



ANNO QUINTO

GEORGII IV. REGIS.

Cap. xcvi.

An Act for repairing, widening, improving, and maintaining in repair the First District of Turnpike Roads leading to and from the Town of *Bridport* in the County of *Dorset*. [3d June 1824.]

WHEREAS an Act was passed in the Fifty-ninth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for repairing, widening, improving, and maintaining in repair the several Roads leading to and from the Town of Bridport, and for making a new Line of Road to communicate with the same*; which said Roads were thereby divided into Two Districts, and the following Roads were thereby directed to be called "The First District of the *Bridport* Roads;" (that is to say), the Roads leading from the Intrenchment on *Askerswell Hill* opposite to *Chilcombe Farm* through the Borough of *Bridport* to *Penn Inn*, and from the North End of the South Street of *Bridport* to *Bridport Harbour*, and from the South End of the Lane called *Stake Lane*, in *Bridport* aforesaid, to the North End of the new Meeting House in the same Lane: And whereas considerable Sums of Money are due and owing on the Credit of the Tolls authorized to be collected upon the said First District of Roads: And whereas it would be of public Utility if certain new Cuts or Pieces of Roads were to be made on the Line of the said First District of Roads; (that is to say), a new Cut or

[Local.] 25 U Piece

59 G. 3. c. 88.

Piece of Road from the West End of the Village of *Chideock* in the County of *Dorset* into the present Turnpike Road at a Place in the Parish of *Chideock* aforesaid near a certain Highway leading to the Hamlet of *Ryall*; and another new Cut or Piece of Road from the Village of *Morcombe Lake* leading into the present Turnpike Road at a Place in the Parish of *Whitchurch Canonorum* between the Fifth and Sixth Mile Stones near *Barn Lane*; and also another new Cut or Piece of Road from the present Turnpike Road at or near a Garden in the Occupation of *Robert Franklin*, in the Parish of *Whitchurch Canonorum* aforesaid, through the Parish of *Catherstone*, into the present Turnpike Road at or near *Charmouth Bridge*; and also another new Cut or Piece of Road from the present Turnpike Road at or near a Place called *Langmoor* in the Parish of *Charmouth* into the present Turnpike Road at a Place in the Parish of *Whitchurch Canonorum* near *Penn Inn*; and also if certain Parts of the present Turnpike Road in the Parishes of *Chideock*, *Whitchurch Canonorum*, and *Charmouth* were widened and improved: And whereas the Sums due and owing on the Credit of the said Tolls cannot be repaid, nor can the said First District of Roads be effectually amended, widened, altered, diverted, made, improved, and maintained in repair, unless the Powers and Provisions of the said recited Act, so far as they relate to the Roads within the said District called "The First District," be amended and enlarged: And whereas an Act was passed in the Third Year of the Reign of His present Majesty, intituled *An Act to amend the general Laws now in being for regulating Turnpike Roads in that Part of Great Britain called England*: And whereas another Act was passed in the Fourth Year of the Reign of His said Majesty, intituled *An Act to explain and amend an Act, passed in the Third Year of the Reign of His present Majesty, to amend the general Laws now in being for regulating Turnpike Roads in that Part of Great Britain called England*: And whereas it is expedient that the said first-recited Act, so far as the same relates to the said First District of Roads, should be repealed, and other Provisions made for the repairing, widening, improving, and maintaining in repair the said First District of Roads: 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 from and after the passing of this Act the said recited Act of the Fifty-ninth Year of the Reign of King *George the Third*, so far as the same relates to the said District of Roads, shall be and the same is hereby declared to be repealed; and this Act shall from thenceforth commence and take effect, and be put in execution for and during the Term herein-after mentioned, for the Purpose of amending, altering, turning, widening, improving, and keeping in repair the Roads herein-after described; (that is to say), the Roads leading from the Intrenchment on *Askerswell Hill* opposite to *Chilcombe Farm* through the Borough of *Bridport* to *Penn Inn*, and from the North End of the South Street of *Bridport* to *Bridport Harbour*, and from the South End of the Lane called *Stake Lane*, in *Bridport* aforesaid, to the North End of the new Meeting House in the same Lane, all in the County of *Dorset*; and for making and amending the aforesaid new Cuts or Pieces of Road; (that is to say), a new Cut or Piece of Road from the

Recited Act
59G.3.c.88.
repealed, and
this Act to
take effect.

West End of the Village of *Chideock* in the County of *Dorset* into the present Turnpike Road at a Place in the Parish of *Chideock* aforesaid near a certain Highway leading to the Hamlet of *Ryall*; and another new Cut or Piece of Road from the Village of *Morcombe Lake*, leading into the present Turnpike Road at a Place in the Parish of *Whitchurch Canonorum* between the Fifth and Sixth Mile Stones near *Barn Lane*; and also another new Cut or Piece of Road from the present Turnpike Road at or near a Garden in the Occupation of *Robert Franklin*, in the Parish of *Whitchurch Canonorum* aforesaid, through the Parish of *Catherstone* into the present Turnpike Road at or near *Charmouth Bridge*; and also another new Cut or Piece of Road from the present Turnpike Road at or near a Place called *Langmoor* in the Parish of *Charmouth* into the present Turnpike Road at a Place in the Parish of *Whitchurch Canonorum* near *Penn Inn*; and that the said Roads comprized in this Act shall be and be called "The First District of Roads."

II. And be it further enacted, That this Act, and the Tolls hereby granted, shall be and same are hereby made subject and liable to the Payment of all Monies which are now due and owing on the Credit of the Tolls authorized to be taken on the said First District of Roads, and of all Interest due and to grow thereon, as fully and effectually, to all Intents and Purposes, as if such Monies had been borrowed and become due on the Credit of this Act, or of the Tolls hereby authorized to be collected; and all and every Persons and Person owing any Sum or Sums of Money to the Trustees of the First District of Roads for executing the said recited Act, so far as the same relates to the said District, shall be liable to the Payment thereof to the Trustees herein-after appointed or directed to be appointed for executing this Act.

Tolls granted by this Act made liable to the original Debt.

