



ANNO QUINQUAGESIMO. SEPTIMO.

GEORGI III. REGIS.

Cap. lxxvii.

An Act for continuing and amending Two Acts of His present Majesty, for repairing several Roads leading from the Town of *Taunton*, in the County of *Somerset*. [7th July 1817.]

WHEREAS an Act was passed in the Eighteenth Year of the Reign of His present Majesty, intituled *An Act for more effectually amending, widening, and keeping in Repair several Roads leading from the Town of Taunton, in the County of Somerset; and for repealing Two Acts, one of the Twenty-fifth Year of His late Majesty, and the other of the Fifth Year of His present Majesty, relating to the said Roads; and for amending, widening, and keeping in Repair several other Roads adjoining thereto*: And whereas an Act was passed in the Thirty-ninth Year of the Reign of His said Majesty King George the Third, intituled *An Act for altering, enlarging, and repealing some of the Provisions in an Act passed in the Eighteenth Year of the Reign of His present Majesty, for repairing several Roads leading from the Town of Taunton, and other Roads adjoining thereto, in the County of Somerset; and also for extending the Provisions of the said Act to a Road from Tuckers Gate in the Parish of Lyng, to Pipers Inn in the Parish of Ashcott, in the said County of Somerset*: And whereas the Trustees authorized to carry the said recited Acts of the Eighteenth and Thirty-ninth Years of the Reign of His present Majesty into Execution, have borrowed a large Sum of Money on the Credit of the Tolls granted by the said Acts, which still

[Local.] 19 A remains

18 G. 3. c. 97.

39 G. 3. c. 38.

Former Acts
continued.

remains due, and cannot be repaid, nor can the said Roads be properly amended and kept in Repair, unless the said Acts are continued for a further Term, and some further Tolls, Powers, and Authorities granted for those Purposes: And whereas it will be convenient for the Public that additional Carriage Roads should be made from *Henley's Barn*, or *Parson's House*, in the Parish of *Bishopshull*, to the Village of *Rumwell* in the same Parish, and from the Village of *Chelson*, in the Parish of *West Buckland*, to the Town of *Wellington*, in the Lines or Directions herein-after mentioned or referred to; and it is expedient that some of the Clauses and Provisions contained in the said Two recited Acts should be varied, altered, or repealed: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the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 passed in the Eighteenth and Thirty-ninth Years of the Reign of His present Majesty, and all and every the Authorities, Powers, Privileges, Provisions, and Clauses therein contained and now in force, (except such of them as relate to Exemptions from Stamp Duties, and as are altered, varied, or repealed, shall be and continue in full Force and Effect, and shall be practised, applied, and put in Execution by the Trustees appointed by virtue thereof, for repairing, maintaining, widening, diverting, turning, and otherwise improving the Roads comprised in and directed to be repaired by the said recited Acts of the Eighteenth and Thirty-ninth Years of His present Majesty (except as aforesaid), for and during the Term herein-after granted, in as full and ample a Manner, and as effectually to all Intents and Purposes, as if all such Authorities, Powers, Privileges, Provisions, and Clauses were repeated and re-enacted in the Body of this Act, with relation thereto; and this Act and the Tolls hereby granted shall be and are hereby declared to be subject and liable to the Payment of all Monies now due and owing on the Security or on the Credit or Account of the said former Acts or any of them, and all Interest due and to grow due for the same respectively, except as to the Application of the additional Tolls hereby granted.

All the
Roads to
form only
One Trust.

II. And whereas it is by the said recited Act of the Eighteenth Year of His present Majesty enacted, that for the Purpose only of ascertaining where and in what Manner the Tolls therein-after granted should be collected and received, the several Roads thereby directed to be repaired should be and were thereby divided into Five several Districts therein particularly mentioned; and by the said recited Act of the Thirty-ninth Year of His present Majesty, the said Road from *Tuckers Gate* to *Pipers Inn* was directed to be comprised in One of such Districts: And whereas it would be more convenient if all the Roads comprised in this Act were united in One District; be it therefore further enacted, That so much of the said recited Acts of the Eighteenth and Thirty-ninth Years of His present Majesty, as enacted that the several Roads thereby directed to be repaired should be divided into Five different Districts, shall be and the same is hereby repealed and made void; and that from and after the Commencement of this Act all the Roads comprised in and directed to be repaired by this Act shall be united into One District or Trust.

III. And be it further enacted, That it shall be lawful for the said Trustees or any Seven or more of them, and they are hereby authorized and empowered, to make and afterwards repair additional Carriage Roads from the said Place called *Henley's Barn*, or *Parson's House*, to the said Village of *Rumwell* in the said Parish of *Bishopshull*, and from the said Village of *Chelson* to the Town of *Wellington* aforesaid, in the Courses and Directions specified or described in the Maps or Plans herein-after mentioned and referred to; and for effectuating those Purposes, all and every the Powers, Authorities, Directions, and Provisions contained in the said recited Acts of the Eighteenth and Thirty-ninth Years of His present Majesty, with respect to the widening, turning, or altering the Course of any of the Roads therein respectively described; and purchasing Lands for those Purposes, and making Satisfaction for Damages occasioned thereby (save and except such as are varied, altered, and repealed), shall be in full Force and Effect, and shall be duly enforced, practised, applied, and put in Execution, for making and opening the said new Road and maintaining and repairing the same, so far as the said Powers, Authorities, Directions, and Provisions are applicable thereto, as fully and effectually to all Intents and Purposes, as if the said intended new Road had been Part of the Roads directed to be made and repaired by the same Acts or either of them.

Power to make the Road from *Henley's Barn* to *Rumwell*.

IV. And whereas Two several Maps or Plans describing the Lines of the said intended new Roads from *Henley's Barn*, or *Parson's House*, to the Village of *Rumwell* aforesaid, and from the said Village of *Chelson* to the said Town of *Wellington*, and the Lands through which the same are to be carried, together with Two Books of Reference, containing Lists of the Owners and Occupiers of such Lands, have been deposited in the Office of the Clerk of the Peace for the said County of *Somerset*; be it therefore enacted, That the said Maps or Plans and Books of Reference shall remain in the Custody of the Clerk of the Peace for the said County, to the End that all Persons may, at any reasonable Times, have Liberty to inspect and peruse the same, and to take Copies or Extracts therefrom, paying to the Clerk of the Peace One Shilling for every such Inspection, and at the Rate of Four-pence for every Seventy-two Words of such Copies or Extracts; and the said Roads shall not deviate more than One hundred Yards from the Lines described in the said Maps or Plans, without the Consent and Approbation in Writing of the Person or Persons, Bodies Politic, Corporate, or Collegiate, seised or possessed of the Lands or Tenements through which such Deviations shall be made: Provided always, that no Advantage shall be taken of or against the said Trustees, or any Interruption be given to making the said new Roads, on account of any Error or Omission in the said Plans or Books of Reference, in case it shall appear to any Two or more Justices of the Peace acting for the County, Town, or Place in which such Error or Omission may happen, and it shall be certified by Writing under their Hands that such Error or Omission appeared to proceed from Mistake.

