



ANNO VICESIMO & VICESIMO PRIMO

VICTORIÆ REGINÆ.

Cap. lvi.

An Act to repeal an Act passed in the Fifth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act for more effectually repairing and improving certain Roads leading to, through, and from the Towns of Langport, Somerton, and Castle Cary, in the County of Somerset, and for making and improving other Roads in the said County*, and granting more effectual Powers in lieu thereof, and for making and improving new Lines of Road.

[27th July 1857.]

WHEREAS an Act was passed in the Fifth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act for more effectually repairing and improving certain Roads leading to, through, and from the Towns of Langport, Somerton, and Castle Cary, in the County of Somerset, and for making and improving other Roads in the said County*: And whereas the Trustees acting by virtue of the said recited Act have proceeded to carry the same into execution, and have from Time to Time borrowed

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*The Langport, Somerton, and Castle Cary Turnpike Roads Act, 1857.*1 & 2 W. 4.
c. xxxii.

rowed and expended considerable Sums of Money upon the Credit of the Tolls thereby authorized to be taken upon the said Roads, a great Part of which Money still remains owing on the Credit of the said Tolls, and such Money cannot be paid off nor can the said Roads be effectually improved and kept in repair unless further Powers are granted, and the Term of the said Act be further continued and extended: And whereas an Act was passed in the Second Year of the Reign of His Majesty King *William* the Fourth, intituled *An Act for amending certain Roads in the County of Somerset, and for placing them and other Roads under the Care and Management of the Trustees of the Langport, Somerton, and Castle Cary Roads*: And whereas by "The Annual Turnpike Acts Continuance Act, 1856," the said Acts were continued until the First Day of *November* One thousand eight hundred and fifty-seven, and no longer, unless Parliament should in the meantime continue the same: And whereas the making, repairing, improving, and maintaining the Lines of Road herein-after described, and placing the same under the Care and Management of the Trustees for executing this Act, will be a Work of public Utility: And whereas it is expedient that the said recited Acts should be repealed, and that other and more effectual Powers should be granted in lieu thereof; but the same cannot be effected without the Authority of Parliament: May it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:

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

I. That upon the Fourth *Monday* next after the passing of this Act the recited Acts of the Fifth Year of the Reign of His Majesty King *George* the Fourth, and of the Second Year of the Reign of His Majesty King *William* the Fourth, shall be and the same are hereby repealed.

Arrears of
Tolls, &c.
under recited
Act vested
in the Trus-
tees under
this Act.

II. That all Rents and Arrears of Tolls and other Moneys due to, and all Property and Choses in Action vested in or belonging to the Trustees under the Act hereby repealed, shall, immediately on the passing of this Act, vest 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 recited Act, and they shall be liable to all the Debts and Engagements to which the Trustees under the said recited Act were liable at the Repeal thereof.

Short Title.

III. That in citing this Act for any Purpose it shall be sufficient to use the Expression "*The Langport, Somerton, and Castle Cary Turnpike Roads Act, 1857.*"

IV. That

The Langport, Somerton, and Castle Cary Turnpike Roads Act, 1857.

IV. That 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 : Construction of Terms.

The Word " Person " shall include Corporation :

The Expression " the Trustees " shall mean the Trustees for the Time being for executing this Act :

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

The Word " Turnpike " shall include Toll Gate, Toll House, Bar, and Chain :

The Word " Lands " shall include Messuages, Tenements, and Hereditaments, of whatever Tenure.

