ANNO TERTIO

VICTORIÆ REGINÆ.

****

Cap. xxxvii.

An Act for more effectually repairing the Road from the *Honiton* Turnpike Road near *Yard Farm* in the Parish of *Upottery* in the County of *Devon*, towards *Ilminster*, to the Eastern Boundary of the Parish of *Buckland Saint Mary* in the County of *Somerset*; and for making, maintaining, and repairing several other Roads communicating therewith in the Counties of *Devon*, *Somerset* and *Dorset*. [19th *May* 1840.]

WHEREAS an Act was passed in the Ninth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act for more effectually repairing the Road from the* Honiton *Turnpike Road near* Yard Farm *in the Parish of* Upottery *in the County of* Devon, *towards* Ilminster, *to the Eastern Boundary of the Parish of* Buckland Saint Mary *in the County of* Somerset, *and other Roads communicating therewith*, whereby certain Persons were appointed Trustees for the Purpose of making, amending, altering, diverting, turning, widening, improving, and keeping in repair the several Roads herein-after mentioned; that is to say, the Road leading from the *Honiton* Turnpike Road near *Yard Farm* in the 9 G. 4. c. 48.

Parish of *Upottery* in the said County of *Devon*, towards *Ilminster*, through the several Parishes of *Upottery* and *Yarcombe* in the County of *Devon*, and *Whitestaunton*, *Combe Saint Nicholas*, and *Buckland Saint Mary* in the said County of *Somerset*, to the Eastern Boundary of the Parish of *Buckland Saint Mary* aforesaid; and also the several Branches of Road communicating therewith, and herein-after mentioned; that is to say, the Road opposite to *Sandy's Lane* in the Parish of *Upottery* aforesaid, across *Rawridge Hill* in the same Parish, to the Southern Boundary of that Parish; the Road from the Stopgate at *Marwood's Causeway* to the *Chard* Turnpike Road in the Village of *Yarcombe* aforesaid; and also the Road from the same Stopgate at *Marwood's Causeway*, into and through the several Parishes of *Yarcombe* aforesaid, and of *Otterford* and *Pitminster* in the said County of *Somerset*, to the Turnpike Road leading from *Honiton* to *Taunton* on *Blagdon Hill* aforesaid: And whereas it would be for the Accommodation of the Public if Provision were made in the Manner herein-after mentioned for making and maintaining a certain Deviation from the present Line of Road leading from *Honiton* to *Ilminster*, into and through the Lands adjoining or near thereto in the said Parish of *Upottery*; and also for making and maintaining a Road leading from and out of the said Turnpike Road from *Honiton* to *Ilminster* at or near the Seven Mile Stone, by *Sandpit Hill* in the Parish of *Yarcombe* aforesaid, to the North-eastern Boundary of the Parish of *Pitminster* in the said County of *Somerset*, at or near a Place called *Shoreditch*, which said Road will pass through or into the Parish of *Yarcombe* in the County of *Devon*, and into or through the several Parishes or Places of *Otterford*, *Corfe*, *Pitminster*, and *Orchard Portman* in the said County of *Somerset*: And whereas considerable Sums of Money have been borrowed and are now due and owing on the Credit of the Tolls authorized to be taken by the said recited Act, and the same cannot be repaid, and the Deviation and new Line of Road effectually made and maintained, unless the said Act be amended, and further and other Tolls, Powers, and Provisions granted and made for those Purposes for a further Term: And whereas it would be more convenient if the said recited Act were repealed, and more effectual Provisions granted and made instead thereof, as well for maintaining and repairing the several Roads comprised in the said Act, as for making, maintaining, and repairing the proposed Deviation and new Line of Road herein-before described; but the 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 Queen'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,

Recited Act repealed.

That from and after the First Day of *June* next after the passing of this Act the said recited Act of the Ninth Year of His said Majesty King *George* the Fourth shall be and the same is hereby repealed.

This Act to be put in execution for the Purposes herein mentioned.

