

ANNO TERTIO

GEORGII IV. REGIS.

Cap. lxv.

An Act to repeal several Acts passed for repairing several Roads leading to the Town of *Bridgewater* in the County of *Somerset*, and several other Roads therein mentioned, so far as the said Acts relate to the Roads leading to the said Town, and to consolidate and comprise the same in One Act of Parliament. [24th *May* 1822.]

WHEREAS an Act was passed in the Thirty-second Year of the Reign of His Majesty King *George* the Second, intituled *An Act for repairing several Roads leading to the Town of* Bridgewater *in the County of* Somerset, *and for amending and rendering more effectual several Acts for amending several Roads from the Cities of* Gloucester *and* Bristol, *and several other Roads in the said Acts mentioned in the Counties of* Somerset *and* Gloucester: And whereas an Act was passed in the Nineteenth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for enlarging the Term and altering and varying the Powers of so much of an Act made in the Thirty-second Year of the Reign of His late Majesty King* George *the Second, for repairing several Roads leading to the Town of* Bridgewater *in the County of* Somerset, *and other Roads therein mentioned, as relates to the Roads leading to the said Town:* And whereas an Act was passed in the Forty-first Year of the Reign of His late Majesty King *George* the Third, intituled *An Act to continue*

32 G. 2. c. 40.

19 G. 3. c. 100.

41 G. 3. c. 12.

continue for Twenty-one Years, and from thence to the End of the then next Session of Parliament, the Term, and alter and enlarge the Powers of Two Acts passed in the Thirty-second Year of the Reign of His late Majesty King George *the Second, and in the Nineteenth Year of the Reign of His present Majesty, for repairing several Roads leading to the Town of* Bridgewater *in the County of* Somerset, *and other Roads therein mentioned, so far as the said Acts relate to the said Roads leading to the said Town:* And whereas several considerable Sums of Money have been borrowed on the Credit of the Tolls authorized to be collected by the said recited Acts, which still remain due and owing: And whereas the said Roads might be greatly improved, and it would be of great public Utility if Powers were given to widen, divert, turn, shorten, vary, or alter several Parts of the said Roads; and also if Powers were given to widen, divert, turn, shorten, vary, alter, improve, make Turnpike, maintain, and keep in repair several Pieces of old Road herein-after mentioned, now communicating with the said Roads; and also if Power were given to make, maintain, and keep in repair certain new Roads, herein-after mentioned and described, to communicate with the said Roads: And whereas the said Roads cannot be effectually made, amended, diverted, varied, altered, widened, straightened, improved, maintained, and kept in repair, nor can the Money so borrowed as aforesaid, or the Interest thereof be paid, unless the Term granted and continued by the said Acts, so far as the same relates to the Roads leading to the said Town of *Bridgewater* (which Term is now near expiring) be further continued; and it would be more convenient to the Trustees for executing the said Acts, so far as relates to the said last-mentioned Roads, and the said Roads might be more effectually amended, improved, and kept in repair, if the said recited Acts, so far as the same relate to the Roads leading to the said Town of *Bridgewater*, were repealed, and further, better, and more effectual Powers granted instead thereof in One Act of Parliament; but the beneficial Purposes aforesaid cannot be effected without the Aid and Authority of Parliament: 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 Thirtieth Day of *September* One thousand eight hundred and twenty-two, the said recited Acts of the Thirty-second Year of the Reign of His Majesty King *George* the Second, the Nineteenth and Forty-first Years of the Reign of His said late Majesty King *George* the Third, shall be and the same are hereby declared to be repealed, and null and void to all Intents and Purposes whatsoever, so far as the said Acts respectively relate to the several Roads leading to the said Town of *Bridgewater* in the said County of *Somerset*; and that this Act shall from thenceforth commence and take Effect, and be put in Execution, and continue for and during the Term herein-after mentioned, as well for the Purpose of making, amending, keeping in repair, diverting, varying, altering, widening, straightening, maintaining, and otherwise improving the several Roads herein-after mentioned and described; (that is to say), the Road leading from the South Gate of the Town of *Bridgewater* in the County of *Somerset*, through the several Parishes of *North Petherton* and *Thurloxton*, to the Place where the Turnpike Road leading from the East Side of the Town of *Taunton* ends, near the House known by the Name of *The Green Dragon* in the Parish of

Former Acts repealed so far as relates to the Roads leading to Bridgewater.

Description of the Roads, &c.

Thurloxton aforesaid; and also the Road leading from the East Gate of *Bridgewater* aforesaid to *Crandon Bridge* in the Parish of *Bawdrip*, in the said County of *Somerset*, and from thence through the several Parishes of *Bawdrip*, *Cossington*, *Stawell*, *Chilton*, *Edington*, *Catcot*, and *Shapwick*, in the said County of *Somerset*, to *Piper's Inn* in the Parish of *Ashcot*; and also the Road leading from *Crandon Bridge* aforesaid towards *Bristol*, through the several Parishes of *Puriton*, *Pawlet*, and *Huntspill*, and passing by the Sign of *The Fox and Goose* in the Parish of *South Brent*, to the Parish of *East Brent* in the said County of *Somerset*; and also the Road leading from the East End of the Bridge of the said Town of *Bridgewater* to a Place commonly called *Langport Bridge*, in the Way to *Westonzoyland* in the said County of *Somerset*; and also the Road leading from the West Gate of the said Town of *Bridgewater*, through the several Parishes of *Bridgewater*, *Wembdon*, *Cannington*, *Charlinch*, *Spaxton*, *Fiddington*, *Over Stowey*, and *Nether Stowey*, in the said County of *Somerset*, to a House called the *Vicarage House* at the East End of the Town of *Stowey* in the said County; and also the Road leading from the said West Gate of the Town of *Bridgewater* aforesaid, through the several Parishes of *Bridgewater*, *Durleigh*, *Goathurst*, and *Enmore*, to *Buncomb Bottom*, and from thence through the several Parishes of *Broomfield*, *Spaxton*, *Cothelstone*, *Bagborough*, and *Bishop's Lydiard* in the said County of *Somerset*, to join and communicate with the *Taunton* Turnpike Road at *Sandy Lane*, near *Gore Inn* in the said Parish of *Bishop's Lydiard* aforesaid, being the Roads now included in the said recited Acts; as also the Road or Street (intended by this Act to be made Turnpike) from the South Door of the Market House in *Bridgewater* aforesaid, Westward and Southward across the Street called *Between Church and Bridge*, through the Cheese Market and Part of *Saint Mary Street* to the South Gate of *Bridgewater* aforesaid, and from thence in a South or South-easterly Direction along a certain Public Way called *Hamp Ward*, behind the Alms or Poorhouse of *Bridgewater*, into, through, and across certain ancient inclosed Lands situate in the Parish of *Bridgewater* aforesaid, to and communicating with the present Turnpike Road leading from *Bridgewater* to *Taunton* at or near the East End of a certain Cottage at *Hamp Green* in the Occupation of *Thomas Tamlyn*, called *Tamlyn's Cottage*; from the North-west End of a certain Lane called *Parker's Field Lane* at the South-west End of *North Petherton Heath Field*, into, through, and across certain ancient inclosed Lands in the said Parish of *North Petherton*, in a South-westerly Direction, to and uniting with the present Turnpike Road leading from *Bridgewater* to *Taunton* at or near the Eastern End of a Blacksmith's Shop and Dwelling House in the Town of *North Petherton* aforesaid, in the Occupation of *George Coles*; from the Crossway opposite the Dwelling House of *Richard King* Esquire in the Parish of *North Petherton*, into, through, and across a certain Plantation and ancient inclosed Piece of Pasture Land called *Yeads*, belonging to and in the Occupation of the said *Richard King*, to and communicating with the present Turnpike Road at or near the North-west Corner of a Close of Land called *The Four Acres*, in the Occupation of *George Day*, in the Parish of *North Petherton* aforesaid; from the North-east End of a Garden in the Occupation of *William Bradford*, situate in the Parish of *Thurloxton* in the said County, into, through, and across certain ancient inclosed Lands in the several Parishes of *North Petherton*, *Thurloxton*, and *Creech Saint Michael*, to and communicating with the *Taunton* Turnpike Road at or near the North-

North-west Corner of a Close of Land situate in the Parish of *Creech Saint Michael* aforesaid, called *The Six Acres*, late in the Occupation of *Richard House*; the Road or Street (intended to be made Turnpike by this Act) from the said South Door of the Market House of *Bridgewater* aforesaid, Eastward through the *Cornhill*, *Forestreet*, *Eastover* (crossing the River *Parrett*), to the East Gate of *Bridgewater* aforesaid; and from the East Toll House of *Bridgewater* aforesaid, in a North or North-easterly Direction, into, through, and across certain ancient inclosed Lands in the several Parishes of *Bridgewater*, *Wembdon*, *Chilton*, *Trinity*, *Puriton*, and *Pawlet* in the said County (passing over or near *Dunball Clyes* or *Bridge*), to and communicating with the present Turnpike Road in the Parish of *Pawlet* aforesaid, at the South-east Corner of a certain Farm Yard in the Occupation of *Thomas Poole*, at or near a Place called *Pawlet Common*; from the South-east Corner of a certain Dwelling House in the Parish of *Huntspill*, called *Highbridge Inn*, across the Bed or Site of the old River, to and communicating with the present Turnpike Road in the Parish of *Burnham*, at or near the South-east Corner of *Lock's Cottage*, in the Occupation of *George Rice*; the Road or Street intended to be made Turnpike by this Act, from the North Door of the said Market House in *Bridgewater* aforesaid, Eastward to and communicating with the said Highway or Street intended to be made Turnpike called *The Cornhill*; the Road or Street (intended to be made Turnpike by this Act) from the North Door of the said Market House in *Bridgewater* aforesaid, Westward through *High Street* and the Sheep Market to the West Gate of *Bridgewater* aforesaid, and from the North-west End of a certain Garden in the Occupation of *Joel Bartholemew* situate in the Parish of *Wembdon*, into, through, and across certain ancient inclosed Lands in the Parish of *Wembdon* aforesaid, to and communicating with the present Turnpike Road within the said Parish of *Wembdon*, at the Foot of *Wembdon Hill*, at or near the North-east Corner of a certain Orchard in the Occupation of *Benjamin Marshall* in *Wembdon* aforesaid; and from or near the private Road leading into *Sandford Farm* within the said Parish of *Wembdon*, into, through, and across certain ancient inclosed Lands in the several Parishes of *Cannington* and *Wembdon*, to and communicating with the present Turnpike Road at or near the Western End of a private Road leading into *Higher Broadmoor* within the Parish of *Cannington* aforesaid; and from the East End of *Blackmoor Lane* in *Cannington* aforesaid, along the present Highway or Road (intended by this Act to be made Turnpike) called *Blackmoor Lane*, to the South-east Corner of a Close of Land in *Cannington* aforesaid called *Little Meadow*, in the Occupation of *Benjamin Hobbs*, and from thence into, through, and across certain ancient inclosed Lands in the Parish of *Cannington* aforesaid, to and communicating with the present Turnpike Road in the Parish of *Cannington*, at or near the North-west Side of a Close of Land called *Summer Leaze*, in the Occupation of the said *Benjamin Hobbs*; and from the South-east Corner of a Close of Land called *Wickhams*, in the Parish of *Spaxton*, into, through, and across the same Close of Land, to and communicating with the present Turnpike Road within the said Parish of *Spaxton*, opposite a certain Cottage belonging to *John Washer*; and from the Northern End of a Road leading from a Place called *Stowey Rocks* to *Halsey Cross*, into, through, and across a Close of Land called *The Nine Acres*, in the Occupation of *Robert Beadon Buller*, situate in the Parish of *Nether Stowey*, to and communicating with the present Turnpike Road at the North-west Corner

Corner of the same Close; and from the North End of a certain Dwelling House in the Parish of *Bishop's Lydiard*, in the Occupation of *Robert Allen*, in a South Direction through the Village of *Bishop's Lydiard* aforesaid to *Gore Inn*, at the Junction of the *Taunton* and *Wiveliscombe* Turnpike Roads; and this Act and the additional Term hereby granted, and all Tolls by this Act authorized to be collected upon the said several Roads already and by this Act intended to be made Turnpike, shall be and are hereby declared to be charged with and made subject and liable to the Payment of all Money now due and owing upon the Credit of the said recited Acts, so far as relates to the Roads leading to the said Town of *Bridgewater*, and of all Monies which have been borrowed on the Credit of the Tolls granted by the said recited Acts, so far as relates to the said last-mentioned Roads, and also of all Money which shall or may from Time to Time hereafter be borrowed and become due upon the Credit of this Act and of the Tolls arising upon the said Roads, and the Interest due and to grow due for the same respectively.

Trustees.

II. And be it further enacted, That all His Majesty's Justices of the Peace for the Time being acting for the County of *Somerset*, together with *John Roy Allen*, *Charles Jefferys Allen* Clerk, *Thomas Allen*, *Jefferys Thomas Allen*, *William Allen* Clerk, *Robert Anstice*, *Langley Saint Albyn*, *Charles Axford*, *Henry Axford*, *Frederick Axford*, *Charles Alford* Clerk, *John Atkins*, *John Allen*, *Robert Blake*, *William Boys*, *Percival Boys*, *Charles Henry Burt* Clerk, *John Brice* Clerk, *William Brice*, *Francis Brice*, *Richard Brice*, *John Bowen*, *Edmund Broderip* the younger, *Henry Coles*, *Henry Coles* the younger, *George Coombe*, *Edward Crosse* Clerk, *John Hurd Clarke*, *Andrew Crosse*, *John Chapman*, *Charles Chapman*, *Morley Chubb*, *Jonathan Colmer*, *John Cripps*, *Robert Codrington*, *John Howell Cook*, *Thomas Jeanes Coney*, *John Webber Crosse*, *Hill Dawe*, *Robert Evered*, *John Evered*, *William Ford*, *Charles Foster*, *John Gooding*, *William Withycombe Gibbs*, *George Henning* Doctor of Medicine, *James Haviland*, *Joseph Jeffery*, *John Jeffery* Doctor in Divinity, *James Jeffery*, *Stephen Long Jacob* Clerk, *Thomas Withy Inman*, *James Knight*, *William Smith Knott* Clerk, *Richard King*, *Alexander Fownes Lutterell* Clerk, *John Lindon*, *Stephen Macmullen* Doctor of Medicine, *Thomas Mullins*, *William May*, *James Parsons*, *John Poole* Clerk, *Joseph Ruscombe Poole*, *Henry Parsons* Clerk, *John Evered Poole*, *Charles Poole* Clerk, *Thomas Parker*, *Thomas Evered Poole*, *Solomon Pain*, *Thomas Pyke*, *Henry Reed Noblett Ruddock* Clerk, *Henry Sweeting*, *Thomas Saunders*, *George Saunders*, *William Skynner*, *James Skynner*, *Richard Symes*, *Edward Sealy*, *Edward Sealy* the younger, *Francis Adams Stradling*, *John Sealy*, *Thomas Symes*, *Henry Bull Strangways*, *Edward Anstice Stradling*, *Henry Stradling*, *William Stradling*, *Jonathan Toogood*, *John William Trevor*; *Charles John Tynte*, *John Tucker*, *Robert Tucker*, *John Woodland*, *Richard Woodland*, *William Woodland*, *James Wollen* Clerk, *Jacob Watson*, and their Successors, to be elected in Manner herein-after mentioned, shall be and they are are hereby appointed Trustees for making, amending, diverting, varying, altering, widening, straightening, and from Time to Time improving, maintaining, and keeping in repair the several Roads by this Act intended to be made, amended, diverted, varied, altered, widened, straightened, improved, maintained, and kept in repair, and for otherwise putting this Act in Execution.

Power to appoint additional Trustees.

III. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered, at any of their Meetings to be holden in pursuance of this Act, to elect any Number of Persons, not exceeding Five in the whole, to be Trustees for the Purposes of this Act in Addition to the Trustees hereby appointed; and such Trustees so elected and being duly qualified as herein-after mentioned, shall be and are hereby invested with the same Powers and Authorities for executing this Act as if they had been herein named and appointed.

For electing Trustees on Deaths, &c.

IV. And be it further enacted, That when and as often as any of the Trustees hereby appointed (except the Justices of the Peace), or to be appointed by virtue of this Act, shall die, or by Bankruptcy or Insolvency, or otherwise, shall become disqualified, or by Writing under their or his Hands or Hand, delivered to the Clerk of the said Trustees, shall refuse to act, it shall be lawful for the Trustees at any General Meeting to be holden in Manner herein-after mentioned, to elect and appoint some other Persons or Person to be Trustees or a Trustee in the Room of the Trustees or Trustee so dying, becoming disqualified, or refusing to act as aforesaid; and every Person so elected and appointed, and being duly qualified as herein-after mentioned, shall be invested with the same Powers and Authorities for executing this Act, as if he had been named and appointed a Trustee in and by this Act.

Qualification of Trustees.

V. Provided always, and be it further enacted, That no Person shall be capable of acting as a Trustee in the Execution of this Act, unless he shall at the Time of his acting be in his own Right, or in the Right of his Wife, in the actual Possession and Enjoyment of, or in the Receipt of Rents and Profits issuing out of Freehold or Copyhold Lands, Tenements, or Hereditaments, of the clear yearly Value of One hundred Pounds, or shall be Heir Apparent of a Person seised of a Real Estate in Freehold or Copyhold Lands, Tenements, or Hereditaments of the clear yearly Value of One hundred and fifty Pounds, or be possessed of a Personal Estate, or a Real and Personal Estate together, of the Value of Four thousand Pounds, nor (except in administering the Oath or Affirmation herein-after mentioned), until he shall have taken and subscribed, before any One or more of the said Trustees, an Oath, or being a Quaker, an Affirmation in the following Form of Words; and which Oath or Affirmation the said Trustees or either of them, at any of their Meetings to be holden in pursuance of this Act, are or is hereby authorized to administer; (that is to say),

Oath.

'I do swear [*or being One of the People called Quakers*, do solemnly affirm], That I truly and *bonâ fide* am in my own Right, [*or* in the Right of my Wife] in the actual Possession and Enjoyment of [*or*, in the Receipt of Rents and Profits issuing out of] Freehold or Copyhold Lands, Tenements, or Hereditaments of the clear yearly Value of One hundred Pounds above Reprizes [*or*, am Heir Apparent of who to the best of my Knowledge is seised of a Real Estate of Freehold or Copyhold Lands, Tenements, or Hereditaments of the clear yearly Value of One hundred and fifty Pounds; *or*, am possessed of a Personal Estate, or of a Real and Personal Estate together, of the Value of Four thousand Pounds, *as the Case may be*]; and that I will truly, faithfully,

' and impartially act in the Execution of the Trusts and Powers vested and ' reposed in me in and by an Act passed in the Third Year of the Reign ' of His Majesty King *George* the Fourth, intituled *An Act*, &c. [*here in-* ' *sert the Title of this Act.*] So help me GOD.'

' [*Or being a Quaker, omit the Words* ' So help me God.]'

Trustees interested, or holding Places of Profit, or keeping Victualling Houses, &c. not to act.

VI. Provided also, and be it further enacted, That no Person (appointed or to be appointed a Trustee by virtue of this Act) shall be capable of acting as a Trustee in the Execution of this Act in any Case where he shall be concerned in Interest (except as herein-after provided), nor whilst he holds any Place or Employment of Profit, or shall be concerned or interested in any Contract or Contracts under the said Trustees or this Act; and that no Person shall be capable of being appointed a Trustee, or of acting as such, during the Time he shall keep a Victualling House or other House of public Entertainment, or who shall therein sell Wine, Cider, Beer, Ale, Spirituous or other Strong Liquors by Retail; or who shall be interested or concerned in any Contract under this Act; or who shall be Lessee or Farmer of the Tolls, or of any Part or Parts thereof, under this Act; and if any Person, not being qualified as aforesaid, or being disqualified by any of the Causes aforesaid, or not having taken and subscribed the Oath, or being a Quaker, not having made and subscribed the Affirmation herein-before mentioned, shall nevertheless act as a Trustee in the Execution of this Act, every such Person shall for every such Offence forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall sue for the same, to be recovered in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Plaint, Suit, or Information, wherein no Essoign, Protection, Wager of Law, nor more than one Imparlance shall be allowed; and the Person so sued or prosecuted shall prove that he is qualified as aforesaid, or otherwise shall pay the said Penalty, without any other Proof or Evidence on the Part of the Prosecutor than that such Person hath acted as a Trustee in the Execution of this Act: Provided nevertheless, that all Acts and Proceedings touching the Execution of this Act, which shall be done and performed by such Person previously to his being convicted of the Offence before-mentioned, shall be as valid and effectual as if such Person had been qualified according to the Directions of this Act; provided also, that no Mortgagee or Assignee of any Mortgage or other Security, or any Lender of Money upon the Credit of the Tolls, or receiving Interest thereout for the same, shall on that Account be deemed unqualified to act as a Trustee in the Execution of this Act.

Mortgagees not disqualified.

Trustees may act as Justices.

VII. And be it further enacted, That any of the Trustees appointed or to be appointed under this Act, who are or shall be in the Commission of the Peace, may act as Justices of the Peace in the Execution of this Act, notwithstanding their being such Trustees as aforesaid, except in Cases where they shall be personally interested otherwise than as Mortgagees, Assignees, Lenders of Money, or Holders of any Security on the Credit of the Tolls granted by this Act.

First and other Meetings.

VIII. And be it further enacted, That the said Trustees shall meet at the Town Hall in the Borough of *Bridgewater* aforesaid, or some other convenient House or Place within the said Borough, upon the First Day of *October* next after the passing of this Act, and shall then and there, and

at

at any other Meeting or Meetings which shall be by them afterwards held, adjourn themselves to and appoint any other Time or Times for any subsequent Meeting or Meetings, as they the said Trustees, at any of their Meetings, shall direct or appoint.

