



ANNO NONO

# GEORGII IV. REGIS.

\*\*\*\*\*

## *Cap. lxxv.*

An Act for repairing the Road from *Scole Bridge*  
to *Bury Saint Edmunds* in the County of *Suffolk*.  
[23d May 1828.]

**W**HEREAS an Act was passed in the Ninth Year of the  
Reign of His late Majesty King George the Third, intituled  
*An Act for repairing and widening the Road from Scole 9 G.3. c.67.*  
*Bridge to the Place where the East Gate lately stood in the Town of*  
*Bury Saint Edmunds in the County of Suffolk*: And whereas another  
Act was passed in the Twenty-eighth Year of the Reign of His  
said late Majesty, intituled *An Act for continuing the Term of an 28 G.3. c.97.*  
*Act of the Ninth Year of His present Majesty, for repairing and*  
*widening the Road from Scole Bridge to the Town of Bury Saint*  
*Edmunds in the County of Suffolk, and for amending the said Act:* 2  
And whereas another Act was passed in the Forty-eighth Year of  
the Reign of His said late Majesty, intituled *An Act for enlarging 48 G.3. c.5.*  
*the Term and Powers of Two Acts of His present Majesty, for*  
*repairing the Road from Scole Bridge to Bury Saint Edmunds in*  
*the County of Suffolk*: And whereas the Trustees appointed in or  
acting under or by virtue of the said recited Acts have borrowed 3  
several considerable Sums of Money on the Credit of the Tolls  
[Local.] 18 M authorized



authorized to be taken on the said Road, which Money still remains due and owing, and cannot be repaid, nor can the said Road be effectually amended and kept in repair, unless the Term and Powers of the said Acts be amended and enlarged: And whereas an Act was passed in the Third Year of the Reign of His present Majesty, intituled *An Act to amend the General Laws now in being for regulating Turnpike Roads in that Part of Great Britain called England*: And whereas another Act was passed in the Fourth Year of the Reign of His present Majesty, intituled *An Act to explain and amend an Act passed in the Third Year of the Reign of His present Majesty, to amend the General Laws now in being for regulating Turnpike Roads in that Part of Great Britain called England*: And whereas another Act was passed in the Fifth Year of the Reign of His present Majesty, intituled *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 present Majesty, intituled *An Act to amend the Acts for regulating Turnpike Roads in England*: And whereas it is expedient that the said first Three recited Acts should be repealed, and that further and other Provisions should be granted instead thereof: 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 upon the *Thursday* next after the Twelfth Day of *June* next the said recited Acts of the Ninth, Twenty-eighth, and Forty-eighth Years of the Reign of His late Majesty *King George* the Third, shall be and the same are hereby declared to be repealed.

Recited Acts  
of 9, 28, and  
48 G. 3. re-  
pealed.

This Act to  
take effect  
for repairing  
the Roads  
herein men-  
tioned.

II. And be it further enacted, That this Act shall be put into Execution for and during the Term herein-after mentioned, for the Purpose of amending, widening, diverting, altering, repairing, improving, and keeping in repair the Road leading from the southwardly End of *Osmondston* otherwise *Stoke Bridge*, over the River *Waveney*, through the several Parishes of *Oakley*, *Sturston*, *Thandeston*, *Palgrave*, *Wortham*, *Burgate*, *Botesdale*, *Rickingham Superior*, *Rickingham Inferior*, *Wattisfield*, *Hepworth*, *Stanton All Saints*, *Stanton Saint John*, *Bardwell*, *Exworth*, *Rakenham*, and *Great Barton*, to the Boundary Stone at *Bury Bottom*, dividing the Town and Borough of *Bury Saint Edmunds* from the Parish of *Great Barton*, being the outward Boundary of the said Borough towards *Great Barton*, all in the County of *Suffolk*.

New Term  
and Tolls  
liable to  
former Debts.

