



ANNO PRIMO & SECUNDO

GULIELMI IV. REGIS.

Cap. xxx.

An Act to continue and amend an Act of the Fifth Year of His late Majesty, for repairing the Roads from *Durweston Bridge* to *Caundle Bishop*, and other Roads in the Counties of *Dorset* and *Somerset*, so far as relates to the *Vale of Blackmoor* Turnpike Roads. [30th July 1831.]

WHEREAS an Act was passed in the Fifth Year of the Reign of His late Majesty King George the Fourth, intituled *An Act for repairing the Roads leading out of the Turnpike Road between Poole and Wimborne Minster into the Turnpike Road between Blandford Forum and Dorchester, and for repairing and improving the Roads from Durweston Bridge to Caundle Bishop, from Bagber Common to Holton Street, and from North Cheriton to Lattiford, all in the Counties of Dorset and Somerset*, whereby the Roads therein described were divided into Two Districts, one of which was directed to be called the *Vale of Blackmoor* Turnpike Roads: And whereas the Trustees by the said Act appointed for the said *Vale of Blackmoor* Turnpike Roads have proceeded to carry the same into execution, and have made considerable Improvements in the Roads placed under their Care and Management: And whereas it has been found that the Communication between the Town of *Sturminster Newton Castle*, the Collieries, and the City of *Bath*, and between the said Town of *Sturminster Newton Castle*, the Parish of *Marnhull*, and the Towns of *Stalbridge*, *Milbourne Port*, and *Sherborne*, would be greatly facilitated, and the Inhabitants of the surrounding Country much benefited if Power were granted to make certain Improvements and Alterations in the said *Vale of Blackmoor* Turnpike Roads: And whereas it is expedient that the said Act should, so far as the same relates to the said *Vale of*

[Local.] 5 E Blackmoor

5G.4.c.145.

Powers of
recited Act
of 5 G. 4.
extended to
this Act.

Blackmoor Turnpike Roads, be amended, varied, and altered, and certain Provisions thereof repealed: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the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 all the Powers and Provisions of the said recited Act of the Fifth Year of the Reign of His said late Majesty, so far as the same relate to the said *Vale of Blackmoor* Turnpike Roads (except such as are altered, varied, or repealed), shall be extended to and consolidated with this Act, and that the said recited Act and this Act shall be deemed, taken, and construed to be one Act.

New Trus-
tees.

II. And be it further enacted, That the Right Honorable *George Pitt Rivers*, R Bateman Clerk, *Joseph Bird*, *Thomas Bird*, *Henry Biging*, *John Biging* Clerk, *William Bell*, *William Read Bell*, *Henry Bower* Clerk, *William Boucher*, *Henry Boucher* Clerk, *John Colbourne*, *Thomas Cockeram* junior, T F G Dalton, Fisher Clerk, *George Clutterbucke* *Frome*, *Francis William Fane*, *John Goodridge*, *James Galpin*, *Charles Henning*, *Samuel Hannam*, *Ambrose Heal*, *Edward Hannam*, *Josiah Hannam*, *Thomas Hobson* Clerk, *James Henville* Clerk, Hinrman, *Jacob Henry Martin* Clerk, Marriot, *William Coles Medlicott*, *Henry Maggs*, *James Maggs*, *Thomas Matthews*, *Edward Neave*, *Josiah Neave*, J S Ogle Clerk, *John Tompkins* Clerk, *John Weston Peters*, *Harry Jordan Place*, *Samuel Pretor*, *William Salkeld*, *Lewis St. Lo*, *George Warry*, *William Warry*, *Richard Webb*, *Henry White*, and *John White*, being duly qualified, shall be and they are hereby added to and joined with the Trustees for executing the said recited Act, and shall have the same Powers and Authorities for executing the said Act and this Act, and the several Acts relating to Turnpike Roads in *England*, as if they had been thereby appointed, or been elected in pursuance thereof.

Meeting of
Trustees to
execute the
Act.

