ANNO PRIMO

GULIELMI IV. REGIS.

****

Cap. lxiii.

An Act for repairing the Turnpike Road from the *Salutation* Inn to *Christian Malford Bridge* in the County of *Wilts*, called The *Draycot* or Upper District, and for disuniting the said Road from a certain other Road called The *Pucklechurch* Lower District, in the County of *Gloucester*.

[22d *April* 1831.]

WHEREAS an Act was passed in the Twenty-ninth Year of the Reign of His late Majesty King *George* the Second, intituled *An Act for amending and keeping in repair the* 29 G. 2. c.56.
Roads leading from Mead Brook, *which divides the Parishes of* Pucklechurch *and* Mangotsfield *in the County of* Gloucester, *to* Christian Malford Bridge *in the County of* Wilts, *and also from* Pucklechurch *aforesaid to certain Coal Mines in the said Parish:* And whereas another Act was passed in the Second Year of the Reign of His late Majesty King *George* the Third, intituled *An Act to amend and render* 2 G. 3. c. 74.
more effectual an Act made in the Twenty-ninth Year of the Reign of His late Majesty, intituled 'An Act for amending and keeping in re-' pair the Roads leading from Mead Brook, *which divides the Parishes' of* Pucklechurch *and* Mangotsfield *in the County of* Gloucester, *to' * Christian Malford Bridge *in the County of* Wilts, *and also from*

Pucklechurch *aforesaid to certain Coal Mines in the said Parish:*' And whereas another Act was passed in the Twenty-seventh Year of the
27 G. 3. c. 68. Reign of His said late Majesty King *George* the Third, intituled *An Act for more effectually repairing the Roads leading from* Mead Brook, *which divides the Parishes of* Pucklechurch *and* Mangotsfield *in the County of* Gloucester, *to* Christian Malford Bridge *in the County of* Wilts, *and from* Pucklechurch *aforesaid to certain Coal Mines in the said Parish:* And whereas another Act was passed in the Forty-ninth Year of the Reign of His said late Majesty King *George* the Third,
49 G. 3. c. 161. intituled *An Act for enlarging the Term and Powers of several Acts of His late and present Majesty, for repairing the Roads from* Mead Brook *in the County of* Gloucester *to* Christian Malford Bridge *in the County of* Wilts, *and other Places therein named, and for extending the said Road to the Centre of* Christian Malford Bridge: And whereas it was by the said last-recited Act enacted, that the said several Roads should be divided into Two Districts, and that the Road leading from *Mead Brook*, which divides the Parishes of *Pucklechurch* and *Mangotsfield* in the County of *Gloucester*, to the *Salutation* Inn in the Parish of *Castle Coombe* in the County of *Wilts*, and from *Pucklechurch* aforesaid to certain Coal Mines in the said Parish, mentioned in the said recited Acts, should be the First District, and be called or known by the Name and Distinction of "The *Pucklechurch* or Lower District," and that the Road from the *Salutation* Inn to the Centre of *Christian Malford Bridge* should be called the Second District, by the Name and Distinction of "The *Draycot* or Upper District;" and it was thereby further enacted, that all Money arising from the Tolls granted by the said Act for and in respect of the *Pucklechurch* or Lower District of Road should be considered a separate and distinct Fund, and distinctly applied in repairing the said Lower District of Road, and in Payment of the Sum of Three thousand and eighty Pounds, and the Interest thereof, thereby declared to be due and owing on the Tolls charged and payable on such District of Road; and also that the said Trustees should raise on the Credit of the Tolls arising from the other Part of the said Road, called the *Draycot* or Upper District, a sufficient Sum of Money to pay off the Principal Sum of Four hundred Pounds, and the Interest due thereon, thereby declared to be due and owing on the Tolls charged and payable on such District of Road; and that all Monies to arise and be produced from the Tolls granted by the said several Acts for or in respect of the *Draycot* or Upper District of Road should be considered a separate and distinct Fund, and should be separately and distinctly applied in repairing the said Road, and in paying and keeping down the Interest, and in Liquidation only of the said Principal Sum directed to be borrowed in manner aforesaid: And whereas the Trustees appointed by and in pursuance of the said recited Acts, so far as the same relate to the *Draycot* or Upper District of Road, have proceeded to put the same in execution; and the said Principal Sum of Four hundred Pounds so as aforesaid distinctly charged on the said *Draycot* or Upper District of Road, with an Arrear of Interest thereon, still remains due and owing on the Credit of the Tolls of such District of Road, and the same cannot be paid off, nor can the said Roads comprised in the said Acts be properly amended, widened, improved, and kept in repair, unless the