III. And be it further enacted, That all Conveyances, Bonds, Covenants, Agreements, Contracts, and Securities made to or by, or entered into by any Person or Persons to or with the Trustees of the said First District of Roads for executing the said first-recited Act, so far as the same relates to the said District, 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; and all Bargains, Contracts, Agreements, or Notices made, entered into, or given by the Trustees of the said First District of Roads, for executing the said first-recited Act, so far as the same relates to the said District, with or to any Person or Persons, for any Purpose relating to the said First District of Roads, or to the Execution of the said first-recited Act, so far as the same relates to the said First District of Roads, 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, notwithstanding the Repeal of the said first-recited Act.

Securities, &c. under former Acts to continue in force.

IV. And be it further enacted, That all His Majesty's Justices of the Peace acting for the County of *Dorset* for the Time being, together with the Honourable *Stephen Digby Fox Strangeways*, *Sir William Ogländer* Baronet, *Sir Edward Synge* Baronet, *Sir Molyneux Hyde Nepean* Baronet, *Sir Thomas Buckler Lethbridge* Baronet, *Sir John Talbot*, *Sir Robert Steele*, *Humphrey Weld*,

Appoint-ment of Trustees.

Weld, Gregory Raymond Clerk, Henry Coombe Compton, John Michel, William Brookland Clerk, Nicholas Ingram, Thomas Gordon, Samuel Cox, Robert Strong, John Pitfield, Robert Conway, William Forster, Evan Nepean Clerk, James Stuart Murray Anderson Clerk, John Colmer Clerk, David Williams Clerk, Richard Symes Cox Clerk, Thomas Hodges Clerk, Marker, Robert Graves, Joseph Gundry, Samuel Gundry, Samuel Bowden Gundry, Walter Eustace Gundry, Nathaniel Downe, Thomas Colfox, William Colfox, John Gundry Downe, Simon Davie Robinson, Griffith Lloyd, William Hounsell, Thomas Hounsell, Joseph Stone, John Saltren, William Stephens, Joshua Carter, Henry Fox Clerk, John Banger Russell, Edwin Nicholetts, Alfred Nicholetts, John Tomlyns, Thomas Swain, William Swain, Hollis Bull Way, Harvey Ekins Way, William Battiscombe, Thomas Tucker the elder, George Tucker, James Hodder, Richard Tucker, George Golding, Richard Knight, William Burnard, William Juson, Joseph Hounsell, John Ewens, William Coppock, Joseph Ewens, William Pyle Taunton, Robert Knight, George Gray, Joseph Tucker, John Adney, Samuel Fitzherbert Clerk, Gilbert Henry Langdon Clerk, Henry Hallett, Joseph Hallett, Joseph Bishop, Samuel Bartlett Jerrard, John Puddicombe Clerk, John Warren, John Thoytes, Thomas Pitfield, Thomas Fox, Baruch Fox, James Templer, Henry Templer, George Darby, Shering Keddle, Samuel Fawcett Golding, John George Donne, Edward Donne, Giles Russell, Thomas Russell, and Joseph Horsford, and their Successors, being duly qualified according to the Directions of the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty, shall be and they are hereby appointed Trustees for amending, making, altering, turning, widening, improving, and keeping in repair the said Roads, and for otherwise putting this Act into Execution.

Powers of recited Acts 3 & 4 G. 4. extended to this Act.

V. And be it further enacted, That the said recited Act passed in the Third Year of the Reign of His present Majesty, and all and every the Powers, Provisions, Exemptions, Penalties, Forfeitures, Payments, Remedies, Matters, and Things therein contained, (save and except such Parts thereof as are expressly varied, altered, or repealed by the said recited Act of the Fourth Year of the Reign of His present Majesty, and also save and except such Parts thereof as are expressly varied, altered, or otherwise provided for by this Act), and also the said recited Act passed in the Fourth Year of the Reign of His present Majesty, and all and every the Powers, Provisions, Exemptions, Penalties, Forfeitures, Payments, Remedies, Matters, and Things therein contained, (save and except such Parts thereof as are expressly varied, altered, or otherwise provided for by this Act), shall respectively be as good, valid, and effectual for carrying this Act into Execution, as if the same had respectively been repeated and re-enacted in the Body of this Act.

Power to appoint additional Trustees.

VI. And be it further enacted, That it shall and may be lawful to and for the said Trustees, and they are hereby authorized and empowered from Time to Time, at any of their Meetings, to elect and appoint any Number of Persons, being qualified according to the Directions and Provisions of the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty, (not exceeding Three in the whole, in addition to the Number of Trustees herein named and appointed), to be Trustees for the Purposes of this Act; and such Persons so elected and appointed shall be Trustees for the Purposes of this Act, and are hereby invested with

with the same Powers and Authorities for executing this Act as if they had been herein named.

VII. And be it further enacted, That the Trustees for executing this Act shall meet together at the Town Hall, or some other convenient Place within the Borough of *Bridport*, upon the first *Monday* next after the passing of this Act, or as soon after as conveniently may be, and shall and may then and from Time to Time after adjourn to and meet at such Times, and at such Place or Places in the Neighbourhood of the said Roads, as they shall think proper.

Meetings and
Adjourn-
ments of
Trustees.

VIII. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby empowered, at any Meeting or Meetings to be held in pursuance of this Act where Three Trustees shall be present, to nominate and appoint any Number of the said Trustees, not less than Three, as a Committee or Committees, to examine into, inspect, or superintend the general Management of the said Roads, and also any Matter or Business directed to be done by the said Trustees in execution of this Act, as the said Trustees shall intrust to such Committee or Committees; and such Committee or Committees shall be accountable to any Meeting of the said Trustees for what they shall do therein; and such Committee or Committees shall report what they have done therein from Time to Time, at the next or some other Meeting of the said Trustees, and shall meet at and adjourn from Time to Time, to any Time or Place near to the said Roads, as they shall see Occasion; and the Report of such Committee and Committees shall be signed by them, and entered in the General Minute Book of Proceedings kept by the Clerk to the said Trustees, or in a separate Book or Books, as the said Trustees shall think fit, and be referred to from the General Minute Book, and the Orders from Time to Time made in pursuance of such Report or Reports shall refer to the Report on which the same was grounded: Provided always, that the said Committee shall at all Meetings pay and defray their own Expences.

Power to
appoint
Committees.

Clerk to
enter Pro-
ceedings of
Committee.

