



ANNO SEPTIMO

# GEORGI IV. REGIS.

\*\*\*\*\*

## Cap. cxxxi.

An Act for more effectually repairing the Road from *Sudbury* in the County of *Suffolk*, to *Bury Saint Edmunds* in the said County.

[26th May 1826.]

**W**HEREAS an Act was passed in the Second Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for repairing and widening the High Road leading from the North End of Ballingdon Bridge in Sudbury in the County of Suffolk, to the South Gate in Bury Saint Edmunds in the said County*: And whereas another Act was passed in the Eleventh Year of the Reign of His said late Majesty, intituled *An Act for enlarging the Term and Powers of an Act made in the Second Year of the Reign of His present Majesty, intituled 'An Act for repairing and widening the High Road leading from the North End of Ballingdon Bridge in Sudbury in the County of Suffolk, to the South Gate in Bury Saint Edmunds in the said County'*: And whereas another Act was passed in the Forty-first Year of the Reign of His said late Majesty, intituled *An Act for continuing the Term and rendering more effectual Two Acts made in the Second and Eleventh Years of the Reign of His present Majesty, for repairing and widening the High Road leading from the North End of Ballingdon Bridge in Sudbury in the County of Suffolk, to the South Gate in Bury Saint Edmunds in the said County; and also for repairing and widening the High Road leading from the Place where the said South Gate formerly stood, to the Place where the North Gate in Bury Saint Edmunds formerly stood*: And whereas several considerable Sums of Money have been borrowed on the Credit of the Tolls granted by the said Acts, which still remain due, and which cannot be repaid, nor can the said Road be effectually maintained in repair and improved, unless the Term and Powers of the said Acts are enlarged: And whereas an Act was passed in the Third Year of the Reign of His present Majesty,

2 G. 3. c. 75.

11 G. 3. c. 58.

41 G. 3. c. 6.

[Local.]

43 Z

intituled

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 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 said 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 it would be more convenient to the Trustees, and beneficial to the Road in the said Three first Acts mentioned, and to the Public, if the said Three first-recited Acts were repealed, and further and other Provisions 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 *Tuesday* next after the Sixth Day of *June* next, the said recited Acts, passed in the Second, Eleventh, and Forty-first Years of the Reign of His late Majesty King *George* the Third, shall be and the same are hereby declared to be repealed, and this Act shall from thenceforth commence and take effect, and shall be put in execution for and during the Term herein-after mentioned, for the Purpose of amending, widening, diverting, altering, repairing, improving, and keeping in repair the High Road leading from the North End of *North Street* in the Parish of *Saint Gregory* in *Sudbury* in the County of *Suffolk*, where the Two Windmills stand, to the Boundary of the Town and Borough of *Bury Saint Edmunds* in the same County, through the several Parishes of *Melford, Alpheton, Shimpling, Lawshall, Stanningfield, Cockfield, Bradfield Combust, by a certain Public House called Bradfield Manger, Great Welnetham, Little Welnetham, and Nowton*: Provided always, that in case Houses shall at any Time hereafter be erected or built on both Sides of any Part of the said Turnpike Road lying within the Town and Borough of *Sudbury*, such Part thereof shall cease to be Part of the said Turnpike Road.

Recited Acts of 2, 11, and 41 G. 3. repealed, and this Act to take effect.

Tolls granted by this Act subject to Debts under former Acts.

II. And be it further enacted, That 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 upon the Credit or on account of the said first Three recited Acts, and of 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 on the Credit of this Act, or of the Tolls 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 first Three recited Acts, shall be liable to the Payment thereof to the Trustees herein-after appointed, or directed to be appointed, for executing this Act.

Securities, &c. under former Acts to continue in force.

III. And be it further enacted, That all Conveyances, Bonds, Covenants, Agreements, Contracts, 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 first Three recited Acts, 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

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 acting in execution of the said first Three recited Acts, or any of them, with or to any Person or Persons, for any Purpose relating to the said Road, or to the Execution of the said first Three recited Acts, shall remain in full Force and Effect, and be observed and kept by the Trustees under 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 Acts.

