesaid, *William Martin* of *Downham* in the said Isle, *John Cutlack*, *John Little*, *Joseph Little*, *William Luddington*, and *Henry Martin*, all of *Littleport* in the said Isle, *John Sayle* of *Southery* in the County of *Norfolk*, *William Joseph Parkes* Clerk, of *Hilgay* in the said County of *Norfolk*, *Jermyn Pratt* Clerk, of *Fordham* in the said County of *Norfolk*, *Edward Roger Pratt* Esquire, of *Riston* in the said County of *Norfolk*, *Samuel Colby Smith* Clerk and *George Woods*, both of *Denver* in the said County of *Norfolk*, *Frederick Brown Bell* of *Downham Market* in the said County of *Norfolk*, *Goodwin Archer* of *Ely*, *Frederick Robinson* of *Southery* in the County of *Norfolk*, *Henry Martin* the younger, of *Littleport* in the *Isle of Ely*, and their Successors, being duly qualified to act as Trustees of Turnpike Roads in *England*, shall be and they are hereby appointed Trustees for putting this Act in execution so far as relates to the Road within the North District.

Trustees for the North-west District.

IX. That all Her Majesty's Justices of the Peace for the Time being acting for the Counties of *Cambridge* and *Norfolk* and for the *Isle of Ely* respectively, together with *Thomas Archer* of *Ely* in the said Isle, *Henry Martin* of *Littleport* in the said Isle, *John Tombleson Berry* of *Upwell* in the County of *Norfolk*, *William Gale Townley* Clerk, of *Beaupre Hall*, *Upwell*, in the said County of *Norfolk*, *Charles*

Charles Townley Clerk, of *Hildersham* in the County of *Cambridge*, *William Goddard Jackson* of *Wisbech* in the said Isle, *Richard Greaves Townley* Esquire, of *Fulbourn* in the County of *Cambridge*, *Joseph Henry Marshall* and *Jeremiah Jackson* Clerk, both of *Elm* in the said Isle, *William Gale Townley* Esquire, *Francis Townley* Esquire, *Charles Watson Townley* Esquire, *Marshall Jackson* Clerk, *Edward Marshall* Clerk, *James Gaye* Esquire, *Peter Huddleston* Esquire, and their Successors, being duly qualified to act as Trustees of Turnpike Roads in *England*, shall be and they are hereby appointed Trustees for putting this Act in execution so far as relates to the Road within the North-west District.

Time and Places for holding the First Meeting of the Trustees of the respective Districts.

X. That the Trustees for the South District shall hold their First Meeting at the House known by the Sign of the *Lamb* or at some other convenient Place in the City of *Ely* on the Third *Tuesday* after the Commencement of this Act, or as soon thereafter as conveniently may be, and proceed to the Execution of this Act so far as it relates to the South District; and the Trustees for the North District shall hold their First Meeting at the House known by the Sign of the *Bell* or at some other convenient Place in the City of *Ely* on the Third *Wednesday* after the Commencement of this Act, or as soon thereafter as conveniently may be, and proceed to the Execution of this Act so far as it relates to the North District; and the Trustees for the North-west District shall hold their First Meeting at the House known by the Sign of the *Crown* or at some other convenient Place in *Welney* in the County of *Norfolk* on the Third *Friday* after the Commencement of this Act, or as soon thereafter as conveniently may be, and proceed to the Execution of this Act so far as it relates to the North-west District; and the Trustees may from Time to Time adjourn themselves to meet at such Time and Place upon or near their said respective Districts as they shall respectively think proper.

Power to appoint Committees.

XI. That the Trustees may appoint Committees for each District out of their own Number to take the Care and Management of any particular Part of the said Roads, or to execute any of the Purposes of this Act, according to such Instructions and Regulations as shall be laid down by the Trustees at any General Meeting; and the said Committees and their Surveyors may proceed to act according to such Appointment, but shall always be accountable according to the Instructions and Regulations so to be made.

Trustees may put Rails and Wings on Bridges for Safety, &c.;

XII. That it shall be lawful for the Trustees to put Rails and Wings upon and by the Sides of any of the Bridges, Tunnels, and Loftways on the Roads, and also to widen the Passage over the same, for

for the Purpose of making such Bridges, Tunnels, and Loftways more safe and commodious for the passing of Carriages over the same.

but not to be thereby subject to the Repairs of such Bridges.

XIII. That nothing herein contained shall extend or be construed to extend to make the Trustees liable to the Repair of any of the said Bridges, Tunnels, or Loftways, but that all Persons who are now by Law liable to repair the same shall continue liable to all such Repairs.

Trustees may agree with Persons liable for the Repair of Bridges for repairing or rebuilding the same.

XIV. That it shall be lawful for the Trustees from Time to Time, as there shall be Occasion, to enter into any Composition and Agreement with any Person who by Law is now liable to the Repair of any of the said Bridges, Tunnels, or Loftways, for the repairing or rebuilding of the same or any Part thereof, and to pay the Proportion of the Expense of such repairing or rebuilding which shall be agreed to be borne by the Trustees.

Provision for the future Repairs of Bridges.

XV. That where any Bridge, Tunnel, or Loftway shall, under any such Agreement as last aforesaid, be rebuilt in lieu of either of the aforesaid Bridges, Tunnels, or Loftways, the same shall at all Times during the Continuance of this Act be repaired by and at the Expense of the Trustees, and of the Person who was by Law liable to repair the Bridge, Tunnel, or Loftway which shall have been so rebuilt, in such Proportions as they the Trustees and such last-mentioned Person respectively shall agree upon; and in case of any Difference between them concerning any such Repairs it shall be lawful for the Justices of the Peace acting within their Jurisdiction, and they are hereby required, in their General Quarter Sessions of the Peace assembled, upon Application to them made in Writing by either of the said Parties for that Purpose, and on Fourteen Days Notice in Writing being given by either Party to the other of such intended Application, from Time to Time to settle, adjudge, and finally determine the Proportion to such Repairs which shall be borne by the Trustees and by such last-mentioned Person respectively.

For keeping up the East Bank of the River Ouse.

