ANNO QUADRAGESIMO SEPTIMO

GEORGII III. REGIS.

Cap. 27.

An Act for continuing the Term, and altering and enlarging the Powers of Two Acts, passed in the Fifth and Twenty-sixth Years of His present Majesty, for repairing several Roads leading from the Town of *Minehead*, and from *Dunster* and *Watchet*, in the County of *Somerset*; and for improving certain other Roads therein described in the said County. [25th *April* 1807.]

WHEREAS an Act was passed in the Fifth Year of the Reign of His present Majesty King *George* the Third, intituled, *An Act for repairing, widening, turning, altering, and keeping in Repair, several Roads leading from the Port, Town, and Borough of* Minehead, *and from* Dunster *and* Watchet *in the County of* Somerset: And whereas an Act was passed in the Twenty-sixth Year of the Reign of His said present Majesty for continuing the Term and altering and enlarging the Powers of the said Act: And whereas the Trustees appointed in or by virtue of the said several Acts have proceeded to put the same in Execution, and have borrowed a considerable Sum of Money on the Credit of the Tolls thereby granted; which Money still remains due and owing, and cannot be paid off, nor can the said Roads be effectually amended,

5 G. 3. c. 113.

26 G. 3. c. 136.

Trustees have borrowed a considerable Sum of Money.

amended, widened, improved, and kept in Repair, unless the Term of the said Act is further continued, and some of the Powers and Provisions thereof altered, amended, and enlarged; and it is necessary that the Tolls granted by the said Acts should be increased: And whereas the Roads in the Parish of *Old Cleeve*, near the Village of *Washford*, leading through the Parishes of *Saint Decumans*, *Sampford Brett*, *Bicknoller*, *Stogumber*, *Crowcombe*, *Bagborough*, *Lydeard Saint Lawrence*, and *Coombe Florey*, to a Turnpike Road in the Parish of *Bishop Lydeard*, all in the County of *Somerset*, are much out of Repair, narrow and incommodious; and it would be a great Benefit and Advantage to the Publick, if the said Roads were put under the Care and Management of the said Trustees, and made Part of the Roads by the said recited Acts directed to be amended and kept in Repair, and the Provisions of the said Acts extended to the said Road herein-before described, subject to the Regulations and Restrictions herein-after mentioned: May it therefore Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said recited Acts, and all and every the Powers, Provisions, Directions, Penalties, Forfeitures, Clauses, Matters, and Things therein contained (except such as relate to Exemptions from Stamp Duties, and except such Part or Parts thereof as are by this Act varied, altered, or repealed), shall be and are hereby further continued for and during the Term herein-after mentioned, for the Purpose of amending, widening, turning, altering, and keeping in Repair the several Roads comprized in the said recited Acts, and also the new or additional Roads herein-before particularly described, as fully and effectually, to all Intents and Purposes, as if the said Powers, Provisions, Directions, Penalties, Forfeitures, Clauses, Matters, and Things (except as aforesaid) were repeated and re-enacted in the Body of this Act, and as if the said new or additional Roads had originally been Part of the Roads included in the said recited Acts; but subject nevertheless to the Amendments, Alterations, Variations, and Additions herein contained, and which shall commence and take Effect on the Twenty-fourth Day of *June* next after the passing of this Act; and this Act, and the additional Term and Tolls hereby granted, shall be and are hereby made subject and liable to the Payment of all Monies now due and owing on the Credit or on Account of the said Acts, or on the Credit of the Tolls thereby granted, as also to the Payment of all Sums of Money which shall hereafter become due on the Credit of the said Acts or this Act, and of all Interest due and to grow due thereon respectively.

Another Road necessary to be repaired.

Recited Acts further continued, and the Provision thereof extended to this Act.

II. And be it further enacted, That Sir *Thomas Dyke Acland* and Sir *Robert Bateson Harvey* Baronets; *Hugh Acland*, *Charles Acland*, *Robert Adams*, *William Atkins*, *John Avis*, *George Balch*, *Daniel Badcock*, *Thomas Bowman* Clerk, *George Beadon*, *Thomas Burchur*, *Joseph Brody*, *John Bryant*, *James Bucknell*, *James Bernard Camplin*, *Abraham Clarke* the younger, *William Chorley*, *William Criddle*, *Joseph Cape*, *John Cornish*, *Thomas Charter*, *Thomas Malet Charter*, *John Cross*, *Thomas Cridland*, *Francis Chilcott*, *William Davis*, *William Dibble*, *Robert Dore*, *James Edbrooke* the younger, *Nathaniel Edbrooke*, *William Edbrooke*, *Robert Edbrooke*, *Thomas Evans*, the Honourable *Matthew Fortescue*, *Matthew Fortescue* the younger, *William Fortescue*, *Henry Fortescue*, *George Gooding*,

Trustees.