II. And be it further enacted, That this Act shall be put in execution, during the Term herein-after mentioned, for the Purpose of making, amending, altering, diverting, turning, widening, and improving and keeping in repair the several Roads herein-after mentioned;

(that is to say,) the Road leading from the *Honiton* Turnpike Road near *Yard Farm* in the Parish of *Upottery* in the said County of *Devon*, towards *Ilminster*, through the several Parishes of *Upottery* and *Yarcombe* in the County of *Devon*, and *Whitestaunton*, *Combe Saint Nicholas*, and *Buckland Saint Mary* in the said County of *Somerset*, to the Eastern Boundary of the Parish of *Buckland Saint Mary* aforesaid; and also the several Branches of Road communicating therewith, and next herein-after mentioned; (that is to say,) the Road opposite to *Sandy's Lane* in the Parish of *Upottery* aforesaid, across *Rawridge Hill* in the same Parish, to the Southern Boundary of that Parish; the Road from the Stopgate at *Marwood's Causeway* to the *Chard* Turnpike Road in the Village of *Yarcombe* aforesaid; and also the Road from the same Stopgate at *Marwood's Causeway* into and through the several Parishes of *Yarcombe* aforesaid, and of *Otterford* and *Pitminster* in the said County of *Somerset*, to the Turnpike Road leading from *Honiton* to *Taunton* on *Blagdon Hill* aforesaid; and also for making, maintaining, and keeping in repair the Deviation and new Line of Road herein-after mentioned, (that is to say,) a certain Deviation from the present Line of Road leading from *Honiton* to *Ilminster*, into and through the Lands adjoining or near thereto in the said Parish of *Upottery*; and a Road leading from and out of the said Turnpike Road from *Honiton* to *Ilminster* at or near the Seven Mile Stone, by *Sandpit Hill* in the Parish of *Yarcombe* aforesaid, into and through the said several Parishes of *Yarcombe*, *Otterford*, *Corfe*, *Orchard Portman*, and *Pitminster*, to the North-eastern Boundary of the Parish of *Pitminster* aforesaid at or near a Place called *Shoreditch* aforesaid.

When new Line of Road is completed, a Part of the old Road to be given up.

III. Whereas the making the proposed new Road from at or near the Seven Mile Stone, by *Sandpit Hill*, to *Shoreditch* will render it unnecessary that a Portion of the existing Road which lies between the *Brown Down Gate* and the Turnpike Road leading from *Honiton* to *Taunton* on *Blagdon Hill*, near *Holmin Clavel*, should be continued to be repaired by the Trustees of this Act; be it therefore enacted, That when and as soon as the said proposed new Road shall be formed and completed the said Portion of the existing Road hereinbefore described shall cease to form Part of the Roads to be repaired by virtue of this Act.

Trustees.

IV. And be it further enacted, That all Her Majesty's Justices of the Peace for the Time being acting for the Counties of *Devon* and *Somerset* respectively, together with the Honourable and Reverend *William Leonard Addington* Clerk, *Robert Henry Aberdein*, *Josiah Anstice*, *John Allen* Clerk, *Thomas Alford* Clerk, *John Baker*, *Edward Baker*, *James Basleigh*, *Charles Edward Band* Clerk, *Wright Drewe Band*, *George Bruford*, *Robert Beadon*, *Robert Beadon* the younger, *Edwards Beadon*, *William Beadon* the younger, *John Bellett*, *John Bluett*, *Henry Bluett*, *Robert Burrough*, *Thomas Collins*, *Thomas Edward Clarke*, *Robert Pearse Clarke* Clerk, *John Cook Cox* Clerk, *John Collins*, *Edwin Ellis Coleridge* Clerk, *John Haydon Cardew* Clerk, Sir *Thomas Trayton Fuller Elliott Drake* Baronet, *John Denner*, *Luther Graves Elliott* Clerk, *John William Elliott*, *George Elliott*, *Robert James Elton*, *William Tierney Elton* Clerk, *Christopher Flood*,

Flood, Christopher Samuel Flood, John Frost, John Templeman Gervis, Lewis Gidley, Charles Gordon the younger, *Thomas Groube, John Guppy, Henry Erskine Head* Clerk, *Edward John Honywood, John Clapcott Jerrard, William Kinglake, Kinglake* the younger, *Edward Lance* Clerk, *Lawson* Clerk, *William Lee, Henry James Leigh, Harry Buckland Lott, Samuel Jordan Lott* Clerk, *Richard Lewis* Clerk, *Richard Lewis* the younger, Clerk, *John Liddon, Henry Liddon, William Mitchell* Clerk, *Thomas John Marker* Clerk, *Richard John Marker, Jonah Pynsent Mathew, John Mathew, Philip Mules, John Hawkes Mules* Clerk, *Charles Hawkes Marwood Mules, Philip Mules* Clerk, *Thomas Maunder, Henry Mitchell* Clerk, *John Murch, William Murch, John Newberry, Samuel Newberry, Richard Newberry, John Newberry, Matthew Norman, Henry Palmer* Clerk, *Charles Pearse, Daniel Pidgeon, William Pine, Thomas Putt* Clerk, *Daniel Pring, Richard Pople, John Porter, Nathaniel Read, John Read, William Rogers, William Smark, Edmund Stamp, Villiers Henry Plantagenet Somerset* Clerk, *Henry Addington Simcoe* Clerk, *Hugh Speke* Clerk, *Benjamin Barker Smark, George Bacon Sweeting, James Smith Townsend* Clerk, *Henry John Tooze* Clerk, *John Honywood Townsend, Charles Benjamin Tucker, William Tucker* the younger, *Henry Tippetts Tucker* Clerk, *James Vibart, William Walter, Benjamin Ward, William Woodward, William White, Francis Thomas Bedford Willesford* Clerk, and their Successors, being duly qualified to act as Trustees of Turnpike Roads in *England*, shall be and they are hereby appointed Trustees for carrying this Act into execution.