III. And be it further enacted, That this Act, and the Term and Tolls by this Act granted, shall be and are hereby charged with and made subject to the Payment of all Monies now due and owing on the Credit of the Tolls authorized to be taken on the said Road, and of all 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 on the Credit of this Act, or of the Tolls hereby



hereby authorized to be collected; and all and every Person and Persons owing any Sum or Sums of Money to the Trustees of the said Road for executing the said recited Acts of the Ninth, Twenty-eighth, and Forty-eighth Years of the Reign of His said late Majesty, hereby repealed, shall be liable to the Payment thereof to the Trustees herein-after appointed or directed to be appointed for executing this Act.

IV. And be it further enacted, That all Conveyances, Bonds, Covenants, Agreements, Contracts, Mortgages, and Securities made to or by or entered into by any Person or Persons to or with the Trustees of the said Road for executing the said recited Acts of the Ninth, Twenty-eighth, and Forty-eighth Years of the Reign of His said late Majesty, hereby repealed, or any of them, according to the Provisions and Directions of such Acts, shall remain in full Force and Effect, and be and continue available in all Courts of Law and in Equity, until the same be fully satisfied and performed; and all Bargains, Contracts, Agreements, or Notices, made, entered into, or given by the Trustees of the said Road, for executing the said Acts or any of them, with or to any Person or Persons, for any Purposes relating to the said Road, or to the Execution of the said Acts, shall remain in full Force and Effect, and be observed and kept by the Trustees for executing this Act, and by the other respective Parties to such Contracts, Agreements, or Notices, according to the Terms, Stipulations, and the true and equitable Intent and Meaning thereof, notwithstanding the Repeal of the said recited Acts.

Bonds, Contracts, &c. to remain in force.

V. And be it further enacted, That all Books for registering Mortgages and Assignments, and all Entries therein, and all Books of Proceedings of the Trustees of the said Road, kept according to the Directions or Provisions of the said recited Acts of the Ninth, Twenty-eighth, and Forty-eighth Years of the Reign of His said late Majesty, hereby repealed, or of any Act then in force, and made Evidence thereby, shall be admitted in Evidence in all Courts, and by all Judges, Justices, and others; and all such Books, and all Books of Accounts of Receipts and Disbursements made under the said Acts, shall be preserved and kept by the Trustees under this Act, or as they shall direct, and shall at all reasonable Times be open to the Inspection of the said Trustees, and any Creditor or Creditors of the Tolls, without Fee or Reward; and the said Trustees and Creditors, or any of them, shall and may take Copies of or Extracts from the said Book or Books, or any Part or Parts thereof respectively, without paying any thing for the same; and in case the Clerk to the said Trustees, or other Person having the Care of such Book or Books, shall refuse to permit or shall not permit the said Trustees or such Creditors, or any of them, to inspect the same, or to take such Copies or Extracts as aforesaid, such Clerk or other Person shall forfeit and pay any Sum of Money not exceeding Five Pounds.

Books under former Acts to be Evidence.

Books and Accounts to be open to Inspection.

Penalty for Refusal of Inspection.

VI. Provided always, and be it further enacted, That each and every Treasurer who shall have been appointed consistently with the Pro-

Former Officers to continue.



Provisions of the said recited Act passed in the Seventh and Eighth Years of the Reign of His present Majesty, and each and every Clerk, Receiver, Collector, Surveyor, and other Officer appointed under or by virtue of the said recited Acts of the Ninth, Twenty-eighth, and Forty-eighth Years of the Reign of His said late Majesty, hereby repealed, shall hold and enjoy such their several and respective Offices and Employments until removed therefrom by the Trustees for executing this Act; and each and every such Clerk, Receiver, Collector, Surveyor, and other Officer shall have the like Power and Authority for the Purposes of this Act, and for carrying the same into Execution, and shall be subject to the like Pains and Penalties, and to the like Power of Removal, and to the like Rules and Regulations in all respects whatsoever, as if he had been appointed by virtue of this Act.