ing, *Robert Griffith*, *John Gatchell*, *John Gooding*, *Thomas Gooding*, *Joseph Guerin* Clerk, *Charles Gally* Clerk, *John Gibbs*, *William Gibbs*, *John Greenslade* the younger, *Robert Holé* the younger of Harwood, *Anthony Huxtable*, *William Hole*, *Edmund Trowbridge Halliday*, *John Halliday*, *William Hook*, *John Hook*, *John Jenkins* of Watchet, *Thomas Jenkins*, *William Jenkins* the younger, *Joseph Jennings*, *Edward Jefferies*, *John Fownes Luttrell* the younger, *Henry Fownes Luttrell*, *Francis Fownes Luttrell* the younger, *Thomas Fownes Luttrell* the younger, *Alexander Fownes Luttrell* the younger, *William Langdon*, *John Lock*, *John Lyddon*, *Langley Saint Alban*, *Thomas Blackwell Leigh*, *Edward Lee*, *Lawrence Heard Luxton* Clerk, *William Lyddon*, *John Langdon*, *William Merson*, *Thomas Merchant*, *Nathaniel Merchant*, *John May*, *John Moore*, *Abraham Moore*, *William Moore*, *Robert Moorle*, *William Moorle*, *John Milton*, *James Melhuish*, *Cornelius Marsh*, *Charles Newton*, *George Nibbs* Clerk, *James Newcombe*, *Richard Oatway*, *Henry Poole* Clerk, *William Potter*, *Francis Pearse* of Stogumber, *James Pearse*, *John Priest*, *John Pulman*, *John Potter*, *Francis Popham*, *John Perring*, *Edward Risdon*, *John Radford*, *Joseph Rawle*, *Edward Sanger*, *Joshua Stephenson* Clerk, *Charles Lionel Scott* Clerk, *John Slocombe*, *John Smith*, *Thomas Starkey*, *William Sully*, *John Tapscott*, *James White* of Skilgate, *John Webber*, *Thomas Welch*, *George Welch*, *James White* of Cutcombe, *Robert Whitefield*, *Richard Wheddon*, *Thomas Young Williams*, *Michael Winter*, *James Wood*, *William Wood*, *James Whitefield*, *John Worth*, *Henry George Warrington*, *Thomas Warrington Warrington*, *John Tyndale Warre*, *William Withycombe*, *James Withycombe*, and *William Yeand'e*, shall be and are hereby joined with and added to the Trustees named in or appointed in pursuance of the said Acts, subject to the like Qualification as is contained in the said Acts, and shall, in all Respects whatsoever, have the like Power and Authority to act in the Execution of the said Acts and of this Act, as if they had been originally appointed Trustees by the said Acts, or either of them.

Additional Roads.

III. And be it further enacted, That the Road leading from the Town of *Dunster* unto *Loxhole Bridge* in the Parish of *Carhampton*, and also the Road leading from the Cross Way at the West End of *Long Street* in the Village or Town of *Williton* in the Parish of *Saint Decumans*, unto a Place called *Ryaon* in the said Parish of *Saint Decumans*, shall be included, deemed, and taken as Part of the said Turnpike Roads.

Roads divided into Districts.

IV. And be it further enacted, That for the Purpose only of better ascertaining where and in what Manner the Tolls herein-after granted shall be collected, received, and applied, the several Roads hereby directed to be repaired shall be and are hereby divided into the several Districts herein-after mentioned; (that is to say), the Road leading from the Quay in the Town of *Minehead* in the County of *Somerset*, through the Parishes of *Minehead*, *Dunster*, *Timberscombe*, *Carhampton*, *Cutcombe*, *Exton*, *Brompton Regis*, *Dulverton*, *Brushford*, and *Morebath*, to *Batham Bridge* in the Town of *Bampton* in the County of *Devon*, shall be One District of the said Roads, and shall be called *The Minehead District*: And that the said Roads, from the Bottom of *Rattle Row Hill* in the Parish of *Dunster* aforesaid, through the Parishes of *Dunster*, *Carhampton*, *Withycombe*, *Old Cleeve*, *Nettlecombe*, *Monksilver*, and *Elworthy*, to *Hartrow Gate* in the Parish of *Stogumber*; and also the Road from the

Minehead District.

the ſaid Town of *Dunſter* to *Loxhole Bridge* in the ſaid Pariſh of *Carhampton*; and alſo the Road at the Junction of the Turnpike Roads, near the Church Yard in the ſaid Pariſh of *Carhampton*, through the Pariſhes of *Carhampton* and *Old Cleeve*, unto the Market Place in the ſaid Town of *Watchet* in the ſaid Pariſh of *Saint Decumans*, ſhall

Dunſter Diſtrict.

be another Diſtrict of the ſaid Roads, and ſhall be called *The Dunſter Diſtrict*: And that the ſaid Roads from the ſaid Market Place in the Town of *Watchet* in the ſaid Pariſh of *Saint Decumans*, through the Pariſhes of *Saint Decumans*, *Weſt Quantoxhead*, *Eaſt Quantoxhead*, *Kilve*, *Holford*, *Kilton*, and *Doddington*, to the Vicarage Houſe in the Town and Pariſh of *Nether Stowey*; and alſo the Road from the Croſs Way at the Weſt End of *Long Street* in the Village or Town of *Williton* in the ſaid Pariſh of *Saint Decumans*, to a Place called *Rydon*, into the Turnpike Road in the ſaid Pariſh of *Saint Decumans*, towards the ſaid Town of *Stowey*, ſhall

Stowey Diſtrict.

be another Diſtrict of the ſaid Roads, and ſhall be called *The Stowey Diſtrict*: And that the ſaid Roads from the Four Croſs Way, South-eaſt of the ſaid Town of *Watchet*, where the preſent South-eaſt Gate is now ſituate, including the ſaid Gate, through the Pariſhes of *Saint Decumans*, *Nettlecombe*, *Old Cleeve*, *Monkſilver*, *Huiſh Champflower*, *Brompton Regis*, *Upton*, *Skilgate*, and *Morebath*, unto the *Minehead* Diſtrict of the Turnpike Road in the ſaid Town of *Bampton*; and alſo the Road from the ſaid *Watchet* South-eaſt Gate to the Village or Town of *Williton*, and forming a Junction with the *Crowcombe* Diſtrict of Road, ſhall be another

Watchet Diſtrict.

