



ANNO TERTIO

GULIELMI IV. REGIS.

Cap. x.

An Act for more effectually repairing and improving the Roads from *Ipswich* to *Helmingham* and to *Debenham*, and from *Hemingston* to *Otley Bottom*, in the County of *Suffolk*. [29th March 1833.]

WHEREAS an Act was passed in the Fifty-second Year of the Reign of His Majesty King George the Third, intituled *An Act for repairing the Roads from Ipswich to Helmingham and to Debenham, and from Hemingston to Otley Bottom, in the County of Suffolk*: And whereas the Trustees acting under or by virtue of the said recited Act have proceeded to put the same in execution, and great Improvements have been made in the said Roads; and the said Trustees have borrowed considerable Sums of Money on the Credit of the Tolls by the said Act authorized to be taken, which Money, together with a large Arrear of Interest thereon, remain now due and owing, and cannot be repaid, or the Interest thereof discharged, nor can the said Roads be effectually amended, improved, and kept in repair, unless the Term and Powers of the said recited Act be further continued and enlarged: And whereas it is expedient that the said recited Act should be repealed, and further and more effectual Powers and Provisions granted instead thereof; but the beneficial Purposes aforesaid cannot be effected without the Aid and Authority of Parliament: 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

[*Local.*] 52 G. 3. c. 23.
Parliament

Recited Act
repealed ;

Parliament assembled, and by the Authority of the same, That from and after the Third *Friday* next after the passing of this Act the said recited Act shall be and the same is hereby declared to be repealed.

and this Act
to take
effect.

II. And be it further enacted, That this Act shall from thenceforth commence, take effect, and continue, and be put into execution, for and during the Term herein-after mentioned, for the Purpose of more effectually amending, altering, widening, and from Time to Time repairing and otherwise improving and keeping in repair, the Roads herein-after mentioned and described ; (that is to say,) the Road leading from the Town and Borough of *Ipswich* in the County of *Suffolk*, commencing at the Boundary of the Parish of *Westerfield* upon the Green called *Westerfield Green* (lately inclosed), to the Guide Post near the Church in the Parish of *Helmingham* in the said County ; and also the Road leading from the said Town, and commencing at the Boundary of the Parish or Hamlet of *Whittoncum-Thurlston*, through *Gosbeck* and *Pettaugh*, to the Turnpike Road in *Debenham* in the said County leading from *Woodbridge* to *Eye* ; and also the Road branching out of the last-mentioned Road at or near a Place called *Stone Wall*, in the Parish of *Hemingston* in the said County, and leading to a Place called *Otley Bottom*, in the Parish of *Otley* in the said County.

Trustees.

III. And be it further enacted, That all and every His Majesty's Justices of the Peace for the Time being acting for the County of *Suffolk*, together with Sir *William Fowle Middleton* Baronet, Sir *Philip Bowes Vere Broke* Baronet, Sir *Charles Broke Vere*, *Horace George Broke*, *Francis Slater Rebow*, *William Rodwell*, *William Kirby* Clerk, *Edmund Bellman* Clerk, *John Constantine Cook* Clerk, *Dykes Alexander*, *Samuel Alexander*, *John Cobbold* the younger, *Mileson Gery Edgar* Clerk, *Benjamin Cooper*, *Thomas Cockerell*, *Thomas Miles*, *Henry Gostlin White* Clerk, *Thomas Edwards*, *Charles Fonnereau* Clerk, *Samuel Gross*, *Luke Leedes*, *William Ling*, *William Welton*, *Benjamin Ashwell*, *Daniel Rust Meadows*, *Philip Meadows* Clerk, *William Martin*, *Charles Poppy*, *Thomas Pettit*, *Joseph Burch Smyth*, *John Stanford*, *John Turner*, *James Wenn*, *John Stimson*, *Joseph Gibson Whaley* Clerk, *William Mayhew*, *John Orford Flindell*, *Thomas Flory*, *Thomas Edwards*, *William Edwards*, *Samuel Kersey*, *George Whiteford* Clerk, *Barrington Blomfield*, *Arthur Biddell*, *John Cooper*, *Richard Flowerdew*, *Charles Barker*, *Lionel Henry Moore*, *Edward Woolnough*, *Samuel Rowland*, *Robert Baker Offord*, *John Robert Edgar* Clerk, *John Chevallier Cobbold*, *Samuel Peck*, *Maltyward Simpson* Clerk, *George Taylor* Clerk, *William Catt*, *Edward Bacon*, *Thomas Dunningham*, *John Brewster Meadows*, *Philip Pierrepont Meadows*, and their Successors, being duly qualified to act as Trustees of Turnpike Roads in *England*, shall be and they are hereby appointed the Trustees for putting this Act in execution.

