ANNO SEXTO

GULIELMI IV. REGIS.

Cap. xlvii.

An Act for repairing and improving certain Roads in and leading to and from the Town and County of the Town of *Poole*, and for making certain new Lines of Road in the said Town and County, and leading thence towards *Wareham* and *Blandford* in the County of *Dorset*. [19th *May* 1836.]

WHEREAS an Act was passed in the Seventeenth Year of the Reign of King *George* the Third, intituled *An Act for more effectually amending, widening, and keeping in repair several Roads therein mentioned, leading from a Gate in the Town and County of* Poole *called* Poole Gate; *and for repealing Two Acts of Parliament of the Twenty-ninth and Thirtieth Years of His late Majesty, relating to the said Roads; and also for applying a certain Sum of Money therein mentioned towards paving and repairing a certain Street or Way within the said Town and County:* And whereas another Act was passed in the Thirty-ninth Year of the Reign of the same King, intituled *An Act to 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 an Act passed in the Seventeenth Year of the Reign of His present Majesty, intituled 'An Act 'for more effectually amending, widening, and keeping in repair several Roads 'therein mentioned, leading from a Gate in the Town and County of* Poole 'called Poole Gate; *and for repealing Two Acts of Parliament of the 'Twenty-ninth and Thirtieth Years of His late Majesty, relating to the said 'Roads; and also for applying a certain Sum of Money therein mentioned* 17 G. 3. c. 104. 39 G. 3. c. 65.

'*towards paving and repairing a certain Street or Way within the said* '*Town and County:*' And whereas another Act was passed in the Fifty-
58 G. 3. c. 44. eighth Year of the Reign of the same King, intituled *An Act for continuing and amending Two Acts of His present Majesty, for repairing several Roads leading from the Town of* Poole, *and also for repairing other Roads in and near the said Town, and from* Cranborne *to* Coombe, *with Two Branches to the Great Western Road, in the Counties of* Dorset *and* Wilts: And whereas under the Authority of the said Acts the Roads therein comprised have (except as herein-after mentioned) been made and repaired: And whereas the Sum of Five thousand five hundred and fifty Pounds, and no more, is due on the Credit of the Tolls by the said Acts authorized to be levied: And whereas no Part of the Roads next herein-after mentioned and described has been made or repaired under the Powers for that Purpose given by the said recited Act of the Fifty-eighth Year of the Reign of King *George* the Third; (that is to say,) the Road leading from the Termination of the present Turnpike Road at or near the Sixteenth Mile Stone in *Cranborne* to the Village of *Coombe* in the County of *Wilts*, with a Branch from the same Road near *Toyde Farm House* to the Great Western Turnpike Road near *New Barbrow Farm* in the Parish of *Stoney* otherwise *Tony Stratford* in the said County of *Wilts*; and also the Road leading out of the *Poole* and *Cranborne* Turnpike Road at or near the Fifteenth Mile Stone from *Poole* to the said Great Western Turnpike Road about Two Miles and Three Quarters from *Woodyates* and near the Parish of *Hanley*; and it is expedient that the said last-mentioned Lines of Road should be abandoned: And whereas no more than Forty Yards of the Turnpike Road leading from the Town and County of the Town of *Poole* aforesaid towards the Borough of *Wareham* in the County of *Dorset* beyond the South-western End of a Bridge called *King Bridge*, in the Parish of *Lytchett Minster* in the said County of *Dorset*, have been made or repaired by virtue of the said recited Act of the Fifty-eighth Year of the Reign of King *George* the Third, the Residue of the Mile therein mentioned as being beyond the same Bridge in the Parish of *Saint Martin's Wareham* having been made and hitherto maintained and kept in repair by and at the Expence of the Trustees of the *Wareham* Turnpike; and it is expedient that the Residue of such Mile of Road beyond the said Forty Yards should also be abandoned: And whereas it is expedient that the Trustees for executing this Act should be discharged from the future Care and Management of some Parts of the Roads made and hitherto repaired by virtue of the said Acts; and inasmuch as some other of the said Roads will become useless to the Public when certain Parts of the new Lines of Road herein-after directed to be made shall have been completed, it is expedient that the same should from thenceforth be wholly stopped up: And whereas it is expedient that Powers should be granted for making Turnpike and maintaining the several new Lines of Road herein-after mentioned; (that is to say,) a new Line of Road from or near the Cross Roads called the *Halter Path*, in the present Turnpike Road in the Parish of *Hamworthy*, towards *Wareham*, by Way of *Rockley Point*, through the said Parishes of *Hamworthy* and *Saint Martin's Wareham* till it joins the *Wareham* Turnpike near the Second Mile Stone from *Wareham*; and also a new Line of Road from a Part of the present Turnpike Road near *Hamworthy* Church towards *Blandford*, through the said Parishes of *Hamworthy*, *Lytchett Minster*, *Lytchett Matravers*, and *Sturminster Marshall*, in the County of *Dorset*, to the Turnpike Road

from *Poole* to *Blandford* near *Baillie Corner* in the said Parish of *Sturminster Marshall*; and also a new Line of Road, of Forty Feet in Width and about Fifty Yards in Length, from the Termination of the present Turnpike Road at the Westernmost Corner of late *Joseph Barter*'s Storehouse on the Quay in the Town and County of *Poole* to the Northern Extremity of the Bridge about to be erected over a Part of the Harbour between *Poole* and *Hamworthy*; and also for making Turnpike Sixty Yards in Length of *Town Gate Street* in the Town and County of *Poole*, commencing from the present Turnpike Road in *North Street* in the said Town and County; and also for making, maintaining, and repairing as Turnpike One hundred and ten Yards in Length of the present Highway commencing at the Stop Gate in the said Town and County of *Poole*, and extending from thence in a Northerly Direction into or towards the *Fleet* in the Tithing of *Longfleet* and Parish of *Great Canford*; and also for making Turnpike and maintaining a conditional new Line of Road branching out of the above new Line towards *Blandford* near the Boundary between the said Parishes of *Hamworthy* and *Lytchett Minster*, and passing from thence through a Part of the said Parish of *Lytchett Minster* till it joins the present Turnpike Road near to a Public House called *Peter's Finger*; and also a conditional new Line of Road, either from the Termination of the said new Line of Road of One hundred and ten Yards in Length to the Northward of the Stop Gate in *Poole*, or from or near the Public House called *Port Mahon Castle*, in *Longfleet* aforesaid, to the present Turnpike Road at or near *Bushell's Mill* in the same Tithing: And whereas the said Sum of Five thousand five hundred and fifty Pounds, so due on the Credit of the Tolls authorized by the said Acts to be levied as aforesaid, cannot be paid off, nor can the present or intended new Roads be effectually amended, made, improved, and kept in repair, unless the Term granted and continued by the said recited Acts be further continued: And whereas it is expedient that the said recited Acts should be repealed, and further and more effectual Powers and Provisions granted, as well for repairing, amending, and otherwise improving the said present Roads (except the Parts thereof before referred to as being intended to be abandoned and stopped up), as also for making and maintaining the new Roads herein mentioned; and it is also expedient that the present Tolls should be varied, altered, and increased: But inasmuch as the several 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 passing of this Act the said recited Acts of the Seventeenth, Thirty-ninth, and Fifty-eighth Years of the Reign of King *George* the Third shall be and the same are hereby declared to be repealed.