Diſtrict of the ſaid Roads, and ſhall be called *The Watchet Diſtrict*: And that the ſaid Roads from the Turnpike Road in the ſaid Pariſh of *Old Cleeve*, near the Village of *Waſhford*, through the Pariſhes of *Old Cleeve* and *Saint Decumans* (including any Part of the Roads from the ſaid Village or Town of *Williton* to *Tower Hill*), *Sampford Brett*, *Bicknoller*, *Stogumber*, *Crowcombe*, *Bagborough*, *Lydeard Saint Lawrence*, and *Coombe Florey*, to a Turnpike Road in the Pariſh of *Biſhop Lydeard*, ſhall be

Crowcombe Diſtrict.

another Diſtrict of the ſaid Roads, and ſhall be called *The Crowcombe Diſtrict*.

Application of Tolls.

V. And be it further enacted, That the Tolls and Duties to be collected upon each Diſtrict of the ſaid Roads (except as in the ſaid recited Acts are mentioned), and the Money already borrowed, or to be borrowed on the Credit thereof, ſhall be applied, laid out, and expended upon each Diſtrict of Road reſpectively.

Additional Half-Toll.

VI. And be it further enacted, That in addition to the Tolls in and by the ſaid recited Acts granted, there ſhall, from and after the ſaid Twenty-fourth Day of *June* next after the paſſing of this Act, be demanded and taken at all and every the Gates and Turnpikes erected, or to be erected or continued by virtue of the ſaid recited Acts or this Act, One-half of the Tolls in addition to the Toll then otherwiſe payable by the ſaid recited Acts.

Truſtees empowered to take a Sunday's Toll.

VII. And be it further enacted, That the ſaid Truſtees ſhall cauſe to be demanded and taken at all and every the Gates and Turnpikes already erected, or to be erected or continued on the ſaid Roads on each and every *Sunday* (to be computed from Twelve of the Clock in the preceding *Saturday* Night to Twelve of the Clock in the next ſucceeding *Sunday* Night),

Night), Double the Tolls which shall for the Time being be authorized to be collected on any other Day under or by virtue of the said Acts or this Act.

Tolls payable but once a Day.

VIII. And be it further enacted, That any Person who shall pay Toll for the passing of any Horse or other Beast, or Cattle or Carriage, through any of the Gates or Turnpikes erected, or to be erected or continued by virtue of the said recited Acts or this Act, shall, upon producing a Ticket of the Day denoting such Payment, be permitted to pass and repass with the same Horse, Beast, Cattle, or Carriage, at any Time or Times as often as he shall think proper during the same Day, to be computed from Twelve of the Clock in one Night to Twelve of the Clock in the next succeeding Night, through the same; and also through every other Gate or Turnpike which shall be then standing in, upon, across, or by the Side of any Part of the Roads included or comprized in the said recited Acts or this Act (except as in such recited Acts or this Act are mentioned).

Specifying what Gates shall be passed through with Tickets.

IX. And be it further enacted, That the Notes or Tickets of the Day denoting Payment of the Tolls at the *Watchet* East and South-east Gates, or either of them, shall entitle the Bearer thereof to pass through any Gate or Gates to be erected on any Part of the *Crowcombe* District of Road, commencing from or near the Village of *Washford* in the said Parish of *Old Cleeve*, unto the said Parish of *Crowcombe*, and *vice versâ*; and also that the Notes or Tickets of the Day denoting the Payment of Tolls at any Gate or Gates erected, or to be erected from the Cross Way at the West End of *Long Street*, in *Williton* aforesaid, to a Place called *Rydon* inclusive, shall entitle the Bearer to pass through the *Watchet* East and South-east Gates, or either of them, and also through any Gate or Gates to be erected on any Part of the *Crowcombe* District of Road, commencing from the said Parish of *Crowcombe*, towards and unto the said Village of *Washford*, and *vice versâ*; and also that the Notes or Tickets of the Day denoting the Payment of Tolls at any Gate or Gates erected, or to be erected in the said Parish of *Carhampton*, shall entitle the Bearer to pass through any Gate or Gates to be erected on any Part of the *Crowcombe* District of Road, commencing from or near the said Village of *Washford*, unto the said Parish of *Crowcombe*, and *vice versâ*: Provided always, that only One Gate shall be erected across any Part of the Road leading from the West End of *Long Street*, in *Williton* aforesaid, to *Rydon*, and that such Gate shall be erected within Twenty Yards of the South-west End of *Wibble Lane*: Provided also, that only One Gate shall be erected across any Part of the *Crowcombe* District of Road, leading from the said *Dunster* District of Road, near the said Village of *Washford*, unto the said Parish of *Crowcombe*.

Tolls vested in Trustees.

X. And be it further enacted, That the said several Tolls by this Act authorized to be taken shall be and the same are hereby vested in the said Trustees; and the same and every Part thereof shall be collected, recovered, paid, applied, and disposed of in such and the same Manner, and by such and the same Ways and Means, and with such Remedies for Non-payment or Evasion thereof, as is or are mentioned and contained in the said recited Acts respecting the Tolls thereby authorized to be taken.

