



38 G. 3.  
c. 38.58 G. 3.  
c. 31.Recited  
Acts re-  
pealed.

*Road, near the House of Francis Fry, to Lyndhurst, and from a Place called Hampton Ford to Lamb's Corner in the said County of Southampton; and for repairing the Footways within the said City: And whereas another Act was passed in the Thirty-eighth Year of the Reign of His said Majesty King George the Third, intituled An Act for continuing for Twenty-one Years, and from thence to the End of the then next Session of Parliament, Two Acts, the one passed in the Twenty-sixth Year of the Reign of His late Majesty King George the Second, intituled 'An Act for repairing and widening the Roads leading from Lobcombe Corner in the Parish of Winterslow to Harnham Bridge in the County of Wilts, and from the West Corner of Saint Anne's Street in the City of New Sarum to the Parishes of Landford and Brook, and from thence to Ealing, and from Landford aforesaid, through Ower and Testwood, to Ealing aforesaid in the County of Southampton;'* and the other passed in the Twelfth Year of the Reign of His present Majesty, to continue and enlarge the Term and Powers of the said Act; and for repairing and widening the Road from the Romsey and Ringwood Turnpike Road, near the House of Francis Fry, to Lyndhurst, and from a Place called Hampton Ford to Lamb's Corner in the said County of Southampton; and for repairing the Footways within the said City: And whereas another Act was passed in the Fifty-eighth Year of the Reign of His said Majesty King George the Third, intituled *An Act for enlarging the Term and Powers of Three Acts, for repairing the Roads from Lobcombe Corner in the Parish of Winterslow to Harnham Bridge in the County of Wilts, and from the West Corner of Saint Anne's Street in the City of New Sarum to Landford and other Roads in the County of Southampton: And whereas the Trustees acting under or by virtue of the said several recited Acts have proceeded to put the same into execution, and have now in their Hands, or in the Hands of their Treasurer, a surplus Sum of Money to the Credit of the Trust by the said Acts created: And whereas it is expedient that the said Roads should be divided into separate Districts in manner herein-after mentioned, and that the said surplus Money should be divided in the Proportions herein-after set forth: And whereas it is also expedient that Powers should be granted for making and maintaining the new Line of Road herein-after mentioned, (that is to say,) a new Line or Deviation from and out of the Turnpike Road leading from Salisbury to Whaddon in the County of Wilts, such new Line or Deviation to commence near the Second Mile Stone on the said Road, and to terminate a short Distance beyond the Green Dragon Public House in the Parish of Alderbury in the said County: And whereas it would be more convenient if the several herein-before recited Acts were repealed, and further, better, and more effectual Powers granted, as well for repairing, amending, and improving the said present Roads, as also for making and maintaining the new Road or Deviation herein-before mentioned: But the beneficial Purposes aforesaid cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen'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 Day of the Commencement of this Act the said recited Acts, passed in the Twenty-sixth Year of the Reign of King George*  
the

the Second, and the Twelfth, Thirty-eighth, and Fifty-eighth Years of the Reign of King *George* the Third, shall be and the same are hereby declared to be severally repealed.

II. And be it further enacted, That this Act shall thereafter be put in execution for and during the Term herein-after mentioned, for the Purpose of making, amending, widening, repairing, improving, and maintaining the several Roads herein-after mentioned; (that is to say,) the present Turnpike Road leading from *Lobcombe Corner* in the Parish of *Winterslow* to the City of *New Sarum* in the County of *Wilts*, which from and after the Commencement of this Act shall form one District of the said Roads, and shall be called "The *Lobcombe* District;" and also the present Turnpike Road from the said City of *New Sarum* to the Parishes of *Landford* and *Brook*, and from thence to *Ealing*, and from *Landford* aforesaid, through *Ower* and *Testwood*, to *Ealing* aforesaid in the County of *Southampton*; and the Road leading from the *Romsey* and *Ringwood* Turnpike Road, near the House formerly of *Francis Fry*, to *Lyndhurst*, and from a Place called *Hampton Ford* to *Lamb's Corner* in the said County of *Southampton* (save and except such Part of the said Road as shall be abandoned in pursuance of the Power herein-after contained, as and when such Abandonment shall take place); and also for making and maintaining a new Line of Road, to commence near the Second Mile Stone on the Road leading from *Salisbury* to *Whaddon* in the County of *Wilts*, and to terminate a short Distance beyond the *Green Dragon* Public House in the Parish of *Alderbury* in the said County, which shall form one other District of the said Roads, and shall be called "The *Ealing* District."

