



ANNO DECIMO OCTAVO & DECIMO NONO

# VICTORIÆ REGINÆ.

\*\*\*\*\*

## *Cap. civ.*

An Act to repeal certain Acts relating to the  
*Basingstoke, Stockbridge, and Lobcomb Corner*  
Turnpike Roads, and to make other Provisions  
in lieu thereof. [2d July 1855.]

**W**HEREAS an Act was passed in the Twenty-ninth Year of the Reign of King *George* the Second, intituled *An Act for the repairing and widening the High Roads from Basingstoke, through Popham Lane, Sutton Scotney, and Stockbridge, in the County of Southampton, to a Place called Lobcomb Corner in the County of Wilts, and also for repairing and widening the Road from Spittle House over Weyhill to Mullens Pond in the said County of Southampton*: And whereas by the Act of the Sixteenth Year of the Reign of King *George* the Third, Chapter Sixty-seven, and by the Local and Personal Acts of the Thirty-seventh Year of King *George* the Third, Chapter One hundred and fifty, and the Fifty-eighth Year of King *George* the Third, Chapter Seventy-three, the Term and Powers of so much of the first-mentioned Act as relates to the Roads from *Basingstoke* to *Lobcomb Corner* were continued, extended, and enlarged: And whereas the Powers granted by the said Acts, and continued from Time to Time by virtue of divers Acts

[Local.] 17 T of

29 G. 2.  
c. xlvi.

*The Basingstoke, Stockbridge, and Lobcomb Corner Turnpike  
Roads Act, 1855.*

of Parliament for continuing Turnpike Acts for limited Periods, 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 advanced for the Purposes of the said Roads upon the Credit of the Tolls by the said Acts authorized to be taken, Part of which Money, with an Arrear of Interest thereon, still remains owing, and no Part thereof can be paid off unless further Powers are granted: And whereas it is expedient that the said Four firstly-recited Acts should be repealed, and that further and more effectual Powers should be granted in lieu thereof; but the Purposes aforesaid cannot be effected without the Authority of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, as follows; (that is to say,)

Recited Acts  
repealed.

I. Upon the Third *Thursday* next after the passing of this Act the said Four firstly herein-before recited Acts shall be repealed, and this Act shall thereafter be put into execution during the Term and for the Purposes herein-after mentioned.

Short Title.

II. In citing this Act for any Purpose whatsoever it shall be sufficient to use the Expression "*The Basingstoke, Stockbridge, and Lobcomb Corner Turnpike Roads Act, 1855.*"

Interpreta-  
tion of  
Terms.

III. 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 Word "Person" shall be understood to include "Corporation:"

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

The Expression "the Roads" or "the said Roads" shall mean the Roads to which this Act applies:

The Word "Toll-gates" or "Toll-gate" shall include Turnpikes, Bars, Chains, and Side Gates.

Roads to  
which this  
Act is appli-  
cable.

IV. This Act shall be put into execution for the Purpose of maintaining the present Turnpike Road leading from *Basingstoke* in the County of *Southampton* to *Stockbridge* in the said County, and from thence to a Place called *Lobcomb Corner* in the Parish of *Winterslow* in the County of *Wilts.*

V. All

*The Basingstoke, Stockbridge, and Lobcomb Corner Turnpike  
Roads Act, 1855.*

V. All Monies due to, and all Property, Books, Accounts, Papers, Writings, or other Things, and all Choses in Action and Rights, vested in or belonging to the Trustees of the said Four firstly-recited Acts, under those Acts or any other Act or Acts, 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 said Four firstly-recited Acts or any other Act or Acts; and the Trustees acting under this Act shall be liable to all the Debts and Engagements to which the Trustees under those Acts were liable at the Repeal thereof, except in so far as those Debts and Engagements are by this Act reduced, varied, or extinguished.

Monies and Property to vest in the new Trustees.

VI. All Her Majesty's Justices of the Peace for the Time being respectively acting for each of the Counties of *Southampton* and *Wilts*, together with *Thomas Attwood*, *John Attwood*, *Thomas Baring*, *William Beach junior*, *John Hibberd Brewer*, the Reverend *David Cockerton* Clerk, *Thomas Edwards*, the Reverend *Dorset Fellowes* Clerk, the Reverend *Henry John Fellowes* Clerk, *Luther Owen Fox*, the Reverend *Francis Harriman Hutton* Clerk, *Henry King*, the Reverend *Anthony Lambert* Clerk, *George Lamb*, the Reverend *Stanlake Lee* Clerk, *John Lewis*, *John Leonard Lewis*, *William Longman*, *John Lywood*, the Reverend *Charles Nicoll* Clerk, *John Pain*, *John Thomas Francis Pain*, *Robert Pitter*, *George Rawlins*, *James Reeves*, *James Reeves junior*, the Reverend *Henry Nassau Rynd* Clerk, *Seymour Terry*, *William Wickham*, *James Wickham*, *John Wickham*, and their Successors, being duly qualified to act as Trustees of Turnpike Roads in *England*, shall be Trustees for putting this Act into execution.