Roads to be made according to a Plan.

Misnomers in the Plan not to prevent the making of the Road.

V. And whereas by the said recited Act of the Eighteenth Year of the Reign of His present Majesty, the said Trustees were empowered to widen, turn, or alter the Course of any of the Roads thereby directed to be repaired, and to purchase, take, and use any Lands, Grounds, or Hereditaments for those Purposes; but it was thereby provided, that in widening,

Power to take down Houses for widening the Roads.

widening, turning, or diverting any Part of the said Roads, nothing should be done which should in anywise injure or damage any House or Building, or any Garden, Park, or Nursery of Trees, unless the Owner or Proprietor thereof should consent thereto: And whereas certain Parts of the said Roads are not of sufficient Width, and in order to widen and improve the same several Parts of the said Roads, it will be necessary to purchase, take, and use (among other Hereditaments) the several Messuages, Tenements, and Buildings described in the Schedule to this Act, and to pull down such Buildings and to lay the Sites thereof into the said Roads; be it therefore further enacted, That the said last-recited Proviso or Restriction, so far as the same relates to or affects the Messuages, Tenements, Buildings, and Hereditaments described in the said Schedule, shall be and the same is hereby repealed and made void; but full and adequate Compensation and Satisfaction shall be made by the said Trustees to the several and respective Owners and Occupiers of and Persons interested in the same Messuages, Tenements, Buildings, and Hereditaments, or such of them as shall be taken and used for the Purposes of this Act, and shall be ascertained and paid in such Manner as in the said recited Act of the Eighteenth Year of His present Majesty is provided in that Behalf; provided, that it shall not be lawful for the said Trustees by virtue of this Act to take down the Buildings mentioned in the Schedule to this Act, after the Expiration of Sixteen Years from the Day of the Commencement of this Act, nor unless One Year's previous Notice of taking down the said Buildings or any of them shall be given to the Occupiers thereof, under the Hands of Seven or more of the said Trustees.

The Improvements in East Street to be first made.

VI. And be it further enacted, That as soon as conveniently may be, and before the new or additional Roads herein-before described shall be made, or any Part of the said Roads shall be turned, altered, or widened at an Expence exceeding the Sum of Fifty Pounds at any one Place, the said Trustees shall purchase and take down all the Messuages, Tenements, and Buildings situated in *East Street*, in the said Town of *Taunton*, and described in the Schedule to this Act, and lay the Sites thereof into the said Roads.

Trustees not to alter the present Line of Road, without Consent of Land Owners.

VII. Provided always, and it is hereby enacted, That nothing in the said recited Acts or this Act contained shall authorize the said Trustees, or any of them, to alter the Line or Direction of any of the Roads comprised in the said recited Acts and this Act, except such of them as are comprised in the Maps or Plans herein-before mentioned or referred to, so as to deviate more than One hundred Yards from the present Line or Direction of such Roads respectively, without the previous Consent in Writing of the Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, who shall for the Time being be seised or possessed of the Lands or Tenements through which every such Deviation shall be made.

As to Mr. Norman's Sluice.

VIII. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees to alter or remove the ancient front Sluice appertaining to the Mills of *Samuel Norman* Esquire, and described in the Schedule hereto annexed, until the said Trustees shall have widened the Stream or River running to the said Mills, above and near the Side Sluices of the said Mills, and below the Tops of the said Side Sluices,
so

so that the Mill Pond shall continue of at least as great an Extent and Capacity as the same now is; and that the said Trustees shall fence-off the said Sluice from the said Road in such Manner as the said *Samuel Norman* shall direct; and the Expences of removing and building the said Sluice, and of making the said Fence, shall be defrayed by the said Trustees; and that after the said Sluice shall be removed or altered in pursuance of this Act, the same shall be deemed and taken to be the ancient Sluice of the said Mills, and shall be entitled to all the Rights and Privileges which were appertaining or belonging to the present Sluice prior to the passing of this Act.

IX. And be it further enacted, That all Acts, Orders, Resolutions, Determinations, and Proceedings of the said Trustees, or any of them, in the Execution of the said Two recited Acts and this Act, or any of them, which shall be signed by Seven or more Trustees present at any Meeting to be held in pursuance of the same Acts, shall be valid (except for borrowing Money), and that no Act, Order, Resolution, Determination, or Proceeding of the Trustees so signed, shall afterwards be altered, revoked, or set aside by any subsequent Act, Resolution, Proceeding, or Order of the Trustees, unless it be at some public Meeting of the said Trustees to be held for that express Purpose, nor unless Double the Number of Trustees who signed the former Orders or Proceedings so to be revoked or altered shall sign the Order or Proceeding for such Revocation or Alteration.

Orders how
to be signed,
&c.

X. And be it further enacted, That no Order shall be made at any Meeting of the said Trustees, for varying or altering the Line of any of the said Roads, or for the Expenditure of any Sum of Money not exceeding Twenty Pounds, unless previous Notice specifying the precise Objects of such proposed Order, be given in like Manner as Notice of Meetings of the said Trustees is directed to be given by the said recited Act of the Eighteenth Year of His present Majesty.

Notice to be
given of cer-
tain Proceed-
ings.

XI. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees to continue or appoint the same Person who has been or may be appointed to act as their Clerk in the Execution of this Act, or the Partner of any such Clerk, the Treasurer for the Purposes of this Act; or to continue or appoint the Person who has been or may be appointed Treasurer, or the Partner of any such Treasurer, the Clerk to the said Trustees; and if any Person shall act in both the Capacities of Clerk and Treasurer for the Purposes of the said recited Acts or this Act, or if any Person being Partner of any such Clerk shall act as Treasurer, or being the Partner of such Treasurer shall act as Clerk in the Execution of the said recited Acts or this Act, every Person so offending shall for every such Offence forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall sue for the same in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt, or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Impar lance shall be allowed.

Same Person
not to be
Clerk and
Treasurer.