Terms and Powers of the said Acts, so far as the same relate to the *Draycot* or Upper District of Road, are enlarged, and the Tolls arising therefrom increased: And whereas it is expedient that the Roads comprised in the said *Draycot* or Upper District should be converted into a distinct Trust, separate from the said Roads comprised in the said *Pucklechurch* or Lower District: And whereas it would be more convenient to the said Trustees and beneficial to the said Roads if the said several recited Acts, so far as the same relate to the *Draycot* or Upper District, were repealed, and further, better, and more effectual Powers made for amending, widening, maintaining, and otherwise improving and keeping in repair the said Road comprised in such District; but the 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 Parliament assembled, and by the Authority of the same, That from and after the passing of this Act the said several recited Acts of the Twenty-ninth Year of the Reign of *George* the Second, and of the Second, Twenty-seventh, and Forty-ninth Years of the Reign of His late Majesty King *George* the Third, so far as the same relate to the said *Draycot* or Upper District of Road, shall be and the same are hereby declared to be repealed.

Recited Acts repealed.

II. And be it further enacted, That this Act shall from thenceforth commence and be put into execution, for and during the Term herein-after mentioned, for the Purpose of amending, widening, improving, maintaining, and keeping in repair the said Road leading from the *Salutation* Inn in the Parish of *Castle Coombe* in the County of *Wilts*, through and into the several Parishes of *Littleton*, *Drew*, *Grittleton*, *Hullavington*, *Stanton*, *Saint Quinton*, *Draycot Cerne*, and *Sutton-Benger*, to the Centre of *Christian Malford Bridge* in the said County.

This Act to take place for the Purposes herein mentioned.

III. And be it further enacted, That all His Majesty's Justices of the Peace for the Time being acting for the said County of *Wilts*, together with *Robert Ashe* Clerk, *Anthony Austen* Clerk, *William Henry Awdry*, *John Watson Beaden* Clerk, *Henry Barry* Clerk, *George Bowness*, *William Way Burne* Clerk, *Charles Grey Cotes* Clerk, *Walter Coleman*, *Abraham Lloyd Edridge*, *Frederick James Kelsey*, *Joseph Neeld*, *John Neeld*, *Henry Hall Joy*, *Edward Chaloner Ogle* Clerk, *Richard Pollen*, *Edward Ravenshaw* Clerk, *John Russ*, *George Poulett Scrope*, the Honourable *William Pole Tylney Long Wellesley*, *William Richard Arthur Pole Tylney Long Wellesley*, and their Successors, being duly qualified to act as Trustees for Turnpike Roads in *England*, shall be and are hereby appointed the Trustees for the Purpose of putting this Act into execution.

Trustees.

IV. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered, at any Meeting to be held for that Purpose, to elect, nominate, and appoint any additional Number of Trustees, not exceeding Five in the whole, duly qualified as aforesaid, in addition to the Number of Trustees herein named and appointed, to be Trustees for the Purposes aforesaid;

Power to appoint additional Trustees.

said; and such Persons when so elected and appointed shall be and are hereby invested with the same Powers and Authorities as if they had been named and appointed Trustees in or by this Act.

Meeting of Trustees.

V. And be it further enacted, That the said Trustees shall hold their First Meeting for putting this Act in execution at the *Tylney Arms* Inn, in the Village and Parish of *Sutton-Benger*, or some other convenient Place on or near to the Line of the said Road, on the Second *Monday* next after the passing of this Act, between the Hours of Ten of the Clock in the Forenoon and Two of the Clock in the Afternoon, or as soon as conveniently may be, and shall and may then and from Time to Time afterwards adjourn to and meet at such Time or Times, and at such Place or Places on or near the Line of the said Road, as they shall think proper and appoint.

Power to take Tolls.

VI. And be it further enacted, That it shall be lawful for the said Trustees, or for the Collectors or Lessees of Tolls, to demand and take at each Toll Gate, Turnpike, Side Bar, and Chain which now is or hereafter shall be standing across or at the Side of the said Roads, on 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), the Tolls following; (that is to say,)

Tolls.

For every Horse or other Beast drawing any Waggon, Wain, Cart, Sledge, Dray, Van, Caravan, or other such Carriage, having the Fellies of the Wheels thereof of less Breadth than Four Inches and a Half at the Bottom thereof, any Sum not exceeding Sixpence Halfpenny:

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

For every Horse or other Beast drawing any Waggon, Wain, Cart, Sledge, Dray, or other such Carriage, having the Fellies of the Wheels thereof of the Breadth of Six Inches and upwards, any Sum not exceeding Four-pence Halfpenny:

For every Horse or other Beast drawing any Coach, Chaise, Chariot, Landau, Berlin, Hearse, Curricle, Chair, Gig, Taxed Cart, or other Carriage of whatever Description, any Sum not exceeding Six-pence:

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

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

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

And for every Carriage propelled by Steam or Gas, for each Wheel of such Carriage the Sum of One Shilling:

Which said respective Tolls or Sums of Money shall be demanded and taken before any Horse, Mule, Ass, or any Cattle or Carriage whatsoever shall be permitted to pass through any such Toll Gate

or

or Turnpike or Side Bar or Chain; and such several and 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.