IX. And be it further enacted, That all Books kept for registering Mortgages and Assignments, and all Entries therein, and all Books of Proceedings of the Trustees of the said First District of Roads, kept according to the Directions or Provisions of the said first recited Act, or of any former Act, or any public Act then in force and made Evidence thereby, shall be admitted in Evidence in all Courts, and by all Judges, Justices, and others; and all which Books, and also all Books of Accounts of Receipts and Disbursements made under the said first recited Act, so far as the same relates to the said First District of Roads, shall be preserved and kept by the Clerk for the Time being to the said Trustees, and shall at all reasonable Times be open to the Inspection of the said Trustees, and any Creditor or Creditors of the Tolls, without Fee or Reward; and the said Trustees and Creditors, or any of them, shall and may take Copies of or Extracts from the said Book or Books, or any Part or Parts thereof respectively, without paying any thing for the same; and in case the said Clerk shall refuse to permit or shall not permit the said Trustees or such Creditors, or any of them, to inspect the said Book or Books, or to take such Copies or Extracts as aforesaid, such Clerk shall forfeit and pay any Sum of Money not exceeding Five Pounds.

Books kept
of Accounts
under former
Acts shall be
open to the
Inspection of
the Trustees
and Credi-
tors.

Old Officers
to continue
until new
ones elected.

X. Provided always, and be it further enacted, That each and every Treasurer who shall have been appointed consistently with the Provisions of the said recited Acts passed in the Third and Fourth Years of the Reign of His present Majesty, and not contrary to the Provisions or Directions of this Act, and each and every Clerk, Receiver, Collector, Surveyor, and other Officer appointed under and by virtue of the said first recited Act, so far as the same relates to the said First District of Roads, shall hold and enjoy such their several and respective Offices and Employments until removed therefrom by the Trustees for executing this Act; and each and every such Clerk, Receiver, Collector, Surveyor, and other Officer shall have the like Power and Authority for the Purposes of this Act, and for carrying the same into Execution, and shall be subject to the like Pains and Penalties, and to the like Power of Removal, and to the like Rules and Regulations in all respects whatsoever, as if he had been appointed by virtue of this Act.

Clerk not to
act as Treas-
urer, and
vice versâ.

XI. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees to continue or appoint the Person who hath been or who may be appointed to act as their Clerk in the Execution of this Act, or the Partner of any such Clerk, or the Clerk or any Person in the Service or Employ of any such Clerk, to be the Treasurer for the Purposes of this Act, or to continue or appoint the Person who hath been or who may be appointed Treasurer, or the Partner of or any Clerk or other Person in the Service or Employ of any such Treasurer, to be the Clerk to the said Trustees; and if any Person shall act in both the Capacities of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of any such Clerk, or the Clerk or any Person in the Service or Employ of any such Clerk, shall act as Treasurer, or being the Partner of or any Clerk or other Person in the Service or Employ of any such Treasurer shall act as Clerk in the Execution of this Act, or if any such Treasurer shall hold any Place or Office of Profit or Trust under the said Trustees, other than that of Treasurer, every such Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person or Persons who shall sue for the same, to be recovered with full Costs of Suit in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Plaint, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than one Imparlance, shall be allowed.

Treasurer
to give Se-
curity.

XII. And be it further enacted, That the said Trustees shall and they are hereby authorized, directed, and required to take sufficient Security from the Treasurer or Treasurers acting by virtue of this Act for the due and faithful Execution of his or their Office.

Power to
erect Toll-
gates, Weigh-
ing Ma-
chines, &c.

XIII. And be it further enacted, That it shall be lawful for the said Trustees, if they think proper, to continue or remove all and every or any of the Toll Gates or Turnpikes, and Toll Houses and Weighing Machines now standing and being in or upon or across the said First District of Roads, or on the Sides thereof, and also to erect and set up or build, or cause to be erected, set up, and built, upon, in, or across the said Roads by this Act directed or authorized to be repaired and amended or made, or any Part thereof, or upon or across the Entrance to any
public

public Road, Lane, or Way leading into the same, or any Part thereof, within Twenty Yards of such Entrance, when, where, and as they shall judge necessary, any Gate or Gates, Turnpike or Turnpikes, Side Gate or Side Gates, Side Bar or Side Bars, Chain or Chains, Weighing Machine or Weighing Machines, and also One or more Toll House or Toll Houses, with Outhouses and Conveniences suitable thereto, at or near each Gate, Bar, Chain, or Weighing Machine, and to take in and inclose on the Sides of the said Roads suitable Garden Spots for the same respectively, not exceeding One-eighth Part of a Statute Acre each, as they shall think necessary, and from Time to Time to take down and remove, or alter or discontinue the same, or any of them, as they the said Trustees shall think proper and direct or appoint.

XIV. And be it further enacted, That it shall and may be lawful for the said Trustees, or any Person or Persons appointed or continued or to be appointed Collector or Collectors of the Tolls to be taken by virtue of this Act, to demand and take the Tolls herein-after mentioned at the several and respective Toll Gates or Turnpikes or Toll Houses, or Side Gates or Side Bars or Chains, which are or shall be standing and being, or continued or erected by virtue of this Act, in, upon, across, or on the Side or Sides of the said Roads by this Act directed or authorized to be repaired and amended or made, or any of them, or any Part or Parts thereof, or upon or across the Entrance to any such Road, Lane, or Way as aforesaid, and on every Day, such Day to be computed from Twelve of the Clock at Night to Twelve of the Clock in the next succeeding Night; (that is to say),

Power to
take Tolls.

For every Horse or Beast of Draught, drawing any Stage Coach or Caravan, the Sum of Sixpence: Tolls.