XII. And be it further enacted, That the said Trustees shall and they are hereby required from Time to Time and at all Times during the Continuance of this Act, to order and direct a Book or Books to be provided and kept by the Clerk for the Time being, in which Book or

Accounts to
be open to
the Inspec-
tion of the
Trustees and
Creditors.

Books such Clerk shall enter or cause to be entered true and regular Accounts of all Sums of Money received, paid, laid out, and expended for or on Account of the said Roads, and of the several Articles, Matters, and Things for which such Sums of Money shall have been disbursed, laid out, and paid; which Book or Books shall at all reasonable Times be open to the Inspection of the said Trustees, or any Creditor or Creditors on the Tolls hereby granted, without Fee or Reward; and the said Trustees and Creditors, and any of them, shall and may take Copies of or Extracts from the said Book or Books, or any Part or Parts thereof, without paying any Thing for the same; and in case the Clerk shall refuse or neglect, on Demand, to permit the said Trustees, or such Creditors, or any of them, to inspect the same, or to take such Copies or Extracts as aforesaid, such Clerk so offending shall forfeit and pay any Sum of Money not exceeding Five Pounds.

Collectors to deliver Tickets gratis.

XIII. And be it further enacted, That the several Collectors of the Tolls granted by this Act shall on Receipt of such Tolls as aforesaid; deliver to the Person or Persons paying the same a Ticket or Tickets denoting such Payment, and specifying and naming therein the Gate or Gates to be freed from Toll by such Payment.

Regulations as to Toll Collectors.

XIV. And be it further enacted, That every Toll Collector being a Lessee of the said Tolls, or being appointed either by the said Trustees, or by any Lessee or Lessees, to collect the Tolls payable at any Turnpike Gate to be erected by virtue of this Act, shall and he is hereby required to place his Christian and Surname, painted on a Board in legible Characters, in the front or in some other conspicuous Part of the Toll House or Toll Gate, immediately on his beginning to collect such Toll or coming on Duty; each of the Letters of such Name or Names to be at least One Inch in Length, and of a Breadth in Proportion, and painted in Black Letters on a White Ground, and shall continue the same so placed during the whole Time he shall collect such Toll, or be upon such Duty; and if any Collector of the same Tolls shall not place such Board as aforesaid, and keep the same there during the Time aforesaid, or shall demand and take a Toll from any Person or Persons who shall be exempt from the Payment thereof, and claim such Exemption, or shall refuse to permit or suffer, or shall in any ways hinder any Person or Persons from reading such Christian or Surname, or shall refuse to tell his Christian or Surname to any Person or Persons who shall demand the same, on having paid the said Tolls or any of them, or shall in answer to such Demand give a false Name or Names, or shall refuse or neglect to give a Ticket denoting the Payment of the Tolls, and naming and specifying the Gates to be freed by such Ticket, or shall unnecessarily detain any Passenger or Passengers, or shall make use of any scurrilous or abusive Language to any Traveller or Passenger, then and in every such Case every such Toll Collector shall forfeit and pay any Sum not exceeding Forty Shillings for every such Offence, as the Justice or Justices before whom the Information shall be laid shall adjudge.

Restrictions as to erecting Toll Gates in particular Situations repealed.

XV. Provided always, and be it enacted, That so much of the said recited Act of the Eighteenth Year of His present Majesty as directs that no Gate, Turnpike, or Toll Bar should be erected or set up, or any Toll collected or received by virtue of that Act, on any Part of the said Roads,

Roads, between the *Red Post* in the Parish of *Fivehead* and *Rock House* in the Parishes of *North Curry* and *Curry Mallet*, or between the *Four Cross-Ways* near the *Red-Lion Inn* in the Parish of *Hatch-Beauchamp*, and *Great Capland Gate* in the Parish of *Broadway*, shall be and the same is hereby repealed and made void.

XVI. And be it further enacted, That it shall be lawful for the said Trustees, or any Seven or more of them, and they are hereby authorized to demand, receive, and take, or cause to be demanded, received, and taken at all or any of the Turnpikes and Toll Gates or Bars to be continued or erected by virtue of this Act, an additional Toll or additional Tolls equal to One-half Part of the several and respective Tolls payable by virtue of the said recited Acts, or either of them, and also by virtue of any general Statute or Law relating to Turnpike Roads in that Part of the United Kingdom called *England*, except as is next herein-after provided; and the additional Tolls hereby granted shall be vested in the said Trustees, and collected, levied, recovered, leased, and compounded for in such or the like Manner and Form as in the said recited Act of the Eighteenth Year of His present Majesty is mentioned, with respect to the Tolls thereby imposed; provided that the additional Tolls hereby granted shall wholly cease and determine at the Expiration of Three Months next after all the Principal and Interest due and owing on the Credit and Security of the Tolls granted by the said recited Acts shall be paid off and discharged; and provided also, that the additional Tolls hereby granted shall be exclusively applied and disposed of, after defraying the necessary Charges of collecting the same, in repairing the several Roads under the Care and Management of the said Trustees, and in such Proportions between the respective Parishes, Townships, Hamlets, Tithings, and Places, as the said Trustees, or any Seven of them, not interested therein, shall in their Discretion direct; provided that such additional Tolls shall not be demanded or taken in respect of any Waggon or other Carriages having the Sole or Bottom of the Fellies of the Wheels 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 or level Surface; and that Waggons, Carts, and other such Carriages having the Wheels and Axletrees formed as directed by an Act passed in the Fifty-fifth Year of the Reign of His present Majesty, intituled *An Act to enable the Trustees of Turnpike Roads to abate the Tolls on Carriages, and to allow of their carrying extra Weights in certain Cases*, and the Horses and other Cattle drawing the same, shall have and enjoy the Privileges and Exemptions granted by the said Act.

Additional
Tolls.

Additional
Tolls not to
be taken for
Carriages
with broad
Wheels.

XVII. And be it further enacted, That all Horses and other Beasts of Draught drawing any Chaise, Coach, Cart, Waggon, or other Carriage whatsoever, through any of the Toll Gates or Turnpikes to be contained or erected by virtue of this Act, and after having been charged with Toll Once, shall return on the same Day with or drawing any other or different Carriage, then such Horses and Beasts, and other or different Carriage, shall be chargeable with Toll a Second Time on the same Day; any Thing in the said recited Act of the Eighteenth Year of His present Majesty to the contrary notwithstanding.

Horses re-
turning in a
different
Carriage
chargeable
with a
Second Toll.

XVIII. Pro-

Power to
vacate
Leases.

