



ANNO TERTIO

# GULIELMI IV. REGIS.

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## Cap. lxxvii.

An Act for repairing and widening the Road from *Whitchurch* in the County of *Southampton* to the Extremity of the Parish of *Aldermaston* in the County of *Berks*. [10th June 1833.]

**W**HEREAS an Act was passed in the Tenth Year of the Reign of King *George* the Third, intituled *An Act for repairing and widening the Road from Whitchurch in the County of Southampton to the Turnpike Road at Aldermaston Great Bridge in the County of Berks*: And whereas another Act was passed in the Thirty-first Year of the Reign of King *George* the Third, intituled *An Act to enlarge the Term of an Act passed in the Tenth Year of the Reign of His present Majesty, for repairing and widening the Road from Whitchurch in the County of Southampton to the Turnpike Road at Aldermaston Great Bridge in the County of Berks*: And whereas another Act was passed in the Fifty-second Year of the Reign of King *George* the Third, intituled *An Act for enlarging the Term and Powers of Two Acts of His present Majesty, for repairing the Road from Whitchurch in the County of Southampton to Aldermaston Great Bridge in the County of Berks*: And whereas considerable Sums of Money have been borrowed, and are now due and owing, upon the Credit of the Tolls authorized to be collected upon the said Road by virtue of the said Acts, and which Money cannot be paid off, nor can the said Road be effectually amended and kept in good Repair, unless the Term and Powers of the said Acts are enlarged, and

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the Tolls thereby granted increased: And whereas for the Purposes aforesaid it is expedient that the said Acts should be repealed, and that other Provisions should be granted instead thereof: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That upon the Day of the Commencement of this Act the said Acts of the Tenth and Thirty-first and Fifty-second Years of the Reign of King *George* the Third shall be and the same are hereby declared to be repealed.

Recited Acts repealed.

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

II. And be it further enacted, That this Act shall be put in execution for and during the Term herein-after mentioned for the Purpose of more effectually repairing and keeping in repair the Road leading from the *Winchester* and *Newtown* Turnpike Road near *Whitchurch*, through the Parishes of *Whitchurch*, *Laverstock*, *Overtton*, and *Kingsclere*, in the County of *Southampton*, and through the Parishes of *Brimpton*, *Wasing*, and *Aldermaston*, to *Aldermaston Great Bridge*, and from thence to the Boundary of the Parish of *Aldermaston* aforesaid at the *Butts* Public House, in the County of *Berks*.

Appointment of Trustees.

III. And be it further enacted, That all His Majesty's Justices of the Peace for the Time being acting for the County of *Southampton*, and all His Majesty's Justices of the Peace for the Time being acting for the County of *Berks*, together with *William Congreve* Esquire, *William Mount* Esquire, *William Reader* Esquire, *John Stephens* Esquire, *Frederick Page* Esquire, *William Portal* Esquire, *John Portal* Esquire, *David Williams* Esquire, *John Fisher* Esquire, *John Digweed* Esquire, *Isaac Knipe* Clerk, *James Hammond* Clerk, *Richard Pole* Clerk, *John Mitchell* Clerk, *William Hasker* Clerk, *William Goddard*, *Edward Goddard*, *Henry Flower*, *William Holding*, *John Bishop*, *John Ruddle*, *John Curtis*, *William Ray*, *William Flower*, *William Webb*, *John Webb*, *Andrew Twitchin*, *Samuel Platt*, *John Brown*, and *William Milsome*, 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 the said Road, and for otherwise putting this Act into execution.

Power to appoint additional Trustees.

IV. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered, from Time to Time at any of their Meetings, to elect, nominate, and appoint any Number of Persons, being duly qualified to act as Trustees of Turnpike Roads in *England*, (not exceeding Five in the whole in addition to the Number of Trustees herein named and appointed,) to be Trustees for the Purposes of this Act; and such Persons so elected and appointed 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.

First Meeting of Trustees.

V. And be it further enacted, That the Trustees for executing this Act shall meet at the *Swan* Inn in *Kingsclere* aforesaid, or at some other convenient Place in the Neighbourhood of the said Road, on the Day of the Commencement of this Act, or as soon after as conveniently may be, and shall then and there proceed to put this Act into execution, and shall and



may then and from Time to Time afterwards adjourn to and meet at such Time or Times, and at such Place or Places in *Kingsclere* aforesaid, or elsewhere in the Neighbourhood of the said Road, as they shall think proper.