Power to
appoint
additional
Trustees.

IV. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered, from Time to Time, at any Meeting to be holden for that Purpose, to elect, nominate, and appoint any Number of Persons, not exceeding Three

in the whole, being duly qualified to act as Trustees of Turnpike Roads in *England*, to be Trustees for the Purposes of this Act, in addition to the Trustees hereby nominated and appointed; and such Persons, when so elected and appointed, shall be and they are hereby invested with the same Powers and Authorities for executing this Act as if they had been nominated or appointed Trustees in or by this Act.

V. And be it further enacted, That the said Trustees shall meet at the House known by the Sign of the *Barley Mow*, in *Witnesham* in the said County of *Suffolk*, or at some other convenient Place or Places at, on, or near the said Roads, on the said Third *Friday* next after the passing of this Act, or as soon after as conveniently may be, and shall then and there proceed to put this and the General Turnpike Acts into execution, and shall there, and at all subsequent Meetings to be holden from Time to Time for the Purposes of this Act, adjourn to and meet at such Times, and Places at, on, or near the said Roads, as the said Trustees or the major Part of them present at such respective Meetings shall think proper; and if at any of the said Meetings the Trustees present shall not adjourn such Meeting to another Day, it shall be lawful for any Three of the said Trustees, although not assembled at a Meeting, or their Clerk by their Order, to call a Meeting of the said Trustees at the Place aforesaid, or at some other convenient Place at, on, or near the said Roads, to transact general Business, such Meeting to be called by public Notice to be inserted in some One or more Newspaper or Newspapers usually circulated in the County of *Suffolk*, and to be holden not sooner than Ten nor exceeding Twenty-one Days from the Time of such Notice being first inserted.

Meetings of
Trustees.

VI. And be it further enacted, That it shall be lawful for the said Trustees, or any Person or Persons being a Lessee or Farmer, Lessees or Farmers, or appointed or continued to be appointed Collector or Collectors of the Tolls to be taken by virtue of this Act, to demand and take every Day (such Day to be computed from Twelve of the Clock in one Night to Twelve of the Clock in the next succeeding Night), at the several and respective Toll Gates and Turnpikes, Toll Houses, Side Gates, Side Bars, or Chains, which now are or hereafter shall be standing and being upon, across, or on or at the Side or Sides of the said Roads or any of them, the several and respective Tolls or Sums of Money herein-after mentioned; (that is to say,)

Power to
take Tolls.

For every Horse, Mule, or other Beast, laden or unladen, and not drawing, the Sum of One Penny Halfpenny : Tolls.

For every Ass, laden or unladen, and not drawing, the Sum of One Penny, and, if drawing, the Sum of Three-pence :

For every Horse, Mule, or other Beast or Animal, where there is only One, drawing any Coach, Diligence, Berlin, Landau, Vis-à-vis, Chariot, Van, Caravan, Break, Hearse, Litter, Calash, Chaise Marine, Chaise, Stanhope, Sociable, Curricule, Cabriolet, Chair, Car, Gig, Whiskey, Pleasure Cart, or other such like Carriage, of whatsoever Name or Description, the Sum of Four-pence Halfpenny; and where there are Two and no more such Horses or other Beasts or Animals, the like Sum of Four-pence Halfpenny each; and

and where there are Three and no more such Horses or other Beasts or Animals, the Sum of Four-pence each ; and where there are Four or more such Horses or other Beasts or Animals, the Sum of One Shilling and Three-pence :

For every Horse, Mule, or other Beast or Animal, where there is only One, drawing any Waggon, Wain, Drug, Dray, Cart, or other such like Carriage having the Fellies of the Wheels of less Breadth or Gauge than Six Inches from Side to Side, the Sum of Three-pence ; and where there are Two and no more such Horses or other Beasts or Animals going at length, the Sum of Four-pence Halfpenny each ; and where there are Three and no more such Horses or other Beasts or Animals going at length, the Sum of Four-pence each ; and where there are Four and no more such Horses or other Beasts or Animals going at length, the Sum of Four-pence Halfpenny each ; and where there are Five or more such Horses or other Beasts or Animals going at length, the additional Sum of Sixpence each above the Number of Four ; and where there are Two such Horses or other Beasts or Animals going abreast or in pair, the Sum of One Shilling ; and for every additional Horse the Sum of Sixpence :