For every Horse or Beast of Draught, drawing any other Coach, Chariot, Landau, Chaise, Curricule, Calash, Hearse, Phaeton, Chair, Tax Cart, or other such like Carriage, the Sum of Four-pence Halfpenny:

For every Horse, Mule, or Ass, laden or unladen, and not drawing, the Sum of One Penny Halfpenny:

For every Horse or Beast of Draught, drawing any Waggon, Wain, Cart, or other such like Carriage, with Wheels of less Breadth than Six Inches, the Sum of Sixpence:

For every Horse or Beast of Draught, drawing any Waggon, Wain, Cart, or other such like Carriage, with Wheels of the Breadth of Six Inches or upwards, and drawn by not more than Four Horses or Beasts of Draught, the Sum of Sixpence:

For every Horse or Beast of Draught, drawing any Waggon, Wain, or Cart, or such like Carriage, with Wheels of the Breadth of Six Inches or upwards, and drawn by more than Four Horses, the Sum of Five-pence:

For every Drove of Oxen or Neat Cattle, the Sum of Ten-pence *per* Score, and so in proportion for any greater or less Number:

For every Drove of Calves, Swine, Sheep, or Lambs, the Sum of Six-pence *per* Score, and so in proportion for any greater or less Number:

And for every Coach, Chariot, Landau, Chaise, Cart, or other Carriage, which shall be attached to or drawn behind or along with any other Carriage upon the said Roads, the Sum of Nine-pence shall be demanded and taken for every such Carriage having Four Wheels, and the

the Sum of Sixpence for every such Carriage having Two Wheels, in addition to and over and above the Tolls payable for or in respect of the Horses or Beasts drawing the same :

All which said Tolls shall be demanded and taken before any Horse, Mule, Ass, Beast, or other Cattle shall be permitted to pass through any such Turnpike or Toll Gate, or Side Bar or Side Gate, or Chain.

Tolls at
Harbour
Gate.

XV. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees to demand, receive, or take at the Turnpike or Toll Gate now erected, or any other Turnpike or Toll Gate to be hereafter erected on the Road between *Bridport* and *Bridport Harbour*, any Sum for Tolls exceeding the Sums herein-after mentioned ; (that is to say),

For every Horse or other Beast of Draught, drawing any Coach, Chaise, Berlin, Landau, Chariot, Calash, Chair, Tax Cart, or other such like Carriage, the Sum of Two-pence Halfpenny :

For every Horse, Mule, Ass, or other Beast of Burden, laden or unladen, and not drawing, the Sum of One Penny :

For every Drove of Oxen or Neat Cattle, Eight-pence *per* Score, and so in proportion for any greater or less Number :

For every Drove of Calves, Hogs, Sheep or Lambs, Four-pence *per* Score, and so in proportion for any greater or less Number :

For every Horse or other Beast of Draught, drawing any Waggon, Wain, Cart, or other such like Carriage, the Sum of Three-pence.

Additional
Tolls on
Carriages
employed in
carrying
Timber.

XVI. And be it further enacted, That between the first Day of *November* in any one Year and the last Day of *February* in the next succeeding Year, it shall be lawful for the Collectors of the Tolls in the said First District of Roads to demand and take for each and every Horse or other Beast of Draught, drawing in any Timber Carriage employed in carrying or conveying any Timber Tree or Trees, a Toll equal to One Half in addition to the Toll which otherwise might be demanded or taken for such Horse or other Beast of Draught: Provided always, that no such additional Toll shall be demanded or taken, save and except there shall be Three or more Horses or other Beasts of Draught in any such Carriage.

Tolls to be
taken but
once a Day
at the same
Gate.

XVII. Provided always, and be it further enacted, That all and every Person and Persons paying such respective Tolls for or in respect of any Horses, Beasts, Cattle, or Carriages, at any such Turnpike or Toll Gate, shall, on producing a Note or Ticket denoting such Payment, be entitled to return and to repass any Number of Times on the same Day (to be computed as aforesaid) with the same Horses, Beasts, Cattle, and Carriages, Toll-free, through the Turnpike or Toll Gate at which Toll shall have been so paid.

Two Tolls
for passing
the whole
Line of Dis-
trict.

XVIII. Provided also, and be it further enacted, That no more than Two Tolls in the whole shall be payable for or in respect of the same Horses, Cattle, or Carriages for passing in One Day, to be computed as aforesaid, along the whole Line of the said First District of Roads.

Stage
Coaches, &c.

XIX. Provided also, and be it further enacted, That the Tolls hereby made payable for and in respect Horses or Beasts drawing any Stage Coach,

Coach, Diligence, Van, Caravan, or Stage Waggon, or other Stage Carriage, conveying Passengers or Goods for Pay or Reward, shall be payable and paid every Time of passing or repassing along the said Roads, or any of them. to pay every Time of passing.

XX. Provided also, and be it further enacted, That the Tolls hereby made payable for and in respect of Horses or Beasts let out to hire, and drawing any Post Chaise or other Carriage, shall be payable and paid every Time of passing along the said Roads, or any of them, whenever any new Hiring thereof shall take place. Post Chaises on every new Hiring.

XXI. And be it further enacted, That no Toll shall be demanded or taken for any Horse, Beast, Cattle, or Carriage, carrying or conveying any Wood, Frith or Furze for Fuel, not sold or disposed of, or passing to be sold or disposed of, but to be laid up in the Houses, Out-houses, or Yards, or on the Lands of the Growers thereof, or of carrying or conveying any Lime to be used only for manuring of Land, or going or returning empty in that Employment; nor for any Horse, Beast, or Cattle used or employed for the Purpose only of carrying or conveying Gravel, Stones, Sand, Bricks, Timber, Wood, or other Materials, for the making or repairing the said Roads hereby directed to be repaired, or any other Highway or public Road within any Parish, Township, Chapelry, Hamlet, or Place in which any Part of the Roads directed to be repaired, made, and improved by this Act lies, or for building, rebuilding, or repairing any present or any future public Bridge or Bridges on the said Roads, nor for carrying or conveying Hemp and Flax in the Stalk, or Potatoes, or any of them, grown in any such Parish or Township as aforesaid, to be laid up or deposited in the Warehouses, Barns, or Bartons of or belonging to the Owner of such Hemp, Flax, and Potatoes respectively, and not for Sale; and that if any Person or Persons shall claim or take the Benefit of any of the Exemptions aforesaid, not being entitled to the same, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds; and in all Cases the Proof of Exemption shall lie upon the Person claiming the same; and such Penalties shall be levied and recovered (together with the necessary Costs and Charges of levying the same) by the same Ways and Means and in the like Manner as any Penalty or Forfeiture for fraudulently or collusively claiming or taking the Benefit of any Exemption from Toll, or other Exemption on any Turnpike Road, may by Law be levied or recovered; and One Moiety of such Penalties shall be paid to the Informer, and the other Moiety thereof shall be paid to the Treasurer to the said Trustees, and applied or disposed of for the Purposes of this Act. General Exemptions from Toll.

Penalty on fraudulently taking Benefit of Exemptions.