Recited Acts repealed.

II. Provided neverthless, and be it further enacted, That the Repeal of the said recited Acts shall not in any Manner operate as a Revival of any Act or Acts of Parliament referred to in the said hereby repealed Acts or either of them, and which was or were thereby repealed.

Repeal of recited Acts not to revive others.

III. And be it further enacted, That the Road by the said recited Act of the Fifty-eighth Year of the Reign of King *George* the Third authorized to

Cranborne District of Road abandoned.

to be made, leading from the Termination of the present Turnpike Road at or near the Sixteenth Mile Stone in *Cranborne*, through the Parishes, Tithings, or Hamlets of *Cranborne* and *Boveridge* in the County of *Dorset*, and *Tidpit*, *West Martin* and *East Martin*, *Toyde* and *Coombe*, in the County of *Wilts*, to the said Village of *Coombe*, with the Branch from the same Road near *Toyde Farm House* to the Great Western Turnpike Road near *New Barbrow Farm* in the Parish of *Stoney* otherwise *Tony Stratford* in the said County of *Wilts*, and also the Road leading out of the *Poole* and *Cranborne* Turnpike Road at or near the Fifteenth Mile Stone from *Poole*, through the several Parishes, Tithings, Vills, and Hamlets of *Edmondsham*, *Wimborne Saint Giles*, and *Monckton up Wimborne*, in the said County of *Dorset*, to the said Great Western Turnpike Road about Two Miles and Three Quarters from *Woodyates* and near the Parish of *Hanley*, (and which said Roads are therein-after described as the *Cranborne* District,) shall be abandoned, and that from and immediately after the passing of this Act the Trustees acting in the Execution hereof shall be discharged from the making, Management, and Repair thereof.

All the Road beyond King Bridge, except Forty Yards, abandoned.

IV. And be it further enacted, That the One Mile of Road in the Parish of *Saint Martin's Wareham* beyond *King Bridge* (being Part of the Road from *Poole* towards *Wareham*) mentioned in the said recited Act of the Fifty-eighth Year of the Reign of King *George* the Third (except Forty Yards, Part thereof, such Forty Yards commencing from the Termination of the said Bridge in the Parish of *Saint Martin's Wareham*, and leading thence towards *Wareham*) shall be abandoned, and that from and immediately after the passing of this Act the Trustees acting in the Execution hereof shall be discharged from the making, Management, and Repair of all the said Mile of Road except the said Forty Yards.

Trustees discharged from Repair of Roads herein described.

V. And be it further enacted, That from and after the passing of this Act the Trustees acting in the Execution hereof shall be discharged from the Care, Management, and future Repair of the several Roads or Parts of Roads next herein-after mentioned; (that is to say,) so much and such Part of the Roads comprised in the said recited Act of the Fifty-eighth Year of the Reign of King *George* the Third as commences at the Cross Roads called the *Three Oaks*, in the Parish of *Lytchett Minster*, and, leading thence through a Part of the same Parish and of the Parish of *Lytchett Matravers*, terminates at or near to an Inn there called the *Chequer Inn*; and also so much and such Part of the said Roads as commences at the Cross Roads near the South or South-west Entrance to the Town of *Cranborne*, and terminates at the Sixteenth Mile Stone in the said Town and Parish of *Cranborne*, being a Distance of about Three hundred and seven Yards; and also so much and such Part of the said Road as commences at the *Pitch House* near the North-east Corner of *Ballast Quay* in *Poole* aforesaid, and leads thence to a Place called *Broomhill*, being the Boundary between the said Town and County of *Poole* and the Parish of *Hamworthy*, and from thence, through the Street of *Hamworthy*, to the South-west End of the Approach to a Bridge about to be erected over a Part of the Harbour between *Poole* and *Hamworthy*; and also the Branch, in a North-easterly Direction, from the last-mentioned Piece of Road to the Steps now used for landing from the Ferry or Passage Boat across the said Harbour from *Poole* to *Hamworthy*; and also (from and after the Completion and opening for the Public of the conditional new Line of Road herein-after mentioned towards

towards *Bushell's Mill*) so much and such Part of the present Turnpike Road as commences at the Distance of One hundred and ten Yards to the North of the new *Poole* Turnpike Gate, and as leads from thence through the Tithing of *Longfleeet* aforesaid to the Junction of the said present Road with the said intended new Line of Road at or near *Bushell's Mill* aforesaid.

Description of present Roads to be continued, and of new Roads.