XVI. And whereas Part of the Road within the North District passes over Part of the East Bank of the River *Ouse* between *Scotting's Ferry* and *Brandon Creek Bridge*, which Bank was erected by the Governor, Bailiffs, and Commonalty of the Company of Conservators of the *Great Level* of the Fens called *Bedford Level*, and has ever since its Erection been supported and maintained at the Expense of the said Governor, Bailiffs, and Commonalty, and of the Commissioners of a certain District protected by the said Bank, called *Burnt Fen* First District, and the Support of the said Bank is of the utmost Consequence, not only to the said District, but to many Thousand

Acres

Acres of rich and valuable Land within the said *Great Level* which are likewise protected thereby, and it is therefore necessary that Provision should be made for preventing the said Bank from being worn down and lowered by the frequent passing of Horses and Carriages thereon: Be it enacted, That during the Continuance of this Act the said Bank from *Scotting's Ferry* to *Brandon Creek Bridge* shall be constantly supported and maintained by the Trustees of the North District, so that the Seat or Foundation of the said Bank be never less than the present Seat or Foundation thereof, and that the Height thereof be never less than the present Height thereof; and in case it shall at any Time during the Continuance of this Act happen that either the Seat or the Height of the said Bank shall be less than they are hereby respectively directed to be, that then, on Notice in Writing to be given to the Clerk of such Trustees by the Registrar, Superintendent, or other Officer of the said Governor, Bailiffs, and Commonalty, they the Trustees shall give immediate Orders to amend and make up the said Bank to the Dimensions and Height aforesaid; and on Failure thereof for the Space of Fourteen Days after such Notice it shall be lawful for such Registrar, Superintendent, or other Officer of the said Governor, Bailiffs, and Commonalty to cause the said Bank to be made of the Dimensions and Height aforesaid; and it shall be lawful for such Registrar to draw upon the then Treasurer to such Trustees for the Expenses which shall have been incurred in doing such Work, which Expenses such Treasurer is hereby required to pay, and such Treasurer shall be allowed what he shall so pay in his Account with the Trustees.

Provisions in case of imminent Danger of a Breach in the said Bank from sudden Floods.

XVII. And whereas a Breach may happen in the said Bank within the Limits aforesaid by sudden Land Floods, and it is necessary to give Power for the timely Prevention of the Danger which may otherwise arise therefrom: Be it enacted, That when and so often as the said Bank shall or may happen to be endangered by Floods, it shall be lawful for the Registrar, Superintendent, or other Officer of the said Governor, Bailiffs, and Commonalty instantly to cause such Means to be used, and procure such Assistance as may be necessary, not only for securing the said Bank from any Breach, Slip, or Damage, but also for instantly repairing and amending such Bank in case any such Breach, Slip, or Damage shall have taken place; and it shall be lawful for such Registrar to draw upon such last-mentioned Treasurer for the Expenses which shall have been incurred in taking such Means and providing such Assistance as last aforesaid, which Expenses such Treasurer is hereby required to pay, and such Treasurer shall be allowed what he shall so pay in his Account with the Trustees.

XVIII. And

For continuing and supporting the present Breastwork on the said Bank.

XVIII. And whereas it is in the recited Act recited, that under and by virtue of the Powers and Authorities of the therein-before recited Act of the Forty-fourth Year of the Reign of His then late Majesty the Commissioners of the District called "*Burnt Fen* First District," had erected and set up a Breastwork upon the River Side of the said last-mentioned Bank within the Limits aforesaid, which was a great Protection as well to the said Bank and Road as to the said District in case of high and extraordinary Floods, and it was by such Act enacted, that it should be lawful for the said Commissioners to continue the said Breastwork, and to repair the same, with Power to enter into any Lands adjoining the said Banks: Be it enacted, That it shall be lawful for the said Commissioners to continue the said Breastwork, and from Time to Time to repair and make the same of such Height and Dimensions as in their Judgment may be necessary for protecting the said Bank, Road, and District from being overflooded by any high and extraordinary Floods, and that they the said Commissioners shall have full Power and Authority to enter into any Lands adjoining the said Bank, with all such Implements and Utensils as may be necessary, for the Purpose of amending, repairing, or enlarging the said Breastwork.

In repairing Breastwork Width of Road not to be reduced.

XIX. Provided always, That in repairing or enlarging the said Breastwork the Width of the said Road shall in no Part thereof be reduced to less than Sixteen Feet.

As to Expense of repairing the Breastwork.

XX. That the Expense of repairing and enlarging the said Breastwork shall be borne and defrayed by the said Commissioners and by the Trustees of the North District in the Proportion following; (that is to say,) One Half Part thereof by the said Commissioners, and One Half Part thereof by the Trustees.

Penalty for haling on the East Bank of the River Ouse.

XXI. That if any Person shall, during the Continuance of this Act, hale, with any Boat, Barge, Lighter, or other Vessel, against or along any Part of the said East Bank of the River *Ouse* within the Limits aforesaid, it shall be lawful for the Surveyor of the Trustees of the North District, or for any other Person, to seize and impound any Horse, Ass, or Mule haling any such Boat, Barge, Lighter, or other Vessel, in the Common Pound (if any) of the Parish where the same shall be so haling, or in such other Place as the Trustees of the North District shall provide for that Purpose, and the said Horse, Ass, or Mule there to detain until the Owner thereof shall for each and every such Horse, Ass, and Mule pay the Penalty or Sum of Twenty Shillings, together with the reasonable Charges and Expenses of impounding and keeping the same, to the Treasurer, Clerk, or Surveyor of the Road within the said District, all which Penalties shall be

be applied to the Use of the said last-mentioned Road; and in case such Penalty, together with such Charges and Expenses, shall not be paid within Five Days after such impounding (Notice thereof being first given to the Owner of such Horse, Ass, or Mule, if then known, or if not known by affixing a written Notice on each of the Two Toll Gates on the said last-mentioned Road next to the Place of such impounding), it shall be lawful for any Justice of the Peace for the *Isle of Ely* or for the County of *Norfolk*, as the Case may require, to order every such Horse, Ass, or Mule to be sold, and the Money arising from such Sale, after deducting the said Penalty, and the Charges and Expenses of such impounding, keeping, and Sale, shall be paid to the Owner thereof, if then known, and in case such Owner shall not then be known, and no Application shall be made by such Owner for the Overplus of such Money within Twenty-one Days after such Sale shall have taken place, such Overplus shall be applied in the same Manner as the said Penalty is herein-before directed to be applied.

Servants liable to Owners for Damages, &c. in certain Cases.

XXII. That where any Master or Owner of any Boat, Barge, Lighter, or other Vessel shall sustain any Damage, or incur any Costs, Charges, or Expenses, by reason of the Seizure or Sale of any Horse, Mule, or Ass which under the Provisions of this Act shall have been seized or sold for the Recovery of any Penalty, Costs, Charges, or Expenses for haling along the said last-mentioned Bank by any Servant, such Servant shall repay the Amount of all such Damages, Costs, Charges, and Expenses to such Master or Owner; and in case of Nonpayment thereof, on Demand by such Master or Owner, and on Oath made by such Master or Owner of the Amount of such Damage, Costs, Charges, and Expenses, and of his having demanded the same of such Servant, and that the same then remained unpaid, (such Oath to be made before any Justice of the Peace for the Place where any such Master, Owner, or Servant shall reside or shall then be,) it shall be lawful for any such last-mentioned Justice to issue his Warrant for apprehending such Servant, and to order such Servant, when brought before him, to pay down immediately to such Master or Owner the Amount of all such Damages, Costs, Charges, and Expenses, and also the Costs, Charges, and Expenses of obtaining such Order; and on Nonpayment thereof that it shall be lawful for such Justice to commit such Servant to the House of Correction for the Limit where such Justice shall reside, there to remain for any Time not exceeding Three Calendar Months.

