ANNO SECUNDO

GULIELMI IV. REGIS.

****

Cap. liii.

An Act for more effectually repairing the Road from *Little Yarmouth* to *Blythburgh*, and from *Brampton* to *Halesworth*, in the County of *Suffolk*.

[23d *May* 1832.]

WHEREAS an Act was passed in the Thirty-sixth Year of the Reign of His Majesty King *George* the Third, intituled *An Act for amending and keeping in repair the Road from the Turnpike Road in* Little Yarmouth *to the Turnpike Road at* 36 G.3. c.142.
Blythburgh, *and also the Road from* Brampton *to* Halesworth, *in the County of* Suffolk: And whereas another Act was passed in the Fifty-first Year of the Reign of His said Majesty, intituled *An Act for* 51 G.3. c.113.
enlarging the Term and Powers of an Act of His present Majesty, for repairing the Road from Little Yarmouth *to* Blythburgh, *and from* Brampton *to* Halesworth, *in the County of* Suffolk: And whereas several Sums of Money have been borrowed on the Credit of the Tolls authorized to be collected by the said recited Acts, a considerable Part of which Money is still due and owing, and cannot be repaid, nor can the said Roads be effectually amended, improved, and kept in repair, unless the Term in the said last-mentioned Act be extended, and further Powers and Provisions granted in lieu of those contained therein: 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

Recited Act of 36 G. 3. repealed, and so much of 51 G. 3. as relates to the Tolls.

of the same, That the said recited Acts, and all and every the Clauses Powers, Authorities, Trusts, Provisions, Penalties, Forfeitures, Remedies, Matters, and Things whatsoever therein contained, shall, upon the Third *Monday* next after the passing of this Act, be and the same are hereby repealed, except so far as relates to the Tolls and Duties imposed by the said secondly-recited Act.

This Act to take effect for repairing the Roads herein mentioned.

II. And be it further enacted, That this Act shall from thenceforth commence and take effect and be put in execution for repairing, maintaining, widening, diverting, improving, and keeping in repair the Road leading from the Turnpike Road in the Hamlet of *South Town* otherwise *Little Yarmouth*, in the County of *Suffolk*, to the Turnpike Road in the Hamlet of *Bulchamp* in the Parish of *Blythburgh* in the said County, and also the Road branching out of the said Road at or near the Church in the Parish of *Brampton*, and leading to the Town of *Halesworth*, in the said County of *Suffolk*.

Trustees.

III. And be it further enacted, That all His Majesty's Justices of the Peace acting for the Counties of *Suffolk* and *Norfolk* respectively for the Time being, together with the Right Honourable *Archibald Acheson* commonly called Lord Viscount *Acheson*, *Richard Aldous Arnold* Clerk, *Lombe Athill* Clerk, *Michael Barne*, *Frederick Barne*, *Joseph Baddeley* Clerk, *Joseph Charles Baddeley* Clerk, *Robert Butcher*, *William Barth*, *John Sayers Bell*, *James Barber*, *Richard Bohun*, *Robert Baas*, *John Brightwen*, *William Henchman Crowfoot*, *Robert Crowe*, *William Francis Cubitt* Clerk, *William Carpenter*, *John Crisp*, *James Crisp*, *Charles Chinery*, *John Cufaude*, *Robert Crabtree*, *Benjamin Utting Dowson*, *Joseph Withers Dowson*, *Henry Gibson Dowson*, *John Day*, *William Dowson*, *Thomas Farr*, *Thomas Farr* the younger, Clerk, *Robert Fiske*, *John Goate Fisher*, *John Fowler*, *James Fuller*, *Frederick William Farr*, *Richard Farr*, *John Grimmer*, *George Grimmer*, *Samuel Grimmer*, *Garnham*, *George Glasspoole*, *George Grimmer* the younger, of *Haddiscombe*, *John Garrod*, *Joseph Harper*, *Henry Jex*, *John Lewis* Clerk, *Naunton Thomas Orgill Leman* Clerk, *George Orgill Leman* Clerk, *William Hayward Last*, *Samuel Last*, *John Lillistone* Clerk, *David Lloyd*, *William Orgill Leman*, *Ezekiah Martin*, *Thomas Morse*, *Isaac Newson*, *William Oswald*, *John Parsons*, *William Pitt*, *Alfred Pierson*, *Robert Reeve*, *Richard Reeve*, *Reeve*, *Thomas Sheriffe* the younger, Clerk, *John Bathurst Schomburgh* Clerk, *Daniel Spalding*, *Thomas Charles Scott*, *Thomas Sayer*, *Patrick Stead*, *William Trivett* Clerk, *William Tiptod*, *Thomas Thurtell*, *Richard Thornton*, *Henry Wilson* Clerk, and *John Wilkinson* Clerk, and their Successors, being duly qualified according to the Laws now in force respecting Trustees of Turnpike Roads in *England*, shall be and they, and their Successors to be duly elected in the Manner directed by such Laws, are hereby appointed Trustees for causing the said Roads to be properly repaired, maintained, widened, diverted, improved, and kept in repair, and otherwise putting the several Acts now in force respecting Turnpike Roads in *England*, and this Act, into execution.