VI. And be it further enacted, That this Act shall be put in execution for and during the Term herein-after mentioned for the Purpose of making, amending, widening, maintaining, repairing, and improving the present and new Roads herein-after mentioned and described; (that is to say,) the present Turnpike Road leading from the Side of the old Turnpike Gate in the Town and County of *Poole* aforesaid, through the several Parishes, Tithings, Vills, or Hamlets of *Great Canford*, *Longfleet*, *Wimborne Minster*, *Leigh*, *Wimborne Borough*, *Stone*, *Petersham*, *Monckton up Wimborne*, *Little Hinton*, *Hinton Martell*, *Chalbury*, *Horton*, *Woodlands*, *Wimborne Saint Giles*, *Philipstone*, *Edmondsham*, and *Cranborne*, in the County of *Dorset*, to the said Cross Roads near the South or South-west Entrance to the Town of *Cranborne* aforesaid (subject to the Power of abandoning a Part thereof in the said Tithing of *Longfleet* on the Completion of the said new Line of Road towards *Bushell's Mill*); and also the present Turnpike Road from the Site of the old *Poole* Gate aforesaid, through the several Parishes, Tithings, Vills, or Hamlets of *Great Canford*, *Longfleet*, *Parkstone*, and *Kingston*, in the said County of *Dorset*, and also through *Christchurch-Twyneham*, *Muscliffe*, and *Muckleshell*, in the County of *Southampton*, to a Place called *Bourne Bottom*, in the same County, being Part of the High Road from the said Town and County of *Poole* to the Town of *Christchurch-Twyneham* aforesaid; and also the present Turnpike Road from the Site of the old *Poole* Gate aforesaid, through the Parishes, Tithings, Vills, or Hamlets of *Longfleet*, *Parkstone*, and *Kingston*, in the said County of *Dorset*, and *Hampreston* in the Counties of *Dorset* and *Southampton*, to *Longham Bridge* in the said Parish of *Hampreston*, being the High Road from the said Town and County of *Poole* to the Town of *Ringwood* in the said County of *Southampton*; and also the present Turnpike Road from the Site of the old *Poole* Gate aforesaid, through the Parishes, Tithings, Vills, or Hamlets of *Longfleet* and *Great Canford* aforesaid, and *Corfe Mullen* and *Lytchett Minster* otherwise *South Lytchett*, in the said County of *Dorset*, to and over a Bridge called *King Bridge*, in the Parish of *Lytchett Minster* aforesaid, and Forty Yards beyond the same Bridge in the Parish of *Saint Martin's Wareham*, being the Road from the said Town and County of *Poole* towards the Borough of *Wareham* in the said County of *Dorset* (subject to the Power of abandoning a Part thereof on the Completion of the said new Line of Road towards *Bushell's Mill*); and also the present Turnpike Road commencing at the South-west End of the Approach to the said Bridge about to be erected between *Poole* and *Hamworthy*, and leading from thence through the said Parishes of *Hamworthy* and *Corfe Mullen* till it joins the present Turnpike Road at *Hamworthy* Turnpike Gate (subject to a Part thereof being stopped up as herein-after mentioned); and also the present Turnpike Road leading from the Site of the old *Poole* Gate aforesaid, along the Westernmost Side of the said Town and County of *Poole*, to the Westernmost Corner of late *Joseph Barter*'s Storehouse on the Quay in the said Town and County; and also the Road from the present Turnpike Road

Present Roads: To Cranborne:

To Bourne:

To Ringwood:

To Wareham:

From Poole Bridge to Hamworthy Turnpike Gate:

Roads in Poole.

at or near the Public House in *Longfleet* called *Port Mahon Castle*, through the Site of *Mount Rails* to the North-east End of the Lane opposite the Dwelling House of *Isaac Steele* Esquire; and the Road from the said Site of the old Turnpike Gate at the Entrance to the said Town of *Poole* to the Fish Shambles in the same Town by the East Side of the same Town;

New Roads: To Wareham by Rockley Point:

and also a new Line of Road towards *Wareham*, to commence from or near the Cross Roads called the *Halter Path*, in the present Turnpike Road in *Hamworthy*, and to lead from thence by Way of *Rockley Point*, (and by means of a Bridge intended to be constructed over the Inlet of the Sea there in manner herein-after mentioned,) through the said Parishes of *Hamworthy* and *Saint Martin's Wareham*, till it joins the *Wareham* Turnpike near the Second Mile Stone from *Wareham;*

Road towards Blandford:

and also a new Line of Road towards *Blandford*, branching out of a Part of the present Turnpike Road near *Hamworthy* Church, and passing through the said Parishes of *Hamworthy*, *Lytchett Minster*, *Lytchett Matravers*, and *Sturminster Marshall*, to the *Blandford* Turnpike near *Baillie Corner* in the said Parish of *Sturminster Marshall;*

Roads in and near Poole.

and also a new Line of Road of Forty Feet in Width and about Fifty Yards in Length from the Termination of the present Turnpike Road at the Westernmost Corner of the said late *Joseph Barter*'s Storehouse on the Quay to the Northern Extremity of the said Bridge about to be erected between *Poole* and *Hamworthy;* and also for making Turnpike Sixty Yards in Length of the Street called *Town Gate Street*, in the Town and County of *Poole*, commencing from the present Turnpike Road in *North Street* in the said Town and County; and also for making, maintaining, and repairing as Turnpike One hundred and ten Yards in Length of the present Highway, commencing at the Stop Gate in the said Town and County of *Poole*, and extending from thence in a Northerly Direction into or towards the *Fleet* in the Tithing of *Longfleet* aforesaid; and also

Conditional Roads: Towards Wareham by Peter's Finger:

for making, amending, widening, maintaining, repairing, and improving a conditional new Line of Road branching out of the above new Line towards *Blandford* at or near the Boundary between the said Parishes of *Hamworthy* and *Lytchett Minster*, and to pass from thence through a Part of the said Parish of *Lytchett Minster* till it joins the present Turnpike Road near a Public House called *Peter's Finger;*

To Bushell's Mill.

and also a conditional new Line of Road, either from the Termination of the said new Line of Road of One hundred and ten Yards in Length to the Northward of the Stop Gate in *Poole*, or from or near the said Public House called *Port Mahon Castle*, in *Longfleet* aforesaid, to the present Turnpike Road at or near *Bushell's Mill* in the same Tithing.

Part of Road in Hamworthy to be stopped up on Completion of the new Line towards Blandford.

VII. And be it further enacted, That when and so soon as the said new Road towards *Blandford* shall be made and fit for the Use of the Public so much and such Part of the present Turnpike Road in the Parishes of *Hamworthy* and *Corfe Mullen*, before directed to be continued, as extends from the Point near the Church in *Hamworthy* where the said new Line of Road towards *Blandford* commences to *Hamworthy* Turnpike Gate in the said Parish of *Corfe Mullen*, shall be and the said Trustees are hereby authorized and directed to order the same to be stopped up.