Provision for the Protection of the Bank of the Hundred Feet River.

XXIII. And whereas the Part of the Road in the North-west District, from the Wear Dike at the End of *Bates's Droveway* to the said Suspension Bridge, passes along or joins the Back Foreland of the Barrier or great Bank of the said *Hundred Feet River*, and across the same

same Bank down to the Water, and the said Bank, Foreland, and Spaces between the said River and the said Wear Dike are Works of the Governor, Bailiffs, and Commonalty of the Company of Conservators of the *Great Level* of the Fens called the *Bedford Level*, made and maintained for the Preservation of the adjoining Part of the said *Great Level* from Inundation, and are claimed to be the Property and Freehold of the said Governor, Bailiffs, and Commonalty, and over which there is now no public Right of Way: Be it enacted, That the said Part of the said Road across the said Bank, and the Slopes thereof on both Sides, shall be maintained by the Trustees of the North-west District in such Manner as that the said Bank where the said Road crosses it shall be at all Times of sufficient Strength and Height to secure the same from the Danger of breaking or overflowing, and shall be made, continued, and preserved in such Form as shall not obstruct the free Passage of the Waters of the said *Hundred Feet River*, or alter or affect the Course thereof; and if at any Time the said Part of the said Bank where the said Road crosses it shall be considered by the said Governor, Bailiffs, and Conservators of the said *Bedford Level* Corporation, or any Five or more of them, whereof the Governor or Bailiffs or any of them be Two, not of sufficient Strength or Height, or if the Slope of the said Road on the River Side of the said Bank down to the Water, and where the said Suspension Bridge meets the said Road, be made, altered, or continued in such a Form as shall in the Judgment of the said Governor, Bailiffs, and Conservators, or any Five or more of them, as aforesaid, prejudice, alter, turn, or obstruct, or be likely to prejudice, alter, turn, or obstruct the said Course of the Waters in the said *Hundred Feet River* or within the said Banks thereof, then and in any or either of the said Cases the said Governor, Bailiffs, and Conservators, or any Five or more of them, as aforesaid, are hereby authorized and empowered to strengthen and heighten the said Part of the said Bank where the said Road crosses the same, and to alter and make the said Slope on the River Side of the said Bank down to the Water in such Manner and Form as they may from Time to Time order and direct; and the Charges and Expenses of what shall from Time to Time be done in pursuance of the Power and Authority hereby given to the said Governor, Bailiffs, and Conservators, or any Five or more of them, as aforesaid, shall be paid by the Treasurer of the said Trustees to the Receiver of the said Corporation, at his Dwelling House or Office, within Twenty-one Days after Demand thereof in Writing made by the said Receiver, specifying the Amount thereof, and the Purpose for which it was expended, unless before the Expiration of such Twenty-one Days any Three or more of such Trustees, or their Treasurer or Clerk for the Time being, shall object to the Amount of such Charges and Expenses, and shall deliver a Statement in Writing of such Objections to the said Receiver, and shall at the same Time

tender

tender to such Receiver so much Money as they the said Trustees shall admit to be due in respect of such Charges and Expenses, and unless such Tender shall be accepted by the said Receiver, or unless any Three or more of the said Trustees, or their said Treasurer or Clerk, shall, within such Twenty-one Days, give Notice in Writing to the said Receiver of the Intention of the said Trustees to appeal to the Justices of the Peace acting for the Limit wherein such Charges and Expenses shall have been incurred, against the Amount thereof, at their next General Quarter Sessions of the Peace, (such Notice to be given at least Ten Days before such General Quarter Sessions,) in which Case it shall be lawful for the said Justices at their said General Quarter Sessions of the Peace assembled, and they are hereby required, on Proof of the Service of such Notice, to hear, adjudge, and finally determine the Amount of such Charges and Expenses, and to award such Costs in the Matter to the Parties as to them shall seem meet.

Power reserved to the Bedford Level Corporation Officers during high Floods.

XXIV. That if during any high Flood or the immediate Expectation thereof the said Part of the said Bank where the said Road crosses it shall, in the Judgment of the Superintendent or Officer of the said *Bedford Level* Corporation having the Care of the said Bank, be insecure, or not of sufficient Height or Strength, such Superintendent or Officer is hereby authorized and empowered to strengthen and heighten the said Part of the said Bank so as to make the same secure for the Time, and the Charges and Expenses for what shall be so done shall be paid by the Trustees.

Cuts, Drains, and Tunnels, between the Wear Dike and the Hundred Feet River.

XXV. And whereas the Part of the said Bank of the said *Hundred Feet River* from the End of *Bates's Droveway* to the said Suspension Bridge might be rendered insecure if Cuts, Drains, or Tunnels were improperly made on any Part of the Land between the said Bank and the said Wear Dike: Be it enacted, That if any Cut, Drain, Tunnel, or other Work shall at any Time be there made by the Trustees, which, in the Judgment of the said Governor, Bailiffs, and Conservators, or any Five or more of them, as aforesaid, shall render the said Bank insecure, or occasion or be likely to occasion Soakage through the same, the said Governor, Bailiffs, and Conservators, or any Five or more of them, as aforesaid, are hereby authorized and empowered to fill up the same, and to take up such Tunnels, and make good the Places from whence the same were taken, and the Charges and Expenses thereby incurred shall be paid by the Trustees.

Tolls to be taken in South District.

XXVI. That it shall be lawful for the Trustees for the South District to demand and take, at the several and respective Turnpikes

pikes which now are or shall hereafter be upon or on the Sides of the Roads within such District, such Tolls as the Trustees may direct, not exceeding the Sums following; (that is to say,)

For every Horse or other Beast of Draught drawing any Four-wheeled or Three-wheeled Carriage, as follows; (that is to say,)

Where there is only One such Horse or Beast of Draught, the Sum of Sevenpence Halfpenny:

Where there are Two such Horses or Beasts of Draught, the Sum of Fourpence Halfpenny:

Where there are Three such Horses or Beasts of Draught, the Sum of Threepence Halfpenny:

Where there are Four or more such Horses or Beasts of Draught, the Sum of Threepence:

For every Horse or other Beast of Draught drawing any Two-wheeled Carriage, as follows; (that is to say,)

Where there are Four or more such Horses or Beasts of Draught, the Sum of Twopence Halfpenny:

Where there are Three such Horses or Beasts of Draught, the Sum of Threepence Halfpenny:

Where there are Two such Horses or Beasts of Draught, the Sum of Threepence:

Where there is only One such Horse or Beast of Draught, the Sum of Fourpence Halfpenny:

For every Horse or other Beast not drawing, the Sum of One Penny Halfpenny:

For every Drove of Oxen, Cows, or Neat Cattle, the Sum of Tenpence *per* Score, and so in proportion for any less Number:

For every Drove of Calves, Sheep, Hogs, or Lambs, the Sum of Fivepence *per* Score, and so in proportion for any less Number:

For every Dog drawing any Carriage whatever, the Sum of One Penny:

For every Carriage not drawn by any Horse or Beast of Draught, but propelled by Machinery, the Sum of One Shilling for each Wheel:

Which said Tolls shall be paid before any Horse, Beast, Dog, Cattle, or Carriage whatsoever in respect of which a Toll is payable shall be permitted or authorized to pass through any Turnpike which shall be by virtue of this Act upon or across such Road or on the Side thereof.

