



ANNO DECIMO SEXTO & DECIMO SEPTIMO

# VICTORIÆ REGINÆ.

\*\*\*\*\*

## *Cap. civ.*

An Act for more effectually repairing and maintaining the Road from *Burford* in the County of *Oxford* to *Leachlade* in the County of *Gloucester*, the Road from thence through *Highworth* to the *Cricklade and Swindon* Turnpike Road in the County of *Wilts*, and the Bridge on the said Roads across the River *Isis* or *Thames* at or near the Town of *Leachlade* aforesaid; and for granting a further Term in the said Roads and Bridge; and for other Purposes.

[4th August 1853.]

**W**HEREAS an Act was passed in the Thirty-second Year of the Reign of His Majesty King George the Third, intituled *An Act for repairing, widening, turning, and altering* 32G.3.c.153.  
*the Road leading from the Town of Burford in the County of Oxford to Leachlade in the County of Gloucester, and for making a Road from thence to the River Isis or Thames, for building a Bridge across the said River, and for making a Road from thence to join the present Road leading from Leachlade to Inglesham, and for repairing,*  
[Local.] 18 Z widening,

*Burford, Leachlade, and Swindon Turnpike Roads Act, 1853.*

That the  
Roads were  
divided into  
Districts.

53 G. 3. c. 42.

Term will  
expire 1 Nov.  
1853.

That Money  
is owing on  
the Credit of  
the Tolls of  
each District.

*widening, turning, and altering the said last-mentioned Road to and through the Town of Highworth in the County of Wilts to the present Turnpike Road leading from Cricklade to Swindon in the same County: And whereas the said several Roads were by the said recited Act divided into Two separate and distinct Districts, and separate Trustees were appointed for the Care and Management of the several Roads within each such District: And whereas another Act was passed in the Fifty-third Year of the Reign of His said Majesty King George the Third, intituled *An Act for enlarging the Term and Powers of an Act of His present Majesty, for repairing the Road from Burford in the County of Oxford to Leachlade in the County of Gloucester, and also the Road from thence through Highworth to the Cricklade and Swindon Turnpike Road in the County of Wilts: And whereas the Term granted by the last-recited Act, and continued from Time to Time by virtue of divers Acts of Parliament for continuing certain Turnpike Acts for limited Periods, will expire on the First Day of November One thousand eight hundred and fifty-three: And whereas the Trustees appointed under or by virtue of the said Acts for the Care of each of the said several Districts of Road borrowed under the Powers of the said Acts considerable Sums of Money on the Credit of Tolls thereby granted and authorized to be collected upon the said Roads within the said Districts respectively, the whole whereof still remains owing, together with the present growing Year's Interest thereon only: And whereas the several Sums now owing on the Credit of the Tolls authorized to be taken on the said Roads and Bridge cannot be paid off, nor the Interest thereof discharged, nor can the said Roads and Bridge be effectually improved and kept in repair, unless the Term granted by the said recited Acts be renewed, or a further Term granted in the said Roads, and unless further, better, and more effectual Powers are vested in the Trustees of the said Roads: And whereas it is expedient that the Management of the said Roads and Bridge comprised in the said recited Acts should be consolidated, and that the said Roads and Bridge should henceforth form One Trust: And whereas it is expedient that the said recited Acts should be wholly repealed, and that other and more effectual Powers and Provisions should be granted in lieu thereof, and particularly that the Toll authorized by the said first-recited Act on Foot Passengers passing over the Bridge across the River *Isis* or *Thames* at or near the Town of *Leachlade* should be abolished; 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,)**

I. That

Burford, Leachlade, and Swindon Turnpike Roads Act, 1853.