Meetings at the Town Hall.

IX. Provided always, and be it further enacted and declared, That all the Meetings of the Trustees appointed by or in pursuance of this Act, shall be held at the Town Hall within the Town and Borough of *Bridgewater* aforesaid, or at some other convenient House or Place within the same Borough; provided also, that no Orders or Determinations of the Trustees at any Meeting shall be valid, unless Three Trustees at the least shall be present at such Meeting, nor unless the major Part of the Trustees present shall concur in such Orders or Determinations; and the said Trustees shall at all their Meetings defray their own Expences (except the Charges for the Room in which such Meetings shall be held, which Charges the Treasurer to the said Trustees is hereby authorized to pay); and all Acts, Orders, and Proceedings relating to this Act which are authorized or directed to be had, made, done, or exercised by or before the said Trustees, shall and may be had, made, done, and exercised by or before the Majority of the Trustees present at their several Meetings, the whole Number present not being less than Three (except in such Cases where any other Number is herein mentioned); and all Orders and Proceedings had, made, or done by or before such Three Trustees, shall have the same Force and Effect, and be as binding and conclusive on all Parties and Persons as if the same were had, made, done, or executed by or before all the said Trustees; and at such Meeting the Trustees then present shall and may elect any One of such Trustees then present to be the Chairman, to preside at the Meeting at which he shall be elected; and in any Case where there shall be an equal Number of Votes at any Meeting of the said Trustees, including the Vote of the Chairman presiding at such Meeting, upon any Question touching or concerning the Execution of this Act, such Chairman shall in all such Cases have an additional or casting Vote; and that no Order made at any Meeting of the said Trustees shall be altered or repealed, unless at a General Meeting to be called specially for that Purpose by any Five or more of the Trustees, to be published in some Newspaper printed or circulated in or near the Town of *Bridgewater* aforesaid at least Ten Days before such Meeting, nor unless there shall be One-third more Trustees present at such Meeting at the least than were present at making such Order.

Orders of Trustees.

Chairman to be appointed who in case of an Equality of Votes is to have the casting Vote.

Notice of holding earlier Meetings.

X. And be it further enacted, That if at the Adjournment of any Meeting of the said Trustees, it shall be thought necessary that an earlier Day of Meeting should be appointed by any Adjournment, or if for want of proper Adjournment or otherwise it shall be necessary to call a Meeting of the said Trustees, then it shall be lawful for the said Trustees, or any Two or more of them, or the Clerk to the said Trustees, upon an Order in Writing signed by any Two or more of the said Trustees, to give Notice in the Manner herein-before directed, and in such Notice shall be expressed the Time and Place of holding such earlier Meeting (such Time not being less than Six Days after such Notice), and such Meeting shall and may be held accordingly; and all the Proceedings of the Trustees at such Meeting shall be as valid and effectual to all Intents and Purposes as they would have been in case such Meeting had been held in pursuance of Adjournment.

XI. And

Orders to be entered in a Book.

XI. 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 provide and keep, or cause to be provided and kept by their Clerk or Clerks for the Time being, a Book or Books wherein all Orders and Proceedings of the said Trustees at their Meetings shall be regularly entered, and such Orders and Proceedings so entered shall be signed by the Trustees making the same, or by the Chairman; which said Book or Books, and also the Book or Books herein-after directed to be kept for registering Mortgages and Assignments of the Tolls, and Tickets or Declarations of Trust thereof, shall be admitted in Evidence in all Courts, and by all Judges, Justices, and others.

Accounts to be open to the Inspection of the Trustees and Creditors.

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 direct Books to be provided and kept by their Clerk for the Time being, in which 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 Books shall at all seasonable Times be open to the Inspection of the said Trustees, or any Creditor or Creditors of the Tolls hereby granted, without Fee or Reward; and the said Trustees and Creditors, and any or either of them, shall and may take Copies of or Extracts from the said Books, or any Part or Parts thereof respectively, without paying any thing for the same; and in case the Clerk shall refuse to permit, or shall not permit the said Trustees or such Creditors or any or either of them to inspect the same, or to take such Copies or Extracts as aforesaid, such Clerk shall forfeit and pay any Sum of Money not exceeding Five Pounds, to be levied and recovered, apportioned and applied in Manner herein-after mentioned.

Clerks, Treasurer, and General Surveyor to be appointed.

XIII. And be it further enacted, That the said Trustees at their First or any subsequent Meeting assembled, as Occasion shall require, shall appoint a Treasurer of all the said Roads, and also shall and may appoint such Clerk or Clerks and General Surveyor or Surveyors as they shall think proper; and shall and may from Time to Time remove such Treasurers, Clerks, and General Surveyors, or any of them, and on such Removal, or on the Death or Resignation of any of such Officers, shall and may appoint another or others in his or their Place or Stead; and shall and may order and direct what Salaries and Allowances shall be paid or allowed such Clerks, Accountants, and General Surveyors.

For appointing Collectors and other Surveyors.

XIV. And be it further enacted, That the said Trustees, at their First or any subsequent Meeting, shall and may appoint such Collectors and working or other Surveyors and Officers as they may think proper, and shall and may from Time to Time remove such Collectors and Surveyors, and on such Removal, or on the Death or Resignation of any of such Officers, shall and may appoint another or others in his or their Place or Stead; and shall and may, by and out of the Monies arising on the Tolls, allow and pay unto such Collectors and Surveyors, and to such other Persons as shall be aiding or assisting them in their respective Offices, or in anywise employed in the Execution of this Act, such Salaries, Rewards, and

Victuallers, &c. not to hold Places of Profit under this Act.

and Allowances as to the said Trustees shall seem reasonable: Provided always, that no Person shall be capable of being appointed to, or of taking or holding, or acting in the Execution of any Place of Trust or Profit under the said Trustees, during the Time he shall keep a Victualling House or other House of public Entertainment, or who shall sell Wine, Cider, Beer, Ale, Spirituous or other Strong Liquors by Retail; but no such Person shall be precluded from farming the Tolls by this Act granted, provided he or she shall employ some other Person or Persons to collect such Tolls, who shall not be under any such Incapacity.

Treasurer to give Security.

XV. Provided always, and be it further enacted, That the said Trustees shall and they are hereby required to take sufficient Security from every Treasurer to be appointed or continued for the Purposes of this Act, for the due and faithful Execution of his Office, before such Treasurer enters upon his Office; and if they shall so think proper, shall and may also take such Security from any other Officer to be appointed or continued under or by virtue of this Act; and if any Treasurer shall act in the Execution of his Office before he shall have given such Security as aforesaid, such Treasurer so acting shall forfeit the Sum of Fifty Pounds.

Present Officers to continue until others appointed.

XVI. Provided also, and be it further enacted, That the Clerks, Surveyors, and other Officers (save and except the Treasurer) who have been appointed under and employed in the Execution of the said former Acts hereby repealed, shall respectively continue to exercise their Offices under this Act, until they shall respectively resign or be removed or displaced by the said Trustees in Manner aforesaid, and shall be subject to the like Rules and Regulations, and Pains and Penalties in all respects whatsoever, as if they had been appointed under or by virtue of this Act.

Offices of Clerk and Treasurer not to be held by One Person.

XVII. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees to continue or appoint any Person or Persons who has or have been or may be appointed to act as their Clerk or Clerks in the Execution of this Act, or the Partner or Partners of any such Clerk or Clerks, a Treasurer for the Purposes of this Act, or to continue or appoint any Person who has been or may be appointed a Treasurer for the Purposes of this Act, or the Partner or Partners of any such Treasurer, the Clerk or Clerks to the said Trustees for executing this Act; 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 shall act as Treasurer, or being the Partner of any such Treasurer, shall act as Clerk in the Execution of 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, together with full Costs of Suit, to be recovered 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, or more than one Imparlance, shall be allowed.

Trustees to appoint temporary Collectors.

XVIII. Provided always, and be it further enacted, That when and as often as any Collector or Receiver of the Tolls under this Act shall neglect or be incapable of performing his Duty, or shall abscond or absent

absent himself, it shall be lawful for any Two or more of the said Trustees, although not assembled at a Meeting of the Trustees appointed by virtue of this Act, to discharge such Collector or Receiver; and in such Case, and also in Case any Collector or Receiver shall die, any Two or more of the said Trustees shall and may nominate and appoint a proper Person to be a Collector or Receiver of the Tolls in the Room or Stead of the Collector or Receiver who shall be so discharged or shall die, to continue until the said Trustees shall, at a Meeting to be holden in pursuance of this Act, appoint a Collector of such Tolls in his Room or Stead; which Person so nominated and appointed shall have the like Power and Authority, and shall be answerable and accountable, and removable in the same Manner, in all respects, as if he had been nominated and appointed at a Meeting held under and by virtue of this Act; and that if any Collector or Receiver of the said Tolls who shall be discharged from his said Office by virtue of this Act, or the Wife or Widow, or any of the Children, Family, or other Representatives of any Collector or Receiver who shall die or be discharged, or any other Person, shall refuse to deliver up the Possession of any Toll Gate or Toll House, or Building, or the Appurtenances, to be continued, erected, or set up by virtue of this Act, for the Space of Two Days after Demand thereof made, and Notice in Writing given for that Purpose, by any Two or more of the said Trustees (although not assembled at a Meeting), or by their Clerk for the Time being; or if any Lessee or Farmer of any of the Tolls granted by this Act shall retain and keep Possession of any such Toll Gate, or Toll House, or Buildings, or the Appurtenances, after the End or Expiration of his, her, or their Lease or Term therein, then and in any of the said Cases it shall be lawful for any Justice of the Peace for the said County, upon Application or Demand made by the said Trustees, or by any Person by them appointed on their Behalf, by Warrant under his Hand and Seal, to order any Constable or other Peace Officer for the same County, with such Assistance as shall be necessary, to enter such House or Building in the Day-time, and to remove the Person or Persons who shall be found therein, together with his, her, or their Goods out of the same, and to put the said Trustees, or any Person they shall appoint for that Purpose, into Possession of such Toll Gate or Toll House, or Building and Appurtenances.

Officers to account.

XIX. And be it further enacted, That every Officer and other Person who shall be appointed or continued under or by virtue of this Act, shall from Time to Time, when thereunto required by the said Trustees, make out and deliver to such Trustees, or to such Person or Persons as they the said Trustees shall for that Purpose appoint, a true and perfect Account in Writing, under his or her Hand, of all Monies which shall have been by him or her collected or received, and how, and to whom, and for what Purpose the same and every Part thereof hath been disposed of, together with the Vouchers and Receipts for such Payments; and every such Officer and Person shall, and he or she is hereby required to pay all such Monies as upon the Balance of such Account shall appear to be owing from him or her, to such Person or Persons as the said Trustees shall appoint to receive the same; and if any such Officer or Person shall refuse or neglect to render and deliver such Account as aforesaid, or to produce and deliver up the Vouchers and Receipts relating to the same, or to pay the Balance thereof when thereunto required, in

Manner

Manner aforesaid, or shall neglect or refuse to deliver up to the said Trustees, or to such Person or Persons as they shall in Manner aforesaid appoint, within Ten Days after being thereunto required by the said Trustees, all Books, Papers, and Writings in his, her, or their Custody or Power, relating to the Execution of this Act, then and in every such Case Complaint being made by the said Trustees, or by any other Person or Persons on their Behalf, of any such Neglect or Refusal, to any Justice of the Peace for the County or Place where the Officer or Person so neglecting or refusing shall live or reside, such Justice is hereby authorized and required, by Warrant under his Hand and Seal, to cause such Officer or Person to be brought before him, and upon his or her appearing or not being to be found, to hear and determine the Matter of such Complaint in a summary Way, and to settle the said Account, if produced, in such Manner as the said Trustees might have done; and if upon the Confession of the Officer or Person against whom such Complaint shall be made, or by the Oath or Oaths of any Witness or Witnesses, or upon the said Account, if produced, it shall appear to such Justice that any of the Monies which shall have been collected or received shall be in the Hands of or owing from such Officer or Person, such Justice may and he is hereby authorized upon Nonpayment thereof, by Warrant under his Hand and Seal, to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Officer or Person respectively; and if no Goods or Chattels can be found sufficient to answer and satisfy the said Monies, and the Charges of taking and making such Distress and of selling the same, or if such Officer or Person shall not appear (without sufficient Excuse) before such Justice at the Time and Place appointed for that Purpose, or if appearing, shall refuse or neglect to make out and deliver to the said Justice such Account in Writing as aforesaid, or to produce and deliver up to the said Justice the several Vouchers and Receipts relating to such Account, or to deliver up as aforesaid all such Books, Papers, and Writings as aforesaid, then and in any of the Cases aforesaid, the said Justice is hereby authorized and required, by Warrant under his Hand and Seal, to commit such Officer or Person to the Common Gaol or House of Correction of the County or Place where he or she shall live or reside, there to remain without Bail or Mainprize until he or she shall have delivered in and settled such Account as aforesaid, and shall have delivered up the Vouchers and Receipts relating thereto, and shall have paid all the Money which shall appear to be in the Hands of or owing from him or her, and the reasonable Charges of such Distress and Sale (if any) as shall in that respect have been made, or until he or she shall have compounded with the said Trustees for such Money and Charges, and paid the Composition Money to the said Trustees, or to such Person or Persons as they shall appoint to receive the same (and which Composition the said Trustees are hereby authorized and empowered to make), and shall have delivered up as aforesaid such Books, Papers, and Writings as aforesaid, or have given Satisfaction in respect thereof to the said Trustees: Provided always, that no such Person who shall be committed for Want of sufficient Distress only, shall be detained in Prison by virtue of this Act for any longer Time than Six Calendar Months.

Books, Monies, and Effects under the former

XX. And be it further enacted, That every Person who shall have been employed to receive, or who shall have received any Tolls or other Monies under or by virtue or on account of the said former Acts hereby repealed,

repealed, or shall have in his or her Custody or Possession any Vouchers, Books, Accounts, Papers, Writings, or other Things relating to the said Roads hereby intended to be repaired, or any of them, shall account for and deliver the same to the said Trustees, or to any Person or Persons appointed by them for that Purpose, in the like Manner and under the like Penalties as is herein-before directed with respect to any Officer or Person appointed under or by virtue of this Act.

Acts to be dellvered up to the Trustees.

XXI. And be it further enacted, That the said Trustees may sue and be sued in the Name or Names of any One or more of them, or in the Name or Names of their Clerk or Clerks for the Time being; and that no Action or Suit to be brought or commenced by or against the said Trustees, or any of them, by virtue of this Act, in the Name or Names of One or more of them, or in the Name or Names of their Clerk or Clerks, shall abate or be discontinued by the Death or Removal of such Trustee or Trustees, or such Clerk or Clerks, or by the Act of such Trustee or Trustees, Clerk or Clerks, without the Consent of the said Trustees; but that the Trustee or Trustees, or Clerk or Clerks for the Time being to the said Trustees, shall always be deemed to be the Plaintiff or Plaintiffs, Defendant or Defendants (as the Case may be) in every such Action or Suit: Provided always, that every such Trustee or Trustees, or Clerk or Clerks, shall be reimbursed and paid out of the Monies to be received by virtue of this Act, all such Costs, Charges, and Expences as he or they shall be put unto, or become chargeable with or liable to by reason of his or their being so made Plaintiff or Plaintiffs, Defendant or Defendants.

Trustees may sue and be sued in the Name of their Clerk.

XXII. And be it further enacted, That no Person shall be deemed incompetent to give Evidence or be disqualified from giving Testimony or Evidence in any Action, Suit, Prosecution, or other legal Proceedings to be brought or had in any Court of Law or Equity whatsoever, or before any Justice or Justices of the Peace under or by virtue of this Act, by reason of his being a Trustee of the said Roads, or a Mortgagee or Creditor of the Tolls by this Act granted, or a Farmer, Lessee, or Collector or Receiver of the said Tolls, or by reason of being a Treasurer, Clerk, Surveyor, or other Officer under this Act, or an Inhabitant of any Parish, Township, Tithing, Hamlet, or Place whatsoever, through which the said Roads do or shall pass.

Trustees, Officers, &c. not incompetent Witnesses.

XXIII. And be it further enacted, That the present Toll Gates, with the Toll Houses and Appurtenances on the said several Roads, shall or may be continued until removed by Order of the said Trustees at any of their Meetings; and the said Trustees shall and may, as they shall think proper, continue or remove all or any of the Turnpikes or Toll Gates or Bars already erected on the said Roads, and also may erect and set up, or cause to be erected and set up, any other Turnpike or Turnpikes, Toll Gate or Gates, Bar or Bars, Chain or Chains, in, upon, or across any Part or Parts of the Roads by this Act intended or authorized to be repaired or made, and upon the Side or Sides thereof, and also in, upon, or across any Lane or Way leading into or out of the same respectively; and may also continue, erect, or provide a Toll House, with suitable Outbuildings and Conveniences, at or near each or any such Toll Gate, and may from Time to Time afterwards remove, alter, or discontinue such Toll Gate or Toll Houses, or any of them, as they the said Trustees shall think expedient;

Power to erect Toll Gates and Toll Houses.

pedient; and also may take in and inclose from the Sides of the said Roads convenient Garden Spots for the said Toll Houses respectively, not exceeding One-eighth Part of an Acre to each Toll House.

Lamps to be placed at Toll Houses.

XXIV. And be it further enacted, That it shall and may be lawful for the said Trustees from Time to Time to order and direct One or more Lamp or Lamps to be placed or erected on or against or in front of each and every of the Toll Houses to be continued or erected by virtue of this Act, as they the said Trustees shall think proper, and also to order and direct at what Times of the Year, and during what Hours such Lamps, or any of them, shall be kept lighted; and all and every Toll Collectors and Collector appointed by the said Trustees, and also all and every Lessees or Farmers, Lessee or Farmer of the Tolls authorized by this Act to be taken and collected, and all and every Persons and Person appointed by any such Lessees or Farmers, Lessee or Farmer, who shall neglect or omit to observe and fulfil the Orders of the said Trustees, in respect to the keeping and lighting of such Lamps, shall forfeit and pay any Sum not exceeding Forty Shillings for every such Neglect or Omission.

Toll Gates, Toll Houses, &c. vested in the Trustees.

XXV. And be it further enacted, That the Right and Property of and in all the Turnpikes, Toll Gates, and Toll Houses, and the several Conveniences and Appurtenances thereunto belonging, already erected or made upon or by the Side or Sides of the said Roads, or which shall be erected or made by virtue of this Act, and in all Materials for building or repairing the same, and for repairing or making the said Roads or any Part thereof, and Milestones or Direction Posts already set up or erected or hereafter to be set up or erected on or by the Side or Sides of the said Roads, and all other Materials, Articles, and Things which have been provided for the Purposes of the former Acts hereby repealed, or which shall be purchased, collected, or provided for the Purposes of this Act, shall be vested in the Trustees for carrying this Act into Execution; and they the said Trustees are hereby authorized and empowered to sell and dispose of the same as they shall think proper, and to bring or cause to be brought any Action or Actions, or to prefer or cause to be preferred and prosecuted any Bill or Bills of Indictment against any Person or Persons who shall without Right keep Possession of any such House or Appurtenance, or shall break down or damage, steal or take away, spoil, injure, or destroy any of the Turnpikes, Toll Gates, Toll Houses, Conveniences, Appurtenances, Materials, Articles, or Things, or disturb the Trustees or their Agents or Servants in the Possession thereof; and in all such Actions and Proceedings whatsoever, whether civil, criminal, or otherwise, it shall be sufficient to state generally, that the Article or Articles, Thing or Things for or in respect of which such Actions and Proceedings shall be brought and preferred, is or are the Property of "The Trustees for repairing and improving the several Roads leading to the Town of *Bridgewater*;" and that in all Disputes, Suits, or Litigations, touching or in anywise relating to the Tolls or Duties hereby granted, no Person or Persons shall be incompetent to give Testimony or Evidence therein by reason only of being a Trustee or Trustees, or Collectors of the Tolls, Clerks, Treasurers, Surveyors, or other Officers or Servants, or other Persons employed by or under the said Trustees, or any Inhabitant or Inhabitants of any Township, Parish, or Place through which the said Roads do or shall pass.

XXVI. And

Power to take Tolls.

XXVI. And be it further enacted, That it shall be lawful for the said Trustees, or any Person or Persons continued or to be appointed by virtue of this Act Collector or Collectors as aforesaid, to demand and take at each and every Turnpike or Toll Gate continued or to be erected by virtue of this Act, and from the Owner or Owners of or Person or Persons using, leading, driving, or attending any Horse, Beast, Cattle, or Carriage, before any such Horse, Beast, Cattle, or Carriage, shall be permitted to pass through the same (subject to the Provisions and Restrictions herein-after contained), the following Sums or Tolls, or such Sums or Sum not exceeding the following Sums or Tolls respectively, as the said Trustees at any of their Meetings shall appoint and order; (that is to say),

Tolls.

