



ANNO QUADRAGESIMO TERTIO

GEORGI III. REGIS.

Cap. 4.

An Act to continue and amend Two Acts, severally passed in the First and Twenty-second Years of the Reign of His present Majesty, for repairing several Roads leading to and through the Towns of *Weymouth* and *Melcombe Regis*, and *Dorchester*, and also the Road leading from the Parish of *Warmwell* to the Church in the Parish of *Osmington*, all in the County of *Dorset*. [24th March 1803.]

WHEREAS by an Act passed in the First Year of the Reign of His present Majesty, intituled, *An Act for repairing and widening several Roads leading to and through the Towns of Weymouth and Melcombe Regis, and Dorchester, in the County of Dorset*, several Tolls and Duties were granted and made payable, and divers Powers and Authorities were given to Trustees for amending and widening the several Roads described in the said Act, during the Term therein limited: And whereas by another Act passed in the Twenty-second Year of the Reign of His said present Majesty, the said first mentioned Act was continued for a further Term, and the Powers and Provisions of the said Two Acts were extended to the Road leading from the Parish of *Warmwell*, through the Parishes of *Poxwell* and *Osmington*, to the Church in the said Parish of *Osmington*, in the said County of *Dorset*: And whereas the Trustees
[Loc. & Per.] O authorized

Former Acts
continued.

authorized to put the said Acts in Execution, have borrowed several Sums of Money on the Credit of the Tolls thereby granted or made payable; which still remain due, and the same cannot be discharged, nor can the said Roads be kept in sufficient Repair, unless the said Acts be continued for a further Term; and it is expedient that the Tolls and some of the Powers granted by the said former Acts should be varied and increased: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said recited Acts of the First and Twenty-second Years of the Reign of His said present Majesty, and all the Powers, Authorities, Remedies, Penalties, Forfeitures, Punishments, Exemptions, Directions, Provisions, Clauses, Matters, and Things therein respectively contained (except such of them as are hereby varied, altered, or repealed, or as are repugnant to any of the Provisions contained in this Act, and as relate to Exemptions from Stamp Duties), and all and every the Tolls, Powers, Authorities, Remedies, Exemptions, Directions, Provisions, Matters, and Things, contained in this Act, shall be and are hereby declared to be in full Force and Effect for and during the further Term herein-after mentioned, in as full, ample, and beneficial a Manner, to all Intents and Purposes, as if such Powers, Authorities, Remedies, Penalties, Forfeitures, Punishments, Exemptions, Directions, Provisions, Clauses, Matters, and Things (except as aforesaid) were expressly inserted and enacted in the Body of this Act; which said further Term, and the Tolls hereby granted or made payable, shall be subject and liable to the Payment of all Monies now due and owing from the said Trustees under or by virtue of the said recited Acts or either of them.

Former Tolls
to cease, and
others
granted in
lieu thereof.

II. And be it further enacted, That the several Tolls granted and made payable in and by the said recited Acts or either of them, shall, from and after the Twenty-seventh Day of *September* One thousand eight hundred and three, cease and be no longer payable; and that instead thereof the several Tolls herein-after mentioned shall be demanded and taken at the Toll Gates erected or to be erected before any Cattle or Carriages (upon which any Toll is hereby imposed) shall be permitted to pass through the same; that is to say,

For every Coach, Chariot, Landau, Chaise, Curricule, Calash, Hearse, or other such Carriage, drawn by Six Horses or other Beasts of Draught, the Sum of One Shilling and Nine-pence; and drawn by Four Horses or other Beasts of Draught, the Sum of One Shilling and Sixpence; and drawn by Two Horses or other Beasts of Draught, the Sum of Nine-pence:

For every Chaise, Chair, or other such Carriage, drawn by One Horse or other Beast of Draught, the Sum of Four-pence Halfpenny:

For every Horse, Mare, Gelding, Mule, Ass, or other Beast of Burden, 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 and Three-pence *per* Score; and so in Proportion for a greater or less Number:

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

For every Four-wheeled Waggon, Wain, Cart, or other such Carriage, having the Sole or Bottom of the Fellies of the Wheels thereof of the Breadth or Gauge of Nine Inches, and rolling a Surface of that Breadth so flat or level as not to deviate more than Half an Inch from a flat Surface, and drawn by Eight Horses, Oxen, or other Beasts of Draught, the Sum of Two Shillings and Sixpence; and drawn by Six or Seven Horses, Oxen, or other Beasts of Draught, the Sum of Two Shillings; and drawn by Four or Five Horses, Oxen, or other Beasts of Draught, the Sum of One Shilling and Nine-pence; and drawn by Two or Three Horses, Oxen, or other Beasts of Draught, the Sum of One Shilling:

For every Two-wheeled Waggon, Wain, Cart, or other such Carriage, having the Sole or Bottom of the Fellies of the Wheels thereof of the Breadth or Gauge of Nine Inches, and rolling such flat or level Surface as aforesaid, and drawn by Five Horses, Oxen, or other Beasts of Draught, the Sum of One Shilling and Three-pence; and drawn by Four Horses, Oxen, or other Beasts of Draught, the Sum of One Shilling; and drawn by Three Horses, Oxen, or other Beasts of Draught, the Sum of Nine-pence; and drawn by Two Horses, Oxen, or other Beasts of Draught, the Sum of Sixpence:

For every Four-wheeled Waggon, Wain, Cart, or other such Carriage having the Sole or Bottom of the Fellies of the Wheels thereof of the Breadth or Gauge of Six Inches, and rolling a Surface of that Breadth so flat or level as not to deviate more than Half an Inch from a flat Surface, and drawn by Six Horses, Oxen, or other Beasts of Draught, the Sum of Two Shillings; and drawn by Four or Five Horses, Oxen, or other Beasts of Draught, the Sum of One Shilling and Nine-pence; and drawn by Three Horses, Oxen, or other Beasts of Draught, the Sum of One Shilling and Sixpence; and drawn by Two Horses, Oxen, or other Beasts of Draught, the Sum of One Shilling:

For every Two-wheeled Waggon, Wain, Cart, or other such Carriage, having the Sole or Bottom of the Fellies of the Wheels thereof of the Breadth or Gauge of Six Inches, and rolling such flat or level Surface as not to deviate more than Half an Inch from a flat Surface, and drawn by Five Horses, Oxen, or other Beasts of Draught, the Sum of One Shilling and Three-pence; and drawn by Four Horses, Oxen, or other Beasts of Draught, the Sum of One Shilling; and drawn by Three Horses, Oxen, or other Beasts of Draught, the Sum of Nine-pence; and drawn by Two Horses, Oxen, or other Beasts of Draught, the Sum of Sixpence:

For every Waggon, Wain, Cart, or other Carriage, having the Sole or Bottom of the Fellies of the Wheels thereof of a less Breadth or Gauge than Six Inches, and drawn by Four Horses, Oxen, or other Beasts of Draught, the Sum of One Shilling and Nine-pence; and drawn by Three Horses, Oxen, or other Beasts of Draught, the Sum of One Shilling and Sixpence; and drawn by Two Horses, Oxen, or other Beasts of Draught, the Sum of One Shilling; and drawn by One Horse, Ox, or other Beast of Draught, the Sum of Sixpence.

Which said respective Tolls herein-before mentioned, shall be and are hereby declared to be vested in the Trustees for executing this Act for the Time being; and they, or any Seven or more of them, shall have such and the same Powers, Authorities, and Remedies for mortgaging, transferring, leasing, and compounding for the Tolls and Duties hereby granted

granted or made payable, and the same shall and may be collected, levied, recovered, paid, and applied in the same Manner and Form as in and by the said recited Acts, or either of them, are given and expressed with respect to the Tolls thereby granted or made payable.

Tolls may be varied.

III. And be it further enacted, That it shall be lawful for the said Trustees, or any Seven or more of them, from Time to Time, when and as often as they shall think proper, to lessen, vary, or alter all or any of the Tolls hereby granted or made payable at all or any of the Toll Gates or Turnpikes to be continued or erected by virtue of this Act, and to cause the same to be collected in such Manner, Parts, and Proportions as they shall think fit; and to raise, vary, or alter the same again, so as they do not at any Time exceed the Tolls by this Act made payable; and so as every Reduction thereof be made with the Consent of the Person or Persons for the Time being entitled to Three-fourth Parts of the Money then due on Security of the said Tolls; but no such Alteration shall be made unless Ten Days previous Notice thereof in Writing shall be affixed upon all the Turnpikes then erected across the said Road.

