



ANNO DECIMO OCTAVO & DECIMO NONO

VICTORIÆ REGINÆ.

Cap. cxii.

An Act for continuing the Term and amending
and extending the Provisions of the Act relat-
ing to the *Bridport* and *Broadwinsor* Turnpike
Roads. [2d July 1855.]

WHEREAS an Act was passed in the Session of Parliament held in the Ninth Year of the Reign of King *George* the Fourth, intituled *An Act for making and maintaining* 9 & 10 G. 4. c. xix.
a Turnpike Road from the Bridport Turnpike Road at Allington, through Broadwinsor and Drimpton in the County of Dorset to the Crewkerne Turnpike Road at or near Clapton Bridge, and also from Hewish Toll Gate to the Crewkerne Turnpike Road at or near Roundham Corner in the Parish of Crewkerne in the County of Somerset: And whereas the Term granted by the said Act, and continued from Time to Time by virtue of divers Acts of Parliament for continuing certain Turnpike Acts for limited Periods, will expire on the First Day of *November* One thousand eight hundred and fifty-five: And whereas considerable Sums of Money have been advanced or are now due upon the Credit of the Tolls authorized to be taken by the said Act, as specified in the First and Second Parts of the Schedule hereunto annexed, and such Sums cannot be paid off or the Interest thereof

[*Local.*] 19 D discharged

The Bridport and Broadwinsor Roads Act, 1855.

discharged unless further Powers are granted and the Term of the said Act be further continued: And whereas it is expedient that the said recited Act should be repealed, and that further and more effectual Powers should be granted in lieu thereof; but the same cannot be done without the Authority of Parliament: May it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, as follows:

Interpreta-
tion of
Terms.

I. In this Act the following Words and Expressions shall have the several Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction; (that is to say,)

The Expression "the Trustees" shall mean the Trustees for the Time being acting in execution of this Act; and

The Word "Toll-gate" shall mean any Toll-gate, Turnpike, Bar, or Chain set up and erected, or to be set up or erected, upon or across or by the Side of the Roads, or across any Highway or Lane communicating therewith.

Recited Act
repealed.

II. Upon the Fourth *Friday* next after the passing of this Act the recited Act of the Ninth Year of the Reign of His Majesty King *George* the Fourth shall be repealed, and this Act shall thereafter be put into execution during the Term and for the Purposes hereinafter mentioned.

Monies and
Property to
vest in the
new Trustees.

III. All Money due to, and all Property, Books, Accounts, Papers, Writings, and other Things, and all Choses in Action, vested in or belonging to the Trustees under the recited Act, shall, immediately on the Commencement of this Act, be vested in and belong to the Trustees for executing this Act; and such last-mentioned Trustees may sue for and recover the same and act in respect thereof as effectually as if the same had been vested in and belonged to them under the recited Act; and they shall be liable to all the Debts and Engagements to which the Trustees under the recited Act were liable at the Repeal thereof, except such as may be hereby reduced, varied, or extinguished.

Appointment
of Trustees.

IV. All Her Majesty's Justices of the Peace for the Time being respectively acting for the Counties of *Dorset* and *Somerset*, together with *Benjamin Pearkes Gundry*, *George Tilly Gollop*, *Thomas Collins Hounsell*, *William Hounsell*, *John Symonds*, *John Perham*, *Baruch Fox*, *John Hodder Needell*, the Reverend *Henry Fox*, the Reverend *John Bragge*, *Richard Cornick*, *John Roper*, *Thomas Haydon*, *John Pope*,

The Bridport and Broadwinsor Roads Act, 1855.

For every Horse or Beast drawing any Waggon, Wain, Cart, or other such like Carriage, with Wheels of less Width than Six Inches, any Sum not exceeding One Shilling:

For every Horse or Beast drawing any Waggon, Wain, Cart, or other such like Carriage, with Wheels of the Breadth of Six Inches or upwards, any Sum not exceeding Ninepence:

For every Drove of Oxen or Neat Cattle, any Sum not exceeding Tenpence *per* Score, and so in proportion for any less Number than a Score:

For every Drove of Calves, Swine, Sheep, or Lambs, any Sum not exceeding Fivence *per* Score, and so in proportion for any less Number than a Score:

For every Coach, Chariot, Landau, Chaise, Cart, or other Carriage which shall be attached to or drawn behind or along with any other Carriage upon the said Roads, the Sum of One Shilling shall be demanded and taken for every such Carriage having Four Wheels, and the Sum of Sixpence for every such Carriage having Two Wheels, in addition to and over and above the Tolls payable for or in respect of the Horses or Beasts drawing the same:

For every Carriage moved or propelled by Steam or Machinery, or by any other Power than Animal Power, any Sum not exceeding One Shilling *per* Wheel:

Which said respective Sums of Money or Tolls shall be demanded and taken as aforesaid before any Horse, Mule, Ass, or other Beast or Cattle whatsoever shall be permitted to pass through any such Toll Gate or Turnpike, or Side Gate or Side Bar or Chain, which shall be erected or placed by virtue of this Act in, upon, or across the said Roads or any Part thereof, or on the Sides thereof, and which said 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.

As to the fractional Part of a Halfpenny in Tolls.

IX. In all Cases where there shall be a fractional Part of a Halfpenny in the Calculation or Amount of the Tolls hereby granted and authorized or any of them, the Sum of One Halfpenny shall be demanded and taken in lieu of such fractional Part.

Additional Toll on Carriages employed in carrying Timber.

X. Between the First Day of *November* in any One Year and the last Day of *February* in the next succeeding Year, it shall be lawful for the said Trustees to demand and take for each and every Horse or other Beast drawing any Timber Carriage employed in carrying or conveying any Timber, or any Tree or Trees, a Toll equal to One Half in addition to the Toll which otherwise might be demanded or taken for such Horse or other Beast: Provided always, that no such additional

The Bridport and Broadwinsor Roads Act, 1855.

Pope, Joseph Gundry, John Pike Stephens, Silvanus Stephens, William Swain the younger, Samuel Skinner Cory, Theophilus Miller Gunn, and their Successors, being duly qualified to act as Trustees of Turnpike Roads in England, shall be Trustees for putting this Act into execution.

V. It shall be lawful for the Trustees from Time to Time, at any Meeting under this Act, to elect any Number of Persons duly qualified to act as Trustees of Turnpike Roads in *England*, not exceeding Five in the whole, to be Trustees for the Purposes of this Act, in addition to the Trustees hereby nominated; and such Trustees so elected shall have the same Powers and Authorities for executing this Act as if they had been hereby appointed.

Power to appoint additional Trustees.

VI. The Trustees shall hold their First Meeting at the Town Hall in the Borough of *Bridport* in the County of *Dorset*, or at some other convenient Place in the Neighbourhood of the said Roads, on the Fourth *Saturday* next after the passing of this Act, and shall then and from Time to Time thereafter adjourn to and meet at such Places in the Neighbourhood of the said Roads and at such Times as they shall think proper.

First Meeting of Trustees.

VII. This Act shall be put into execution for the Purpose of discharging the Debts incurred in making the Roads herein-after mentioned, and the Expense of keeping the same in repair; (that is to say,)

Roads to which this Act is applicable.

The Turnpike Road from the *Bridport* Turnpike Road at *Allington* through *Broadwinsor* and *Drimpton* in the County of *Dorset* to the *Crewkerne* Turnpike Road at or near *Clapton Bridge*, and also from *Hewish* Toll Gate to the *Crewkerne* Turnpike Road at or near *Roundham Corner* in the Parish of *Crewkerne* in the County of *Somerset*.

VIII. Upon and after the First Day of *January* One thousand eight hundred and fifty-six, it shall be lawful for the Trustees to demand and take, at the several and respective Toll Gates which shall by virtue of this Act be upon or on the Sides of the said Roads or any Part thereof, such Tolls as the Trustees at any of their Meetings shall direct, not exceeding the Sums following; (that is to say,)

Power to take Tolls.

For every Horse or Beast drawing any Coach, Stage Coach, Chariot, Landau, Chaise, Curricule, Calash, Hearse, Phaeton, Chair, Caravan, Van, Tax Cart, or other such like Carriage, any Sum not exceeding Ninepence:

For every Horse, Mule, or Ass, laden or unladen, and not drawing, any Sum not exceeding Twopence:

For

The Bridport and Broadwinsor Roads Act, 1855.

additional Toll shall be demanded or taken save and except there shall be Three or more Horses or other Beasts in any such Carriage.