For every Horse or other Beast, drawing any Coach, Barouche, Sociable, Berlin, Chariot, Landau, Chaise, Calash, Chair, Phaeton, Caravan, Taxed Cart, Hearse, Litter, or other such light Carriage (except Stage Coaches), a Sum not exceeding the Sum of Four-pence Halfpenny:

For every Horse or other Beast, drawing any Stage Coach, licensed to carry in the whole, Inside and Outside, not more than Nine Passengers, a Sum not exceeding the Sum of Four-pence Halfpenny:

For every Horse or other Beast, drawing any Stage Coach, licensed to carry in the whole, Inside and Outside, more than Nine and not exceeding Sixteen Passengers, a Sum not exceeding the Sum of Sixpence:

For every Horse or other Beast, drawing any Stage Coach, licensed to carry in the whole, Inside and Outside, more than Sixteen Passengers, a Sum not exceeding the Sum of Eight-pence:

For every Horse or other Beast, drawing any Caravan, Tilted Waggon, Tilted Cart, or other Carriage, employed in carrying Passengers for a Fare, a Sum not exceeding the Sum of Four-pence Halfpenny:

For every Horse or other Beast, drawing any Waggon, Wain, or Cart, or other such Carriage, drawn by not more than Two Horses, Oxen, or other Beasts of Draught, a Sum not exceeding the Sum of Four-pence Halfpenny; and drawn by Three or Four Horses, Oxen, or other Beasts of Draught, a Sum not exceeding the Sum of Sixpence; and drawn by a greater Number than Four Horses, a Sum not exceeding the Sum of Nine-pence:

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

For every Drove of Oxen or other Neat Cattle, a Sum not exceeding the Sum of Ten-pence *per* Score; and so in proportion for any less Number:

For every Drove of Calves, Swine, Hogs, Sheep, or Lambs, a Sum not exceeding the Sum of Five-pence *per* Score; and so in proportion for any less Number:

For every empty Coach, Chaise, Waggon or Wain, Cart or Dray, or other similar Carriage, drawn at the Tail of any Waggon, Cart, Dray, or other Carriage, the Sum of Nine-pence: And,

For every Stage Coach or other public Carriage, having more Passengers than the same is licensed to carry, or having a greater Weight of Luggage upon the Top of the same than is authorized by Law, or having Passengers riding upon the Top of such Luggage, Double the Toll otherwise chargeable upon the Horses drawing such Coach or other Carriage.

And

Upon Payment of Tolls, Collector to deliver a Ticket, specifying the Gates freed by such Payment.

And upon Payment of any of the said Tolls, the Collector or Receiver shall and he is hereby required to deliver *gratis*, to the Person paying such Toll, a Note or Ticket denoting such Payment; and all such Notes or Tickets shall be provided by the said Trustees or their Lessees, and there shall be printed and specified thereon the Name of the Gates at which the Toll is received, and of the Gate or Gates which shall be freed by such Payment, and also the Name of the Gate at which the Ticket is delivered.

Table of Tolls to be put up.

XXVII. And be it further enacted, That a Table of the Tolls payable under this Act shall be affixed on all the Toll Houses erected or to be erected on the said Roads, and the Name of the Turnpike Gate adjoining thereto respectively shall be placed over the said Table of Tolls.

Two Oxen to be considered as One Horse.

XXVIII. Provided always, and be it further enacted, That in all Cases where Oxen or other Neat Cattle shall be used in drawing any Waggon, Wain, Cart, or other such Carriage, every Two of such Oxen or Neat Cattle shall, for the Purposes of this Act, as far as regards the Payment of Tolls, be considered as One Horse.

Additional Toll on Timber Carriages.

XXIX. And be it further enacted, That between the First Day of *November* in every Year, and the First Day of *March* in the succeeding Year, except in the Time of a hard Frost, it shall be lawful for the said Trustees and they are hereby authorized and empowered to demand and take, or cause to be demanded and taken, at each and every Gate or Toll Bar erected or to be erected on the said Roads, an additional Toll equal to One Half of the Toll there liable to be paid for every Horse or other Beast of Draught (Two Oxen being considered equal to One Horse) which shall be employed in drawing any Carriage laden with any Timber Tree or Trees; and that Carriages employed in the Conveyance of Stone or Stones for any Purpose whatever within the said Period, except for the Repairs of any Public Highway, Road, or Bridge, shall be liable to an additional Toll for every Horse or Beast of Draught (subject as aforesaid) employed therein, equal to One Half of the additional Toll as above payable for Horses or other Beasts of Draught drawing any Timber Tree or Trees whatever; any thing contained in any Law or Statute to the contrary hereof in anywise notwithstanding.

Limiting the Number of Payments at each Turnpike for the same Horse, &c. in one Day.

XXX. Provided always, and be it further enacted, That no Person shall be subject to the Payment of Toll more than Once in any one Day (the Day to be computed from Twelve of the Clock in one Night to Twelve of the Clock in the next succeeding Night) for passing and repassing with the same Horse or Horses, Beasts or Cattle through the same Turnpike, except as herein-after mentioned, such Person or Persons producing a Note or Ticket denoting the Payment of such Toll, and which Note or Ticket the Collectors of the Tolls are hereby required to deliver *gratis* on Payment of the Toll as herein-before mentioned.

Stage Coaches, &c. to pay every Time of passing.

XXXI. Provided nevertheless, and be it further enacted, That the said Tolls shall be payable for or in respect of all Stage Coaches and other such public Carriages, licensed or not licensed, for every Time of passing and repassing through the same Turnpike on the same Day (the Day to be com-

puted as aforesaid); and that the said Tolls shall be payable for or in respect of all Post Chaises and other Carriages travelling for Hire, for passing and repassing through the same Turnpike on the same Day (the Day to be computed as aforesaid), upon every Time of a new Hiring of such Post Chaises or Carriages last-mentioned, on a Ticket being produced denoting a new Hiring.

Exempting Return Chaises and Post Horses from Payment of Toll for repassing, &c.

XXXII. Provided always, and be it further enacted, That all Horses travelling for Hire, and drawing or having drawn any Chaise or other Carriage, for which any Toll shall have been paid at any Turnpike erected or to be erected on the said Roads, shall, on returning without a Ticket denoting a fresh Hiring being produced, be permitted to repass Toll-free, although such Horses, Chaise, or Carriage shall not have passed through such Turnpike on the same Day.

Waggons, &c. allowed Privileges and Exemptions granted by 55 G. 3. c. 119.

XXXIII. Provided always, and be it further enacted, That every Waggon, Wain, Cart, or other such Carriage (in respect whereof, or of the Horses or other Beasts drawing the same, the Tolls hereby granted are made payable), having the Wheels of the Width and Description and the Axletrees fixed as mentioned and set forth in and by an Act passed in the Fifty-fifth Year of the Reign of His late Majesty King *George* the Third, 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*, shall be entitled to and have and enjoy the Privileges and Exemptions granted by the said Act, in Manner therein mentioned.

Carriages to be weighed.

XXXIV. And whereas no Cart or other Carriage drawn by One Horse or Two Oxen at present is subject to be weighed, and great Injury is done to the aforesaid Roads from the heavy Loads carried thereby; be it therefore enacted, That it shall be lawful for the said Trustees to order or cause any and every such Cart or other Carriage, although the same shall be drawn only by One Horse or Two Oxen, to be weighed at any Weighing Engine now or hereafter to be erected upon any Part of the said Roads; and in case any such Cart or other Carriage, with the Lading thereof, shall exceed One Ton Weight in Summer or Fifteen Hundred Weight in Winter (the same to be computed as in an Act passed in the Thirteenth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act to explain, amend, and reduce into One Act of Parliament, the general Laws now in being for regulating the Turnpike Roads in that Part of* Great Britain *called* England, *and for other Purposes*, is specified), to cause to be demanded and taken such Sum of Money for Overweight as would have been payable by virtue of the said Act of the Thirteenth Year of His said late Majesty, or any subsequent Act made for altering or amending the same Act, in case such Cart or other Carriage had been drawn by more than One Horse or Two Oxen; and which Sum of Money shall be recoverable in like Manner as by the said Act is directed with respect to the Sums thereby made payable for Overweight of Lading. 13 G. 3. c. 78.

Collectors and Lessees of the Tolls to weigh Materials for repairing the Roads gratis.

XXXV. And be it further enacted, That every Collector or Lessee of the Tolls payable at any Turnpike Gate or Toll Gate already erected or hereafter to be erected on the said Roads, having attached to his or her Turnpike Gate or Toll Gate any Weighing Engine or Weighing Engines, shall and he is hereby required (on Demand made by any One or more of the

the said Trustees, or by the Clerk, Treasurer, Surveyor, or other Person or Persons acting under the Authority of the said Trustees, at any of their Meetings, or by the Surveyor or Waywarden of any Parish or Place through which the said Roads pass) to weigh any Cart or other Carriage, together with any Stone, Sand, Gravel, or other Materials intended for the Repairs of the said Roads, that shall be produced or tendered to be weighed, free of any Expence whatsoever; and shall further (if required) certify the Weight of such Stone, Sand, Gravel, or other Materials, by Writing under his or her Hand, to the Party requiring such Stone, Sand, Gravel or other Materials to be weighed; and if such Toll Collector, or other Person duly authorized to collect Tolls as aforesaid, shall refuse or neglect to weigh such Stone, Sand, Gravel, or other Materials, or to certify the Weight thereof on Demand made as aforesaid, then and in either of such Cases such Person so offending shall forfeit and pay any Sum of Money not exceeding Forty Shillings for every such Offence, as the Justice or Justices before whom the Information shall be laid shall adjudge; and such Penalty shall be paid and applied as other Penalties are by this Act directed to be recovered, paid, and applied.

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

XXXVI. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees, or their Collector or Collectors, to demand or take, or cause to be demanded or taken, more than One full Toll upon each of the Branches or Lines of Road herein-after mentioned, save and except the additional or exclusive Toll upon the new Road, lying between the Eastern Toll House of *Bridgewater* aforesaid and *Pawlett Common*, herein-after authorized to be taken and collected, for or in respect of the same Horses, Cattle, or Carriages, for passing in any One Day (to be computed as aforesaid) along the whole Branch or Line of Road; (that is to say), on the *Bristol* Branch between *Bridgewater* and *Brent*, the *Bath* Branch between *Bridgewater* and *Piper's Inn*, the *Westonzoyland* Branch between *Bridgewater* and *Langport Bridge*, the *Taunton* Branch between *Bridgewater* and *Creech Saint Michael*, the *Enmore* Branch between *Bridgewater* and *Bishop's Lydiard*, and the *Stowey* Branch between *Bridgewater* and *Nether Stowey*.

To prevent Evasion of Tolls.

XXXVII. And be it further enacted, That the said Trustees shall and may cause Fences and Ditches to be erected and made upon or over such Parts of any Commons, Waste Grounds, or Common Fields, over or by the Sides whereof any Part or Parts of the said respective Roads do or shall lead, as they shall think necessary, in order to prevent Payment of Toll being avoided, not exceeding in length Half a Mile on either Side of any Turnpike Gate to be continued or erected by virtue of this Act; and if any Person or Persons shall pull down or otherwise displace or carry away any such Fence or any Part thereof, or shall fill in or spoil any such Ditch, every such Person shall for every such Offence forfeit and pay a Sum not exceeding Five Pounds, over and above any Damages which may be thereby occasioned.

Penalty on evading Tolls.

XXXVIII. And be it further enacted, That if any Person or Persons shall ride, drive, go, or pass with any Horse, Beast, Cattle or Carriage, through or over any Gate, private Passage, Lane, Ground or Place lying by the Side of or near to any Part of the said Roads (except the Owner or Occupier of such Land or other Premises, or any of his, her, or their

Family or Servants); or if any Person or Persons owning or occupying any Land or Ground, or Place situate as aforesaid (the same not being a public Highway or Road), shall knowingly or willingly permit or suffer any other Person or Persons (except as aforesaid) to go or pass with any Horse, Beast, Cattle or Carriage through or over such Gate, private Passage, Land, Ground or Place, in order or with Intent thereby to evade the Payment of the said Tolls or any Part thereof; or if any Person or Persons shall forcibly or fraudulently pass through any such Turnpike or Toll Gate with any Horse or other Cattle or Beast without Payment of Toll; or if any Person claiming any Exemption from the Payment of the Tolls hereby granted, or any Part thereof, shall refuse or decline to give his or her Name and Place of Residence to the Collector or Collectors of the Tolls at any Gate or Gates at which such Exemption shall be claimed, or shall give a false Name or Place of Residence, all and every such Person or Persons shall for each and every such Offence forfeit and pay any Sum not exceeding Five Pounds, to be recovered in such Manner as herein-after provided for the Recovery of Penalties and Forfeitures, One Moiety whereof, when raised, shall be paid to the Informer, and the other Moiety to the Treasurer of the Road on which the Penalty shall be incurred, to be applied to the Purposes of this Act.

For securing Payment of the Tolls for any additional Horses sent on to any Carriage on any Part of the Road.

XXXIX. And be it further enacted, That if any Person or Persons who shall pass through any Turnpike or Toll Gate erected or continued by virtue of this Act, with any Carriage drawn by One or more Horse or Horses or other Beast or Beasts of Draught, shall put any additional Horse or Beast to any such Carriage for the Purpose of drawing such Carriage on any Part of the said Roads, and shall have removed and taken away such additional Horse or other Beast before passing through such Turnpike or Toll Gate; or if any Person or Persons shall, after passing through any such Turnpike or Toll Gate, put any such additional Horse or other Beast to any such Carriage for the Purpose of drawing such Carriage on any Part of the said Roads, then and in either of such Cases the Tolls granted by this Act shall be payable for every such additional Horse or other Beast, in the same Manner as if such additional Horse or other Beast had been employed in drawing such Carriage when passing through any such Turnpike or Toll Gate; and if the Person or Persons driving such Carriage shall, upon passing through any such Turnpike or Toll Gate, neglect to pay or tender the Toll so payable in respect of such additional Horse or Horses, Beast or Beasts, such Person or Persons, or the Owner or Owners of such Carriage, shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, to be recovered in such Manner as herein-after provided for Recovery of Penalties and Forfeitures, One Moiety whereof when raised shall be paid to the Informer, and the other Moiety to the Treasurer of the Road on which the Penalty shall be incurred.

Vesting the Tolls in the Trustees, and for the Recovery thereof.

XL. And be it further enacted, That the respective Sums of Money hereby authorized to be taken as aforesaid, shall be demanded and taken in the Name of or as Tolls, and shall be and are hereby vested in the said Trustees, and shall be applied as herein-after is directed; and if any Person subject or liable to the Payment of any of the said Tolls shall, after Demand thereof made, neglect or refuse to pay the same, or any Part or Parts thereof, it shall be lawful for the Person or Persons authorized and appointed to collect such Tolls as aforesaid, by himself, herself, or

or themselves, or taking such Assistance as he, she, or they shall think necessary, to seize and distrain any Horse, Beast, Cattle, Carriage, or other Thing upon or in respect of which any such Toll is hereby imposed, together with their respective Bridles, Saddles, Gears, Harness, or Accoutrements (except the Bridle or Reins of any Horse or other Beast separate from the Horse or Beast), or any Carriage in respect of the Horses or Cattle drawing the Carriage on which such Toll is imposed, or any of the Goods or Chattels of the Person or Persons so neglecting or refusing to pay; and if the Toll or any Part thereof so neglected or refused to be paid, and the reasonable Charges of such Seizure and Distress, shall not be paid within the Space of Four Days next after such Seizure and Distress made, the Person or Persons so seizing and distraining may sell the Horse, Beast, Cattle, Carriages, or Things so seized and distrained, or a sufficient Part thereof, returning the Overplus of the Money to arise by such Sale (if any), and what shall remain unsold, upon Demand, to the Owner thereof, after such Tolls and the reasonable Charges occasioned by such Seizure, Distress, and Sale shall be deducted.

Disputes concerning Tolls to be settled by a Justice.

XLI. And be it further enacted, That if any Dispute or Disputes shall happen respecting the demanding or taking, or the Payment of Toll, or about the Amount of Toll due, or the Charges of keeping or selling any Distress, such Dispute or Disputes shall be heard and determined by some Justice of the Peace for the County or Place wherein the Cause of Dispute shall arise, who, upon Application made to him for that Purpose, shall examine the Matter on Oath of the Parties or other Witness or Witnesses (which Oath such Justice is hereby authorized and empowered to administer), and shall determine the Amount of the Toll due, and other Matters in Dispute between the Parties, and may also award such Costs to be paid by either Party to the other as to such Justice shall seem just and reasonable; all such Costs, in case the same shall not be forthwith and upon Demand paid, shall and may be levied and recovered by Distress and Sale of the Goods and Chattels of the Person or Persons so awarded or directed to pay the same, by Warrant under the Hand and Seal of such Justice (which Warrant every such Justice is hereby empowered to issue), and the Overplus (if any), after Payment of such Costs, and the Costs of such Distress and Sale, shall be returned upon Demand to the Person or Persons whose Goods and Chattels shall have been so distrained.

Exempting the Royal Family from Toll.

XLII. And be it further enacted, That this Act shall not extend, or be construed to extend, to charge with Toll any Horses or Carriages attending His Majesty or any of the Royal Family.

Exemptions from Toll.

XLIII. Provided always, and be it further enacted, That no Toll shall be demanded or taken by virtue of this Act of or from any Person or Persons for any Horse or Horses, or other Beast or Cattle, or for any Waggon, Wain, Cart, or other Carriage employed in carrying or conveying, or going empty to fetch, carry, or convey, or returning empty from carrying or conveying, having been employed only in carrying or conveying on the same Day, any Stones, Bricks, Timber, Wood, Gravel, or other Materials for making or repairing the said Roads, or any of the

Roads

Roads within any Parish, Township, Chapelry, Hamlet, or Place in which any Part of the said Roads lies, or for rebuilding, building, or repairing any present or any future Bridge or Bridges on the said Roads, or of or from the General Surveyor or working Surveyors, or any other Person or Persons when engaged in executing the Powers of this Act; or in carrying or conveying any Seed for seeding the Ground, or Hay, Grass, Sainfoil, Fodder, Rushes, Straw, or Pulse in the Straw only, Turnips, or Potatoes, or Milk for the Use of the Owner and not for Sale, or not sold or disposed of, but passing to be laid up or placed in the Houses, Barns, Outhouses, or Yards, or on the Lands of the Owners thereof, or for the Use of the Owners thereof; or for any Horse, Beast, or other Cattle or Carriage employed in carrying or conveying, or going empty to fetch, carry or convey, or returning empty from carrying or conveying, having been employed only in carrying or conveying on the same Day, any Ploughs, Harrows, or Implements of Husbandry (unless laden also with some other thing not hereby exempted from Toll), or any Mould, Dung, Soil, Marl, Manure, or Compost employed in Husbandry for manuring or improving Land; or for any Horses or other Beasts going to or returning from Plough or Harrow, or to or from Pasture or Watering Place, or going to be or returning from being shoed or farried; and that no Toll shall be demanded or taken by virtue of this Act, of or from any Person or Persons residing in any Parish, Township, or Hamlet in which any of the said Roads lie, going to or returning from his, her, or their proper Parochial Church or Chapel, or from any Person or Persons going to or returning from his, her, or their usual Place of Religious Worship tolerated by Law, on *Sundays*, or on any other Day on which Divine Service is by Authority ordered to be celebrated; or going to or returning from attending the Funeral of any Person who shall die and be buried in any Parish, Township, or Hamlet in which any Part of the said Roads lies, at any Gate or Gates situate within the Distance of Ten Miles of the Residence of such Person or Persons; or from any Clergyman going to or returning from officiating at any Parish Church, or other Place of Divine Worship, or going to visit or returning from visiting any sick Person, or on other his Parochial or Ministerial Duty; or for any Horse, Beast, Cattle, or Carriage which shall cross the said Roads only, or shall not pass more than One hundred Yards thereon; or for any Horses 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 Postmaster General, either when employed in conveying, fetching, or guarding such Mails or Expresses, or in returning back from conveying the same; or for the Horse or Horses of any Officers or Soldiers on their March or on Duty, or for any Horse or Horses, or other Beast, or any Cart, Carriage, or Waggon employed in carrying or conveying, or returning empty from carrying or conveying, having been employed only in carrying or conveying the Arms or Baggage of any such Officers or Soldiers, or employed in carrying or conveying, or returning empty from having been employed only in carrying or conveying any sick, wounded, or disabled Officers or Soldiers; 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 or 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 from having been so employed; or for any

Carriage conveying Volunteer Infantry; or for any Horse, Mare, or Gelding furnished by or for any Person belonging to any Corps of Yeomanry or Volunteer Cavalry or Infantry, and rode by him in going to or returning from any Place appointed for and on the Days of Exercise, Inspection, or Review, or on other Public Duty, provided that such Person shall be dressed in the full Uniform of his Corps, and shall have his Arms, Furniture, and Accoutrements according to the Regulations of such Corps at the Time of claiming the Exemption; or for Horses, Carts, or Waggons employed only in carrying or conveying Vagrants sent by legal Passes, or Prisoners in Custody under any legal Warrant, or returning empty after having been only so employed; or for any Horse or Horses, Coaches or other Carriages going to or returning 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 shall by any fraudulent or collusive Means whatsoever claim or take the Benefit of any of the Exemptions aforesaid, 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 be paid to the Informer, and the other Moiety to the Treasurer of the Roads on which the Penalty shall be incurred, and shall be applied to the Purposes of this Act; and in all Cases the Proof of Exemption shall be upon the Person claiming the same.

Discontinuance of certain Exemptions in certain Cases.

XLIV. Provided always, and be it further enacted, That none of the Exemptions herein-before granted for or in respect of any Horse, Cattle, or other Beast drawing any Waggon, Wain, Cart, or other Carriage, carrying or conveying any Mould, Dung, Soil, Marl, Manure, or Compost, or Materials to be used or employed for manuring or improving of Land, shall be allowed, between the First Day of *October* and the First Day of *April* in any Year, unless the Sole or Bottom of the Fellies of all the Wheels of such Waggon, Wain, Cart, or other Carriage shall be of the Breadth of Six Inches, or of Nine Inches, or of Sixteen Inches or upwards, and be cylindrical; (that is to say), of the same Diameter on the Inside next the Carriage as on the Outside, so that when such Wheels shall be rolling on a flat or level Surface, the whole Breadth thereof shall bear equally on such flat or level Surface; and provided that the opposite Ends of the Axletrees of such Waggon, Wain, Cart, or other Carriage, so far as the same shall be inserted in the respective Naves of the Wheels thereof, shall be horizontal, and in the Continuance of One straight Line, without forming any Angle with each other, and so that in each Pair of Wheels belonging to such Carriage, the lower Parts, when resting on the Ground, shall be at the same Distance from each other as the upper Parts of such Pair of Wheels.

