ANNO NONO

GEORGII IV. REGIS.

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Cap. xxxvi.

An Act for more effectually repairing the Roads from the Town of *Cambridge* to the *Wadesmill* Turnpike Road, in the Parishes of *Great Chishill* and *Little Chishill*, in the County of *Essex*, and from the said Town of *Cambridge* to *Royston* in the County of *Cambridge*. [9th *May* 1828.]

WHEREAS an Act was passed in the Thirty-third Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for repairing the Roads from the Town of* 33G.3.c.130.
Cambridge *to a Place called* Long Leys, *and from the said Town of* Cambridge *to* Royston, *in the Counties of* Cambridge *and* Essex: And whereas another Act was passed in the Forty-seventh Year of the Reign of His said late Majesty, intituled *An Act for continuing* 47 G.3.c.54.
the Term and altering and enlarging the Powers of an Act made in the Thirty-third Year of His present Majesty, for repairing the Roads from the Town of Cambridge *to a Place called* Long Leys, *and from the said Town of* Cambridge *to* Royston, *in the Counties of* Cambridge *and* Essex: And whereas several Sums of Money have been borrowed on the Credit of the Tolls by the said recited Acts granted, which Money is still due and owing, and cannot be repaid, and the said Roads effectually amended, improved, and kept in sufficient Repair, unless the Term of the said Acts be extended, and further Powers and Provisions be granted in lieu of those contained therein: And whereas another Act was passed in the Third Year of the Reign

3 G. 4. c. 126. of His present Majesty, intituled *An Act to amend the General Laws now in being for regulating Turnpike Roads in that Part of* Great Britain *called* England: And whereas another Act was passed in the Fourth Year of the Reign of His said present Majesty, intituled
4 G. 4. c. 95. *An Act to explain and amend an Act passed in the Third Year of the Reign of His present Majesty, to amend the General Laws now in being for regulating Turnpike Roads in that Part of* Great Britain *called* England: And whereas another Act was passed in the Fifth Year of the Reign of His said present Majesty, intituled
5 G. 4. c. 69. *An Act to enable Justices of the Peace for Ridings, Divisions, or Sokes, to act as Trustees for repairing and maintaining Turnpike Roads*: And whereas another Act was passed in the Seventh and Eighth Years of the Reign of His said present Majesty, intituled
7 & 8 G. 4. c. 24. *An Act to amend the Acts for regulating Turnpike Roads in* England: 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 Two several first-recited Acts, and all and every the Clauses, Powers, Authorities, Trusts, Provisions, Penalties, Forfeitures, Remedies, Matters, and Things whatsoever therein contained, shall, from and after the Second Day of *June* One thousand eight hundred and twenty-eight, be and the same are hereby repealed.

Recited Acts of 33 and 47 G. 3. repealed.

Act to take effect for repairing the Roads herein described.

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 said Roads from the North End of *Addenbrooke's Hospital* in the said Town of *Cambridge* to the South End of the Village of *Trumpington* in the said County of *Cambridge*, and from thence, through *Hauxton* and *Foulmire*, to the *Wadesmill* Turnpike Road, in the Parishes of *Great Chishill* and *Little Chishill*, in the County of *Essex*, (except One Mile thereof, as marked out by Two descriptive Stones between *Trumpington* and *Cambridge*); and also from the *Sentry Bridge*, at the South End of *Regent Street* in the said Town of *Cambridge*, to the *Conduit Head*, where the said Road joins the aforesaid Road leading from the North End of *Addenbrooke's Hospital* aforesaid; and also from *Hauxton*, by *Harston*, *Dunsbridge*, and *Melbourn*, to the Turnpike Road leading from *Baldock* to *Bournbridge*, at the East End of the Town of *Royston* in the said County of *Cambridge*.

Powers of General Turnpike Acts extended to this Act.

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

IV. And

Term and Tolls of this Act liable to the former Debts, &c.

IV. And be it further enacted, That this Act, and the Term and Tolls hereby granted, shall be and they are hereby made subject and liable to the Payment of all Monies which have been borrowed and are now due and owing on the Credit of the Tolls authorized to be collected on the said Roads, and of all the Interest due and to grow due thereon, as fully and effectually, to all Intents and Purposes, as if such Monies had been borrowed or become due and owing on the Credit or Security of the Tolls granted by this Act.

Persons owing Money to the Trustees to remain liable.

