



ANNO PRIMO

GULIELMI IV. REGIS.

Cap. lxi.

An Act for maintaining and improving the Road
from *Titchfield* to *Cosham* in the County of
Southampton. [22d April 1831.]

WHEREAS an Act was passed in the Fiftieth Year of the
Reign of His Majesty King *George* the Third, intituled
An Act for repairing, altering, and improving the Road 50 G. 3 c. 14.
from Titchfield to Cosham, in the County of Southampton: And
whereas the Trustees acting under and by virtue of the said recited
Act have proceeded to put the same into execution, and consider-
able Sums of Money have been borrowed on the Credit of the Tolls
authorized to be taken on the same Road, which Money cannot be
repaid, nor the Interest thereon discharged, nor can the said Road
be effectually maintained or further improved, unless the Term and
Powers of the said Act be continued and enlarged, and the Tolls
increased: And whereas it would be more convenient and beneficial
if the said recited Act were repealed: May it therefore please Your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 Parlia-
ment assembled, and by the Authority of the same, That from and
immediately after the passing of this Act the said recited Act of the
[*Local.*] 12 D Fiftieth Recited Act
repealed.

Fiftieth Year of the Reign of His said Majesty King George the Third shall be repealed.

This Act to be put in execution for the Purpose herein mentioned.

II. And be it further enacted, That this Act shall thenceforth commence and take effect and be put in execution, during the Term herein-after mentioned, for the Purpose of maintaining, widening, diverting, improving, and keeping in repair the Road leading from the East End of the Town of *Titchfield* in the County of *Southampton* to the Village of *Cosham* in the said County of *Southampton*, there to join the *Portsmouth* and *Sheet Bridge* Turnpike Road.

Trustees appointed.

III. And be it further enacted, That all His Majesty's Justices of the Peace acting for the County of *Southampton* for the Time being, together with *James Ainge*, *James Anderson*, *James Anderson* the younger, the Reverend *Henry Atkins*, *Thomas Blatherwick*, *Edward Brace*, *James Fitchett Burrell*, *Stephen Burrell*, *Thomas Burrell*, *Edward Carter*, *Henry Ducie Chads*, *William Catherwood Chads*, *David Colby*, *Henry Peter Delmé*, *George Delmé*, *Sir William Dickson* Baronet, *Peter John Douglas*, *Joseph Eastwood*, *Stephen Fitchett*, *Edward James Foote*, the Reverend *William Garnier*, the Reverend *Thomas Garnier*, *John Giffard*, *James Godwin*, *Thomas Grant*, *William Grant*, *George Grant*, *Moses Greetham*, *Peter Halkett*, *John Halkett*, the Reverend *William Harrison*, the Reverend *William Dann Harrison*, *Moses Hawker*, the Reverend *James Henville*, *John Hewett*, *Robert Hewett*, *John Hornby*, *William Hornby*, *John Theophilus Kelsall*, *Francis Le Blanc*, *Henry James Leeke*, the Reverend *Thomas Longlands*, the Reverend *John Mansfield*, *Thomas Marshall*, *James Martin*, *James May*, *Thomas Naghten*, *Joseph Paddon*, *Charles Patton*, *Richard Pittis*, *Robert Porter*, *John Brett Purvis*, *George Thomas Maitland Purvis*, the Reverend *Jonathan Stackhouse Rashleigh*, *Edward Sharland*, *William Spain*, *Thomas Stares*, *Thomas Stares* the younger, *Charles Stares*, *John Stares*, *Thomas Thistlethwaite*, *Sir Henry Thompson* Baronet, *William Thresher*, the Reverend *William Thresher*, *James Thresher*, the Reverend *Charles Edward Twyford*, and *William Waller*, and their Successors, being duly qualified according to the General Laws in force for the Repair of Turnpike Roads in *England*, shall be and they are hereby appointed Trustees for putting this Act into execution.

Power to appoint an additional Number of Trustees.