This Act to be put in execution, for making and repairing the Roads herein described;

and a new Line of Road.

III. And whereas a Map or Plan and Section, describing the said new Line of Road herein-before mentioned, and the Lands, Tenements, and Hereditaments through or over which the same is intended to be made or carried, together with a Book of Reference thereto, containing the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers, of such Lands, Tenements, and Hereditaments, hath been deposited with the Clerk of the Peace for the County of *Wilts*; be it therefore enacted, That the said Map or Plan, Section, and Book of Reference shall remain in the Custody of the said Clerk of the Peace, to the end that all Persons may at all seasonable Times have Liberty to inspect and peruse the same, and take Copies thereof or Extracts therefrom, at their Will and Pleasure, paying such Clerk of the Peace the Sum of One Shilling for every such Inspection, and at the Rate of Sixpence for every One hundred Words of such Copies or Extracts; and the said Map or Plan, Section, and Book of Reference, or any Copy thereof or of any Part thereof, certified by the Clerk of the Peace for the Time being to be a true Copy, shall be good Evidence in all Courts of Law and elsewhere: Provided always, that the Trustees acting in pursuance of this Act, in making the said new Line of Road or any Part thereof, shall not deviate more than One hundred Yards on either Side of the Line described in the said Map or Plan, without the Consent in Writing of the Person, or Body Politic, Corporate, or Collegiate, through whose Lands or Grounds such Deviation shall be made.

Plan of new Road to remain with Clerk of the Peace.

IV. Pro-

Errors in Plan and Book of Reference not to prevent Execution of the Act.

IV. Provided always, and be it further enacted, That it shall be lawful for the Trustees herein-after appointed for the said *Ealing* District to make the said new Line of Road through, across, or over the Lands of any Person or Persons who is or are or may be Owner or Owners of the Lands, Tenements, and Hereditaments through or over which the same are respectively set out in the said Map or Plan and described in the said Book of Reference, although such Lands, Tenements, or Hereditaments, or the Name or Names of such Person or Persons, may be erroneously described or mis-stated in the said Map or Plan and Book of Reference, or partly omitted therefrom, in case it shall appear to any Two or more Justices of the Peace for the County of *Wilts*, and be certified in Writing under their Hands, that such erroneous Description, Mis-statement, or Omission happened by Mistake.

Power to take Property mentioned in the Schedule and Book of Reference.

V. And be it further enacted, That it shall be lawful for the said last-mentioned Trustees and they are hereby authorized and empowered to set out, make, erect, and complete the new Line of Road herein-before mentioned and described of such Width as they may think proper, not exceeding Thirty Feet nor less than Twenty Feet, together with such Arches, Bridges, Ditches, Drains, Fences, and other Works as they shall think requisite, and for the Purposes aforesaid to take, pull down, or remove all or any of the Dwelling Houses, Edifices, and Buildings, and to use and appropriate the Yards, Gardens, Orchards, and other Tenements, Hereditaments, and Premises which are mentioned and set forth in the Schedule to this Act annexed, and also to take and use the several Lands and Hereditaments referred to or specified in the said Book of Reference, tendering or making Satisfaction for the same to the Owners of the said Hereditaments and Premises, and other Persons interested therein, and for the Damage which such Owners or other Persons may respectively sustain thereby.

When the new Road is completed, Part of the old Road to be abandoned.