Tolls to be taken in

XXVII. That it shall be lawful for the Trustees for the North District to demand and take, at the several and respective Turnpikes which

which now are or shall hereafter be upon or on the Sides of the Road within such District, such Tolls as the Trustees may direct, not exceeding the Sums following; (that is to say,) North District.

For every Horse or other Beast of Draught drawing any Four-wheeled or Three-wheeled Carriage, as follows; (that is to say,)

Where there is only One Horse or Beast of Draught, the Sum of Tenpence:

Where there are Two such Horses or Beasts of Draught, the Sum of Sixpence:

Where there are Three such Horses or Beasts of Draught, the Sum of Fivepence:

Where there are Four or more such Horses or Beasts of Draught, the Sum of Fourpence:

For every Horse or other Beast of Draught drawing any Two-wheeled Carriage; as follows, (that is to say,)

Where there are Four or more such Horses or Beasts of Draught, the Sum of Threepence:

Where there are Three such Horses or Beasts of Draught, the Sum of Threepence Halfpenny:

Where there are Two such Horses or Beasts of Draught, the Sum of Fourpence:

Where there is only One such Horse or Beast of Draught, the Sum of Sixpence:

For every Horse or other Beast not drawing, the Sum of Twopence:

For every Drove of Oxen, Cows, or Neat Cattle, the Sum of Tenpence *per* Score, and so in proportion for any less Number:

For every Drove of Calves, Hogs, Sheep, or Lambs, the Sum of Fivepence *per* Score, and so in proportion for any less Number:

For every Dog drawing any Carriage whatever, the Sum of One Penny:

For every Carriage not drawn by any Horse or Beast of Draught, but propelled by Machinery, the Sum of One Shilling for each Wheel:

Which said Tolls shall be paid before any Horse, Beast, Dog, Cattle, or Carriage whatsoever in respect of which a Toll is payable shall be permitted or authorized to pass through any Turnpike which shall be by virtue of this Act upon or across such Road or on the Side thereof.

XXVIII. That no Toll shall at any Time during the Continuance of this Act be demanded or taken at the Side Gate erected at the South End of the West Bank of the *Ouse* called "The *Ten Mile Bank*," within the North District, for or in respect of any Horse or other Beast employed in haling any Boat, Barge, or Lighter along the said Bank, and passing through the said Gate for that Purpose. No Toll to be taken for haling Horses passing through the Side Gate at Scotting's Ferry in the North District.

Tolls to be taken on North-west District.

XXIX. That it shall be lawful for the Trustees for the North-west District to demand and take, at the several and respective Turnpikes which now are or shall hereafter be upon or on the Sides of the Road within such District, such Tolls as the Trustees may direct, not exceeding the Sums following; (that is to say,)

For every Horse or other Beast of Draught drawing any Four-wheeled or Three-wheeled Carriage, as follows; (that is to say,)

Where there is only One such Horse or Beast of Draught, the Sum of Tenpence:

Where there are Two such Horses or Beasts of Draught, the Sum of Sixpence:

Where there are Three such Horses or Beasts of Draught, the Sum of Fivepence:

Where there are Four or more such Horses or Beasts of Draught, the Sum of Fourpence:

For every Horse or other Beast of Draught drawing any Two-wheeled Carriage, as follows; (that is to say,)

Where there are Four or more such Horses or Beasts of Draught, the Sum of Threepence:

Where there are Three such Horses or Beasts of Draught, the Sum of Threepence Halfpenny:

Where there are Two such Horses or Beasts of Draught, the Sum of Fourpence:

Where there is only One such Horse or Beast of Draught, the Sum of Sixpence:

For every Horse or other Beast not drawing, the Sum of Twopence:

For every Drove of Oxen, Cows, or Neat Cattle, the Sum of Tenpence *per* Score, and so in proportion for any less Number:

For every Drove of Calves, Hogs, Sheep, or Lambs, the Sum of Fivepence *per* Score, and so in proportion for any less Number:

For every Dog drawing any Carriage whatever, the Sum of One Penny:

For every Carriage not drawn by any Horse or Beast of Draught, but propelled by Machinery, the Sum of One Shilling for each Wheel:

Which said Tolls shall be paid before any Horse, Beast, Dog, Cattle, or Carriage whatsoever in respect of which a Toll is payable shall be permitted or authorized to pass through any Turnpike which shall be by virtue of this Act upon or across such Roads or on the Sides thereof.

No Gate or Toll to be erected between the Wear Dike

XXX. Provided always, That no Turnpike or Turnpike House shall be erected or set up, or any Land taken for a Garden to any Turnpike House, upon or by the Side of any Part of the Road between the North End of *Bates's Droveway* and the said Suspension Bridge; or

or upon any Part of the said Bank or Forelands of the said *Hundred Feet River*, or the Space between the said Wear Dike and the said River, nor shall any Toll be received or taken by the said Trustees beyond or on the Northward Side of the said Wear Dike. and the Hundred Feet River.

XXXI. That all the Tolls by this Act directed or authorized to be taken upon the said Roads shall be paid and payable and shall be demanded and taken over and above the Tolls which by any General Turnpike Act in force are directed to be demanded and taken for the Carriages therein described having the Fellies of the Wheels of the Breadth therein described, and also over and above all Penalties directed by such Law to be taken and demanded for Overweight. Tolls granted by this Act to be over and above the Tolls for narrow Wheels and Penalties for Overweight imposed by General Turnpike Acts.

XXXII. That no Toll shall be demanded or taken for or in respect of any Horse or other Beast, or for or in respect of any Waggon, Wain, Cart, or other Carriage propelled by Machinery, in respect whereof the Toll by this Act authorized to be taken shall have been paid at any Turnpike on any Part of the said Roads, upon a Note or Ticket denoting such Payment being produced, for passing or repassing on the same Day through the same Turnpike at which such Toll shall have been paid, and also through any other Turnpike which such Ticket shall free, except as herein-after mentioned. Persons having paid Toll to return Toll-free.

XXXIII. That no more than the Tolls herein-after mentioned shall be demanded or taken on the same Day for or in respect of the passing or repassing of the same Horse, Beast, Cattle, or Carriage through all the Turnpikes erected or standing upon the respective Portions of Road herein-after described, except as is herein-after mentioned; (that is to say,) Limiting the Toll to be taken on Roads.