- I. That from and after the Commencement of this Act the said recited Acts shall be repealed, and this Act shall thenceforth be put into execution during the Term and for the Purposes herein-after mentioned. Recited Acts repealed, and this Act put in force.
- II. That in citing this Act for any Purpose whatever it shall be sufficient to use the Expression "The *Burford, Leachlade, and Swindon* Turnpike Roads Act, 1853." Short Title.
- III. 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; (that is to say,)
- Words importing the Singular Number shall include the Plural Number. Number.
- Number, and Words importing the Plural Number shall include the Singular Number:
- The Word "Person" shall be understood to include Corporation: Person.
- Words importing the Masculine Gender shall include Females: Gender.
- The Word "Lands" shall be understood to include Messuages, Tenements, and Hereditaments: Lands.
- The Expression "Toll Gate" shall include Turnpike, Side Gate, Side Bar, or Chain, either on the said Roads or Bridge, or on the Sides thereof respectively: Toll Gate.
- The Expression "First District" shall mean and comprise the Roads herein-after described as "The First District of Roads:" First District.
- The Expression "Second District" shall mean and comprise the Roads herein-after described as "The Second District of Roads." Second District.
- IV. That all Monies due or reserved to, and all Property, as well real as personal, and all Books, Accounts, Papers, Writings, and other Things, and all Choses in Action, vested in or belonging to the Trustees of the First and Second Districts of Roads under the Acts hereby repealed, shall immediately on the Commencement of this Act vest in and belong to the Trustees under this Act; and the said Trustees may sue for, take possession of, and recover the same, and act in respect thereof, as effectually as if the same had been vested in or belonged to them under the said repealed Acts; and the said Trustees shall be liable to all the Debts and Engagements to which the Trustees of the First and Second Districts of Roads respectively under the said repealed Acts were liable at the Repeal thereof (except as herein otherwise provided). All Arrears of Tolls and Monies under recited Acts vested in the Trustees under this Act.
- V. That all Bonds, Conveyances, Covenants, Agreements, Contracts, and Securities made to or by or entered into by any Person Conveyances, &c. under former Act to continue in force.

Burford, Leachlade, and Swindon Turnpike Roads Act, 1853.

or Persons to or with the Trustees for executing the said repealed Acts, with reference to either of the said Districts of Roads or Bridge, or with any of them, shall remain in full Force and Effect, and be and continue available in all Courts of Law and in Equity, until the same be fully satisfied and performed on account and for the Benefit of the Trusts under this Act; and all Bargains, Contracts, Agreements, or Notices made, entered into, or given by the Trustees for executing the said repealed Acts, with reference to either of the said Districts of Road or Bridge, with or to any Person or Persons, for any Purpose relating to the Roads comprised in such District, or to the said Bridge, or to the Execution of the said Acts, shall remain in full Force and Effect, and be observed and kept by the Trustees under this Act, and by the other respective Parties to such Contracts, Agreements, or Notices, according to the Terms, Stipulations, and the true and equitable Intent and Meaning thereof; and all Powers and Authorities vested in the Trustees acting under the said repealed Acts with reference to either of the said Districts or Bridge shall and may be executed by the same Trustees until the First Meeting of the Trustees appointed by this Act, notwithstanding the Repeal of the said recited Acts.

Former  
Books to be  
Evidence.

VI. That all and every the Books and Book of Proceedings which have been kept by the Trustees of each of the said Districts and of the said Bridge acting in execution of the Acts hereby repealed, or by their Treasurer or Clerk under their Direction, according to the Provisions of such Acts or either of them, and made Evidence thereby, shall be admitted as Evidence in all Courts, and by all Judges, Justices, and others.

Officers  
continued  
until others  
appointed.

VII. That until the First Meeting of the Trustees under this Act, and the Appointment of Clerks under the Powers thereof, the Clerks of the Trustees for the First and Second Districts of Roads under the said recited Acts shall be joint Clerks to the Trustees for the Purposes of this Act.

Roads to  
which this  
Act is ap-  
plicable.

VIII. That this Act shall be put in execution for the following Purposes; (that is to say,) for more effectually maintaining, improving, and keeping in repair the several Roads and Bridge hereinafter described; (that is to say,)

First Dis-  
trict.