VI. And be it further enacted, That from and after the making and completing the said new Road the said last-mentioned Trustees shall from thenceforth be discharged from the future Repair of so much and such Part of the said present Road leading from *Salisbury* to *Whaddon* aforesaid as lies or is situated between the Commencement and Termination of the said new Road: Provided always, that such Part of the Road so to be discontinued as Turnpike as aforesaid which may be required to be kept up and continued as Highway shall, before the same is so discontinued as Turnpike, be put into such good and sufficient Repair as shall be adjudged and determined by the Certificate in Writing of Two Justices of the County of *Wilts*, and transmitted to the Clerk of the said Trust, and their Adjudication thereon shall be final and conclusive.

The Freehold and Inheritance of Lands to remain vested in the Persons of whom they are purchased.

VII. And be it further enacted, That in case any Lands or Hereditaments shall be purchased by the said last-mentioned Trustees for the Purposes of this Act, the Freehold and Inheritance of and in the same, in case the same shall be of Freehold Tenure, or in case the same shall be of any other Tenure the Estate and Interest in the same, shall not (notwithstanding any Provisions in this Act or any of the Acts now in force for regulating Turnpike Roads in *England*) by means of any such Purchases, or any Conveyance to be made in pursuance thereof,

thereof, be vested in the said Trustees, but the Freehold and Inheritance of and in the said Lands and Hereditaments so purchased, in case the same shall be of Freehold Tenure, and in case such Lands or Hereditaments shall be of any other Tenure the Estate and Interest in the same, shall, notwithstanding such Purchase and Conveyance, remain and be vested in the Person or Persons in whom the same were vested immediately prior to such Purchase by the said Trustees, and the said Trustees shall by means of such Purchase and Conveyance be entitled only to a perpetual Right of Way in, over, or upon the Lands so to be purchased by them as aforesaid.

VIII. Provided always, and be it further enacted, That the said last-mentioned Trustees shall have such and the same Powers and Authorities of cutting and digging, and otherwise using the Lands and Hereditaments to be taken or purchased by them for the Purposes of this Act, in all respects as they would have had in case they had purchased the Fee Simple thereof or other Estate and Interest therein.

Trustees to have the same Power of using the Lands as if they had purchased the Fee Simple.

IX. Provided also, and be it further enacted, That if at any Time the Road for which any of the Lands or Hereditaments shall have been purchased by the said last-mentioned Trustees shall cease to be an Highway, then and in such Case the Right of Way, and all other Rights in, over, or upon such Lands or Hereditaments, vested in the said Trustees under this Act, shall cease, determine, and be extinguished, and the Freehold and Inheritance of the said Lands, in case the same shall be of Freehold Tenure, and the Estate and Interest in such Lands, in case the same shall be of any other Tenure, shall be and remain in the Person or Persons entitled to the same, freed and discharged of and from such Right of Way.

Right of Way to cease if Lands are not wanted.

X. And be it further enacted, That all Her Majesty's Justices of the Peace for the Time being acting for the County of *Wilts*, together with *Robert Aitchison, William Andrews, William Benett Blackmore, Jacob Pleydell Bouverie*, commonly called Viscount *Folkestone*, the Honourable *Edward Pleydell Bouverie, William Lisle Bowles* Clerk, *Benjamin Budd, Liscombe Clarke* Clerk, *John Cooe, Richard Cooe, Henry Cooper, John Cother, George Dyer, Charles William Everett, Edward Everett, George Edward Eyre, William Finch* Doctor of Medicine, *Charles Finch, John Finch, William Fisher* Clerk, *Samuel Foot, Richard Fowler, Edward Gilbert, Henry Girdlestone* Clerk, *Walter Goddard, John Parish Hammond, Samuel Heathcote* Clerk, *Richard Hetley, Robert Hughes, Thomas Lawrence, John Day Pinckney Loder, William Macdonald* Clerk, *George Pain, Sir Henry Charles Paulet* Baronet, *Hugh Nicolas Pearson* Clerk, *William Joseph George Phillips* Clerk, *George Radcliffe* Clerk, *Andrew Saunders, Charles Verney Shuckburgh* Clerk, *William Smith, Robert Squarey, John Staples, Thomas Ogden Stevens, James Sutton, George Sutton, Henry Thomas Timson, Edward Timson* Clerk, *Robert Waters, John Cottom Wheeler, William Wheeler*, and *Thomas White*, and their Successors, being duly qualified to act as Trustees of Turnpike Roads in *England*, shall be and they are hereby appointed

Trustees for Lobcombe District.

