



ANNO DECIMO OCTAVO & DECIMO NONO

VICTORIÆ REGINÆ.

Cap. lxxxvii.

An Act for repairing, widening, and maintaining several Roads in the Counties of *Dorset* and *Devon* leading to and from the Borough of *Lyme Regis*, and from the Turnpike Road on *Raymond's Hill* to the Turnpike Road at the *Three Ashes* in the Parish of *Crewkerne* in the County of *Somerset*.

[26th June 1855.]

WHEREAS an Act was passed in the Second Year of the Reign of King *George* the Fourth, intituled *An Act for repairing, widening, and maintaining several Roads in the Counties of Dorset and Devon leading to and through the Borough of Lyme Regis, and from the Turnpike Road on Uplyme Hill to the Turnpike Road at the Three Ashes in the Parish of Crewkerne in the County of Somerset*: And whereas the Term granted by the said Act hath been from Time to Time continued by virtue of divers Acts of Parliament for continuing certain Turnpike Acts for limited Periods, and the same will expire on the First Day of *November* One thousand eight hundred and fifty-five, unless Parliament shall in the meantime continue the same: And whereas considerable Sums of Money have been borrowed or advanced on the Credit of the Tolls granted by the said Act or by the Acts thereby repealed, and the Sum of Six thousand four hundred and fifty Pounds borrowed and advanced on Security of

[Local.] 13 U of

1 & 2 G. 4:
c. cviii.

The Lyme Regis Turnpike Road Act, 1855.

of the Tolls granted on Portions of the said Roads in the said recited Act called the *Lyme Regis* Branch of Roads, and the Sum of One thousand five hundred and fifty Pounds borrowed and advanced on Security of the Tolls granted on the other Portions of the said Roads in the said recited Act called the *Crewkerne* Branch of Roads, respectively, together with large Arrears of Interest on such last-mentioned Sum, still remain due and owing: And whereas by the said recited Act the Tolls arising on the *Lyme Regis* Branch of Roads were specially made applicable to the Payment of the Principal Sums owing on the Security of the Tolls arising on that Branch and the Interest thereon; and the Tolls arising on the *Crewkerne* Branch of Roads were specially made applicable to the Payment of the Principal Sums owing on the Security of the Tolls arising on that Branch and the Interest thereon: And whereas no Part of such Principal Debts of the Trust can be discharged, nor can the Roads by the said Act directed or intended to be amended and repaired be effectually amended and kept in repair, unless the Term and Powers granted by the said Act and so continued as aforesaid be further continued, and further Powers and altered or increased Tolls be granted: 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—

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" or "the said Trustees" shall mean the Trustees for the Time being acting in the Execution of this Act;

The Words "Toll Gate" or "Toll Gates" shall mean any Toll Gate, Turnpike, Bar, or Chain set up and erected or to be hereafter set up and erected under or by virtue of this Act upon or across or by the Sides of the Roads comprised in this Act; and

The Word "Person" shall include Corporation, whether aggregate or sole.

Recited Act
repealed, and
this Act to
be put in
force.

II. From and after the Commencement of this Act the said recited Act passed in the Session held in the First and Second Years of the Reign of King *George* the Fourth shall be repealed, and this Act shall thenceforth be put into execution during the Term and for the Purposes herein-after mentioned.

All Arrears
of Tolls and
Monies due
under re-
cited Act

III. All Monies due to, and all Toll Houses and other Property and all Choses in Action vested in, the Trustees under the Act hereby repealed, shall immediately on the Commencement of this Act be vested in and belong to the Trustees for executing this Act; and such last-

The Lyme Regis Turnpike Road Act, 1855.

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 them under the said recited Act; and the Trustees for executing this Act shall be liable to all the Debts and Engagements to which the Trustees under the recited Act were liable at the Repeal thereof, save and except such of the same Debts and Engagements as are by this Act extinguished.

vested in the Trustees under this Act.