Between the Town of *Cambridge* and the South Side of *Stretham* Ferry Gate, or any Turnpike erected near the same, One full Toll:

Between the South Side of *Stretham* Ferry Gate, or any Turnpike erected near the same, and the *Lamb Corner* in *Ely*, Two full Tolls:

Between the *Lamb Corner* in *Ely* and the Termination of the Road in *Soham*, One full Toll:

Between the North End of *Short Lane* and the Public House in *Mepall* called the *Three Fishes*, and between the said North End of *Short Lane* and the *Lamb Corner* in *Ely*, One full Toll:

Between the *Lamb Corner* in *Ely* and the said Public House in *Mepall* called the *Three Fishes*, One full Toll:

Upon the Road within the North District, Three full Tolls:

Upon the Road within the North-west District, One full Toll:

But, on a Note or Ticket being produced denoting such respective Payments, the same Horse, Beast, Cattle, or Carriage shall be permitted

mitted to pass and repass through all the said respective Turnpikes at which such Toll shall have been paid, and also through any other Turnpike which such Ticket shall free on the same Day.

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

XXXIV. That the Tolls hereby made payable for or in respect of Horses or Beasts drawing any Stage Coach, Diligence, Van, or Caravan, or other Stage Carriage conveying Passengers or Goods for Pay or Reward, or any Stage Coach, Diligence, Van, or Caravan, or other Stage Carriage propelled by Machinery, used for the same Purpose, shall be payable and paid every Time of passing or repassing along the said Roads.

Postchaises, &c. every new Hiring.

XXXV. That the Tolls hereby made payable for or in respect of Horses or Beasts let out to Hire, and drawing any Postchaise or other Carriage or any Postchaise or other Carriage propelled by Machinery, let out to Hire, shall be payable and paid every Time of passing along the Roads whenever any new Hiring thereof shall take place.

Exemptions from Toll.

XXXVI. That no Toll shall be demanded or taken at any Turnpike erected or to be erected upon the said Roads for or in respect of any Horse or other Beast of Draught drawing any Waggon, Wain, Cart, or other such Carriage conveying Trees or Loppings of Trees, or Faggots made therefrom, Bushes or Turves, which shall respectively have grown upon or arisen from any Land or Ground of any Person residing in any Parish any Portion of which shall be in the District of Road in which such Turnpike shall be situate, and which Articles have not been sold or are intended for Sale, or conveying Gates, Posts, Pales, Rails, or Fencing, or going for or returning from conveying the same, or conveying any Timber, Wood, Iron, Stone, Earth, Bricks, Silt, or other Material, or any Implements or Tools, to be used for any of the Works of Drainage already or hereafter to be made or maintained at the Expense of the Governor, Bailiffs, and Commonalty of the Company of Conservators of the *Great Level* of the Fens called *Bedford Level*, or for or in respect of any Horse or other Beast carrying or conveying, or drawing any Carriage conveying, any Owner or Occupier of any Land residing in any Parish any Portion of which shall be in the District of Road in which such Turnpike shall be situate, or any Servant of such Owner or Occupier employed in the Business of his Master going to or from such Land, provided that such Owner, Occupier, or Servant does not go beyond the Parish within which such Land shall be situate.

Dean and Chapter of Ely to continue to pay

XXXVII. And whereas it is in the recited Act also recited, that by the said therein last-mentioned Act, after reciting that the Dean and Chapter of the Cathedral Church of *Ely* are directed by the Statutes

Statutes of the said Church to layout the yearly Sum of Twenty Pounds in making and repairing Bridges and public Roads, according to their Discretion, and that they had then hitherto laid out such Sum upon certain Bridges and upon divers Parts of the said Road between the *Lamb Corner* in *Ely* and the First House in *Soham*; and that it was enacted, that the said Dean and Chapter, and their Successors, should yearly and every Year during the Continuance of the said Act pay the said Sum of Twenty Pounds to the Trustees of the said Road, or their Treasurer for the Time being, and that the Payment of the said yearly Sum should be admitted and allowed as so much Money laid out in a due Obedience to the Statutes of the said Church; and that the said Dean and Chapter, and their Successors, paying the said yearly Sum of Twenty Pounds, should be indemnified by the then present and all future Trustees of that Act of and from all Presentments, Fines, Prosecutions, Penalties, Costs, and Charges whatsoever on account of the Repairs of any Part of the said Road by them the said Dean and Chapter, or their Predecessors, theretofore made or repaired; and that the said Dean and Chapter had ever since the passing of that Act duly paid to the said last-mentioned Trustees the yearly Sum of Twenty Pounds; and by the said recited Act the said last-mentioned Provision was continued in force: Be it enacted, That the said Dean and Chapter, and their Successors, shall yearly and every Year during the Continuance of this Act, pay the Sum of Twenty Pounds to the Trustees of the South District, or to their Treasurer for the Time being, and such Payment shall be admitted and allowed as so much Money laid out by the said Dean and Chapter in due Obedience to the Statutes of the said Church; and the said Dean and Chapter and their Successors shall, during the Continuance of this Act, be discharged from repairing any Part of the said last-mentioned Road, and from all Presentments, Fines, Prosecutions, Penalties, Costs, and Charges whatsoever on account of the Nonrepair thereof or of any Part thereof.

20*l.* per Annum in lieu of repairing certain Parts of the Roads within the South District;

XXXVIII. Provided always, That the said Dean and Chapter shall continue to maintain and repair the several Bridges within the South District by them hitherto maintained and repaired, anything in this Act contained to the contrary notwithstanding.

But to continue liable to repair Bridges as heretofore.

XXXIX. And whereas it is in the recited Act also recited, that by the said therein last-mentioned Act, after reciting that the said Dean and Chapter did collect and receive an annual Toll for all Wheel Carriages passing over their Bridge called the *High Bridge* in *Ely* aforesaid (except for the Carriages of the Dean and Canons and Minor Canons of the said Cathedral Church), and that they the said Dean and Chapter had consented that the said Toll should be wholly superseded when the new Tolls established by that Act should

Trustees of the South District to continue to pay the Dean and Chapter of Ely 7*l.* per Annum, in lieu of certain Tolls belonging to them.