For every Horse, Mule, or other Beast or Animal, where there is only One, drawing any such last-mentioned Carriage having the Fellies of the Wheels of less Breadth or Gauge than Nine Inches, but not less than Six Inches, from Side to Side, the Sum of Three-pence ; and where there are Two and no more such Horses or other Beasts or Animals going at length, the Sum of Four-pence Halfpenny each ; and where there are Three and no more such Horses or other Beasts or Animals going at length, the Sum of Four-pence each ; and where there are Four and no more such Horses or other Beasts or Animals going at length, the Sum of Four-pence Halfpenny each ; and when there are Five or more such Horses or other Beasts or Animals going at length, the additional Sum of Sixpence each for every Horse or other Beast or Animal above Four :

For every Horse or other Beast or Animal going at length, where there are Two and no more, drawing any such last-mentioned Carriage having the Fellies of the Wheels of the Breadth or Gauge of Nine Inches or upwards from Side to Side, the Sum of Nine-pence each ; and where there are Three and no more such Horses or other Beasts or Animals going at length, the Sum of Sixpence each ; and where there are Four or Five and no more such Horses or other Beasts or Animals going at length, the Sum of Four-pence Halfpenny each ; and where there are Six or more such Horses or other Beasts or Animals going at length, the additional Sum of Sixpence each for every Horse or other Beast above Four :

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

For every Drove of Calves, Swine, Sheep, or Lambs, the Sum of Five-pence *per* Score, and so in proportion for any less Number :

And for every Coach, Machine, Caravan, Vehicle, or Carriage, of whatever Name or Description, not drawn by any Horse or other Beast or Animal, but attached to any other Carriage, or propelled
or

or moved by Steam, Gas, or any Kind of Machinery, the Sum of Two Shillings and Sixpence :

Which said several and respective Tolls or Sums of Money shall be and the same are hereby vested in the said Trustees, and shall be applied for the Purposes of this Act in the Manner herein-after directed.

VII. And be it further enacted, That in case the Tolls hereby authorized to be taken shall have been paid in any One Day (such Day to be computed as aforesaid) for or in respect of any Horse or other Beast, Animal, or Cattle, or any Carriage, for passing through any of the Toll Gates, Turnpikes, Toll Bars, Side Gates, Side Bars, or Chains now continued or erected or hereafter to be erected by virtue of this Act and the General Turnpike Acts, no Toll shall be demanded or taken for or in respect of such Horse or other Beast, Animal, Cattle, or Carriage, for repassing through the same Toll Gate, Turnpike, Toll Bar, Side Gate, Side Bar, or Chain ; but every Person, on producing a Note or Ticket denoting the Payment of Toll, shall (except in the Cases herein-after mentioned) be permitted to pass Toll-free through such Toll Gates, Turnpikes, Toll Bars, Side Gates, Side Bars, or Chains, with the same Horse or other Beast, Animal, Cattle, or Carriage.

Tolls to be paid but once a Day.

VIII. Provided always, and be it further enacted, That no more than One Toll shall be demanded or taken on the same Day (to be computed as aforesaid) for any Horse or other Beast, Animal, Cattle, or Carriage, passing through all such Toll Gates, Turnpikes, Toll Bars, Side Gates, Side Bars, or Chains on the Road comprised in this Act, leading from the Parish of *Westerfield* aforesaid towards *Helmington* ; nor more than One Toll and a Half upon the Road comprised in this Act leading from the Parish or Hamlet of *Whitton cum Thurlston* aforesaid towards *Debenham* ; nor more than Two full Tolls upon the whole Line of the Roads comprised in this Act.

Limiting the Number of Tolls.

IX. Provided always, and be it further enacted, That the Tolls hereby made payable for or in respect of any Horse or Horses, or other Beast or Beasts, Animal or Animals, drawing any Stage Coach, Diligence, Stage Waggon, Van, Caravan, or other Carriage carrying any Passengers or Goods for Pay, Hire, or Reward, or any Stage Coach, Diligence, Stage Waggon, Van, Caravan, or other Carriage propelled or moved by Steam, Gas, or any other Kind of Machinery, carrying Passengers or Goods for Pay, Hire, or Reward, shall be payable and paid each Time of passing or repassing through the said Toll Gates, Turnpikes, Side Gates, Side Bars, or Chains, or any of them : Provided nevertheless, that no further or additional Toll shall be payable in respect of Horses or other Beasts or Animals drawing any Stage Coach, Diligence, Van, Stage Waggon, or Caravan, on account only of the Horses or other Beasts or Animals drawing the same having been changed.

