ANNO SECUNDO

GULIELMI IV. REGIS.

****

Cap. v.

An Act for more effectually repairing and otherwise improving the Road from *Ipswich* to *Stratford Saint Mary* in the County of *Suffolk*.

[20th *February* 1832.]

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 Road from* Ipswich *to* Stratford 52 G. 3. c. 24.
Saint Mary *in the County of* Suffolk: And whereas the Trustees for executing the said recited Act have proceeded to put the same into execution, and have for that Purpose borrowed several considerable Sums of Money on the Credit of the Tolls thereby granted, which Money still remains due and owing, and cannot be repaid, or the Interest thereof discharged, nor can the said Road be sufficiently and effectually amended or kept in repair, unless the Term granted by the said recited Act be continued; and it would be more convenient to the said Trustees, and the said Road might be better and more effectually repaired, improved, and maintained, if the said recited Act was repealed, and if further, better, and more effectual Powers were granted instead thereof; but the same cannot be effected without the Aid and Authority of Parliament: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

Recited Act repealed.

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 Third *Wednesday* next after the passing of this Act the said recited Act shall be and the same is hereby declared to be repealed and null and void to all Intents and Purposes whatsoever.

Commencement of Act.

II. And be it further enacted, That this Act shall from thenceforth commence and take effect and be put into execution, for and during the Term herein-after mentioned, for the Purpose of more effectually repairing, amending, widening, raising, altering, and from Time to Time improving and keeping in repair the Road leading from the End of *Saint Matthew's Street* in the Town of *Ipswich* to the End of the Bounds of *Stratford Saint Mary* in the County of *Suffolk*.

Streets, &c. in Towns not to be repaired.

III. And be it further enacted, That no Part of the Money to be received by virtue of this Act shall be laid out in paving, cleansing, or repairing any Street within any Town through which the said Road may pass, any thing herein contained to the contrary notwithstanding.

Names of Trustees.

IV. 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 *George Anthony Alderton*, *Dykes Alexander*, *Samuel Alexander*, *Richard Dykes Alexander*, *Joseph Ansell*, *John Ashley* Clerk, *William Back*, *Edward Bacon*, *John Berners*, *Robert Bradstreet*, *Cooper William Brooke*, *John Brooke*, *Edward Busk*, *Walter Clerk*, *John Cobbold*, *John Cobbold* the younger, *Charles Streynsham Collinson*, *Abraham Constable*, *John Cook* of *Holton*, *John Cook* of *Copdock*, *Henry Cook*, *Herbert Cotton*, *William Deane*, *William Deane* Clerk, *George Henry Deane* Clerk, *John Trevor Dickens*, *Isaac Everett*, *William Folkard*, *Edward Godfrey*, *John Gosnall*, *Henry Hicks*, *Robert Hoy*, *John Josselyn*, *John Josselyn* the younger, *Firman Josselyn*, *James Josselyn*, *Benjamin Keene*, *Charles Edmund Keene* Clerk, *Patrick Power Mannock*, *James Martin*, *Robert Partridge*, *John Ranson* the younger, *John Page Read*, *Abraham Charles Reeve*, *Thomas Reeve* Clerk, *Robert Rist*, *William Rodwell*, *Joshua Rowley*, *Joseph Burch Smyth*, *Thomas Spooner*, *Ambrose Steward* Clerk, *Newman John Stubbin* Clerk, *James Stutter*, *Joseph Tweed* Clerk, *James Turner*, *John Waller*, *William Waspe*, *Nathaniel Whimper*, *Nathaniel Henry Whimper*, *John Brewster Wilkinson* Clerk, *Thomas Woodgate*, *Thomas Woodward*, *Matthew Wyse*, and their Successors, being duly qualified to act as Trustees of Turnpike Roads in *England*, shall be and they are hereby appointed Trustees for putting this Act into execution.

Power to appoint additional Trustees.

V. And be it further enacted, That it shall be lawful for the said Trustees from Time to Time, at any Meeting to be held for that Purpose, to elect, nominate, and appoint any Number of Persons duly qualified to act as Trustees of Turnpike Roads in *England* (not exceeding Three in the whole) to be Trustees for the Purposes of this Act in addition to the Trustees hereby nominated and appointed; and such Trustees, to be from Time to Time so elected, nominated, and appointed, shall be and they are hereby invested with the same

Powers and Authorities for executing this Act as if they had been herein named and appointed.

Meeting of Trustees.

VI. And be it further enacted, That the said Trustees shall meet at the House known by the Sign of the *White Elm*, in *Copdock* in the said County of *Suffolk*, or at some other convenient Place or Places on or near the said Road, on the said Third *Wednesday* next after the passing of this Act, or as soon after as conveniently may be, and shall and may then and there proceed to put this Act into execution, and shall and may then, and at all subsequent Meetings to be held for the Purposes of this Act, from Time to Time adjourn to and meet at such Times respectively, and at such Places respectively immediately adjacent or adjoining to the said Road, as they 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 immediately adjacent or adjoining to the said Road, 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 held not sooner than Ten nor exceeding Twenty-one Days from the Time of such Notice being first inserted.

Power to take Tolls.

VII. And be 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 are or shall be standing and being or continued or erected in, upon, or across or on the Side or Sides of the said Road, or any Part or Parts thereof, the several and respective Tolls or Sums of Money herein-after mentioned; (that is to say,)

Tolls.