V. And be it further enacted, That all and every Person and Persons who may owe or be subject or liable to the Payment of any Sum or Sums of Money to the Trustees for carrying the said Two several first-recited Acts hereby repealed into Execution, or to any other Person or Persons for the Benefit of the said Trust, shall be liable to the Payment of all such Sum and Sums of Money to the Trustees for executing this Act.

Bonds, &c. to remain in force.

VI. And be it further enacted, That all Bonds, Covenants, and Agreements, Contracts and Securities, entered into by any Person or Persons to or with the Trustees for repairing the said Roads, or to or with their Clerk or Treasurer, or any other Person or Persons on behalf of the said Trustees, shall remain in full Force and Effect, and be and continue available in all Courts of Law and Equity, until the same be fully satisfied and performed on account of the Trusts created by this Act; and all Contracts or Agreements duly made or entered into by the said Trustees, or their Clerk or Treasurer, or other Person or Persons on their Behalf as aforesaid, shall, so far as the same are not altered or avoided by this Act, remain in full Force and Effect, and be observed and kept by the Trustees for executing this Act, according to the Terms or Stipulations thereof respectively, notwithstanding the Repeal of the said Two several first-recited Acts.

Books used under former Acts to be Evidence under this Act.

VII. And be it further enacted, That all Books containing the Accounts and Proceedings of the Trustees for executing the said Two several first-recited Acts, and made Evidence thereby, shall and may be given in Evidence in all Cases of Appeal, and in all Prosecutions, Suits, and Actions whatsoever, in such and the same Manner as if the said Two several first-recited Acts had not been repealed.

Books, &c. relative to former Acts to be delivered to Trustees under this Act.

VIII. And be it further enacted, That all Persons who are or have been employed, or who have received any Money on account of the Roads by the said Two several first-recited Acts authorized to be amended, improved, and kept in repair, or who have or shall have in their Custody or Possession any Money, Books, Accounts, Papers, Writings, or other Things relating to the said Roads, shall account for and pay and deliver over the same and every Part thereof to the Trustees in and by this Act named and appointed, in like Manner and under the like Penalties and Forfeitures as the several Collectors and other Persons receiving any Money by virtue of the said recited Acts are required to pay or account for the same.

IX. And

Trustees.

IX. And be it further enacted, That all His Majesty's Justices of the Peace acting for the County of *Cambridge*, together with the Right Honourable Lord *Francis Godolphin Osborne*, the Right Honourable Lord *Charles Somerset Manners*, the Right Honourable *Charles Yorke*, the Honourable *George Neville Grenville* Clerk, Sir *Charles Ethelstone Nightingale* Baronet, Sir *Peter Buckworth Herne Soame* Baronet, Sir *John Cheetham Mortlock* Knight, *William Anderson*, *Alexander Scott Abbott*, *Samuel Pickering Beales*, *Charles Beales*, *Patrick Beales*, *William Barsham*, *Thomas Le Blanc* Doctor of Civil Law, *John Butler*, *Joseph Beldam*, *George Bullen*, *John Bendyshe*, *Francis Barnes* Clerk, Doctor of Divinity, *Thomas Butterfield*, *James Burleigh*, *William Coe*, *Benjamin Cotton*, *Richard Comings*, *William Cornwell*, *Samuel Cautherley* Clerk, *William Crowle Carver*, *William Freeman Coe*, *Robert Towerson Cory* Clerk, Doctor of Divinity, *William Chafy* Clerk, Doctor of Divinity, *Martin Davy* Clerk, Doctor of Divinity, *John Fordham* of *Kelshall*, *John Edward Fordham*, *Richard Foster*, *Charles Finch*, *Ebenezer Foster*, *William Frere* Serjeant at Law, *Thomas Francis* junior, *Charles Finch* junior, *Richard Foster* junior, *Edward King Fordham*, *Charles Finch Foster*, *William Foster*, *John George Fordham*, *Goodman Francis*, *William French* Clerk, Doctor of Divinity, *Peter Grain*, *Henry Godfrey* Clerk, Doctor of Divinity, *Francis John Gunning*, *William Hurrell* of *Newton*, *William Hurrell* of *Foxton*, *Swan Hurrell*, *William Hurrell* junior, of *Newton*, *John Hailstone* Clerk, *John Hemington*, *Wortham Hitch*, *Wortham Hitch* junior, *Thomas Hovell*, *Henry Headley*, *William Headley*, *Thomas Howard*, *William Woodcock Hayward*, *John Ingle*, *William Leeworthy* Clerk, *Samuel Lilley*, *Joshua Lilley*, *John Lamb* Clerk, Doctor of Divinity, *William Mortlock* of *Meldreth*, *William Metcalf* Clerk, *Isaac Marsh*, *Charles Mortlock*, *Frederick Cheetham Mortlock*, *William Mortlock* of *Cambridge*, *Frederick Markby*, *Wedd William Nash*, *Thomas Nash*, *James Nutter*, *William Hollick Nash*, *Francis Charles James Pemberton*, *Francis Pym* junior, *John Phillips*, *John Purchas*, *William Jardine Purchas*, *Christopher Pemberton*, *Ambrose Hope Perkins*, *George Pryme*, *James Piggott*, *Joseph Procter* Clerk, Doctor of Divinity, *Joseph Stanley*, *Frederick Sharpe*, *William Swan*, *William Taylor*, *Joseph Truslove*, *Frederick Thackeray* Doctor of Medicine, *Joseph Turner* Clerk, Doctor of Divinity, *George Thackeray* Clerk, Doctor of Divinity, *Octavius Wedd*, *George Starkins Wallis*, *William Nash Woodham*, *Joseph Pattisson Wedd*, *John Wilkes*, *John Willimott*, *William Webb* Clerk, Doctor of Divinity, *James Wood* Clerk, Doctor of Divinity, and *Christopher Wordsworth* Clerk, Doctor of Divinity, being duly qualified in manner directed by the said recited Acts of the Third, Fourth, and Fifth Years of the Reign of His present Majesty, shall be, and they and their Successors, to be elected in manner directed by the said recited Acts, are hereby appointed Trustees for causing the said Roads to be properly widened, amended, repaired, and improved, and otherwise putting the said several last-recited Acts and this Act into Execution.