XVIII. Provided always, and be it further enacted, That it shall be lawful for the said Trustees to vacate all or any of the existing Lease or Leases, or Demises of the said Tolls, at the Request of the Lessee or Lessees or Farmers thereof, or to make any Deduction or Abatement in the Rent or Rents now payable for such Tolls, as the said Trustees or any Seven of them shall think proper.

Number of
Tolls limited.

XIX. Provided always, and be it further enacted, That no more Toll or Tolls shall be demanded or taken from any Person or Persons passing and repassing the same Day, to be computed from Twelve of the Clock at Night to Twelve of the Clock in the succeeding Night, with or driving the same Horses, Cattle, Sheep, Beasts, or Carriages, through all or any of the Toll Gates or Turnpikes which shall be continued or erected by virtue of this Act upon the several Roads comprised in this Act, exclusive of and in addition to the *Sunday* Toll granted by the said Act of the Eighteenth Year of His present Majesty, than the respective Tolls herein-after mentioned, (that is to say), that no more than One Toll shall be taken upon the Roads from the North End of the Market Ground in the Town of *Taunton* through *North Street*, and through the Parishes of *Taunton Saint James*, *Staplegrave*, *Nortonfitzwarren*, *Bishops Lydeard*, *Lydeard Saint Lawrence*, *Tolland*, *Elworthy*, and *Stogumber*, to *Hartrow Gate*, in the said Parish of *Stogumber*, and from *Langford Bridge* in the said Parish of *Staplegrave*, through the Parish of *Nortonfitzwarren* aforesaid, to the Town of *Milverton*, and to Parishes *Barn* in *Milverton* aforesaid; and that no more than One Toll shall be taken upon the Roads from the *George Inn* in *Taunton Saint James* aforesaid, through the Parish of *Kingston*, to the Corner of *Cole's Wall* in the Parish of *Broomfield* aforesaid, and from the *Smith's Shop* at *Rowbarton* in the said Parish of *Taunton Saint James*, through the Parishes of *Cheddonfitzpain* and *Kingston* before *Hestercombe* Park Gate, to the Direction Post beyond *Yard's Barn* in the said Parish of *Broomfield*; and that no more than One Toll shall be taken upon the Roads from the North-east Corner of the Market Ground in the said Town of *Taunton*, through the East Part of *Fore Street*, and through *East Street*, *Eastridge*, the Parishes of *Westmoncton*, *Ruishton*, *Thornfaulcon*, *West Hatch*, *Hatch Beauchamp*, *Broadway*, *Abbot's Isle*, and *Asbill*, to *Asbill Gate* in the said Parish of *Asbill*, and from *Maddock's Tree* in the said Parish of *Thornfaulcon*, through *Wrantage*, in the Parish of *North Curry*, the Tithing of *Stoke Saint Gregory*, and the Parish of *Curry Mallett*, to the *Red Post* in the Parish of *Fivehead*, and from the *Quaker's Burying Place* in the said Parish of *Westmoncton*, through the Parish of *Creech Saint Michael*, to the *Green Dragon* in the Parish of *Thurloxton*, and from the Cross Ways or Direction Post near the Place where *Walford Inn*, in the said Parish of *Westmoncton*, formerly stood to *Athelney Bridge* in the Parish of *Lyng*; and that no more than One Toll shall be taken upon the Roads from the South-east Corner of the Market Ground in the said Town of *Taunton*, through the South Part of *Fore Street* to *High Street*, and from the North-west Corner of the said Market Ground through the West Part of *Fore Street*, and through *High Street* and *Shuttern*, and the Parishes of *Wilton*, *Bishopshull*, *Trull*, *Bradford*, *West Buckland*, and *Wellington*, to *White Ball* in the Parish of *Sampford Arundell*; and from the Turnpike Gate in *Shuttern* aforesaid, through the said Parishes of *Wilton* and *Trull*, and the Parish of *Pitminster*, over *Blagdon Hill* to a Place called *White Wall* near *Churching ford*, in the Parish

Parish of *Church Stanton*; and that no more than One Toll shall be taken upon the Road from the East Gate of the said Town of *Taunton*, through the Parishes of *Orchard*, *Portman*, *Stoke Saint Mary*, and *Thurlbeer* to *Staple Pound*, in the Parish of *Staplefitzpain*; and that no more than Two Tolls shall be taken upon the Road from a Place called *Tucker's Gate* in the said Parish of *Lyng*, through the Parishes of *Lyng*, *Stoke Saint Gregory*, *Othery*, *Middlezoy*, *Westonzoyland*, *Moorlinch*, *Grinton*, *Shapwick*, and *Ashcott*, to a House called *Piper's Inn*, in the Parish of *Ashcott*; and all and every Person and Persons having paid such Toll or Tolls as aforesaid, and producing a Ticket or Tickets denoting the Payment thereof, (which Tickets the Collectors of the Tolls are hereby directed to give gratis on the Receipt of such Tolls, and which Tickets shall denote and specify the Toll Gates or Turnpikes freed from Toll by such Payment) shall pass and repass during the same Day with or driving the same Horses, Cattle, Sheep, Beasts and Carriages respectively, Toll free, except as to the said *Sunday's* Toll through the same, and any other of the Toll Gates or Turnpikes to be continued or erected by virtue of this Act, upon the same several Parts or Divisions of the said Roads herein-before described or mentioned, in which such Toll or Tolls shall have been previously paid as aforesaid.

XX. And be it further enacted, That no Toll shall be demanded for any Waggons, Wains, Carts, Carriages, or Horses employed in carrying or conveying only, or going empty to carry or convey only, or returning empty from carrying or conveying, having been employed only in carrying and conveying on the same Day, any Stones, Brick, Timber, Wood, Gravel, or other Materials for making or repairing the said Roads, or any of the Roads in the Townships in which any Part of the said Roads do lie; or any Hay, Straw, or Corn in the Straw only, not sold or disposed of, but passing to be laid up or placed in the Outhouses or on the Lands of the Owners thereof, or any Corn, Grain, or Grass Seeds, which shall be conveyed upon the said Roads for the Purpose of being sown, and shall not pass thereon farther than to the next adjoining Parish; or for any Waggons, Wains, Carts, Carriages, or Horses employed in carrying or conveying only, or going empty to carry or convey only, or returning empty from carrying or conveying, or having been employed only in carrying or conveying on the same Day, any Ploughs, Harrows, or Implements of Husbandry, for the Purpose only of using or repairing the same; or in carrying or conveying from Place to Place any Mould, Dung, Lime, Marl, Soil, Compost, or other Manure employed in Husbandry for manuring or improving Land, or any Stone, Bricks, or other Materials for draining Land, or for any other Thing employed in the Management of any Farm or Land; or for any Horses or Cattle going or returning from Pasture or Watering Places; or for any Horses going to be or returning from being shod; or from any Person going to or returning from his or her proper Parochial Church, Chapel, or other Place of Religious Worship tolerated by Law, on a *Sunday*, or on any other Day on which Divine Service is ordered by Authority to be celebrated, or attending the Funeral of any Person that shall die and be buried in any of the said Parishes; or from any Clergyman or Minister going to or returning from visiting any sick Person, or upon other his parochial or ministerial Duty; or for any Horses, Cattle, or Carriages, of whatever Description, employed or to be employed in conveying the Mails of Letters and Expresses under the Authority of His Majesty's

General
Exemptions.