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

For a Horse or other Beast, where there is only One, drawing any Coach, Diligence, Berlin, Landau, Chariot, Caravan, Hearse, Litter, Calash, Chaise Marine, Chaise, Sociable, Curricle, Chair, Car, Taxed Cart, *Essex* Cart, Pleasure Cart, or other such like Carriage, the Sum of Sixpence; and where there are Two and no more such Horses or other Beasts, the Sum of Four-pence Halfpenny each; and where there are Three and no more such Horses or other Beasts, the Sum of Four-pence each; and where there are Four or more such Horses or other Beasts, the Sum of Three-pence each:

For a Horse or other Beast, where there is only One, drawing any Waggon, Wain, Cart, Dray, or other such like Carriage, having the Fellies of the Wheels of less Breadth or Gauge than Six Inches from

from Side to Side, the Sum of Three-pence; and where there are Two and no more such Horses or other Beasts, the Sum of Four-pence Halfpenny each; and where there are Three and no more such Horses or other Beasts, the Sum of Four-pence each; and where there are Four and no more such Horses or other Beasts, the Sum of Four-pence Halfpenny each; and where there are Five and no more such Horses or other Beasts, the Sum of Five-pence each; and where there are Six or more such Horses or other Beasts, the Sum of One Shilling each:

For a Horse or other Beast, 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, the Sum of Four-pence Halfpenny each; and where there are Three and no more such Horses or other Beasts, the Sum of Four-pence each; and where there are Four and no more such Horses or other Beasts, the Sum of Four-pence Halfpenny each; and where there are Five and no more such Horses or other Beasts, the Sum of Five-pence each; and where there are Six and no more such Horses or other Beasts, the Sum of Four-pence each; and where there are Seven or more such Horses or other Beasts, the Sum of One Shilling each:

For every Horse or other Beast, 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, the Sum of Sixpence each; and where there are Four or Five and no more such Horses or other Beasts, the Sum of Four-pence Halfpenny each; and where there are Six and no more such Horses or other Beasts, the Sum of Four-pence each; and where there are Seven and no more such Horses or other Beasts, the Sum of Five-pence each; and where there are Eight and no more such Horses or other Beasts, the Sum of Four-pence Halfpenny each; and where there are Nine or more such Horses or other Beasts, the Sum of One Shilling each:

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

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

And for every Carriage not drawn by any Horse or other Beast, but attached to any other Carriage, or propelled or moved by Machinery, the Sum of One Shilling.

Tolls to be paid but once a Day.

VIII. 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 the passing of any Horse or Horses, Cattle, Beast or Beasts, or Carriage or Carriages, through any of the said Toll Gates, Turnpikes, Side Gates, Side Bars or Chains, such Horse or Horses, Cattle, Beast or Beasts, or Carriage

or

or Carriages, shall, on a Note or Ticket denoting such Payment on that Day being produced, be permitted to pass and repass through the same Toll Gate, Turnpike, Side Gate, Side Bar or Chain, and also through all other the Toll Gates, Turnpikes, Side Gates, Side Bars, and Chains to be continued or erected by virtue of this Act, Toll-free on the same Day (except as herein-after mentioned).

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

IX. Provided always, and be it further enacted, That the Tolls hereby made payable for or in respect of any Horse or Horses, Beast or Beasts, drawing any Stage Coach, Diligence, Van, Caravan, or other Carriage carrying Passengers or Goods for Pay, Hire, or Reward, or any Stage Coach, Diligence, Van, Caravan, or other Carriage propelled or moved by Machinery, conveying 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 any Stage Coach, Diligence, Van, or Caravan on account only of the Horses drawing the same having been changed.

Post Chaises, &c. on every new Hiring.

X. Provided also, and be it further enacted, That the Tolls hereby made payable for or in respect of any Horse or Horses, or Beast or Beasts, which shall be let out to Hire, or any Horse or Horses, or Beast or Beasts, drawing any Post Chaise or other Carriage, which shall be let out to Hire, or any Carriage propelled or moved by Machinery which shall be let out to Hire, shall be payable and paid every Time of passing or repassing 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.

Exemptions from Toll, &c.

XI. Provided always, and be it further enacted, That no Horse or Horses, or other Beast or Beasts, drawing any Waggon, Wain, 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, or other Beast or Beasts, shall, at the Time of such previous Payment of Toll, have been drawing the same Waggon, Wain, Dray, Cart, Caravan, or other Carriage as that which such Horse or Horses or other Beast or Beasts shall be drawing at the Time when such Exemption shall be claimed.

Application of Money received under the Act.

XII. 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 thereof, 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, with lawful Interest for the same from the Time of advancing or disbursing the same; secondly, in paying the necessary Expences of maintaining and keeping in repair the said Road, and in paying and keeping down the Interest of all such Sums of Money as are or shall be borrowed and taken up at Interest upon the Credit of the Tolls of the said Road; thirdly, in defraying the Expences of diverting, altering, widening, improving, repairing, and keeping in repair the said Road, and of erecting and providing, altering and repairing Turnpikes, Toll Gates, Toll Bars, and Toll Houses, with suitable Outbuildings, upon, across, and by the Sides of the said Road, and otherwise in executing the Powers of this Act; and, lastly, in reducing, paying off, and discharging the several Principal Sums of Money already borrowed or raised under and 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 owing, and which may hereafter become due and owing, by or on account of the said Road.

Public Act.

XIII. 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 this Act.

XIV. And be it further enacted, That this Act shall commence and take effect from and after the Third *Wednesday* next after the passing thereof, and shall thenceforth 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.

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