Power to appoint additional Trustees.

IV. And be it further enacted, That it shall be lawful for the Trustees appointed by this Act, at a Meeting to be held for that Purpose, of which Meeting and the Purpose thereof Fourteen Days Notice

shall be given as directed by an Act passed in the Third Year of the Reign of His late Majesty King *George* the Fourth, for regulating Turnpike Roads, respecting the Appointment of new Trustees on Vacancies, to elect, nominate, and appoint any Number of Persons, not exceeding Three in the whole, to be Trustees for the Purposes of this Act, in addition to the Trustees hereby named and appointed; and such Trustees so elected and appointed, and being duly qualified, shall be and they are hereby invested with the same Powers and Authorities for executing the general Acts now in force respecting Turnpike Roads in *England*, and this Act, as if they had been herein named.

First Meeting of Trustees.

V. And be it further enacted, That the Trustees for executing this Act shall meet at the *King's Head* Inn in *Beccles* in the said County of *Suffolk*, or some other convenient Place, on the Third *Monday* next after the passing of this Act, or as soon afterwards as conveniently may be, and proceed in the Execution hereof; and the said Trustees shall and may then, and from Time to Time afterwards during the Continuance of this Act, adjourn to and meet at the same Place, or at such other Place or Places in the Neighbourhood of the said Roads as may be found convenient.

Leases to continue in force until the 11th Oct. next after passing the Act.

VI. And be it further enacted, That all Demises or Leases of the Tolls arising on the said Roads by this Act authorized to be repaired, and all Bonds and other Securities which have been given for Payment of the Rents reserved by such Leases respectively, and for the Performance of the Covenants and Agreements in such Leases contained, on the respective Lessee's Part, shall respectively continue in force until the Eleventh Day of *October* next after the passing of this Act, on which Day the said respective Leases, Bonds, or other Securities aforesaid shall cease and determine, save as to the Obligations, Covenants, or Agreements for Payment of Rent and Performance of Covenants in such Leases, Bonds, or Securities, on the respective Lessee's or Obligor's Part to be observed and performed, during the Continuance of such Leases, Bonds, or Securities, by virtue of this Act.

Tolls.

VII. And be it further enacted, That the several Tolls and Duties granted and made payable by the said secondly-recited Act shall be and continue in force until the Eleventh Day of *October* next after the passing of this Act, when the same shall cease, any thing herein contained to the contrary thereof notwithstanding; and upon and from that Day the respective Tolls following may be demanded and taken at each and every Turnpike, Toll Gate, and Side Gate, Side Bar, or Chain, which are now or shall hereafter be set up or continued upon, across, or on the Side or Sides of the Roads by this Act directed or authorized to be maintained and kept in repair, by each and every Person who shall be authorized or continued by the said Trustees to receive such Tolls, before any Horse, Mule, Ass, Beast, or other Cattle, or any Carriage, shall be permitted to pass through any such Turnpike, Toll Gate, or Side Gate; that is to say,

For every Horse, Mule, or other Beast, drawing any Coach, Stage Coach, Landau, Sociable, Barouche, Chariot, Chaise, Landaulet, Phaeton, Hearse, Caravan, Chair, Gig, Van, or other Carriage of the

the like Description, by whatsoever Name called or known, any Sum not exceeding Four-pence:

For every Horse, Mule, Ass, or other Beast, drawing any Waggon, Wain, Dray, Cart, or other such like Carriage, (except such as before described,) any Sum not exceeding Two-pence:

For every Horse, Mule, or other Beast of Burthen, laden or unladen, except an Ass, and not drawing, a Sum not exceeding One Penny:

For every Drove of Oxen, Cows, or Neat Cattle, any Sum not exceeding Ten-pence *per* Score, and so in proportion for any less Number:

For every Drove of Calves, Swine, Sheep, or Lambs, any Sum not exceeding Five-pence *per* Score, and so in proportion for any less Number:

For every Four-wheeled Carriage, not drawn by any Horse or Beast of Draught, but drawn or propelled by Steam or Machinery, the Sum of Two Shillings:

And for every Two-wheeled Carriage, not drawn by any Horse or Beast of Draught, but drawn or propelled by Steam or Machinery, the Sum of One Shilling.

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

VIII. Provided always, and be it further enacted, That no more than One Toll shall be payable in One Day, to be computed from Twelve of the Clock at Night to Twelve of the Clock in the next succeeding Night, for the same Horse, Cattle, Beast, or Carriage passing or repassing any Time or Times through all or any Turnpikes or Turnpike erected or to be erected on any Part of the said Roads on or near the Side or Sides thereof.

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

IX. Provided always, and be it further enacted, That the Tolls authorized to be collected by virtue of this Act for and 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, and for every Carriage drawn or propelled by Steam or Machinery, shall be payable and paid every Time of passing or repassing along the said Roads; provided always, that no further or additional Tolls shall be payable for or in respect of such Horses only drawing such Carriage as shall have been changed.

Post Chaises, &c. to pay on every new Hiring.

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

Distinct Accounts to be kept for each Road.