V. That all Her Majesty's Justices of the Peace for the Time being acting for the County of *Somerset*, together with *Walter Alford* Clerk, *Thomas Alford*, *Thomas Watson Bagehot*, *Edward Bagehot*, *John Baker*, *John Bond* Clerk, *James Broadmead*, *Thomas Brancker* Clerk, *Walter Bagehot*, *Watson Bagehot*, *John Barney* Clerk, *James Bullock* Clerk, *John Clothier*, *Arthur Clothier*, *Robert Colby* Clerk, *Joseph Dudman*, *Lumsden Sherriff Dudman* Clerk, *Richard Dawkins* Clerk, *Thomas Marriot Doddington* Clerk, *Francis Meade Eastment*, *William Fry*, *George Hickson*, *Urquhart Fagan* Clerk, *Augustus Otway Fitzgerald* Clerk, *William Fraser*, *Richard Foley* Clerk, *Charles Fry*, *Joseph Francis*, *John Gillett*, *Frederick Gray* Clerk, *George Horwood*, *John Hillard*, *John Holman*, *Charles Hyde*, *William Harkness* Clerk, *John George Hickley* Clerk, *Edward Pering Henslowe* Clerk, *William John Hill*, *James Lloyd*, *Robert Leach*, *John Lindon*, *Henry George Livius* Clerk, *John Louch*, *William Robert Lambert* Clerk, *Charles Langdon* Clerk, *John Larcombe*, *John Michell*, *Richard John Meade* Clerk, *George Bullock Murley*, *William Layton Metcalf* Clerk, *William Webber Munckton*, *John Nicholetts*, *William Nicholas*, *Percy Sergeant Newell* Clerk, *John Toller Nicholetts*, *Henry Norris*, *Hugh Norris*, *William Frederick Newell* Clerk, *William Pyne* Clerk, *Burchall Peren*, *Charles Perratt*, *John Pyne*, *James Parsons*, *John Prankerd*, *Henry Phelps*, *William Burchall Peren*, *Edward Quekett*, *William Reynolds*, *Samuel Reynolds*, *Charles Russ*, *Henry Digby Serrell* Clerk, *Henry Shute*, *Charles Cuthbert Southey* Clerk, *Edward Marmaduke Stanley*, Clerk, *Henry Stuckey*, *William Stuckey*, *George Bailey Tuson*, Clerk, *Theodore Thring*, *William Hamilton Twemlow* Clerk, *William Uttermare*, *John Valentine*, *Bartholomew Wake* Doctor of Medicine, *James Welsh*, *Charles Cornwallis Wallis*, and *William Young* Clerk, and their Successors, being duly qualified to act as Trustees of Turnpike Roads in *England*, shall be Trustees for putting this Act into execution. Trustees.

VI. That

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Power to
appoint addi-
tional Trus-
tees.

VI. That it shall be lawful for the said Trustees at any Meeting to be held in pursuance of this Act, to elect any Number of Persons being 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 Persons so elected shall have the same Powers and Authorities for executing this Act as if they had been hereby appointed.

First Meet-
ing of Trus-
tees.

VII. That the said Trustees shall hold their First Meeting at the *Red Lion Inn*, in the Town of *Somerton* aforesaid, or at some other convenient House or Place in the Neighbourhood of the said Roads, on the Fourth *Monday* 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 near the said Roads as they shall think proper.

Power to
appoint
Committees.

VIII. That 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 the 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 be
improved
and kept in
repair as
herein men-
tioned.

IX. That this Act shall be put into execution for and during the Term herein-after mentioned, for the Purpose of maintaining, amending, diverting, varying, altering, widening, straightening, improving, and keeping in repair the several Roads herein-after mentioned; (that is to say,)

The present Road from the Post in the Parish of *Fivehead* (where the *Taunton* Turnpike Road terminates), through the Towns of *Langport* and *Somerton* to *Butwell* in the Parish of *Ansford*, and which described Line of Road lies in the several Parishes of *Fivehead*, *Swell*, *Curry Rivell*, *Drayton*, *Langport Eastover*, *Huish Episcopi*, *High Ham*, *Pitney*, *Somerton*, *Charlton Mackerel*, *Kingweston*, *Keinton Mandeville*, *West Lydford*, *East Lydford*, *Wheathill*, *Lovington*, *Alford*, *Castle Cary*, and *Ansford*:

Also the present Road leading from the last-described Line of Road near the *Bell Inn* in *Curry Rivell*, to the Bound Stone near *Park Gate* (being the Division of the Parishes of *Isle Brewers* and *Puckington*), and which Line of Road lastly described lies in the several Parishes of *Curry Rivell*, *Kingsbury Episcopi*, and *Isle Brewers*:

Also

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Also the present Road leading from the first-described Line of Road at the Bottom of *Langport Hill* in the Town of *Langport*, to the Turnpike Road from *Ilchester* to *Wincanton* at *Cobb Door* in the Parish of *West Camel*, and which Line of Road lastly described lies in the several Parishes of *Langport Eastover*, *Huish Episcopi*, *Long Sutton*, *Somerton*, *Kingsdon*, *Charlton Mackerel*, *Puddimore Milton*, and *West Camel* :

Also the present Road leading from the last-described Line of Road near *Huish Church* to the Road leading from *Lopen* to *Shepton Beauchamp*, near *Broom Bars*, and which Line of Road lastly described lies in the several Parishes of *Huish Episcopi*, *Muchelney*, *Kingsbury Episcopi*, *South Petherton*, *Shepton Beauchamp*, *Seavington Saint Mary*, and *Seavington Saint Michael* :

Also the present Road in the Parish of *South Petherton* leading from the last-described Line of Road at *Compton Durville* to *Palmer Street* in *South Petherton* :

Also the present Road in the Parish of *Long Sutton* leading from the Quaker's Meeting House to *Long Sutton Green* :

Also the present Road leading from the first-described Line of Road near the late Magazine in the Parish of *Huish Episcopi*, to *Langport Bridge* in the Parish of *Chedzoy* (where the *Bridgwater* Turnpike Road terminates), and which Line of Road lastly described lies in the several Parishes of *Huish Episcopi*, *Aller*, *Othery*, *Middlezoy*, *Weston Zoyland*, and *Chedzoy* :

Also the present Road in the Parish of *Huish Episcopi* leading from the first-described Line of Road through *Huish Field* to *Huish Church* :

Also the present Road leading from the first-described Line of Road near the Bridge over the River *Cary* at *Somerton* into the before-described Line of Road leading from the Bottom of *Langport Hill* to *Cobb Door*, at the Cross Ways between *Kingsdon* and *Ilchester* (where the *Ilchester* Turnpike Road terminates), and which Line of Road lastly described lies in the several Parishes of *Somerton* and *Kingsdon* :

Also the present Road leading from the first-described Line of Road near the said Bridge over the River *Cary* to the Cross Roads at *Street Inn*, and which Line of Road lastly described lies in the several Parishes of *Somerton*, *Compton Dundon*, and *Street* :

Also the present newly made Turnpike Road in the Parishes of *Ansford* and *Castle Cary* leading from the first-described Line of Road at *Clanville Lane* in the Parish of *Ansford* to *White's Cottage* in *Castle Cary* aforesaid, and from thence through the Town of *Castle Cary* to the Road leading from *Ansford* to *Wincanton* :

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Also

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Also the present Road in the Parish of *Castle Cary* leading from the last-described Line of Road opposite *Foot's House*, otherwise called *Harry Wilton's Corner*, to the next described Road near the *Britannia Inn* :

Also the present Road leading from the before-described Line of Road through the Town of *Castle Cary*, near the *George Inn* in *Castle Cary*, to the Road from *Wincanton* to *Ilchester*, on the Eastern Side of the *Wilts, Somerset, and Weymouth* Railway, along and including the new Road on the Eastern Side of the said Railway at *Sparkford*, which said new Road shall be deemed and taken to be a Highway to all Intents and Purposes, and which Line of Road lastly described lies in the several Parishes of *Castle Cary, North Cadbury, and Sparkford* :

Also the present Road leading from the last-described Line of Road near the Meeting House at *Galhampton*, to the Turnpike Road near *Cary Hill* Turnpike Gate, and which Line of Road lastly described lies in the several Parishes of *Castle Cary* and *Pitcombe* :

And also the present Road called *Ansford Lane* in the Parish of *Castle Cary*, leading from the before-described Line of Road through the Town of *Castle Cary* near a Dwelling House now or lately belonging to the Representatives of the late *John Burge*, to the *Sherborne* Turnpike Road near *Ansford Inn*, (except such Portion of the first-described Line of Road as lies between the Cross Roads near the Bridge over the *Wilts, Somerset, and Weymouth* Railway a short Distance East of *Clanville*, to *Clanville Lane*, and except all such Parts of the several before-described Lines of Road as the Inhabitants of the said County are liable to repair, or are contained in any other Turnpike Act or Acts not herein-before recited or referred to).