First, the present Turnpike Road leading from the Town of *Burford* in the County of *Oxford* to the Turnpike Road leading from *Cirencester* to *Saint John's Bridge* in the County of *Gloucester*, and the present Turnpike Road from the Town of *Leachlade* to the River *Isis* or *Thames* to the Centre of the Bridge crossing over the same, which Roads shall continue to be called "The First District of Roads:"

Secondly,

*Burford, Leachlade, and Swindon Turnpike Roads Act, 1853.*

Secondly, the present Turnpike Road from the Centre of the said Bridge at or near *Leachlade* aforesaid to and through the Town of *Highworth* to the present Turnpike Road leading from *Cricklade* to *Swindon*, which Roads shall continue to be called "The Second District of Roads:"

Second Dis-  
trict.

Thirdly, for supporting, maintaining, and repairing the said Bridge across the River *Isis* or *Thames* at *Leachlade* aforesaid.

The Bridge.

IX. That all Her Majesty's Justices of the Peace for the Time being acting for the Counties of *Oxford, Berks, Wilts, and Gloucester*, or either of them, together with Sir *Michael Hicks Hicks Beach* Baronet, *Michael Edward Beach*, *John Raymond Barker*, *John Ernest Bode* Clerk, *Thomas Bagnall*, *William John Cole*, *Thomas Cheate*, *William Robert Cooke*, *James Crowdy*, *Richard Wheeler Crowdy*, *William Codrington*, *William Morse Crowdy*, the Right Honourable *William Francis Spencer Ponsonby* commonly called *Lord de Mauley*, the Honourable *James Dutton*, *Edward Dutton*, *John Edmonds*, *Matthew Edmonds*, *Charles Edmonds*, *Thomas Grimston Bucknall Estcourt*, *John Farmer*, *William Farmer*, *Christopher Faulkner*, *Allen Faulkner*, *Richard Belcher Frampton*, *Ambrose Goddard*, *Ambrose Lethbridge Goddard*, *John Joseph Goodenough* Clerk, Doctor of Divinity, *Thomas William Goodlake* Clerk, *William Giles*, *William Hervey*, *Thomas Hall*, *Thomas Herbert*, *James Hussey*, *James Gerald Joyce* Clerk, *Henry Carnegie Knox* Clerk, *Charles Large*, *Thomas Lewes* Clerk, *John Large*, *George Milward*, *George Milward* the younger, *Joseph Randolph Mullings*, *Joseph Mullings*, *Thomas Sholto Middleton*, *Thomas Neate* Clerk, *Arthur Neate* Clerk, *James Hall Nalder*, *John Pinnell*, the Honourable *Charles Frederick Ashley Cooper Ponsonby*, the Honourable *Ashley Cooper John Ponsonby*, Sir *John Chandos Reade* Baronet, *Edward Rowden* Clerk, *Edward Wetherell Rowden*, *Francis Marmaduke Rowden* Clerk, *William Raine* Clerk, *George Augustus Robbins*, *John Sheppard*, *Charles Royd Smith*, *Humphrey Tuckwell*, *John Thomas Tombs*, *James Thorold* Clerk, *John King Tombs*, *James Turner*, *Charles Turner*, *John Ashfordby Trenchard*, *William Vizard*, *William Vizard* the younger, *William Waller*, *Frederick Whitaker*, *Charles William Wells*, *John Archer*, *David Archer*, *David Archer* the younger, *George Alexander*, *Samuel Forbes Auchmuty* Clerk, *Thomas Angell*, *Robert Bamford* Clerk, *Daniel Bennet*, *Edward Bouverie* Clerk, the Honourable *Edward Bouverie*, the Honourable *William Bouverie*, the Honourable *Percy Barrington*, *James Bradford*, *George James Bradford*, *Alfred Southby Crowdy*, *Charles Crowdy*, *James William Crowdy*, *William Slater Crowdy* Clerk, *Henry Crowdy Crowdy*, *Henry Calley*, *Charles Calley* Clerk, *Francis Dyson* Clerk, *Henry Lyde Dunsford*, *Edward John Ewer*, the Right Honourable *Jacob Pleydell Bouverie* commonly called

Appointment  
of Trustees.