3 G. 4. c. 126.

IV. And be it further enacted, That it shall be lawful for the Trustees appointed by this Act, and they are hereby authorized, at any Meeting from Time to Time to be held for that Purpose, (of which Meeting and of the Purpose thereof Fourteen Days Notice shall be given as is directed by an Act passed in the Third Year of the Reign of His late Majesty King George the Fourth, intituled *An Act to amend the General Laws now in being for regulating Turnpike Roads in that Part of Great Britain called England*, respecting the Appointment of Trustees on Vacancies,) to nominate, elect, and appoint any Number of fit Persons, not exceeding Three in the whole, to be Trustees for the Purposes of this Act, in addition to the Number of Trustees hereby nominated and appointed; and such

Trustees so elected and appointed, being duly qualified, shall be Trustees for the Purposes of this Act, and are hereby invested with the same Powers and Authorities for executing this Act as if they had been herein named.

V. And be it further enacted, That the said Trustees shall hold their First Meeting at the *Red Lion Inn* at *Fareham*, or at some other convenient Place on the Line of the said Road, on the Third *Monday* next after the passing of this Act, or as soon after as conveniently may be, between the Hours of Twelve of the Clock at Noon and Two of the Clock in the Afternoon, and shall then and there proceed to put this Act and the several Acts relating to Turnpike Roads into execution.

First Meeting of the Trustees.

VI. And be it further enacted, That the respective Tolls following shall be demanded and taken at each and every Turnpike, Toll Gate, Side Bar, and Chain now set up and continued, or which shall hereafter be set up, upon, across, or by the Side of the said Road, by such Person or Persons as the said Trustees shall from Time to Time authorize or appoint to receive the same, before any Horse, Mule, Ass, Beast, or other Cattle shall be permitted to pass through any such Turnpike, Toll Gate, Side Bar, or Chain; (that is to say,)

Power to take Tolls.

For every Horse, Mule, Ass, or other Beast drawing any Hearse, Coach, Berlin, Landau, Chariot, Chaise, Phaeton, Curricule, Gig, or other such like Carriage, the Sum of Three-pence; but if drawing any Stage Coach, Van, Caravan, or other such Four-wheeled Carriage the Sum of Sixpence:

Tolls.

For every Horse, Mule, Ass, or other Beast drawing any Waggon, Wain, Cart, or other such like Carriage, having the Fellies of the Wheels thereof of the Breadth or Gauge of Six Inches or upwards, the Sum of Three-pence; and in case the Fellies of the Wheels thereof are of the Breadth or Gauge of less than Six Inches and not less than Four and a Half Inches, the Sum of Three-pence Three Farthings; and in case the Fellies of the Wheels thereof are of a less Breadth or Gauge than Four and a Half Inches, the Sum of Four-pence Halfpenny:

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

For every Drove of Oxen, Cows, or other Neat Cattle, Five-pence *per* Score, and so in proportion for any greater or less Number:

For every Drove of Calves, Sheep, Lambs, or Swine, Two-pence *per* Score, and so in proportion for any greater or less Number:

For every Coach or other Carriage drawn or propelled or moved by Steam or Machinery, Two Shillings for every Wheel on which the same shall run.

VII. And be it further enacted, That all Horses or other Animals drawing or conveying Chalk at any Time of the Year between the Thirty-first Day of *October* and the First Day of *April* shall be liable to

One Half Tolls only on Chalk in Winter.

to One Half of the Tolls herein-before mentioned and made payable, any thing contained in any Act or Acts to the contrary thereof notwithstanding.

Tolls to be
paid only
once a Day.

VIII. And be it further enacted, That in case Toll shall have been paid for or in respect of any Horse, Beast, or Cattle passing through any of the Turnpikes, Toll Gates, Side Bars, or Chains now erected and continued or hereafter to be erected upon, across, or on the Sides of the said Road, no Toll shall be demanded or taken for or in respect of the same Horse, Beast, or Cattle returning, passing, or repassing through the same Turnpike, Toll Gate, Side Bar, or Chain, the same Day, before Twelve of the Clock at Night, but that on Production of a Note or Ticket denoting the Payment of such Toll, such Horse, Beast, or Cattle shall (except in the Cases hereinafter mentioned) be permitted to pass Toll-free through such Turnpike, Toll Gate, Side Bar, or Chain.

Horses, &c.
drawing different Wag-
gons to pay
each Time of
passing.

IX. Provided always, and be it further enacted, That no Horse or other Beast of Draught for which Toll shall have been paid at or in respect of any of the said Turnpikes, Toll Gates, Side Bars, or Chains, returning the same Day through the same Turnpike or Turnpikes, Toll Gates, Side Bars, or Chains, drawing any other or a different Waggon, Wain, Cart, or other such Carriage, shall be permitted to pass Toll-free through any such Turnpike, Toll Gate, Side Bar, or Chain, on the same Day, any thing herein contained to the contrary thereof in anywise notwithstanding.