New Lines of Road to be made according to deposited Plans.

X. That inasmuch as Plans and Sections of certain Lines of Road, together with a Book of Reference thereto, have been deposited at the Office of the Clerk of the Peace for the County of *Somerset*, the said Trustees may make, complete, and maintain such Lines of Road respectively, as herein-after described, in the Lines and in and through the Land delineated on such Plans and described in such Book of Reference, and according to the Levels shown upon such Sections, together with all such Footpaths, Bridges, Embankments, Ditches, Drains, Fences, and other necessary Works upon or near thereto respectively as they may think requisite ; and for the Purposes aforesaid they may take possession of the Land described on such Plans and Book of Reference, making Satisfaction to the Owners thereof and other Persons interested therein for all Damage which such Owners or other Persons may respectively sustain thereby ; and the Trustees and their Surveyor and Workmen may from Time to Time enter upon such Land, and mark and stake out the same for the Purposes

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Purposes of this Act, at such Times and in such Manner as they may think necessary or expedient.

XI. That the Roads by this Act authorized to be so made and completed and afterwards maintained are as follows ; (that is to say,) Description
of new
Roads.

The present Road leading out of the present Turnpike Road near the Market Place in the Town of *Somerton*, and continuing therefrom by *Ashen Cross* to and terminating at the present Turnpike Road between *Long Sutton* and *Puddimore* at or near *Catsgore Farm* :

Also a new Line of Road leading out of the present Turnpike Road at *Somerton Hill* through certain Lands into the last hereinbefore described Line of Road near the *Fairfield* at *Somerton* aforesaid, which proposed new Roads lie in the Parish of *Somerton* aforesaid.

XII. That the Trustees may in the Construction of the Works by this Act authorized deviate from the Lines thereof to the Extent delineated upon such Plans, but not to any greater Extent than One hundred Yards from such Lines, nor in any Case into any Lands not described on the Plans or the Book of Reference without the Consent in Writing of the Owner and Occupier of such Land; and no Deviation shall be made from the Lines of the said Works where no Limits of Deviation are shown on such Plans : Provided always, that the said Line shall not deviate Eastward on the Lands belonging to Mr. *James Welsh* more than Ten Yards. Power to
deviate from
Plans.

XIII. That the Trustees may deviate from the Levels of the said Works as marked on such Sections to any Extent not exceeding Six Feet. Power to
deviate from
Levels on
Sections.

XIV. That the Works by this Act authorized may be made in or through any Land delineated on such Plans, although such Land or the Situation thereof, or the Names of the Owners, Lessees, or Occupiers thereof may happen to be omitted, mis-stated, or erroneously described in such Plans or Book of Reference, in case it shall appear to any Two or more Justices of the Peace for the County of *Somerset*, in Petty Sessions assembled, and be certified in Writing under their Hands, that such Omission, Mis-statement, or erroneous Description proceeded from Mistake; and the Certificate of such Justices shall be deposited with and remain in the Custody of the Clerk of the Peace of such County for the Time being. Land may be
taken not-
withstanding
Errors in
Book of Re-
ference, &c.

XV. That the "Lands Clauses Consolidation Act, 1845," does not apply to the Works by this Act authorized, nor is it incorporated with this Act. 8 & 9 Vict.
c. 18. not to
apply to this
Act.

XVI. That all the Clauses and Provisions of the Public General Acts now in force relating to Turnpike Roads in *England*, with Certain Pro-
visions of
General
respect

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Turnpike Acts to apply to this Act;

but not to prevent Trustees from taking Lands, &c. in deposited Plans.

respect to the taking, Purchase, and Sale of Lands for the Purpose of widening, diverting, altering, or improving any Road, the Conveyances of such Lands, the Compensation to be made for the same, and the making out of Titles thereto (except where such Clauses and Provisions are inconsistent with this Act), extend and apply to the Lands to be purchased for the Purpose of this Act; but nothing in those Acts or any of them contained shall prevent the Trustees from taking or pulling down any Dwelling House or Building, or taking in or making Use of any Garden, Yard, or Paddock, Park, planted Walk or Avenue to a House, or any inclosed Ground planted as an Ornament or Shelter to a House, or planted and set apart as a Nursery for Trees, or any Part thereof respectively, which is delineated on such Plans and described in such Book of Reference, either with or without the Consent in Writing of the Owners, Proprietors, or other Persons interested therein.