[Local.]

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Trustees

Trustees for repairing, amending, widening, improving, and maintaining the said Road leading from *Lobcombe Corner* in the Parish of *Winterslow* to the City of *New Sarum* in the County of *Wilts*, to be called "The *Lobcombe District*," and for otherwise carrying this Act into execution with respect to the said *Lobcombe District* of Road.

Trustees for  
Ealing Dis-  
trict.

XI. And be it further enacted, That all Her Majesty's Justices of the Peace for the Time being acting for the said Counties of *Wilts* and *Southampton* respectively, together with the said *Robert Aitchison*, *William Andrews*, *William Benett Blackmore*, *William Lisle Bowles* Clerk, *Benjamin Budd*, *Liscombe Clarke* Clerk, *John Cooe*, *Richard Cooe*, *Henry Cooper*, *John Cother*, *George Dyer*, *Charles William Everett*, *Edward Everett*, *George Edward Eyre*, *William Finch* Doctor of Medicine, *Charles Finch*, *John Finch*, *William Fisher* Clerk, *Samuel Foot*, *Richard Fowler*, *Edward Gilbert*, *Henry Girdlestone* Clerk, *Walter Goddard*, *John Parish Hammond*, *Samuel Heathcote* Clerk, *Richard Hetly*, *Robert Hughes*, *Thomas Lawrence*, *John Day Pinckney Loder*, *William Macdonald* Clerk, *George Pain*, *Sir Henry Charles Paulet* Baronet, *Jacob Pleydell Bouverie* commonly called *Viscount Folkestone*, the Honourable *Edward Pleydell Bouverie*, *Hugh Nicolas Pearson* Clerk, *William Joseph George Phillips* Clerk, *George Radcliffe* Clerk, *Andrew Saunders*, *Charles Verney Shuckburgh* Clerk, *William Smith*, *Robert Squarey*, *John Staples*, *Thomas Ogden Stevens*, *James Sutton*, *George Sutton*, *Henry Thomas Timson*, *Edward Timson* Clerk, *Robert Waters*, *John Cottom Wheeler*, *William Wheeler*, and *Thomas White*, and their Successors, being duly qualified to act as Trustees of Turnpike Roads in *England*, shall be and they are hereby appointed Trustees for repairing, amending, widening, improving, and maintaining all the other Roads herein-before mentioned, to be called "The *Ealing District*," and for otherwise carrying this Act into execution with respect to the said *Ealing District* of Roads.

For appoint-  
ing Three  
additional  
Trustees.

XII. And be it further enacted, That it shall be lawful for the Trustees of the said Districts respectively, and they are hereby authorized and empowered, at their First or any subsequent Meeting to be holden in pursuance of this Act, to elect and appoint any Number of Persons, not exceeding Three for each District, to be Trustees for the Purposes of this Act, in addition to the Trustees by this Act appointed; and such Trustees so elected and appointed, being duly qualified, shall be and they are hereby invested with the same Powers and Authorities as if they had been named and appointed in and by this Act.

First Meet-  
ing of Trus-  
tees.

XIII. And be it further enacted, That the said Trustees of each District shall hold their First Meeting at the House known by the Name or Sign of the "*White Hart Inn*" in the City of *New Sarum* aforesaid, or at some other convenient Place in or near to the said Roads, within Twenty-one Days next after the passing of this Act, or as soon after as conveniently may be, and shall then and there proceed to put this Act into execution; and the said respective Trustees shall and may adjourn such First Meeting and every subse-

quent Meeting to such Places on or near to the said Roads as they shall from Time to Time think proper.