No Part of the conditional Lines towards Bushell's

VIII. And be it further enacted, That no Part of either of the said conditional new Lines of Road towards *Bushell's Mill* shall be made by virtue of this Act until the said Trustees, at a Special Meeting at which Ten of them at least shall be present, (and which Meeting shall be convened

vened by Notice signed by Five at least of the said Trustees, and published in One or more Newspaper or Newspapers printed or circulated within the said County of *Dorset*, and Copies of which Notice shall also be affixed on each of the Turnpike Gates then standing on the said Turnpike Roads, at least Fourteen Days before such Meeting,) shall fix and determine which of the said Two Lines of Road shall be adopted; and the Line thus fixed on shall from thenceforth be considered as the Line authorized to be made, maintained, and repaired as Turnpike under and by virtue of this Act, and the other Line shall be considered as abandoned.

Mill to be made till the Trustees at a Special Meeting shall fix on one of such Lines.

IX. And be it further enacted, That no Part of the said conditional new Line of Road towards *Wareham* by *Peter's Finger* shall be made or maintained as Turnpike by virtue of this Act until the Lines of Road towards *Blandford* and by *Rockley Point* towards *Wareham* shall have been completed, and until the Trustees present at a Special Meeting to be convened for the Purpose, at which Meeting at least Ten of the said Trustees shall be present, (and Notice whereof shall be signed and published as herein-before directed respecting the Selection of one of the Lines of Road to to *Bushell's Mill*,) shall have determined on the Expediency of making and maintaining the same last-mentioned Line of Road.

Road to Peter's Finger not to be made until the Roads towards Blandford and by Rockley Point are completed

X. Provided always, and be it further enacted, That unless one or other of the said Lines of Road towards *Bushell's Mill* and the said Line towards *Peter's Finger* shall respectively be fixed and determined on, and the Land required for making the same respectively shall be purchased and paid for, within Four Years, to be computed from the passing of this Act, it shall not be lawful for the said Trustees to take or use any Buildings, Lands, or Hereditaments for making such Lines of Road respectively without the Consent of the Owners or Proprietors thereof in Writing first had and obtained.

As to the new Road to Bushell's Mill and Peter's Finger.

XI. And be it further enacted, That it shall be lawful for the said Trustees and they are hereby authorized and empowered to build, erect, and construct, and to maintain and keep in repair, a good and substantial Bridge, with a Draw or Swivel therein which shall open not less than Twenty-two Feet in Width, over the said Inlet of the Sea forming *Lytchett Bay* at *Rockley Point* aforesaid, in the Line or Direction of and to form Part of the herein-before described new Line of Road from *Hamworthy* towards *Wareham*, and to make, build, construct, maintain, and keep in repair all such Arches, Embankments, Causeways, and Approaches to and at both Ends of the said Bridge, and in such Manner in all respects as the said Trustees shall think necessary, and as shall be sufficient to secure at all Times a safe and convenient Passage over the same, and so that the Flux and Reflux of the Tide may not be materially impeded thereby, and for those Purposes respectively to enter, by themselves, their Agents, Workmen, and Assistants, into and upon any Lands within Five hundred Yards of the Site of the said intended Bridge or of the Approaches thereto, to examine the same Lands, and to set out, dig, excavate, cut, embank, and otherwise appropriate and use the same or any Part thereof, and the Soil, Gravel, Clay, Stone, and other Materials there found, without having previously made any Payment or Tender for or on account thereof: Provided always, that the said Trustees shall and they are hereby required, within Three Calendar Months after the said Bridge with

Power to build a Draw or Swivel Bridge at Rockley Point.

Compensation to be made for

Damage to inclosed Lands.

with its Approaches shall have been completed, to make Compensation and Satisfaction for the Damage or Injury which the Owners or Occupiers of any inclosed Land may have sustained or may sustain by the Exercise of any of the Powers aforesaid: Provided also, that before it shall be lawful for the said Trustees to dig, excavate, or embank any inclosed Lands within the Distance of Five hundred Yards from the Site of the said Bridge or the Approaches thereto, the said Trustees shall and they are hereby required to give to or leave at the usual or last known Place of Abode of the Owner or Occupier of such Lands at least Fourteen Days previous Notice in Writing, signed by Two of them, or by their Clerk for the Time being, of their Intention so to do, and they shall also previous to giving such Notice mark out the Limits of the Lands which they shall require.

Fourteen Days previous Notice to be given to Owners or Occupiers of Intention to use the said Lands.

No Works to be erected below High-water Mark without Consent of Admiralty.

XII. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to authorize the making of any Excavation, Erection, or Embankment, for the Purposes of the said Bridge or of the Works connected therewith, below the High-water Mark, without the previous Consent of the Commissioners for executing the Office of Lord High Admiral of the United Kingdom to be signified in Writing by the Secretary of the Admiralty.

A Person to be appointed to open the Draw-bridge.

XIII. And be it further enacted, That when and so soon as the said Bridge shall be built as aforesaid the said Trustees shall and they are hereby authorized and required to appoint and employ some Person to open from Time to Time the said Draw or Swivel for the Passage of Vessels, Barges, or Boats requiring the same; and in case the said Trustees shall omit or neglect to appoint and employ, or from Time to Time to continue, a proper Person so to open the said Draw or Swivel, they shall forfeit and pay for every such Omission or Neglect a Sum not exceeding Ten Pounds by way of Penalty, and shall also make reasonable Compensation to the Person injured thereby; and in case any Person so appointed and employed as aforesaid shall wilfully refuse or neglect, for the Space of Fifteen Minutes after Application made to him for that Purpose, to open the said Draw or Swivel so as to allow any Vessel, Barge, or Boat requiring the same to pass through, or shall do or cause to be done any Act or Thing whereby the Navigation of the said Inlet of the Sea shall be unnecessarily prejudiced or obstructed, then and in either of such Cases the Person so offending shall forfeit and pay by way of Penalty any Sum not exceeding Forty Shillings, and shall also pay to the Party aggrieved any Sum not exceeding Five Shillings for the first and for every succeeding Hour that such Refusal or Neglect shall be continued.

Penalty on Person appointed refusing to open the Draw-bridge.

No Waggons, &c. exceeding Three Tons Weight to pass over the Bridge.

XIV. And be it further enacted, That no Waggon or other Carriage, which, with the Loading thereof, shall be of greater Weight than Three Tons, shall be permitted to pass over the said Bridge, and that the Owner or Driver of any such Waggon or other Carriage permitting the same to pass over the said Bridge shall for every such Offence forfeit and pay the Sum of Ten Pounds.