*Burford, Leachlade, and Swindon Turnpike Roads Act, 1853.*

Viscount Folkestone, George Ferris, John Hesketh Goddard, George Ashe Goddard Clerk, Horatio Nelson Goddard, Charles Gorton, James Grooby Clerk, William Hervey, Thomas Hewer, Thomas Hall the younger, William Henry Hitchcock, William Henry Hitchcock the younger, Thomas Huntingford Clerk, Edward Alexander Frederick Harenc Clerk, Charles Harenc, John Horton, Richard Berens Bradford Hawkins, John Samuel Willes Johnson, Richard Kinnier, Richard Kinnier the younger, William Farrow Lawrence, Pryse Loveden, Pryse Loveden the younger, Peter Audley Lovell, Francis Lovell, John Lovell, Walter Matthews, Henry Matthews, John Nash, Edward Nash, Charles Nesfield Clerk, John Mervin Prower Clerk, John Elton Mervin Prower, Mervin Prower, James Plummer, Thomas Plummer, Richard Rice Clerk, Richard Rice the younger, Clerk, John Harding Sheppard, Thomas Strange, James Burns Smeaton Clerk, Richard John Sharps, Thomas Sharps the younger, Thomas Smith (Farmer), Highworth, Thomas Tuckey, Henry Tovey, Henry Tovey the younger, Ambrose Willis, Ambrose Hussey, Thomas Arkill, John Arkill, William Pedley, Richard Chillingworth, John Tucker, Henry Tucker, Thomas Tucker, William Hewer, Joseph Sewell, James Harris, George Barnard Townsend, William Hussey, Thomas Jones, Charles Cotes, John Smith (Draper) High Street, Highworth, shall be Trustees for putting this Act in execution in and for and with reference to the whole of the said Roads and Bridge.

Power to  
appoint addi-  
tional Trus-  
tees.

X. That it shall be lawful for the Trustees 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 Eight in the whole, to be Trustees for executing the Purposes of this Act, in addition to the Trustees hereby nominated; and the Trustees so elected shall have the same Powers and Authorities for executing this Act as if they had been hereby appointed Trustees.

TrusteesFirst  
Meeting.

XI. That the Trustees shall hold their First Meeting at the House commonly called or known by the Name or Sign of the *New Inn*, in *Leachlade* aforesaid, or at some other (one and the same) convenient Place in the Neighbourhood of the said Roads, on the Fourth *Monday* next after the Commencement of this Act; and the said Trustees may then, and from Time to Time thereafter, adjourn to and meet at such Places in the Neighbourhood of the said Roads and at such Times as they shall think proper.

Power to  
appoint  
Committees.

XII. That the Trustees may appoint Committees out of their own Number to take the Care and Management of any particular Part of the Roads and Bridge, or to execute any of the other Purposes of this Act, according to such Instructions and Regulations as shall be laid down

*Burford, Leachlade, and Swindon Turnpike Roads Act, 1853.*

down by the said Trustees at any General Meeting; and such 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.

XIII. That, notwithstanding the Repeal of the said recited Acts, the several Tolls thereby granted and made payable shall continue to be paid at the Toll Gates to be continued or set up on or on the Sides of the Roads and Bridge respectively comprised in the said Acts, until Tolls shall be appointed to be taken in lieu thereof under the Powers of this Act. Present Tolls continued.

XIV. That upon and after Twelve of the Clock at Noon of the Thirty-first Day of *October* One thousand eight hundred and fifty-three, 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, or on the Side of the said Bridge, such Tolls as the said Trustees at any of their Meetings shall direct, not exceeding the Sums or full Tolls following; (that is to say,) Power to take Tolls.