IV. The Tolls by this Act granted and which shall arise on the *Lyme Regis* Branch of Roads herein-after described shall be and are hereby made subject and liable to the Payment and Discharge of the Sums of Money due and owing on the Credit of the Tolls arising on the said *Lyme Regis* Branch of Roads and the Interest thereon in the Manner herein-after prescribed, and shall not be subject or liable to the Payment of any Monies due on the Credit of the Tolls arising on the *Crewkerne* Branch of Roads herein-after described or the Interest thereon, or the Repair of such Branch of Roads; and the Tolls by this Act granted and which shall arise on the said *Crewkerne* Branch of Roads shall be and are hereby made subject and liable to the Payment and Discharge of the Sums of Money due and owing on the Credit of the Tolls arising on the said *Crewkerne* Branch of Roads and the Interest thereon in the Manner herein-after prescribed, but shall not be subject or liable to the Payment of any Monies due on the Credit of the Tolls arising on the said *Lyme Regis* Branch of Roads, or the Interest thereon, or the Repair of such Branch of Roads, anything in this Act or in any Statute or Law in force relating to Turnpike Roads in *England* contained to the contrary notwithstanding.

Tolls under this Act liable to Debts of respective Branches of Roads.

V. All Her Majesty's Justices of the Peace acting for the County of *Dorset* for the Time being, all Her Majesty's Justices of the Peace acting for the County of *Devon* for the Time being, and all Her Majesty's Justices of the Peace acting for the County of *Somerset* for the Time being, together with the Right Honorable Lord *Bridport*, Sir *John Duckworth* Baronet, Sir *Bourchier Wrey* Baronet, Sir *Edmund Saunderson Prideaux* Baronet, Sir *John George Reeve de la Pole* Baronet, Sir *Walter Culverley Trevillian* Baronet, Sir *Henry Bayly* Knight, *John Ames*, *William Bragge*, *John Bragge* (Clerk), *John Tatchell Bullen*, *Charles Cowper Benett*, *Amos Barnes*, *Frederick Barnes* (Doctor in Divinity), *William Rutter Bayley*, *Wentworth Buller*, *Charles James Cornish*, *Henry Joseph Carslake*, *John Carslake*, *Benjamin Cleave*, *George Cartwright*, *Samuel Cox*, *William Cockburn* (Clerk), *William Pomeroy Daniel*, *Frederick Drewe*, *Edward Divett*, *Edward Donne*, *Samuel Domett*, *Charles Wicksted Ethelston* (Clerk), *Henry Fellows* (Clerk), *Thomas Lisle Follett*, *Charles Forward* (Clerk), *George Fursdon*, *John Guppy*, *Charles Gordon*, *Charles Gordon the younger*, *Bowden Gundry*,
Joseph

Appointment of Trustees.

The Lyme Regis Turnpike Road Act, 1855.

Joseph Gundry, Gatty (Clerk), John Hothersall Hallett, William Hewitson, Thomas Hussey, Cornish Henley, Thomas Frederic Amelius Hodges (Clerk), R. S. Hutchins (Clerk), George Holland, William Jenkins (Clerk), John Lousada, Sackville Lee (Clerk), Charles Archibald M'Alister, William Pinney, John Pinney, Sydney Henry Peppin (Clerk), Gregory Raymond (Clerk), Nathaniel Tryon Still, John Shephard Scarbrough, Reginald Talbot, Andrew Tucker (Clerk), John Tucker, Arthur Henry Troyte, Marwood Tucker (Clerk), Robert Bouchier Wrey, John Marwood Wolcott, and James Yelverton, and their Successors, being duly qualified to act as Trustees of Turnpike Roads in England, shall be Trustees for putting this Act into execution.

Power to
appoint ad-
ditional
Trustees.

VI. It shall be lawful for the Trustees at any Meeting under this Act to elect any Number of Persons, duly qualified as herein-after mentioned, to act as such Trustees, 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.

First Meet-
ing of
Trustees.

VII. The Trustees shall hold their First Meeting at the *Guildhall* in *Lyme Regis* in the County of *Dorset*, or at some convenient Place in the Neighbourhood of the said Roads, upon the Third *Thursday* next after the passing of this Act, and shall then and from Time to Time thereafter adjourn to and meet at such Times, and at such Places in the Neighbourhood of the said Roads, as they shall think proper.