XXII. Provided always, and be it further enacted, That all and every Leases and Lease or Letting of the Tolls arising on the said Roads, granted and made or agreed upon by the Trustees for executing the said first recited Act, and the several Covenants thereof, shall, notwithstanding the Repeal of the said Act, remain and continue in full Force and Effect, until the Expiration of the Term or Terms thereby respectively granted or agreed for, or until any legal Determination of any such Lease or Letting; and the same and the respective Grantees shall be subject to the Powers and Provisions of this Act, in the same Manner as Present Leases to continue in force.

[*Local.*]

if such Leases or Lease or Letting had been granted or made or agreed upon by the Trustees for executing this Act, and as if the Trustees granting, making, or agreeing upon the same had been Trustees for executing this Act.

To enable Trustees to borrow Exchequer Bills on the Credit of this Act.
3 G. 4. c. 86.

XXIII. And be it further enacted, That it shall be lawful for the said Trustees, at any Meeting or Meetings to be held by them under the Provisions of this Act, to borrow of and from the Commissioners for carrying into Execution an Act of Parliament made and passed in the Third Year of the Reign of His present Majesty, intituled *An Act to amend Two Acts of the Fifty-seventh Year of His late Majesty, and the First Year of His present Majesty, for authorizing the Issue of Exchequer Bills, and the Advance of Money for carrying on public Works and Fisheries, and Employment of the Poor, and to authorize a further Issue of Exchequer Bills for the Purposes of the said Acts*, such Sum or Sums of Money as the Majority of the said Trustees present at such Meeting or Meetings may deem expedient for the Purposes mentioned in this Act, upon Mortgage or Assignment of all Tolls authorized to be collected and received by this Act, and the Toll Gates and Toll Houses erected or to be erected for collecting the same, with their Appurtenances, subject nevertheless to such of the Provisoes and Conditions particularly mentioned and expressed in the said Act of the Third Year of His present Majesty, and the Acts therein recited and referred to, and in such Form as the said Commissioners for the Issue of Exchequer Bills shall direct and appoint.

Exchequer Bill Commissioners to have Priority over Securities granted by Trustees.

XXIV. And be it further enacted, That any Mortgage or Assignment which shall be given by the said Trustees to the said Commissioners for the Issue of Exchequer Bills, shall have Priority over and shall precede all other Mortgages or Securities granted by the said Trustees for the Execution of this Act, any thing in the said recited Acts or this Act, or in any Mortgage or Security which shall hereafter be granted as aforesaid, to the contrary in anywise notwithstanding.

Application of the Tolls and Money to be borrowed.

XXV. And be it further enacted, That out of the Monies already received by virtue of the said first recited Act, and now in the Treasurer's Hands, or out of the first Money which shall arise or be received from the Tolls by this Act granted or otherwise, the said Trustees shall in the first Place pay and discharge all the Costs and Expences relative to the obtaining and passing of this Act, with Interest for the same; and the Remainder of all such Monies shall from Time to Time be applied, in the second Place, in keeping down the Interest of the Principal Monies due and owing on the Credit of the said first recited Act, and which may be borrowed on the Credit of this Act, and in erecting Turnpikes and Toll Houses, and in amending, making, altering, turning, widening, improving, and keeping in Repair the said Roads, and in otherwise putting this Act into Execution; and lastly, in repaying the Principal Monies now due and owing or hereafter to be borrowed on the Credit of the Tolls by this Act granted.

New Pieces of Road may be made.

XXVI. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered, to make the new Cuts or Pieces of Road, and the Widening and Improvements hereinbefore mentioned, of such Width as the said Trustees shall think proper,

not exceeding Forty Feet, together with such Footpaths, Causeways, Bridges, Culverts, Fences, Ditches, and Drains, as they shall think necessary or expedient in, upon, over, or through any private Lands or Grounds; and for that Purpose to pull down and take and use the Houses, Yards, Gardens, and Premises mentioned and described or intended to be described in the Schedule to this Act annexed marked (A.), making Satisfaction to the Owner or Owners thereof and other Persons interested therein for the same, or for the Damage they may respectively sustain thereby.

XXVII. And whereas a Map or Plan, describing the Line of the said new Pieces of Road, and the Lands through or over which the same are to be made or carried, together with a Book of Reference containing the Names of the Owners and Occupiers of such Lands, have been deposited at the Office of the Clerk of the Peace for the County of *Dorset*; be it therefore enacted, That the said Map or Plan, and the Book 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 all seasonable Times have Liberty to inspect and peruse the same, and to take Copies or Extracts thereof at their Will and Pleasure, paying the Clerk of the Peace the Sum of One Shilling for every such Inspection, and at the Rate of Four-pence for every Seventy-two Words of such Copies or Extracts of the said Map or Plan and Book of Reference; and that the said Trustees in making the said Roads shall not deviate more than One hundred Yards of Three Feet each from the Line described in the said Map or Plan, without the Consent and Approbation in Writing of the Person or Persons, Bodies Politic, Corporate, or Collegiate, through whose Lands such Deviation shall be made.

Road to be made according to the Map or Plan deposited at the Office of the Clerk of the Peace.

XXVIII. Provided always, and be it further enacted, That it shall be lawful for the said Trustees to make the said new Cuts or Pieces of Road, and Widenings and Improvements into, through, across, or over the Lands and Premises of any Person or Persons who is or are or may be Owner or Owners of Lands and Premises over which the same is or are set out and described in the said Map or Plan, or mentioned in the Schedule to this Act annexed, although the Name or Names of such Person or Persons may happen to be omitted or misstated in the said Book of Reference or Schedule to this Act annexed, in case it shall appear to any Two or more Justices of the Peace for the said County, and be certified by Writing under their Hands, that such Error or Omission proceeded from Mistake.

Lands marked in the Plan may be used notwithstanding Errors in the Book of Reference.

XXIX. And be it further enacted, That if any Money shall be paid, or agreed or awarded to be paid, for the Purchase of any Lands, Tenements, or Hereditaments to be purchased, taken, or used for the Purposes of the said Roads, which shall belong to any Body Politic, Corporate, or Collegiate, Ecclesiastical or Civil, Corporation Aggregate or Sole; Tenant for Life or in Tail, or to any Feoffee in Trust, Executor, Administrator, Husband, Guardian, Committee, or other Trustee for or on behalf of any Infant, Idiot, Lunatic, Feme Covert, or other Cestuique Trust, or to any Person or Persons whose Lands, Tenements, or Hereditaments are limited in strict or other Settlement; or to any Person under any other Disability or Incapacity whatsoever, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid

Application of Compensation Money if amounting to 200l.