Trustees not to make new Road unless the Money for making same be subscribed.

XVII. That, notwithstanding anything herein contained, the said Trustees shall not be empowered nor shall they be liable to make or repair either of the Two last herein-before described Lines of Road, until the whole of the Moneys necessary for Purchase of the Land for the complete making of the said Line of Road according to the said Plans and Sections, and for putting the same in complete Repair, shall have been subscribed and paid to the Treasurer of the said Trustees, nor shall any Part of the Funds or Revenues to arise under this Act be at any Time applied in such Purchases, or in the making or first putting in repair of such Roads, or in the Repayment of the Sums of Money so subscribed, or any Interest in respect thereof.

Subscription Contract to be as valid as if this Act had passed in the last Session.

XVIII. The Subscription Contract which, pursuant to the Standing Orders of Parliament, was entered into with respect to the Undertaking authorized by this Act, previously to the Commencement of the last Session of Parliament, shall be as valid and shall be construed as if this Act had been passed in the said last Session.

Freehold, &c. of Land to remain in Owners of adjoining Land.

XIX. That the Freehold and Inheritance in the Land so purchased shall not (notwithstanding any Provision in any of the Acts now in force for regulating Turnpike Roads in *England*) by means of any such Purchase, or any Conveyance or Assurance made in pursuance thereof, be vested in the Trustees, but such Freehold and Inheritance shall, notwithstanding such Purchase and Conveyance or Assurance, remain and be vested in the Owners for the Time being of the adjoining Land from which the same shall have been taken, subject to a perpetual Right of Way in, over, or upon the Land so purchased.

Trustees to have Power of digging and using Land.

XX. That the Trustees shall have the same Rights and Powers of digging, cutting, and using the Land taken by them for the Purposes of this Act, and also of erecting any Toll Houses or other Buildings,
or

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or of building any Arch thereon, as they would have had in case they had purchased the Fee Simple or the whole Estate and Interest in such Land.

XXI. That the Powers of the Trustees for the compulsory Purchase of Land for the Purposes of the Works by this Act authorized, and shown on such Plans, shall not be exercised after the Expiration of Three Years from the Commencement of this Act.

Powers for compulsory Purchases limited.

XXII. That the Works by this Act authorized and shown on such Plans may be completed within Five Years from the Commencement of this Act, and at the Expiration of that Period the Powers by this Act given for executing the same shall cease to be exercised.

Period for Completion of Works.

XXIII. That the Tolls now payable at the several Toll Gates, Side Gates, and Toll Bars on the said Turnpike Road shall continue payable thereat until the First Day of *January* next after the passing of this Act, and that on and after the said First Day of *January* it shall be lawful for the said Trustees to demand and take at each and every of the Toll Gates and Side Gates, or Toll Bars and Chains, which shall by virtue of this Act be in, upon, or across the said Roads or on the Sides thereof, the several Tolls or Sums following; (that is to say,)

Power to take Tolls.

For every Horse or Mule drawing any Coach, Barouche, Sociable, Landau, Vis-à-Vis, Chaise, Phaeton, Curricule, Chair, Caravan, Hearse, Taxed Cart, Brougham, Clarence, Car, Omnibus, Van, or other such like Carriage, Sixpence :

For every Horse or Mule drawing any Waggon, Cart, Dray, or other such Carriage, having the Fellies of the Wheels of not less Breadth than Six Inches, Sixpence :

For every Horse or Mule drawing any Waggon, Cart, Dray, or other such Carriage, having the Fellies of the Wheels of less Breadth than Six Inches, and not less than Four Inches and a Half, Sevenpence Halfpenny :

For every Horse or Mule drawing any Waggon, Cart, Dray, or other such Carriage, having the Fellies of the Wheels of less Breadth than Four Inches and a Half, Ninepence :

But for a single Horse drawing a Cart, Sixpence :