Power to appoint additional Trustees.

X. And 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 of the Purpose thereof Fourteen Days Notice thereof shall be given as is directed by the said recited Act of the Third

Third Year of the Reign of His present Majesty, respecting the Appointment of new Trustees on Vacancies, to elect, nominate, and appoint any Number of fit Persons (not exceeding Three in the whole) to be Trustees for the Purposes of this Act, in addition to the Trustees hereby nominated and appointed; and such Trustees so elected and appointed shall be and they are hereby invested with the same Powers and Authorities for executing the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty, and this Act, as if they had been nominated and appointed in and by this Act.

First Meeting of Trustees.

XI. And be it further enacted, That the said Trustees shall meet at the *Black Bull Inn* in the Town of *Cambridge* aforesaid, or at some other convenient Place in the said Town, on the Third Day of *June* One thousand eight hundred and twenty-eight, or as soon after as conveniently may be, and shall then and there proceed to put the said Acts of the Third, Fourth, Fifth, and Seventh and Eighth Years of the Reign of His present Majesty, and this Act, into Execution.

Former Officers (except the Treasurer) to continue.

XII. And be it further enacted, That the Clerk, Surveyor, and other Officers (except the Treasurer), who have been appointed under and employed in the Execution of the said recited Acts hereby repealed, shall respectively continue to exercise their Offices under this Act until they shall respectively die, resign, or be displaced or removed by the said Trustees, or become incapable of executing them, and shall be subject to the like Rules and Regulations, Pains and Penalties, in all respects, as if they had been severally appointed under or by virtue of this Act and the said Acts of the Third and Fourth Years of the Reign of His present Majesty.

Power to continue or erect Turnpikes.

XIII. And be it further enacted, That it shall and may be lawful for the said Trustees to continue or remove the several Turnpikes, Toll Gates, and Toll Houses now standing in, upon, or across the said Roads, or on the Sides thereof, and from Time to Time to erect any other Turnpikes, Toll Gates, or Bars, if they shall think fit, upon, across, or by the Side of any of the Roads by this Act authorized to be amended, improved, and kept in repair, and also to continue or erect proper Toll Houses, with sufficient Outhouses and Conveniences thereto, at or near every such Turnpike, Toll Gate, or Bar, and to enclose on the Sides of the said Roads suitable Gardens, not exceeding One Eighth Part of an Acre, for the Use and Convenience of the Occupiers of the said Toll Houses respectively.

Power to remove Turnpikes.