Stage
Coaches, &c.
to pay each
Time of pass-
ing.

X. Provided always, and be it further enacted, That the Toll hereby made payable shall be paid for and in respect of every Horse or other Beast of Draught drawing any Stage Coach, Stage Waggon, Van, Caravan, Cart, or other Stage Carriage carrying Passengers or Goods for Payment, Hire, or Reward, for every Time of passing and repassing through every such Turnpike, Toll Gate, Side Bar, or Chain: Provided also, that no such further or additional Toll shall be paid in consequence only of the Horses drawing any such Stage Coach, Stage Waggon, Van, Caravan, Cart, or other Stage Carriage having been changed.

Post
Chaises to
pay each on
fresh Hiring.

XI. Provided also, and be it further enacted, That the Toll hereby made payable shall be paid for and in respect of every Horse or other Beast of Draught travelling for Hire, drawing any Post Chaise or other Carriage, for every Time of passing and repassing along the said Road on the same Day, as often as a fresh Hiring thereof shall take place.

Limiting the
Number of
Tolls.

XII. And be it further enacted, That it shall not be lawful for the said Trustees to take or demand more than Two Tolls for or in respect of any Horse, Beast, or Cattle passing or repassing on the same Day, before Twelve of the Clock at Night, through all or any of the Turnpikes to be continued or erected on the whole Extent of the said Road: Provided always, that no more than One
Toll

Toll shall be payable for or in respect of any Horse, Beast, or Cattle passing or repassing on the said Road on the same Day, before Twelve of the Clock at Night, unless the same shall go through both the first and the last of the Turnpikes on the whole Line of the said Road.

XIII. And be it further enacted, That all the Monies which before the Day of the Commencement of this Act shall have been raised and produced by virtue of the said recited Act hereby as aforesaid repealed, and which shall be remaining undisposed of on the Day of the Commencement of this Act, and also all the Monies which shall arise and be produced by and from the Tolls by this Act granted and made payable, together with the Monies which shall be borrowed upon the Credit thereof, and all other Monies which shall arise and be produced by virtue thereof, and not otherwise appropriated or directed to be applied, shall be applied to and for the several Uses, Intents, and Purposes, and in the Order and Manner following; (that is to say,) in the first place, in the Payment of all the Costs, Charges, and Expences which shall have been incurred in obtaining and passing this Act, and otherwise relating thereto; secondly, in paying and discharging all the Interest which shall from Time to Time be owing to any Mortgagee or Mortgagees of the Tolls or Duties payable on the Road by this Act directed to be maintained, widened, and improved; thirdly, in defraying the Expences of widening, improving, repairing, and preserving the said Road, and of erecting, altering, and repairing Turnpikes, Toll Gates, and Toll Houses, with suitable Outbuildings, upon, across, and by the Side of the same Road, and otherwise in executing the other Purposes of this Act; and lastly, in reducing, paying off, and discharging the several Principal Sums of Money which shall have been borrowed and secured in pursuance of and for the Purposes of the said recited Act hereby repealed, and also the several Principal Sums of Money which may be hereafter borrowed and secured by virtue of this Act.

Appropriation of Tolls and Money borrowed.

XIV. And whereas the said Road passes in part along a Road repaired and maintained under and by virtue of the Act herein-after mentioned, be it hereby further enacted, That nothing herein contained shall in any Manner operate to abridge or affect any of the Powers or Authorities given or granted in and by an Act passed in the Ninth Year of the Reign of His late Majesty King George the Fourth, intituled *An Act for more effectually repairing, widening, and improving the Roads from Gosport, through Fareham and Wickham, to Bishops Waltham, and from Wickham aforesaid to Chawton Pond in the Parish of Chawton, all in the County of Southampton.*

This Act not to affect the Gosport Turnpike Road Act.

9 G. 4. c. 49.

XV. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others, without being specially pleaded.

Public Act.

[*Local.*]

12 E

XVI. And

Term of Act. XVI. And be it further enacted, That this Act shall commence upon the passing thereof, and shall continue and be in force for and during the Term of Thirty-one Years, and from thence to the End of the then next Session of Parliament.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN,
Printers to the King's most Excellent Majesty. 1831.