[Local.]

19 C

Post.

Postmaster General, or his Deputies, either when employed in conveying; fetching, or guarding such Mails or Expresses, or in returning back from conveying the same; or for any Horses, Carts, or Waggon attending any Soldiers upon their March or upon Duty, or any wounded, sick, or disabled Soldiers, or drawing any Carriage attending them with their Arms or Baggage; or for any Waggon, Wain, Cart, or other Carriage whatsoever, or the Horse or Horses or other Cattle drawing the same; employed in conveying any Ordnance, Barrack or Commissariat, or other Public Stores of or belonging to His Majesty, or for the Use of His Majesty's Forces, or returning empty after having been so employed; nor for any Horses furnished by or for any Persons belonging to any Corps of Yeomanry or Volunteer Cavalry, and rode by them in going to or returning from the Place appointed for and on the Day of Exercise, provided that such Persons be dressed in the Uniform of their respective Corps, and have their Arms, Furniture, and Accoutrements, according to the Regulations provided for such Corps respectively, at the Time of claiming such Exemptions; or for any Horses or Carriages employed in the conveying of Vagrants sent by legal Passes; or for any Carriage, or any Horse or other Beast conveying any Person or Persons to or from any Election of a Knight or Knights of the Shire to serve in Parliament for the County of *Somerset*, on the Day or Days of such Election, or on the Day before or Day after such Election shall begin or be concluded; and if any Person or Persons shall in any fraudulent or collusive Manner whatsoever claim and take the Benefit of any of the Exemptions by this Act granted, not being entitled to the same, every such Person shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds, One Moiety whereof shall go to the Informer, and the other Moiety shall be applied to the Purposes of this Act.

Disputes about the Amount of Tolls to be settled by a Justice.

XXI. Provided always, and be it further enacted, That if any Dispute shall arise concerning the Amount of Tolls due, or the Charges occasioned by any Distress, it shall be lawful for the Collector or Person distraining to retain such Distress, or the Money arising from the Sale thereof (as the Case may happen), until the Amount of Toll due, and the Charges of seizing, distraining, keeping, or selling such Distress (as the Case shall happen), shall be ascertained by One or more Justice or Justices of the Peace for the County or District wherein the Cause of Dispute shall arise, who upon Application made to him or them for that Purpose shall examine the said Matter upon Oath of the Parties, or other Witnesses or Witnessess, and determine the Amount of the Toll due; and it shall be lawful for such Justice to assess and award such Costs, to be paid by either of the Parties to the other of them as he shall think just and reasonable; and in case of Non-payment thereof on Demand such Costs shall be levied by Distress and Sale of the Goods and Chattels of the Party liable to pay the same, by Warrant under the Hand and Seal of such Justice.

Carriages in His Majesty's Service not subject to the Regulations for Overweight.

XXII. And be it further enacted, That no Person owning or driving, or causing to be driven, any Waggon, Wain, Cart, or other Carriage provided for the Service of His Majesty's Forces, or conveying any Ordnance, Barrack, Commissariat, or other public Stores of or belonging to His Majesty, or for the Use of His Majesty's Forces, shall be subject to any Penalty or Forfeiture for Overweight; nor shall any such Waggon, Wain, Cart, or other Carriage be stopped or detained by reason
of

of any Weight in any such Waggon, Wain, Cart, or other Carriage, or being drawn by any Number of Horses or Oxen; but it shall be lawful for any Owner or Driver of any such Waggon, Wain, Cart, or other Carriage, to put any Number of Horses or Oxen to such Waggon, Wain, Cart, or other Carriage; any Thing in any Act or Acts of Parliament relating to Highways or Turnpike Roads, or in this Act contained to the contrary notwithstanding.

XXIII. And be it further enacted, That so much of the said recited Act of the Eighteenth Year of His present Majesty, as enables the Surveyor or Surveyors appointed by virtue of that Act, or any Person or Persons appointed by such Surveyor or Surveyors to cut, dig, gather, take and carry away any Stones, Gravel, Sand, Furze, Heath, or any other Materials proper for repairing of Roads in, upon, out of, or from any River or Brook, Waste Ground or Common, in any Parish, Township, or Place, in, adjoining to, or lying near the said Roads, or in, upon, or out of any Land of any Person or Persons, where the same may be had or found, to be used towards repairing the said Roads (such Land not being a Yard, Walled Garden, Park, Paddock, Plantation, or Nursery of Trees) shall be and the same is hereby repealed and made void.

Clause in
18 G. 3. as
to getting
Materials
repealed.

XXIV. And be it further enacted, That it shall be lawful for the Surveyor or Surveyors of the said Roads for the Time being, and such other Person or Persons as shall be employed by such Surveyor or Surveyors to gather, dig, take, and carry away any Stone, Gravel, Sand, or other Materials proper for the repairing of the said Roads, out of and from any Commons or Waste Grounds, Common Rivers and Brooks, in any Parish, Township, or Place in or through which the said Roads lie or pass, or any adjoining Parish, Township, or Place without paying any Thing for the same, such Surveyor or other Person or Persons levelling the Ground from whence such Materials shall be taken, or sufficiently fencing-off such Pits, so that the same may not be dangerous to Passengers or Cattle; and in case no such Materials can conveniently be had in such Commons or Waste Grounds, Common Rivers or Brooks, within convenient Distances, then to dig, gather, take, and carry away any such Materials as aforesaid, in, upon, out of, or from and over any other Lands or Grounds in any Parish, Township, or Place, in or through which the said Roads lie or pass, or any adjoining Parish, Township, or Place, not being a Garden, Orchard, Yard, Paddock, or a Plantation, or a Nursery for Trees, making such Compensation and Satisfaction for such Materials, and for the Damage done to the Owners or Occupiers of the Lands and Grounds from whence the same shall be dug, gathered, taken, and carried away, or over which the same or any other Materials gotten in any Waste Grounds, Commons, Rivers, or Brooks, or private Grounds shall be conveyed, as any Two Justices of the Peace, within their respective Jurisdictions, shall in case of Difference between such Owners or Occupiers and the said Trustees judge reasonable.