Power to appoint additional Trustees.

V. And be it further enacted, That it shall be lawful for the said Trustees and they are hereby authorized and empowered, at any Meeting to be held by virtue of this Act, to elect and appoint any Number of fit and proper Persons, not exceeding Five in the whole, to be Trustees for executing this Act, in addition to the Trustees hereby appointed; and such Trustees, so elected and appointed and being duly qualified, shall be and they are hereby invested with the same Powers and Authorities for executing this Act as if they had been named and appointed Trustees in and by this Act.

First Meetings of Trustees.

VI. And be it further enacted, That the said Trustees shall meet at the *Yarcombe* Inn, or at some other convenient Place in the Parish of *Yarcombe* in the County of *Devon*, on the Third Day of *June* next after the passing of this Act, or as soon after as conveniently may be, between the Hours of Eleven in the Morning and Two in the Afternoon, and shall then and there proceed to put this Act into execution, and shall then and from Time to Time afterwards adjourn to and meet at such Times and at such Places, upon or within Four Miles of some Part of the said Roads, as they shall think proper.

Trustees empowered to make Deviation and new Road.

VII. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered, to set out, make, and complete the Deviation and new Line of Road hereinbefore described in, over, upon, or through any private Lands or Grounds, of such Width as they shall think proper, not exceeding Forty

Forty Feet, together with such Footpaths, Causeways, Bridges, Fences, Ditches, and Drains as they shall think necessary or expedient, and for such Purpose or Purposes to take and use any of the Lands or Hereditaments described or mentioned in the Plan and Book of Reference herein-after referred to, making Satisfaction to the Owners thereof and Persons interested therein for the same and for the Damage they may sustain thereby; and also in, upon, over, or through any Commons or Waste Grounds, without making any Satisfaction for such Commons or Waste Grounds; and it shall also be lawful for the said Trustees, and for their Surveyors and Workmen, from Time to Time to enter upon the Lands and Premises through which or whereupon such Roads, Footpaths, Causeways, Fences, Ditches, and Drains are intended to be made or pass, and also upon any adjoining Lands or Grounds, and to stake out the same in such Manner as the said Trustees shall think necessary or expedient, without being deemed Trespassers, and without being subject or liable to any Fine, Penalty, or Punishment for entering or continuing upon such Lands or Premises respectively for any of the Purposes of this Act; and if any Person shall pull up, remove, or destroy any of such Stakes or other Marks used for the Purposes aforesaid, every Person so offending shall (on Conviction thereof by the Oath of One credible Witness, or on his or her own Confession, before One or more of Her Majesty's Justices of the Peace for the County in which such Offence shall be committed) forfeit and pay for every such Offence any Sum not exceeding Forty Shillings.

Plans deposited with Clerks of the Peace, to remain there, and be open to Inspection.

VIII. And whereas a Map or Plan describing the Lines of the said Deviation and new Line of Road, and the Lands through which the same are intended to be carried, together with a Book of Reference containing the Names of the Owners or reputed Owners and Occupiers of such Lands, have been deposited in the Office of the respective Clerks of the Peace for the said several Counties of *Devon* and *Somerset*; be it therefore enacted, That the said Maps or Plans, and Books of Reference, shall remain in the Custody of the said several Clerks of the Peace, to the end that all Persons may, at any seasonable Time, have Liberty to inspect and peruse the same, and to take Copies or Extracts therefrom, paying to the Clerk of the Peace the Sum of One Shilling for every such Inspection, and at the Rate of Sixpence for every One hundred Words of such Copies or Extracts: Provided always, that the said Trustees, in making the said Deviation and new Line of Road, shall not deviate more than One hundred Yards on either Side of the Lines described in the said Maps or Plans, without the Consent, in Writing, of the Person or Persons, Bodies Politic, Corporate, or Collegiate, through whose Lands or Grounds such Deviation and new Line of Road shall be made.