Power to
appoint
Committee.

VIII. The said Trustees may appoint Committees out of their own Number to take the Care and Management of any particular Part of the said Roads, or to execute any of the other Purposes of this Act, according to such Instructions and Regulations as shall be laid down by the said Trustees at any General Meeting; and the said Committees and their Surveyor may proceed and act according to such Appointment, but shall always be accountable according to the Instructions and Regulations so to be made.

Roads to
which this
Act is appli-
cable.

Lyme Regis
Branch.

IX. This Act shall be put into execution for the Purpose of widening, improving, and maintaining in repair the Roads herein-after described; (that is to say),

The Road leading from the Almshouses at the West End of the Parish of *Charmouth* in the County of *Dorset* to the Boundary Post near *Fairfield House* leading to the Borough of *Lyme Regis* in the same County, and from the Boundary Post near the Vicarage Grounds in the Parish of *Lyme Regis* aforesaid, through the several Parishes, Villages, or Hamlets and Places of *Uplyme, Armouth,*

The Lyme Regis Turnpike Road Act, 1855.

Armouth, and *Culliford* otherwise *Colyford*, and by *Hangman's Stone* to the East End of a Lane called *Radice* otherwise *Viny Lane*, and from thence by or through *Trowe*, and through *Sidford*, *Harpford*, and *Newton Poppleford*, to the Western Side of *Aylesbear Hill* in the County of *Devon*, at the Place where the Turnpike Road from the City of *Exeter* terminates ;

The Road from the East End of *Radice* otherwise *Viny Lane*, through the same Lane, to, through, and by the several Places of *Buttlesis*, *Roncomb's Gurt*, and the Town of *St. Mary Ottery*, to the Way Post in the Parish of *Whimble* in the Road leading to the City of *Exeter* ;

The Road leading from the Borough of *Lyme Regis* aforesaid, commencing at the Boundary Post near the Highway leading to *Great Hay*, in the Parish of *Lyme Regis* aforesaid, through the Parish of *Uplyme* aforesaid, to *Hunter's Lodge Inn*, in the same Parish ; and

The Road leading from the *Lyme Regis* Turnpike Road at *Kingsdon Tail* to *Steward's Gate*, and from thence across a Common in or near the Parish of *Colyton* in the said County of *Devon*, to the *Lyme Regis* Turnpike Road between *Viny Lane* and *Rakeway Head* ;

Being the *Lyme Regis* Branch of the Roads referred to in this Act.

The Road leading from the *Arminster* Turnpike Road on *Raymond's Hill*, through the Village of *Marshalsea*, to join the Turnpike Road at the *Three Ashes* in the Parish of *Crewkerne* in the County of *Somerset* ;

Crewkerne Branch.

The Road leading from the Turnpike Road between *Colway* Turnpike Gate, in the Parish of *Lyme Regis* and *Charmouth* aforesaid, to the Road between *Penn Inn*, in the Parish of *Whitechurch Canonichorum* in the said County of *Dorset* and *Charmouth* aforesaid, near *Hole Farm*, in the said Parish of *Lyme Regis* ; and

The Road leading from the Turnpike Road between *Penn Inn* aforesaid and *Arminster* in the said County of *Devon*, near the Direction Post at or near *Greenway Head* in the Parish of *Whitechurch Canonichorum* aforesaid, to join the said Road leading from *Raymond's Hill* to the *Three Ashes* aforesaid ;

Being the *Crewkerne* Branch of the Roads referred to in this Act.

X. Notwithstanding the Repeal of the said recited Act, the several Tolls thereby granted and made payable shall continue to be paid at the Toll Gates or Toll Bars to be continued or erected on or on the Sides of the said Roads until the Thirty-first Day of *December* One thousand eight hundred and fifty-five.

Present Tolls continued until 31st Dec. 1855.

XI. From and after the said Thirty-first Day of *December* One thousand eight hundred and fifty-five, it shall be lawful for the said

Power to take Tolls.

[Local.]

13 X

Trustees

The Lyme Regis Turnpike Road Act, 1855.