For every Horse, Mare, Gelding, Mule, Ass, Ox, Bullock, or other Beast of Draught, drawing in any Carriage, any Sum not exceeding Sixpence :

For every Horse, Mare, Gelding, Mule, or Ass, not drawing, any Sum not exceeding Twopence :

For every Drove of Oxen, Cows, or Neat Cattle, any Sum not exceeding Tenpence a Score, and so in proportion for any greater or less Number :

For every Drove of Calves, Pigs, Sheep, or Lambs, any Sum not exceeding Fivepence a 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, any Sum not exceeding One Shilling for each Wheel :

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

Which said Tolls shall be taken before any Horse, Mule, Ass, Beast, or other Animal, or Carriage whatsoever, shall be permitted to pass through any Toll Gate which shall be by virtue of this Act upon or across the said Roads or Bridge or on the Sides thereof, and which Tolls and Monies so to be received by the Trustees of the said Roads and Bridge shall be applied for the Purposes of this Act in manner herein-after directed.

XV. 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 A Halfpenny to be taken in case of a

*Burford, Leachlade, and Swindon Turnpike Roads Act, 1853.*

Fraction of  
a Halfpenny  
in Tolls.

be collected: the Sum of One Halfpenny shall be payable in lieu of such fractional Part.

Limiting the  
Number of  
Tolls to be  
taken on each  
District.

XVI. That the Tolls by this Act authorized may be demanded and taken by the Trustees in such Sums and Manner as they may think fit, but no more than the respective Amounts of Tolls in the whole herein-after mentioned shall be taken for passing and repassing any Number of Times in the same Day with the same Horses, Beasts, Cattle, or other Animals or Thing liable to Toll or Duty, through the Toll Gates erected or to be erected or continued on the Roads comprised in the said Districts of Roads, as herein set forth, or on the said Bridge; (that is to say,) on the First District of Roads not exceeding One full Toll between the Town of *Burford* and the said Bridge across the River *Isis* or *Thames* at or near the Town of *Leachlade* aforesaid; and not exceeding One full Toll at the said Bridge; and on the Second District of Roads not exceeding One full Toll between the Bridge across the River *Isis* or *Thames* at or near the Town of *Leachlade* and the *Cricklade and Swindon* Turnpike Road.

Persons  
having paid  
Toll to return  
Toll-free.

XVII. That all Horses and Animals (except Horses and Animals drawing any Stage Coach, Waggon, or other Stage Carriage, as herein-after mentioned,) in respect whereof the Tolls hereby authorized to be taken shall have been paid at any Toll Gate upon any Road comprised in either of the said Districts of Road, shall, upon a Ticket denoting such Payment being produced, be permitted, in returning through the same Toll Gate, and in passing and re-passing through such other Toll Gate (if any) in the same District as the Ticket for such Payment shall free, to pass Toll-free at any Time or Times during the same Day.

Horse, &c.  
drawing dif-  
ferent Wag-  
gons, &c.

XVIII. That the Tolls hereby authorized shall be payable at each and every Toll Gate belonging to the Trustees in respect of Horses or other Beasts of Draught drawing any Waggon, Wain, Cart, Van, Caravan, or such like Carriage, for every Time during the same Day that any such Horse or other Beast of Draught shall pass through any of the Toll Gates of the Trustees drawing any other laden Waggon, Wain, Cart, Van, Caravan, or such like Carriage than that which such Horse or other Beast of Draught was employed in drawing at any former Time during the same Day, and at which Tolls shall have been paid.

Postchaises  
to pay every  
Time of  
passing with  
fresh Hiring.

XIX. That the Tolls hereby made payable shall be paid for all Horses or other Animals let for Hire, whether laden or drawing, and for all Horses or other Animals drawing any Postchaise or other Carriage travelling for Hire, as often as any new Hiring shall take place,



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place, in the same Manner as if no previous Payment of Toll in respect of such Horses or other Animals had been made on the same Day.