Surveyors to
get Materials
for the Roads.

XXV. Provided nevertheless, and be it further enacted, That it shall not be lawful for any Surveyor or Surveyors, or any other Person or Persons under the Authority of this Act, to dig, gather, take, and carry away Stone or other Materials for making or repairing the said Roads, Bridges,

Notice to be
given to Oc-
cupiers of
Lands before
Materials
taken.

Bridges, Culverts, Walls, and Fences, out of and from any inclosed Lands or Grounds, until Six Days previous Notice in Writing shall have been given to the Occupier of the Premises from which such Materials are intended to be taken, or left for such Occupier at his usual Place of Residence, to appear before any Two or more Justices of the Peace acting for the County or Place wherein such Premises shall lie, to shew Cause why such Materials shall not be had from such Lands or Grounds; and in case such Occupier shall attend pursuant to such Notice, such Justices shall, if they think proper, authorize such Surveyor or other Person or Persons to dig, gather, take, and carry away such Stone and Materials at such Time or Times as to such Justices shall seem proper; and if such Occupier shall neglect or refuse to appear by himself or his Agent before such Justices as aforesaid, then and in such Case such Justices shall and may make such Order therein as they shall think fit, as fully and effectually to all Intents and Purposes as if the Occupier or his Agent had attended.

Trustees may shear Hedges, and scrape Roads, and remove Dung, &c.

XXVI. And be it further enacted, That it shall be lawful for the said Trustees, or any Seven or more of them, and their Surveyor and Surveyors, and such Person or Persons as he or they shall appoint, to cut, lop, and shear, at the Charges of the said Trustees, all the Hedges and Bushes growing on the Lands or Banks within Twenty Feet of the Centre of any of the said Roads, as often and in such Manner as he or they may think proper, leaving sufficient Fence to the Lands where such Hedges and Bushes grow; and also to scrape up and take and carry away all Mud, Dung, and Rubbish that may be from Time to Time on or adjoining any of the said Roads, or between the Fences of such Roads, and to sell or otherwise dispose of the same for the Use and Benefit of the said Trustees.

Not to cut or lop Trees beyond Twenty Feet from the Centre of the Roads.

XXVII. And be it further enacted, That it shall not be lawful for the said Trustees, or their Surveyors, or any of them, to cut down, lop, or top any Tree or Trees growing or to grow in any Lands or Grounds, beyond Twenty Feet from the Centre of any of the said Roads, or any Trees or Hedges planted as an Ornament or Shelter to a House or other Buildings, or growing in any Garden, Orchard, Yard, Park, Paddock, planted Walk, or Avenue to a House.

Power to make Causeways to include Footpaths.

XXVIII. And whereas by the said recited Act of the Eighteenth Year of His present Majesty, it is enacted, that it shall be lawful for the said Trustees to make any Causeway or Causeways in, along, or by the Sides of the said Roads, and some Doubts have arisen whether by virtue thereof the said Trustees have Power to make Footpaths adjoining the said Roads; for removing which Doubts, it is hereby declared and enacted, That all the Powers and Provisions of the said recited Act relative to Causeways shall be deemed and construed to extend and apply to Footpaths adjoining the said Roads.

Penalty for damaging Footways, or causing Obstructions on Roads.

XXIX. And be it further enacted, That if any Person shall ride upon any Footway adjoining the said Roads, or shall lead or drive any Horse, Cattle, or Swine, or any Carriage, on any Footway, except on crossing the same to any House or Land, or shall cause any Damage to be done thereto, or shall put or turn any Horse, Ass, Swine, or other Beast or Cattle of any Kind, into or upon the said Roads, or the Sides thereof,

for the Purpose of grazing, or if any Person shall without sufficient Cause leave any Coach, Chaise, Waggon, Wain, Cart, or other Carriage, in or upon the said Roads; or the Sides thereof, either with or without any Horse or Beast of Draught harnessed or yoked thereto (except in case of Accidents, and for such reasonable Time, and then standing as near to the Side of the Road as conveniently may be as may be necessary to load or unload the same) every Person so offending shall forfeit and pay for the First Offence Ten Shillings; and for the Second and any subsequent Offence any Sum not exceeding Forty Shillings.

XXX. And be it further enacted, That if the Lessee or Lessees of any of the Tolls hereby granted, or any Person or Persons claiming under him or them, shall at any Time after the Expiration or other sooner Determination of the Term for which such Tolls shall be leased, or for the Space of Fourteen Days after the Leases of such Tolls having expired, or been declared void as aforesaid, refuse to deliver up the Possession of the Toll House or Toll Houses, Buildings, and Premises which shall have been demised to him or them, with the Tolls so leased, it shall be lawful for any Justice of the Peace for the County or Place where such Toll House or Toll Houses, Buildings and Premises, shall be situate respectively, by Warrant under his Hand and Seal, to order the Constables or other Peace Officers of the Parish or Place where such Toll House or Toll Houses shall be situate, or any other Person or Persons to whom such Warrant shall be specially directed, with proper Assistants, to enter such Toll House or Toll Houses, Buildings and Premises respectively, in the Day-time, and to remove the Person or Persons who shall be found therein, together with his, her, or their Goods and Chattels, out of such Toll House or Toll Houses, Buildings and Premises, and to put any Person or Persons whom the said Trustees shall think fit in Possession of the said Toll House or Toll Houses, Buildings and Premises, so that the Tolls payable thereat may from thenceforth be received and taken for the Use of the said Trustees.

For recovering Possession of Toll Houses.

XXXI. And be it further enacted, That all Gates to be hereafter made and placed in any Field or Ground adjoining the said Roads, shall be made and hung to open and swing inward towards such Field or Ground, and not towards the said Roads; and that it shall be lawful for the said Trustees, or any Seven or more of them, to order all such Gates as are now erected or may hereafter be erected, and open and swing outward towards the said Road, to be altered and made to open and swing inward, as they the said Trustees, or any Seven or more of them, shall think proper; and if any Occupier or Occupiers of the Lands upon which any Gate or Gates is or are or shall be constructed so as to open and swing outward towards the said Road, shall (after Ten Days Notice from any Surveyor of the said Roads, requiring him, her, or them to alter any such Gate or Gates, and to make the same to open and swing inward), refuse or neglect to make such Alterations, every such Occupier or Occupiers shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Gates not to swing into the Road.