Fractional Part of a Halfpenny in Tolls.

VII. And be it further enacted, That in all Cases where there shall be a fractional Part of a Halfpenny in the Amount of any of the Tolls hereby granted, the Sum of One Halfpenny shall be demanded and taken in lieu of such fractional Part.

Tolls to be paid but once a Day.

VIII. And be it further enacted, That in case the full Toll hereby authorized to be taken shall have been paid for the passing of any Horse, Mule, Ass, Beast, or other Cattle through any One or more of such Toll Gates, Turnpikes, or Side Gates or Chains, such Horse, Mule, Ass, Beast, or other Cattle shall, upon a Ticket denoting the Payment thereof on that Day being produced, be permitted to pass Toll-free during the same Day (to be computed from Twelve of the Clock in one Night to Twelve of the Clock in the next succeeding Night) through the same Toll Gate, Turnpike, or Side Gate or Chain, and also through such other Toll Gate, Turnpike, or Side Gate or Chain, if any, as the Ticket for such Payment shall denote to be free; any thing in this Act contained to the contrary thereof in anywise notwithstanding.

Not more than Two Tolls to be taken in One Day an the whole Line.

IX. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees, or any Person authorized by them to be Collector of the said Tolls, to demand or take more than Two full Tolls in any One Day (such Day to be computed as aforesaid) for or in respect of the same Horses, Beasts, Cattle, Carriage, or other Thing passing or repassing along the whole Line of the said Road.

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

X. Provided always, and be it further enacted, That the Tolls hereby made payable for and in respect of all Horses or other Beasts drawing any Stage Coach, Diligence, Van, Caravan, Stage Waggon, Cart, or other Stage Carriage conveying any Passengers or Goods for Pay, Hire, or Reward, shall be payable and paid every Time of passing along the said Roads or any of them: Provided always, that no further or additional Toll shall be payable in respect of the Horses drawing any Stage Coach, Diligence, Van, Caravan, or Stage Waggon, or other Stage Carriage, on account only of the Horses drawing the same having been changed.

Post Chaises on every new Hiring.

XI. 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, or drawing any Post Chaise or other Carriage, shall be payable and paid every Time of passing along the said Roads or any of them, whenever any new Hiring thereof shall take place.

One-horse Carts may be weighed.

XII. And whereas it frequently happens that Carts drawn by One Horse passing along the said Roads carry a greater Weight than is by Law allowed for Carts drawn by Two or more Horses; be it therefore further enacted, That all Carts passing along the said Roads drawn by One Horse only shall and may be weighed at any Weighing

Machine now erected or to be erected on the said Roads, and the like additional Tolls received and recovered for the Overweight thereof as are by Law payable in respect of the Overweight of Carts drawn by Two or more Horses or other Beasts; and all the Powers, Regulations, and Penalties now in force relating to the weighing of Carts drawn by more than One Horse or other Beast shall be applicable to Carts passing on the said Roads drawn by One Horse or other Beast only, and to the Drivers, Masters, and Owners thereof

Application of the Tolls and other Monies.

XIII. And be it further enacted, That all the Tolls and other Monies which before the Commencement of this Act shall have been raised and produced by virtue of the said Acts hereby repealed, so far as the same relate to the *Draycot* or Upper District of Road, and which shall be remaining undisposed of on the Day of the Commencement of this Act, and also all the Monies which shall arise and be produced by and from the Tolls by this Act granted and made payable, together with all Monies which have been or shall be borrowed upon the Credit thereof, and all other Monies which shall arise and be produced by virtue thereof, not otherwise appropriated or directed to be applied, shall be applied in the first place in paying and defraying all the Costs, Charges, and Expences incident to or which shall have been incurred in applying for, preparing, obtaining, and passing this Act, or otherwise relative thereto respectively, with Interest for the same; secondly, in Payment of the Expences of erecting and providing, altering and repairing, Turnpikes, Toll Houses, Side Gates, Side Bars, Chains, and Weighing Machines, with suitable Outbuildings upon, across, and by the Sides of the said Roads, and of Books, Advertisements, Salaries of Officers, and other such Expences incidental to the Execution of this Act; thirdly, in paying and keeping down the Interest of all Principal Monies which at the Commencement of this Act shall have been borrowed or which shall hereafter be borrowed on Security of the said Tolls; fourthly, in amending, altering, widening, improving, and keeping in repair the said Roads, and in otherwise putting this Act into execution; and lastly, in reducing, paying off, and discharging the Principal Sums for the Time being due or to become due on Security of the Tolls and Duties by this Act granted.

Public Act.

XIV. 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.

XV. And be it further enacted, That this Act shall commence and take effect from and after the passing thereof, and shall from thenceforth continue and be in full Force and Effect, 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.

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