XX. That, subject as aforesaid, all Horses and Animals drawing any Stage Coach, Waggon, or other Stage Carriage conveying Passengers or Goods for Hire or Reward, and any Carriage propelled or drawn by Steam or any other Power than Animal Power, in respect whereof the Tolls hereby authorized to be taken shall have been paid at any Toll Gate in either of the said Districts of Roads, 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 in the same District which such Ticket would free in the Case of Horses or Animals 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 Toll Gate the Payment of which shall be freed by such Ticket as aforesaid, on account only of their conveying other Passengers or Goods, or of the Horses or Animals drawing the same having been changed.

Regulation  
as to Stage  
Coaches, &c.

XXI. That no Toll shall be demanded or taken of or from any Person, for any Horse or other Animal, or for any 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, any Stones, Bricks, Timber, Wood, Gravel, or other Materials for making or repairing any of the Roads in the said Districts or either of them, or the said Bridge, or any of the Roads in the Townships, Hamlets, or Parishes in which any Part of the said Districts of Roads do lie, or with Seed for seeding the Ground, or Hay, Turnips, Straw, or Corn in the Straw, only, not sold or disposed of, or conveying to be sold, but passing to be laid up or placed in the Houses, Barns, Outhouses, or Yards, or on the Lands of the Owners thereof, or for any Horse or other Animal, or any 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, any Ploughs, Harrows, or Implements of Husbandry, or Tiles for draining Land, or any Mould, Dung, Compost, or Manure employed in Husbandry for manuring or improving Land, or any other Thing employed in the Cultivation of any Farm or Lands.

Exemption  
from Tolls.

XXII. That the Occupiers of Lands within the Tithings of *Eastrop* and *Westrop*, which adjoin to and are considered as Part of the Town of *Highworth*, shall not be charged with or liable to the Payment of any of the respective Tolls hereby authorized to be taken on the said Second District, for or in respect of any of

The Occu-  
piers of Land  
Eastrop and  
Westrop  
Tithings ex-  
empted from  
Toll in cer-  
tain Cases.

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their

*Burford, Leachlade, and Swindon Turnpike Roads Act, 1853.*

their Horses or Animals not drawing, passing through any Toll Gate to be continued, erected, or set up near or adjoining to the said Town of *Highworth*, from their respective Dwellings, Farms, and Lands within the said Tithings into the said Town, or to any of their Lands and Barns within the said Tithings only, or for returning from thence to their said Dwellings, Farms, and Lands; but nothing herein contained shall exempt such Horses or Animals from Tolls if passing or repassing, or intending to pass, beyond the before-mentioned Places.

Penalties on  
claiming  
Exemptions  
from Tolls.

XXIII. That if any Person shall claim or take the Benefit of any of the before-mentioned Exemptions from Toll in respect of any Horse, Animal, Waggon, Wain, Cart, or other Carriage not entitled thereto, every such Person shall for every such Offence forfeit any Sum not exceeding Five Pounds.

Respecting  
Toll Gates.

XXIV. That the several Toll Gates now standing or being upon any Part of the Roads in either of the said Districts, or on the said Bridge, or on the Sides thereof, shall be continued until removed by any Order of the Trustees, and it shall be lawful for the Trustees to order and cause to be set up, on or across the said Roads and Bridge, or on the Sides thereof, any Toll Gates and Toll Houses, and to remove the present or future Toll Gates and Toll Houses, as they shall think proper: Provided always, that no Toll Gate or Toll House shall be removed, erected, or set up upon or across any Part of the said Roads and Bridge, 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 the Act, Ninth *George* the Fourth, Chapter Seventy-seven, intituled *An Act to amend the Acts for regulating Turnpike Roads*.

The Bridge  
to be kept  
in repair.

XXV. That the Expense of supporting, maintaining, and repairing from Time to Time the said Bridge across the River *Isis* or *Thames* at *Leachlade* aforesaid, and all other Expenses relating to the Execution of this Act in respect of the said Bridge, shall be borne and defrayed by the Trustees out of the Monies arising by virtue of this Act.