XIV. And be it further enacted, That it shall be lawful for the said respective Trustees, or their Lessee or Lessees, or any Person or Persons respectively appointed by them Collector or Collectors of Tolls, or otherwise authorized by them for that Purpose (subject to the Provisions and Exemptions contained in the general Acts now in force respecting Turnpike Roads in *England*), to demand and take, at each Toll Gate or Turnpike, Toll Bar, Toll House, Side Bar or Chain, within their respective Districts, which now is or hereafter shall be erected on or standing across or at the Sides of the said present Roads, or the said new Road by this Act authorized to be made Turnpike, on each and every Day (such Day to be computed from Twelve of the Clock in the one Night to Twelve of the Clock in the next succeeding Night), before any Horse or other Beast or Cattle, or Carriage, shall be permitted to pass through any such Toll Gate or Turnpike, Toll Bar, Side Bar or Chain, any Sum not exceeding the respective Tolls following; (that is to say,)

For every Horse, Mule, or Ass, drawing any Coach, Chariot, Landau, Landalet, Phaeton, Marine, Berlin, Barouche, Chaise, Calash, Curricle, Hearse, Gig, Chair, Taxed Cart, or other such like Carriage for the Conveyance of Passengers or light Goods, the Sum of Four-pence Halfpenny: Tolls.

For every Horse or Beast of Draught drawing any Caravan, Waggon, Wain, Drug, Cart, or other such like Carriage, having the Fellies of the Wheels of the Breadth of Six Inches or upwards, exceeding the Number of Three, the Sum of Four-pence Halfpenny; and for Three Horses or a less Number, the Sum of Three-pence for each Horse or Beast of Draught:

For every Horse or Beast of Draught drawing any Caravan, Waggon, Wain, Drug, Cart, or other such like Carriage, the Fellies of the Wheels whereof shall be of the Breadth of Four and a Half Inches and less than Six Inches, exceeding the Number of Three, the Sum of Five-pence; and for Three Horses or a less Number the Sum of Three-pence Halfpenny for each Horse or Beast of Draught:

For every Horse or Beast of Draught drawing any Caravan, Waggon, Wain, Dung Cart, or other such like Carriage, having the Fellies of the Wheels of less Breadth than Four and a Half Inches, the Sum of Four-pence Halfpenny:

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

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

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

For every empty Carriage with Four Wheels, secured or fastened behind any other Carriage, the Sum of Four-pence Halfpenny:

For every empty Carriage with Two Wheels, secured or fastened behind any other Carriage, the Sum of Two-pence Halfpenny:

For

For every Coach, Vehicle, or other Carriage, of whatever Description, propelled or drawn wholly or in part by Steam, Gas, or Machinery, or otherwise than by Animal Power, the Sum of One Shilling and Sixpence :

Which said respective Sums of Money shall be demanded and taken in the Name of or as Tolls, and shall be and are hereby vested in the said respective Trustees, and shall be applied in the Manner herein-after directed.

Fractional Part of a Halfpenny in Toll.

XV. And be it further enacted, That in every Case where there shall be a fractional Part of a Halfpenny in the Calculation or Amount of the Tolls hereby granted or authorized to be collected, or any of them, the Sum of One Halfpenny shall be demanded and taken in lieu of such fractional Part.

Tolls to be paid once each Day.

XVI. Provided always, and be it further enacted, That after the respective Tolls hereby authorized to be taken shall have been paid for the passing of any Horse, Cattle, Beast, or Carriage whatsoever through any Toll Gate, Turnpike, Toll Bar, Side Bar, or Chain, to be continued or erected by virtue of this Act on either of the said respective Districts, such Horse, Cattle, Beast, or Carriage shall, upon a Ticket being produced denoting such Payment on that Day, be permitted to pass Toll free through the same, and also through any other Toll Gate, Turnpike, Toll Bar, Side Bar, or Chain situate in the same District as the Toll Gate, Turnpike, Toll Bar, Side Bar, or Chain at which such previous Payment shall have been made, as shall be expressed to be freed by the Ticket for such Payment, at any Time or Times during the same Day (such Day to be computed from Twelve of the Clock in one Night to Twelve of the Clock in the next succeeding Night), except as herein-after mentioned.