VI. And be it further enacted, That the several Toll Gates or Turnpikes and Toll Houses and Weighing Machines erected and now standing and being in, upon, or across the said Road or on the Sides thereof shall remain and be continued until removed by any Order or Orders of the said Trustees; and it shall be lawful for the said Trustees to order and cause to be erected, set up, and built upon, in, or across the said Road, or on the Sides thereof, or any Part thereof, when, where, and as they shall judge necessary, any Gate or Gates, Turnpike or Turnpikes, Side Gate or Side Gates, Side Bar or Side Bars, Chain or Chains, Weighing Machine or Weighing Machines, and also from Time to Time to order and cause to be taken down and removed, or altered or discontinued, the same present Gates, Turnpikes, Toll Houses, and Weighing Machines, or such future Gates, Turnpikes, Side Gates, Bars, Chains, and Weighing Machines, or any of them, as they the said Trustees shall think proper.

Power to continue the present Gates, and erect others.

VII. And be it further enacted, That it shall be lawful for the said Trustees, or any Person or Persons to be appointed or continued Collector or Collectors of the Tolls to be taken by virtue of this Act, to demand and take the Tolls following, or any Sum or Sums not exceeding the respective Sums or Tolls following, at the several and respective Turnpikes or Toll Gates or Toll Houses, or Side Bars or Side Gates or Chains, which are or is or shall be standing or being or continued or erected by virtue of this Act in, upon, across, or on the Side or Sides of the said Road or any Part thereof, on every Day, such Day to be computed from Twelve of the Clock at Night to Twelve of the Clock in the next succeeding Night; (that is to say,)

Power to take Tolls.

For every Horse or other Beast drawing any Coach, Chariot, Landau, Berlin, Chaise Marine, Calash, Curricule, Phaeton, Chaise, Car, Chair, Stage Coach, Caravan, Van, Hearse, or other Carriage, the Sum of Four-pence Halfpenny:

Tolls.

For every Horse or other Beast drawing any Waggon, Wain, Cart, Dray, or other such Carriage, having the Fellies of the Wheels thereof of the Breadth of Six Inches or upwards, the Sum of Three-pence; and having the Fellies of the Wheels thereof of the Breadth of Four and a Half Inches and less than Six Inches, the Sum of Three-pence Three Farthings; and having the Fellies of the Wheels thereof of less Breadth than Four and a Half Inches, the Sum of Four-pence Halfpenny:

For every Carriage of any Description which shall be fastened or in any Manner fixed to another Carriage, the Sum of Three-pence if on Two Wheels, and the Sum of Sixpence if on more than Two Wheels:

For every Horse, Mule, or Ass, laden or unladen, and not drawing, the Sum of Three Halfpence:

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

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

Which



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

VIII. And be it further enacted, That in all Cases where there shall be a fractional Part of a Halfpenny in the Calculation or Amount of the Tolls herein mentioned, or any of them, the Sum of One Halfpenny shall be demanded and taken in lieu of such fractional Part.

No Toll to be paid for repassing.

IX. Provided always, and be it further enacted, That in case the respective Tolls hereby authorized to be taken shall at any Time or Times in any one Day (to be computed as aforesaid) have been paid for the passing of any Horse, Beast, or Cattle through any such Toll Gate or Toll Gates, Turnpike or Turnpikes, Side Gate or Side Gates, or Chain or Chains, such Horse, Beast, or Cattle shall (except in the Cases herein-after mentioned), upon a Ticket denoting the Payment thereof on that Day being produced, be permitted to repass once Toll-free through the same Toll Gate or Toll Gates, Turnpike or Turnpikes, Side Gate or Side Gates, or Chain or Chains at which such Payment or Payments respectively shall have been made, at any Time or Times during the same Day (to be computed as aforesaid).

Tolls to be payable only twice a Day at One Gate.

X. Provided also, and be it further enacted, That in case the respective Tolls hereby authorized to be taken shall have been paid twice in any one Day (to be computed as aforesaid) for the passing of any Horse or other Beast, drawing or not drawing, through any one of such Toll Gates, Turnpikes, Side Gates, or Chains, such Horse or other Beast shall (except in the Cases herein-after mentioned), upon Tickets denoting such Payments being produced, be permitted to pass Toll-free through the same Toll Gate or Toll Gates, Turnpike or Turnpikes, Side Gate or Side Gates, or Chain or Chains at which such Two Payments shall have been made, at all Times during the same Day (to be computed as aforesaid), any thing in this Act contained to the contrary thereof in anywise notwithstanding.

Limiting the Number of Tolls on the whole Line of Road.