IV. And be it further enacted, That all Books kept 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 first Three recited Acts, 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 first Three recited Acts, shall be preserved and kept by the said Trustees, or as they shall direct, and shall at all seasonable 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 said Clerk or Clerks shall refuse to permit, or shall not permit the said Trustees, or such Creditors, or any of them, to inspect the said Book or Books, or to take such Copies or Extracts as aforesaid, such Clerk or Clerks shall forfeit and pay any Sum of Money not exceeding Five Pounds.

Books kept under former Acts to be Evidence.

V. 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 expressly varied, altered, or repealed by the said recited Act of the Fourth Year of the Reign of His present Majesty, and also save and except such Parts thereof as are expressly varied, altered, or otherwise provided for by this Act,) 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 expressly varied, altered, or otherwise provided for by this Act,) 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, shall be as good, valid, and effectual for carrying this Act and the several and respective Purposes thereof into Execution, as if the same had been respectively repeated and re-enacted in the Body of this Act.

Powers of recited Acts 3, 4, & 5 G. 4. extended to this Act.

VI. 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 *William Adams, Frederick John Benjafield, Nathaniel Barnardiston, Nathaniel Clarke*

Appointment of Trustees.

*Clarke Barnardiston, Henry Braddock, Charles Blomfield, John Boldero, John Burkitt, William Buck, Adam Chadwick, William Chaplin, William Coker, George Coe, James Cooke, Thomas Clay, Robert Daking, William Dalton, Thomas George Dickinson Clerk, Alexander Duff, John Fenn, Thomas Fiske Clerk, Christopher Finch, John Frost, Robert Frost, Thomas Goldsmith, Charles Harrison, George John Haggett Clerk, Joseph Humphrey, William Humphrey, William Hurrell, Timothy Holmes, Charles Jones Clerk, William Jones, Thomas Jones, William Jennings, John King, John Le Grice, Henry Le Grice, Frederick Le Grice Clerk, Hart Logan, Robert Emlyn Lofft, Robert Maulkin, Joseph Maulkin, Sir Lachlan Maclean Knight, George Moor, Thomas Norden, James Oakes, Orbell Ray Oakes, Henry James Oakes, Branwhite Oliver, William Hollingworth Quayle, Philip Ray, Thomas Robinson, William Russell, John Barwick Sams Clerk, Edmund Squire, John Symonds, Framlingham Thruston, Henry Watts Wilkinson Clerk, William Wright, Charles Westrup, 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 in execution.*

Power to  
appoint ad-  
ditional  
Trustees.

VII. 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 Provisions and 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.

First and  
other Meet-  
ings of  
Trustees.

VIII. 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 *Lion Inn* in *Alpheton* in the County of *Suffolk*, or some other convenient Place, on *Friday* the Sixteenth Day of *June* next, 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 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 *Tuesday* 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 *Tuesday*, or on the First *Tuesday* following when a sufficient Number of Trustees to act shall attend.

Leases to be  
vacated, but  
Satisfaction  
to be made  
to Lessees.

IX. 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 *Tuesday* 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

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 House, 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 *Tuesday* 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 Writing by such Lessees or Lessee to or at the Office of the Clerk of the said Trustees.

X. Provided always, and be it further enacted, That each and every Treasurer who shall have been appointed consistently with the Provisions of the said recited Acts passed in the Third and Fourth Years of the Reign of His present Majesty, and not contrary to the Provisions or Directions of this Act, and each and every Clerk, Receiver, Collector, Surveyor, and other Officer appointed under and by virtue of the said first Three recited Acts, or under either of them, 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

Old Officers  
to continue  
until re-  
moved by  
Trustees.

in all respects whatsoever, as if he had been appointed by virtue of this Act.

Clerk not to act as Treasurer, and vice versa.