take place, in consideration of a yearly Payment of Seven Pounds, and the Exemption therein-after mentioned; and that it was enacted, that the Trustees appointed or to be appointed by virtue of the said therein last-mentioned Act, or any Five or more of them, should, out of the Tolls to be raised by that Act, pay or cause to be paid, yearly and every Year during the Continuance thereof, to the said Dean and Chapter and their Successors, the Sum of Seven Pounds, and that the said Dean and Canons and Minor Canons of the said Cathedral Church then and for the Time being should not be liable to pay nor be charged with any Toll to be collected by virtue of that Act for any Horse or Horses or other Beast, Cart or wheeled Carriages whatsoever, passing through any Turnpike Gate between the aforesaid *Lamb Corner* in *Ely* and the aforesaid First House in *Soham*, and that ever since the passing of the said therein last-mentioned Act the said yearly Sum of Seven Pounds had been duly paid to the said Dean and Chapter by the said last-mentioned Trustees, and that the said Dean, Canons, and Minor Canons had enjoyed the said Exemption granted to them by the said therein last-mentioned Act; and by the said recited Act the said last-mentioned Provision was continued in force: Be it enacted, That the Trustees of the South District shall, by and out of the Tolls to be raised by virtue of this Act within their said District, yearly and every Year during the Continuance of this Act, pay or cause to be paid to the said Dean and Chapter and their Successors the Sum of Seven Pounds; and the said Dean and Canons and Minor Canons of the said Cathedral Church, now and for the Time being, shall not any Time during the Continuance of this Act be liable to pay nor be charged with any Toll for any Horse or other Beast, or for any Wheel Carriage whatsoever, passing through any Turnpike Gate between the Boundary of the Road near the *Eastern Counties* Railway Station and the Boundary of the said Road in *Soham*, with the said Dean, Canons, and Minor Canons, or any of them, or with their or any of their Families or Servants, or with any Person employed by or in the Service of the said Dean, Canons, and Minor Canons, or either of them, anything in this Act contained to the contrary notwithstanding.

Said Dean, &c. exempt from Payment of Tolls of certain Gates.

XL. And whereas it is in the recited Act also recited, that by the therein-before recited Act of the Tenth Year of the Reign of His then late Majesty King *George* the Third, after reciting that the Right Honourable *Philip* Earl of *Hardwicke* was then seised of a certain Bridge called *Littleport Ferry Bridge*, and entitled to certain Tolls for the passing of Cattle over the same, which Tolls were then let at the yearly Rent of Eight Pounds, and that when the Roads directed by that Act were made the said Tolls would be greatly lessened; in order, therefore, for making Satisfaction to the said Earl for any Loss he might thereby sustain, it was enacted, that from and immediately after

For Payment to the Earl of Hardwicke of the yearly Sum of 8*l.* in lieu of the Tolls at Littleport Ferry Bridge in the North District.

after the passing of that Act the said Bridge, and the Tolls then collected thereat, should be vested in the Trustees for the said North District, and their Successors, during the Continuance of that Act, for the Uses and Purposes of that Act, and that from thenceforth the said Trustees should, out of the Tolls to be collected by virtue of that Act within the said North District, pay to the said *Philip* Earl of *Hardwicke*, his Heirs or Assigns, during the Continuance of that Act, the clear yearly Rent or Sum of Eight Pounds, free from all Deductions whatsoever, and that soon after the passing of the said last-mentioned Act the Trustees of the said North District pulled down the said Bridge, and the Tolls which had theretofore been collected thereat had in consequence thereof ever since been discontinued, and they the said last-mentioned Trustees had, under and by virtue of the Powers and Authorities vested in them by the said last-mentioned Act, erected another Bridge, with a Toll Gate thereat, and had collected at such Gate other Tolls in lieu of the Tolls which were formerly collected at the said Bridge called *Littleport Ferry Bridge*, and they the said last-mentioned Trustees had ever since the passing of the said last-mentioned Act duly paid to the said *Philip* Earl of *Hardwicke* the said yearly Rent or Sum of Eight Pounds; and by the recited Act the said last-mentioned Provision was continued in force: Be it enacted, That during the Continuance of this Act the Trustees of the North District shall, by and out of the Tolls to be collected by virtue of this Act within the North District, pay or cause to be paid to the said *Philip* Earl of *Hardwicke*, his Heirs or Assigns, the clear yearly Rent or Sum of Eight Pounds of lawful Money of *Great Britain*, free from all Deductions whatsoever.

Certain Persons exempted from Toll at Stretham Ferry Gate.

XLI. That no Toll shall be payable by or demandable of the Lord or Lords, Lady or Ladies for the Time being of the Manor of *Stretham*, or his, her, or their Servants or Attendants, or by or of any Commoner of the Town of *Stretham* occupying One whole Right of Common or One ancient Half Right, and not being a Common Carrier for Hire, at any Turnpike erected or to be erected at any Place within the Bounds of the said Parish of *Stretham*, for any Horse, Cattle, or Carriage belonging to any such Lord or Lady, or to his or her Servants or Attendants, or to any such Commoner passing through any such Turnpike, such Occupier paying to the Trustees of the South District, or their Treasurer for the Time being, or to the Lessee, Hirer, or Collector of the Tolls at such Gate, his, her, or their usual and ancient yearly Payment and Acknowledgment of Fourpence for each such Right in his or her own Occupation on the First Day of *May* in every Year.

Trustees of South District may erect a Gate

XLII. That it shall be lawful for the Trustees of the South District to continue or erect, or cause to be continued or erected, a Gate,

at Cawdle Fen Droveway;

Gate, with proper Rails and Fences, at or near the Side of the said Turnpike Road within the South District, at the West End of the Lane or Droveway passing from *Braham Brooke* towards *Cawdle Fen* in *Ely*, and called *Cawdle Fen Droveway*, and with a proper Lock to such Gate, in order to prevent the evading of the Payment of the Tolls granted by this Act by Persons passing along the said Lane; but they the said last-mentioned Trustees shall, upon the Request of any Person who by the Situation of his Homestall shall have Occasion to pass through the said Lane, deliver to each such Person One Key for the said Gate, so that every such Person shall have a free and convenient Passage for himself, or his Servants, Cattle and Carriages, employed for the Purpose of Husbandry only, to pass and repass through the same Gate to and from his Pastures or his Lands in the Fields of the said Town of *Ely*, but no such Person, having been supplied by the said Trustees with One such Key, shall at any Time afterwards be entitled to have another such Key at the Expense of the said Trustees: Provided also, that if any such Person or his Servant shall leave such Gate open or unlocked, or shall permit any Person not entitled to such free Passage as aforesaid to pass through such Gate, with any Horse, or with any Cattle or Carriage, every Person so offending, and being thereof convicted before any Justice of the Peace for the said *Isle of Ely*, either on the Oath of One credible Witness or upon the Confession of the Party offending, shall forfeit for every such Offence any Sum not exceeding Forty Shillings, over and above the Costs of such Conviction, One Moiety of which Penalty shall be paid to the Informer, and the other Moiety thereof shall be paid to the Treasurer to the Trustees of the South District, and be applied by them for the Purposes of the Roads within the same, and, together with the Costs of such Conviction, shall be levied by Distress and Sale of the Goods and Chattels of the Party offending, by Warrant under the Hand and Seal of such Justice (which Warrant such Justice is hereby empowered and required to grant), and the Overplus (if any), after such Penalty, and the Charges of such Distress and Sale, are deducted, shall be returned, upon Demand, to the Owner of such Goods and Chattels; but if upon the Return of such Warrant, or upon the Admission of the Party offending, it shall appear that no sufficient Distress can be had thereupon, then it shall be lawful for any such Justice of the Peace as aforesaid, and he is hereby authorized and required, by Warrant under his Hand and Seal, to cause such Offender to be committed to the Common Gaol or House of Correction at *Ely*, there to remain, without Bail or Mainprise, for any Time not exceeding Three Calendar Months, unless such Penalty, and all the reasonable Charges attending the Proceedings relating to the Recovery of the same, shall be sooner paid and satisfied.

but shall provide a Key gratis for certain Persons.