Existing  
Debts made  
a Charge on  
the Consoli-  
dated Trust.

XXVI. And whereas the several Principal Sums due and owing under the said recited Acts in respect of the First District of Roads amount to the Sum of Two thousand and thirty-eight Pounds, and the several Principal Sums due and owing under the said Acts in respect of the Second District of Roads amount to the Sum of Two thousand and fifty Pounds: Be it enacted, That from and after the  
Commence-

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Commencement of this Act the said Principal Sums of Two thousand and thirty-eight Pounds and Two thousand and fifty Pounds, making together the Sum of Four thousand and eighty-eight Pounds, shall be a Charge upon the Consolidated Trust under the Powers of this Act, and shall be deemed to be the Principal Sum due and owing on the Credit of the Tolls authorized to be taken on the said Roads and Bridge; and that thenceforth Interest after the Rate of Two Pounds Ten Shillings *per Centum per Annum*, and no more, shall be paid on the said Principal Sum of Four thousand and eighty-eight Pounds, or on so much thereof as for the Time being shall be due and owing on the Credit of the said Tolls.

XXVII. That all Monies and Tolls vested in or which shall be received by the Trustees by virtue of this Act, and which shall be applicable to the Purposes thereof, shall be applied and disposed of as herein-after mentioned; (that is to say,) Application  
of Monies.

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

Secondly, in defraying the necessary Expenses of Management, including the Cost of erecting or providing, altering, and repairing Toll Gates, Toll Houses, and Weighing Machines, and the ordinary Repairs of the said Bridge, the Salaries and Wages of the Clerks, Surveyor, and other Officers and Persons employed by the said Trustees, and the other Costs attending the Management of the said Roads and Bridge: Provided that such Expenses shall not exceed in any One Year the Sum of Ninety Pounds, exclusive of any Payment to Toll Collectors for collecting Toll if necessary, and of any Expenses to which the Trustees may be put in commencing, prosecuting, or defending any Action at Law or Suit in Equity, or preferring or defending any Indictment, or in taking any other Proceeding for maintaining and protecting their Trust, and exclusive also of such Expenses as may be necessarily incurred in extraordinary Repairs to the said Bridge, or the Culverts thereof, or in erecting a Toll House and Toll Gate on the Second District of Roads between the Village of *Stratton Saint Margaret's* and the present *Bury* Toll Gate on the said District, the Costs of such Toll House and Toll Gate not exceeding Thirty Pounds:

Thirdly, in paying Interest at the Rate of Two Pounds and Ten Shillings *per Centum per Annum* upon the Principal Sum of Four thousand and eighty-eight Pounds, or on so much thereof as shall for the Time being be due and owing upon the Credit of the Tolls authorized to be taken on the said Roads and Bridge under the Powers of this Act:

Fourthly, in paying the Expenses of improving, maintaining, and keeping in repair the said respective Roads, not exceeding the Sum

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Sum of One hundred and forty Pounds *per Annum* for the First District of Roads, and not exceeding the Sum of Two hundred and ten Pounds *per Annum* for the Second District of Roads :

Fifthly, in reducing, paying off, and discharging, in the Manner herein-after provided, the said Principal Sum of Four thousand and eighty-eight Pounds, or so much thereof as shall for the Time being be due and unpaid :

Lastly, in maintaining and further repairing and improving the said Roads and Bridge.

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

XXVIII. Provided always, That no Interest shall accrue due in respect of the said Principal Sum of Four thousand and eighty-eight Pounds, or any Part thereof, until the Trustees shall have received Sums sufficient to discharge the Expenses of obtaining and passing this Act and incident thereto.

Mode of dis-  
charging  
Debt.