Power to rebuild the Bridge, and in the mean-

XV. And be it further enacted, That in case the said Bridge or the Approaches thereto shall at any Time be out of repair, or become impassable or unsafe for Travellers or Carriages, the said Trustees shall and they

they are hereby empowered and required to cause the same to be forthwith rebuilt or repaired, and until the said Bridge or Approaches shall be so rebuilt or repaired the said Trustees shall provide and maintain a proper and convenient Ferry-boat for the Conveyance of Travellers, Cattle, and Carriages over the said Inlet of the Sea, as near to the Site of the said Bridge as conveniently may be. Trustees to provide a Ferry.

XVI. 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 several new Lines of Road herein-before mentioned and described of such Width as they may think proper, not exceeding Forty Feet nor less than Twenty Feet, together with such Arches, Bridges, Ditches, Drains, Fences, and other Works as they may think requisite, and for the Purposes aforesaid to take, pull down, or remove all or any of the Dwelling Houses, Outhouses, Edifices, and Buildings, and to use and appropriate the Yards, Gardens, Orchards, and other Hereditaments which are mentioned and set forth in the Schedule to this Act annexed, and to take, pull down, or remove any Buildings which may have been erected on any of the Lands specified in the said Schedule since the Thirtieth Day of *November* last, tendering or making Satisfaction for the same to the Owners of the said Hereditaments and Premises and other Persons interested therein, and for the Damage which such Owners or other Persons may respectively sustain thereby, and also to take and appropriate all or any of the Road or Roads, Highway or Highways now running or passing through the several Parishes or Tithings aforesaid, or any or either of them, in the Line or Direction of the herein-before mentioned new Lines of Road or any or either of them. Power to set out and make new Roads.

XVII. And be it further enacted, That all His Majesty's Justices of the Peace for the Time being acting for the said Counties of *Dorset* and *Southampton*, together with *William Adey*, *James Aldridge*, *Thomas Barter*, *William Oldfeld Bartlett* Clerk, *Henry Bartlett*, *John Baskett* Clerk, *Charles Baskett*, *James Thomas Baskett*, *George Belbin*, *Waring Biddle*, *Edward Paulett Blunt* Clerk, *Charles Bowle* Clerk, *John Bishop Bunn*, *Edward Butt* Clerk, *Edward Castleman*, *Henry Castleman*, *James Churchill*, *William Cox*, *Thomas Crew*, *John Samuel Wanley Sawbridge Erle Drax*, *John Durant*, *Charles Ellis*, *William Evans*, *Henry Festing*, *John Fryer*, *William Rolles Fryer*, *Isaac Fryer*, *Frederick William Fryer*, *Thomas Gaden*, *Joseph Garland* the younger, *John Bingley Garland*, *Richard Plumtre Glyn*, *John Carr Glyn* Clerk, *Edward Greathed*, *Harry Hammond*, Sir *James Hanham* Baronet, Clerk, *Christopher Hill*, *John Hill*, *Matthew Irving* Doctor in Divinity, *William Jolliffe*, *Cornwall Jolliffe*, *Peter William Jolliffe* Clerk, *George Kemp*, *James Kemp*, *Henry Kemp*, *Moss King* Clerk, *John Kynaston*, *David Osmond Lander*, *George Welch Ledgard*, *Richard Ledgard*, *George Ledgard*, *Benjamin Linthorne*, *Robert Major*, *James Mayo* Clerk, *Isaac Notley*, *John Comley Olive*, *George Edward Patey*, *George Penney*, *Thomas Phippard* the younger, *James Pointer*, *Nathaniel Polhill*, the Honourable *William Francis Spencer Ponsonby*, *Charles Frederick Ashley Cooper Ponsonby*, *Thomas Richards*, *Francis Timewell Rogers*, *John Rowe*, *Samuel Salter*, *James Seager*, *Robert Slade*, *Robert Slade* the younger, *James Slade*, *Isaac Steele*, *Samuel Strong*, *Napier Sturt* Clerk, *William Thompson*, *Christopher* Trustees.

topher Warland, John Way, Martin Kemp Welch, Samuel Weston, Samuel White White, and their Successors, being duly qualified to act as Trustees of Turnpike Roads in *England*, shall be and they are hereby appointed the Trustees for carrying this Act into full and complete Execution.

Trustees to be resident within Five Miles of the Roads.

XVIII. Provided always, and be it further enacted, That no Person shall be capable of acting as a Trustee in the Execution of this Act (except His Majesty's Justices of the Peace for the said Counties of *Dorset* and *Southampton*) who shall at the Time he shall attempt to act be resident at a Distance of more than Five Miles from some Part of the said Roads.

Notice to be given to Trustees of their Appointment.

XIX. Provided also, and be it further enacted, That the Clerk to the said Trustees shall within Thirty Days after the passing of this Act, and also within Thirty Days after every Election of new Trustees, give Notice in Writing to the Persons herein named, or hereafter to be appointed Trustees for the Purposes of this Act (except to His said Majesty's Justices of the Peace for *Dorset* and *Southampton*), of their being so appointed respectively.

Power to appoint additional Trustees.

XX. 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 General Meetings from Time to Time to be holden in pursuance of this Act, to elect and appoint any Number of Persons not exceeding Five in the whole to be Trustees for the Purposes of this Act in addition to the Trustees by this Act appointed; and such Trustees so elected and appointed, and being duly qualified as aforesaid, shall be and they are hereby invested with the same Powers and Authorities as if they had been herein named and appointed.

Meetings to to be held alternately in Poole and Wimborne.

XXI. And be it further enacted, That the said Trustees shall hold their First Meeting at some public Inn in the Town and County of *Poole* within Twenty-one Days next after the passing of this Act, and shall then and there proceed to put this Act in execution, and shall then and from Time to Time thereafter adjourn and hold their Meetings alternately at some public Inn in the Town of *Wimborne Minster* and in the Town and County of *Poole*, subject nevertheless to the occasional Meetings herein-after provided for: Provided always, that it shall and may be lawful for the said Trustees from Time to Time, if they shall deem it necessary for any special Purpose, to adjourn their Meeting to any other Place or Places on or near to the said Roads.