Exemptions from Toll.

XI. And be it further enacted, That, from and after the passing of this Act, no Person shall be charged with or compellable to pay any of the Tolls made payable by the said recited Acts or this Act, for any Horse or other Beast drawing any Waggon, Cart, or other Carriage, which shall be going unladen for, or shall be then used only in conveying or returning unladen or empty, after having been employed only in conveying Stone, Gravel, or other Materials for the repairing any publick Road or Highway; or any Lime, Dung, Mould, or Compost, for the manuring of any Garden, Land, or Ground; or for any Horse or other Beast not drawing, which shall be going unladen for or shall be then used only in carrying or returning unladen, after having been employed only in carrying any such Stone, Gravel, or other Materials, Lime, Dung, Mould, or Compost, for the Purposes aforesaid; or for any Carriage, Horse, or Cattle going for the Purposes of or returning from the ploughing, tilling, or sowing any Land or Ground, or which shall be used or employed only in the Carriage of or going empty or unladen for, or returning empty or unladen after having been employed only in carrying or drawing any Hay unsold and not for Sale, or any Corn in the Straw unsold and not for Sale, or any Straw or Wood for Fuel unsold and not for Sale; or for any Carriage or Cattle going for or passing with any Sull, Harrow, or other Implement of Husbandry; or for any Cattle going to or returning from Water or Pasture within the Distance of Two Miles; or for any Horses or Cattle going to be or returning from being shoed or farried; nor shall any Toll be demanded or taken from any Person going to or returning from his proper Parochial Church, Chapel, or other Place of Religious Worship tolerated by Law, on a *Sunday*, or on any other Day on which Divine Service is ordered by Authority to be celebrated, or attending the Funeral of any Person that shall die and be buried in any of the said Parishes; or from any Clergyman going to or returning from visiting any sick Person, or upon other his Parochial or Ministerial Duty on a *Sunday*, or on any other Day on which Divine Service is ordered by Authority to be celebrated; or for any Horses, Cattle, or Carriages, of whatever Description, employed or to be employed in conveying the Mails of Letters and Expresses under the Authority of His Majesty's Postmaster General, either when employed in conveying, fetching, or guarding such Mails or Expresses, or in returning back from conveying the same; or for any Horses, Carts, or Waggons, attending any Soldiers or Volunteers upon their March or on Duty; or drawing any Carriage attending them with their Arms and Baggage; or for any Horse, Mare, or Gelding, furnished by or for any Persons belonging to any Corps of Yeomanry or Volunteer Cavalry, and rode by them in going to or returning from the Place appointed for and on the Days of Exercise; provided such Persons are in the Uniform of their respective Corps, and have their Arms, Furniture, and Accoutrements, according to the Regulations provided for such Corps respectively, at the Time of claiming such Exemption as aforesaid; or for Horses, Carts, or Waggons, employed in the Conveyance of Vagrants sent by legal Passes; or for any Coach, Landau, Berlin, Chariot, Calash, Chair, or other Carriage, or the Horses or Cattle drawing them, or for any Person on Horseback, going to or returning from any Election of a Knight or Knights of the Shire to serve in Parliament for the said County of *Somerset*, or *Devon*, on the Day or Days of such Election, or on the Day before or

after such Election shall begin or be concluded; and if any Person or Persons shall, in any fraudulent or collusive Manner whatsoever, claim and take the Benefit of any of the Exemptions by this Act granted, not being entitled to the same, every such Person shall forfeit and pay for every such Offence any Sum not exceeding Forty Shillings.

Carriages employed in carrying Timber, between certain Periods, subjected to an additional Toll.

XII. And be it further enacted, That, from the First Day of *November* in any One Year to the last Day of *February* in the succeeding Year, there shall be demanded and taken at each and every Gate or Turnpike erected, or to be erected by virtue of the said recited Acts or this Act, an additional Toll, equal to the Toll then otherwise payable for every Horse or other Beast of Draught drawing any Carriage employed in carrying or conveying any Timber Tree or Trees (except Carriages with One Horse or other Beast of Draught which shall not be liable to the Payment of such additional Toll, or any Part thereof).

Declaring that no Timber Carriages shall carry more than One Ton and an Half, unless than with Seven Inch Wheels, &c.

XIII. And be it further enacted, That there shall be demanded and taken at each and every Gate erected, or to be erected or continued by virtue of the said recited Acts or this Act, an additional Toll, equal to the Toll then otherwise payable for every Horse or other Beast of Draught drawing any Carriage employed in carrying or conveying any Timber Tree or Trees which shall exceed in Weight One Ton and an Half; provided such Carriage shall not have the Sole or Bottom of the Wheels thereof of the respective Breadths of Seven Inches, and which shall be deemed and considered of such respective Breadths only as such Wheels shall roll a flat or level Surface, or a Surface so flat or level as not to deviate more than Half an Inch from a flat or level Surface.

For depositing Materials, &c.