Appointment of new Trustees.

VII. 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 Three 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.

VIII. The Trustees shall hold their First Meeting at the *White Hart* Inn at *Stockbridge* in the County of *Southampton*, or at some other convenient Place in the Neighbourhood of the said Roads, on the Third *Thursday* next after the passing of this Act, between the Hours of Eleven of the Clock in the Forenoon and One of the Clock in

Meetings of Trustees.

*The Basingstoke, Stockbridge, and Lobcomb Corner Turnpike  
Roads Act, 1855.*

in the Afternoon, 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  
Committees.

IX. The 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 Purposes of this Act or of any General Act affecting the said Roads, according to such Instructions and Regulations as shall be laid down by the Trustees at any General Meeting; and the said Committees, and the Surveyor and other Officers, may proceed to act according to such Appointment, but shall always be accountable according to the Instructions and Regulations so to be made.

Present  
Tolls con-  
tinued for  
for a Term.

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

Power to  
take Tolls.

XI. Upon and after the First Day of *September* One thousand eight hundred and fifty-five, 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, such Tolls as the said Trustees at any of their Meetings shall direct, not exceeding the Sums following; (that is to say,)

For every Horse, Mule, or Ass drawing any Coach, Chariot, Landau, Landalet, Phaeton, Marine, Berlin, Barouche, Chaise, Calash, Curricule, Hearse, Gig, Chair, or Taxed Cart, the Sum of Fourpence:

For every Horse or Beast of Draught drawing any Caravan, Waggon, Wain, Cart, or other such like Carriage, the Sum of Fourpence:

For every empty Carriage with Four Wheels fastened to or behind any Waggon, Wain, Cart, or other Carriage, the Sum of Fourpence Halfpenny; and for every empty Carriage with Two Wheels so fastened, the Sum of Twopence Halfpenny; and if loaded, double such respective Sums:

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 *per* Score, and so in proportion for any greater or less Number:

For

*The Basingstoke, Stockbridge, and Lobcomb Corner Turnpike Roads Act, 1855.*

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

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: And

For every Goat or other Beast, other than as aforesaid, drawing any Cart, Carriage, Truck, Barrow, or other Thing, the Sum of One Penny :

Which said respective Tolls shall be demanded and taken before any Horse, Mule, or other Beast, or any Goat drawing, or any Coach, Waggon, Cart, or other Carriage or Vehicle whatsoever, or Drove of Oxen or Neat Cattle, Calves, Sheep, Lambs, or Swine, be permitted to pass through any Toll Gate erected or to be erected or continued upon or on the Sides of the said Roads, by virtue of this Act or of any General Act relating to Turnpike Roads.

XII. In all Cases where there shall be a fractional Part of a Halfpenny in the Amount of the Tolls by this Act authorized to be collected the Sum of One Halfpenny shall be payable in lieu of such fractional Part. As to the Fraction of a Halfpenny in Tolls.

XIII. Except as in this Act otherwise provided, for passing and repassing any Number of Times on the same Day with the same Horses, Beasts, Cattle, or Carriage, or Animal or Thing, liable to Toll, along the said Roads, no more than Three full Tolls shall be taken. Limiting Number of Tolls to be taken.

XIV. All Horses, Beasts, Cattle, or other Animals drawing any Carriage whatsoever laden only with threshed Wheat, Oats, Barley, Pease, Beans, or other threshed Corn or Grain, in respect whereof One full Toll shall have been paid at any Toll Gate on the said Roads, shall, on Production of a Ticket denoting such Payment, be exempt during the same Day from Payment of Toll at any other Toll Gate on the said Roads. Threshed Wheat, &c. to pay only One full Toll.