Exempting Carriages conveying King's Stores, &c. from Penalties for Overweight.

XLV. 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, or Barrack, or 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, or the Horse or Horses drawing the same, while so employed, be stopped or detained by reason of any Weight in

any

any such Waggon, Wain, Cart, or other Carriage, or of being drawn by any Number of Horses or Oxen; but it shall be lawful for the 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.

Tolls may be lessened.

XLVI. And be it further enacted, That it shall be lawful for the said Trustees, at any Meeting or Meetings to be held from Time to Time for that Purpose, and they are hereby empowered, to lessen or reduce all or any of the Tolls by this Act granted, and for such Time or Times as they the said Trustees, at any such Meeting or Meetings, shall think proper; and from Time to Time afterwards to advance all or any of the Tolls so lessened or reduced, to any Sum or Sums of Money not exceeding the respective Tolls granted by this Act, or now made payable by any Act or Acts of Parliament now in force and effect with respect to Overweight; and such reduced Tolls shall and may be collected, and levied and applied, in such and the same Manner as the Tolls hereby granted are directed to be collected, levied, and applied: Provided always, that it shall not be lawful to reduce the said Tolls without the Consent of Five-sixth Parts in Value of the Creditors on the said Tolls respectively; and that no such Meeting shall be held for the Purpose of lessening, reducing, or advancing all or any of the said Tolls, unless Twenty Days previous Notice at the least shall be given thereof in Writing, to be affixed upon all the Turnpikes or Toll Gates which shall then be erected on the said Roads.

Tolls not to be reduced without the Consent of Five-sixth Parts in Value of the Creditors.

Tolls may be compounded for.

XLVII. And be it further enacted, That it shall be lawful for the said Trustees, from Time to Time to compound, for any Term not exceeding One Year at any one Time, with any Person or Persons, for any Carriage or Carriages, Horses, Beasts, or Cattle travelling on the said Roads, for all or any of the said Tolls to be paid in respect of such Carriage or Carriages, Horses, Beasts, or Cattle; and such Composition Money shall be paid in advance quarterly, and in default thereof the Composition shall be void.

Trustees may lease the Tolls.

XLVIII. And be it further enacted, That the said Trustees shall be and are hereby empowered, after giving Seven Days Notice thereof in One or more of the Public Newspapers printed or circulated in the said County of *Somerset*, and also in Writing to be affixed upon the Turnpike, the Tolls whereof are intended to be leased, from Time to Time to lease and demise the Tolls granted by this Act, or any Part or Parts of such Tolls, and all and any of the Toll Houses and the Conveniences and Appurtenances thereunto belonging, for any Term not exceeding Three Years, upon public Bidding to the highest Bidder, and for the best Price that can be gotten for the same, payable at such Times, to such Person or Persons, in such Manner, and under such Conditions and Agreements, and with such Sureties for the Payment thereof as the said Trustees shall think fit, without being compelled to put up the said Tolls at the Sum at which they were last let, or to have any other Meeting for the Letting thereof; and in case at any Time or Times hereafter, when the said Tolls shall be put up to Auction, there shall be no Bidder or Bidders, or in case the same

shall

shall not be let at such Auction, then it shall be lawful for the said Trustees to accept a private Tender for the same, and to demise or let to farm, or agree to demise or let to farm, all or any of such Tolls at any Sum not less than the Sum at or for which they shall have been last let; and the Money arising thereby shall be applied in such Manner as the Tolls so leased are under this Act directed to be applied, any Law or Statute to the contrary thereof notwithstanding; and if the said Trustees, at any Meeting for letting the said Tolls, shall be of Opinion that a Combination exists among the Bidders to undervalue the same, they may then proceed in such Letting in such Manner as to them shall seem more likely to create a real *bonâ fide* and advantageous Competition for the same; and at all such Lettings the Trustees shall have or be entitled to One or more Bidding or Biddings for the said Tolls, either by themselves or their respective Clerk or Clerks, or Treasurer or other Person by them authorized, any thing in any Law or Statute to the contrary notwithstanding.

Lessees, or Persons appointed by them, may collect the Tolls.

XLIX. And be it further enacted, That during such Time as the Tolls or any Part or Parts thereof shall be leased, demised, or let to any Person or Persons whomsoever, it shall and may be lawful to and for the Lessee or Lessees, Farmer or Farmers thereof, or such other Person or Persons as he or they shall by Writing or Writings under his, her, or their Hand or Hands authorize or appoint, to demand and take the said Tolls so leased, demised, or farmed, with the like Powers for the Recovery thereof, to all Intents and Purposes whatsoever, as any Collector of the said Tolls continued as aforesaid, or appointed by the said Trustees, is by this Act authorized and empowered to demand, take, and recover the same; and such Lessee or Lessees, Farmer or Farmers, Collector or Collectors, or other Person or Persons as aforesaid, shall be subject to the Regulations of this Act, and to the like Pains, Penalties, and Forfeitures, and shall be liable to the like Actions and Prosecutions, as any Collector of the said Tolls continued as aforesaid, or appointed by the said Trustees, is subject or liable to.

Penalty on Renter, &c. taking greater or less Tolls.

L. And be it further enacted, That if any Lessee, Farmer, Renter, or Collector of the said Tolls, shall demand and take, or cause to be demanded and taken from any Person or Persons, any Toll not authorized by this Act to be taken, or greater or less Toll than authorized to be taken by or under this Act, or by or under any Order of the Trustees made under the Powers of this Act, such Lessee, Farmer, or Renter shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds, and also his Contract for renting the Tolls shall be declared to be vacated, if the said Trustees shall think fit to vacate the same; and every such Collector, not being the Lessee, Farmer, or Renter, shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings, such Forfeitures respectively to be recovered in Manner herein-after mentioned: Provided always, that if the Justice by or before whom the Matter or Complaint shall be heard, shall be of Opinion that the Offender had probable Grounds for such Demand and Taking, it shall be lawful for such Justice either to mitigate the said respective Penalties, or wholly to exonerate the Offender therefrom, as such Justice shall think fit.

For preventing Toll Col-

LI. And be it further enacted, That all and every Toll Collector or Collectors, being Lessee or Lessees of the said Tolls, or appointed either

either under this Act, or by the Trustees for executing the same, or by any such Lessee or Lessees, to collect the Tolls payable at any Turnpike or Toll Gate to be continued or 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 on some other conspicuous Part of the Toll House or Toll Gate immediately upon his coming on Duty, each of the Letters of such Name or Names to be at least Two Inches in Length, and of a Breadth in proportion, and painted either in White Letters on a Black Ground, or Black Letters on a White Ground, and shall continue the same so placed during the whole Time he shall 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 refuse to permit or suffer, or shall in anyways 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 Toll, and naming and specifying the Gate at which such Payment shall have been made, and also the Gate or several Gates freed by such Payment; or shall unnecessarily detain, or upon the legal Toll being paid or tendered, shall wilfully obstruct, hinder, or prevent any Passenger, Horse, Beast, Carriage, or Cattle from passing through any Turnpike or Toll Gate; or shall make use of any scurrilous or abusive Language to any Passenger or Passengers; then and in every such Case such Toll Collector shall forfeit and pay any Sum not exceeding Five Pounds for every such Offence, as the Justice or Justices before whom the Information shall be laid shall adjudge; and such Penalty shall be recovered and applied as other Penalties are by this Act directed to be recovered and applied.

Collectors from misbehaving, &c.

LII. And be it further enacted, That if any Person or Persons shall assault, interrupt, or hinder, or cause, abet, or procure to be assaulted, interrupted, or hindered any Collector of the Tolls, or the General Surveyor, or any Surveyor or Surveyors, or other Person or Persons by them or any of them or by the said Trustees appointed or employed in the Execution of this Act, every Person so offending shall for each and every such Offence forfeit and pay any Sum of Money not exceeding Five Pounds.

Penalty on obstructing Surveyors and others in the Execution of this Act.

LIII. And be it further enacted, That in case all or any of the Tolls arising by virtue of this Act shall be demised or let to farm to any Person or Persons in any Manner whatsoever, and the Lessee or Lessees, Farmer or Farmers thereof, shall neglect or refuse to perform the Terms and Conditions on which the same shall be so demised or let, or in case the Rent or Rents agreed to be paid by such Lessee or Lessees, Farmer or Farmers, shall be in arrear for the Space of Fourteen Days next after any of the Days on which the same ought to be paid pursuant to the Agreement for demising or letting thereof, or in case such Lease or Agreement shall in any other Manner become void, then and in either of such Cases it shall and may be lawful for any Justice of the Peace for the County or Place where the Toll Gate or Toll House shall be situate, and he is hereby required, upon Application made to him by the said Trustees or their Clerk or Treasurer, or any other Person authorized by Writing under the Hands

Enabling Trustees to take Possesion of Toll Houses in case of Nonperformance of Terms of the Lease.

of any Two or more of them, by Warrant under his Hand and Seal, to order any Constable or other Peace Officer, with such Assistance as shall be necessary, to enter upon and take Possession of any or every such Toll House or Toll Houses, Toll Gate, Bar, Chain, or Weighing Machine, and the Buildings, Gates, and Appurtenances thereto belonging, and to remove and put out such Lessee or Lessees, Farmer or Farmers of the Tolls arising thereat respectively from the Possession thereof, and from the Collection of such Tolls, and to give to the said Trustees or any Person acting by or under their Authority Possession thereof; and that thereupon it shall be lawful for the said Trustees (if they shall think fit) to vacate and determine the Demise of the said Tolls, or the Contract or Agreement for demising or letting the said Tolls, to such Lessee or Lessees, Farmer or Farmers, and the same shall be utterly void to all Intents and Purposes (save as to the Obligations, Covenants, or Agreements for Payment of the Rent or Rents thereby reserved, or other unperformed or broken Obligations, Covenants, or Agreements, on the Lessee's Part), as if such Demise or Agreement had never been made; and in that Case, or in case the Lease or Agreement shall otherwise become void, it shall and may be lawful for the said Trustees, in every such Case to demise or let to farm the said Tolls again to any other Person or Persons, or cause them to be collected in such and the same Manner as if no former Demise, Contract, or Agreement had been made relative thereto.

Power to borrow Money.

LIV. And be it further enacted, That if it shall appear to the said Trustees necessary or expedient to borrow or raise any Sum or Sums of Money for the Use of any or either of the said Roads, then and as often as it shall so happen it shall be lawful for the said Trustees to borrow and take up at Interest, upon the Credit of the Tolls granted by this Act, such Sum or Sums of Money as the said Trustees shall in their Discretion think fit, provided that Notice of such Meeting, and of such intended Application, be given in One or more of the public Newspapers printed or circulated in the County of *Somerset*, at least Ten Days before such Meeting; and for securing the same Monies, together with Interest, the said Trustees are hereby authorized and empowered, either at such Meeting or afterwards, by any Writing or Instrument under their Hands and Seals, or under the Hands and Seals of any Three or more of them, to assign by way of Mortgage all and singular the Tolls granted by this Act, arising on the said Roads, or on any or either of them, unto some Person or Persons in Trust for the several Persons who shall lend or advance any Money on the Credit of the said Tolls; and the Person or Persons to whom the said Tolls shall be so assigned as aforesaid shall and he and they is and are hereby required to execute and deliver to the several Persons who shall advance or lend the Monies secured by such Mortgage or Mortgages, or any Part or Parts thereof, Tickets or Declarations of Trust of the said Mortgage or Mortgages for the Amount or respective Amounts of the Sums which shall be so advanced by each Person or Persons respectively; which Tickets or Declarations of Trust may be in the Form or to the Effect following; (that is to say),

Form of the Declaration of Trust.

'To all to whom these Presents shall come, I [*or* we]
send greeting:

'WHEREAS the Tolls arising by virtue of an Act passed in the Third Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act, &c.* [*here set forth the Title of this Act*] on certain Roads in the

'said Act comprized, called were by a certain Indenture
'of Assignment by way of Mortgage, bearing Date the Day of
' assigned to me [*or* us] for securing and
'Interest thereof, after the Rate of *per Centum per*
'*Annum*: Now I [*or* we] do hereby testify and declare, in pursuance of
'the Powers and Provisions in and by the said Indenture reserved and
'contained, that the Sum of Pounds, Part of the Money
'secured by such Indenture to me [*or* us], was advanced and lent by
' and was intended and agreed to be made payable
'to or the Bearer hereof; and that my Name was
'[*or*, our Names were] made use of in the said Indenture, in Trust as to
'the said Sum of Pounds, for the said
'or Bearer hereof, who is hereby declared to be entitled to the said Sum
'of Pounds and the growing Interest thereof; and in
'case any Number, not less than in Value, of the Proprietors
'of the Declarations of Trust executed by me [*or* us] for the Money so
'as aforesaid secured, shall require the Money so advanced to be called
'in, and shall request me [*or* us] the said Executors or
'Administrators to call in the same, then I [*or* we] the said
' Executors or Administrators, shall and will use or permit to be
'used any legal Means, either in Law or Equity, in my Name [*or* our
'Names] to compel the Payment of such Money, I [*or* we] being suffi-
'ciently indemnified. In Witness whereof, I [*or* we] have hereunto set
'my Hand and Seal [*or* our Hands and Seals] the Day of
' in the Year of our Lord One thousand .'

All which said Indentures of Assignment or Mortgage, and Tickets or Declarations of Trust, shall be entered in a Book or Books to be kept for that Purpose by the Clerk or Clerks to the said Trustees.

No Priority of Mortgagees.

LV. And be it further enacted, That no Preference shall be given to any Person or Persons who hath or have heretofore advanced any Sum or Sums of Money on the Credit of the Tolls granted by the said recited Acts, or who shall hereafter advance any Sum or Sums of Money on the Credit of the Tolls granted by this Act, his, her, or their Assignee or Assigns, in respect to the Priority of the Mortgage or Assignment, or Tickets or Declarations of Trust thereof, or of advancing such Sum or Sums of Money; but that as well all Persons to whom any such Mortgages or Assignments, or Tickets or Declarations have already been made or given, as those to whom any such shall hereafter be made or given, his, her, and their Assignee or Assigns, shall (in proportion to the Sum or Sums therein mentioned) be Creditors on this Act, and in equal Degree one with another.

An Action of Ejectment may be supported by One Mortgagee.

LVI. And be it further enacted, That if any Mortgagee or Mortgagees of the said Tolls, Toll Gates, Bars, Chains, Toll Houses, and Buildings, shall seek to obtain the Possession of the said Toll Gates, Bars, Chains, Toll Houses, and Buildings, in order to pay himself, herself, or themselves the Principal Money and Interest, or any Part thereof, due to him, her, or them, it shall be competent for him, her, or them as Lessor or Lessors of the Plaintiff, and upon his, her, or their Demise only, and without uniting in such Demise the Mortgagees of the said Tolls and Premises,

Premises, to obtain such Possession; but such Person or Persons who shall obtain the Possession thereof, shall not apply the Tolls which may consequently be received by him, her, or them, to his, her, or their own exclusive Use and Benefit, but to and for the Use and Benefit of all the Mortgagees of the said Tolls, Toll Gates, Buildings, and Premises, *pari passu*, and in proportion to the several Sums which may be due to them as such Mortgagees.

Application of the Tolls and Money borrowed.

LVII. And be it further enacted, That the Tolls and all other Monies to be received by virtue of this Act, as also all the Monies which at the Time of passing of this Act shall have been raised or produced under the said former Acts hereby repealed (so far as the same relate to the Roads leading to the Town of *Bridgewater*), and shall be then undisposed of, shall be applied as herein-after mentioned; (that is to say), in the first Place, in paying and defraying all the Costs, Charges, and Expences incident to and attending the obtaining and passing of this Act; and that after the Charges and Expences of passing this Act shall have been fully discharged, then the several Tolls arising on the said several Roads respectively, and such Monies as already have been borrowed on such Tolls respectively, and all Forfeitures and other Monies arising on the same Roads respectively, shall in the next Place be applied (as herein-after mentioned) for the Use and Benefit of the said several Roads, in Manner following; that is to say, first, in paying the Interest of the Principal Monies borrowed or raised under the said former Acts (so far as the same relate to the Roads leading to the said Town of *Bridgewater*), and which may be borrowed or raised under the Powers of this Act, on the Credit of the Tolls arising on the said several Roads respectively, and subject thereto in paying the necessary Expences of such respective Roads, and of making the Alterations and Improvements thereof respectively, and of repairing and maintaining the same, and the several Parts, Branches, or Divisions thereof in repair, or to the Use and Benefit thereof, and not elsewhere, or in any other Manner; and lastly, in paying off and discharging the Principal Monies already borrowed or raised under or by virtue of the said former Acts hereby repealed, or to be by them the said Trustees borrowed under or by virtue of this Act, so far as relates to the Roads leading to the Town of *Bridgewater*, and to or for no other Use or Purpose whatsoever.

Whenever there is any Surplus above 200l. in the Treasurer's Hands, not wanted for the Repairs of the Roads, it may be applied in Discharge of the Trust Debts.

LVIII. Provided always, and be it further enacted, That whenever it shall appear to the Trustees of the said Roads, that there is in the Hands of their Treasurer or Treasurers any Balance or Sum of Money over and above the Sum of Two hundred Pounds, not wanting for the Repair or Improvement of the said Roads, or for the paying of Interest to any of the Creditors of the same respectively, or to be kept in reserve towards the Expence of any future Renewal of this Act, then and so often it shall be lawful for the said Trustees, and they are hereby authorized and required to apply the same or such Part thereof as can be spared in paying off or reducing the Debt charged on such Tolls, or such Portion thereof, and so far as the same will thereto extend; and in case the Mortgagees or Creditors shall not consent and agree to the paying of such Surplus to any one or more of them, in preference to and in exclusion of the other or others of them, or by Lot, but be all equally alike desirous of receiving their respective Quotas thereof, then and in such Case the said Surplus Money shall

shall be paid and divided to and amongst them the said Mortgagees and Creditors respectively, by an equal Per-centage, in proportion to and according to the Amount of their respective Debts.

Persons owing Money under former Acts to continue liable; and Contracts, &c. available, notwithstanding the Repeal of the said Acts.

LIX. And be it further enacted, That all and every Person and Persons who may owe and be subject and liable to the Payment of any Sum or Sums of Money for Arrears of Rent or otherwise to the Trustees for executing the said former Acts, or to any Person or Persons for the Benefit of such Trustees, or of any of the Roads directed to be kept in repair by the said Acts hereby repealed, shall be liable to the Payment of and shall pay all such Sum or Sums of Money to the Trustees for executing this Act; and all Bonds, Covenants, and Agreements, and Contracts for Securities entered into by any Person or Persons to or with any of the Trustees for executing the said former Acts hereby repealed according to the Provisions and Directions of the said Acts, shall remain in full Force and Effect, and be and continue available in all Courts of Law and Equity, until the same are fully satisfied and performed on account of the Trustees under this Act, and for the Benefit of the Roads under this Act; and all Contracts or Agreements duly made or entered into by the Trustees for executing the said former Acts hereby repealed, to or with any Person or Persons, shall remain in full Force and Effect, and shall be binding on the Trustees under this Act, and be observed and kept by the Trustees under this Act, according to the Terms or Stipulations thereof respectively, but subject nevertheless to the Provision herein-after contained.

Roads to be widened, altered, &c.

LX. And be it further enacted, That it shall and may be lawful to and for the said Trustees from Time to Time, as and when to them shall seem right and proper, to widen, divert, turn, shorten, vary, alter, and improve the Line, Course, or Path of any Part or Parts of the aforesaid present Turnpike Roads herein-before described, or of any of them, in such Manner as they shall think fit, upon, through, or over any private Lands, Grounds, or Hereditaments; and also to extend, widen, divert, turn, shorten, vary, or alter the Line, Course, or Path of the aforesaid old Roads by this Act intended to be made Turnpike, or of any of them, in such Manner as they the said Trustees shall think fit, upon, through, or over any of the Lands, Grounds, or Hereditaments comprised in the Schedule to this Act, making or tendering Satisfaction as herein-after mentioned; and also to make the aforesaid several new Pieces of Road, upon, through, or over any private Lands, Grounds, or Hereditaments comprised in the said Schedule, and also for such Purposes to take and pull down the Dwelling Houses and other Buildings, and to take in and make use of the Woods or Plantations, Lands and Premises comprised in the said Schedule, subject to such Provisions and making such Satisfaction as are herein-after mentioned; and also to widen, divert, vary, turn, alter, and make the same several Roads, or any of them, upon, through, or over any Commons or Waste Grounds, without making any Satisfaction for such Commons or Waste Grounds; and it shall and may be lawful to and for the said Trustees, and for their Surveyor or Surveyors and Workmen, with or without Carriages or Cattle, from Time to Time, as and when to them shall seem right and proper, to enter into and upon any such private Lands, Grounds, Hereditaments, and Premises as aforesaid, through which or whereupon the said Roads, Widenings, Alterations,

tions, Diversions, and Improvements pass or are intended to pass, and to stake out and make the same in such Manner as the said Trustees shall think necessary or proper, without being liable or subject to be deemed a Trespasser or Trespassers, or to any Fine, Penalty, or Punishment for entering into or continuing upon any Part or Parts of such Lands, Grounds, and Hereditaments respectively for any of the Purposes of this Act, making or tendering Satisfaction to the Owners thereof and Persons interested therein, for the Damage they may thereby sustain; and if any Person or Persons shall wilfully pull up, remove, or destroy any of the Stakes or other Marks used in laying out or making, widening, diverting, turning, shortening, varying, altering, or otherwise improving such Roads, every Person so offending shall forfeit and pay for every such Offence a Sum not exceeding the Sum of Forty Shillings: Provided always, that the said Trustees shall not be hereby empowered or required to make the said Roads of a greater Width than Sixty Feet.