III. And be it further enacted, That the Trustees for executing the said recited Act for the said *Vale of Blackmoor* Turnpike Roads shall meet at the *Crown Inn* in *Sturminster Newton Castle*, or at some other convenient Place within the Town of *Sturminster Newton Castle*, on the last *Wednesday* in the Month next after the passing of this Act, between the Hours of Ten in the Forenoon and Two in the Afternoon, or as soon after as conveniently may be, and proceed to carry the said recited Act and this Act into execution.

Power to
make new
Roads and
Deviations.

IV. And be it further enacted, That it shall and may be lawful for the said Trustees, and they are hereby authorized and empowered, to convert, make, and maintain as Turnpike, and to widen, divert, and improve the Roads herein-after mentioned; (that is to say,) to make, convert, and maintain as Turnpike the Road leading from the present Line of Turnpike Road called the *Vale of Blackmoor* Turnpike Road, at *Lydlinch Common* in the Parish of *Lydlinch*, and from thence over *Wall Bridge* by *Drake's Mill* to *Stalbridge Pound*; and also to make, convert, and maintain a Road to lead from the said

said *Vale of Blackmoor* Turnpike Road at or near *Sturminster Bridge* in the Parish of *Sturminster Newton Castle*, and from thence through the Town and Parish of *Sturminster Newton Castle*, and the Parishes of *Hinton Saint Mary* and *Marnhull*, by *Walton Elm*, and over *King's Mill Bridge*, through the Parishes of *Stalbridge* and *Purse Caundle*, by *Baset Bridge* and *Copse House*, to join the *Sherborne* Turnpike Road at *Purse Caundle* aforesaid; and also to make, convert, and maintain as Turnpike a Road to lead from the said last-mentioned new Road at *Walton Elm* aforesaid, in the said Parish of *Marnhull*, and to pass through the several Parishes or Places of *Marnhull*, *Todber*, *Stower Provost*, *Stower East*, and *Gillingham*, to join the present Road leading from thence to *Bath*; and also to make, convert, and maintain a Road to and leading from the said last-mentioned Road at or near *White Post* in the Parish of *Stower Provost* aforesaid, and to pass over *Trill Bridge*, through the several Parishes of *Fifehead Magdalen*, *Stower West*, and *Kington Magna*, to join the present Road from *Sherborne* to *Shaftesbury*, all in the County of *Dorset*.

V. And whereas a Map or Plan describing the said intended Diversions, Alterations, and Improvements, and the Lands, Tenements, or Hereditaments upon, in, over, or through which the same are intended to be made or carried, together with a Book of Reference thereto, containing the Names of the Owners and Occupiers of such Lands, Tenements, and Hereditaments, have been deposited at the Office of the Clerk of the Peace for the County of *Dorset*; be it further enacted, That the said Map or Plan and Book of Reference shall remain in the Custody of the said Clerk of the Peace, to the End that all Persons may at all seasonable Times have Liberty to inspect the same, and take Copies thereof and Extracts therefrom, paying to such Clerk of the Peace One Shilling for every such Inspection, and at the Rate of Sixpence for every One hundred Words of such Copies or Extracts; and the said Map or Plan and Book of Reference, or either of them, or any Copy thereof respectively, certified by the said Clerk of the Peace for the Time being to be a true Copy thereof, shall be good Evidence in all Courts of Law; and the said Trustees in making such Diversions or new Lines of Road shall not deviate more than One hundred Yards from the Lines described on the said Map or Plan, without the Consent in Writing of the Person or Persons, Party or Parties, upon, in, over, or through whose Lands, Tenements, or Hereditaments such Deviations shall be made.

Plan of new Roads to be deposited with the Clerk of the Peace, and be open to Inspection.

VI. And be it further enacted, That the Powers and Authorities given by this Act for making the said Diversions or new Lines of Road shall not extend or be construed to extend to empower or authorize the said Trustees to take or pull down any Dwelling House or other Building, or to take in or make use of any Garden, Orchard, Yard, Park, Paddock, planted Walk or Avenue to a House, or any inclosed Ground planted and set apart as a Nursery for Trees, or any Part thereof respectively, without the Consent in Writing of the Owner or Proprietor thereof and other Persons interested therein first had and obtained.

Trustees not empowered to take Houses, &c. without Consent.