XI. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees to continue or appoint the Person who hath been or who may be appointed to act as their Clerk in the Execution of this Act, or the Partner of any such Clerk, or the Clerk or any Person in the Service or Employ of any such Clerk, or the Clerk or any Person in the Service or Employ of the Partner of any such Clerk, to be the Treasurer for the Purposes of this Act, or to continue or appoint the Person who hath been or who may be appointed Treasurer, or the Partner of any such Treasurer, or the Clerk or any Person in the Service or Employ of any such Treasurer, or the Clerk or any Person in the Service or Employ of the Partner of any such Treasurer, to be the Clerk to the said Trustees; and if any Person shall act in both the Capacities of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of any such Clerk, or the Clerk or any Person in the Service or Employ of any such Clerk, or the Clerk or any Person in the Service or Employ of the Partner of any such Clerk, shall act as Treasurer, or being the Partner of any such Treasurer, or the Clerk or any Person in the Service or Employ of any such Treasurer, or the Clerk or any Person in the Service or Employ of the Partner of any such Treasurer, shall act as Clerk in the Execution of this Act, or if any such Treasurer shall hold any Place or Office of Profit or Trust under the said Trustees other than that of Treasurer, every such Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person or Persons who shall sue for the same, to be recovered with full Costs of Suit in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Plaint, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance, shall be allowed.

Power to erect or continue Turnpikes and Toll Houses.

XII. 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 Toll Gates or Turnpikes and Toll Houses now standing and being in, upon, or across the said Road, or on the Sides thereof or any Part thereof, 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 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 an 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.

XIII. 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, across, or on the Side or Sides of the said Road by this Act directed or authorized to be repaired and amended or made, or any of them, 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),

For every Horse, Mule, Ass, or other Beast drawing any Carriage, the Tolls.

Sum of Three-pence :

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

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

And for every Drove of Calves, Hogs, Sheep, or Lambs, the Sum of Five-pence per Score; and so in proportion for any greater or less Number :

Which said respective Sums of Money or Tolls shall be demanded and taken before any Horse, Beast, or other Cattle whatsoever shall be permitted to pass through any Toll Gate or Turnpike, or Side Gate or Side Bar or Chain, which shall be continued or erected or placed by virtue of this Act in, upon, or across the said Road, or on the Sides thereof, or upon any Part thereof; and which said respective Tolls shall be and they are hereby vested in the said Trustees, and shall be applied for the Purposes of this Act in manner herein-after directed.

XIV. Provided always, and be it further enacted, That all and every the Horses and other Beasts or Cattle not drawing, or drawing any Waggon, Wain, Cart, or other 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 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.

XV. Provided nevertheless, and be it further enacted, That if any Person or Persons shall have paid the Tolls or Duties granted by this Act, for or in respect of any Horse, Beast, or Cattle, at any Turnpike or Side Gate

Power to take Tolls.

Tolls.

Persons having paid the Toll to return Toll-free.

Tolls how to be levied.

Gate

Gate between the Place where the said Road commences in *Sudbury*, and the Place where the Eighth Mile Stone from *Bury Saint Edmunds* now stands, such Horses, Beasts, or Cattle, upon a Ticket being produced, denoting that such Toll had been paid on that Day, shall be permitted to pass Toll-free on the same Day, to be computed as aforesaid, through all or any Turnpike or Turnpikes erected or to be erected on such Part of the said Road, or on the Sides thereof, as lies between the Place where the said Road commences in *Bury Saint Edmunds* aforesaid, and the Place where the Eighth Mile Stone aforesaid now stands; and if any Person or Persons shall have paid the said Tolls or Duties for or in respect of any Horse, Beast, or Cattle, at any Turnpike or Side Gate between the Place where the said Eighth Mile Stone now stands, and the Boundary of the Town and Borough of *Bury Saint Edmunds*, such Horses, Beasts, or Cattle shall, upon a Ticket denoting that such Toll hath been paid on that Day being produced, be permitted to pass Toll-free on the same Day, to be computed as aforesaid, through all or any Turnpike or Turnpikes erected or to be erected on such Part of the said Road, or on the Sides thereof, as lies between the Place where the said Eighth Mile Stone now stands and the Boundary of the Town and Borough of *Bury Saint Edmunds* aforesaid.

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

XVI. 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, or Caravan, or other Stage Carriage conveying Passengers or Goods for Pay or Reward, shall be payable and paid every Time of passing or repassing along the said Road.

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

XVII. 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.

Application  
of Tolls and  
Money bor-  
rowed.

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 Monies which shall be raised or received by virtue of this Act, the said Trustees shall in the first Place pay and discharge all the Costs and Expences relating to the procuring and passing of this Act, and the Remainder of 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 repaying all Principal Monies by this Act charged upon the said Tolls, or to be borrowed thereon by virtue of this Act, and in repairing, improving, and rendering commodious the said Road, and in putting this Act in execution in all other respects.