XI. Provided also, and be it further enacted, That nothing herein contained shall extend or be construed to extend to empower the said Trustees, or any Collector or Collectors, Lessee or Lessees, to demand or take the respective Sums or Tolls aforesaid at any greater Number of Gates than One for or in respect of the same Horses, Beasts, or Cattle passing and repassing once through all the Turnpikes or Toll Gates now erected or which hereafter may be erected upon, across, or by the Side of that Part or Portion of the said Road comprised in this Act which lies and is situated between *Whitchurch* and *Kingsclere* aforesaid, nor at any greater Number of Gates than One for or in respect of the same Horses, Beasts, or Cattle passing and repassing once through all the Turnpikes or Toll Gates now erected or which hereafter may be erected upon, across,

or



or by the Side of that other Part or Portion of the said Road comprised in this Act which lies and is situated between *Kingsclere* aforesaid and the *Butts* Public House aforesaid, in any one Day (to be computed as aforesaid).

XII. And whereas the Mill called *Aldermaston* Mill, used by the Inhabitants of *Aldermaston*, is at the Distance of Half a Mile or thereabouts from the Village of *Aldermaston*, and no Turnpike Gate has ever been erected on such Part of the said Road as lies between the said Village and Mill; and in case any Turnpike Gate were to be erected between the said Village and Mill, it would be a heavy Charge on such Inhabitants if they were subjected to Toll when going with their Corn to be ground or returning with their Grist from the said Mill along so small a Proportion of the said Road; be it therefore enacted, That it shall not be lawful for the said Trustees, or any Person acting as Collector of Tolls on the said Road, to demand or take any Toll at any Gate, Bar, or Chain which may at any Time hereafter be erected on such Part of the said Road as lies between the Village of *Aldermaston* and the *Butts* Public House aforesaid, for or in respect of any Horse or other Beast when employed only in carrying Corn to be ground at *Aldermaston* Mill aforesaid, or in bringing any Grist or ground Corn from *Aldermaston* Mill aforesaid, belonging to any Inhabitant of the Parish of *Aldermaston*; and if any Person shall claim or take the Benefit of such Exemption without being entitled to the same, every Person so offending shall forfeit and pay the Sum of Forty Shillings.

Exemption for Corn and Grist belonging to Inhabitants of *Aldermaston* going to or from the Village Mill.

XIII. Provided also, and be it further enacted, That the Tolls hereby made payable for or in respect of Horses or Beasts drawing any Stage Coach, Diligence, Van, Caravan, Stage Waggon, or any Cart or Carriage whatever conveying Passengers or Goods for Hire or Reward, shall be payable and paid for each Time of passing or repassing through the said Turnpikes, Toll Gates, or Side Gates on the said Road: Provided also nevertheless, that no further or additional Toll shall be payable in respect of any Horses or Beasts drawing any Stage Coach, Diligence, Van, Caravan, Stage Waggon, Cart, or Carriage, on account only of the Horses or Beasts drawing the same having been changed between any Gates freeing each other by Ticket.

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

XIV. Provided also, and be it further enacted, That the Tolls hereby made payable for or in respect of Horses or Beasts let out to Hire, and drawing any Post Chaise or other Carriage, shall be payable and paid for each Time of passing or repassing along the said Road whenever any fresh Hiring thereof shall take place.

Post Chaises on every fresh Hiring.

XV. And be it further enacted, That all the Monies which shall have been raised and produced by virtue of the said Acts hereby 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, 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

Application of Tolls and other Monies.

incurred in applying for, preparing, obtaining, and passing this Act, and otherwise relative thereto respectively ; secondly, in paying the necessary current Expences for Advertisements, Books, Salaries of Officers, Law Charges, and other incidental Expences, and for erecting and providing, altering and repairing, Turnpikes, Toll Gates, Toll Bars, and Toll Houses, with suitable Outbuildings, upon, across, and by the Sides of the said Road, and in paying and discharging the Floating Debt already incurred in repairing and improving the said Road, with Interest ; thirdly, in paying and discharging the Interest now or hereafter to accrue and become due upon or by virtue of any Mortgages or Securities which have been already made and granted of the Tolls and Duties heretofore payable on the same Road, and of any Mortgages or Securities which shall hereafter be made and granted of the Tolls or Duties hereafter to become due and payable thereon ; fourthly, in defraying the Expences of diverting, altering, widening, improving, repairing, and keeping in repair the said Road, and otherwise in executing the other Powers of this Act ; and lastly, in reducing, paying off, and discharging the several Principal Sums of Money which have been borrowed and secured in pursuance of and for the Purposes of the said Acts hereby repealed, and also the several Principal Sums of Money which may hereafter be borrowed and secured by virtue of this Act, and all other Debts and Sums of Money now owing and which may hereafter become due and owing by or on account of the said Road.

Public Act. XVI. 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.

Term of Act. XVII. And be it further enacted, That this Act shall commence and take effect on the Second *Tuesday* next after the passing thereof, and shall from thenceforth continue and be in force and be executed for and during the Term of Thirty-one Years, and from thence to the End of the then next Session of Parliament.

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