Lands may be used notwithstanding Errors in Plans or Books of Reference.

IX. Provided always, and be it further enacted, That it shall be lawful for the said Trustees to make the said Deviation and new Line of Road into, through, across, and over the Lands and other Hereditaments described in the said Maps or Plans, although the Name or Names of the Owners or Occupiers thereof may happen to be omitted or mis-stated in the said Books of Reference, in case it shall appear to any Two or more Justices of the Peace acting for the

County, Division, or Place in which such Lands or other Hereditaments shall be situated, and be certified by Writing under their Hands, that such Error or Omission proceeded from Mistake.

Houses and Buildings not to be taken without Consent.

X. Provided also, and be it further enacted, That the Powers and Authorities hereby given for making the said Deviation and new Line of Road shall not in any Case be construed or extend to empower or authorize the said Trustees to take or pull down any Dwelling House or other Building, or to take in or make use of any Curtilage, Garden, Yard, Park, Paddock, Lawn, Shrubbery, planted Walk or Avenue to a House, or any inclosed Ground planted and set apart as a Nursery for Trees, or any Part thereof respectively, other than and except those specified in the Schedule hereto annexed, and other than and except any Buildings which may have been erected on any of the Lands specified in the said Schedule since the Thirtieth Day of *November* One thousand eight hundred and thirty-nine, without the Consent in Writing of the Owner or Proprietor thereof first had and obtained.

If Lands not purchased in Three Years Powers of Purchase to cease.

XI. Provided always, and be it further enacted, That if the said Trustees shall not within the Space of Three Years, to be computed from the passing of this Act, agree for, or cause to be valued and to be paid for, the several Lands and other Hereditaments which they are hereby empowered to take and use as aforesaid, or so much thereof as they shall deem necessary or proper for the Purposes of this Act, then and from thenceforth the Powers and Authorities by this Act granted to them for such Purpose shall cease, determine, and be utterly void, save and except with the Consent of the Owners and Proprietors thereof respectively.

The Freehold of the Lands purchased by the Trustees to remain vested in former Owners.

XII. And be it further enacted, That in case any Lands or Hereditaments shall be purchased by the said Trustees for the Purposes of the Roads authorized to be made or improved by this Act, the Freehold and Inheritance of and in the same, in case the same shall be of Freehold Tenure, or in case the same be of any other Tenure the Estate and Interest in the same, shall not (notwithstanding any Provisions in this Act or in any of the Acts now in force for regulating Turnpike Roads in *England*), by means of any such Purchases, or any Conveyance to be made in pursuance thereof, be vested in the said Trustees, but the Freehold and Inheritance of and in the said Lands and Hereditaments so purchased, in case the same shall be of Freehold Tenure, and in case such Lands or Hereditaments shall be of any other Tenure the Estate and Interest in the same, shall, notwithstanding such Purchase and Conveyance, remain and be vested in the Person or Persons in whom the same were vested immediately prior to such Purchase by the said Trustees, and the said Trustees shall, by means of such Purchase and Conveyance, be entitled only to a perpetual Right of Way in, over, or upon the Lands so to be purchased by them as aforesaid.

Trustees to have the same Powers over the Land as if

XIII. Provided always, and be it further enacted, That the said Trustees shall have such and the same Powers and Authorities of cutting and digging, and otherwise using the Lands and Hereditaments

ments to be taken or purchased by them for the Purposes of this Act, in all respects as they would have had in case they had purchased the Fee Simple thereof, or other Estate and Interest therein. they had purchased the Fee.

XIV. Provided also, and be it further enacted, That if at any Time any of the Lands purchased by the said Trustees for the Purpose of any Road shall not be wanted for the same, and such Road shall cease to be an Highway, then and in such Case the Right of Way in, over, or upon the Lands vested in the said Trustees shall cease, determine, and be extinguished, and the Freehold and Inheritance of such Lands, in case the same shall be of Freehold Tenure, and the Estate and Interest in such Lands in case the same shall be of any other Tenure, shall be and remain in the Person or Persons entitled to the same, freed and discharged of and from such Right of Way. Right of Way to cease when Lands are not wanted.