XV. All Horses, Beasts, Cattle, or other Animals, except as herein after otherwise provided, in respect whereof the Toll hereby authorized to be taken shall have been paid at any Toll Gate on the said Roads or on the Sides thereof, shall, upon a Ticket denoting such Payment being produced, be permitted, in returning through the same Toll Gate, and in going and returning through such other Toll Gate, if any, as the Ticket denoting such Payment shall free, to pass Toll-free during the same Day. Persons having paid Toll to return free.

*The Basingstoke, Stockbridge, and Lobcomb Corner Turnpike  
Roads Act, 1855.*

Postchaises,  
&c. to pay  
every fresh  
Hiring.

XVI. The Tolls hereby made payable shall be paid for all Horses or other Animals let 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 any fresh Hiring shall have taken place, in the same Manner as if no previous Payment of Toll in respect of such Horses or Beasts had been made on the same Day.

Horses draw-  
ing Stages  
Coaches, &c.  
to pay each  
Journey.

XVII. The Tolls hereby made payable shall be paid for all Horses or other Beasts of Draught drawing any Stage Coach, or any Omnibus, Stage Waggon, Van, Caravan, or other Stage Carriage carrying Passengers or Goods for Payment, Hire, or Reward, for every Time of passing and of repassing along the said Roads.

Regulations  
as to Stage  
Coaches.

XVIII. All Horses and Cattle drawing any Stage Coach, Omnibus, Waggon, Van, Caravan, or other Stage Carriage conveying Passengers or Goods for Payment, Hire, or Reward, in respect whereof the Tolls hereby authorized to be taken shall have been paid at any Toll Gate, shall, upon a Ticket denoting such Payment being produced, be permitted to pass once Toll-free on the same Day through any other Toll Gate which such Ticket would free in the Case of Horses or Cattle drawing any other Carriage, and no further or additional Toll shall be payable in respect of any Stage Coach or other such Carriage as aforesaid at any such other Toll Gate the Payment at which shall be freed by such Ticket as aforesaid, on account only of its conveying other Passengers or of the Horses or Cattle drawing the same having been changed.

Tolls on  
Horses, &c.  
drawing dif-  
ferent Wag-  
gons, &c.

XIX. 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 laden 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.

Provisions as  
to Lime for  
Manure.

XX. No Toll shall be demanded or taken by virtue of this Act for any Horse or other Beast, Waggon, Wain, Cart, or other Carriage, employed in carrying or conveying, or going empty to fetch, carry, or convey, or returning empty from carrying or conveying, having been employed only in carrying or conveying on the same Day, Lime for manuring Lands.

XXI. Subject

*The Basingstoke, Stockbridge, and Lobcomb Corner Turnpike  
Roads Act, 1855.*

XXI. Subject to the Provisions of this Act and of an Act passed in the Ninth Year of the Reign of His late Majesty King *George* the Fourth, Chapter Seventy-seven, with respect to the setting up and maintaining Toll Gates, Turnpikes, Bars, or Toll Houses, it shall be lawful for the Trustees to set up, in, upon, or across the said Roads or the Sides thereof, any Toll Gate or Toll House, and to remove any existing or future Toll Gate or Toll House, as they shall think proper.

Respecting  
Toll Gates.

XXII. Inasmuch as the Principal Sums now due on the Credit of the Tolls arising on the said Roads amount in the whole to the Sum of Three thousand nine hundred and fifty Pounds, which is due or reputed to be due to the several Persons named in the Schedule to this Act, or their Representatives, in the respective Proportions or Sums set opposite to their respective Names in that Schedule, with an Arrear of Interest thereon, be it enacted, That such Arrear of Interest now due and owing shall be and the same is hereby extinguished.

Amount of  
Debt, and as  
to Arrears of  
Interest.

XXIII. All Moneys which shall come to the Hands of the Trustees by virtue of this Act shall be applied as follows:

Application  
of Moneys.

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

Secondly, in defraying the necessary Expenses of Management, including Salaries, and the Repair and Rent of Toll Houses, Toll Gates, and Weighing Machines, and incidental Expenses; but the Amount so applied shall not exceed the Sum of Forty-eight Pounds *per Annum*, exclusive of the Wages of Toll Collectors, and the Expenses of prosecuting and defending Actions at Law, Suits, or Indictments, and Proceedings before Justices of the Peace:

Thirdly, in paying Interest at the Rate of Two Pounds *per Centum per Annum* upon all Principal Sums for the Time being due and owing upon the Credit of the Tolls arising on the said Roads:

Fourthly, in repairing and maintaining the Roads, not exceeding Forty Pounds *per Annum*:

Fifthly, in paying off and discharging, in manner herein-after provided, all Principal Sums for the Time being due upon the Credit of the Tolls arising on the said Roads:

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

XXIV. Provided always, That no Interest shall accrue due in respect of the said Principal Sum of Three thousand nine hundred and

No Interest  
to accrue  
until Ex-

*The Basingstoke, Stockbridge, and Lobcomb Corner Turnpike  
Roads Act, 1855.*

penses of  
Act are paid.

and fifty Pounds, or any Part thereof, until the Trustees shall have received Sums sufficient to discharge the Expenses of obtaining and passing this Act or incident thereto.