Trustees to demand and take at the several and respective Toll Gates or Toll Bars which shall by virtue of this Act be continued or erected upon or on the Sides of the said Roads such Tolls as the said Trustees shall at any of their Meetings direct, not exceeding the Sums following; (that is to say,)

For every Horse or other Beast of Draught drawing any Carriage with Springs, and drawn by Four or more Horses, the Sum of Sixpence :

For every Horse or other Beast of Draught drawing any Carriage with Springs, and drawn by One or Two Horses, the Sum of Sixpence :

For every Horse or other Beast of Draught drawing any Carriage without Springs, the Sum of Fourpence :

For every Goat drawing any Cart, Truck, or other Carriage, the Sum of One Penny :

For every Carriage moved or propelled by Steam or Machinery, or by any other Power than Animal Power, the Sum of One Shilling for each Wheel thereof :

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

For every Drove of Oxen, Cows, or Neat Cattle, the Sum of Tenpence *per* Score, and so in proportion for any greater or less Number.

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

Which said Tolls shall be taken before any Horse, Mule, Ass, Beast, or other Cattle, or any Carriage whatsoever, shall be permitted to pass through any Toll Gate or Bar which shall be by virtue of this Act upon or across the said Roads or the Sides thereof.

Half Toll on
Lime for
Manure.

XII. Provided always, That for the Passage through any of the said Toll Gates of any Horse or other Beast drawing any Carriage laden with Lime for the manuring of Land only, no more than One Half of the Tolls by this Act made payable for such Horse or other Beast drawing any Carriage otherwise laden shall be demanded and taken.

Limiting
Number of
Tolls to be
payable on
Roads.

XIII. No Person shall be liable to pay more than the Tolls herein-after specified in any One Day (such 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 any Number of Times with the same Horse, Beast, Cattle, or Carriage, through all or any of the Toll Gates erected or to be erected on the said Roads, in each of the Divisions of Road herein-after mentioned ; (that is to say,) One full Toll on the Roads between the Almshouses at the West End of *Charmouth* and the East End of *Radice Lane*, and between the Borough of *Lyme Regis* and *Hunters Lodge Inn*; One full Toll on the Road between the
East

The Lyme Regis Turnpike Road Act, 1855.

East End of the said Lane and the Way Post in the Parish of *Whimble*; One full Toll on the Road between the East End of the said Lane and the Western Side of *Aylesbear Hill*; and One full Toll on the *Crewkerne* Branch of Road.

XIV. All Horses, Cattle, and Carriages in respect whereof the Toll hereby authorized to be taken shall have been paid at any Toll Gate or Bar on either of the said Divisions of Road, or on the Sides thereof, shall (except as herein-after mentioned) upon a Ticket denoting such Payment being produced, be permitted to pass and repass Toll-free at any Time or Times during the Remainder of the same Day through the same Toll Gate or Toll Bar, and through all other Toll Gates or Bars (if any) on or on the Sides of the Divisions of Road whereon such Toll was paid.

Persons having paid Toll to pass and repass Toll-free the same Day.

XV. The Tolls hereby made payable shall be paid for all Horses travelling for Hire, and for all Horses or other Beasts of Draught drawing any Postchaise or other Carriage travelling for Hire, for every Time of passing and repassing along the said Roads on the same Day after a fresh Hiring thereof shall have taken place, in the same Manner as if no previous Payment of Toll in respect of such Horse or Carriage had been made on the same Day.

Horses and Carriages to pay every Time of passing with fresh Hire.

XVI. The Tolls hereby made payable for or in respect of Horses or Beasts drawing any Stage Waggon, Stage Cart, Van, Caravan, or other Stage Carriage conveying Passengers for Hire or Reward, or for or in respect of any Stage Coach, Stage Waggon, Stage Cart, Van, Caravan, or other Stage Carriage propelled by Machinery used for the same Purpose, shall be payable every Time of passing or repassing along the Road, and no further or additional Tolls shall be payable in respect of any Stage Coach or other such Carriage as aforesaid at any Toll Gate the Payment at which shall be freed by such Ticket as aforesaid, on account only of their conveying other Passengers, or of the Horses or Cattle drawing the same having been changed.