Penalty on such Persons, &c. leaving open the Gates, or permitting others not having a Right of Passage to pass through the same.

XLIII. And

As to Principal Money remaining due on the North District and North-west District.

XLIII. And whereas the Principal Money now owing on the Credit of the Tolls authorized to be taken on the Road in the North District, exclusive of a Sum of Money which has not been claimed for Twenty Years and upwards, and of divers Sums of Money added to such Principal Money for unpaid Interest, amounts to the Sum of Six thousand seven hundred and eighty-five Pounds Fifteen Shillings and Eightpence, and there is an Arrear of Interest due thereon: And whereas the Principal Money now owing on the Credit of the Tolls authorized to be taken on the Road in the North-west District amounts to the Sum of Three thousand two hundred and fifty-one Pounds Three Shillings and Eightpence, and there is a large Arrear of Interest due thereon: Be it enacted, That the said Sum of Six thousand seven hundred and eighty-five Pounds Fifteen Shillings and Eightpence shall be deemed to be the Principal Money due and owing on the Credit of the Tolls of the North District, and the said Sum of Three thousand two hundred and fifty-one Pounds Three Shillings and Eightpence shall be deemed to be the Principal Money due and owing on the Credit of the Tolls of the North-west District, and all Arrears of Interest on the said respective Principal Sums of Money up to the First Day of *January* One thousand eight hundred and fifty-two shall be considered as satisfied and discharged.

Application of Money on South District.

XLIV. That all Monies in the Hands of the Trustees of the South District, and all Monies which shall be received by them by virtue of this Act, shall be applied as follows; (that is to say,)

First, in paying and discharging Seven Twelfth Parts of the Expenses of obtaining and passing this Act or incident thereto:

Secondly, in paying the Expenses of erecting, providing, and keeping in repair the Turnpikes, and their Appurtenances, within the South District, and in paying the Officers to be employed in the Execution of this Act with reference to the same; but the Amount so applied shall not exceed the Sums herein-after mentioned; (that is to say,) the Sum of Eighty Pounds *per Annum* until the Mortgage Debt of Two thousand eight hundred and seventy-five Pounds, herein-after mentioned, shall have been paid off, and the Sum of One hundred and twenty Pounds *per Annum* after such Mortgage Debt shall have been paid off, exclusive of the Wages of Toll-gate Keepers in case the Tolls should not be let, and the Expenses of Actions at Law and Indictments:

Thirdly, in the Removal or Erection of any Turnpike and Toll House that may be required, and in paying the Expenses of repairing and maintaining any Bridges which the Trustees may be liable to repair, upon the South District:

Fourthly, in paying and discharging Interest after the Rate of Three Pounds *per Centum per Annum* from the First Day of *January* One thousand eight hundred and fifty-two upon the Principal

Sum of Two thousand eight hundred and seventy-five Pounds, or upon such Part of such Principal Sum as shall from Time to Time be due and owing on the Credit of the Tolls of the South District:

Fifthly, in paying Ten Pounds *per Centum per Annum* on the Amount of such Principal Sum of Two thousand eight hundred and seventy-five Pounds:

Sixthly, in paying the Expenses of maintaining, improving, and keeping in repair the Road within the South District, not exceeding Eight hundred Pounds *per Annum*:

Seventhly, in further reducing, paying off, and discharging the Principal Money due on the Credit of the Tolls:

Eighthly, in further paying the Expenses of maintaining, improving, and keeping in repair the Road within the South District.

Application of Money on North District.

XLV. That all Monies in the Hands of the Trustees of the North District, and all Monies which shall be received by them by virtue of this Act, shall be applied as follows; (that is to say,)

First, in paying and discharging Four Twelfth Parts of the Expenses of obtaining and passing this Act or incident thereto:

Secondly, in paying the Expense of erecting, providing, and keeping in repair the Turnpikes, and their Appurtenances, within the North District, and in paying the Officers to be employed in the Execution of this Act with reference to the same; but the Amount so applied shall not exceed the Sums herein-after mentioned; (that is to say,) the Sum of Sixty Pounds *per Annum* until the Road is repaired by the Trustees, and the Sum of Eighty Pounds *per Annum* when the Road is repaired by the Trustees, exclusive of the Wages of the Toll-gate Keepers in case the Tolls should not be let, and the Expenses of Actions at Law and Indictments:

Thirdly, in paying the Expenses of repairing, supporting, and maintaining any Bridges and Banks which the Trustees may be liable to repair upon the North District, and also the Road along the East Bank of the River *Ouse*, herein-before referred to; but the Amount so applied shall not exceed in any One Year the Sum of Eighty-five Pounds:

Fourthly, in paying and discharging Interest after the Rate of Two Pounds and Five Shillings *per Centum per Annum* from the First Day of *January* One thousand eight hundred and fifty-two upon the Principal Sum of Six thousand seven hundred and eighty-five Pounds Fifteen Shillings and Eightpence, or upon such Part of such Principal Sum as shall from Time to Time be due and owing on the Credit of the Tolls of the North District:

Fifthly, in reducing, paying off, and discharging, in manner herein-after mentioned, the said Principal Sum:

Sixthly, in paying the Expenses of further maintaining, improving, and keeping in repair the Road within the North District.

XLVI. That

Application of Money on North-west District.

XLVI. That all the Monies in the Hands of the Trustees of the North-west District, and all Monies which shall be received by them by virtue of this Act, shall be applied as follows; (that is to say,)

First, in paying and discharging One Twelfth Part of the Expenses of obtaining and passing this Act or incident thereto:

Secondly, in paying the Expense of erecting, providing, and keeping in repair the Turnpikes, and their Appurtenances, within the North-west District, and in paying the Officers to be employed in the Execution of this Act with reference to the same; but the Amount so applied shall not exceed the Sum of Twenty Pounds *per Annum*, exclusive of the Wages of Toll-gate Keepers in case the Tolls should not be let, and the Expenses of Actions at Law and Indictments:

Thirdly, in paying the Expenses of repairing, supporting, and maintaining any Bridges which the Trustees may be liable to repair upon the North-west District:

Fourthly, in reducing, paying off, and discharging, in manner herein-after mentioned, the Principal Sums from Time to Time owing on the Credit of the Tolls of the North-west District, but without any Interest thereon.

For appropriating the Sum of 100*l.* in discharging Securities on Tolls.