XXXII. And be it further enacted, That the principal Money to arise from the Sale of any Lands, Tenements, or Hereditaments which shall be purchased for the Purposes of this Act, of any Body Corporate, Eccle-

Application of Money arising from the Sale of Lands.

[Local.]

fiastical or Civil, Corporation Aggregate or Sole, Feoffees in Trust, Guardians, Committees, or other Trustees, or from any Femes or Feme Covert, or other incapacitated Person or Persons, shall, in case the same shall amount to or exceed 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 there *ex parte* the Trustees for executing this Act, or any Two or more of them, 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 to the Rents and Profits of the said Lands or Hereditaments, in the Purchase of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrances, or any Part thereof, as the said Court shall authorize to be paid affecting the same Lands and Hereditaments, or affecting other Lands or Hereditaments standing settled therewith, 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 Lands and Hereditaments, which shall be conveyed to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Lands and 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 meantime and until such Purchase shall be made, the said Money shall, by Order of the said 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 meantime 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 Lands and Hereditaments so to be purchased, in case such Purchase or Settlement were made.

Application
when Money
does not
amount to
200l.

XXXIII. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands or Hereditaments purchased, taken, or used for the Purposes aforesaid, and belonging to any Corporation, or 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 Lands or Hereditaments so purchased, taken, or used, or 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 or more Trustees, to be nominated by the

Person or Persons making such Option, and approved of by the said Trustees (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 Manner herein-before directed; so far as the Case be applicable, without obtaining or being required to obtain the Direction or Approbation of the Court of Chancery.

XXXIV. Provided also, and be it further enacted, That where such Money so agreed or awarded to be paid as next 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 Lands and Hereditaments so purchased, taken, or used as aforesaid, in such Manner as the said Trustees shall think fit; and 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.

When less than 20l.

XXXV. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be awarded for the Purchase of any Lands, Tenements, or Hereditaments to be purchased by virtue of this Act, shall refuse to accept the same, or shall not be able to make a good Title to the Premises to the Satisfaction of the said Trustees, or in case such Person or Persons to whom such Sum or Sums of Money shall be so awarded as aforesaid cannot be found, or if the Person or Persons entitled to such Lands, Tenements, or Hereditaments be not known or discovered, then and in every such Case it shall be lawful for the said Trustees to order the said Sum or Sums of Money so awarded as aforesaid to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the said Court of Chancery, to be placed to his Account, to the Credit of the Parties interested in the said Lands, Tenements, or Hereditaments [describing them] subject to the Order, Controul, and Disposition of the said Court of Chancery; which said Court, on the Application of any Person or Persons making Claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall be and is hereby empowered, in a summary Way of Proceeding, or otherwise, as to the same Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estates or Estate, Title or Interest, of the Person or Persons making Claim thereto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England*, who shall receive such Sum or Sums of Money, is and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying for what and for whose Use the same is or are received, to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank as aforesaid.

In case of Refusal to accept Purchase Monies, the same to be paid into the Bank.

XXXVI. Provided always, and be it further enacted, That when any Question shall arise touching the Title of any Person to any Money to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Chancery, in pursuance of this Act, for

Persons in Possession shall be deemed well entitled the

unless to the
contrary
shewn.

the Purchase of any Lands and Hereditaments, or of any Estate, Right, or Interest in any Lands or Hereditaments to be purchased in pursuance thereof, or to any Bank Annuities to be purchased with any such Money, or to the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in Possession of the Lands or Hereditaments at the Time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands or Hereditaments according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court of Chancery; and the Dividends or Interest of the Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied, and disposed of accordingly; unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Lands or Hereditaments, or to some Estate or Interest therein.

The Court
may order
Expences of
Purchases to
be paid by
Trustees.

XXXVII. Provided also, and be it further enacted, That when by reason of any Disability or Incapacity of the Person or Persons, or Corporation entitled to any Lands or Hereditaments to be purchased under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the said Court, and to be applied in the Purchase of other Lands or Hereditaments, to be settled to the like Uses in pursuance of this Act, it shall be lawful for the said Court to order the Expences of all Purchases from Time to Time to be made in pursuance of this Act, or so much of such Expences as the Court may deem reasonable, together with the necessary Coits and Charges of obtaining such Order, to be paid by such Trustees, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

Statute
Work.

XXXVIII. And be it further enacted, That it shall be lawful for any Two or more Justices of the Peace for the said County of *Somerset*, and they are hereby required, (upon Application made to them by the said Trustees, or any Two or more of them, or by their Clerk or Surveyor by their Order), yearly to adjudge and determine what Part or Proportion of the Statute Work shall every Year be done upon the said Roads by the Inhabitants of the respective Parishes or Places in which the said Roads do lie, and also what Proportion of the Money received by the Surveyor or Surveyors of the Highways of every such Parish or Place, in lieu of or as a Composition for such Statute Work as aforesaid, shall be by him or them paid to the said Trustees, or their Treasurer or Treasurers, subject to Appeal, as in the said first-recited Act is mentioned; and in order thereunto, it shall be lawful for such Justices from Time to Time to summon the Surveyor or Surveyors of the Highways for every such Parish or Place to bring in Lists before such Justices, at some Place to be expressed in such Summons (within Ten Days after the serving such Summons), of the Names of the several Persons who within such Parish or Place are by Law subject and liable to do Statute Work for that Year, or to the Payment of any Money in lieu of or as a Composition for such Statute Work, distinguishing the Nature of the Work to be done, whether with Teams or Draughts or otherwise, and also the Amount of the respective Sums to be paid; which Lists of Names shall be made in such Manner and under such Regulations and Restrictions as are or may be directed