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

XVII. The Tolls by this Act made payable in respect of Horses, Beasts, or Animals drawing any Carriage whatsoever shall be paid for every Time during the same Day that any such Horse, Beast, or Animal shall pass through any Toll Gate on the Road, drawing any laden Carriage other than that which such Horse, Beast, or Animal 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, Beast, or Animal.

Tolls on Horses drawing different Waggons, &c.

XVIII. The several Toll Gates, Bars, and Toll Houses now standing or being upon the said Roads or on the Sides thereof, shall be continued until removed by any Order of the said Trustees; and it shall

Respecting Toll Gates.

The Lyme Regis Turnpike Road Act, 1855.

shall be lawful for the said Trustees to order and cause to be erected and set up, upon, in, or across the said Roads, or on the Sides thereof, any Toll Gate or Bar, and to remove the present or any future Toll Gate or Bar as they shall think proper: Provided always, that no Toll Gate shall be erected, removed, or set up upon or across the said Roads, or on the Sides thereof, except the same shall be ordered to be removed, erected, 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 Act of the Ninth Year of the Reign of King George the Fourth, Chapter Seventy-seven.

As to
Amount of
Principal
Debt on
Lyme Regis
Branch.

XIX. And whereas upon a Portion of the Principal Sums amounting to Six thousand four hundred and fifty Pounds due and owing on the *Lyme Regis* Branch of Roads there is an Arrear of Interest due and owing: Be it enacted, That, notwithstanding anything in the said recited Act to the contrary, all Arrears of Interest on the said Sum of Six thousand four hundred and fifty Pounds due on the said Sum at the Time of the Commencement of this Act, and which shall then remain unpaid, shall thenceforth be and the same is hereby extinguished, and from the Commencement of this Act the Sums of Three thousand seven hundred Pounds and Two thousand Seven hundred and fifty Pounds, forming a Total of Six thousand four hundred and fifty Pounds, shall be deemed and taken to be the Principal Sum due and owing on the Credit of the Tolls authorized to be taken on the *Lyme Regis* Branch of Roads.

Application
of Monies
arising on
the Lyme
Regis
Branch.

XX. All Monies which shall come to the Hands of the Trustees in respect of the *Lyme Regis* Branch of Roads, shall be applied as follows; that is to say,

Firstly, in paying Four Fifths of the Expenses of and incidental to the obtaining and passing this Act:

Secondly, in defraying the necessary Expenses of Management of the *Lyme Regis* Branch of Roads, including the Repairs of Toll Houses and Toll Gates, the Salaries of Officers, and incidental Expenses, but so that the total Amount to be expended in any One Year in defraying such Expenses (exclusive of the Salaries of Toll Collectors, the Expenses of providing and lettering Tables of new Tolls, the Costs of Actions, Suits, Indictments, and Prosecutions, and any Arrears of Income Tax due on the passing of this Act) shall not exceed the Sum of One hundred and thirty Pounds:

Thirdly, in paying Interest at the Rate of Three Pounds Five Shillings *per Centum per Annum* upon the Sum of Three thousand seven hundred Pounds owing in respect of the *Lyme Regis* Branch of Roads previously to the passing of the said recited Act, or upon such Part of such Sum as shall from Time to Time remain unsatisfied:

Fourthly,

The Lyme Regis Turnpike Road Act, 1855.

Fourthly, in paying Interest at the Rate of Three Pounds Ten Shillings *per Centum per Annum* upon the Sum of Two thousand Seven hundred and fifty Pounds owing in respect of Monies borrowed since the passing of the said recited Act, or upon such Part thereof as shall from Time to Time remain unsatisfied :

Fifthly, in repairing and maintaining the *Lyme Regis* Branch of Roads, not exceeding in any One Year the Sum of Three hundred and eighty Pounds :

Sixthly, in paying off and discharging, in Manner herein-after provided, the whole of such Principal Debt of Six thousand four hundred and fifty Pounds : And,

Lastly, in further repairing, maintaining, and improving the said Roads, and in putting this Act into execution.