XIV. And be it further enacted, That it shall be lawful for the said Trustees, and their Surveyor or Surveyors under an Order of the said Trustees, or any Five or more of them, or any other Person or Persons by their Appointment, to lay, or place, and deposit any Stones, Gravel, Sand, Furze, Heath, or other Materials which shall be gotten for repairing, widening, and improving the Roads comprized in the said recited Acts or this Act, or any Part or Parts thereof, or to remove from any such Roads any Dirt, Soil, Rubbish, or Materials collected in widening, repairing, and improving any such Roads, and to place and deposit the same in or upon any Lands or Grounds, either open or inclosed, adjoining or lying near to any Part or Parts of the said Roads (not being a Yard, Garden, Park, Paddock, Plantation, or Nursery for Trees), making such Compensation and Satisfaction to the Owners and Occupiers of any such Lands or Grounds, other than Waste Lands, for the Damages occasioned thereby, as any Two Justices of the Peace for the said Counties of *Somerset* and *Devon*, or either of them, shall determine to be a reasonable Compensation for the same.

Collectors of Tolls, &c. to be competent Witnesses.

XV. And be it further enacted, That in case any Dispute, Suit, or Litigation shall arise, touching or in anywise relating to the Tolls by the said recited Acts or this Act appointed to be collected, or any of them, the Person or Persons appointed to collect the same, or the Renter or Renters of such Tolls, or any other Person or Persons acting by or under the Authority of the said Trustees, shall not be incompetent to give Evidence in any such Dispute, Suit, or Litigation, by reason of his or their being

being so appointed to collect or rent the said Tolls, or acting under the Authority of the said Trustees.

Parochial Surveyors required to deliver Notices.

XVI. And be it further enacted, That all and every the parochial Surveyor or Surveyors, appointed in either of the Parishes included in the said recited Acts or this Act, shall, upon Notices being delivered for that Purpose to them or any of them, by the Surveyor or Surveyors appointed by the said Trustees, or any Five or more of them, within Ten Days next after the Receipt of such Notices, issue out and deliver to all and every the Occupiers of Grounds, Lands, or Hereditaments, adjoining any Part of the Turnpike Roads in his or their respective Parish, such Notice or Notices, signed by such Surveyor or Surveyors so appointed by the said Trustees as aforesaid, requiring each and every such Occupier as aforesaid, at the proper Season of the Year, to shear the Hedges and prune the Trees belonging to such respective Occupiers, and also to cleanse the Ditches, Drains, and Water Tables adjoining any such Grounds, Lands, or Hereditaments, in such Manner as the Surveyor or Surveyors so appointed by the said Trustees as aforesaid shall in such Notice or Notices express and direct; and in case such parochial Surveyor or Surveyors shall omit or refuse to issue out and deliver to each and every Occupier such Notice or Notices as aforesaid, within the Space of Ten Days next after the Receipt of any such Notice or Notices for that Purpose, each and every such parochial Surveyor or Surveyors, so neglecting or refusing for the Space of Time aforesaid, shall forfeit and pay any Sum not exceeding Five Pounds; and in case any or either of such Occupiers shall, after the Receipt of such Notice or Notices, omit or neglect, for the Space of One Calendar Month next after the Receipt of such Notice or Notices as aforesaid, to shear the Hedges, prune the Trees, and also to cleanse the Ditches, Drains, and Watercourses, in such Manner as such Surveyor or Surveyors so appointed by the said Trustees as aforesaid, shall in such Notice or Notices express and direct, each and every such Occupier so neglecting or refusing for the Space of Time aforesaid shall forfeit and pay any Sum not exceeding Five Pounds; which Penalties shall be recovered and applied in like Manner as other Penalties are by the said recited Acts, or either of them, directed to be recovered and applied.

Penalty on Omission.

Penalty on Occupiers not shearing their Hedges, &c. adjoining the Turnpike Road, after Notice.

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

XVII. And be it further enacted, That the said Trustees, or any of them, may sue and be sued for or concerning any Thing which shall be done against or by virtue of the said recited Acts or this Act, in the Name of their Clerk or Treasurer for the Time being; and that no Action or Suit to be brought or commenced by the Direction of or against the said Trustees, or any of them, in the Name of their Clerk or Treasurer, by virtue of the said recited Acts or this Act, shall abate or be discontinued by the Death or Removal of any such Clerk or Treasurer, or by the Act of such Clerk or Treasurer, without the Consent of the said Trustees, but that the Clerk or Treasurer for the Time being to the Trustees shall be deemed to be Plaintiff or Defendant, as the Case may be, in every such Action: Provided always, that such Clerk or Treasurer, in whose Name any Action or Suit shall be commenced, prosecuted, or defended, in pursuance of the said Acts or this Act, shall be fully reimbursed and paid, out of the Monies to arise by virtue of the said Acts and this Act, all such Costs, Charges, Damages, and Expences,

as

as by the Event or in conſequence of any ſuch Action or Proceedings he ſhall bear, pay, expend, or be put unto or become chargeable with, by reaſon of his being ſo made Plaintiff or Defendant as aforeſaid.

For compelling Subſcribers to the Additional Branch of Road to pay their Subſcription Money.