Application  
of Compen-  
sation Money  
if amounting  
to 200<sup>l</sup>.

XIX. And be it further enacted, That if any Money shall be paid or agreed or awarded to be paid for the Purchase of any Lands, Tenements, or Hereditaments to be purchased, taken, or used for the Purposes of the said Road, which shall belong to any Body Politic, Corporate, or Collegiate, Ecclesiastical or Civil, Corporation Aggregate or Sole, Tenant for Life or in Tail, or to any Feoffee in Trust, Executor, Administrator, Husband, Guardian,



Guardian, Committee, or other Trustee for or on behalf of any Infant, Idiot, Lunatic, Feme Covert, or other Cestuique Trust, or to any Person or Persons whose Lands, Tenements, or Hereditaments are limited in strict or other Settlement, or to any Person under any other Disability or Incapacity whatsoever, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Exchequer, to be placed to his Account there *ex parte* the Trustees for executing this Act, pursuant to the Method prescribed by an Act passed in the First Year of the Reign of His present Majesty King *George* the Fourth, intituled *An Act for the better securing Monies and Effects paid into the Court of Exchequer at Westminster on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes*, and the General Orders of the said Court, and without Fee or Reward; and shall when so paid in there remain until the same shall, by Order of the said Court, made upon a Petition to be preferred to the said Court in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments, be applied either in the Purchase or Redemption of the Land Tax, or in or towards the Payment or Discharge of any Debt or Debts, or other Incumbrances, affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments standing settled therewith, or to the same or the like Uses, Trusts, Intents, or Purposes; as the said Court of Exchequer shall authorize to be purchased, redeemed, paid, or discharged, or such Part thereof as shall be necessary, or until the same shall upon the like Application be laid out in a summary Way, by Order of the said Court, in the Purchase of other Lands, Tenements, or Hereditaments, which shall be conveyed, limited, and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Lands, Tenements, or Hereditaments which shall be so purchased, taken, or used as aforesaid stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined or capable of taking effect; and in the meantime and until such Order can be made, the said Money may, by Order of the said Court upon Application thereto, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities, or in Government or Real Securities; and in the meantime and until the said Bank Annuities or Government or Real Securities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends or Interest and annual Produce of the said Consolidated or Reduced Bank Annuities, or Government or Real Securities, shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of such Lands, Tenements, or Hereditaments so to be purchased, conveyed, and settled.

XX. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands, Tenements, or Hereditaments to be purchased, taken, or used for the Purposes of the said Road, and belonging to any Corporation, or to any Person or Persons under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred

[Local.]

44 B

hundred

Where less than 200l. and exceeding 20l.

1 G. 4. c. 35.

hundred Pounds, and shall exceed or amount to the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy, Idiocy, Lunacy, or other Incapacity, with the Approbation of the said Trustees or any Three or more of them, to be signified in Writing under their respective Hands, be paid into the Bank of *England* in the Name and with the Privity of the said Accountant General of the Court of Exchequer, and be placed to his Account as aforesaid, in order to be applied in manner herein-before directed; or otherwise the same may be paid, at the like Option and with the like Approbation, to Two Trustees, to be nominated by the Person or Persons who for the Time being would be entitled to the Rents and Profits of the Lands, Tenements, and Hereditaments so to be purchased and settled, such Nomination to be approved of by Three or more of the Trustees for executing this Act, and such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties; and the Money so paid to such Trustees, and the Dividends and Produce arising thereon and therefrom, shall be by them applied in like Manner as is herein-before directed with respect to the Money so to be paid into the Bank in the Name of the Accountant General of the Court of Exchequer, but without obtaining or being required to obtain any Order of the said Court touching the Application thereof.

Where under  
20l.

XXI. Provided also, and be it further enacted, That where such Money so agreed or awarded to be paid as next herein-before mentioned shall be less than Twenty Pounds, then and in all such Cases the same shall be paid to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken, or used for the Purposes of this Act; for his, her, or their own Use and Benefit; or in case of Infancy, Idiocy, Lunacy, or other Incapacity, then such Money shall be paid to his, her, or their Guardian or Guardians, Committee or Committees, Trustee or Trustees, to and for the Use and Benefit of such Person or Persons respectively entitled thereto.