XXI. And whereas no Claim has been made, nor has any Interest been paid, for very many Years past, in respect of the Sum of Seven hundred and fifty Pounds, Part of the Sum of One thousand five hundred and fifty Pounds borrowed on the Credit of the Tolls arising on the *Crewkerne* Branch of Roads : And whereas Claims have been made in respect of the Sum of Eight hundred Pounds, Remainder of the said Sum of One thousand five hundred and fifty Pounds, and considerable Arrears of Interest are due and owing in respect of the said Sums of Seven hundred and fifty Pounds and Eight hundred Pounds : Be it enacted, That, notwithstanding anything in the said recited Act to the contrary, all Arrears of Interest which may be due on the said Sum of Eight hundred Pounds at the Time of the Commencement of this Act, and which shall then remain unpaid, and the said Sum of Seven hundred and fifty Pounds and all Interest and Arrears of Interest thereon, shall thenceforth be and the same is hereby extinguished, and from the Commencement of this Act the said Sum of Eight hundred Pounds only shall be deemed and taken to be the Principal Sum due and owing on the Credit of the Tolls authorized to be taken on the *Crewkerne* Branch of Roads.

As to
Amount of
Principal
Debt on
Crewkerne
Branch.

XXII. All Monies which shall come to the Hands of the Trustees in respect of the *Crewkerne* Branch of Roads shall be applied as follows ; (that is to say,)

Application
of Monies
arising on
the *Crew-*
kerne
Branch.

Firstly, in paying One Fifth Part of the Expenses of and incidental to the obtaining and passing this Act :

Secondly, in defraying the necessary Expenses of Management of the *Crewkerne* Branch of Roads, including the Repairs of Toll Gates and Toll Houses, the Salaries of Officers, and incidental Expenses, but so that the total Amount to be expended in any One Year in defraying such Expenses (exclusive of the Salaries of Toll Collectors, the Expenses of providing and lettering Tables of new Tolls, the Costs of Actions, Suits, Indictments, and Prosecutions,

[*Local.*]

13 Y

The Lyme Regis Turnpike Road Act, 1855.

Prosecutions, and any Arrears of Income Tax due on the passing of this Act) shall not exceed the Sum of Twenty-five Pounds :

Thirdly, in paying Interest at the Rate of Three Pounds *per Centum per Annum* upon the Sum of Eight hundred Pounds due on the Credit of the Tolls arising on the said *Crewkerne* Branch of Roads : And,

Lastly, in paying off and discharging in manner herein-after provided the said Sum of Eight hundred Pounds.

On Payment
of Debt on
Crewkerne
Branch Road
to cease to
be Turnpike.

XXIII. That when and so soon as the said Sum of Eight hundred Pounds by this Act charged upon the Tolls arising on the *Crewkerne* Branch of Roads shall be paid off and discharged, the said *Crewkerne* Branch of Roads in this Act described shall cease to form Part of the Turnpike Roads under this Act, and shall not thenceforth be managed by the Trustees for executing this Act, nor shall any Tolls thenceforth be taken thereon by the Trustees : Provided always, that the Trustees, their Agents, Servants, and Workmen, may at any Time or Times within Six Months thereafter, pull down any Toll Houses and Toll Gates belonging to them then being upon or on the Sides of the said Branch of Roads, and may dispose of the Materials thereof in the Manner authorized by the Public General Acts relating to Turnpike Roads in *England*.

As to Mode
of discharg-
ing Debt.

XXIV. When and so often as the Sum applicable to the Discharge of the Principal Monies for the Time being owing on the Credit of the said Tolls shall amount to One hundred Pounds, the Trustees shall at any General Annual or other Meeting apply such Sum or a Portion thereof (as the Case may require) in the Payment of a proportionate Part of the Principal Monies to the Payment whereof such Sum shall under the Provisions of this Act be applicable 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 relates to the Application of such Sum, in some Newspaper published in the County of *Dorset* or in some Newspaper published in the County of *Devon*, or by Letter sent by Post addressed to each Creditor at his last known Place of Residence ; 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 Monies owing on the Security of the said Tolls to the Creditor entitled to any such Monies who shall, by Proposal in Writing transmitted to the Clerk to the Trustees before such Meeting, have offered to accept the lowest Composition in respect of such Monies ; and after Payment to such Creditor 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 to the Payment whereof such Sum shall under the Provisions of this Act be applicable, to the Creditor who, by Proposal as aforesaid,

The Lyme Regis Turnpike Road Act, 1855.