1 G. 4 c. 35.

paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Exchequer, to be placed to his Account there, *ex parte* the Trustees for executing this Act, pursuant to the Method prescribed by an Act passed in the First Year of the Reign of His present Majesty King *George* the Fourth, intituled *An Act for the better securing Monies and Effects paid into the Court of Exchequer at Westminster on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes*, and the General Orders of the said Court, and without Fee or Reward; and shall, when so paid in, there remain, until the same shall, by Order of the said Court, made upon a Petition to be preferred to the said Court in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments, be applied either in the Purchase or Redemption of the Land Tax, or in or towards the Payment or Discharge of any Debt or Debts, or other Incumbrances affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments standing settled therewith or to the same or the like Uses, Trusts, Intents, or Purposes, as the said Court of Exchequer shall authorize to be purchased, redeemed, paid, or discharged, or such Part thereof as shall be necessary; or until the same shall, upon the like Application, be laid out in a summary Way, by Order of the said Court, in the Purchase of other Lands, Tenements, or Hereditaments, which shall be conveyed, limited, and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Lands, Tenements, or 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 or capable of taking effect; and in the meantime and until such Order can be made, the said Money may, by Order of the said Court, 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, or in Government or Real Securities; and in the meantime and until the said Bank Annuities, or Government or Real Securities, shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends or Interest and annual Produce of the said Consolidated or Reduced Bank Annuities, or Government or Real Securities, 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 such Lands, Tenements, or Hereditaments so to be purchased, conveyed, and settled.

Where less than 200*l.* and amounting to 20*l.*

XXX. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands, Tenements, or Hereditaments to be purchased, taken, or used for the Purposes of the said Roads, 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 or amount to 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, Tenements, or Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy, Idiocy, Lunacy, or other Inca-

Incapacity, with the Approbation of the said Trustees, or any Three or more of them, to be signified in Writing under their respective Hands, be paid into the Bank of *England* in the Name and with the Privity of the said Accountant General of the Court of Exchequer, and be placed to his Account as aforesaid, in order to be applied in manner herein-before directed, or otherwise the same may be paid at the like Option and with the like Approbation to Two Trustees, to be nominated by the Person or Persons who for the Time being would be entitled to the Rents and Profits of the Lands, Tenements, and Hereditaments so to be purchased and settled, such Nomination to be approved of by Three or more of the Trustees for executing this Act, and such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties; and the Money so paid to such Trustees, and the Dividends and Produce arising thereon and therefrom, shall be by them applied in like Manner as is herein-before directed with respect to the Money so to be paid into the Bank in the Name of the Accountant General of the Court of Exchequer, but without obtaining or being required to obtain any Order of the said Court touching the Application thereof.

XXXI. Provided also, and be it further enacted, That where such Money so agreed or awarded to be paid as next herein-before mentioned shall be less than Twenty Pounds, then and in all such Cases the same shall be paid to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken, or used for the Purposes of this Act, for his, her, or their own Use and Benefit, or in case of Infancy, Idiotcy, Lunacy, or other Incapacity, then such Money shall be paid to his, her, or their Guardian or Guardians, Committee or Committees, Trustee or Trustees, to and for the Use and Benefit of such Person or Persons respectively entitled thereto.

Where under
20l.

XXXII. 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, taken, or used under or by virtue of the Powers 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 the 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 Exchequer, to be placed to his Account there 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; 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 said 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 Estate or Estates, Title or Interest of the Person or Persons making claim thereunto, and to make such other

In case of
not making
out a good
Title, or if
Persons can-
not be found,
the Purchase
Money to be
paid into the
Bank.

Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank 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 therein 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 of *England* as aforesaid.

In case of
disputed
Titles.

XXXIII. Provided always, and be it further enacted, That where 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 said Court of Exchequer, in pursuance of this Act, for the Purchase of any Lands, Tenements, or Hereditaments, or of any Estate, Right, Title, or Interest in any Lands, Tenements, or Hereditaments to be purchased in pursuance of this Act for the Purposes aforesaid, or to any Bank Annuities, or Government or Real Securities, to be purchased with any such Money, or the Dividends or Interest of any such Bank Annuities, or Government or Real Securities, the Person or Persons who shall have been in Possession of such Lands, Tenements, 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, Tenements, or Hereditaments, according to such Possession, until the contrary shall be shown to the Satisfaction of the said Court; and the Dividends or Interest of the Bank Annuities, or Government or Real Securities, to be purchased with such Money, and also the Capital of such Bank Annuities, or Government or Real Securities, 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, Tenements, or Hereditaments, or to some Estate or Interest therein.

Court may
order rea-
sonable Ex-
pences to be
paid by
Trustees.

XXXIV. Provided also, and be it further enacted, That where by reason of any Disability or Incapacity of the Person or Persons, or Corporation, entitled to any Lands, Tenements, or Hereditaments to be purchased, taken, or used under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the said Court of Exchequer, or to be applied in the Purchase of other Lands, Tenements, 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 Time to be made in pursuance of this Act, or so much of such Expences as to the said Court shall seem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Trustees out of the Monies to be received by virtue of this Act, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