For every Ass, Ox, or Neat Cattle drawing any Carriage, One Half of the Toll payable in respect of a Horse drawing a similar Carriage :

For every Horse or Mule, laden or unladen, and not drawing, Twopence :

For every Ass, Ox, Cow, or Neat Cattle not drawing, One Penny :

For every Calf, Hog, Sheep, or Lamb, One Halfpenny :

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

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Which

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Which said Tolls respectively shall be paid before any Horse, Mule, Ass, Beast, or other Cattle or Carriage whatsoever shall be permitted to pass through any Toll Gate, Side Gate, Toll Bar, or Chain which shall be by virtue of this Act in, upon, or across such Road or on the Sides thereof.

As to the Fraction of a Halfpenny in Tolls.

XXIV. That in all Cases in which 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.

Tolls to be paid but once in a Day.

XXV. Provided always, That in case the said Toll shall have been paid for or in respect of any Horse, Ass, Beast, or Cattle passing through any of the Turnpikes or Toll Gates now 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 such Horse, Beast, or Cattle for returning, passing, or repassing through the same Turnpike, Toll Gate, or Side Gate the same Day, to be computed from Twelve of the Clock at Night to Twelve of the Clock in the succeeding Night, but that every Person on producing a Note or Ticket denoting the Payment of such Toll shall (except as herein-after mentioned) be permitted to pass through such Turnpike, Toll Gate, or Side Gate with such Horse, Beast, or Cattle Toll-free: Provided, that if any such Horse, Beast, or Cattle in returning or repassing be drawing any Carriage in respect of the drawing of which a higher Rate of Toll would be payable than was paid for such Horse, Beast, or Cattle on first passing through the said Gate or Bar, the Difference of Toll between that paid on first passing and that payable on returning or repassing the First Time, shall be paid.

Postchaises to pay each Time of passing with fresh Hiring.

XXVI. That the Tolls hereby made payable shall be paid for all Horses, Beasts, or Cattle drawing any Postchaise or other Carriage travelling for Hire as often as any new Hiring shall take place, in the same Manner as if no previous Payment of Toll in respect of such Horses, Beasts, or Cattle had been made on the same Day.

Regulations as to Stage Coaches.

XXVII. That for and in respect of all Horses or other Beasts drawing any Stage Coach, or any Stage Waggon, Van, Caravan, or other such Carriage, carrying Goods or Passengers for Payment, Hire, or Reward, for which Toll shall have been paid, and which shall return on the same Day, carrying Goods or Passengers for Payment, Hire, or Reward through any Turnpike or Toll Gate on the said Roads, the Tolls hereby made payable shall be again paid for repassing through such Turnpike or Toll Gate in like Manner as if no Toll had been before paid.

Respecting Toll Gates.

XXVIII. That the several Toll Gates, Bars, and Toll Houses now standing or being upon the said Roads or on the Sides thereof shall be

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be continued until removed by an Order of the said Trustees, and it shall be lawful for the said Trustees to order and cause to be set up on or across the said Roads or on the Sides thereof, any Toll Gates or Bars and Toll Houses, and to remove the present or any future Toll Gates or Bars and Toll Houses as they shall think proper: Provided always, that no Toll Gate, Bar, or Toll House shall be removed, erected, or set up, upon or across the said Roads or on the Sides thereof, unless 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 Fifth Section of an Act passed in the Ninth Year of the Reign of King *George* the Fourth, intituled *An Act to amend* 9 G. 4. c. 77. *the Acts for regulating Turnpike Roads.*

XXIX. That no Toll shall be demanded or taken by virtue of this Act for any Horse, Beast, or other Cattle, carrying Milk only, the Produce of the Owner thereof, or going for or returning after carrying such Milk, or for any Horse, Beast, or other Cattle drawing any Carriage employed only in carrying or conveying, or going for or returning after carrying or conveying, on the same Day, any Dung, Mould, or Compost, or any Lime or other Matter or Thing used for Manure only for improving Lands, or Stones, Pipes, or other Materials for guttering or draining of Lands, or any Milk, or the Produce of any Lands carried to the House, Barn, Barton, Granary, or Stable of the Owner of such Milk or Produce, or from any Part of the Lands and Premises in his Occupation to any other Part of such Lands and Premises, such Milk or Produce not having been bought, sold, or disposed of, nor being carried a greater Distance than Two Miles on the said Turnpike Road, nor for any Horse or other Beast going to or returning from Pasture or Watering Place, or going to be or returning from being shoed or farried within the same or adjoining Parish, although the Distance exceed Two Miles.