XV. And be it further enacted, That upon and from and after the Second Day of *June* next after the passing of this Act it shall be lawful for the said Trustees, or their Lessee or Lessees, or any Person or Persons appointed by them respectively Collector or Collectors of Tolls, or otherwise authorized by them for that Purpose, (subject nevertheless to the Provisions, Restrictions, and Exemptions contained in the general Acts now in force for regulating Turnpike Roads in *England*,) to demand and take, at each and every Turnpike, Toll Gate, or Side Gate, Bar or Chain, to be continued or erected upon, across, or on the Side or Sides of the said Roads, or any of them, on each and every Day (such Day to be computed from Twelve of the Clock in the one Night to Twelve of the Clock in the next succeeding Night), before any Horse, Beast, Cattle, Coach, Waggon, Cart, or other Carriage upon which Toll is imposed shall be permitted to pass through any such Turnpike, Toll Gate, or Side Gate, Bar or Chain, any Sum not exceeding the respective Tolls following; (that is to say,) Power to take Tolls

For every Horse or other Beast drawing any Coach, Chariot, Barouche, Chaise, Curricle, Chair, Landau, Berlin, Calash, Hearse, Waggon, Wain, Cart, or other Carriage of any Description, the Sum of Six-pence: Tolls.

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

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

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

Which said respective Tolls or Sums of Money shall be and are hereby vested in the said Trustees, and shall be applied in manner herein-after mentioned.

XVI. And be it further enacted, That after the respective Tolls by this Act authorized to be taken shall have been paid for the passing of any Horse, Cattle, Beast, or Carriage through any Toll Gate, Turnpike, Tolls to be paid but once a Day.

Turnpike, or Side Gate to be continued or erected by virtue of this Act, such Horse, Cattle, Beast, or Carriage shall (upon a Ticket being produced denoting such Payment on that Day, and which Ticket the Collector or Collectors of such Tolls is hereby required to deliver *gratis* to the Person paying the same, and whereon shall be named and specified the Gate at which the same shall have been paid, and also the Gate or Gates (if any) freed by the Payment of such Tolls) be permitted to pass Toll-free through the same Toll Gate, Turnpike, or Side Gate, and also through such other Gate or Gates (if any) as the Ticket for such Payment shall free, at any Time during the same Day (except as herein-after provided).

Limiting Number of Tolls.

XVII. Provided nevertheless, and be it further enacted, That no more than Two full Tolls shall be demanded or taken for or in respect of the same Horse, Cattle, Beast, or Carriage (except as herein-after mentioned) for passing and repassing on the same Day throughout the whole Line of the said Road between the *Honiton* Turnpike Road near *Yard Farm* aforesaid to the Eastern Boundary of the said Parish of *Buckland Saint Mary;* nor more than One full Toll throughout the whole Line of the said Roads from the Village of *Yarcombe* to *Marwood's Causeway* aforesaid, and from thence to the Turnpike Road leading from *Honiton* to *Taunton* on *Blagdon Hill* aforesaid; nor more than One full Toll on the said new Line of Road leading from and out of the present Turnpike Road at or near the Turnpike Gate called the Brown Down Gate to the North-eastern Boundary of the Parish of *Pitminster* aforesaid at or near *Shoreditch* aforesaid.

Tolls to be paid for Stage Coaches every Time of passing and repassing on the same Day.

XVIII. Provided always, and be it further enacted, That the Tolls hereby made payable shall be paid for and in respect of all Horses or Cattle drawing any Stage Coach, Van, Caravan, or Stage Waggon or other Stage Carriage, conveying Passengers or Goods for Pay or Reward, for every Time of passing or repassing along the same Roads: Provided nevertheless, that no further or additional Tolls shall be payable in respect of such Carriages by reason only of the Horses or Beasts drawing the same having been changed.

Post Chaises, &c. on each fresh Hirie.

XIX. And be it further enacted, That the Tolls hereby made payable shall be paid for and in respect of all Horses or other Beasts let out to Hire, and drawing any Post Chaise or other Carriage travelling, for each Time of passing or repassing along the said Roads, whenever a new Hiring thereof shall have taken place.

No Toll to be taken for Lime for Agricultural Purposes.

XX. Provided always, and be it further enacted, That no Toll shall be demanded or taken for any Horse or other Beast laden with or drawing Lime to be used for Agricultural Purposes only, or when going to any Limekiln for Lime to be used for that Purpose.

Application of Tolls and other Monies.