Powers of  
General  
Turnpike  
Acts to ex-  
tend to this  
Act.

VII. And be it further enacted, That the said recited Act passed in the Third Year 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,) and also the said recited Act passed in the Fourth Year 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,) and also the said recited Act passed in the Fifth Year of the Reign of His present Majesty, and the Power or Provision therein contained, and also the said recited Act passed in the Seventh and Eighth Years of the Reign of His present Majesty, and all and every the Powers, Provisions, Directions, 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 and the several and respective Purposes thereof into Execution, as if the same had respectively been repeated and re-enacted in the Body of this Act.

Appointment  
of Trustees.

VIII. And be it further enacted, That all His Majesty's Justices of the Peace acting for the County of *Suffolk* for the Time being, together with *Nathaniel Lee Acton*, *Henry Adams Clerk*, *John Amys*, *John Hewitt Amys*, *James Amys*, *William Bassett Clerk*, *James Betts Clerk*, *Edward Parker Blake*, *William Blake Clerk*, *Charles Blomfield*, *John Boldero of Ixworth*, *Samuel Bond*, *James Borton*, *Edward Bridgman*, *Charles Browne Clerk*, *John Cartwright Clerk*, *Walter Spring Casborne Clerk*, *Philip James Case*, *Robert Clarke*, *Osmund Clarke*, *Henry Clarke*, *Thomas Clay*, *John Cobbold the younger*, *Richard Cobbold Clerk*, *William Dalton*, *Nathaniel D'Eye Clerk*, *Robert Gamble*, *John Goodrich*, *Philip Harrison*, *Charles Harrison*, *Thomas Hawes*, *William Hepworth Clerk*, *George Jermyn Clerk*, *Charles Lanchester*, *Robert Emlyn Lofft*, *George Mallows*, *Robert Harmer Mallows*, *Philip Meadows Clerk*, *Daniel Rust Meadows*, *John Mills*, *Robert Nunn*, *John Nunn*, *James Oakes*,



*Oakes, Orbell Ray Oakes, Henry James Oakes, Edward Rene Payne Clerk, Charles Payne, William Hollingworth Quayle, James Hamblin Smith, Barnard Smith, John Sparke, Gill Stedman, Robert Stedman, Meadows Taylor, Framlingham Thruston, William Walker Clerk, George Walker Clerk, Marmaduke Wilkinson Clerk, Thomas Hutton Wilkinson, George Saint Vincent Wilson, John Worth, Richard Wright,* and their Successors, being duly qualified according to the Provisions and Directions of the said recited Acts passed in the Third, Fourth, and Fifth Years of the Reign of His present Majesty, shall be and they are hereby appointed Trustees for amending, improving, and maintaining the said Road, and for otherwise putting this Act into Execution.

IX. 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 of their Meetings, to elect and appoint any Number of Persons, being duly qualified according to the Directions of the said recited Acts passed in the Third and Fourth Years of the Reign of His present Majesty, (not exceeding Three in the whole, in addition to the Number of Trustees herein named and appointed,) to be Trustees for the Purposes of this Act; and such Persons so elected and appointed shall be Trustees for the Purposes of this Act, and are hereby invested with the same Powers and Authorities for executing this Act as if they had been herein named.

Power to  
appoint  
additional  
Trustees.

X. And be it further enacted, That the Trustees for executing this Act shall meet together at the House known by the Name or Sign of the *Crown Inn*, in *Botesdale* in the County of *Suffolk*, or at some other convenient Place near to the said Road, on *Thursday* the Twenty-sixth Day of *June* next, or as soon after as conveniently may be, and proceed in the Execution of this Act; and the said Trustees shall and may then and from Time to Time afterwards adjourn to and meet at the same Place, or at such other Place or Places in the Neighbourhood of the said Road, and at such Time or Times as the said Trustees shall appoint; and during the Continuance of this Act there shall be One General Meeting of the said Trustees on the First *Thursday* in the Month of *June* in every Year, at such Place in the Neighbourhood of the said Road as the said Trustees shall appoint; and if there shall not appear at any such General Meeting a sufficient Number of Trustees to act, then such General Meeting shall be held on the next *Thursday* or on the *Thursday* following, when a sufficient Number of Trustees to act shall attend.