Restraining the Trustees from deviating from the Plan deposited with the Clerk of the Peace further than 100 Yards.

LXI. And whereas Maps or Plans describing the Lines of the several Roads by this Act intended to be made, altered, or otherwise improved, and the Lands, Hereditaments, and Premises through or over which the same are to be carried or made, together with a Book of Reference containing a List of the Names of the Owners and Occupiers of such Lands, Hereditaments, and Premises, have been deposited at the Office of the Clerk of the Peace for the County of *Somerset*; be it therefore further enacted, That the said Maps or Plans and Books of Reference shall remain in the Custody of the said Clerk of the Peace, to the End that all Persons may at any seasonable Time or Times have Liberty to inspect and peruse the same, and to take Copies or Extracts thereof at their Will and Pleasure, paying to the Clerk of the Peace the Sum of One Shilling for every such Inspection, and at the Rate of Sixpence for every Seventy-two Words of such Copies or Extracts of any such Map or Plan and Book of Reference; and that the said Trustees in making the Roads or Alterations of Roads described in such Maps or Plans, or any of them, shall not deviate more than One hundred Yards from the Lines described in such Maps or Plans, without the Consent in Writing of the Person or Persons, Bodies Politic, Corporate, or Collegiate, through whose Lands or Premises such Deviation or Deviations shall be made.

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

LXII. Provided always, and be it further enacted, That it shall be lawful for the said Trustees to make the said Roads or Alterations of Roads, or any of them, into, through, across, or over the said Lands, Hereditaments, or Premises of any Person or Persons who is or are or may be Owner or Owners, Occupier or Occupiers of the Land or Premises over which the same are set out and described in the said Maps or Plans as aforesaid, and to take down the Houses, Buildings, and Erections, and to take and use the Woods and Plantations, Lands and Premises described in the Schedule to this Act annexed, although the Name or Names of the Owner or Owners, Occupier or Occupiers thereof respectively, may happen to be omitted, misnamed, mistated, or inaccurately described 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 County or Place where the Land or Premises shall be situate, and be certified by Writing under their Hands, that such Omission, Misnomer, Mistatement, or inaccurate Description proceeded from Mistake.

LXIII. Pro-

When the Divisions and new Lines of Roads shall be completed, the old Roads not to be any longer under the Powers of this Act.

LXIII. Provided always, and be it further enacted, That when the Variations, Extensions, and new Lines of Roads by this Act authorized and intended to be made (save and except the present Road from the East End of *Blackmore Lane* through *Cannington* to *Hobbs's Summerleaze Close*, the present Road from the *South Gate* to *Tamlyn's Cottage*, and also the present Turnpike Road from the East Toll House to *Crandon Bridge*), shall be made and completed so as to be fit for the safe and convenient Use of the Public, the said Trustees shall be and they are hereby declared to be from thenceforth discharged from the future Care, Management, and Repair of so much and such Part or Parts of the present Roads as lie between the several Commencements and Terminations of such new Lines of Roads and Extensions respectively, and will be thereby become useless and unnecessary to be continued as Turnpikes; and such Part or Parts of the said present Turnpike Roads shall from thenceforth respectively cease to be repaired or repairable under or by virtue of the Powers of this Act, and shall no longer be subject to the Provisions hereof.

In widening Roads, Trustees not to deviate from the present Line more than 100 Yards.

LXIV. And be it further enacted, That the said Trustees in widening, diverting, or improving the said Roads included in the said recited Acts, shall not deviate more than One hundred Yards from the present Line or Path of the present Roads, without the Consent in Writing of the Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, through whose Lands or Grounds such Deviation shall be made: Provided always, notwithstanding any thing herein-before contained to the contrary, that when the new Line of Road from the East Toll House (by *Dunball*) to *Pawlett Common* shall be made and completed, so as to be fit for the safe and convenient Use of the Public, it shall be lawful for the said Trustees, and they are hereby authorized and empowered, either to abandon or continue as Turnpike, at their Discretion, the old Road lying between *Crandon Bridge* and the Termination of the said new Road at *Pawlett Common* aforesaid; and in case the said Trustees shall continue as Turnpike the said last-mentioned Piece of old Road, it shall be lawful for them, and they are hereby empowered to put up a Gate or Bar upon any Part of the said new Road lying between the East Toll House of *Bridgewater* aforesaid and *Pawlett Common*, and to take Tolls thereat, provided that such Tolls respectively do not exceed the Amount of the respective Tolls herein-before authorized to be taken by virtue of this Act; which said Tolls so to be taken as aforesaid upon such new Road, leading from *Bridgewater* by *Dunball* to *Pawlett Common*, shall be exclusively applied in discharge of the Expences of making such new Road, or in liquidation of the Money to be borrowed on the Credit of the Tolls for that especial Purpose, which Money the said Trustees are hereby authorized to borrow if they shall think proper; and when and after the Charges and Expences of making the said last-mentioned new Road shall have been paid off and discharged, it shall not be lawful for the said Trustees to continue the said Gate, or to take any Toll thereat.

Trustees may put up Gate on new Road between East Toll House and Pawlett Common, and take additional Toll.

Trustees restrained from pulling down Houses, &c. without Consent of Owners.

LXV. Provided also, and be it further enacted, That the Powers and Authorities hereby given for diverting, making, and altering the said Roads, 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 take in or make use of any Orchard, Garden, Yard, Paddock, Park, planted Walk or Avenue to a House, or any inclosed Ground

Ground planted and set apart as an Ornament or Shelter to a House, or planted or set apart as a Nursery for Trees, or any Part thereof respectively, without the Consent in Writing of the Owner or Proprietor thereof first had and obtained, other than and except such Dwelling Houses, Woods, Plantations, and Premises as are described or comprised in the Schedule to this Act annexed.

Blackmore Farm not to be intersected without Consent of Owner.

LXVI. Provided also, and be it further enacted, That nothing hereinbefore contained shall empower the said Trustees in making the Line of Road from the South-east Corner of a Close of Land called *Little Meadow*, in the Occupation of *Benjamin Hobbs* in *Blackmore Lane*, to and communicating with the present Turnpike Road in the Parish of *Cannington*, at or near the North-west Side of a Close of Land called *Summerleaze*, in the Occupation of the said *Benjamin Hobbs*, to intersect any Part of the Lands of *Blackmore Farm*, without the Consent in Writing of the Owner or Owners for the Time being of the said Farm; but the said Trustees shall and may nevertheless without such Consent as aforesaid, as and when to them shall seem fit, make, maintain, and repair, widen, alter, and improve the present Highway leading from the South-east Corner of the said Close of Land called *Little Meadow*, to and communicating with the present Turnpike Road within the said Parish of *Cannington*, opposite the Western Entrance or Private Road leading to *Brymore*; provided that by such Widenings, Alterations, and Improvements, there be taken from the said Close called *Little Meadow* no greater Quantity than a Quarter of an Acre, and that from the South-west Corner of the said Close only, and no Part or Parts of the other Lands adjoining to or abutting against the said Road beyond the Distance of Ten Feet from the outer Fences.

Present Highway leading from Hobb's Little Meadow to Brymore Gate may be repaired, &c.

Any Lands, &c. whatever may be used with Consent of the Proprietors, &c.

LXVII. Provided always nevertheless, and be it further enacted, That it shall be lawful for the said Trustees to make, widen, divert, turn, shorten, vary, and alter any of the Roads comprised in this Act, in, through, or over any Lands or Grounds or Premises whatever, although not mentioned in the said Book of Reference or Schedule to this Act, first having the Consent in Writing under the Hands of the Owners, Proprietors, and Occupiers thereof respectively.

Trustees may contract for the Purchase of Land.

LXVIII. And be it further enacted, That it shall be lawful for the said Trustees to treat, contract, and agree with the Owners of and Persons interested in any Lands, Houses, Buildings, Tenements, Hereditaments, and Premises, which it may be necessary to purchase for making, widening, diverting, altering, repairing, and otherwise improving the said Roads, or any of them, and also for making all necessary Fences on the Sides of the said Roads, and for Erection of Toll Houses with Garden Spots thereto, not exceeding One Eighth Part of an Acre for each Toll House, with the Garden thereto, for the Purchase thereof, and for the Loss or Damage such Owners or Persons may otherwise sustain; and it shall be lawful for all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Tenants for Life or in Tail, Husbands, Guardians, Trustees or Feoffees in Trust, Committees, Executors, Administrators, and all other Trustees whatsoever, not only for and on behalf of themselves their Heirs and Successors, but also for and on behalf of the Person or Persons entitled in Reversion, Remainder, or Expectancy after them, and for and on behalf

of their Cestuique Trusts, whether Femes Covert, Infants, or Issue unborn, Lunatics, Idiots, or other Person or Persons whomsoever, and to and for all Femes Covert who are or shall be seised of or interested in their own Right, and to and for all and every Person and Persons whomsoever, who are or shall be possessed of or interested in any such Lands, Houses, Buildings, Tenements, Hereditaments, or Premises, or who shall sustain any Damage as aforesaid, to contract with the said Trustees for the Sale thereof, or for the Satisfaction to be made for the same, or for such Damages as aforesaid, and to sell and convey by Conveyance, Lease and Release, or Bargain and Sale enrolled, unto the said Trustees, all or any such Lands, Houses, Buildings, Tenements, Hereditaments, or Premises, or any Part thereof, for the Purposes aforesaid; and all Contracts, Sales, and Conveyances which shall be so made, shall be good, valid, and effectual to all Intents and Purposes, without Fine or Recovery, and shall be a complete Bar to all Estates Tail, and other Estates, Rights, Titles, Trusts, and Interests whatsoever, any Law, Statute, Usage, or other Matter to the contrary notwithstanding; and all such Bodies Corporate or Collegiate, Corporations Aggregate or Sole, Tenants for Life or in Tail, Husbands, Guardians, Trustees, Feoffees, Committees, Executors, Administrators, and all other Persons, shall be and are hereby indemnified for what they or any of them shall do by virtue or in pursuance of this Act.

When Persons neglect, or refuse to treat, Damages to be settled by a Jury.

LXIX. And be it further enacted, That if any such Bodies Politic, Corporate or Collegiate, Corporations Aggregate or Sole, Tenants for Life or in Tail, Husbands, Guardians, Trustees, Feoffees, Committees, Executors, Administrators, or any other Person or Persons interested in any such Lands, Houses, Buildings, Tenements, Hereditaments, and Premises, or sustaining any Damage as aforesaid, upon Notice to him, her, or them given, or left in Writing at the Dwelling House or Dwelling Houses, Place or Places of Abode of such Person or Persons, or of the principal Officer or Officers of any such Bodies Politic, Corporate or Collegiate, Corporations Aggregate or Sole, Tenants for Life or in Tail, or at the House of the Tenant in Possession of any such Lands, Houses, Buildings, Tenements, Hereditaments, and Premises, shall, for the Space of Twenty Days next after such Notice given or left as aforesaid, neglect or refuse to treat, or shall not agree in the Premises, or by reason of Absence shall be prevented from treating, then and in every such Case the said Trustees shall cause such Damage, Value, or Recompence to be inquired into and ascertained by a Jury of Twelve indifferent Men of the County or Place wherein any such Lands, Houses, Buildings, Tenements, Hereditaments, and Premises do lie; and in order thereto the said Trustees are hereby empowered and required from Time to Time, as Occasion shall require, to summon and call before such Jury, and examine upon Oath, all and every Person and Persons whomsoever who shall be thought necessary and proper to be examined concerning the Premises, (which Oath the said Trustees, or any or either of them, are and is hereby empowered to administer); and such Trustees shall, by ordering a View or otherwise, use all lawful Ways and Means as well for their own as for the said Jury's Information in the Premises; and after the said Jury shall have inquired of and assessed such Damage and Recompence, they the said Trustees shall thereupon order the Sum or Sums of Money so assessed by the said Jury, to be paid to the said Owners or other Persons interested, according to the Verdict or Inquisition of such Jury; and such Verdict, or

Inquisition and Judgment, Order and Determination thereon, shall be final, binding, and conclusive, to all Intents and Purposes, against all Parties and Persons whomsoever, claiming or to claim any Estate in Possession, Reversion, or otherwise, their Heirs and Successors, as well absent as present, Infants, Femes Covert, Lunatics, Idiots, and Persons under any other Disability whatsoever, Bodies Politic, Corporate or Collegiate, Corporations Aggregate or Sole, Tenants for Life or in Tail, as well as all and every Person and Persons whomsoever; and for summoning and returning such Juries, the said Trustees are hereby empowered to issue their Warrant or Warrants, signed by any Three or more of them, to the Sheriff of the said County of *Somerset*, commanding him to impannel, summon, and return any indifferent Jury of Twenty-four Persons qualified to serve upon Juries, to appear before such Trustees at such Time and Place as in such Warrant or Warrants shall be appointed; and such Sheriff, or his Deputy or Deputies, is and are hereby required to impannel, summon, and return such Number of Persons accordingly, and out of such of them as shall appear upon such Summons the said Trustees shall and are hereby empowered and required to swear, or cause to be sworn, Twelve Men, who shall be a Jury for the Purposes aforesaid; and in default of a sufficient Number of Jurymen, the said Sheriff, or his Deputy or Deputies, shall return other honest and indifferent Men of the Standers-by, or that can be speedily procured to attend that Service, to the Number of Twelve; and all Persons concerned shall have their lawful Challenges against the said Jurymen, when they come to be sworn; and the said Trustees acting in the Premises shall have Power from Time to Time to impose any reasonable Fine or Fines upon such Sheriff, his Deputy or Deputies, Bailiff or Bailiffs, Agent or Agents, making Default in the Premises; and on any of the Persons that shall be summoned and returned on such Jury, and who without sufficient Excuse shall not appear, or appearing shall refuse to be sworn on the said Jury, or being sworn shall refuse to give, or shall not give their Verdict, or in any other Manner wilfully neglect their Duty therein, contrary to the true Intent and Meaning of this Act; and on any of the Persons who being required to give Evidence before the said Jury shall, after having been paid or tendered a reasonable Sum for his, her, or their Costs, Charges, and Expences, without sufficient Excuse, refuse or neglect to appear, or appearing shall refuse to be sworn and examined or to give Evidence; so that no one Fine be more than Ten Pounds on any such Sheriff, Deputy, Bailiff, or Agent, nor more than Five Pounds on any other Person for One Offence.

How Expences of the Jury shall be paid.

LXX. And be it further enacted, That in case any Jury or Juries to be summoned and sworn pursuant to the Directions and Authority of this Act shall give in and deliver a Verdict or Assessment for more Money as a Recompence or Satisfaction for the Right, Interest, or Property of any Person or Persons in any such Lands, Houses, Buildings, Tenements, Hereditaments, and Premises, or for any Loss or Damage to be by him, her, or them sustained, than what shall have been agreed to and offered by the said Trustees before the summoning or returning the said Jury or Juries, as a Recompence or Satisfaction for any such Right, Interest, or Property, or for any Loss or Damage as aforesaid, then and in such Case the Costs and Expences of summoning and maintaining the said Jury and Witnesses, and all other Expences attending the hearing and determining of such Difference, shall be borne and paid by the Treasurer to the said Trustees out of any Money which shall then be in his Hands, or out of any

Monies to be received by virtue of this Act; but if any Jury or Juries, so summoned and sworn as aforesaid, shall give in and deliver a Verdict or Assessment for no more or for less Money than shall have been agreed to and offered by the said Trustees before the summoning and returning of the said Jury or Juries, as a Recompence and Satisfaction for any such Right, Interest, or Property in any such Lands, Houses, Buildings, Tenements, Hereditaments, and Premises, or Losses or Damages as aforesaid, then the Costs and Expences of summoning and maintaining the said Jury and Witnesses, and all other Expences as aforesaid, shall be borne or paid by the Person or Persons with whom the said Trustees shall have such Controversy or Dispute; which said Costs and Expences, having been ascertained and settled by some Justice of the Peace for the said County of *Somerset*, not interested in the Matter in question (who is hereby required to examine and settle the same), shall and may be deducted out of the Money so assessed and adjudged, as so much Money advanced to and for the Use of such Person or Persons; and the Payment or Tender of the Remainder of such Monies shall be deemed and taken, to all Intents and Purposes, to be a Payment or Tender of the whole Sum or Sums so assessed and adjudged, or otherwise such Costs and Expences, in case the same be not paid upon Demand after being so ascertained and settled as aforesaid, may be recovered by the Clerk or Clerks to the said Trustees, by the Ways and Means herein-after provided for the Recovery of Penalties and Forfeitures: Provided always, that in all Cases where any Person or Persons shall by reason of Absence have been prevented from treating, such Costs and Expences shall be borne and paid by the said Trustees in Manner aforesaid.

Money agreed upon or assessed how to be paid or tendered.

LXXI. And be it further enacted, That every Sum of Money or Recompence to be agreed for or assessed as aforesaid, shall be paid out of any Monies in the Hands of the said Trustees, or out of the Tolls by this Act granted, or out of the Monies to be borrowed on the Credit thereof, to the Party or Parties, or Person or Persons respectively entitled thereto, or to their Agents, or into the Bank of *England*, in Manner by this Act directed (as the Case may be); and upon such Payment to such Parties or Persons, or their Agents, or into the Bank of *England*, and after Eight Days Notice thereof given to such Parties or Persons, or to their Agents, or left at their respective usual Places of Abode, or with the Tenant or Tenants in Possession of such Lands, Houses, Buildings, Tenements, Hereditaments, and Premises, then such Lands, Houses, Buildings, Tenements, Hereditaments, and Premises respectively shall and may be taken and used for the Purposes of this Act, but in no Case shall Possession be taken until the Purchase Money is actually paid as aforesaid; and such Lands, and the Site of such Houses, Buildings, Tenements, Hereditaments, and Premises shall be laid into and made Part of the said Roads, in such Manner as the said Trustees shall direct, and shall be by them, or such Person or Persons as they shall appoint, sufficiently drained, ditched, fenced, and set out for that Purpose, and shall to all Intents and Purposes whatsoever become and be deemed and taken to be a Common Highway, and be from thenceforth Part of the said Roads for ever thereafter; and the said Roads shall be repaired and kept in repair by the said Trustees, and also by the same Ways and Means as any other Highway is or ought by Law to be kept in repair; and all Parties and Persons whomsoever shall be divested of all Right and Title to such Lands and Hereditaments; and after

Old Roads to be stopped up or sold.

after such new Roads shall be completed, the Lands constituting any former Road or Roads, which may thereby become useless or unnecessary, shall or may be stopped up or be discontinued, unless leading over some Moor, Common, uncultivated Land, or Waste Ground, or to some Village, Town, or Place to which such new Road or Roads doth not or do not lead, and shall be vested in and shall and may be sold and conveyed by the said Trustees, in the Manner herein-after mentioned, for the best Price that can be gotten for the same, and the Money arising by such Sale shall be applied to the Purposes of this Act; and all Conveyances, being executed by the said Trustees, and enrolled in the Office of the Clerk of the Peace for the said County shall be good and effectual in the Law to all Intents and Purposes whatsoever.

When Pieces of Land are to be sold the first Offer to be made to the original Proprietor.

LXXII. Provided always, and be it further enacted, That the said Trustees, before they shall sell and dispose of any Piece or Pieces of Ground not wanted for the Purposes of this Act as aforesaid, shall first offer the same for Sale to the Person or Persons of whom the same shall have been purchased, or in case such Ground shall be a Piece or Pieces of old Road, to the Person or Persons whose Lands shall adjoin thereto; and if such Person or Persons respectively shall then and thereupon refuse, or shall not agree (except with respect to or on account of the Price thereof) to purchase the same respectively, on an Affidavit being made and sworn before a Master or Master Extraordinary in the High Court of Chancery, or before One of His Majesty's Justices of the Peace for the County or Place where such Ground is situate (who are hereby respectively empowered to take such Affidavit), by some Person or Persons no way interested in the said Piece or Pieces of Ground, stating that such Offer was made by or on the Behalf of such Trustees, and that such Offer was then and thereupon refused, or was not agreed to by the Person or Persons to whom the same was made, shall in all Courts whatsoever be sufficient Evidence and Proof that such Offer was made, and was refused or not agreed to by the Person or Persons to whom such Offer was made (as the Case may be); and in case such Person or Persons shall be desirous of purchasing such Piece or Pieces of Ground, and he, she, or they and the said Trustees shall differ or not agree with respect to the Price thereof, then the Price or Prices thereof shall be ascertained by a Jury in Manner in this Act directed with respect to disputed Value of Premises to be taken and used in pursuance of this Act; and the Expence of hearing and determining such Difference shall be borne and paid in Manner herein-before directed with respect to such Purchases made by the said Trustees, *mutatis mutandis*; and the Money to arise by the Sale or Sales of such Pieces or Parcels of Ground shall be applied by the said Trustees to the Purposes of this Act, but the Purchaser or Purchasers thereof shall not be answerable or accountable for any Misapplication or Non-application of such Money; and the Conveyances of such Piece or Pieces of Ground shall be made to the Purchaser or respective Purchasers thereof in such Manner and Form as is herein-before directed with respect to the Conveyances to be made of the Land constituting any Part of the Road herein-before directed to be sold.