XI. In case the Toll hereby authorized to be taken shall have been paid for the passing of any Horse or Beast, drawing or not drawing, or of any Cattle, through any One such Toll Gate or Turnpike, or any Side Gate or Side Bar or Chain, upon or across the said Roads, such Horse or other Beast, drawing or not drawing, and such Cattle, shall, upon a Ticket denoting the Payment of such Toll on that Day being produced, be permitted to pass Toll-free through the same Toll Gate, Turnpike, Side Gate, Side Bar, or Chain, and also through such other Toll Gates, Turnpike, Side Gates, Side Bars, and Chains on the said Roads or on the Sides thereof as the Ticket for such Payment shall free, at any Time or Times during the same Day.

Tolls to be paid but once a Day.

XII. The Tolls by this Act made payable in respect of all Horses or other Beasts drawing any Waggon, Wain, Cart, Van, Caravan, or other such like Carriage shall be paid for every Time during the same Day that any such Horse or other Beast shall pass through any Toll Gate on the Roads drawing any Waggon, Wain, Cart, Van, Caravan, or such like Carriage other than that which such Horse or other Beast shall have been employed in drawing at any former Time during the same Day when Tolls shall have been paid in respect of such Horse or other Beast.

Tolls on Horses drawing Waggons, &c.

XIII. The Tolls by this Act made payable for or in respect of Horses or Beasts drawing any Stage Coach, Diligence, Van, Caravan, or Stage Waggon or other Stage Carriage, or any Cart conveying Passengers or Goods for Pay or Reward, shall be payable and paid every Time of passing or repassing along the said Roads.

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

XIV. The Tolls by this Act made payable for or in respect of Horses or Beasts let out to Hire, and drawing any Postchaise or other Post 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.

Postchaises on every new Hiring.

XV. Not more than Two full Tolls shall be demanded or taken of or from any Person for or in respect of the same Horse, Beast, Cattle, or Carriage, in any One Day, for passing and repassing once through all or any of the Toll Gates belonging to the Trustees.

Not more than Two full Tolls to be taken in One Day.

XVI. Notwithstanding the Repeal of the recited Act, the several Tolls thereby granted and made payable shall continue to be paid at the Toll Gates belonging to the Trustees until and inclusive of the Thirty-first Day of *December* One thousand eight hundred and fifty-five.

Present Tolls may be continued for a Term.

[*Local.*]19 *E*

XVII. The

The Bridport and Broadwinsor Roads Act, 1855.

Respecting
Toll Gates.

9 G. 4. c. 77.

XVII. The several Toll Gates and Toll Houses now standing or being upon the said Roads or on the Sides thereof shall be continued until removed by an Order of the Trustees ; and it shall be lawful for the Trustees, in the Manner prescribed in the Fifth Section of an Act passed in the Ninth Year of the Reign of King *George* the Fourth, intituled *An Act to amend the Acts for regulating Turnpike Roads*, to order and cause to be set up on or across the said Roads or on the Sides thereof any Toll Gates or Toll Houses, and to remove the present or any future Toll Gates or Toll Houses : Provided always, that no such Toll Gate or Toll House shall be so removed or set up except the same shall be ordered to be removed or set up at a Special Meeting of the Trustees holden for that Purpose, in conformity with and after such Notices as are required to be given by the Public General Act of the Ninth Year of the Reign of King *George* the Fourth, Chapter Seventy-seven.

Mortgagees
to take pos-
session for
Arrears of
Interest only.

XVIII. Whenever and so long as the Interest by this Act allowed upon the Mortgages made under the Powers of the recited Act, and specified in the Schedule to this Act, shall be duly paid within Three Calendar Months next after the same shall become due, no Holder of any such Mortgage of the Tolls collected upon the said Roads shall be entitled to enter into possession of the Toll Gates, Toll Houses, or Buildings upon the said Roads, or into the Receipt of the Tolls arising thereon, or of the Rent payable upon any letting of such Tolls ; and if any such Mortgagee shall enter into possession of such Toll Gates, Toll Houses, or Buildings, or into the Receipt of such Tolls or Rent, he shall pay the Interest from Time to Time due and becoming payable upon all such existing Mortgages without any Priority or Preference, and may reimburse himself any Costs to which he may be entitled ; and such Mortgagee so being in possession or receipt as aforesaid shall, within Twenty-one Days next after each of the yearly Days whereon the Interest on such Mortgage shall be payable, render to the Clerk to the Trustees for the Time being a full and true Account of his Receipts and Expenditure while so in possession or receipt as aforesaid, with proper Vouchers for the same ; and if it shall appear by any such Account that the Interest due on such Mortgage up to the last of such yearly Days, and all such Costs as aforesaid, have been fully paid and satisfied, then such Mortgagee shall, when thereunto required by the Trustees, pay over to their Treasurer the Balance (if any) remaining in his Hands, and deliver up Possession of the said Toll Gates, Toll Houses, and Buildings, and the Receipt of the said Tolls, and of any such Rent as aforesaid, to the Trustees or any Person appointed by them to receive the same, anything in this Act or in any Statute or Law in force relating to Turnpike Roads in *England* to the contrary notwithstanding.