VII. Pro-

Land may
be taken
though in-
accurately
described.

VII. Provided always, and be it further enacted, That it shall be lawful for the said Trustees to make the said Diversions or new Lines of Road upon, in, over, or through any Lands, Tenements, or Hereditaments upon, in, over, or through which such Diversions or new Lines of Road are delineated in the said Map or Plan, although such Lands, Tenements, or Hereditaments, or any of them, or the Situation thereof respectively, may happen to be omitted, mis-stated, or erroneously described in the said Book of Reference, in case it shall appear to any Two or more Justices of the Peace for the said County of *Dorset*, and be certified by Writing under their Hands, that such Omission, Mis-statement, or erroneous Description apparently proceeded from Mistake.

Power to
take Tolls.

VIII. And be it further enacted, That it shall be lawful for the said Trustees and they are hereby empowered to erect and maintain a Toll House, Toll Gates, Toll Bars, or Side Gates upon, across, or by the Sides of the several Roads hereby authorized to be made, converted, or maintained as Turnpike, and to take, demand, and receive thereat the several Tolls authorized to be demanded and taken by the said Trustees upon the several Roads placed under their Care and Management by the said recited Act of the Fifth Year of the Reign of His said late Majesty; and the Tolls arising on the said new Roads shall be and become vested in the Trustees appointed under the Provisions of the said recited Act.

Number of
Tolls.

IX. Provided always, and be it further enacted, That no more than the Tolls following shall be demanded or taken for or in respect of the same Horses, Beasts, or Cattle, for passing or repassing at any Time or Times in any One Day, to be computed from Twelve of the Clock at Night to Twelve of the Clock of the next succeeding Night, through all or any of the Toll Gates, Turnpikes, or Side Gates along the Roads hereby authorized to be made, converted, and maintained as Turnpike; that is to say, no more than One full Toll shall be demanded or taken along the said Road from *Sturminster Bridge* to the *Sherborne* Turnpike Road at *Purse Caundle*, nor more than One full Toll along the said Road from the Town of *Sturminster* to the End of the Parish of *Gillingham* aforesaid.

Stage
Coaches to
pay every
Time of
passing.

X. And be it further enacted, That the Tolls made payable by the said Act shall be paid for and in respect of all Horses and Beasts of Draught drawing any Stage Coach, Diligence, Van, Caravan, or Stage Waggon, or other Carriage conveying Passengers or Goods for Pay or Reward, every Time of passing or repassing along the said Roads or any of them: Provided always, that no further or additional Toll shall be payable in respect of any Horses or other Beasts drawing any Stage Coach, Diligence, Van, Caravan, or Stage Waggon, or other Stage Carriage, on account only of the Horses or other Beasts drawing the same having been changed.

Repealing
Provision in
recited Act
for prevent-
ing Gates

XI. And whereas it is by the said recited act provided that it shall not be lawful for the said Trustees of the *Vale of Blackmoor* Turnpike Roads, at any Time during the Continuance of the said recited Act, to erect or set up, or cause to be erected or set up, any Turnpike

pike or Toll Gate, Bar or Chain, upon, across, or on the Side or Sides or any Part of the Roads therein described, within the Distance of Three Furlongs from the Bridge at *Sturminster Newton*, or within Three Furlongs from *Stalbridge* Town Pump, or within Three Furlongs of the House now known by the Name of the *Swan Inn*, in the Parish of *Durweston*, or to take or demand Toll for the passing or repassing of any Horse or other Beast, Cattle, or Carriage along such respective Portions of the said Road: And whereas the said Provision has been found injurious to the said Roads, and it is expedient that the same should be repealed; be it therefore enacted, That so much of the said recited Act as is herein-before recited shall be and the same is hereby repealed.

being erect-
ed at certain
Points.

XII. And whereas the said *Vale of Blackmoor* Road Trustees are by the said recited Act empowered to make, convert, and maintain as Turnpike the Road from *Bagber Common* through *Thornhill* to *Stalbridge*: And whereas the same will now become unnecessary, in consequence of the Power herein-before contained to make, convert, and maintain a Road from *Lyddinch Common* to *Stalbridge*; be it therefore enacted, That so much of the said recited Act as is herein-before recited shall be and the same is hereby repealed.