Reserving to the Owners of Lands purchased

LXXIII. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to defeat, lessen, or prejudice the Right, Title, or Interest of the Owner or Owners, Proprietor or Proprietors

Proprietors of any Lands or Grounds to be taken, used, and retained by the said Trustees for the Purposes of this Act, or their Successors, of, in, or to any Mines or Minerals under such Lands or Grounds, but that such Owners or Proprietors respectively shall have full Power to work under the said Lands or Grounds so purchased respectively, for the Purpose of digging and carrying away the said Minerals; provided, that no Pits or Openings shall be made for that Purpose in the said Lands or Grounds so purchased, nor the said Mines or Minerals so worked, as to occasion any Injury or Damage, or Danger of Breaches, Injury, or Damage to the said Lands or Grounds, or any Edifices or Erections thereon.

for the Purposes of this Act, the Mines and Minerals under the same.

LXXIV. 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, Houses, Buildings, Tenements, Hereditaments, and Premises to be purchased, taken, or used by virtue of the Powers of this Act, which shall belong to any Body Politic, Corporate, or Collegiate, Tenant for Life or in Tail, or to any Feoffee in Trust, Executors, Administrators, 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, Houses, Buildings, Tenements, Hereditaments, and Premises 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 into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account, *ex parte* the Trustees for executing this Act, to the Intent that such Money shall be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Person or Persons who have been entitled to the Rents and Profits of the said Lands, Houses, Buildings, Tenements, Hereditaments, and Premises, in the Purchase or Redemption of the Land Tax, or in or towards the Discharge of any Debt or Debts, or other Incumbrances, affecting the same Lands, Houses, Buildings, Tenements, Hereditaments, and Premises, or affecting other Lands, Houses, Buildings, Tenements, Hereditaments, and Premises standing settled therewith to the same or the like Uses, Trusts, Intents, or Purposes, as the High Court of Chancery shall authorize to be purchased or paid, or such Part thereof as shall be necessary; or where such Money shall not be so applied, then the same shall be laid out and invested, under and with the like Direction and Approbation of the said Court, in the Purchase of other Lands, Houses, Buildings, Tenements, Hereditaments, and Premises, 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, Houses, Buildings, Tenements, Hereditaments, and Premises, 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 or Settlement shall be existing undetermined or capable of taking effect; and in the meantime and until such Purchase shall be made, the said Money shall, by Order of the said High 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

Application of Compensation if amounting to 200*l*.

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 shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Lands, Houses, Buildings, Tenements, Hereditaments and Premises so to be purchased, in case such Purchase or Settlement was made.

Where less than 200*l.* and not less than 20*l.*

LXXV. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands, Houses, Buildings, Tenements, Hereditaments, and Premises to be purchased, taken, or used for the Purposes aforesaid, and belonging to any Corporation, or to any Person or Persons under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed 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, Houses, Buildings, Tenements, Hereditaments, and Premises so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy, Idiotcy, Lunacy, or other Incapacity, 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 High Court of Chancery, and be placed to his Account as aforesaid, in order to be applied in Manner herein-before directed, or otherwise the same shall be paid, at the like Option, to Two Trustees to be nominated by the Person or Persons making such Option, and approved of by Three or more of the Trustees for executing this Act (such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties), in order that such Principal Money, and the Dividends and Produce arising thereon and therefrom, may be applied in any Manner herein-before directed, so far as the Case shall be applicable, without obtaining or being required to obtain the Direction or Approbation of the said High Court of Chancery.

Where under 20*l.*

LXXVI. 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 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, Houses, Buildings, Tenements, Hereditaments, and Premises so purchased, taken, or used for the Purposes of this Act, in such Manner as the said Trustees shall think fit; 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.

In case of not making out a good Title, or Persons cannot be found, the Purchase Money to be

LXXVII. 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, Houses, Buildings, Tenements, Hereditaments, and Premises 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 any such Lands, Houses, Buildings, Tenements, Hereditaments, and Premises 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 High Court of Chancery, to be placed to his Account there, to the Credit of the Parties interested in the said Lands, Houses, Buildings, Tenements, Hereditaments, and Premises (describing them), subject to the Order, Controul, and Disposition of the said High 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 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 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 so paid into the Bank of *England* as aforesaid.

paid into the Bank, subject to the Order of the Court of Chancery, on Motion or Petition.

LXXVIII. 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 High Court of Chancery, in pursuance of this Act, for the Purchase of any Lands, Houses, Buildings, Tenements, Hereditaments, and Premises, or of any Estate, Right, Title, or Interest in any Lands, Houses, Buildings, Tenements, Hereditaments, and Premises to be purchased in pursuance of this Act, for the Purposes aforesaid, or to any Bank Annuities to be purchased with any such Money, or the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in Possession of any such Lands, Houses, Buildings, Tenements, Hereditaments, and Premises 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, Houses, Buildings, Tenements, Hereditaments, and Premises according to such Possession, until the contrary shall be shown to the Satisfaction of the said High 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, Houses, Buildings, Tenements, Hereditaments, and Premises, or to some Estate or Interest therein.

In case of disputed Titles.

LXXIX. 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, Houses, Buildings, Tenements, Hereditaments, and Premises to be purchased, taken, or used under the Authority of

Court may order reasonable Expences to be paid by Trustees.

of this Act, the Purchase Money for the same shall be required to be paid into the High Court of Chancery, and be applied in the Purchase of other Lands, Houses, Buildings, Tenements, Hereditaments, and Premises to be settled to the like Uses in pursuance of this Act, it shall be lawful for the said High Court of Chancery 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 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.

Power to get Materials;

LXXX. And be it further enacted, That it shall be lawful for the Surveyor or Surveyors to the said Trustees, and all such Persons as he or they shall appoint, to search for, dig, get, gather, take, and carry away any Materials for making or repairing the said Roads, out of or from any common River or Brook, or out of or from any Waste or Common in any Parish, Hamlet, or Place in which any Part of the said Roads lies, or in any adjoining Parish, Hamlet, or Place, and to haul or carry away any such Materials, when got, over any Common or Waste Lands, without paying any thing for such Materials, and without being deemed a Trespasser or Trespassers; the said Surveyor or Surveyors, or other Person or Persons, filling up the Pits or Quarries, levelling the Grounds, or sloping down the Banks wherefrom such Materials shall be taken, and railing or fencing off such Pits or Quarries, so that the same shall not be dangerous to any Persons or Cattle, and paying or tendering for the Damages done by going through and over any inclosed Lands or Grounds for or with such Materials, such Damages to be ascertained as herein-after mentioned; and also that it shall be lawful for the said Surveyor or Surveyors, and such Persons as he or they shall appoint, to search for, dig, get, gather, take and carry away such Materials in or out of the Land of any Person in any Parish or Place in which the said Roads or any of them lie or are situate (not being a Garden, Orchard, Yard, Park, Paddock, planted Walk or Avenue to any House, or any Piece of Ground planted and set apart as a Nursery for Trees), making or tendering such Satisfaction for such Materials, and for the Damages done to the Owners or Occupiers of the Lands where and from whence the same shall be dug, gathered, taken, and carried away, or over which the same shall be carried, as the said Trustees shall judge reasonable; and also to land on and carry through or over any inclosed Lands or Grounds (not being a Garden, Orchard, Yard, Park, Paddock, planted Walk or Avenue to a House), or on, through, or over any Open Land or Common, any Stone or other Materials for making or repairing the said Roads, or for building or repairing any present or future Toll House or Toll Houses on or by the Sides thereof, from any River, Stream, or Canal in any Parish, Hamlet, or Place in which any Part of the said Roads lies, paying or tendering for the Damages done in landing on or going through or over any inclosed Lands or Grounds, for or with such Materials, such Sum or Sums as the said Trustees shall judge reasonable; and in case of any Difference between such Trustees, Surveyors, or other Persons appointed or employed as aforesaid, and the Owners and Occupiers of such Lands, or any of them, concerning such Payments and Damages as aforesaid, any Two or more Justices of the Peace for the said County of *Somerset*, on Fourteen Days Notice thereof being given in Writing by either Party to the other, shall hear,

and may land Materials, and carry same over Lands adjoining any River, &c.

hear, settle, and determine the Matter of such Payments and Damages, and the Costs attending the hearing and determining the same.

Notice to be given before Materials taken.

LXXXI. Provided always, and be it further enacted, That it shall not be lawful for any Surveyor, or any other Person or Persons acting under the Authority of this Act, to dig, gather, get, take, or carry away any Materials for making or repairing the said Roads, out of or from any inclosed Land or Ground, until Notice in Writing signed by the Surveyor shall have been given to the Owner or Owners of the Premises from which such Materials are intended to be taken, or left at the House or last or usual Place of Abode of such Owner or Occupier, to appear before any Two Justices of the Peace acting in and for the said County of *Somerset*, to show Cause why such Materials shall not be had therefrom; and in case such Owner, Agent, or Occupier shall attend pursuant to such Notice, but shall not shew sufficient Cause to the contrary, such Justices shall, if they think proper, authorize such Surveyor or other Person to dig, get, gather, take and carry away such Materials, at such Time or Times as to such Justices shall seem proper; and if such Owner, Agent, or Occupier shall neglect or refuse to appear by himself or herself, or his or her Agent, such Justices shall and may (upon Proof on Oath of the Service of such Notice, and which Oath they are hereby empowered to administer), make such Order therein as they shall think fit, as fully and effectually, to all Intents and Purposes, as if such Owner or Occupier, or his or her Agent had attended.

Power to contract for Land to get Materials.

LXXXII. Provided also, and be it further enacted, That it shall and may be lawful for the said Trustees to contract and agree with any Person or Persons whomsoever, for the Purchase or Demise from him, her, or them of and to hold any Land or Ground for the Purpose of digging Stone and Materials therefrom for the Repairs or Use of the said Roads, or either of them, or any Part thereof respectively; and at any Time afterwards to sell the Land or Ground (so purchased) by Public Auction or Tender; provided nevertheless, that the entering into any such Contract or Agreement as last aforesaid, shall not be compulsory against any Person or Persons unwilling to enter into the same; provided also, that the said Trustees shall not hold at any one Time or Period a greater Quantity of such Land or Ground in the whole than Five Acres.

Penalty on taking away Materials raised by Surveyors.

LXXXIII. And be it further enacted, That if any Person whomsoever, not authorized by the said Trustees, shall take away any Materials which shall be dug, gotten, or gathered for the Repair or Use of the said Roads, or shall raise or carry away any Materials out of or otherwise interfere with or obstruct the working of any Pit or Quarry which shall have been made or opened for the Purpose of getting Materials for making and repairing the said Roads, before the said Surveyors or their Workmen shall have discontinued working therein for the Space of Twenty-one Days (except the Owner or Occupier of the Land in which such Pit or Quarry shall be made, as to Materials for his own private Use only, and not for Sale), every Person so offending shall for every such Offence forfeit and pay a Sum not exceeding Five Pounds.

No Flood Gates or Obstructions in

LXXXIV. And be it further enacted, That if any Person shall, after the passing of this Act, erect or place any Sluice, Dam, Flood Gate, or other Obstruction

the Watercourses to be made so as to injure the Roads.

Obstruction in any Brook or Watercourse, whereby or by means whereof the said Roads, or any Part thereof, shall be flooded, damaged, or injured, or rendered unsafe; or shall make, lay, or open any new Ditch, Drain, Pipe, or Watercourse into the said Roads, or any of them; or shall deepen or widen any Ditch, Drain, or Watercourse already made into or on the Sides of the said Roads, or any of them; or shall inclose or take in any Ditch, Drain, Pipe, or Watercourse lying on the Outside of his, her, or their Paling, Hedges, or other Fences; or take, remove, or carry away any Stone, Sand, Drift, or Scrapings from off the said Roads, or either of them, or from off the Sides thereof, or from any Place or Places where the same shall have been laid or deposited by the said Trustees, or any Person or Persons employed by them, without Licence or Consent in Writing for that Purpose first had and obtained from the said Trustees, then and in every such Case it shall be lawful for the Surveyor to the said Trustees, and the several Workmen to be employed by him, to take down and remove every such Sluice, Dam, Flood Gate, or other Obstruction, and to convert the Materials thereof for the Benefit of the said Roads, and also to stop, fill up, and destroy all and every such Ditches, Drains, Pipes, and Watercourses, and to pull down and remove the Buildings, Walls, Paling, and other Fences so inclosing such Ditches, Drains, Pipes, or Watercourses; and the Person erecting or placing such Sluice, Dam, Flood Gate, or other Obstruction, or making, opening, deepening, widening, or inclosing such Ditch, Drain, Pipe, or Watercourse, or taking, removing, or carrying away such Stone, Sand, Drift, or Scrapings, without such Licence or Consent as aforesaid, or causing or procuring the same so to be done, shall for every such Offence forfeit and pay to the said Trustees any Sum not exceeding Five Pounds, over and above the Costs and Charges of taking up and removing such Sluice, Dam, Flood Gate, or other Obstruction, or filling up such Ditch, Drain, Pipe, or Watercourse, or pulling down or removing such Buildings, Walls, or other Fences as aforesaid.

Sand, &c. not to be taken without Licence.

For preventing Encroachments on Road.

LXXXV. And be it further enacted, That if any Person shall, from and after the passing of this Act, encroach upon the said Road, or upon any Waste Land by the Side or Sides thereof, by making or causing to be made any Dwelling House or other Building, Hedge, Ditch, or other Fence (except Turnpike Houses or other Buildings erected by Order of the said Trustees), every Person so offending shall forfeit for every such Offence the Sum of Five Pounds to such Person who shall give Information of the same; and it shall be lawful for the said Trustees, by Order under their Hands made at a Meeting or some Adjournment thereof, directed to such Surveyor, to cause such Dwelling Houses, Buildings, Hedges, Ditches, or other Fences to be taken down or filled up at the Expence of the Person or Persons to whom the same shall belong; and it shall and may be lawful for any One or more Justice or Justices of the Peace in and for the County of *Somerset*, upon Proof to him or them made upon Oath (which Oath any such Justice is hereby empowered to administer), to levy as well the Expences of taking down such Dwelling Houses, Buildings, Hedges, and Fences, and filling up the Ditches aforesaid, as the Penalty hereby imposed, by Distress and Sale of the Offender's Goods and Chattels, rendering the Overplus to the Owner or Owners on Demand.

Gates to open inwards.

LXXXVI. And be it further enacted, That all Gates placed in any Field, Ground, or Place adjoining any Part of the said Roads shall be made and hung to open and swing inward towards such Field, Ground, or Place, and not outward towards the said Roads; and it shall be lawful for the said Trustees to order all such Gates (save and except such Gate or Gates the Hanging Post or Hanging Posts whereof shall be so far distant from the Centre of the said Roads, so that when such Gate or Gates shall be opened the same or any Part thereof shall not swing or open on or into any Part of the said Roads), as are now erected or may hereafter be erected, and open and swing outward towards the said Roads, to be altered and made to open and swing inward, as they the said Trustees 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 Roads, shall (after Ten Days Notice from the Surveyor of the said Roads, requiring him, her, or them to alter any such Gate or Gates, and make the same to open and swing inwards) refuse or neglect to make such Alteration, or after such Alteration shall have been once made, shall again alter the same, every such Occupier or Occupiers shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

For removing Nuisances, &c.

LXXXVII. And be it further enacted, That it shall be lawful for the said Trustees, or their Surveyor or Surveyors, and such Person or Persons as they or he shall appoint, from Time to Time to remove and prevent all Annoyances by Timber, Stone, Carriages, Hovels, Lime, Mortar, Filth, Dung, Ashes, Rubbish, Straw, or other Things being laid on any Part of the said Roads, or upon any Open Common or Waste Land within Thirty Feet of the Centre thereof, and to dispose of the same for the Benefit of the said Roads respectively, in case the Owners thereof shall neglect to remove the same for the Space of Seven Days next after Notice in Writing signed by the Surveyor, and given to such Owners for that Purpose, or in case the Owners are not known, after a like Notice affixed for Seven Days on the nearest Turnpike Gate; and to turn any Watercourses, Sinks, or Drains running along, into, or out of the said Roads to the Prejudice thereof, and to open, scour, cleanse, widen, or make deeper any Watercourses or Ditches adjoining or near thereto, and to make the same as deep and large as he or they shall think necessary; and to cut down, lop, or top any Branches of Trees, Shrubs, or Bushes growing on or over the said Roads, or in the Hedges or Banks adjacent thereto respectively (not being a Garden, Orchard, Plantation, Walk, or Avenue to a House, or any Trees being an Ornament or Shelter to a House), and to take and carry away the same, and to cut and reduce all such Hedges to the Height of Four Feet, in case the Owners or Occupiers of the Premises shall for the Space of Seven Days next after Notice in Writing given for that Purpose by such Surveyor or Surveyors, neglect to lop, top, cut down, or remove such Branches of Trees, Shrubs, or Bushes, or to open, scour, cleanse, widen or deepen such Watercourses or Ditches, or remove such other Annoyances in such Manner as the said Trustees or the Surveyor or Surveyors of the said Roads shall require, the Charges whereof, to be settled by the said Trustees, shall be reimbursed to such Surveyor or Surveyors by such Owners or Occupiers, and be recovered and applied in such Manner as the Penalties and Forfeitures imposed by this Act are herein-after directed to be recovered and applied; and if after the Removal of any of the

the said Annoyances any Person shall again offend in like Manner, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Surveyors to impound Cattle found straying on the Roads.

LXXXVIII. And be it further enacted, That if any Horse, Ass, Sheep, Swine, or other Beast or Cattle of any Kind, shall at any Time be found wandering, straying, or lying in or about the said Roads, or any Part thereof, or by the Sides thereof (except on such Part or Parts of the said Roads where the same is or are not fenced in, or is or are open on either Side to any Common or Waste Ground), it shall and may be lawful to and for the Surveyor to the said Trustees for the Time being, or any other Person or Persons whomsoever, and the said Surveyor is hereby required to seize and impound every such Horse, Ass, Sheep, Swine, or other Beast or Cattle, in the Common Pound of the Parish, Township, Tithing or Place where the same shall be, or in such other Place as the said Trustees shall appoint, and the same there to detain until the Owner or Owners thereof shall for every and each Horse, Ass, Sheep, Swine, or other Beast or Cattle so impounded, pay the Sum of Ten Shillings to the Person impounding the same, together with the reasonable Charges and Expences of impounding and keeping the same; and in case the said Penalty, Charges, and Expences shall not be paid within Ten Days next after such Impounding, it shall and may be lawful to and for the said Trustees to sell or cause to be sold every such Horse, Ass, Sheep, Swine, or other Beast or Cattle, and the Money arising from such Sale, after deducting the said Penalty, and the Charges and Expences of impounding, keeping, and selling every such Horse, Ass, Sheep, Swine, or other Beast or Cattle, shall be paid to the Person whose Property the same so sold shall appear to have been.

Punishment of Persons guilty of Pound Breach.

LXXXIX. And be it further enacted, That in case any Person or Persons shall release or attempt to release any Cow, Horse, Ass, Swine, or other live Stock or Cattle, which shall be seized for the Purpose of being impounded under the Authority of this Act, from the Pound or Place where the same shall be so impounded, or shall pull down, damage, or destroy the same Pound or Place, or any Part thereof, or any Lock or Bolt belonging thereto, or with which the same shall be fastened, or shall rescue or release, or attempt to rescue or release any Distress or Levy which shall be made under the Authority of this Act, until or before such Cow, Horse, Ass, Swine, or other live Stock or Cattle seized or so impounded, or such Distress or Levy so made, shall be discharged by due Course of Law, every Person so offending shall, upon Conviction thereof before any One of His Majesty's Justices of the Peace for the County or Place where the Offence shall have been committed, either upon the Confession of the Party or Parties offending, or upon the Oath of One credible Witness, and which Oath the said Justice is hereby authorized and empowered to administer, be committed by such Justice, by Warrant under his Hand and Seal, to the Common Gaol or House of Correction of the County wherein the said Offence shall have been committed, there to remain without Bail or Mainprize for any Time not exceeding Three Calendar Months.

Power to make Causeways,

XC. And be it further enacted, That it shall be lawful for the Surveyor or Surveyors of the said Roads, and such Persons as they shall appoint,

appoint, by Order of the said Trustees, to make and keep in Repair, or cause to be made and kept in Repair any Causeway or Causeways for the Use of Foot Passengers, in, upon, or on the Sides of the said Roads, in such Manner as they shall think proper, and also Ditches or Drains in and upon the said Roads, and also through any Ground lying contiguous or near thereto (not being a Garden, Orchard, Yard, Park, Paddock, planted Walk or Avenue to any House, or any Piece of Ground planted and set apart as a Nursery for Trees), and to take or pull down any Bridge or Bridges that may hereafter be found useless or unnecessary, and to convert the Materials thereof for the Repair and Improvement of the said Roads, and also to erect, rebuild, and keep in Repair all or any Bridge or Bridges, Culverts, and Arches, upon the said Roads, or across any of the Ditches, Watercourses, or Drains, where necessary; and also to make or cause to be made a Road through the Grounds adjoining to any ruinous or narrow Part of the said Roads (not being the Site or Ground whereon any House or Houses stand, nor being a Yard, Garden, Orchard, Park, Paddock, planted Walk or Avenue to any House, or any inclosed Ground planted and set apart as a Nursery for Trees), to be made use of by all Passengers, Cattle, and Carriages as a Public Highway whilst the old Road is repairing or widening, and till such Time as it shall be convenient for Passengers and Carriages to pass along the same, making such Recompence to the Owners and Occupiers of such private Grounds respectively, for the Damages they shall or may thereby sustain, as shall be adjudged reasonable by the said Trustees; and in case of any Difference concerning such Damages between such Owners or Occupiers and such Trustees, that then it shall and may be lawful for any Two or more Justices of the Peace acting in and for the said County of *Somerset*, on Fourteen Days Notice in Writing being given by either Party to the other, to settle, adjudge, and determine what Recompence shall be made to such Owners and Occupiers for the Damages they shall have sustained as aforesaid.