In case of  
not making  
out a good  
Title, or if  
Person en-  
titled cannot  
be found,  
Money to be  
paid into the  
Bank.

XXII. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be awarded for the Purchase of any Lands, Tenements, or Hereditaments to be purchased, taken, or used under or by virtue of the Powers of this Act, shall refuse to accept the same, or shall not be able to make a good Title to the Premises to the Satisfaction of the said Trustees, or in case the Person or Persons to whom such Sum or Sums of Money shall be so awarded as aforesaid cannot be found, or if the Person or Persons entitled to such Lands, Tenements, or Hereditaments be not known or discovered, then and in every such Case it shall be lawful for the said Trustees to order the said Sum or Sums of Money so awarded as aforesaid to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the said Court of Exchequer, to be placed to his Account there to the Credit of the Parties interested in the said Lands, Tenements, or Hereditaments, (describing them), subject to the Order, Controul, and Disposition of the said Court; which said Court, on the Application of any Person or Persons making claim to such Sum or Sums of Money,

or any Part thereof, by Motion or Petition, shall be and is hereby empowered, in a summary Way of Proceeding or otherwise, as to the said Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest of the Person or Persons making claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England* who shall receive such Sum or Sums of Money is and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying therein for what and for whose Use the same is or are received, to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank of *England* as aforesaid.

XXIII. Provided always, and be it further enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the said Court of Exchequer, in pursuance of this Act, for the Purchase of any Lands, Tenements, or Hereditaments, or of any Estate, Right, Title, or Interest in any Lands, Tenements, or Hereditaments to be purchased in pursuance of this Act, for the Purposes aforesaid, or to any Bank Annuities or Government or Real Securities to be purchased with any such Money, or the Dividends or Interest of any such Bank Annuities or Government or Real Securities, the Person or Persons who shall have been in Possession of such Lands, Tenements, or Hereditaments at the Time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, or Hereditaments, according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court; and the Dividends or Interest of the Bank Annuities or Government or Real Securities to be purchased with such Money, and also the Capital of such Bank Annuities or Government or Real Securities, shall be paid, applied, and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

In case of  
disputed  
Titles.

XXIV. Provided also, and be it further enacted, That where by reason of any Disability or Incapacity of the Person or Persons, or Corporation, entitled to any Lands, Tenements, or Hereditaments to be purchased, taken, or used under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the said Court of Exchequer, or to be applied in the Purchase of other Lands, Tenements, or Hereditaments, to be settled to the like Uses in pursuance of this Act, it shall be lawful for the said Court to order the Expences of all Purchases from Time to Time to be made in pursuance of this Act, or so much of such Expences as to the said Court shall seem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Trustees out of the Monies to be received by virtue of this Act, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

The Court  
may order  
reasonable  
Expences of  
Purchases to  
be paid by  
the Trustees.

XXV. And

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

XXV. 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 such Ditches, Drains, or Watercourses of a sufficient Depth and Breadth for keeping the said Road dry, and conveying the Water from the same, 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 also such sufficient Bridges, Arches, Culverts, Trunks, Tunnels, or Plats as shall be necessary, 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 so made and completed, 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.

Notice to be  
given of any  
intended  
Diversion or  
Alteration.

XXVI. And be it further enacted, That no Diversions or Alterations to be made in the said Road, or any Part thereof, shall be commenced or begun, unless Notice of the Intention of proposing such Diversion or Alteration, specifying the particular Alteration intended to be proposed, shall be given and entered in the Books of Proceedings of the Trustees at some Meeting of the Trustees to be held under this Act previous to the Meeting at which such Diversion or Alteration is intended to be proposed; nor unless a like Notice, signed by Two or more Trustees, shall be affixed on all the Turnpike Gates then erected upon the said Road, and inserted in some Newspaper of the County of *Suffolk*, Twenty-one Days at least before the Meeting at which any such Diversion or Alteration shall be ordered or directed to be made.

Public Act.

XXVII. 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.

Commence-  
ment and  
Continuance  
of this Act.

XXVIII. And be it further enacted, That this Act shall commence upon the *Tuesday* next after the Sixth 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.

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LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN,  
Printers to the King's most Excellent Majesty. 1826.