No Exemption from Toll by reason of previous Payment, unless the Horse shall be drawing the same Waggon, &c.

XVII. Provided always, and be it further enacted, That no Horse or other Beast drawing any Waggon, Wain, Cart, or other such Carriage shall be exempt from the Tolls hereby granted or authorized to be collected by reason of any previous Payment of Toll at any Toll Gate, Turnpike, Toll Bar, Side Bar, or Chain to be continued or erected by virtue of this Act, during the same Day, unless such Horse or other Beast shall at the Time of such previous Payment of Toll have been drawing the same Waggon, Wain, Cart, or other Carriage as that which he shall be drawing at the Time when such Exemption shall be claimed.

Limiting the Number of Tolls.

XVIII. Provided also, and be it further enacted, That, subject to the Provisions herein contained, no more than One full Toll shall be demanded or taken of or from any Person or Persons, for or in respect of the same Horse or Horses, or other Beasts or Cattle, or Carriage or Carriages, in any One Day, to be computed from Twelve of the Clock at Night to Twelve of the Clock in the next succeeding Night, for passing and repassing, as often as he, she, or they shall have Occasion, through all or any of the Turnpikes or Gates erected or to be erected on the said *Lobcombe* District of Road; and no more than Two full Tolls in any One Day, to be computed as aforesaid, shall



shall be demanded or taken from any Person or Persons passing and repassing, as often as he, she, or they shall have Occasion, with the same Horses or other Beasts, Cattle, or Carriages, through all or any of the Turnpikes or Gates erected or to be erected on that Part of the said Road to be called the *Ealing* District, leading from the said City of *New Sarum* to *Ealing*; and no more than Two full Tolls in any One Day, to be computed as aforesaid, shall be demanded or taken from any Person or Persons passing and repassing, as often as he, she, or they shall have Occasion, with the same Horses or other Beasts, Cattle, or Carriages, through all or any of the Turnpikes or Gates erected or to be erected on that Part of the said Road to be called the *Ealing* District, leading from the said City of *New Sarum* to *Lyndhurst*.

XIX. And be it further enacted, That for and in respect of all Horses or other Beasts drawing any Stage Coach, Stage Waggon, Cart, Van, Caravan, or other Carriage, carrying Passengers or Goods for Payment, Hire, or Reward, for which Tolls shall have been paid at any such Toll Gate or Turnpike, Toll Bar, Toll House, Side Bar or Chain as aforesaid, and which shall return through the same on the same Day, the respective Tolls herein-before mentioned and made payable, shall be paid for every Time of passing and every Time of repassing on the same Day through every such Toll Gate or Turnpike, Toll Bar, Toll House, Side Bar or Chain, in like Manner as if no Toll had before been paid thereat.

Tolls to be paid in respect of Horses drawing Stage Coaches every Time of passing and re-passing.

XX. And be it further enacted, That the Tolls hereby made payable for every Horse or other Beast let out to Hire, and drawing any Post Chaise or other Carriage, shall be paid for each Time of passing and each Time of repassing through any Toll Gate, Turnpike, Toll Bar, Side Bar, or Chain erected or to be erected across or at the Sides of the said Roads, whenever any fresh Hiring thereof shall have taken place.

Horses let out to Hire to be paid for on each fresh Hiring;

XXI. And be it further enacted, That the Tolls hereby made payable for and in respect of any Carriage propelled or moved by Steam, Gas, or Machinery, or otherwise than by Animal Power, shall be paid every Time of the passing and repassing of such Carriage along the said Road.