Bridges, Drains, &c.

XCI. And be it further enacted, That it shall be lawful for the Owner or Owners of any Lands or Grounds through or over which the said intended new Roads or Diversions of Roads shall be made, with the Consent in Writing of the said Trustees or any One or more of them, or their Surveyor or Surveyors for the Time being, to make such Culverts, Tunnels, Sewers, and Drains, communicating with such Lands and Grounds, through or under the said new Roads, as they or any of them may deem proper, for the Improvement or more convenient Occupation of their several and respective Estates, or of any Messuages, Erections, or Buildings already erected and built, or to be erected and built thereon, or any Part thereof, so that the making or using of any such Tunnels, Culverts, Sewers, or Drains, do not obstruct, interrupt, or impede the Passage on the said new intended Road, and so that such Owner or Owners respectively do without Delay repair and make good all Breaches in and other Damage which shall or may be done to the said new Roads, in or about the Erection or Execution of any such Works.

The Owners of Lands through which the new Road shall be made may make Drains under the Road.

XCII. And be it further enacted, That the said Trustees shall cause the said respective Roads to be measured, and Stones or Posts to be set up in or near the same, at the Distance of One Mile from each other, with Inscriptions thereon, denoting the Number of Miles and Distance of Places, as they shall think proper; and also such and so many Direction Posts as they

Roads to be measured, and Milestones set up,

they shall judge necessary or proper; and also shall and may set up or cause to be set up a Boundary Stone at the Termination of each of the said Roads, and of the respective Branches thereof.

Persons liable to repair Roads to continue so.

XCIII. And be it further enacted, That all Bodies Politic and Corporate, whether Sole or Aggregate, and all Persons who by reason of the Tenures of their Lands, or any Charge thereon, or by any Law, Custom, or Usage, or otherwise, are or shall be exclusively and specially liable to the Repair, or to contribute to the Repair, or to pay any Sum of Money towards the Repairs of any Part of the said Road, or any Bridge, Causeway, Drain, Arch, or Sewer therein, shall, notwithstanding this Act, still remain liable and chargeable to such Contribution and Payment, in such Manner as they were before the passing of this Act; and that subject thereto, the Inhabitants of the several Townships through which the said Roads do pass, shall and they are hereby declared to be chargeable with and liable to the Repair of such Parts of the said Road as are within the said respective Townships.

Statute Labour how regulated.

XCIV. And be it further enacted, That it shall be lawful for any Two or more Justices of the Peace acting within the said County of *Somerset*, and they are hereby empowered and required (upon Application made to them for that Purpose by the said Trustees, or by their Clerk or Surveyor by their Order), from Time to Time to adjudge, apportion, and determine what Part or Proportion, and how much of the Statute Work or Duty shall every Year be done and performed upon the said Roads, by the Inhabitants of the Parishes, Townships, Tithings, Hamlets, Districts, Divisions, or Places in which the said Roads do lie; and also what Proportion and how much of the Money received by the Surveyor or Surveyors of the Highways of every such Parish, Township, Tithing, Hamlet, District, Division, or Place, in lieu of or as a Composition for such Statute Work or Duty, shall be by him, her, or them paid to the said Trustees or to their Treasurer; 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, Township, Tithing, Hamlet, District, Division, or Place to bring in Lists unto and before such Justices, at some Place and Time to be expressed in such Summons (within Ten Days after the serving of such Summons), containing the Names of the several Persons who within such Parish, Township, Tithing, Hamlet, District, Division, or Place are by Law subject and liable to do and perform Statute Work or Duty for that Year, or to the Payment of any Money in lieu of or as a Composition for such Statute Work or Duty, distinguishing the Nature of the Work to be done, whether with Teams or Draughts or otherwise, and specifying 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 is, are, or may be limited, directed, and appointed by any Law or Statute in force and effect for the Repair of the Public Highways; and out of such Lists the said Justices respectively shall or may allot, appoint, order and direct such and so many of the Persons who shall appear to be subject and liable to Statute Work or Duty as aforesaid, to do and perform such Number of Days Statute Work or Duty in every Year upon the said Roads as the said Justices shall think reasonable and proper, and the same shall be done on such Days, and at such Times (not being

Seed-time, Hay-time, or Harvest), and on such Part or Parts of the said Roads, as the said Trustees, or their Surveyor or Surveyors for the Time being shall from Time to Time order, direct, and appoint; and the said Justices may also order, apportion, direct, and appoint the Persons who by such Lists shall appear to be subject or liable to the Payment of any Money, in lieu of or as a Composition for Statute Work or Duty as aforesaid, to pay such Proportion thereof as the Justices shall think proper to the Surveyor or Surveyors of every such Parish, Township, Tithing, Hamlet, District, Division, or Place for the Time being, to be by him or them paid over to the said Trustees or their Treasurer, and at such Time or Times as the said Trustees 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 Penalty is by this Act authorized to be recovered; and each and every Person who shall neglect or refuse to do and perform such Statute Work as aforesaid, (after Notice in Writing given to or left with him, her, or them, at his, her, or their last or usual Place or Places of Abode, for that Purpose, signed by the Surveyor or Surveyors to 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 and effect 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, Horse or Beast 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 the Person so coming to work, or sending such Labourer as aforesaid, shall be subject and liable to the respective Forfeitures and Penalties aforesaid, as if he had neglected or refused to come or send a Labourer, or furnish such Team or Draught, Horse or Beast to work on any Part of the said Roads; and in case the said Surveyor or Surveyors of the Highways for any of the said Parishes, Townships, Tithings, Hamlets, Districts, Divisions, or Places in which the said Roads lie, shall refuse or wilfully neglect to give in such Lists as aforesaid, or shall knowingly or wilfully give in false or imperfect Lists, or shall refuse and neglect to collect and pay such Composition Money, or any Part thereof, in Manner aforesaid, every such Surveyor so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds; all which Forfeitures shall be paid to the Treasurer to the said Trustees, and applied towards amending the said Roads.

Trustees may compound for Statute Duty.

XCV. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized or empowered to compound and agree, by the Year or otherwise, with any of the Inhabitants or Occupiers of Lands, Tenements, or Hereditaments of or in any of the Parishes, Townships, Tithings, Hamlets, or Places in which the said Roads shall lie and be situate, for a certain Sum of Money in lieu of the Whole or any Part of their Statute Work, or to compound with the Surveyor of the Highways for any such Parishes, Townships, Tithings, Hamlets, or Places for the Whole or any Part of the Statute Work liable to be performed within

within the same respectively; all which Composition Monies shall be from Time to Time paid in advance, and shall be applied in repair of the said Roads.

Surveyors, &c. may recover the same.

XCVI. And be it further enacted, That the respective Surveyors of the Highways, or the Churchwardens or Overseers of the Poor who shall pay any such Composition Money, or of whom the same shall be recovered as aforesaid, shall be repaid or reimbursed the Composition Money paid by or recovered of them respectively, with the Costs and Charges attending such Recovery, by the several Ways and Means, and in such Manner as by the Laws in being Surveyors of the Highways are to be repaid or reimbursed the Monies by them expended in buying Materials for repairing the Highways.

Trustees may contract for Repairs.

XCVII. And be it further enacted, That the said Trustees, or such Person or Persons as they shall for that Purpose authorize, delegate, or appoint, are hereby empowered to contract with any Person or Persons for amending, diverting, varying, altering, widening, making, maintaining, repairing, and otherwise improving the said Roads, or any Part thereof, for erecting Mile and Direction Stones or Posts thereon, or for doing any other Work to be performed in the Execution of this Act, in such Manner and for such Sum or Sums of Money as the said Trustees shall think proper; and that all Contracts and Agreements in Writing, entered into pursuant to any Order of the said Trustees, by their Clerk or Clerks, Treasurer or Treasurers, Surveyor or Surveyors, or other Officer, with any Workmen, or other Person or Persons, relating to any Matter or Thing to be done by virtue of this Act, shall be binding upon all such Parties or Persons as shall sign the same, his, her, and their Executors and Administrators; and that Actions and Suits shall and may be maintained thereon by the said Trustees, or by their Clerk or Clerks, Treasurer or Treasurers, and in his or their Name or Names respectively, and Damages or Costs recovered against the Party or Person, Parties or Persons failing in the Performance of such Contracts or Agreements respectively; and such Sum of Money as shall or may be requisite for making or repairing the said Roads, or any other Matter or Thing to be done by virtue of this Act, and which by such Contracts or Agreements respectively the Parties ought to have done, shall be the Measure of the Damage to be recovered in any such Action or Suit, against any such Party or Person, Parties or Persons so as aforesaid making Default in fulfilling his, her, or their Contract or Agreement; any Law or Usage to the contrary in anywise notwithstanding.

Penalties on defacing Milestones, riding, &c. upon Causeways.

XCVIII. And be it further enacted, That if any Person or Persons shall ride upon any Footpath or Causeway by the Side or Sides of the said Roads, made or set apart for the Use or Accommodation of Foot Passengers, or shall lead or drive any Horse, Mule, Ass, Swine, or Cattle, or Carriage of any Description upon any such Footpath or Causeway, or shall cause any Injury or Damage to be done to the same, or the Hedges, Posts, Rails, or Fences thereof; or shall wilfully pull up or damage any Direction or Mile Post or Stone erected or fixed, or to be erected or fixed in or near the Side or Sides of the said Roads; or shall obliterate or deface any of the Letters, Figures, or Marks inscribed thereon; or shall wilfully damage any Bridge, Wall, or other Erection made

made or erected by the said Trustees, or repaired or repairable by them; or shall haul or draw, or caused to be hauled or drawn upon any Part of the said Roads, any Timber, Stone, or other Thing, otherwise than upon Wheeled Carriages; or shall suffer any Timber, Stone, or other Thing which shall be carried upon Wheeled Carriages to drag or trail upon any Part of the said Roads to the Prejudice thereof; or shall in or upon any Part of the said Roads, or by the Side or Sides thereof, or in any exposed Situation near thereto, kill, slaughter, singe, scald, dress, or cut up any Beast, Swine, Calf, Lamb, or other Cattle; or shall make or assist in making any Fire or Fires commonly called Bonfires, or shall set fire to, or let off or throw any Squib, Rocket, Serpent, or Firework whatsoever within Eighty Feet of the Centre thereof; or shall blow or blast any Rock or Quarry on any Part of the said Roads, or on the Side or Sides thereof, or on the Banks thereof; or play at Football or any other Game or Games upon the said Roads, or any Part thereof, to the Annoyance of any Passenger or Passengers; or if any Person riding, attending, or driving any Horse or other Beast on the said Roads, and carrying any Iron Bar or Rod, Basket or Pannier, or any other Matter or Thing, shall place any such Bar or Rod, Basket or Pannier, Matter or Thing, across such Horse or other Beast, in such Manner as that the same or any Part thereof shall project more than Thirty Inches from either Side of such Horse or other Beast, or so as in any Manner to obstruct, impede, or endanger the Passage or Progress of any other Person, or any Horse, Beast, Cattle, or Carriage travelling or going along or upon the said Roads; or if any Hawker, Pedlar, Gipsey, or other Person or Persons travelling with any Machine, Vehicle, Cart, or other Carriage whatsoever, with or without any Horse, Mule, Ass, or other Beast, shall pitch or place any Tent, or shall encamp upon or by the Side or Sides of the said Roads, or any Part thereof; or if any Person shall leave any Waggon, Wain, or Cart (except in case of Accident) upon any Part of the said Roads, or on the Side or Sides thereof, without any proper Person in the sole Custody or Care thereof, longer than may be necessary to load and unload the same, or shall not place the same during the Time of loading or unloading thereof as near to the Side of the Road as conveniently may be, either with or without any Horse or Beast of Draught harnessed or yoked thereto; or shall lay any Timber, Stone, Hay, Straw, Dung, Manure, Soil, Ashes, Rubbish, or other Matter or Thing whatsoever upon any Part of the said Roads, or on the Side or Sides thereof, or the Footpaths or Causeways adjoining thereto, to the Prejudice of such Roads or Footways, or to the Prejudice, Annoyance, or Interruption of the Persons travelling thereon; or shall suffer any Water, Filth, Dirt, Matter, or Thing whatsoever to run or flow into or upon the said Roads or Footpaths from any House, Building, Erection, Lands, or Premises adjacent thereto; or if any Person driving any Pigs or Swine upon the said Roads shall suffer such Pigs or Swine to root up or damage the said Roads, or any Part thereof, or the Fences, Hedges, Banks, or Copse on either Side thereof respectively; or if any Person shall, after having blocked or stopped any Cart or other Carriage in going up a Hill or rising Ground, cause or suffer to be or remain on the said Roads, or any Part thereof, the Stone or other Thing with which such Cart or other Carriage shall have been blocked or stopped; or if the Driver of any Waggon, Cart, Dray, Sledge, or other Carriage used for the carrying of Goods and Merchandize, shall ride on the Shafts or any

other Part of such Waggon, Cart, Dray, Sledge, or other Carriage, or on any of the Horses drawing the same, upon any Part of the said Roads; and if any such Person, meeting another Coach, Chaise, Waggon, Cart, or other Carriage, shall not keep his or her Carriage on the Left or Near Side of the said Roads; or if any Person shall in any Manner wilfully prevent any other Person or Persons from passing him or her, or any Coach, Chaise, Waggon, Cart, or other Carriage under his or her Care upon the said Roads; or if any Blacksmith, or other Person occupying a Blacksmith's Shop having Doors or Windows to the Front of the said Roads, shall not, by good and close Shutters, every Evening after it becomes Twilight, and every Morning until after Twilight, bar and prevent the Light from such Shop shining into the said Roads, every Person offending in any of the Cases aforesaid shall for each and every such Offence forfeit and pay any Sum not exceeding Five Pounds.

In case of Nonpayment of Compensation for Materials, Damages, or Injury done by the Trustees, &c. the same to be levied by Distress of the Goods of such Trustees or their Treasurer.

XCIX. Provided always, and be it further enacted, That when and as often as any Sum or Sums of Money shall be directed or ordered to be paid by any Justice or Justices of the Peace in pursuance of the Directions of this Act, as or by way of Compensation or Satisfaction for any Materials, Costs, Damages, Spoil, or Injury of any Nature or Kind whatsoever, done or committed by the said Trustees, or any Person or Persons acting by or under their Authority, or under the Authority of this Act, and such Sum or Sums of Money shall not be paid by the said Trustees to the Party or Parties entitled to receive the same, within Five Days after Demand in Writing shall have been made, stating the Order of such Justice or Justices, from the Clerk to the said Trustees or their Treasurer, in pursuance of the Direction or Order made by such Justice or Justices, then and in such Case the Amount of such Compensation or Satisfaction shall and may be levied and recovered by Distress and Sale of the Goods and Chattels vested in the said Trustees by virtue of this Act, or of the Goods and Chattels of their Treasurer for the Time being, under a Warrant to be issued for that Purpose by such Justice or Justices of the Peace, which Warrant any such Justice or Justices is and are hereby authorized and required to grant, under his Hand and Seal or their Hands and Seals, on Application made to him or them for that Purpose by the Party or Parties entitled to receive such Sum or Sums of Money, as or by way of Compensation or Satisfaction for any such Materials, Costs, Damages, Spoil, or Injury as aforesaid; and in case any Overplus shall remain after Payment of such Sum or Sums of Money, and the Costs and Expences of hearing and determining the Matter in Dispute, and also the Costs and Expences of such Distress and Sale, then and in such Case such Overplus shall be returned, on Demand, to the said Trustees, or to their Treasurer for the Time being, as the Case may be.

Recovering of Penalties and Forfeitures,

C. And be it further enacted, That all Penalties, Forfeitures, and Fines hereby inflicted or authorized to be imposed (theManner of levying, recovering, and applying whereof is not herein otherwise directed), shall, upon Proof of the Offences respectively before any Justice of the Peace for the said County of *Somerset*, either by the Confession of the Party offending, or by the Oath of any One or more credible Witness or Witnesses, which Oath such Justice is in every such Case hereby fully authorized to administer

administer, be levied, together with the Costs attending the Information and Conviction, by Distress and Sale of the Goods and Chattels of the Party or Parties offending, by Warrant under the Hand and Seal of such Justice (which Warrant such Justice is hereby empowered and required to grant), and the Overplus (if any), after such Penalties, Forfeitures, and Fines, and the Charges of such Distress and Sale are deducted, shall be returned upon Demand, unto the Owner or Owners of such Goods and Chattels; and the Monies arising by such Penalties, Forfeitures, and Fines respectively, when paid or levied (if not otherwise directed to be applied by this Act), shall be from Time to Time paid, One Moiety to the Informer, and the other Moiety to the Treasurer or Treasurers to the said Trustees, and applied for the Purposes of the said Roads; and in case such Penalties, Forfeitures, and Fines respectively shall not be paid forthwith upon Conviction, then it shall and may be lawful for such Justice to order the Offender or Offenders so convicted to be detained in safe Custody, until Return can be conveniently made to such Warrant or Warrants of Distress, unless the said Offender or Offenders shall give sufficient Security, to the Satisfaction of such Justice, for his or their Appearance before him on such Day or Days as shall be appointed for the Return of such Warrant or Warrants of Distress, such Day or Days not being more than Ten Days from the Time of taking any such Security, and which Security the said Justice is hereby empowered to take by way of Recognizance or otherwise; but if upon the Return of such Warrant or Warrants it shall appear that no sufficient Distress can be had thereupon, then it shall be lawful for any such Justice of the Peace, and he is hereby authorized and required, by Warrant or Warrants under his Hand and Seal, to cause such Offender or Offenders to be committed to the Common Gaol of the said County of *Somerset*, or to any House of Correction within the same, there to remain without Bail or Mainprize for any Time not exceeding Three Calendar Months, unless such Penalties, Forfeitures, and Fines, and all reasonable Charges shall be sooner paid and satisfied.

and Application thereof.

CI. And be it further enacted, That it shall be lawful for any of the said Trustees, or their Collectors, Surveyors, or other Officers respectively, and such Person or Persons as they or any of them shall call to their Assistance, without any Warrant or other Authority than this Act, to seize and detain any Person or Persons (being unknown to such Trustees, Collectors, Surveyors, or other Officers), who shall commit any Offence or Offences against this Act, and take him, her, or them before any Justice or Justices of the Peace for the said County of *Somerset*, or such Offender or Offenders shall be seized and apprehended, and such Justice and Justices shall and is and are hereby required to proceed and act with respect to such Offender or Offenders according to the Provisions of this Act.

For securing transient Offenders.

CII. And for the more easy Conviction of Offenders against this Act, be it further enacted, That all and every the Justice or Justices of the Peace before whom any Person or Persons shall be convicted of any Offence against this Act, shall and may cause the Conviction to be drawn up in the following Form of Words, or in any other Form of Words to the same Effect, as the Case shall happen; (that is to say),

' BE

Form of Conviction.

'County of Somerset, (to wit.)' BE it remembered, That on the Day of in the Year of our Lord *A. B.* is convicted before me of His Majesty's Justices of the Peace for the said County of *Somerset*, [*specifying the Offence, Time and Place when and where the same was committed, as the Case may be.*] Given under my Hand and Seal the Day and Year first abovementioned.'

Proceedings not to be quashed for Want of Form.

CIII. And be it further enacted, That no Order made touching or concerning any of the Matters in this Act contained, or any Proceeding to be had touching the Conviction of any Offender or Offenders against this Act, shall be quashed for Want of Form, or be removed or removable by Certiorari, or any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster*.

Distress not unlawful for Want of Form.

CIV. And be it further enacted, That where any Distress shall be made for any Penalty or Sum or Sums of Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers on account of any Defect or Want of Form in the Summons, Conviction, Warrant of Distress, or other Proceedings relating thereto, nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers *ab initio*, on account of any Irregularity which shall be afterwards done by the Party or Parties distraining, but the Person or Persons aggrieved by such Irregularity shall and may recover full Satisfaction for the special Damage (if any) in an Action upon the Case; but no Plaintiff or Plaintiffs shall recover in any such Action for Irregularity as aforesaid, if Tender of sufficient Amends hath been made for or on Behalf of the Party distraining, before such Action brought.

Appeal to Quarter Sessions.

CV. Provided always, and be it further enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any thing done in pursuance of this Act, and for which no particular Method of Relief hath been already appointed, such Person or Persons may, within Six Calendar Months next after such Cause of Complaint shall arise, appeal to the Justices of the Peace at their next General Quarter Sessions of the Peace to be holden in and for the County of *Somerset*, unless such Complaint shall arise within Ten Days preceding such Sessions, in which Case such Appeal may be brought at the Second Sessions after such Cause shall arise, such Appellant or Appellants first giving or causing to be given Ten Days Notice in Writing of his, her, or their Intention to bring such Appeal, and of the Matter thereof, to the Clerk or Clerks of the said Trustees, and within Four Days after such Notice entering into a sufficient Recognizance before some Justice of the Peace for the said County, with Two sufficient Sureties conditioned to try such Appeal, and abide the Order of and pay such Costs as shall be awarded by the Justices at such Sessions; and the said Justices at such Sessions, upon due Proof of such Notice being given as aforesaid, and of the entering into such Recognizance, shall hear and finally determine the Cause and Matter of such Appeal in a summary Way, and award such Costs to the Party or Parties appealing or appealed against as they the said Justices shall think proper; and the said Justices may, if

they see Cause, by Order of such Sessions, mitigate at their Discretion any Fine, Penalty, or Forfeiture, and may also order such further Satisfaction to be made to the Party or Parties so injured as they shall judge reasonable, or vacate or set aside the Conviction or Convictions, and set the Parties at Liberty, or otherwise may ratify or confirm the same, with such Costs as to them in their Discretion shall seem reasonable, and the Determination of such Quarter Sessions shall be final, binding, and conclusive to all Intents and Purposes; and the said Justices may also at such Sessions, by their Order or Warrant, levy such Costs so awarded by Distress and Sale of the Goods and Chattels of the Person or Persons who shall refuse to pay the same, and for Want of sufficient Distress may commit such Person or Persons to the Common Gaol or House of Correction within the said County of *Somerset*, there to remain for any Time not exceeding the Term of Six Calendar Months, or until Payment of such Costs.