XIV. Provided always, and be it further enacted, That it shall and may be lawful for the said Trustees, and they are hereby authorized and empowered, from Time to Time, at any Special Meeting to be holden for that Purpose, of which public Notice, specifying the Time and Place for holding such Meeting, and the Purpose thereof, shall have been given Three Times in some Newspaper or Newspapers published or circulated in the County of *Cambridge*, and also by affixing a Copy of such Notice on all the Turnpikes, Toll Gates, and Side Gates which shall be then continued or

erected and standing by virtue of this Act, at least Fourteen Days previously to such Meeting, to order and direct any of such Turnpikes, Toll Gates, or Side Gates to be removed and placed elsewhere upon, across, or by the Side of any such Roads as aforesaid, in such Situations as to them the said Trustees may appear fit and eligible, subject to the Provisoes and Restrictions herein contained.

Tolls may be taken at the different Gates.

XV. And be it further enacted, That the respective Tolls following may (subject to the Provisions, Restrictions, and Exemptions in this Act and the said recited Acts of the Third, Fourth, and Seventh and Eighth Years of the Reign of His present Majesty contained,) be demanded and taken at each and every Turnpike, Toll Gate, and Side Gate which is now or which shall hereafter be set up or continued upon, across, or by the Sides of the Roads by this Act directed to be maintained and kept in repair, by each and every Person who shall be authorized or continued by the said Trustees to receive the same, before any Horse, Mule, Ass, Beast, or other Cattle shall be permitted to pass through any such Turnpike, Toll Gate, or Side Gate; (that is to say,)

Tolls.

For every Horse or other Beast drawing any Four-wheeled Coach, Barouche, Hearse, Sociable, Berlin, Chariot, Landau, Chaise, Chair, Calash, Phæton, or other such like Carriage having Four Wheels, a Sum not exceeding the Sum of Sixpence:

For every Horse or other Beast drawing any other Chaise, Chair, Whiskey, Calash, Taxed Cart, or other such like Carriage, a Sum not exceeding the Sum of Sixpence:

For every Horse or other Beast drawing any Waggon, Wain, Cart, Caravan, Dray, or other such Carriage, having the Fellies of the Wheels of less Breadth than Four Inches and a Half, a Sum not exceeding the Sum of Nine-pence:

For every Horse or other Beast drawing any Waggon, Wain, Cart, Caravan, Dray, or other such Carriage, having the Fellies of the Wheels of the Breadth of Four Inches and a Half and upwards, and less than Six Inches, a Sum not exceeding the Sum of Nine-pence:

For every Horse or other Beast drawing any Waggon, Wain, Cart, Caravan, Dray, or other such Carriage, having the Fellies of the Wheels of the Breadth of Six Inches or upwards, and less than Nine Inches, a Sum not exceeding the Sum of Sixpence:

For every Horse or other Beast drawing any Waggon, Wain, Cart, Caravan, Dray, or other such Carriage, having the Fellies of the Wheels of the Breadth of Nine Inches or upwards, a Sum not exceeding the Sum of Sixpence:

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

For every Ass drawing, a Sum not exceeding the Sum of Four-pence:

For every Drove of Oxen or Neat Cattle, *per* Score, a Sum not exceeding the Sum of One Shilling and Eight-pence, and so in proportion for any greater or less Number:

And for every Drove of Calves, Hogs, Sheep, or Lambs, *per* Score, a Sum not exceeding the Sum of One Shilling and Three-pence, and so in proportion for any greater or less Number.

XVI. And

Tolls vested in Trustees.

XVI. And be it further enacted, That all and every the Tolls by this Act authorized to be taken shall be vested in the said Trustees; and the same and every Part thereof shall be levied, collected, paid, applied, and disposed of in the Manner directed by the said recited Acts of the Third, Fourth, and Seventh and Eighth Years of the Reign of His present Majesty, and this Act.

Tolls to be paid only once a Day.

XVII. And be it further enacted, That in case Toll shall have been paid for or in respect of any Carriage, Horse, Mule, Ass, Beast, or Cattle, for passing through any of the Turnpikes, Toll Gates, or Side Gates now erected or hereafter to be erected or continued by virtue of this Act, no Toll shall be demanded or taken for or in respect of such Carriage, Horse, Mule, Ass, Beast, or Cattle, for returning, passing, or repassing through the same Turnpike, Toll Gate, or Side Gate, the same Day, before Twelve of the Clock at Night; but that every Person, on producing a Note or Ticket denoting the Payment of Toll, shall (except in the Case herein-after mentioned) be permitted to pass through such Turnpike, Toll Gate, or Side Gate, with such Carriage, Horse, Mule, Ass, Beast, or Cattle, Toll-free.