Expences of
making and
repairing
Drains, &c.
in Towns to
be defrayed

XXXV. And be it further enacted, That in all Cases where any Gutter, Drain, Sink, Sewer, or Underground Drain, made or hereafter to be made under or at the Sides or near the said Turnpike Roads, shall be used as well for the Conveyance of the Water from such Turnpike Roads, as for conveying Water, Filth, or other Matters from the Houses or Premises

mises of the Inhabitants of any Town, Hamlet, Village, Street, or Place, for the making or Repairs whereof no particular Persons or Parties are liable, the Expence of making, maintaining, and repairing such Gutter, Drain, Sink, Sewer, or Underground Drain, shall be borne and defrayed equally or in proportion by the said Trustees and the Inhabitants of the Town, Hamlet, Village, Street, or Place using the same; and in order to ascertain such Proportion, and to recover such Expences; the Surveyor of the said Roads shall make out an Account of such Costs and Expences, and produce the same to any Two or more Justices of the Peace acting for the County or Place where such Gutter, Drain, Sink, Sewer, or Underground Drain, or so much thereof as shall be so made or repaired, shall lie; and it shall and may be lawful for the said Justices, and they are hereby authorized and empowered to examine the Accounts and Statements to be produced to them, and to enquire as to the Persons who shall be benefited by or who shall use such Gutter, Drain, Sink, Sewer, or Underground Drain, and to proportion the Amount to be paid by the said Trustees and by such Inhabitants and Persons, and to fix and ascertain the Amount of such Proportion, as they the said Justices shall deem just and reasonable to be paid by the said several Parties respectively; and if any Person or Persons shall neglect or refuse to pay the Sum directed by the said Justices to be paid by him, her, or them, the same shall be levied by Distress and Sale of the Goods and Chattels of the Person or Persons so neglecting or refusing, by a Warrant under the Hands and Seals of any Two or more Justices of the Peace acting for the County or Place where such Person or Persons shall reside.

equally
between
Trustees and
Inhabitants.

XXXVI. And be it further enacted, That Ditches, Drains, or Watercourses, of a sufficient Depth and Breadth for keeping the said Roads dry, and conveying the Water from the same, shall be made by the said Trustees, or their Surveyor or other Officer, on the Sides of the said Roads, and also where necessary into or through any Fields, Lands, or Grounds adjoining to or lying near the said Roads (not being a Yard, Garden, Park, Paddock, Planted Walk, or Avenue to a House), at the Expence of the said Trustees, out of the Monies to be received by virtue of this Act; and sufficient Bridges, Arches, Culverts, Trunks, Tunnels, or Plats shall be made by the said Trustees, or their Surveyor or other Officer, where any Carriageways or Footways lead into or out of or cross the said Roads, also at the Expence of the said Trustees out of the Monies aforesaid, any Law or Statute to the contrary notwithstanding; and all such Ditches, Drains, and Watercourses, Bridges, Arches, Culverts, Trunks, Tunnels, or Plats, when made and completed by the said Trustees, shall for ever afterwards be scoured, cleansed, and kept open, repaired and maintained by the Occupiers of the adjoining Fields, Lands, or Grounds.

Ditches,
Drains,
Bridges, &c.
by whom to
be made and
cleansed.

XXXVII. And be it further enacted, That the Owners or Occupiers of any Lands in any Parish in which any Part of the said Roads lies (not being a Garden, Yard, Park, Paddock, Planted Walk, Plantation, or Osier Copse), adjoining any Rivulet, Brook, or Stream crossing any Part of the said Roads, shall and they are hereby required, within Fourteen Days after receiving Notice in Writing from the Surveyor of the said Trustees, to cut, lop, and remove any Bushes and Underwoods which by impeding the Course of any such Rivulet, Brook, or Stream during

For reducing
Height of
Bushes
which may ob-
struct the
Course of any
Brook, &c.

during Floods, shall or may occasion any Part of the said Roads to be overflowed with Water; and if such Owner or Occupier shall refuse or neglect so to cut, lop, or remove and take away the same, then it shall and may be lawful for the Surveyor to make Complaint thereof to any Justice of the Peace of the County of *Dorset*, who shall be and is hereby empowered to proceed and order the same to be done in manner mentioned in the said recited Act of the Third Year of the Reign of His present Majesty, for the cutting and lopping of any Bushes or Shrubs in any Hedges or Fences adjacent to the said Roads, or the removing of other Nuisances or Obstructions in, along, or by the Sides of such Roads, and with the same Powers for enforcing Payment of the Expences thereof.

Entrances to
Fields, &c.
to be made
with hard
Materials.

XXXVIII. And be it further enacted, That in all Places throughout the said Roads respectively, where any Entrance shall be from the said Roads to any Field, Garden, Yard, or other Land or Ground, or to any Building from the said Roads or any of them respectively, or any Part thereof, such Entrance shall be properly covered with Stone, Gravel, or other hard Materials, and a proper Culvert or Drain made by or at the Expence of the Proprietor or Occupier of such Field, Garden, Yard, Land, Ground, or Building, so that such Roads may not be injured by Carriages or Horses passing to or from the same by such Entrance; and in case such Proprietor or Occupier shall neglect to cover with proper Materials such Entrance, or to make such Culvert or Drain, or to keep the same respectively in proper Order for the Space of One Calendar Month after Notice in Writing given to such Proprietor or Occupier, or left for him or her at his or her usual Place of Residence, by the Surveyor of the said Trustees, or other Person appointed by them, requiring such Proprietor or Occupier so to make or repair the same, then it shall be lawful for the said Trustees or their Surveyor, or any other Person acting by or under their Authority, to cover such Entrance with Stone, Gravel, or other hard Materials, and to make such Culvert or Drain, or to repair the same respectively, as the Case may be, and the Expences thereof shall be reimbursed and paid to the said Trustees by such Proprietor or Occupier, as the Case may be; and in case of Nonpayment of such Expences within Fourteen Days after the same shall have been demanded by or on behalf of the said Trustees, then such Expences shall and may be recovered, together with the Costs and Charges attending the same, by Distress and Sale of the Goods and Chattels of such Proprietor or Occupier, by Warrant under the Hand and Seal or Hands and Seals of any Justice or Justices of the Peace of the County where the Lands shall lie, and which Warrant of Distress any such Justice or Justices is or are hereby authorized and empowered to grant, on Proof made before him or them on Oath of such Expence having been incurred, and of such Notice having been given as aforesaid, and any Overplus shall be returned on Demand to the Person or Persons whose Goods and Chattels shall have been so distrained and sold.

Persons, &c.
before liable
to Repairs
to continue
so.

XXXIX. And be it further enacted, That all and every Person and Persons, Counties, Towns, Parishes, Townships, Hamlets, Villages, and Places, and the Inhabitants thereof respectively, and Bodies Politic, Corporate, and Collegiate, and the Members thereof, who heretofore hath or have used, or of right ought to repair any Part of the said Roads,

or

or any Bridge, Watercourse, Drain, or Sewer in or upon the same, or to pay any Sum or Sums of Money for or towards the Repairs thereof, by reason of the Tenure of any Lands, Tenements, or Hereditaments, or otherwise howsoever, shall notwithstanding this Act be subject and liable to such Repairs, or to the Payment of such Sums of Money, in the same Manner as he, she, or they and every of them would have been in case this Act had not been passed.