directed by any Law or Statute in Force and Effect for the Repairs of the public Highways; and out of such Lists such Justices shall and may allot, appoint, and order such and so many of the Persons who shall appear to be subject and liable to Statute Work as aforesaid, to do such Number of Days Statute Work in every Year upon the said Roads; as the said Justices shall think reasonable, and the same shall be done on such Days and at such Times (not being Haytime or Harvest), and in such Parts of the said Roads as the said Trustees, or their Surveyor or Surveyors, shall from Time to Time order, direct, and appoint; and the said Justices shall and may also order and direct the Persons, who by such Lists shall appear to be subject and liable to the Payment of any Money in lieu of or as a Composition for Statute Work as aforesaid, to pay such Proportion thereof as the said Justices shall think proper to the said Trustees, or their Treasurer or Treasurers, at such Time or Times as the said Justices shall direct; and in Default of Payment thereof, the same shall and may be recovered by Distress and Sale of the Goods and Chattels of the respective Persons liable to the Payment thereof, in like Manner as any Penalties by this Act are authorized to be recovered; and each and every Person who shall neglect or refuse to do such Statute Work as aforesaid, after Notice in Writing given to or left for him, her, or them at his, her, or their last or usual Place or Places of Abode for that Purpose, signed by any Surveyor of the said Trustees, shall for every Day of his, her, or their Default, or the Default of any Labourer or Labourers, Team or Teams, Draught or Draughts, Horse or Horses, Beast or Beasts, to be provided by him, her, or them, be subject and liable to such Pains, Penalties, and Forfeitures as such Person or Persons may be subject or liable to by any Law or Statute in force for the Repair of the public Highways; and if any Person who shall come to work as a Labourer, or who shall be sent with any Team or Draught to work on the said Roads, shall be found idle or negligent by any Surveyor to the said Trustees, such Surveyor is hereby empowered to remove and turn off the Person who shall be found idle or negligent as aforesaid, and in that Case every such Person shall be subject and liable to the respective Forfeitures and Payments aforesaid, as if he had neglected or refused to come, or such Team or Draught had not been sent to work on any Part of the said Roads; all which Forfeitures shall be paid to the respective Treasurer to the said Trustees, and applied towards amending the said Roads; and in case the said Surveyor or Surveyors of the Highways for any of the said Parishes or Places shall refuse or wilfully neglect to give in such Lists as aforesaid, or shall knowingly or wilfully give in false or improper Lists, every such Surveyor so offending shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds: Provided always, that it shall be lawful for the said Trustees to compound and agree by the Year or otherwise with the Possessors, Occupiers, Grantees, Trustees, Feoffees, and Committees of Lands, Tenements, or Hereditaments, which are or shall be liable to or chargeable with the Repair of any Part of the said Roads, or of any Bridge, Arch, or Sewer, or with any Person or Persons, for the Performance of his, her, or their Statute Work thereon; and also that it shall be lawful for the Surveyor or Surveyors of the Highways of any of the said Parishes, Townships, Hamlets, Districts, or Places, by and with the Consent and Approbation of a Majority of the Inhabitants of such Parishes, Townships, Hamlets, Districts, or Places, first held at any Vestry or other public Meeting of such Inhabitants, to compound and

Trustees may
compound
for Statute
Work.

[Local.]

19 E

agree,

agree, by the Year or otherwise, with the said Trustees, for and in lieu of the Statute Work to be performed by such Inhabitants upon any Part or Parts of the said Roads; all which Composition Monies shall be from Time to Time paid in advance, and shall be applied in the Repair of the said Roads; and all such Surveyors shall be reimbursed the Money so by them paid, in such Manner as Surveyors of the Highways are by Law to be reimbursed the Money by them expended in buying Materials for repairing Highways.

Expences of
this Act.

XXXIX. And be it further enacted, That out of the first Monies to be received by virtue of the said recited Acts or this Act, the said Trustees, or any Seven or more of them, shall pay and defray all the Charges and Expences incident to and attending the preparing, obtaining, and passing this Act, and in such Proportions, with Reference to the said Funds, or means of Payment, as the said Trustees, or any Seven of them, shall in their Discretion think proper.

Public Act.

XL. And be it further enacted, That this Act shall be adjudged, deemed, and taken to be a Public Act, and shall be judicially taken Notice of as such by all Judges, Justices, and others, without being specially pleaded.

Continuance
of this Act.

XLI. And be it further enacted, That this Act shall commence on the Twenty-ninth Day of *September* One thousand eight hundred and seventeen, and continue in force for Twenty-one Years next ensuing, and from thence to the End of the then next Session of Parliament.

The SCHEDULE referred to by this Act.

THE Dwelling Houses in East Street, in the Parish of Taunton St. Mary Magdalen, the Property of George Clarke, and occupied by himself and William Hewett.

The Cottages or Dwelling Houses situated in East Street aforesaid, the Properties of and in the several Occupations of Samuel Tancock, Peter Lewis, Samuel Chapman, Jemima Burnell, John Maynard, Sarah Winter, Elizabeth Pitman, Robert Pearce, and John Webber.

A Dwelling House situated in East Street aforesaid, called The White Lion Inn, the Property of James Locke and John White, and in the Occupation of Henry Cross.

A Dwelling House and Buildings in East Street aforesaid called The Swan Inn, and the Smith's Shop and Tenement adjoining, the Property of George Jones, in the several Occupations of the said George Jones, Amelia Stevens, and Samuel Warman.

A Dwelling House adjoining the last, the Property of Thomas Dinham, now in his Occupation.

Two Dwelling Houses in High Street, in the same Parish, the Property of Susannah Clifome and John Bowen, and in the Occupation of Mary Bowen and Richard Garland.

A Sluice situated in Shuttern, in the same Parish, belonging to and in the Possession of Samuel Norman Esquire.

A Dwelling House in High Street, Taunton, called The Full Moon, belonging to and occupied by John Wilcox.

A Dwelling House adjoining the last, belonging to John Wilcox, and occupied by Joseph Richards.

A Dwelling House, Offices, Shop, and Ware Rooms in the Street of Wellington Town, belonging to and now or lately in the Occupation of John Penny, Carpenter, and John Webber.

A Dwelling House and Garden, in the Village of Chelson, in the Parish of West Buckland, belonging to Mary Roberts, now or lately in the Occupation of William Marks.

A Dwelling House and Garden at Row Green, occupied by Henry Pyne, situated in the Parish of Wellington.

A House or Shed in the Village and Parish of Bishopshull, now or lately occupied by Thomas Thorn; and a Wall in the same Village belonging to William Kersternan Esquire.

A Garden Wall in the Parish of Kingston, belonging to and occupied by the Reverend Aaron Foster.

A Garden and Orchard at Walford, in the Parish of West Monckton, belonging to and occupied by John Martin.

A Shed or Building and Garden in the Parish of Staplegrove, belonging to Mrs. Turner.

A Dwelling House and Smith's Shop at Hatchbeauchamp, now or lately belonging to and occupied by Thomas Bicknell and Susanna Pilton.