XI. And be it further enacted, That a separate and distinct Account shall be kept by the Clerk to the said Trustees, in a Book or Books to be provided for that Purpose, of all Monies laid out and expended on each respective Line of Road by this Act authorized to be repaired, widened, diverted, and improved, and also separate and distinct Accounts of the Tolls collected or received at the several Gates erected or to be erected and set up upon or across each of such respective Lines of Road.

XII. Pro-

No more Money to be expended on Branch Road than what is collected thereon.

XII. Provided always, and be it further enacted, That no Money arising from any of the Tolls mentioned in this Act shall be applied in or towards the Repair of the Branch Line of Road to *Halesworth* comprised in this Act, unless some Toll Gate, Toll Bar, or Turnpike shall be erected and continued upon such Branch Road, nor unless the said Tolls shall be demanded and taken thereat pursuant to the Powers and Provisions of this Act: Provided also, that no more Money shall be expended by the said Trustees in or towards the Repair of any such Branch Road than shall be collected thereon, or borrowed on the Credit of the Tolls collected thereon.

Application of Money.

XIII. And be it further enacted, That out of the Monies already received by virtue of the said several Acts hereby repealed, and now in the Treasurer's Hands, or out of the Money which shall arise or be received from the Tolls by this Act authorized to be collected, or otherwise, the said Trustees shall, in the first place, pay and discharge all the Costs, Charges, and Expences which have been incurred in or about applying for, preparing, obtaining, and passing this Act, or otherwise relating thereto; and after Payment of the Expences of Books, Advertisements, and Salaries to Officers, and keeping down the Interest of the Principal Monies now due and owing on the Credit of the Tolls by virtue of the said Acts hereby repealed, and also the Interest of the Money which may be borrowed on the Credit of this Act (if any), the Trustees shall, in the next place, and they are hereby authorized, directed, and required, yearly and every Year, to pay off and discharge the Sum of One hundred and fifty Pounds at the least unto and amongst the several Persons to whom any Sum or Sums of Money are now due and owing on Mortgage of the Tolls authorized to be collected by the said Acts hereby repealed, or either of them, and unto and amongst the several Persons who shall hereafter advance any Sum or Sums of Money on Mortgage of the Tolls authorized to be collected by virtue of this Act, until all such Sum and Sums of Money, with the Interest now due and hereafter to grow due for the same Sums respectively, shall be fully liquidated and discharged; and the said Trustees shall apply all the Residue of the Monies already received and now in the Treasurer's Hands, and the Money which shall arise or be received from the Tolls by this Act authorized to be collected, or otherwise, in defraying the Expences of erecting or repairing Toll Gates, Toll Houses, Milestones or Posts, and Fences, and of amending, improving, maintaining, repairing, and keeping in repair the said Roads, and otherwise putting this Act into execution.

Power to borrow any further Sum not exceeding 300*l.* in the whole.

XIV. Provided always, and be it further enacted, That it shall and may be lawful for the said Trustees, from Time to Time and at all Times during the Continuance of this Act, (except within the last Three Years next before the same shall cease and determine,) at any Meeting or Meetings to be held for the Purpose next herein-after mentioned, of which Twenty-one Days Notice at the least shall be given in Two Newspapers to be circulated in the Counties of *Suffolk* and *Norfolk*, and also affixed on all the Turnpike Gates then erected on the said Roads, by any Writing or Writings under their Lands and Seals to borrow and take up at Interest on the Credit of the

the Tolls arising by virtue of this Act such further Sum or Sums of Money as they shall think fit, not exceeding in the whole the Sum of Three hundred Pounds; and they may and are hereby empowered, by such Writing or Writings as herein-before specified and set forth, to demise or mortgage the said Tolls or any Part or Parts thereof, and the Turnpikes or Toll Houses for collecting the same, in manner aforesaid, as a Security to any Person or Persons for such Sum or Sums of Money so to be borrowed, and the Interest thereof.

Causeways, Arches, and Drains, by whom to be made and cleansed.

XV. And be it further enacted, That it shall be lawful for the said Trustees, and their Surveyor or Surveyors or other Person or Persons by them appointed, and they are hereby authorized and empowered, to make any such raised or other Causeways or Footpaths in, along, or next the Sides of the said Roads as they may think necessary or commodious for Foot Passengers, and such Bridges, Arches, Culverts, Trunks, and Tunnels as shall be necessary for conveying the Water from off the said Roads, or any such Causeways or Footpaths, at the Expence of the said Trustees, out of the Monies aforesaid; and all such new Bridges, Arches, Culverts, Trunks, and Tunnels, Causeways and Footpaths, as shall cross or pass in or under the said Roads, or along the Sides thereof, shall be scoured, cleansed, and kept clear, repaired, and maintained by the said Trustees.

No Money to be laid out in the Repair of Streets.

XVI. Provided always, and be it further enacted, That none of the Tolls authorized to be taken by virtue of this Act, or any of the Money to be borrowed upon the Credit thereof respectively, shall be laid out or expended in paving, lighting, watching, or repairing any of the Streets of the several Towns or Places through which the said Turnpike Roads may run or pass.

Public Act.

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

Commencement and Continuance of this Act.

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

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