Occasional Meetings elsewhere.

Trustees not to deviate from Plan more than 100 Yards.

XXII. And whereas Maps or Plans describing the several new Lines of Road herein-before mentioned, and the Lands, Tenements, and Hereditaments through or over which the same are respectively intended to be made or carried, together with Books of Reference thereto, containing the Names of the Owners, Lessees for Lives, and Occupiers, or reputed Owners, Lessees for Lives, and Occupiers of such Lands, Tenements, and Hereditaments, have been deposited in the respective Offices of the Clerk of the Peace for the County of *Dorset* and of the Town Clerk of the Town and County of *Poole;* be it therefore further enacted, That the said Trustees in making the said several new Lines of Road shall not deviate more than One hundred Yards from the several Lines described

in the said Maps or Plans respectively, without such Consent of the Owners or Proprietors of the Lands or Tenements through which such Deviation shall be made, or of the Persons authorized to act on their Behalf, as shall be required by the Acts for the Time being in force relating to Turnpike Roads in *England*, in Cases where Roads already made are intended to be altered or diverted more than One hundred Yards from the previous Line or Course thereof; and the said Maps or Plans and Books of Reference shall remain in the Custody of the said Clerk of the Peace and Town Clerk, to the end that all Persons may at all seasonable Times, have Liberty to inspect and peruse the same, and take Copies thereof or Extracts therefrom, at their Will and Pleasure, paying such Clerk of the Peace or Town Clerk respectively 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; and the said Maps or Plans and Books of Reference, or either of them, or any Copy thereof or of any Part thereof respectively, certified by the Clerk of the Peace or Town Clerk respectively for the Time being to be a true Copy thereof, shall be good Evidence in all Courts of Law and Equity.

Maps and Books of Reference to remain with the Clerk of the Peace, and be open for Inspection.

XXIII. Provided always, and be it further enacted, That it shall be lawful for the said Trustees to make the said several new Lines of Road through, across, or over the Lands of any Person or Persons who is or are or may be Owner or Owners of the Lands, Tenements, and Hereditaments through or over which the same are respectively set out and described in the said Maps or Plans and Books of Reference, or intended so to be, although such Lands, Tenements, and Hereditaments, or the Name or Names of such Person or Persons, may be erroneously described, omitted, or mis-stated in the said Maps or Plans and Books of Reference, in case it shall appear to any Two or more Justices of the Peace for the County of *Dorset*, and be certified in Writing under their Hands, that such Description was erroneous, or that such Omission or Mis-statement happened by Mistake.

Lands marked in the Map may be used notwithstanding Errors in Books of Reference.

XXIV. Provided also, and be it further enacted, That the Powers and Authorities hereby given for making the new Lines of Road herein-before described shall not extend or be construed to extend to 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 hereunder written, 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* last, without having first obtained such Consent as is herein-before required to be obtained in case of a Deviation of more than One hundred Yards from the Lines of the said new Roads as laid down on the said Maps or Plans.

Trustees restrained from pulling down Dwelling Houses, &c. not mentioned in the Schedule, without Consent.

XXV. And be it further enacted, That in case it shall be necessary to summon a Jury for ascertaining the Value of any Lands or Hereditaments to be taken or used for the Purposes of this Act, or the Recompence to be made for any Damage which shall be occasioned by reason of the Provisions in this Act contained, such Value, Damage, or Recompence shall

The Value of Lands taken to be ascertained by a Jury of the County of Dorset.

shall be inquired into and ascertained in the Manner prescribed by the Act of the Third Year of the Reign of His late Majesty King *George* the Fourth, for regulating Turnpike Roads in *England*, by a Jury of the County of *Dorset*.

Lands to be purchased in Three Years, except as to conditional Roads.

XXVI. Provided also, 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, (except as to the said conditional Lines of Road towards *Bushell's Mill* and *Peter's Finger*,) agree for, and cause to be valued and paid for, the Buildings, Lands, and Hereditaments authorized to be purchased for the Purposes of this Act, it shall not thereafter be lawful for the said Trustees to take or use any such Buildings, Lands, or Hereditaments as shall not then have been agreed for and valued, without the Consent in Writing of the Owners thereof, or other the Person or Persons hereby authorized to give such Consent as aforesaid, first had and obtained.

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

XXVII. And be it further enacted, That in case any Lands or Hereditaments shall be purchased by the said Trustees for the Purposes of 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 shall 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 Purchase, 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 shall be of any other Tenure the Estate and Interest in such Lands, 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 Lands, &c. as if they had purchased the Fee.

XXVIII. Provided always, and be it further enacted, That the said Trustees shall have such and the same Powers and Authorities over the Lands and Hereditaments 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.

If Land purchased should not be wanted for Roads, the Right of Way and all other Rights vested in Trnstees to cease.

XXIX. Provided also, and be it further enacted, That if at any Time any of the Lands or Hereditaments purchased by the said Trustees for the Purposes of this Act shall not be wanted for the same, then and in such Case the Right of Way and all other Rights in, over, or upon such Lands or Hereditaments, vested in the said Trustees under this Act, shall cease, determine, and be extinguished, and the Freehold and Inheritance of the said 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 then entitled to the same, freed and discharged of and from such Right of Way.

XXX. And

Power to continue and erect Toll Gates, &c.

XXX. And be it further enacted, That it shall be lawful for the said Trustees to continue all or any of the Toll Gates or Turnpikes, Toll Bars, Toll Houses, Side Bars, Chains, and Weighing Machines now erected upon the said Roads or upon the Sides thereof, and also to erect or build others in lieu thereof and in addition thereto, upon or by the Sides of all or any Part of the Roads hereby continued or authorized to be made Turnpike, and to alter, or to take down and re-erect or re-construct, or to discontinue and remove the same or any of them, as they the said Trustees shall from Time to Time think proper.

Power to take Tolls.