Expences of the Act.

IV. And be it further enacted, That the Costs, Charges, and Expences incident to and attending the obtaining and passing of this Act, shall be paid and defrayed by the said Trustees out of the Monies now remaining in their Hands, or which shall first come to their Hands, by virtue of the said recited Acts and this Act, or any of them.

Power to borrow the further Sum of 1000*l.* on Security of the Tolls.

V. And be it further enacted, That it shall be lawful for the said Trustees, or any Seven or more of them, to borrow and take up at Interest for the Purposes of this Act, any Sum or Sums of Money not exceeding in the Whole the Sum of One thousand Pounds, over and above the Principal Sum of Six thousand Pounds, now due on Security of the Tolls, and to demise or mortgage the Tolls by this Act granted for the Security of the Money so borrowed, in such Manner as by the said recited Acts, or either of them, is provided or mentioned with respect to the Money thereby authorized to be borrowed on Security of the Tolls thereby granted; provided that the Principal Money now due on Security of the said recited Acts, shall be paid in Preference and prior to the Payment of any Principal Money which shall be borrowed by virtue of this Act; any Thing in the said recited Acts or this Act contained to the contrary notwithstanding.

Application of Compensation when amounting to 200*l.*

VI. And be it further enacted, That if any Money shall be agreed or assessed to be paid for any Lands, Tenements, or Hereditaments, purchased, taken, or used by virtue of this Act, which shall belong to any Corporation, Feme Covert, Infant, Lunatick, or Person or Persons under any Disability or Incapacity, such Money shall, if the same amount to the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account *ex parte* the Trustees for executing the said Acts and this Act, to the Intent that such Money shall be applied, under the Direction and with the Approbation of the said Court (to be signified by an Order made upon a Petition to be preferred in a summary Way by the Person or Persons who would have been entitled the Rents and Profits of the said Lands, Tenements, or Hereditaments) in the Purchase of the Land Tax, or Discharge of any Debt or Debts,

or

or such other Incumbrance, or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments standing settled to the same or the like Uses, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Messuages, Lands, Tenements, or Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner, as the Hereditaments, which shall be so purchased, taken, or used as aforesaid, stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking Effect; and in the mean Time and until such Purchase shall be made, the said Money shall, by Order of the Court of Chancery, upon Application thereto, be invested by the said Accountant General, in his Name, in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the mean Time and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Lands, Tenements, and Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made.

VII. Provided always, and be it further enacted, That if any Money so agreed or assessed to be paid for any Lands, Tenements, or Hereditaments, purchased, taken, or used for the Purposes aforesaid, and belonging to any Corporation, or to any Person or Persons under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds and shall exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank, in the Name and with the Privity of the said Accountant General of the High Court of Chancery, and be placed to his Account as aforesaid, in order to be applied in Manner herein-before directed; or otherwise the same shall be paid, at the like Option, to Two Trustees, to be nominated by the Person or Persons making such Option, and approved of by Three or more of the Trustees for executing the said Acts and this Act (such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties), in order that such Principal Money, and the Dividends arising thereon, may be applied in any Manner herein-before directed, so far as the Case shall be applicable, without obtaining, or being required to obtain, the Direction or Approbation of the Court of Chancery.

Application when the Compensation is less than 200 *l.* and exceeds 20 *l.*

VIII. Provided also, and be it further enacted, That when such Money so agreed or assessed to be paid as herein-before mentioned shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Hereditaments

Application when the Money is less than 20 *l.*

[*Loc. & Per.*]

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so

so purchased, taken, or used for the Purposes of the said Acts and this Act, in such Manner as the said Trustees, or any Seven or more of them, shall think fit; or in case of Infancy or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

Publick Act.

IX. And be it further enacted, That this Act shall be deemed, adjudged, and taken to be a publick Act; and shall be judicially taken Notice of as such by all Judges, Justices, and other Persons, without specially pleading the same.

Commence-
ment of the
Act.

X. And be it further enacted, That the Term granted by this Act, shall commence upon the said Twenty-seventh Day of *September* One thousand eight hundred and three, and shall continue in Force for and during the Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament.

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