Steam Carriages on each Time of passing;

XXII. And be it further enacted, That the Tolls hereby made payable for the Horses or other Beasts drawing Carriages laden with or going to fetch Timber shall be paid for and in respect of every Load of Timber passing along the said Roads; and that unconverted Planks, Beams, Joists, Rafters, and Spars shall be deemed and considered as Timber, and liable to the Tolls hereby made payable for or in respect of the Horses or other Beasts drawing the same.

Horses drawing Timber Carriages, for every Load of Timber.

XXIII. Provided always, and be it further enacted, That no Toll Gate shall be erected within the Town of *Sarum*, nor shall any of the Tolls authorized by the said Acts to be collected on the said Roads, nor any of the Monies arisen by virtue of the said Acts hereby repealed, or to be raised by virtue of this Act, be laid out or

Tolls not to be laid out in repairing Streets.

expended in the Repair, lighting, or Improvement of any Part of any Town the Streets whereof are repaired or lighted under the Authority of any Local Act of Parliament.

Separate Accounts to be kept, and no Money to be applied in Repair of any Road, unless Tolls collected thereon.

XXIV. Provided always, and be it further enacted, That the said Trustees shall and they are hereby required to keep separate Accounts of the Tolls and Monies to be henceforth collected or received upon or in respect of the said Districts of Road respectively; and that no Money arising from any of the Tolls mentioned in this Act shall be applied in or towards the Repair of any Road authorized to be repaired by this Act, unless some Toll Gate, Turnpike, or Toll Bar shall be erected or continued upon such 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 any such Road than shall be collected thereat or borrowed on the Credit of the Tolls collected thereon.

Application of Monies in Hands of Trustees acting under the Acts repealed.

XXV. And be it further enacted, That the surplus Monies which, at the Commencement of this Act, shall be in the Hands of the Trustees acting under and by virtue of the several herein-before recited Acts, or their Treasurer, shall be divided and apportioned in manner herein-after mentioned; (that is to say,) the Trustees for carrying the Powers of this Act into execution with respect to the said *Lobcombe* District of Road shall be entitled to have and receive for the Purposes of this Act One Third Part thereof, and the Trustees for carrying the Powers of this Act into execution with respect to the said *Ealing* District of Road shall be entitled to have and receive for the Purposes of this Act the remaining Two Third Parts thereof; and the Treasurer to the Trustees acting in the Execution of the said several herein-before recited Acts is hereby authorized and required to divide and apportion such surplus Monies, and to account for the same to the said Trustees respectively in the Proportions aforesaid.

Apportionment of Mortgage Debt to each District.

XXVI. Provided always, and be it further enacted, That the Principal Monies now due and owing on Mortgage of the Tolls granted by the said recited Acts hereby repealed, and all Interest now due and hereafter to become due thereon, shall be paid and discharged by the respective Trustees of the said Districts of Roads in the Proportions following; (that is to say,) One Third Part thereof by the Trustees acting in the Execution of this Act for the said *Lobcombe* District, and the remaining Two Third Parts thereof by the Trustees acting in the Execution of this Act for the said *Ealing* District.

Application of Tolls and other Monies received in respect of the *Lobcombe* District.

XXVII. And be it further enacted, That the Money to be had and received as aforesaid by the Trustees for executing this Act with respect to the said *Lobcombe* District of Road, and also all other Monies which shall be borrowed on the Credit of or shall arise or be produced from the Tolls to be taken upon the said District of Road under or by virtue of this Act, shall be vested in the Trustees for the Time being acting for the said District, and shall be applied