A certain
Road not to
be made.

XIII. And be it further enacted, That the Trustees for the said District of Road shall pay all the Costs, Charges, and Expences incident to or attending the applying for, obtaining, and passing this Act, out of the first Monies which shall be or shall come into their Hands by virtue of the said recited Act or this Act.

Expences of
Act.

XIV. And be it further enacted, That the Trustees of the said *Vale of Blackmoor* Turnpike Roads shall and they are hereby required to erect upon each and every Branch of Road comprised in this Act a Toll Gate or Toll Gates, or Toll Bar or Toll Bars, and to demand and take thereat the Tolls by the said recited Act granted, subject to the Provisions of the said Act and this Act, and of the various Acts passed for regulating Turnpike Roads in *England*: Provided always, that no Money arising from any of the Tolls authorized to be taken on the said *Vale of Blackmoor* Turnpike Roads shall be applied in or towards the Repair of any Branch Road upon which there shall not be a Toll Gate or Toll Bar erected under the Authority of the said recited Act or this Act: Provided also, that no more Money shall be laid out or expended upon any of the Branch Roads hereby authorized to be made and maintained than shall be actually raised or received upon or in respect of such respective Branch Roads; any thing in the said recited Act or this Act contained to the contrary thereof in anywise notwithstanding.

Toll Gates
to be erected
on Branch
Roads.

XV. And whereas an Act was passed in the Fifty-eighth Year of the Reign of His Majesty King George the Third, intituled *An Act for continuing and amending an Act of His late Majesty, and Two Acts of His present Majesty, for repairing several Roads leading to and from the Town of Wincanton, and the Roads communicating therewith, in the Counties of Somerset, Wilts, and Dorset*: And whereas it would be mutually beneficial to the *Vale of Blackmoor* Turnpike Roads and to

Trustees
may agree
with Trus-
tees of Win-
canton Dis-
trict.

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the said *Wincanton* District of Road, that the Trustees for executing this Act should have Power to enter into Agreements with the Trustees for executing the said recited Act, in respect of the said *Wincanton* District of Road, to the Effect herein-after mentioned; be it therefore further enacted, That it shall be lawful for the Trustees executing this Act to make any Agreement with the Trustees of the said *Wincanton* District of Roads, to the Effect that any Horse, Cattle, or Beast, having passed through any Toll Gate or Turnpike or Side Gate on the said *Wincanton* District of Road, and afterwards passing the same Day through any Toll Gate or Turnpike or Side Gate on the said *Vale of Blackmoor* Turnpike Roads, shall on the same Day be exempted from the Payment of all or any of the Tolls payable at any such last-mentioned Toll Gate or Turnpike or Side Gate; and also that any Horse, Cattle, or Beast, having passed through any Toll Gate or Turnpike or Side Gate on the said *Vale of Blackmoor* Turnpike Roads, and afterwards passing the same Day through any Toll Gate or Turnpike or Side Gate on the said *Wincanton* District of Road, shall on the same Day be exempted from the Payment of all or any of the Tolls payable at any such last-mentioned Toll Gate, Turnpike, or Side Gate; and also so from Time to Time to rescind any such Agreement, and make any other Agreement or Agreements to the same or the like Effect.

Streets of
Stalbridge
or Sturminster
Newton
not to be
repaired by
Trustees.

XVI. And be it further enacted, That it shall not be lawful for the said Trustees to continue or erect any Turnpike or Toll Gate, or to collect any Tolls, within the Towns of *Stalbridge* or *Sturminster Newton*, or either of them, or to lay out or expend any of the Money arising by virtue of the said Act or this Act in repairing, lighting, or watching any of the Streets or public Places within the said Towns, or either of them.

Public Act.

XVII. 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 Act.

XVIII. And be it further enacted, That this Act shall commence and take effect upon the passing thereof; and that the said recited Act, so far as the same relates to the *Vale of Blackmoor* Turnpike Roads, and this Act, shall be and continue in force, to be executed for and during the Term of Thirty-one Years, thence to the End of the then next Session of Parliament.