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

XXV. Whenever and so long as Interest at the Rate by this Act authorized upon all existing Mortgages due on the Credit of the Tolls arising on the Roads shall be duly paid within Three Calendar Months next after the same shall become due, no Holder of any Mortgage of the said Tolls shall be entitled to enter into possession of any Toll Gate, Toll House, or Building upon the Roads or on the Sides thereof, 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, Toll House, or Building, or into the Receipt of such Tolls or Rents, shall pay the Interest from Time to Time becoming due at the Rate by this Act authorized upon all the said existing Mortgages, without any Preference or Priority, and may also reimburse himself any Costs to which he may be entitled; and every 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 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 when the Interest at the Rate by this Act authorized due on such Mortgages up to the last of such half-yearly Days, and all such Costs as aforesaid, shall have been fully paid and satisfied or provided for, 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 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.

As to Mode  
of discharg-  
ing Debt.

XXVI. When and so often as the Sum applicable to the Discharge of the Principal Sums for the Time being owing on the Credit of the Tolls according to the Provisions of this Act shall amount to the Sum of One hundred Pounds, the Trustees shall, at any General Annual or other Meeting, apply such Sum in the Payment of a proportionate Part of the said Principal Sums to 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



*The Basingstoke, Stockbridge, and Lobcomb Corner Turnpike  
Roads Act, 1855.*

such Sum, in some Newspaper published in the County of *Southampton*, or if there shall be no Newspaper published therein, then in some Newspaper published in an adjoining County, or by Letter addressed to each Creditor at his usual Place of Abode; 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 some Part of the said Principal Sums to the Creditor 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 Moneys, 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 Part of the said Principal Sums to the Creditor who by Proposal as aforesaid shall have offered to accept the next lowest Composition in respect of the Principal Moneys 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 Creditors 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, 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 Moneys 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 on the said Tolls entitled to the said Principal Sums, or may pay the same to such of them as may be determined by Lot, as the Trustees think fit: Provided always, that the Trustees may from Time to Time, if they think fit, apply in manner aforesaid any Sum less than One hundred Pounds applicable as aforesaid, or, with the Consent of One of Her Majesty's Principal Secretaries of State in Writing under his Hand, postpone the Application of any Sum so applicable until the same amount to any Sum not exceeding One hundred Pounds which they with such Consent may determine.

XXVII. No Money shall be laid out by the Trustees on the Roads within the Limits of any Act of Parliament passed for the Improvement of any Town, nor shall any Tolls be collected therein by them.

No Money to be laid out or taken in Towns.

XXVIII. It shall not be lawful for the Trustees to borrow on the Credit of the Tolls by this Act authorized to be taken any further Sum of Money for any Purpose whatsoever.

Trustees not to borrow Money on Credit of Tolls.

[*Local.*]

17 X

XXIX. Nothing

*The Basingstoke, Stockbridge, and Lobcomb Corner Turnpike  
Roads Acts, 1855.*

Roads not  
exempted  
from General  
Acts.

XXIX. Nothing herein contained shall be deemed to exempt the Roads 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.

Commence-  
ment and  
Term of Act.

XXX. This Act shall commence on the Third *Thursday* 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.

The SCHEDULE referred to in this Act.

Names of Persons to whom or to whose Representatives the Principal Sums mentioned in this Act are due or reputed to be due.	Proportion due or reputed to be due to each.		
	£	s.	d.
Attwood, Miss Charlotte Ann	50	0	0
Browne, George, Executors of	200	0	0
Child, the Reverend Thomas	50	0	0
Earle, Elizabeth	50	0	0
Elderfield, William, Executors of	50	0	0
Heath, William Hawkins	850	0	0
King, Henry	250	0	0
Major, William	300	0	0
Reeves, James	100	0	0
Saunders, Margaret	1,600	0	0
Saunders, Andrew	300	0	0
Shrimpton, John	50	0	0
Willis, James	100	0	0
	3,950	0	0

LONDON:

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