XL. And be it further enacted, That if any Person or Persons whomsoever shall cast or lay any Ashes, Dung, Manure, Soil, Earth, or Rubbish, or other Matter or Thing whatsoever, or shall throw or cause to be thrown any Slop or Filth on any Part of the said Roads or Footpaths, or on the Sides thereof; or if any Person or Persons whomsoever; being Owner or Owners, or Occupier or Occupiers of any Houses, Buildings, Lands, or Premises, shall cause or suffer any filthy or offensive Matter, or any Liquid, to run or drain therefrom into any open Ditch, Drain, or other Watercourse in or by the Side of the said Roads; or if any Person or Persons shall hang out any Linen or other Clothes to dry on any Bank, Rail, or Fence adjoining the said Roads; or if any Person or Persons shall spin any Hemp, Flax, Wool, or other Article upon or on the Sides of the said Roads; or if any Person shall dry any Flax by Fire within the Distance of Twenty Yards of the Sides of the said Roads; or if any Blacksmith, or other Person occupying any Blacksmith's Shop situate near any Part of the said Roads, shall not every Evening after Sunset bar and prevent the Light in such Shops from shining into or upon the said Roads, or any Part thereof; or if any Person shall turn loose any Horse, Ass, Beast, Sheep, or Swine upon the said Roads, or suffer any Horse, Ass, Beast, Sheep, or Swine to be turned loose or to wander or stray, or to be or remain upon the said Roads to graze or depasture on the Sides thereof, every Person offending in any of the Cases aforesaid shall forfeit and pay a Sum not exceeding Five Pounds for every such Offence; and such Penalties shall be levied and recovered (together with the necessary Costs and Charges of levying the same) by the same Ways and Means, and in the like Manner as any Penalty or Forfeiture for any other Nuisance committed in or upon any Turnpike Road may by Law be levied or recovered; and one Moiety of such Penalties shall be paid to the Informer, and the other Moiety thereof shall be paid to the Treasurer to the said Trustees, and applied or disposed of for the Purposes of this Act.

Penalty for
laying Dust,
&c.

XLI. Provided always, and be it further enacted, That when and as soon as the new Line of Road intended to be made in the Parish of *Chideock* aforesaid, according to the Description and Delineation thereof in the said Map or Plan, shall be completed, and in all respects made fit and proper for the safe Travelling and Passage of His Majesty's liege Subjects, with Horses, Waggons, Carts, and Carriages, and on Foot, it shall be lawful for the said Trustees to order the Footpath lying on the North-west Side of the said intended new Line of Road, and running in a parallel Line therewith, to be shut up and discontinued, and Notice thereof shall be given by the Clerk of the said Turnpike Road in some Newspaper usually circulated in the said County of *Dorset*, for the Purpose of enabling any Person or Persons who may be aggrieved by the said Order to make the Appeal next herein-after provided, that then and

Trustees may
order the
stopping up
of a certain
Footpath.

from thenceforth the said Footway lying on the North-west Side of the said intended new Line of Road, and running in a parallel Line therewith, shall be discontinued and no longer used, and it shall and may be lawful to and for the Owners and Occupiers of the several Fields and inclosed Grounds through which the said Footway passes to stop up the same.

Appeal may
be made
against Order
of Trustees.

XLII. And be it further enacted, That it shall and may be lawful to and for any Person or Persons who may be aggrieved by the making of any Order hereby authorized for stopping up and discontinuing the said Footpath, to appeal against the same at any General or Quarter Sessions of the Peace for the said County which shall be held within the Space of Four Calendar Months next after the making of the said Order, upon giving a Notice in Writing of such Appeal, duly signed by him, her, or them, to, or leaving the same at the usual Place of Residence of the Clerk to the said Trustees for the Time being, at least Fourteen clear Days before such General or Quarter Sessions of the Peace; and the Justices assembled at such General or Quarter Sessions are hereby authorized and required, upon due Proof before them by the Appellant or Appellants of such Notice having been regularly given by him, her, or them as aforesaid, to hear and determine the said Appeal, and upon the Quashing or Confirmation of the said Order to award and adjudge the Party against whom the said Appeal shall be determined to pay such Costs as the said Justices shall appoint; and the said Appeal, being so heard and determined, shall be final and conclusive to all Intents and Purposes whatsoever; and no Order against which any such Appeal shall be made as aforesaid shall be quashed for want of Form only.

Public Act.

XLIII. And be it further enacted, That this Act shall be 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.

Commence-
ment and
Continuance
of this Act.

XLIV. And be it further enacted, That this Act shall commence upon the passing thereof, and shall continue and be in force for Twenty-one Years, and from thence to the End of the then next Session of Parliament.

SCHEDULE (A.)

Descriptions.	Owners.	Occupiers.
Garden	Mrs. Hallett	Herself.
Ditto	Mrs. Udall	Ditto.
Ditto	Rev. Mr. Langdon	Mr. Martin.
Ditto	Mrs. Dymont	Herself.
Ditto	Ditto	John Serrell.
Ditto	Robert Mills	Robert Pitfield.
Ditto	Ditto	Ditto.
Building	Richard Knight	Himself.
Building	Samuel Bartlett	Himself.
Garden	Henry Brown	Himself.
Ditto	Richard Taylor	Himself.
Ditto	William Taylor	Himself.
Ditto	Joseph Chard	Reuben Miller.
Ditto	John Genge	Himself.
Ditto	John Chard	Himself.
Garden and Outbuilding	William Durrant	Himself.
Orchard and Outbuilding	John Hoskins and Mr. Horsford	} John Hoskins.
Orchard	Richard Knight	Himself.
Orchard	John Bullen	Himself.
Garden	Robert Franklin	Himself.
Garden	Miss Rickard	Herself.
Garden	Mr. Smith	—
Ditto	Mrs. Gummer and Mrs. Balson.	} John Love.
Ditto	Miss Shiels	Mrs. Griffiths.
Ditto	Miss Rickard	Mrs. Bryant.
Ditto	Miss Rickard	Herself.
Ditto	Mr. Bidwell	William Oliver.
Ditto	James Cozens	Himself.
Outbuilding	William Cozens	Joseph Boyles.
Garden	John Ellis	Himself.

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