XLVII. That when any Sum of Money amounting to the Sum of One hundred Pounds shall be in the Hands of the Trustees applicable to the Discharge of the Principal Monies due and owing upon the Credit of the Tolls of the South District, the North District, and the North-west District respectively, it shall be lawful for the Trustees and they are hereby required to pay such Sums of Money as shall or may be agreed to be accepted by any Person, being a Creditor on the respective Tolls, as a Composition on and in satisfaction of his Security to the Amount of One hundred Pounds, according to the Stipulation after mentioned; that is to say, the Trustees shall, Twenty-one Days at least before the next General Meeting, cause public Notice to be given in some One or more Newspaper or Newspapers circulated in the Counties of *Cambridge* and *Norfolk*, or shall cause Notice in Writing to be sent by Post to each Mortgagee, directed to his last known Place of Abode, at least Fourteen Days before such Meeting, that a Composition will be paid to the Amount of One hundred Pounds to such Creditor on the said Tolls as shall be willing to accept the smallest Composition for his Security, and requiring such Creditors to transmit Proposals in Writing, sealed up, to the Trustees, at the said Meeting, specifying therein the lowest Rate *per Centum* which such Creditor will accept and take for each and every such Security of which he may be possessed, due and owing on such Tolls, (which said Proposals shall, as soon after the Hour of One of the Clock in the Afternoon of the Day of the said Meeting as convenient, be

publicly

publicly opened by the Clerk to the Trustees at the said Meeting,) and the Creditor whose Proposal shall specify the lowest Rate *per Centum* which he will accept and take for all or any of the said Securities, or for any Portion of any Securities, shall have the Preference, and be paid such Sum of Money as he may be willing to accept for the same (if the Amount due upon such Security shall not exceed the Amount of the Sinking Fund to be disposed of, or if the Amount due thereon shall exceed the Amount of such disposable Sinking Fund, then such Portion of the same as that Sum shall extend to satisfy), by the Treasurer to the Trustees, at the Expiration of One Calendar Month next after such Meeting, with all Interest then due for the same; and if Two or more of the said Creditors shall deliver in Proposals at the same Meeting for accepting a Composition for any Security at an equal Rate *per Centum*, then and in such Case it shall be forthwith determined by Lot, to be fairly drawn by the Clerk to the Trustees, to which of the said Creditors Preference shall be given in Payment of such Composition, and the Creditor having the casting Lot shall be paid his Composition, or such Part of the same as the Sum to be disposed of will extend to satisfy, at the Time and in the Manner herein-before mentioned; but if there shall not be any Proposals delivered in at any such Meeting by any of the Creditors for accepting any such Composition as aforesaid to the Amount to be disposed of, or any Part of that Sum, at a less Rate than the full Amount of the Principal Monies due to him on the said Tolls, then and in such Case, but not otherwise, the Trustees shall and may and they are hereby required to cause the Numbers of the respective Securities, with the several Sums for which they are given, to be separately set down in Writing, and put together in a Box or Wheel, and out of such Box or Wheel immediately afterwards cause to be drawn the Numbers of so many of the said Securities as shall be equal in Value or Amount to the Sum so set apart and intended to be paid off; and in One Calendar Month next after such Numbers shall be respectively drawn the Treasurer to the Trustees shall pay to the Person or Persons who shall be entitled to the respective Securities the Numbers of which shall be drawn as aforesaid, or to the Trustee or Guardian of such of the Persons so entitled as shall be under Age, such Sum of Money as shall be due by virtue thereof, which they are hereby required to accept and take accordingly, in discharge of such Securities, or of such Part of the same as shall be thereby satisfied and paid.

Mortgagees not to take possession of Toll Houses, &c. but for Payment of Interest.

XLVIII. That whenever and so long as the Interest, at the Rate herein-before mentioned, upon all existing Mortgages of the Tolls by this Act granted, shall be duly paid within Three Calendar Months next after the same shall become due, no Holder of any Mortgage of such Tolls shall be entitled to enter into possession of the Turnpikes, Toll

Toll Houses, or Buildings upon the said Roads, or into the Receipt of the Tolls arising thereon, or of the Rent payable upon any Letting of such Tolls; and every Mortgagee entering into possession of such Turnpikes, Toll Houses, or Buildings, or into the Receipt of such Tolls or Rents, shall pay the Interest from Time to Time becoming due, at the Rate herein-before mentioned, upon all the said existing Mortgages, without any Priority or Preference, and may also reimburse himself any Costs to which he may be entitled; and every such Mortgagee so being in possession or receipt as aforesaid shall, within Twenty-one Days next after each of the half-yearly Days whereon the Interest on such existing Mortgages shall be payable, render to the Clerk to the Trustees for the Time being a full and true Account of his Receipts and Expenditure while so in possession or receipt as aforesaid, with proper Vouchers for the same; and if it shall appear by any such Account that the Interest due at the Rate herein-before mentioned on such Mortgages up to the last of such half-yearly Days, and all such Costs as aforesaid, have been fully paid and satisfied, then such Mortgagee shall, when thereunto required by the Trustees, pay over to their Treasurer the Balance (if any) remaining in his Hands, and deliver up Possession of the Turnpikes, Toll Houses, and Buildings, and the Receipt of the said Tolls and of any such Rent as aforesaid, to the Trustees, or any Person appointed by them to receive the same, anything in this Act, or in any Statute or Law in force relating to Turnpike Roads in *England*, to the contrary notwithstanding.

No Money to be laid out or taken in Towns.

XLIX. That no Money shall be laid out on any Road comprised in this Act within the Limits of any Local Act of Parliament passed for the Improvement of any Town, nor shall any Toll be collected therein.

No more Money to be borrowed on the Tolls.

L. That it shall not be lawful for the Trustees to borrow any further Sum of Money on the Credit of the Tolls by this Act authorized to be taken.

Rights of Corporation of Bedford Level reserved.

LI. That nothing in this Act contained shall extend or be construed to extend to invalidate, affect, or prejudice any of the Rights, Powers, or Authorities vested in the aforesaid Governor, Bailiffs, and Commonalty of the Company of Conservators of the *Great Level* of the Fens called *Bedford Level*, or in the said Governor, Bailiffs, and Conservators, by virtue of an Act made in the Fifteenth Year of the Reign of King *Charles* the Second, intituled *An Act for settling the Drainage of the* Great Level *of the Fens called* Bedford Level, or by virtue of any other Act or Statute whatsoever, but that all Rights, Powers, and Authorities whatsoever which are now vested in the said Governor, Bailiffs, and Commonalty, or in the said Go-

vernor, Bailiffs, and Conservators, or any of them, shall for ever hereafter remain, continue, and be in them and every of them, as fully and amply, to all Intents and Purposes, as if this Act had never been made.

Commencement and Continuance of this Act.

LII. That this Act shall commence on the Twenty-ninth Day of *September* next after the passing thereof, and shall continue in force, subject to the Proviso after mentioned, for the Term of Twenty-one Years, and from thence to the End of the Session of Parliament which shall then next follow: Provided always, that if the Debt due on the Credit of the Tolls on the North-west District shall be paid and satisfied before the Expiration of such Twenty-one Years, the Term of the Act shall, as respects such North-west District, cease and determine from the Payment of such Debt.

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