Stage Coaches &c. to pay each Time of passing ;

X. Provided also, and be it further enacted, That the Tolls hereby made payable for or in respect of any Horse or Horses, Mule or Mules, Ass or Asses, or other Beast or Beasts, which shall be let out

Post Chaises, &c. on every new Hiring.

[Local.]

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to

to Hire, or any Horse or Horses, Mule or Mules, Ass or Asses, or other Beast or Beasts drawing any Post Chaise or other Carriage which shall be let out to Hire, or any Carriage propelled or moved by Steam, Gas, or any other Kind of Machinery which shall be let out to Hire, shall be payable and paid every Time of passing or re-passing through the said Toll Gates, Turnpikes, Side Gates, Side Bars, and Chains, or any of them, whenever any new or fresh Hiring thereof shall take place.

Limiting
Exemption
from Toll
&c.

XI. Provided always, and be it further enacted, That no Horse or Horses, Mule or Mules, Ass or Asses, or other Beast or Beasts, Animal or Animals, drawing any Waggon, Wain, Drug, Dray, Cart, Caravan, or other Carriage, shall be exempt from Toll on passing through any of the said Toll Gates, Turnpikes, Side Gates, Side Bars, or Chains, or any of them, by reason of any previous Payment of Toll during the same Day, unless such Horse or Horses, Mule or Mules, Ass or Asses, or other Beast or Beasts shall at the Time of such previous Payment of Toll have been drawing the same Waggon, Wain, Cart, Caravan, or other Carriage as that which such Horse or Horses, Mule or Mules, Ass or Asses, or other Beast or Beasts shall be drawing at the Time when such Exemption shall be claimed.

Regulating
Repair of
Branch Road.

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 Road comprised in this Act, unless some Toll Gate, Toll Bar, or Turnpike shall be erected and continued upon such Branch Road or on the Side thereof, 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 the said Branch Road than shall be collected thereat, or borrowed on the Credit of the Tolls collected thereon.

Application
of Money re-
ceived under
the Act.

XIII. And be it further enacted, That all the Monies which shall have been raised and produced by virtue of the said recited Act hereby repealed, which shall be remaining undisposed of on the Day of the Commencement of this Act, and also all 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 have been or shall be borrowed upon the Credit of this Act, and all other Monies which shall arise and be produced by virtue thereof, shall be and the same are hereby vested in the said Trustees, and 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 defraying the necessary Expences of diverting, altering, widening, repairing, and otherwise improving the said Roads and every of them, and of the necessary Works upon the same, and all other incidental Expences whatsoever, and of providing, altering, and repairing all or any of the Turnpikes, Toll Gates, Toll Bars, and Toll Houses, with suitable Outbuildings, upon, across, and by the Sides of the said Roads or any of them, and otherwise in executing the Powers of this

this Act; thirdly, in discharge of the Arrears of Interest now due on the several Principal Sums of Money owing on the Security of the said Tolls by virtue of the said recited Act hereby repealed; and lastly, in reducing, paying off, and discharging the several Principal Sums of Money already borrowed or raised under or by virtue of the said recited Act hereby repealed, or to be by them the said Trustees hereafter borrowed or raised under or by virtue of this Act, and all other Debts and Sums of Money now due and owing and which hereafter may become due and owing by or on account of the said Roads or any of them, and in defraying all other necessary Costs, Charges, and Expences attending the same, in such Manner as the said Trustees shall from Time to Time appoint.

XIV. And whereas it may be expedient to take down One or more of the Toll Houses situate on the present Line of Road, which will be of little or no Value unless the same can be sold standing, and as Dwelling Houses, and the Materials thereof would not, in many Instances, produce the Amount of the Expences of taking down and removing the same; be it therefore further enacted, That it shall be lawful for the said Trustees to sell and dispose of any Toll House or Toll Houses standing on or adjoining the present Line of Road which shall become useless, unnecessary, or no longer required for the Purposes of the said Road, together with the Outhouses, Gardens, and Appurtenances thereto belonging, in the same Manner and under the same Regulations as by the Laws now in force any Land not wanted, or becoming useless or unnecessary for the Purposes of the said Road, may be sold and disposed of.

Power to sell
useless Toll
Houses.

XV. 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.

Public Act.

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

Duration, of
the Act

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