by them in the Order and Manner following ; (that is to say,) in the first place, in providing, erecting, and keeping in repair the Toll Gates, Turnpikes, Toll Bars, Toll Houses, Bridges, and other Buildings authorized by this Act to be continued, erected, and made upon, across, or by the Sides of the said District of Road ; in the second place, in paying and discharging the Interest of all Sums of Money which have been borrowed and are now due and owing under or by virtue of the Acts hereby repealed, in the Proportions herein-before set forth, and the Interest of all Sums of Money to be hereafter borrowed or raised on the Credit of the Tolls granted by this Act in respect of the said *Lobcombe* District ; in the third place, in maintaining, repairing, and keeping in repair, diverting, altering, widening, and improving, the Road within the said District, and in defraying the Salaries to Officers, and the other Expences incidental to the Execution of this Act with respect to the said *Lobcombe* District ; and lastly, to apply the Residue of the Money received or to be borrowed or raised as aforesaid, in paying off the Principal Monies now due and owing on the Credit of the Tolls granted by the said Acts hereby repealed, in the Proportions herein-before mentioned, and in paying off the Principal Monies which shall hereafter be borrowed on the Credit of the Tolls granted by this Act.

XXVIII. And be it further enacted, That the Money to be had and received as aforesaid by the Trustees for executing this Act with respect to the said *Ealing* District of Road, and also all other Monies which shall be borrowed on the Credit of or shall arise or be produced from the Tolls to be taken on the said last-named District under or by virtue of this Act, shall be vested in the Trustees for the Time being acting for the said District, and shall be applied in the Order and Manner following ; (that is to say,) first, in paying and discharging all the Costs, Charges, and Expences incident to or attending the applying for, preparing, obtaining, and passing of this Act ; secondly, in providing, erecting, and keeping in repair the Toll Gates, Turnpikes, Toll Bars, Toll Houses, Bridges, and other Buildings authorized by this Act to be continued, erected, and made in the said *Ealing* District ; in the third place, in paying and discharging the Interest of all Sums of Money which have been borrowed and are now due and owing under or by virtue of the Acts hereby repealed, in the Proportions herein-before set forth, and the Interest of all Sums of Money to be hereafter borrowed or raised on the Credit of the Tolls granted by this Act in respect to the said *Ealing* District ; fourthly, in making Turnpike, widening, diverting, altering, and improving the Road authorized by this Act to be made, and in keeping in repair the Roads authorized by this Act to be made, amended, widened, repaired, improved, and maintained within the said *Ealing* District, and in defraying the Salaries to Officers and the other Expences incidental to the Execution of this Act with respect to the said *Ealing* District ; and lastly, to apply the Residue of the Money so already received or to be borrowed or raised as aforesaid in paying off the Principal Monies now due and owing on the Credit of the Tolls granted by the said Acts hereby repealed, and which shall hereafter be borrowed on the Credit of the Tolls granted by this Act within the said *Ealing* District.

Application of Tolls and other Monies received in respect of the *Ealing* District.

XXIX. And

The Roads in this Act not to be exempt from any general Act.

XXIX. And be it further enacted, That nothing herein contained shall be deemed or construed to exempt the Roads comprised in this Act from the Provisions of any general Act relating to the Consolidation or other improved Arrangement of Turnpike Roads which may pass during the present or any future Session of Parliament.

Public Act.

XXX. 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.

Commencement and Continuance of this Act.

XXXI. And be it further enacted, That this Act shall commence on the Third *Monday* next after the passing thereof, and shall continue and be in force for the Term of Thirty-one Years, and from thence to the End of the then next Session of Parliament.

The SCHEDULE to which the foregoing Act refers.

No. on Plan.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
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*In the Extra-Parochial Place of Clarendon.*

7.	Chalk Pit and Garden	Sir F. H. H. Bathurst	- -	John Gartery.
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*In the Parish of Alderbury.*

22.	Part of Chalk Pit and Garden	The Earl of Radnor	- -	John Gartery.
52.	The Green Dragon Public House, Outbuildings, Yard, &c.	The Earl of Radnor	- -	John Hardiman.
53.	Garden	The Earl of Radnor	- -	John Hardiman.
55.	House, Garden, and Site of Granary	The Earl of Radnor	Letitia Bungey	Henry Bungey.
35.	Withy Bed, Plantation, Wood.	The Earl of Radnor	- -	Himself.
71.	The Gravel Pit	The Earl of Radnor	- -	Himself.
72.	Plantation	The Earl of Radnor	- -	Himself.