XXXI. And be it further enacted, That it shall be lawful for the said Trustees, or their Lessee or Lessees, or any Person or Persons appointed or to be from Time to Time appointed by the said Trustees, or by their Lessee or Lessees, a Collector or Collectors of Tolls, or otherwise authorized by them for that Purpose, (subject to the Provisions and Exemptions contained in this Act and in the General Acts now in force respecting Turnpike Roads in *England*,) to demand and to take at each Toll Gate or Turnpike, Toll Bar, Toll House, Side Bar, or Chain, which now is or hereafter shall be erected on or standing across or at the Sides of the said present Roads, or such other Roads as are by this Act authorized or directed to be made Turnpike, on each and every Day (such Day to be computed from Twelve of the Clock in one Night to Twelve of the Clock in the next succeeding Night), before any Horse or other Beast or Cattle, or Carriage, shall be permitted to pass through any such Toll Gate or Turnpike, Toll Bar, Side Bar, or Chain, Tolls not exceeding the following; (that is to say,)

Tolls.

For every Horse or other Beast of Draught employed in drawing any Coach, Chariot, Stage Coach, Barouche, Sociable, Phaeton, Break, Diligence, Omnibus, Berlin, Landau, Chaise, Curricle, Calash, Chair, Caravan, Van, Hearse, Taxed Cart, Litter, Car, Gig, or other such like Carriage, any Sum not exceeding Three-pence:

For every Horse or other Beast employed in drawing any Waggon, Wain, Cart, Dray, or other such like Carriage, any Sum not exceeding Two-pence:

For every Coach, Barouche, Chaise, or other Carriage with Four Wheels, affixed to any Waggon or Cart, any Sum not exceeding Sixpence:

For every Carriage with Two Wheels, affixed to any Waggon or Cart, any Sum not exceeding Three-pence:

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

For every Score of Oxen, Cows, or Neat Cattle, any Sum not exceeding Eight-pence, and so in proportion for any less Number:

And for every Score of Calves, Goats, Kids, Swine, Sheep or Lambs, any Sum not exceeding Four-pence, and so in proportion for any less Number:

For every Carriage, of whatever Description, moved or propelled by Steam, Gas, or Machinery, or by any other Power than animal Power, any Sum not exceeding One Shilling:

And in all Cases when there shall be a fractional Part of One Halfpenny in the Calculation or Amount of the Tolls hereby granted, or any of them, the Sum of One Halfpenny shall be demanded and taken in lieu of such fractional Part:

Which said Tolls shall be and they are hereby vested in the said Trustees, and the same shall be recovered in such Manner and by such Means as Tolls may be recovered by virtue of any Act now or hereafter to be in force relating to Turnpike Roads in *England*, and the same shall be paid and applied in manner by this Act directed.

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

XXXII. Provided always, and be it further enacted, That after the respective Tolls hereby authorized to be taken shall have been paid for the passing of any Horse, Cattle, Beast, or Carriage whatsoever through any Toll Gate, Turnpike, Toll Bar, Side Bar, or Chain 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, be permitted to pass Toll-free through the same, and also through such other Toll Gate, Turnpike, Toll Bar, Side Bar, or Chain, if any, as shall be expressed to be freed by the Ticket for such Payment, at any Time or Times during the same Day, such Day to be computed from Twelve of the Clock in one Night to Twelve of the Clock in the next succeeding Night, except as herein-after mentioned.

Exemption from Tolls.

XXXIII. And be it further enacted, That no Toll shall be demanded or taken by virtue of this Act for any Horse or other Beast, nor for any Waggon, Cart, or other Carriage, when solely employed in carrying, drawing, or otherwise conveying, or when going solely to fetch, carry, or convey, or returning after having been solely employed in fetching, carrying, or conveying, any Milk not sold, but to be used by the Owners of the Cows in some of the Parishes or Townships through which the said Roads pass; nor for any Horse or other Beast, nor for any Waggon, Cart, or other Carriage, when solely employed in carrying, drawing, or otherwise conveying, or when going solely to fetch, carry, or convey, or returning after having been solely employed in fetching, carrying, or conveying, any Furze, Peat, Turves, or Heath, for Fuel, or any Lime intended to be used solely for Manure; nor when solely employed in carrying or conveying, or going solely to fetch, carry, or convey, or returning after having been solely employed in fetching, carrying, or conveying, any Water into the said Town of *Poole*.

Limitation of Number of Tolls.

XXXIV. Provided always, and be it further enacted, That no more than One full Toll (except as herein provided to the contrary) shall be demanded or taken in any One Day, to be computed in manner aforesaid, for or in respect of any Horse, Cattle, or Carriage whatsoever passing and repassing through all the Toll Gates, Turnpikes, Toll Bars, Side Bars, or Chains to be continued or erected by virtue of this Act upon the whole Extent of the said Roads situate North of the River *Stour*, and also that no more than Four full Tolls (except as aforesaid) shall be demanded or taken in any one Day, to be computed as aforesaid, for or in respect of any Horse, Cattle, or Carriage whatsoever passing and repassing through all the Toll Gates, Turnpikes, Toll Bars, Side Bars, or Chains to be continued or erected by virtue of this Act upon the whole Extent of the said present and new Lines of Road situate South of the said River *Stour*.

As to Tolls on Roads South of the Stour.

XXXV. Provided also, and be it further enacted, That until the herein-before mentioned conditional Line of Road to *Peter's Finger* shall be made and completed no more than Three full Tolls, except as aforesaid,

shall be demanded or taken in any one Day, to be computed as aforesaid, on the said Roads South of the *Stour*.

Stage and Steam Carriages travelling for Hire to pay each Time of passing.

XXXVI. Provided also, and be it further enacted, That the Tolls hereby made payable for every Horse or other Beast drawing any Stage Coach, Omnibus, Car, Caravan, Stage Waggon, or any other Stage Carriage, and for every Carriage propelled or kept in motion by Steam, Gas, Machinery, or other like Means, and for every Carriage linked or fastened to and drawn by any Carriage so impelled and kept in motion, conveying Passengers or Goods for Hire or Reward, shall be paid for each Time of passing and repassing through any Toll Gate, Turnpike, Toll Bar, Side Bar, or Chain erected or to be erected across or at the Sides of the said Roads: Provided nevertheless, that no further or additional Toll shall be payable in respect of the Horses or other Beasts drawing any such Stage Coach, Omnibus, Caravan, Car, Stage Waggon, or other Stage Carriage, on account only of the Horses or other Beasts drawing the same having been changed.

Proviso as to changing Horses.

Post Chaises, &c. to pay on each fresh Hiring.

