ANNO UNDECIMO

Georgii III. Regis.

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 Edmund's, *in the said County.*



WHEREAS by an Act of Parliament, made and passed 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 Edmund's*, in the said County, several Tolls or Duties were granted, and Powers given for repairing the said Road, which were to take Place and have Continuance from and after the passing of the said Act for and during the Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament: And whereas a considerable Sum of Money hath been borrowed for the Purpose of repairing the said Road, and now remains due on the Credit of the said Act; which, together with the said Tolls or Duties, has been duly applied; but the said Road cannot be effectually amended and kept in good Repair, and the present Debt discharged, unless

Preamble. Act 2. *Geo.* III.

unleſs the ſaid Tolls or Duties are increaſed, and the Term and Powers of the Act enlarged, and the Act made more effectual: 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,

further continued for 21 Years;

That the ſaid Act, and all the Authorities, Powers, Privileges, Proviſions, Penalties, Forfeitures, Clauſes, Matters, and Things therein contained (except ſuch Parts thereof as are hereby varied, altered, or repealed) together with all and every the Authorities, Powers, Privileges, Proviſions, Penalties, Forfeitures, Clauſes, Matters, and Things herein contained, ſhall be in full Force, and ſhall continue for and during the Reſidue and Remainder of the Term now to come and unexpired of the ſaid Act, and from and after the Expiration of the ſaid Term, then for and during the further Term of Twenty-one Years, and from thence to the End of the then next Seſſion of Parliament, as well for the Purpoſe of amending and keeping in Repair the ſaid Road, as for all other the Purpoſes of the ſaid Act, and of this Act, in as full and ample Manner, to all Intents and Purpoſes whatſoever, as if the ſame were repeated and re-enacted in the Body of this preſent Act; which ſaid reſpective Terms, in and by the ſaid Act and this Act granted, are hereby declared and enacted to be ſubject and liable, as well to the Payment of all Sums of Money now due and owing upon the Credit of the ſaid Act as to the Payment of all Sums of Money which ſhall hereafter be borrowed for the Purpoſes of the ſaid Act, and of this Act, together with all Intereſt for the ſame reſpectively.

and made ſubject to the Debt now due, and to the Payment of Sums hereafter to be borrowed.

Clauſe in 2 *Geo.* III. repealed.

And whereas by the ſaid Act it is enacted, That if there ſhould be Two or more Turnpikes or Toll-gates erected in, croſs, or on the Side of the ſaid Road, then and in ſuch Caſe the Tolls or Duties thereby granted and made payable, ſhould be divided and allotted into ſo many Shares and Proportions as the ſaid Truſtees, or any Seven or more of them, ſhould direct or appoint; and that ſuch Parts thereof ſhould be taken and received at ſuch and ſo many of the ſaid Turnpikes or Toll-gates as by the ſaid Truſtees, or any Seven or more of them, ſhould be ordered and appointed for that Purpoſe, and not otherwiſe: And whereas it is reaſonable that Cattle and Carriages uſing the ſaid Road ſhould pay more than One Toll on the ſame Day, which by the ſaid Act the Truſtees are not impowered to receive; be it therefore enacted by the Authority aforeſaid, That from and after the paſſing of this Act, ſo much of the ſaid Act as reſtrains

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the Trustees from taking more than One Toll on the same Day for or in respect of Horses, Cattle, or Carriages making Use of the said Road, shall be and the same is hereby repealed; and that it shall and may be lawful for the said Trustees, or any Five or more of them, or such Person or Persons as they, or any Five or more of them, at any Meeting of the said Trustees to be had after the passing of this Act, shall authorise and appoint for that Purpose, from Time to Time, to demand and take, or cause to be demanded and taken, at each and every Turnpike now erected, or which may hereafter be erected in, across, or on the Sides of the said Road, or any Part thereof, the Tolls or Duties which are granted by the said Act, before any Horse, Cattle, or Carriage whatsoever chargeable therewith shall be permitted to pass through any such Turnpike or Turnpikes; any Thing in the said recited Act to the Contrary notwithstanding.

Tolls how to be levied.