XIX. All

The Bridport and Broadwinsor Roads Act, 1855.

XIX. All Monies which shall come to the Hands of the Trustees by virtue of this Act shall, from and after the First Day of *January* One thousand eight hundred and fifty-six, be applied as follows : Application of Monies.

First, in paying and discharging the Expenses of obtaining and passing this Act or incident thereto :

Secondly, in defraying the necessary Expenses of erecting, altering, repairing, and renting Toll Gates and Toll Houses, and of Management of the said Roads ; but such Expenses shall not exceed together the Sum of Fifty Pounds *per Annum*, exclusive of any Expenses to which the Trustees may be put with respect to any Actions at Law, Suits or Indictments, or Proceedings before Magistrates :

Thirdly, in paying off and discharging the Debt of the Trustees to the Income Tax Commissioners, amounting to the Sum of Seventy-nine Pounds Seventeen Shillings and Ninepence ; the Sum of Thirty-five Pounds for the Salaries of the Clerks and Surveyor ; and the Sum of Two hundred and fifty-one Pounds Twelve Shillings and Sixpence due or to accrue due for Arrears of Interest other than are hereby extinguished up to the Thirty-first Day of *December* next ensuing the passing hereof :

Fourthly, in paying Interest after the Rate of Four Pounds *per Centum per Annum* upon the Principal Sum of Two thousand Pounds specified in the First Part of the Schedule hereunto annexed, or upon such Part thereof as shall for the Time being remain due and owing, and in the Discharge of the said Principal Sum of Two thousand Pounds :

Fifthly, in paying Interest after the Rate of Three Pounds *per Centum per Annum* upon the Principal Sums specified in the Second Part of the Schedule hereunto annexed, or upon so much thereof as shall for the Time being be owing on the Credit of the Tolls authorized to be taken by this or the repealed Act, when and so soon as the said Principal Sum of Two thousand Pounds shall have been fully paid and satisfied :

Sixthly, in reducing, paying off, and discharging, in manner hereinafter mentioned, the Principal Sum specified in the Second Part of the Schedule hereunto annexed for the Time being owing on the Credit of the Tolls authorized to be taken by this and the repealed Act :

Seventhly, in maintaining, repairing, and improving the said Roads.

XX. All Arrears of Interest not paid, or by this Act provided to be paid, prior to the First Day of *January* One thousand eight hundred and fifty-six, shall be and hereby are extinguished. Extinguishing Arrears of Interest.

XXI. When

The Bridport and Broadwinsor Roads Act, 1855.

As to Mode
of discharg-
ing Debt.