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 Payment shall be exhausted; and if and whenever Two or more Creditors of the same Class, by such Proposals 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 Creditors, or to pay such Composition rateably between or amongst such Creditors, as the Trustees think fit; and if there be no such Proposal as aforesaid with reference to any particular Sum so applicable, 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 Creditors entitled to the several Principal Monies to the Payment whereof such Sums shall, under the Provisions of this Act, be applicable, or may pay the same to such of them as may be determined by Lot, as the Trustees think fit.

XXV. Whenever and so long as Interest at the Rate and in the Manner herein-before mentioned shall, on Application made to the Treasurer for that Purpose, be duly paid upon all existing Mortgages by this Act charged on the Tolls arising on the Roads comprised in this Act within Three Calendar Months next after the same shall become due, no Holder of any Mortgage of the Tolls collected upon the said Roads shall be entitled to enter into possession of any Toll Gate, Bar, Chain, Toll House, or Building 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 every Mortgagee entering into possession of any such Toll Gate, Bar, Chain, Toll House, Building, or into the Receipt of such Tolls or Rent, shall pay the Interest from Time to Time becoming due at the respective Rates and in the Manner herein-before mentioned, upon all the said existing Mortgages, without any Priority or Preference, and may also reimburse himself any Costs to which he may be entitled; and every such Mortgagee so being in possession or receipt as aforesaid shall, within Twenty-one Days next after each of the half-yearly Days whereon the Interest on such existing Mortgages shall be payable, render to the Clerk to the said 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 at the Rate and in the Manner herein-before mentioned to such Mortgagees up to the last of such half-yearly Days, and all such Costs as aforesaid, have been fully paid and satisfied, then such Mortgagees shall, when thereunto required by the said Trustees, pay over to their Treasurer the Balance (if any) remaining in his Hands, and deliver up possession of

Creditors to
take possession of Toll
Houses for
Arrears of
Interest only.

The Lyme Regis Turnpike Road Act, 1855.

of all Toll Gates, Bars, Chains, Toll Houses, Buildings, and the Receipt of the said Tolls, and of any such Rent as aforesaid, to the said 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.

Interest not
to accrue
until Ex-
penses of
Act are paid.

XXVI. Provided always, That no Interest shall accrue due in respect of the said Sums of Three thousand seven hundred Pounds and Two thousand seven hundred and fifty Pounds by this Act charged upon the Tolls arising on the *Lyme Regis* Branch of Roads, or either of them, until the Proportion of the Expenses of obtaining and passing this Act by this Act charged upon that Branch of Roads shall have been paid and satisfied; nor shall Interest accrue due in respect of the said Sum of Eight hundred Pounds by this Act charged upon the Tolls arising on the *Crewkerne* Branch of Roads until the Proportion of the Expenses of obtaining and passing this Act by this Act charged upon that Branch of Roads shall have been paid and satisfied.

Roads not
exempt from
Provisions
of General
Acts.

XXVII. Nothing herein contained shall be deemed 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.

Separate Ac-
counts to be
kept.

XXVIII. And in order to secure the due Application of the Tolls by this Act granted, be it enacted, That all the said Tolls shall be paid by the Collectors or Lessees thereof into the Hands of the Treasurer for the Time being appointed by the said Trustees, who shall keep or cause to be kept separate Accounts thereof, and shall apply the same to the several Purposes and in the Order aforesaid.

Short Title.

XXIX. In citing this Act in other Acts of Parliament and in legal Instruments, and in all Proceedings whatsoever, it shall be sufficient to use the Expression "The *Lyme Regis* Turnpike Road Act, 1855."

Commence-
ment and
Term of Act.

XXX. This Act shall commence and take effect from the passing thereof, and shall from thenceforth continue in force for and during the Term of Twenty-one Years, and from thence to the End of the Session of Parliament which shall then next follow.

LONDON:

Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1855.