Meetings of  
Trustees.

XI. And be it further enacted, That it shall be lawful for the said Trustees, if they shall think proper, to continue or remove all and every or any of the present Toll Gates or Turnpikes and Toll Houses erected under the Powers or Provisions of the said recited Acts, and also to erect and set up, or cause to be erected and set up, any other Turnpike or Turnpikes, Toll Gate or Gates, Bar or

Power to  
continue and  
erect Toll  
Gates, &c.

[*Local.*]

18 N

Bars,



Bars, Chain or Chains, in, upon, or across any Part or Parts of the said Road, and upon the Side or Sides thereof, or any Part thereof, and may also continue, erect, or provide a Toll House, with suitable Outbuildings and Conveniences, at or near each and every such Toll Gate, and may from Time to Time afterwards remove, alter, or discontinue such Toll Gates or Toll Houses, or any of them, as they the said Trustees shall think expedient; and also may take in and inclose, from any Common or Waste Land on the Side or Sides of the said Road, near or whereon any Turnpike House hath been by virtue of the said former Acts, or in virtue of this Act, shall be erected or built, a Garden Spot to each such Turnpike House, not exceeding in Quantity One Eighth Part of a Statute Acre; and the said Trustees may also provide and maintain a Lamp or Lamps, with proper Furniture and Utensils for lighting the same, at each Turnpike or Toll House so as aforesaid to be erected or continued; and if any Person shall wilfully break, throw down, or damage any of such Lamps, or the Posts or Irons thereof, or extinguish the Light within any such Lamp, such Person shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings, over and above the Costs of repairing or replacing all or any such Lamps, Posts, Irons, or other Works so broken, thrown down, or damaged.

Power to  
take Tolls.

XII. And be it further enacted, That it shall and may be lawful for the said Trustees, or any Person or Persons appointed or continued or to be appointed Collector or Collectors of the Tolls to be taken by virtue of this Act, to demand and take the Tolls or Sums of Money herein-after mentioned at the several and respective Toll Gates or Turnpikes or Toll Houses, or Side Gates or Side Bars or Chains, which are or shall be standing and being or continued or erected by virtue of this Act in, upon, or across the said Road by this Act directed or authorized to be repaired and amended or made, or on the Sides thereof, or any Part or Parts thereof, and on every Day (such Day to be computed from Twelve of the Clock at Night to Twelve of the Clock in the next succeeding Night); that is to say,

Tolls.

For every Horse, Mule, Ass, or other Beast drawing any Coach, Stage Coach, Landau, Barouche, Chariot, Chaise, Landulet, Phaeton, Hearse, Curricule, Chair, Gig, Caravan, Van, Taxed Cart, or other Carriage of like Description, by whatsoever Name called or known, any Sum not exceeding Three-pence:

For every Horse, Mule, Ass, or other Beast drawing any Waggon, Wain, Cart, Tumbril, or such other like Carriage, having the Fellies of the Wheels thereof of the Breadth of Six Inches or upwards at the Bottom or Soles thereof, any Sum not exceeding Two-pence; and having the Fellies of the Wheels thereof of the Breadth of Four and a Half Inches or upwards, and less than Six Inches, at the Bottom or Soles thereof, any Sum not exceeding Two-pence Halfpenny; and having the Fellies of the Wheels thereof of the Breadth of Three Inches or upwards, and less



than Four Inches and a Half, at the Bottom or Soles thereof, any Sum not exceeding Three-pence; and having the Fellies of the Wheels thereof of less Breadth than Three Inches at the Bottom or Soles thereof, any Sum not exceeding Three-pence Halfpenny:

For every Horse, Mule, or Ass, laden or unladen, and not drawing, any 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:

And 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:

Which said respective Tolls or Sums of Money shall be demanded and taken as aforesaid before any Horse, Mule, Ass, or other Beast or Cattle whatsoever shall be permitted to pass through any such Toll Gate or Turnpike, or Side Gate or Side Bar, or Chain; and which said respective Tolls or Sums of Money shall be and are hereby vested in the said Trustees, and shall be applied for the Purposes of this Act in manner herein-after directed.