Certain Exemptions from Toll.

XXX. That it shall and may be lawful for the said Trustees, and they are hereby empowered at any Meeting of which due Notice shall have been given, to lessen and reduce all or any of the Tolls granted by this Act, and payable in respect of all or any of the Animals mentioned in the said Act, to any Sum or Sums of Money not less than the Tolls which are now received under the Act hereby repealed, for and during such Time as the said Trustees shall think proper, notwithstanding any Provision contained in any General Act now in force for regulating Turnpike Roads, and afterwards at any other such Meeting from Time to Time as they shall see Occasion to advance all or any of the Tolls so lessened to any Sum or Sums of Money not exceeding the Tolls granted by this Act.

Trustees may reduce Tolls.

XXXI. That the said Trustees are hereby empowered from Time to Time at any Meeting or Meetings (of which at least Twenty Days Notice

Payment of Toll at One Gate to clear others.

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Notice shall be given in some Newspaper circulated in the said County of *Somerset*, and affixed on all the Turnpike Gates on the said Roads), to order that Payment of Tolls at any Gate or Gates on the said Raads shall, on Production of a Ticket denoting such Payment, clear any other Gate or Gates on the said Roads within the Distance of Six Miles, and which Order or Orders may from Time to Time be revoked in the same Manner as any other Order of the said Trustees.

Number of
Tolls limited.

XXXII. That no more than Four full Tolls shall be demanded or taken for or in respect of the same Horse, Beast, or Cattle, for passing or repassing on the same Day through the whole of the said Roads.

Application
of Tolls.

XXXIII. That all Moneys in the Hands of the said Trustees, and all Moneys which shall be received by them by virtue of this Act, shall be applied as follows; (that is to say,)

First. In defraying all the Costs, Charges, and Expenses incident to and attending the obtaining and passing of this Act:

Secondly. In paying the Costs and Expenses attending the Management of the said Trust, and Salaries not exceeding the Sum of Two hundred and fifty Pounds *per Annum*, exclusive of Salaries of Toll Collectors, and the Erection and Repair of Toll Gates and Toll Houses, and of any Expenses to which the Trustees may be put with respect to any Action at Law or Suit in Equity or Proceedings before Magistrates, or in preferring or defending any Indictment:

Thirdly. In paying Interest at the Rate of Three Pounds *per Centum per Annum* upon the Principal Sum of Seventeen thousand five hundred and ninety Pounds, specified in the Schedule to this Act annexed, or upon so much thereof as shall for the Time being be owing in respect of Money borrowed on the Credit of the Tolls authorized to be taken by this or the repealed Act, and in paying Arrears of Interest due at the Time when this Act comes into operation upon any Part of such Principal Sum:

Fourthly. In paying the Sum of Nine hundred and fifty Pounds annually towards the Expense of improving, maintaining, and keeping in repair the said Roads, and in putting this Act into execution with reference thereto:

Fifthly. In paying off in the Manner herein-after set forth the said Debt:

Lastly. In further maintaining, repairing, and improving the said Roads.

As to Mode
of discharg-
ing Debt.

XXXIV. That when and so often as the Sum applicable to the Discharge of the Principal Moneys for the Time being due on Security of the Tolls shall amount to the Sum of Two hundred Pounds

The Langport, Somerton, and Castle Cary Turnpike Roads Act, 1857.

Pounds, the Trustees shall, at any General, Annual, or other Meeting, apply such Sum so applicable in the Payment of a proportionate Part of the said Principal Moneys 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 Objects and Purposes thereof, so far as the same shall relate to the Application of such Sum, in some Newspaper published in the said County of *Somerset*, or by Letter sent by Post to each Creditor, directed to his usual Place of Residence or last known 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 Moneys due on Security of the Tolls to the Creditor 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 the Money due to him, 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 Payment of other Moneys due on Security of the Tolls 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 Payment 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 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 Moneys to which such Proposals as aforesaid 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, or may pay the same to such One or more of them as may be determined by Lot, as the Trustees shall think fit.