XVIII. And be it further enacted, That if any of the Perſons who have become Subſcribers, or who ſhall hereafter become or agree or engage in Writing to become Subſcribers towards the Expences of repairing and improving the ſaid Road, called *The Crowcombe Diſtrict*, ſhall, after Forty Days previous Notice in Writing, under the Hands of any Seven or more of the ſaid Truſtees, for that Purpoſe to him, her, or them given or left at his, her, or their Dwelling Houſe or uſual Place of Abode, refuſe or neglect to make Payment of the reſpective Sums by him, her, or them ſo ſubſcribed, or agreed or engaged in Writing to ſubſcribe, or ſuch Part or Parts thereof as may be required in ſuch Notice, it ſhall be lawful for the ſaid Truſtees, or any Seven or more of them, to bring or cauſe to be brought any Action of Debt, or on the Caſe, Bill, Plaint, or Suit againſt any Perſon or Perſons ſo refuſing or neglecting as aforeſaid, his, her, or their Heirs, Executors, or Adminiſtrators, in any of His Majeſty's Courts of Record at *Weſtminſter*, wherein no Eſſoign, Protection, or Wager at Law, nor more than One Imparlance ſhall be allowed; and upon Proof of ſuch Perſon or Perſons having ſo ſubſcribed, or agreed or engaged in Writing to ſubſcribe, and of ſuch Notice being given as aforeſaid, ſuch reſpective Sum or Sums ſo ſubſcribed, or agreed or engaged in Writing to be ſubſcribed, or ſo much thereof as ſhall be required to be paid by ſuch Notice, ſhall be recovered with full Coſts of Suit.

Surveyors under the Directions of the Truſtees may widen Roads, and make new ones, making Satisfaction to the Owners.

XIX. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Truſtees, or any Seven or more of them, or for the Surveyor or Surveyors, and ſuch Perſon or Perſons as he or they ſhall appoint (under the Direction of the ſaid Truſtees, or any Seven or more of them), to widen, divert, turn, or alter the Courſe of any of the ſaid Roads, or any Part or Parts thereof, into, upon, or through any Commons or Waſte Grounds comprized in either of the Pariſhes mentioned in the ſaid recited Acts or this Act, without making any Satisfaction to any Perſon or Perſons for ſo doing, and alſo into, upon, or through any Grounds of any Perſon or Perſons in either of the Pariſhes aforeſaid, making ſuch Satisfaction for the ſame as the ſaid Truſtees, or any Seven or more of them, ſhall judge reaſonable; and for that Purpoſe the ſaid Truſtees, or any Seven or more of them, are hereby authorized and empowered to treat, contract, and agree with the ſeveral Owners, Occupiers of, and Perſons intereſted in, any Lands, Grounds, or Hereditaments, into or through which the ſaid Roads ſhall be widened, diverted, turned, or altered, for the Purchaſe thereof, or for the Loſs or Damage ſuch Owners, Occupiers, and Perſons intereſted, or any of them, ſhall thereby ſuſtain, and out of the Tolls granted by this Act, or out of the Money to be borrowed on the Credit thereof, to pay for ſuch Lands, Grounds, or Hereditaments, and for ſuch Loſs or Damage, and alſo the Coſts and Charges attending ſuch Agreement or Purchaſe; and in caſe the ſaid Truſtees, and ſuch Owner or Owners, and other Perſon or Perſons intereſted as aforeſaid, cannot agree touching ſuch Compenſation, then the ſame ſhall be ſettled and aſcertained in ſuch Manner as is directed by the ſaid firſt recited Act with reſpect to Lands, Grounds, or Hereditaments

Truſtees may contract for the Purchaſe of Lands, &c. to be laid into Roads.

ditaments thereby authorized to be taken for the Purpoſes of the ſaid Act: Provided always, that nothing herein contained ſhall extend to the taking down any Dwelling Houſe or other Building, or to take in the Scite of any Houſe or other Building, or to take in any Park, Garden, Orchard, or Yard; or any planted Walk or Avenue to a Houſe, or any incloſed Ground planted and ſet apart as a Nurſery for Trees, without the Conſent of the Owners thereof in Writing, firſt had and obtained.

No Money on one Diſtrict ſhall be applied in the Purchaſe of Land in another Diſtrict.

XX. Provided always, and be it further enacted, That the Money to be borrowed, and the Tolls collected, or hereafter to be collected on each Diſtrict of Road, and which may be advanced and paid on account of the Purchaſe of any ſuch Lands, Grounds, or Hereditaments, ſhall be paid from the Money which hereafter may be borrowed, or from the Tolls collected or to be collected from ſuch Diſtrict of Road only whereon any ſuch Purchaſe of Lands, Grounds, or Hereditaments ſhall be made.

Statute Labour.