XXI. And be it further enacted, That all Monies already received, or which shall come into the Hands of the Trustees under or by virtue of the said recited Act and this Act, shall be applied in manner following; (that is to say,) first, in payment of all the Costs, Charges, and

and Expences incurred in passing this Act, or in anywise incident to the same; secondly, in paying and discharging the Interest on all Sums of Money which shall have been borrowed under the said recited Act, and now due and owing on the Credit thereof; thirdly, in providing, erecting, and keeping in repair the Toll Gates, Turnpikes, Toll Bars, Toll Houses, Bridges, and other Buildings authorized by this Act, and in widening, diverting, altering, and improving the present Turnpike Road, and in making the Deviation and new Line of Road authorized by this Act to be made, and in defraying the Salaries to Officers and the Expences of Books and Advertisements, and other Expences incidental to the Execution of this Act, in paying and discharging the Interest of all Sums of Money already or hereafter to be borrowed or raised on the Credit of the Tolls authorized to be taken by virtue of this Act, and in keeping the same Road in repair,-and in paying off the Principal Monies now due and owing on the Credit of the Tolls granted by the said Act hereby repealed, and afterwards in payment of the Principal Monies which shall hereafter be borrowed on the Credit of the Tolls to be taken by virtue of this Act, *pari passu*, without reference to Priority.

Tolls not to be laid out in repairing Streets.

XXII. Provided always, and be it further enacted, That none of the Tolls authorized by this Act to be collected on the said Roads, nor any of the Monies received by virtue of the said Act hereby repealed, or to be received by virtue of this Act, shall be laid out or expended in the Repair, Lighting, or Improvement of any Part of the said Roads in any Town the Streets whereof are directed to be repaired or lighted under the Authority of any Local Act of Parliament.

No Money to be laid out on any Road unless Tolls be taken thereon.

XXIII. And be it further enacted, That no Money arising from any of the Tolls hereby authorized to be collected or taken shall be applied in or towards the Repair of any Road authorized to be repaired by virtue of this Act, unless some Toll Gate or Bar shall be erected or placed and continued upon such Road, or on the Side thereof, nor unless the Tolls hereby granted shall be demanded and taken thereat pursuant to the Powers and Provisions of this Act: Provided also, that no more Money shall be expended by the said Trustees in or towards the Repair of any such Road than shall be collected thereat, or borrowed on the Credit of the Tolls collected thereon.

Penalty for hanging out Clothes.

XXIV. And be it further enacted, That if any Person or Persons shall hang out any Linen or other Clothes on any Bank, Rail, or Fence adjoining the said Roads, or on any Hook or Line within the Distance of Thirty Feet of the Centre of any Part of the said Roads, every Person so offending shall pay a Sum not exceeding Forty Shillings for every such Offence; and such Penalty shall be levied and recovered (together with the necessary Costs and Charges of levying the same) by the same Ways and Means, and in the like Manner, as any Penalty or Forfeiture for any Nuisance committed in or upon any Turnpike Road may by Law be levied or recovered; and one Moiety of such Penalty shall be paid to the Informer, and the other Moiety thereof shall be paid to the Treasurer to the said Trustees, and applied and disposed of for the Purposes of the Act.

The Roads to be liable to the Provisions of any general Act.

XXV. And be it further enacted, That nothing herein contained shall be deemed or construed to exempt the said Roads from the Provisions of any general Act relating to the Consolidation or other improved Arrangement of Turnpike Roads which may pass during the present or any future Session of Parliament.

Public Act.

XXVI. 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.

Commencement and Continuance of the Act.

XXVII. And be it further enacted, That this Act shall commence and take effect upon the Second Day of *June* next after the passing thereof, and shall continue and be in force for and during the Term of Thirty-one Years, and from thence to the End of the then next Session of Parliament.

The

The SCHEDULE to which the Act refers.

No. on Plans.	Parish.	Description of Property.	Name of Owner.	Lessees.	Occupiers.
3	Corfe, Somerset -	Copse - -	John Goodland and Matthew Colman, Trustees for Edmund Acland and others.	- -	Thomas Westlake.
11	- - -	Orchard -	Robert Hutchings - -	- -	Robert Hutchings.
16	- - -	Orchard -	Robert Beadon - -	- -	Samuel Dennis.
18	- - -	Garden -	Ditto - - - -	- -	Elizabeth Wilkins and Henry Burford.
4	Pitminster, Somerset.	Stable and Shed.	Henry Durk - -	- -	Himself.
5	- - -	Stable - -	Thomas Urcourt - -	- -	Himself.
1	Orchard Portman, Somerset.	Hop Garden	The Right Honourable Lord Portman.	- -	George Burford.

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