XIII. Provided always, and be it further enacted, That all and every the Horses and other Beasts or Cattle, Cart or Carriage, in respect whereof the Toll hereby authorized to be taken shall have been paid at any Turnpike or Turnpikes, Toll Gate or Toll Gates, on any Part of the said Road, shall, upon a Note or Ticket, Notes or Tickets denoting such Payment being produced, be permitted to pass and repass Toll-free the same Day, to be computed as aforesaid, through the same Turnpike or Turnpikes, Toll Gate or Toll Gates, at which such Toll shall have been paid, and also through any other Turnpike or Toll Gate (if any) which such Ticket or Tickets shall free, except such Horses, Beasts, or other Cattle shall be drawing a different Waggon, Wain, Cart, or other Carriage.

Tolls to be paid but Once a Day.

XIV. Provided also, and be it further enacted, That nothing herein contained shall extend or be construed to extend to empower the said Trustees, or any Collector or Collectors, to demand or take, for or in respect of the same Horse, Beast, or Cattle, more than Two full Tolls for passing or repassing at any Time or Times in any one Day (to be computed as aforesaid) along the whole Line of the said Road.

No more than Two full Tolls to be paid on Road on the same Day.

XV. Provided also, and be it further enacted, That the Tolls hereby made payable for and in respect of Horses or Beasts drawing any Stage Coach, Diligence, Van, Caravan, Cart, Stage Waggon, or other Stage Carriage, conveying any Passengers or Goods for Pay or Reward, shall be payable and paid every Time of passing along the said Road.

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

XVI. Pro-



Post Chaises,  
&c. on every  
new Hiring.

XVI. Provided also, and be it further enacted, That the Tolls hereby made payable for and 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 Road, whenever any new Hiring thereof shall take place.

Leases to be  
vacated.

XVII. And be it further enacted, That all Demises, Leases, and Agreements for Lease or Leases of the Tolls on the said Road shall, on the Third *Thursday* after the Commencement of this Act, cease and be void, in case the said Trustees shall think it right or proper that the same should be vacated; and in case any Lessee or Lessees, Farmer or Farmers of such Tolls, shall, on the Vacation or Avoidance of such Demises, Leases, or Agreements, refuse or neglect to deliver up the Possession of the Toll Houses, Toll Gates, Bars, Chains, or Weighing Machines, and the Buildings and Appurtenances thereunto belonging, comprised in any such Demises, Leases, or Agreements to the said Trustees, or any other Persons acting under their Authority, after Demand thereof made, then it shall be lawful for the said Trustees to remove such Lessee or Lessees, Farmer or Farmers, from the Possession thereof, in such Manner as is directed by the said recited Act of the Fourth Year of the Reign of His present Majesty with respect to the Removal of any Lessee or Lessees, Farmer or Farmers of Tolls, whose Lease or Leases, Contract or Contracts, shall be avoided or vacated: Provided always, that the said Trustees shall on or before the said Third *Thursday* after the Commencement of this Act, and they are hereby authorized, directed, and required to make or tender a fair and just Compensation and Satisfaction to the present Lessees or Lessee of such Tolls, for the Loss or Damage which they, he, or she may or might thereby sustain; and in case any such Lessees or Lessee shall be dissatisfied with the Amount of such Compensation, then and in such Case such Lessees or Lessee shall and may recover Compensation for the Loss or Damage sustained, by Action of Debt or on the Case in any of His Majesty's Courts of Record at *Westminster*, and also (unless the Amount recovered shall be less than the Sum tendered by or on behalf of the said Trustees,) shall have and recover their full Costs of Suit: Provided also, that in case the said Trustees and the present Lessees of the said Tolls, or any of them, shall be desirous that such Demises, Leases, or Agreements shall continue in force for the Remainder of the respective Terms for which the same, or any of them, shall have been granted, then and in such Case such Lessees or Lessee shall pay such Sums of Money, or such additional Rent, to the said Trustees, as such Trustees shall think fit, as a Consideration for the continuing of such Leases or Lease; and in case of any Difference or Dispute respecting the Amount of such Sum or Rent, such Difference or Dispute shall be settled by any Two Justices of the Peace for the County or Place where the Toll House shall be situate, which such Justices are hereby empowered to do on Application being made to them for that Purpose by such Lessees or Lessee, and on Proof of Three Days Notice of the Intention of such Lessees or Lessee having been given in