One full Toll for all the Gates on the same Day.

XVIII. And be further enacted, That no more than One full Toll shall be demanded and taken (except in the Case herein-after mentioned) for passing on the same Day through all the Turnpikes or Toll Gates on the Roads by this Act authorized to be improved and kept in repair.

Horses drawing different Carriages to pay each Time of passing.

XIX. Provided always, and be it further enacted, That no Horse or Horses, or other Beast or Beasts of Draught, for which Toll shall have been paid at any of the said Turnpikes, Toll Gates, or Side Gates, returning the same Day through the same Turnpikes, Toll Gates, or Side Gates, drawing any other or different Waggon, Wain, Cart, or other such Carriage, shall be permitted to repass Toll-free through the same Turnpikes, Toll Gates, or Side Gates, the same Day; any thing herein contained to the contrary thereof in anywise notwithstanding.

Stage Coaches and Horses travelling for Hire, to pay each Time of passing..

XX. Provided also, and be it further enacted, That the Tolls hereby made payable shall be paid for and in respect of all Horses or other Beasts of Draught drawing any Stage Coach or Stage Waggon, Van, Caravan, Cart, or other Stage Carriage drawn by Two or more Horses, carrying Passengers or Goods for Payment, Hire, or Reward, and which shall return on the same Day through the same Turnpike, Toll Gate, or Side Gate, for every Time of passing or repassing along the said Road, in like Manner as if no Toll had been before paid thereat.

Post Chaises on every fresh Hiring.

XXI. Provided always, and be it further enacted, That the Tolls hereby made payable shall be paid for every Horse or Beast let out to Hire, and drawing any Post Chaise or other Carriage, for each Time of passing or repassing along the said Road, whenever any fresh Hiring thereof shall take place.

No Money to be laid out in Repair of Streets.

XXII. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees to lay out or expend any Money received

received by or vested in them by virtue of this Act, in the Repair or Improvement of any of the Streets, Ways, Places, or Pavements within the said Town of *Cambridge*.

Application of Tolls and Money borrowed.

XXIII. And be it further enacted, That all the Monies which shall have been raised and produced by virtue of the said Two several first-recited Acts hereby repealed, and which shall be remaining undisposed of on the Day of the Commencement of this Act, and also the Monies which shall arise and be produced by and from the Tolls by this Act granted and made payable, together with the Monies which shall be borrowed upon the Credit thereof, and all other Monies which shall arise and be produced by virtue thereof, and not otherwise appropriated or directed to be applied, shall be applied to and for the several Uses, Intents, and Purposes, and in the Order and Manner following; (that is to say,) in the first place, in the Payment of all the Costs, Charges, and Expences which shall have been incurred in applying for, preparing, obtaining, and passing this Act, and otherwise relative thereto respectively; secondly, in paying and discharging the Interest now or hereafter to accrue and become due upon or by virtue of any Mortgages or Securities which have been already made and granted of the Tolls and Duties heretofore payable on the said Roads, and of any Mortgages or Securities which shall hereafter be made and granted of the Tolls or Duties hereafter to become payable on the said Roads; thirdly, in defraying the Expences of altering, widening, improving, repairing, diverting, and keeping in repair the said Roads, and of erecting, maintaining, providing, altering, and repairing Bridges, Weigh Bridges, Turnpikes, Toll Gates, Toll Bars, and Toll Houses, with suitable Outbuildings, upon, across, and by the Sides of the same Roads, and otherwise in executing the other Purposes of this Act; and lastly, in reducing, paying off, and discharging the several Principal Sums of Money which have been borrowed and secured on the Credit of the Tolls arising on the said Roads, and also the several Principal Sums of Money which may hereafter be borrowed and secured by virtue of this Act, and all other Debts and Sums of Money now owing and which may hereafter become due and owing by or on account of the said Roads.

Public Act.

XXIV. 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.

Term of Act.

XXV. And be it further enacted, That this Act shall commence upon the Third Day of *June* One thousand eight hundred and twenty-eight, and shall from thenceforth continue for and during the 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. 1828.

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