XXIX. That when and so often as the Sum applicable to the Discharge of the Principal Monies for the Time being due on the Credit of the said Tolls 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 Monies 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 Object or Purpose thereof, so far as the same shall relate to the Application of such Sum, by Letter sent by Post to each Mortgagee, directed to his usual Place of Residence or last known Place of Abode ; and at such Meeting the said Trustees shall apply such Sum, or a Portion thereof, (as the Case may require,) in or towards the Discharge of Monies owing on the Security of the said Tolls to the Mortgagee 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 Monies, and after Payment to such Mortgagee 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 Monies owing on the Security of the said Tolls to the Mortgagee who by Proposal as aforesaid shall have offered to accept the next lowest Composition in respect of the Principal Monies due to him, and so in like Manner until the Sum applicable to such Payment shall be exhausted ; and if and whenever Two or more Mortgagees by such Proposals as aforesaid shall have offered to accept an equal Rate of Composition, it shall be lawful for the said Trustees to determine by Lot the Preference between or amongst such Mortgagees, or to pay such Composition rateably between or amongst such Mortgagees, as the said Trustees shall think fit ; and if there be no such Proposal as aforesaid, or if there be any Surplus of the Sum applicable  
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*Burford, Leachlade, and Swindon Turnpike Roads Act, 1853.*

to such Payments after applying the same, so far as may be necessary, in or towards the Discharge of the Monies 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 Mortgagees on the said Tolls, or may pay the same to such of them as may be determined by Lot, as the Trustees shall think fit.

XXX. That whenever and so long as the Interest upon all existing Mortgages of the Tolls under the said repealed Acts shall be duly paid within Three Calendar Months next after the same shall become due, no Holder of any Mortgage of such Tolls shall be entitled to enter into possession of the Toll Gates, Toll Houses, or Buildings upon the said Roads or Bridge comprised in such Mortgage, or into the Receipt of the Tolls arising on such Roads or Bridge, or of the Rent payable upon any Letting of such Tolls; and every Mortgagee entering into 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 all the said existing Mortgages without any Priority or Preference, and may also reimburse himself any Costs to which he may be entitled; and every such Mortgagee so being in possession or receipt as aforesaid shall, within Twenty-one Days next after each of the half-yearly Days whereon the Interest on such existing Mortgages shall be payable, render to the Clerk to the Trustees for the Time being a true and full 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, have been fully paid and satisfied, 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.

Mortgagees to take possession for Payment of Interest only.

XXXI. That it shall not be lawful for the Trustees to borrow any further Sum or Sums of Money on the Credit of the Tolls by this Act authorized to be taken.

No more Money to be borrowed on the Tolls.

XXXII. Provided always, That the Trustees may, if they shall think fit so to do, at the Costs and Expense in every Case of the Person applying for the same, make and deliver to the several Parties

Authorizing the Issue of new Mortgages at the reduced Rate of Interest.

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now entitled to the said Sum of Four thousand and eighty-eight Pounds, or any Part thereof, a Mortgage of the Tolls authorized by this Act, for securing to such Party such Proportion of that Sum as may be due to him, together with Interest thereon not exceeding the Rate of Two Pounds and Ten Shillings *per Centum per Annum*; and such Mortgages, or any Assignment or Transfer thereof, may be made in the Form, as far as the same may be applicable, and in such Manner as is directed by any Law or Statute relating to Turnpike Roads in *England*; and such Mortgages when so granted and delivered shall be deemed and taken to be substituted for the same Portion of the original Debt as is comprised in the existing Securities in the Hands of or as is owing to the Person applying for and obtaining such Mortgage.

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

XXXIII. That no Money shall be laid out on any Part of the Roads comprised in this Act within the Limits of any Act of Parliament passed for the Improvement of any Town, nor shall any Money be collected therein.

Provisions for General Act.

XXXIV. That nothing herein contained shall be deemed to exempt the Roads comprised in this Act from the Provisions of any General Act relating to the Consolidation or other improved Arrangement of Turnpike Roads which may pass during the present or any future Session of Parliament.

Term of Act.

XXXV. That this Act shall commence and take effect on the First Day of *November* One thousand eight hundred and fifty-three, 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.

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