Provided nevertheless, and it is hereby declared, That if any Person or Persons shall have paid the Tolls or Duties granted and continued by the said Act, and this Act, at any Turnpike or Side-gate between the North End of Ballingdon Bridge in Sudbury and the Place where the Eighth Mile Stone from Bury Saint Edmund's now stands, such Person or Persons, upon producing a Ticket denoting that such Toll hath been paid on that Day, shall be permitted to pass Toll-free on the same Day; to be computed from Twelve of the Clock at Night to Twelve of the Clock in the succeeding Night, 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 North End of Ballingdon Bridge aforesaid and the Place where the Eighth Mile Stone aforesaid now stands; and so in like Manner, if any Person or Persons shall have paid the said Tolls or Duties at any Turnpike or Side-gate between the Place where the said Eighth Mile Stone now stands and the Place where the South Gate in Bury Saint Edmund's lately stood, such Person or Persons, upon producing a Ticket denoting that such Toll hath been paid on that Day, shall be permitted to pass Toll-free on the same Day, to be computed from Twelve of the Clock at Night to Twelve of the Clock in the succeeding Night, 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 Place where the South Gate in Bury Saint Edmund's lately stood; all which Tickets the Collectors of the Tolls

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or Duties are hereby required to give gratis on Receipt of such Toll.

Trustees may reduce and vary the Tolls;

And whereas by the said Act it is enacted and declared, That when all the Money which shall be borrowed on the Credit of the said Act, with the Interest thereof, shall have been fully paid and satisfied, then the Trustees, or any Seven or more of them, may lessen the several Tolls and Duties thereby granted and made payable: And whereas in some Cases it may be expedient for the Trustees to lessen the said Tolls or Duties, or some Part thereof, before all the Money which shall have been so borrowed shall be discharged; be it therefore enacted by the Authority aforesaid, That it shall and may be lawful for the said Trustees, or any Seven or more of them, from Time to Time, at any Meeting or Meetings, to vary, lessen, or reduce all or any of the said Tolls or Duties, and for such Time and Times as they shall think proper; and afterwards, from Time to Time, to raise and advance all or any of the Tolls or Duties so lessened or reduced, to any Sum or Sums of Money not exceeding the respective Rates granted by the said Act; and to order and direct such Tolls, so lessened or reduced, or advanced, to be collected, received, taken, laid out, and applied for the Purposes of the said Act, and of this Act, in such Manner as they shall think fit; any Thing contained in the said Act to the Contrary hereof in any wise notwithstanding.

Twenty-one Days Notice thereof being given.

Provided always, That no such Reduction shall at any Time be made, unless Twenty-one Days Notice thereof at the least shall be given in Writing, to be affixed upon all the Turnpikes or Toll-gates which shall be then erected upon the said Road.

Charges to be defrayed out of Money arising by the Act.

And be it further enacted, That all the Charges and Expences of procuring and passing this Act shall be paid out of any Monies arisen or to arise by virtue of the said Act, or of this Act.

Limitation of Actions.

And be it further enacted by the Authority aforesaid, That if any Action or Suit shall be commenced against any Person or Persons for any Thing done in pursuance of this Act, in every such Case the Action or Suit shall be brought within Six Calendar Months next after the Fact committed, and not afterwards; and shall be laid or brought in the County of Suffolk, and not elsewhere; and the Defendant or Defendants in such Action or Suit

General Issue.

shall and may plead the General Issue, Not guilty; and give this Act, and the Special Matter in Evidence, at any

any Trial to be had thereupon; and that the same was done in Pursuance and by Authority of this Act: And if the same shall appear to be so done, or such Action or Suit shall be brought after the Time before limited for bringing the same, or shall be brought in any other County or Place than as aforesaid, that then the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall become nonsuited, or discontinue his, her, or their Action after the Defendant or Defendants shall have appeared; or if upon Demurrer Judgement shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall and may recover Treble Costs, and have such Remedy for the same, as any as any Defendant or Defendants hath or have in any Case by Law. Treble Costs.

And be it further enacted by the Authority aforesaid, That this Act shall be deemed, adjudged, and taken to be a Publick Act, and shall be judicially taken Notice of as such by all Judges, Justices, and other Persons whomsoever, without specially pleading the same. Publick Act.

FINIS.