Limitation of Actions.

CVI. And be it further enacted, That no Action or Suit shall be commenced against any Person or Persons for any thing done in pursuance of this Act, until Fourteen Days Notice thereof shall be given to the Clerk or Clerks to the said Trustees, nor after sufficient Satisfaction, or Tender thereof, hath been made to the Party or Parties aggrieved, nor after Six Calendar Months next after the Fact committed, and every such Action shall be laid and tried in the County where the Cause of Action shall arise, and not elsewhere; and the Defendant or Defendants in every such Action or Suit shall or may, at his and their Election, plead specially or the General Issue, and give this Act and the special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act; and if the same shall appear to be so done, or that such Action or Suit shall be brought before Fourteen Days Notice thereof shall be given as aforesaid, or after a sufficient Satisfaction made or tendered as aforesaid, or after the Time limited for bringing the same as aforesaid, or if such Action shall be brought in any other County, then the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall be nonsuited, or discontinue his, her, or their Action or Actions after the Defendant or Defendants shall have appeared, or if upon Demurrer Judgment shall be given against the Plaintiff or Plaintiffs, then the Defendant or Defendants shall and may recover Treble Costs, and have such Remedy for recovering the same as any Defendant or Defendants hath or have in any Case by Law.

General Issue.

Treble Costs.

Penalty on Witnesses not attending when summoned to give Evidence in any Information or Complaint under this Act.

CVII. And be it further enacted, That if any Person or Persons who shall be summoned as a Witness or Witnesses to give Evidence before any Justice or Justices of the Peace (after having been paid or tendered a reasonable Sum of Money for his, her, or their Costs, Charges, and Expences), touching any Matter of Fact contained in any Information or Complaint for any Offence or Offences against this Act, either on the Part of the Prosecutor or the Person or Persons accused, shall respectively refuse or neglect to appear at the Time and Place appointed for that Purpose, without a reasonable Excuse for his, her, or their Refusal or Neglect, or appearing shall refuse to be examined upon Oath, and give Evidence before such Justice or Justices of the Peace, every such Person

Person or Persons shall forfeit and pay for every such Offence any Sum not exceeding Forty Shillings.

Public Act.

CVIII. 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.

Commencement and Continnance of this Act.

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

The

The SCHEDULE to which the aforegoing Act refers.

DESCRIPTION OF PREMISES.	PARISH AND COUNTY WHERE SITUATE.	OWNERS NAMES.	OCCUPIERS NAMES.
INTENDED NEW ROADS.			
From the South Door of the Market House to the South Gate.			
Streets called "Between Church and Bridge,"—"The Cheese Market," and "St. Mary Street"	Bridgewater, Somerset	—	—
From the South Door of the Market House to the East Gate.			
Streets called "Between Church and Bridge,"—"Cornhill" and "Eastover" - -	Bridgewater, Somerset	—	—
From the North Door of the Market House to the West Gate.			
Streets called "High Street" and "The Sheep Market"	Bridgewater, Somerset	—	—
From the North Door of the Market House to the Eastern End of the Cornhill.			
Streets called "High Street" and "The Cornhill" - -	Bridgewater, Somerset	—	—
From the South Gate to Tamlyn's Cottage on Hamp Green.			
Road or Lane called "Hamp Ward" - -	Bridgewater, Somerset	—	—
Garden and Wall -	Do. -	Revd Rich. Codrington, Messrs. Pykes Assignees -	John Leaker.
Pasture Field - -	Do. -	Do. Do.	Do.
Dwelling House and Garden	Do. -	The Churchwardens and Overseers of the Poor - -	Joseph Dosson.
Smith's Shop, Court, and other Outbuildings -	Do. -	Charles Kemys Kemys Tynte esq.; Miss Mines	Isaac Lillycrap.
A Cottage - -	Do. -	Do. Do.	Ann West and Jane Rowe.

DESCRIPTION OF PREMISES.	PARISH AND COUNTY WHERE SITUATE.	OWNERS NAMES.	OCCUPIERS NAMES.
From the South Gate to Tamlyn's Cottage on Hamp Green—*continued*.			
A Garden - -	Bridgewater, Somerset	Second poor of Bridgewater - -	John Murlis, Philip Hooper, Tho. Criddle.
Barton and Outbuilding	Do. -	James Clouter jun. -	James Clouter jun.
An Orchard - -	Do. -	Do. -	Do.
Pasture Field - -	Do. -	Stephen Hayman -	James Taylor.
Brick Yard - -	Do. -	Messrs. Sealey -	Messrs. Sealey.
Barton and Pasture Field	Do. -	James Clouter -	James Clouter.
An Orchard - -	Do. -	Jefferys Allen esq. -	Jefferys Allen esq.
Pasture Field - -	Do. -	Charles K. K. Tynte esq.	James Clouter.
Garden - -	Do. -	Do. - / Rev. Dr. Wollen -	Thomas Cape.
Hamp Green Common -	Do. -	Charles K. K. Tynte esq.	Do.
Do.	Do. -	Do. -	William Acraman.
Cottage and Garden -	Do. -	Thomas Tamlyn -	Thomas Tamlyn.
From Parker's Field Lane to the Town of North Petherton.			
North-west end of Parker's Field Lane - -	North Petherton, Somerset -	—	—
Pasture Field -	Do. -	Henry Coles jun. -	Henry Coles jun.
Cottage and Garden -	Do. -	Robert Baker -	J. Poole and another.
Arable Field - -	Do. -	Henry Coles jun. -	Thomas Starkey.
Do. -	Do. -	Geo. Coombe jun. -	Geo. Coombe jun.
Do. -	Do. -	Do. -	Do.
Close of Meadow -	Do. -	Do. -	Do.
Pasture Field -	Do. -	Henry Coles jun. -	Thomas Starkey.
Arable Field -	Do. -	Geo. Coombe jun. -	Edward Palmer.
Orchard - -	Do. -	Thomas Gristock and John Kensey and E. Berkley Portman esq.	Thomas Gristock.
Mill Lane - -	Do. -	—	—
Arable Field - -	Do. -	Geo. Coombe jun. -	Edward Palmer.
Orchard - -	Do. -	Do. -	Geo. Coombe jun.
Cottage and Garden -	Do. -	Jn. Chapman esq. and E. B. Portman esq.	Thomas Rich.
Mill Lane or Street -	Do. -	—	—
An Orchard - -	Do. -	E. B. Portman esq. and Dewdney Parsons esq.	Thomas Rich.
Garden - -	Do. -	Do. -	Do.
Dwelling House -	Do. -	Do. -	Do.
From the Crossway opposite Mr. King's House, at North Petherton, to Day's Four Acres.			
An Orchard - -	North Petherton, Somerset -	John Gatcombe, and E. B. Portman esq.	John Gatcombe.
Plantation or Nursery -	Do. -	Richard King esq. -	Richard King esq.
Pasture Field -	Do. -	Do. -	Do.
Arable Field -	Do. -	Thomas Grabham -	George Day.

DESCRIPTION OF PREMISES.	PARISH AND COUNTY WHERE SITUATE.	OWNERS NAMES.	OCCUPIERS NAMES.
From Bradford's Cottage to late House's Six Acres.			
Cottage and Garden -	Thurloxton, Somerset	William Bradford -	William Bradford.
Close of Meadow - -	Do. -	E. B. Portman esq. -	Mary King.
Arable Field -	Do. -	William Harrison -	Thomas Harrison.
Do. - -	Do. -	Thomas Harrison -	Do.
Close of Meadow -	Do. -	Matthew Lindon -	John Gill.
An Orchard -	Do. -	Ed. Jefferies Esdaile esq.	John Godfrey.
Do. - -	Do. -	Do. -	Do.
Do. - -	Do. -	Matthew Lindon -	John Gill.
Garden and Orchard -	North Petherton -	Thos. Samuel Jolliffe esq.	Philip Burnell.
Arable Field -	Do. -	Do. -	Do.
Close of Meadow -	Do. -	Do. -	Do.
An Orchard -	Do. -	Thomas Landsey -	Thomas Landsey.
Arable Field -	Do. -	Thos. Samuel Jolliffe esq.	Philip Burnell.
Close of Meadow -	Creech Saint Michael	Richard King esq. -	George Chedgey.
Arable Field -	Do. -	Jonathan Warre esq. -	Richard House.
Do. -	Do. -	Do. -	Do.
Do. -	Do. -	Richard King esq. -	George Chedgey.
Do. -	Do. -	Do. -	Do.
Close of Meadow -	Do. -	William Richardson -	Thomas Harrison.
Arable Field -	Do. -	John Gooding -	Richard House.
Do. -	Do. -	Do. -	Do.
New intended Road across Trivett's Ground at Huntworth.			
Pasture Field -	North Petherton -	Robert Colthurst -	Robert Colthurst.
From the East Toll House to Pawlett Common.			
Pasture Field -	Bridgewater, Somerset	Jn. Dawbney Harvey esq.	George Hartnall.
Do. - -	Do. -	Jos. Jeans Durbin esq.	Abraham Danger.
Do. - -	Do. -	John Philips esq. - / Henry Coles -	John Miles.
Do. - -	Do. -	Duke of Buckingham -	Benjamin Symes.
Do. - -	Do. -	Do. and William Dickenson esq. -	George Hartnall.
Do. - -	Do. -	Edmund Moreton Pleydell esq. - -	Joseph Good.
Do. - -	Do. -	Do. -	Do.
Do. - -	Do. -	Do. -	Do.
Do. - -	Do. -	Do. -	Do.
Do. - -	Do. -	Do. -	Do.
Do. - -	Do. -	Do. -	Do.
Do. - -	Wembdon, Somerset	Duke of Buckingham	Benjamin Symes.
Do. - -	Do. -	Do. -	Do.
Do. - -	Do. -	Do. -	Do.
Do. - -	Do. -	Do. -	Do.
Do. - -	Do. -	E. M. Pleydell esq. -	Joseph Good.

DESCRIPTION OF PREMISES.	PARISH AND COUNTY WHERE SITUATE.	OWNERS NAMES.	OCCUPIERS NAMES.
From the East Toll House to Pawlett Common—*continued.*			
Pasture Field -	Chilton Trinity, Somerset	E. M. Pleydell esq. -	Joseph Good.
Do. - -	Do. -	Do. -	Do.
Do. - - -	Do. -	Do. -	Robert Gooding.
Do. - -	Do. -	Do. -	William Bulpin.
Cottage and Garden -	Puriton, Somerset	Commissioners of Sewers	William Olman.
Pasture Field -	Do. -	Ben. Cuff Greenhill esq.	Joseph Winter.
Do. - -	Do. -	Do. -	Do.
Do. - -	Do. -	Do. -	Do.
Do. - -	Do. -	Do. -	Joseph Good.
An Orchard - -	Pawlett, Somerset	Wyndham Goodden esq. and Thomas Good	Thomas Good.
Close of Meadow -	Do. -	Do. Do. -	Do.
An Orchard - -	Do. -	Wyndham Goodden esq.	William Burge.
Pasture Field -	Do. -	Thomas Nicholls -	Thomas Nicholls.
House and Garden -	Do. -	Wyndham Goodden esq.	James Burrow.
An Orchard - -	Do. -	Do. and Thomas Good	Thomas Good.
House and Garden -	Do. -	Wyndham Goodden esq.	Thomas Coleman.
Barton and Home Buildings	Do. -	Do. -	William Burge.
Close of Pasture -	Do. -	Do. -	Do.
Do. - -	Do. -	Do. -	Do.
Arable Field - -	Do. -	Do. and Thomas Good	Thomas Good.
Pasture Field - -	Do. -	Wyndham Goodden esq.	William Burge.
Do. - -	Do. -	William Smallbone esq.	Joseph Winter.
Do. - -	Do. -	Wyndham Goodden esq.	William Burge.
Do. - -	Do. -	Thomas Good -	Thomas Good.
Do. - -	Do. -	Lady Barbara Ponsonby	John Carter.
From Highbridge Inn to Lock's Cottage.			
Brewhouse - -	Huntspill, Somerset	Joseph Stevens -	Joseph Stevens.
Parcel of Arable Land being the Bed or Site of the old River at Highbridge -	Do. and Burnham Somerset -	Do. - -	Do.
From Bartholomew's Garden to Marshall's Orchard at the Bottom of Wembdon Hill.			
Cottage and Garden -	Wembdon, Somerset	William Cox -	Joel Bartholomew.
Arable Field -	Do. -	John Cridland esq. -	Benjamin Marshall.
Do - -	Do. -	Do. -	Do.
An Orchard -	Do. -	Do. -	Do.
Cottage, Garden, and Orchard	Do. -	James Parsons esq. -	James Stevens.
From the Private Road leading to Sandford Farm to the Bottom of Clay Hill.			
Arable Field - -	Wembdon, Somerset	John Cridland esq. -	Henry Morrish.
Close of Meadow -	Do. -	Do. -	Do.
Garden - -	Do. -	Do. -	W. Howe and W. Croydon.

DESCRIPTION OF PREMISES.	PARISH AND COUNTY WHERE SITUATE.	OWNERS NAMES.	OCCUPIERS NAMES.
From the Private Road leading to Sandford Farm to the Bottom of Clay Hill—*continued.*			
Pasture Field -	Cannington, Somerset	Reverend John Poole	Charles Tucker.
Arable Field - -	Do. -	Do. -	Do.
Pasture Field -	Do. -	Robert Pain -	Robert Pain.
Old Road-way -	Do. -	Reverend John Poole	Charles Tucker.
Pasture Field - -	Do. -	Lord Kilcoursie and Hill Dawe esq.	Benjamin Wilkins.
From the North-east End of Blackmoor-lane to Hobb's Little Meadow.			
Arable Field -	Cannington, Somerset	Robert Pain -	Robert Pain.
Pasture Field -	Do. -	Do. - -	Do.
Cottage and Garden -	Do. -	Lord Kilcoursie and James Collier -	Betty Croden.
Arable Field -	Do. -	Robert Pain -	Robert Pain.
Do. - -	Do. -	Do. - -	Do.
Do. - -	Do. -	Do. - -	Do.
Close of Meadow -	Do. -	Do. -	Do.
House, Barton, and Orchard	Do. -	Lord Kilcoursie -	Richard Long.
Garden - -	Do. -	Do. -	Do.
Do. - -	Do. -	Do. -	James Cavill and Thomas Tucker.
Arable Field -	Do. -	Do. -	Benjamin Cavill.
Old Lane - -	Do. -	Do. - -	—
House and Garden -	Do. -	Do. and James Tossel	James Tossell.
Arable Field -	Do. -	Lord Kilcoursie -	Richard Long.
House and Garden -	Do. -	Anthony Starkey	James Bowles and Benjamin Wilkins.
Do. - -	Do. -	Lord Kilcoursie -	William Tucker, sen.
Do. - -	Do. -	Do. - -	Benjamin Wilkins and William Stacey.
Do. - -	Do. -	Do. - -	Simon Stevens and David Howe.
Waste Land -	Do. -	Do. - -	Benjamin Cavill.
Arable Field - -	Do. -	Do. -	Richard Long.
Pasture Field -	Do. -	Do. -	Benjamin Cavill.
Arable Field - -	Do. -	Do. -	Richard Long.
Do. - -	Do. -	Poor of Cannington -	John Harding.
Do. - -	Do. -	Lord Kilcoursie -	Richard Long.
Do. - -	Do. -	Do. and John Harding	John Harding.
Close of Meadow -	Do. -	Charles K. K. Tynte esq. and William Pain, and Ann Fear	Messrs. Pain and Lovell.
From Hobb's Little Meadow in Blackmoor-lane to Hobb's Summerleaze Close.			
Pasture Field -	Cannington, Somerset	Charles K. K. Tynte esq.	Benjamin Hobbs.
Close of Meadow -	Do. -	Do. -	Do.
Pasture Field -	Do. -	Do. -	Do.
An Orchard -	Do. -	Do. -	Do.
Close of Meadow -	Do. -	Do. -	Do.
Pasture Field -	Do. -	Do. -	Do.

DESCRIPTION OF PREMISES.	PARISH AND COUNTY WHERE SITUATE.	OWNERS NAMES.	OCCUPIERS NAMES.
From the South-east Corner of a Close called Wickham's, in Spaxton, to Washer's House.			
Arable Field -	Spaxton, Somerset	Lord Clifford and James Knight -	John Biffen.
From Stowey Rocks to the Turnpike Road at the Corner of Buller's Nine Acres.			
Arable Field - -	Nether Stowey, Somerset	Christiana Balch -	Robert Beaden Buller.
From the North End of Robert Allen's Dwelling House in Bishop's Lydiard to Gore Inn, at the Junction of the Taunton and Wiviliscombe Turnpike Roads.			
Present public Parish Road through the Village of Bishops Lydiard -	Bishops Lydiard, Somerset -	—	—
	WIDENINGS.		
	From West Gate to Nether Stowey.		
Garden - -	Over Stowey, Somerset	Christiana Balch and Francis Edwards -	George Seabrook.
Do. - -	Do. -	Christiana Balch and James Jenkins -	George Caswell.
Cattle Pound - -	Nether Stowey, Somerset	Christiana Balch - -	—
	From East Gate to Brent.		
Hibbs's 3 Acres and Garden	Pawlett, Somerset -	Lady Barbara Ponsonby	Thomas Parker.
An Orchard - -	Do. - -	Do. - -	Do.
Do. - -	Do. -	Do. - and Samuel Rook	Richard Giblett.
Garden and Willow Plot	Do. - -	Lady B. Ponsonby -	Thomas Mitchell.
Cottage and 2 Gardens -	Do. - -	Do. - -	William Spurway.
Garden - -	Do. - -	Do. - -	Robert Bastable.
Cottage and Garden -	Do. -	Do. - -	James Whitehead.
Do. - -	Huntspill, Somerset	Thomas Vane - -	Thomas Vane.
House and Garden -	Do. - -	Sir Thomas Buckler Lethbridge Bart.	Thomas Hembry.
Do. - -	Do. -	Robert Bastable - -	Robert Bastable.
An Outbuilding - -	Do. - -	William Maddock - -	William Maddock.
Cottage and Garden -	Burnham, Somerset -	William Maddock -	William Maddock.

DESCRIPTION OF PREMISES.	PARISH AND COUNTY WHERE SITUATE.	OWNERS NAMES.	OCCUPIERS NAMES.
From the East Gate to Piper's Inn.			
Plantation - -	Cossington, Somerset	Edmund Broderip, jun. esq. - -	Edmund Broderip, jun. esq.
Do. - -	Do. - -	Do. - -	Do.
Garden - -	Chilton Poldon, Somerset	John Durston - -	John Durston.
Do. - -	Do. - -	James Tucker -	James Tucker.
Do. - -	Do. - -	Isaac Grove - -	Isaac Grove.
Do. - - -	Do. - -	John Tozer - -	John Tozer.
Improvements at the Eastern Entrance of the Town of Bridgewater, at or near the East Gate.			
Dwelling House - -	Bridgewater, Somerset	Corporation of Bridgewater	John Cridland
Do. - -	Do. - -	Richard Hawkins - -	Robert Wilkins.
Three Dwelling Houses and a Garden -	Do. - -	Mary Woodrow - -	Thomas Pepper, Thomas Poolman, and W. Mounstephen.
		Ann Gill - -	
		Catharine Jenkins - -	
		Emma Mills - -	
		Ann Reid - -	
		Sarah Goddard - -	
		Mary Mills - -	
		Mrs. Hudson -	
		Charles Crandon - -	
Dwelling House - -	Do. - -	William Prance - -	William Prance.
Improvements near Bridgewater Bridge.			
Dwelling House - -	Bridgewater, Somerset	Corporation of Bridgewater and John Prior	John Prior.
Do. - -	Do. -	James Parsons esq. and Mary Gould - -	Mary Gould.
Do. - -	Do. - -	James Parsons, esq. -	William Parker.
Outbuilding and Yard -	Do. -	Do. - -	Do.
Stable - - -	Do. - -	Thomas Hellier - -	Joseph Bullard.
Do. - - -	Do. -	Do. - -	Ann Bowman.
Improvements at or near the West Gate of Bridgewater.			
Dwelling House and Garden	Bridgewater, Somerset	Rev. Charles Henry Burt	Rev. John Dawes.
Improvements at and near the South Gate of Bridgewater.			
Old Walls - -	Bridgewater, Somerset	Corporation of Bridgewater	—
Old Wall against the Mill-brook and Arch -	Do. - -	Christiana Balch - -	—
Wall, Gateway, and Garden	Do. - -	Edward Symes - -	Edward Symes.

DESCRIPTION OF PREMISES.	PARISH AND COUNTY WHERE SITUATE.	OWNERS NAMES.	OCCUPIERS NAMES.
Improvements in the Town of North Petherton.			
An Orchard - -	North Petherton, Somerset - -	Mrs. Burnett's Representatives - -	Widow Burnett.
Dwelling House and Court	Do. - -	Thomas Ellson - -	Mary Williams.
Do. - -	Do. - -	Do. - -	Thomas Elson.
Dwelling House and Shop	Do. -	Robert Davey - -	Charles Emery.
Dwelling House - -	Do. - -	John Verrier - -	John Verrier.
Dwelling House and Shop	Do. - -	Christopher Marsh -	William Bennett.
Do. - -	Do. - -	Do. - -	Christopher Marsh.
Do. - -	Do. - -	Do. - -	Mary Webber.

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