XXXV. That whenever and so long as the Interest upon the Debt for the Time being due, according to the Provisions of this Act, shall be duly paid 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 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 on any letting of such Tolls; and every Mortgagee entering into the Possession of such Toll Gates, Toll Houses, or Buildings, or into the Receipt of such Tolls or Rent, shall pay the Interest from Time to Time due and becoming due upon the said existing Mortgages in

Mortgagees not to take possession but for Ar-rears of Interest.

The Langport, Somerton, and Castle Cary Turnpike Roads Act, 1857.

the Order by this Act directed, and without any Priority or Preference, being Mortgagees of the same Class, 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 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 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, then such Mortgagee 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 the said Toll Gates, Toll Houses, and 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.

No Tolls to be taken or Money laid out in Towns.

XXXVI. That no Money shall be laid out by the Trustees of the said Roads on any Road or Roads within the Limits of any Act of Parliament passed for the Improvement of a Town, nor shall any Money be collected therein.

Interest not to accrue until Expenses of Act paid.

XXXVII. That no Interest shall accrue due on the Principal Sums owing on the Credit of the Tolls authorized to be taken on the said Roads until the Trustees shall have received sufficient Sums to pay and discharge, and shall have paid and discharged, the Expenses of obtaining and passing this Act, and incident thereto.

No more Money to be borrowed on the Tolls.

XXXVIII. That the Trustees shall not borrow or take up at Interest any Sum or Sums of Money on Security of the Tolls authorized to be taken on the said Roads.

Roads not exempt from Provisions of General Acts.

XXXIX. That nothing in this Act contained shall 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.

Commencement and Term of Act.

XL. That this Act shall commence on the Fourth *Monday* 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.

SCHE-

The Langport, Somerton, and Castle Cary Turnpike Roads Act, 1857.SCHEDULE referred to by the foregoing Act.

Name of Mortgagees.	Amount.
	£.
Burge, William	400
Broadmead, James	350
Bourne, J. W.	200
Bond, Sarah	100
Bond, Lavinia Elizabeth	100
Broadmead, Philip	200
Brooks, Mary	50
Brooks, Elizabeth	50
Coggan, Henry	100
Cornish, Richard	100
Dickinson, Edmund H.	100
Drax, J. S. W. S. E.	300
Drayton, Churchwardens of	90
Fleetwood, John	200
Fry, Charles	100
Gundry, Joseph	100
Gould, Sophia	300
Gristock, Jane	150
Gristock, Mary, Representatives of	400
Hilborn, Thomas	200
Harris, Charles	600
Hyde, Charles	550
Hyde, Jane	200
Hyde, Ann	300
Hyde, Charlotte	100
Jones, Maria	250
Langport, the Portreeve, &c. of	1,500
Langworthy, Richard	50
Louch, John	100
Millard, James	650
Newman, Edwin	100
Norman, Sarah	850
Prankerd, John	250
Pinney, William	150
Peren, Burchall	300
Paul, Edward	50
Parsons, Miss	100

The Langport, Somerton, and Castle Cary Turnpike Roads Act, 1857.

Name of Mortgagees.	Amount.
	£
Phillips, John	700
Richards, William H.	200
Richards and Keech (Trustees)	200
Rogers, W. H.	200
Randall, Emma	200
Riddiford, Abraham	100
Stuckey's Banking Company	1,350
Stuckey, MM., Representatives of	100
Smith, Susanna	200
Sparks, Samuel, Representatives of	700
Stuckey, Julia	850
Stembridge, Miriam	300
Shapwick, Churchwardens of	100
Stuckey, Henry	300
Summers, Betsey	200
Stayner, James, junior	500
Turner and Hutchings (Trustees)	650
Taylor, Sarah	550
Uttermare, Misses	100
Uttermare, T. B.	300
Wood, W. C., Representatives of	50
Yeovil Almshouse, Trustees of	50
	£ 17,590

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