XXI. And be it further enacted, That all Perſons who by Law are or ſhall be liable to do Statute Work, or are or ſhall be chargeable towards repairing and amending the ſaid Roads, or any Part thereof, ſhall ſtill remain liable thereto in like Manner as heretofore; and it ſhall be lawful for any Two or more Juſtices of the Peace for the County in which ſuch Roads are ſituate (as the Caſe may be), and they are hereby required and empowered, upon Application made to them by the ſaid Truſtees, or any Five or more of them, or by their Treaſurer, Clerk, or Surveyor, or by their Order, yearly to adjudge and determine what Part or Proportion of the Statute Work ſhall every Year be done upon the ſaid Roads, by the Inhabitants of the reſpective Pariſhes or Places in which the ſame do lie, and alſo what Proportion of the Money received by the Surveyor or Surveyors of the Highways of every ſuch Pariſh or Place, in lieu of or as a Compoſition for ſuch Statute Work as aforeſaid, ſhall be by him, her, or them, paid to the ſaid Truſtees, or to their Treaſurer or Treaſurers; and in order thereunto, it ſhall be lawful for ſuch Juſtices from Time to Time to ſummon the Surveyor or Surveyors of the Highways for every ſuch Pariſh or Place to bring in Liſts, before ſuch Juſtices at ſome Place to be expreſſed in ſuch Summons (within Ten Days after the ſerving of ſuch Summons), of the Names of the ſeveral Perſons who within ſuch Pariſh or Place are by Law ſubject and liable to do Statute Work for that Year, or to the Payment of any Money in lieu of or as a Compoſition for Statute Work, diſtinguiſhing the Nature of the Work to be done, whether with Teams or Draughts or otherwiſe, and alſo the Amount of the reſpective Sums to be paid, which Liſts of Names ſhall be made in ſuch Manner and under ſuch Regulations and Reſtrictions as are or may be directed by any Law or Statute in force or effect for the Repairs of the publick Highways; and out of ſuch Liſts the ſaid Juſtices ſhall and may allot, appoint, and order ſuch and ſo many of the Perſons who ſhall appear ſubject and liable to Statute Work as aforeſaid, to do ſuch Number of Days Statute Work in every Year upon the ſaid Roads as the ſaid Juſtices ſhall think reaſonable, and the ſame ſhall be done at ſuch Days, and at ſuch Times (not being Hay Time or Harveſt) and in ſuch Parts of the ſaid Roads, as the ſaid Truſtees, or their Surveyor or Surveyors, ſhall from Time to Time order, direct, and appoint; and the ſaid Juſtices ſhall and may alſo order and direct the Perſons, who by ſuch Liſts ſhall appear to be ſubject and liable to the Payment of any

Money

Money in lieu of or as a Compoſition for Statute Work as aforeſaid, to pay ſuch Proportion thereof as the ſaid Juſtices ſhall think proper to the ſaid Truſtees or their Treaſurer, at ſuch Time or Times as the ſaid Juſtices ſhall direct; and in Default of Payment thereof, the ſame ſhall and may be recovered by Diſtreſs and Sale of the Goods and Chattels of the reſpective Perſons liable to the Payment thereof, in like Manner as any Penalty is by the ſaid Act authorized or directed to be recovered; and each and every Perſon who ſhall neglect or refuſe to do ſuch Statute Work as aforeſaid, after Notice in Writing given to or left for him, her, or them, at his, her, or their uſual Place or Places of Abode for that Purpoſe, by any Surveyor 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 or effect for the Repair of the publick Highways; and if any Perſon who ſhall come to work as a Labourer, or ſhall be ſent with any Team or Draught to work on the ſaid Roads, ſhall be found idle or negligent by any Surveyor to the ſaid Truſtees, ſuch Surveyor is hereby empowered to remove and diſmiſs the Perſon who ſhall be found idle or negligent as aforeſaid; and in that Caſe, every ſuch Perſon ſhall be ſubject and liable to the reſpective Forfeitures and Payments as aforeſaid, as if he had neglected or refuſed to come, or ſuch Team or Draught had not been ſent to work on any Part of the ſaid Roads, all which Forfeitures ſhall be paid to the Treaſurer to the ſaid Truſtees, and applied towards amending the ſaid Roads; and in caſe the ſaid Surveyor or Surveyors of the Highways for any of the ſaid Pariſhes or Places ſhall refuſe or wilfully neglect to give in ſuch Liſts as aforeſaid, or ſhall knowingly and wilfully give in falſe and imperfect Liſts, every ſuch Surveyor ſo offending ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Forty Shillings.

Application of Compenſation, if amounting to 200l.

XXII. And be it further enacted, That if any Money ſhall be paid, or agreed or awarded to be paid, for the Purchaſe of any Lands, Tenements, or Hereditaments purchaſed, taken, or uſed by virtue of the Powers of the ſaid recited Acts or this Act, for the Purpoſes thereof, which ſhall belong to any Body Politick, Corporate, or Collegiate, or to any Feoffee in Truſt, Executor, Adminiſtrator, Huſband, Guardian, Committee, or other Truſtee for and on Behalf of any Infant, Lunatick, Idiot, Feme Covert, or other Ceſtuique Truſt, or to any Perſon whoſe Lands, Tenements, or Hereditaments are limited in ſtrict or other Settlement, or to any Perſon under any other Diſability or Incapacity whatſoever, ſuch Money ſhall, in caſe the ſame ſhall amount to the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account there, *ex parte* the Truſtees for executing the ſaid Acts and 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 would have been entitled to the Rents and Profits of the ſaid Lands, Tenements, and Hereditaments, in the Purchaſe or Redemption of the Land Tax, or Diſcharge of any Debt or Debts, or ſuch other Incumbrances,

brances, or Part thereof, as the ſaid Court ſhall authorize to be paid, affecting the ſame Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments ſtanding ſettled therewith, to the ſame or the like Uſes, Intents, or Purpoſes; or where ſuch Money ſhall not be ſo applied, then the ſame ſhall be laid out and inveſted, under the like Direction and Approbation of the ſaid Court, in the Purchaſe of other Lands, Tenements, or Hereditaments which ſhall be conveyed and ſettled to, for, and upon ſuch and the like Uſes, Truſts, Intents, and Purpoſes, and in the ſame Manner as the Lands, Tenements, or Hereditaments which ſhall be ſo purchaſed, taken, or uſed as aforeſaid, ſtood ſettled or limited, or ſuch of them as, at the Time of making ſuch Conveyance and Settlement, ſhall be exiſting undetermined and capable of taking Effect; and in the mean Time, and until ſuch Purchaſe ſhall be made, the ſaid Money ſhall, by Order of the ſaid Court upon Application thereto, be inveſted by the ſaid Accountant General in his Name, in the Purchaſe of Three Pounds *per Centum* Conſolidated or Three Pounds *per Centum* Reduced Bank Annuities, and in the mean Time, and until the ſaid Bank Annuities ſhall be ordered by the ſaid Court to be ſold for the Purpoſes aforeſaid, the Dividends and annual Produce of the ſaid Conſolidated or Reduced Bank Annuities ſhall from Time to Time be paid by Order of the ſaid Court to the Perſon or Perſons who would for the Time being have been entitled to the Rents and Profits of the ſaid Lands, Tenements, or Hereditaments to be purchaſed by virtue of the ſaid recited Acts and this Act, in caſe ſuch Purchaſe or Settlement were made.