XXI. When and so often as the Sum applicable to the Discharge of the Principal Monies for the Time being owing on Mortgage of the said Tolls, as specified in the Second Part of the Schedule hereunto annexed, shall amount to the Sum of Two hundred Pounds, the Trustees shall, at any General Annual or other Meeting, apply such Sum in Payment of a proportionate Part of the said Principal Monies to the Persons entitled thereto, and shall, Twenty eight Days at least before such General Annual or other Meeting, cause Notice to be given of such Meeting, and of the Purposes thereof, so far as the same relate to the Application of such Sum, by Letter sent by Post to each Creditor, directed to his usual or last known Place of Abode, or by Notice in some Newspaper published in the Counties of *Dorset* and *Somerset*; and at such Meeting the Trustees shall apply such Sum or a Portion thereof (as the Case may require) in or towards the Discharge of Principal Monies owing on Mortgage of the said Tolls to the Mortgagee who shall, by Proposal in Writing transmitted to the Clerk of the Trustees before such Meeting, have offered to accept the lowest Composition in respect of such Monies, and after Payment to such Mortgagee as aforesaid shall apply the Surplus (if any) of such Sum, or a Portion thereof, as the Case may require, in or towards the Discharge of other Principal Monies owing on Mortgage of the said Tolls to the Mortgagee who by Proposal as aforesaid shall have offered to accept the next lowest Composition in respect of the Principal Monies due to him, and so in like Manner until the Sum applicable to such Payments shall be exhausted; and if and whenever Two or more Mortgagees by such Proposal as aforesaid shall have offered to accept an equal Rate of Composition, it shall be lawful for the Trustees to determine by Lot the Preference between or amongst such Mortgagees, or to pay such Composition rateably between or amongst such Mortgagees as the Trustees shall think fit; and if there be no such Proposal as aforesaid, or if there be any Surplus of the Sum applicable to such Payments, after applying the same so far as may be necessary in or towards the Discharge of the Monies to which any such Proposals relate, the Trustees may apply the Sum applicable to such Payments or the Surplus thereof (as the Case may be) rateably amongst the Mortgagees of the said Tolls, or may pay the same to such of them as may be determined by Lot, as the Trustees shall think fit.

Money not to
be collected
or laid out in
Towns.

XXII. The Trustees shall not levy Tolls or lay out Money within the Limits of any Act of Parliament for the Improvement of any Town.

Roads not ex-
empted from
General Acts.

XXIII. Nothing in this Act contained shall be deemed to exempt the said Roads from the Provisions of any General Act relating to the Consolidation or other improved Arrangement of Turnpike Roads which

The Bridport and Broadwinsor Roads Act, 1855.

which may pass during the present or any future Session of Parliament, or from the Provisions of any such Act now in force, except so far as any such last-mentioned Provisions may be expressly varied by this Act.

XXIV. This Act shall commence on the Fourth *Saturday* next after the passing thereof, and shall continue in force for the Term of Twenty-one Years, and from thence to the End of the Session of Parliament which shall then next follow. Commence-
ment and
Term of Act.

XXV. This Act shall for all Purposes be sufficiently described or referred to as "The *Bridport and Broadwinsor Roads Act, 1855.*" Short Title.

The Bridport and Broadwinsor Roads Act, 1855.

The SCHEDULE herein-before referred to.

FIRST PART.

Name of Mortgagee.					Amount.		
Thomas Colfox	}	Executors of the late William Colfox } deceased - - - - -			£	s.	d.
William Colfox					2,000	0	0

SECOND PART.

Name of Mortgagee.					Amount.		
					£	s.	d.
Thomas Collins Hounsell	-	-	-	-	101	0	0
William Manley	-	-	-	-	50	0	0
Samuel Marsh	-	-	-	-	101	0	0
George Tilly Gollop	-	-	-	-	475	0	0
Reverend John Bragge	-	-	-	-	100	0	0
The Executors of the late John Davy	-	-	-	-	101	0	0
Edwin Nicholetts	-	-	-	-	201	0	0
Thomas Russell	-	-	-	-	100	0	0
James Templer	-	-	-	-	520	0	0
James Davis	-	-	-	-	102	0	0
James Theobald	-	-	-	-	101	0	0
William Thistleton Dyer	-	-	-	-	101	0	0
John Symonds	-	-	-	-	101	0	0
John Trask	-	-	-	-	50	0	0
George Hilbourne Jolliffe	-	-	-	-	202	0	0
Daniel Guy	-	-	-	-	72	0	0
John Venn Prior	-	-	-	-	72	0	0
George Symes, M.D.	-	-	-	-	50	0	0
William Swain	-	-	-	-	101	0	0
William Daniel Ewens	-	-	-	-	101	0	0
Stephen Whetham	-	-	-	-	50	0	0
Joseph Gundry	-	-	-	-	101	0	0
Thomas Colfox	}	Executors of late William Colfox			101	0	0
William Colfox							
The Executors of the late James Haydon deceased	-	-	-	-	432	0	0
The Executors of the late Sir Alexander Hood deceased	-	-	-	-	102	0	0
Elizabeth Jane Maitland	-	-	-	-	101	0	0
The Executors of the late Edward Fitzherbert deceased	-	-	-	-	202	0	0
					£	3,891	0 0

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