But Satisfaction to be  
made to  
Lessees.



in Writing by such Lessees or Lessee to or at the Office of the Clerk of the said Trustees.

XVIII. And be it further enacted, That out of the Monies already received by virtue of the said first Three recited Acts, or out of the first Money which shall arise or be received from the Tolls by this Act granted, or otherwise, the said Trustees shall in the first place pay and discharge all the Costs and Expences relative to the obtaining and passing of this Act, with Interest for the same; and the Remainder of all such Monies shall from Time to Time be applied in the first place in keeping down the Interest of the Principal Monies advanced or borrowed and now due and owing on the Credit of the Tolls arising on the said Road by virtue of the said first Three recited Acts, and which may hereafter be borrowed on the Credit of this Act, and afterwards in amending and maintaining in repair the said Road, and in otherwise putting this Act into Execution, and in repaying the Principal Monies already borrowed on the Credit of the Tolls arising on the said Road by virtue of the said first Three recited Acts, and lastly in repaying the Principal Monies to be borrowed on the Credit of this Act.

Application  
of Tolls and  
other Monies.

XIX. And be it further enacted, That Ditches, Drains, or Watercourses, of a sufficient Depth and Breadth for keeping the said Road dry, and conveying the Water from the same, shall be made by the said Trustees, or their Surveyor or other Officer, on the Sides of the said Road, and also, where necessary, into or through any Fields, Lands, or Grounds adjoining to or lying near the said Road, (not being a Yard, Garden, Orchard, Park, Paddock, planted Walk, or Avenue to a House,) at the Expence of the said Trustees, out of the Monies to be received by virtue of this Act; and sufficient Bridges, Arches, Culverts, Trunks, Tunnels, or Plats shall be made by the said Trustees, or their Surveyor or other Officer, where any Carriageways or Footways lead into or out of or cross the said Road, also at the Expence of the said Trustees, out of the Monies aforesaid, any Law or Statute to the contrary notwithstanding; and all such Ditches, Drains, and Watercourses, Bridges, Arches, Culverts, Trunks, Tunnels, or Plats, when made and completed by the said Trustees, shall for ever afterwards be scoured, cleansed, and kept open, repaired and maintained by the Occupiers of the adjoining Fields, Lands, or Grounds; but all such new Bridges, Arches, Culverts, Trunks, Tunnels, and Plats as shall cross or pass in or under the said Road, shall be scoured, cleansed, and kept open, repaired and maintained by the said Trustees, subject to the Provisions of the said Act of the Third Year of the Reign of His present Majesty.

Ditches,  
Drains,  
Bridges, &c.  
by whom to  
be made and  
cleansed.

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

Public Act.

[*Local.*]

18 O

XXI. And



Term of Act.

XXI. And be it further enacted, That this Act shall commence upon the *Thursday* next after the Twelfth Day of *June* next, and shall continue and be in force for 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.