Application of Compenſation if leſs than 20l. and exceeding 20l.

XXIII. Provided always, and be it further enacted, That if any Money ſo agreed or awarded to be paid for any Lands, Tenements, or Hereditaments purchaſed, taken, or uſed for the Purpoſes aforeſaid, and belonging to any Corporation, or to any Perſon or Perſons under any Diſability or Incapacity as aforeſaid, ſhall be leſs than the Sum of Two hundred Pounds, and ſhall exceed or be equal to the Sum of Twenty Pounds, then and in all ſuch Caſes the ſame ſhall, at the Option of the Perſon or Perſons for the Time being entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments ſo purchaſed, taken, or uſed, or of his, her, or their Guardian or Guardians, Committee or Committees, in caſe of Infancy, Idiotcy, or Lunacy, 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 Five of the Truſtees for executing the ſaid recited Acts and 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 ariſing thereon, may be applied in any Manner herein-before directed, ſo far as the Caſe be applicable, without obtaining or being required to obtain, the Direction or Approbation of the Court of Chancery.

Application of Compenſation, if leſs than 20l.

XXIV. Provided alſo, and be it further enacted, That where ſuch Money ſo agreed or awarded to be paid as next before mentioned ſhall be leſs

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, Tenements, or Hereditaments so purchased, taken, or used, for the Purposes of the said recited Acts and this Act, in such Manner as the said Trustees shall think fit; or in case of Infancy, Idiotcy, or Lunacy, then such Money shall be paid to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

In case of not making out Titles, or if Persons cannot be found, Purchase Money to be paid into the Bank, subject to the Order of the Court of Chancery on Motion or Petition.

XXV. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be awarded for the Purchase of any Lands, Tenements, or Hereditaments to be purchased by virtue of the said recited Acts and this Act, shall refuse to accept the same, or shall not be able to make a good Title to the Premises, to the Satisfaction of the said Trustees; or in case such Person or Persons to whom such Sum or Sums of Money shall be so awarded as aforesaid cannot be found, or if the Person or Persons entitled to such Lands, Tenements, or Hereditaments, be not known or discovered, then and in every such case it shall and may be lawful to and 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 Court of Chancery, to be placed to his Account to the Credit of the Parties interested in the said Lands, Tenements, or Hereditaments (describing them), subject to the Order, Controul, and Disposition of the said Court of Chancery, which said Court of Chancery, 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 Publick 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, mentioning and specifying for what and for whose Use the same is or are received, to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank as aforesaid.

Where any Question shall arise touching the Title to Money to be paid, the Persons who shall be in Possession of the Land, &c. at the Time of such Purchase, shall be deemed en-

XXVI. 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 Court of Chancery in pursuance of this Act, for the Purchase of any Lands, Tenements, or Hereditaments, or of any Estate, Right, or Interest in any Lands, Tenements, or Hereditaments to be purchased in pursuance of the said recited Acts and this Act, 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 such Lands, Tenements, or Hereditaments, at the Time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person or

titled thereunto, according to such Possession, unless, &c.

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

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

XXVII. Provided also, and be it further enacted, That where by reason of any Disability or Incapacity of the Person or Persons, or Corporation, entitled to any Lands, Tenements, or Hereditaments, to be purchased under the Authority of the said recited Acts and this Act, the Purchase Money for the same shall be required to be paid into the Court of Chancery, and to be applied in the Purchase of other Lands, Tenements, or Hereditaments, to be settled to the like Uses in pursuance of the said recited Acts and this Act, it shall and may be lawful to and for the said Court of Chancery to order the Expences of all Purchases from Time to Time to be made in pursuance of the said Acts and this Act, or so much of such Expences as the said Court shall deem reasonable, to be paid by the said Trustees out of the Monies to be received by virtue of the said Acts and this Act, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

Expences of this Act.

XXVIII. And be it further enacted, That the Costs, Charges, and Expences incident to or attending the applying for, preparing, obtaining, and passing of this Act, shall be paid out of the Monies now remaining in the Hands of the said Trustees, or their Treasurer or Treasurers, or out of the first Monies which shall be collected, borrowed, or received by them, or any of them, by virtue of the said recited Acts and this Act, or any or either of them, or out of such Part or Parts thereof and in such Proportions as the said Trustees, or any Five or more of them, shall in their Discretion think proper and direct; any Thing herein-before contained to the contrary thereof in anywise notwithstanding.

Publick Act.

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

Commencement and continuance of the Act.

XXX. And be it further enacted, That this Act shall commence and take Effect on the said Twenty-fourth Day of *June* next, and shall continue in force from that Time for and during the Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1807.