XXXVII. Provided also, and be it further enacted, That the Tolls hereby made payable for every Horse or other Beast let out to Hire, and drawing any Post Chaise or other Carriage, shall be paid for each Time of passing and repassing through any Toll Gate, Turnpike, Toll Bar, Side Bar, or Chain erected or to be erected across or at the Sides of the said Roads, whenever any fresh Hiring thereof shall have taken place.

Toll on repassing with a different Carriage.

XXXVIII. Provided also, and be it further enacted, That if any Horse, Beast, or Cattle, for which Toll shall have been paid at any of the said Toll Gates, Turnpikes, Toll Bars, Side Bars, or Chains, shall return or pass through the same or any other of the said Toll Gates, Turnpikes, Toll Bars, Side Bars, or Chains, drawing another or a different Waggon, Wain, Cart, or other such Carriage, such Horse, Beast, or Cattle shall not be permitted to return or pass through such Toll Gates, Turnpikes, Toll Bars, Side Bars, or Chains respectively on the same Day without Toll being again paid for such Horse, Beast, or Cattle, in like Manner as if no Toll had been previously paid on that Day in respect of such Horse, Beast, or Cattle.

No Tolls to be taken on new Lines of Road till they are completed.

XXXIX. Provided always, and be it further enacted, That nothing in this Act contained shall authorize or empower the levying, taking, or demanding any Toll at or upon any new Line of Road hereby authorized to be made until the whole of such Line of Road shall have been completed and opened to the Public, and shall have been so certified by Two or more Justices of the Peace for the said County of *Dorset*, and the Certificate of such Completion shall have been filed with the Clerk of the Peace for the said County of *Dorset*.

Existing Leases of Tolls to determine at the End of Two Months from the passing of the Act.

XL. And whereas the several Tolls authorized to be levied by the hereby repealed Acts were on the Fifth Day of *January* One thousand eight hundred and thirty-four duly let to farm by Indentures of Lease to several Persons for a Term of Three Years thence next ensuing: And whereas the Tolls authorized to be levied by this Act vary from those authorized to be levied by the said repealed Acts, and it is therefore expedient that the said Leases should be determined at the End of Two Calendar

Calendar Months from the passing of this Act; be it therefore enacted, That at the Expiration of Two Calendar Months from the passing of this Act the said several Leases shall be and they are hereby declared to be null and void, except as to any Right of Action or Suit which either of the Parties thereto may then have or be entitled to have under the same respectively, and except all Powers which may be given thereby, or by any Act to be then in force relating to Turnpike Roads in *England*, for the Recovery of the Rent thereby reserved, or for the Recovery of any Penalties to which the Lessees are or shall or may be liable.

Existing Contracts for Repairs vacated.

XLI. And whereas, pursuant to an Order of the Trustees acting in the Execution of the hereby repealed Acts, bearing Date the Twenty-fifth Day of *May* One thousand eight hundred and thirty-five, Contracts have been made and entered into with several of the Surveyors of the Highways of the Parishes and Tithings through which the herein-before described present Roads pass, and with other Persons, for their keeping, on the Conditions therein mentioned, certain Parts of the said Roads particularly described in such Contracts in repair for the Term of Three Years from the Fifth Day of *July* One thousand eight hundred and thirty-five: And whereas it is expedient that such of the said Contracts as include any Part or Parts of the Roads intended to be stopped up or abandoned as Turnpike by virtue of this Act, or which include any Streets which from and after the passing of this Act will not be repairable by the Tolls hereby authorized to be levied, should determine from and immediately after the passing of this Act, or from and immediately after such Roads respectively shall be stopped up, abandoned as Turnpike, or cease to be repairable as aforesaid; be it therefore enacted, That from and immediately after the passing of this Act such of the said several Contracts as include any Part of the Roads intended to be stopped up or abandoned as Turnpike on the passing of this Act, or which include any Streets which from and after the passing of this Act will not be repairable by the Tolls hereby authorized to be levied, shall be and they are hereby respectively declared to be null and void; and also that such of the said Contracts as include any Part of the said Roads intended to be stopped up or abandoned as Turnpike at some Time subsequent to the passing of this Act, shall, immediately after such last-mentioned Roads shall be so stopped up or abandoned as Turnpike, be and they are hereby declared to be null and void; provided that the Avoidance of any such Contracts as aforesaid shall not affect any Right of Action or Suit which either of the Parties to any of the said Contracts may then respectively have or be entitled to have under the same respectively.

Proviso for Contractors who may give Notice of their Consent to reduce the Sums agreed to be paid.

XLII. Provided always, and be it further enacted, That if the said Surveyors of Highways, or other Persons, Parties to the said Contracts or any or either of them, shall within One Calendar Month from the passing of this Act, by Writing under their respective Hands, give Notice to the Clerk of the said Trustees of their Willingness that the annual Sums agreed to be paid to them respectively by such Contracts shall be reduced in proportion to the Length of the Roads comprised therein which will be stopped up or abandoned as Turnpike by virtue of this Act, or which will cease to be repairable by the Tolls hereby authorized to be levied respectively, as compared with the whole Extent of the Roads described in such Contracts respectively, then and in such Case the Contract or Contracts respectively

respectively as to which such Notice shall be so given as aforesaid shall be no otherwise affected by this Act than by a Reduction of the annual Sums thereby respectively reserved and made payable according to the Proportion aforesaid.

Roads may be watered, Wells sunk, &c. but not in Gardens, &c.

XLIII. And be it further enacted, That it shall be lawful for the said Trustees to cause the Roads hereby authorized to be made and continued as Turnpike, or any Part thereof respectively, to be watered, and for that Purpose from Time to Time to cause Wells to be made or sunk and Pumps to be constructed, as they shall think proper, upon or by the Sides of the said Roads, and to obtain Water by any other Means: Provided always, that nothing herein contained shall authorize any Person to make or sink any Well or to construct any Pump, or to procure any Water from any Well or Pump already sunk or constructed, in or upon any Garden, Yard, Park, Paddock, planted Walk or Avenue to any House, or in front of any Dwelling or other House, or any Piece of Ground set apart as a Nursery for Trees, or to enter any Dwelling or Outhouse to procure Water for the Purpose of watering the said Roads.

Application of Tolls.

XLIV. And be it further enacted, That out of the Monies already received or which shall be received under the Powers or Authorities of the said hereby repealed Acts, or either of them, and which shall remain undisposed of on the Day of the Commencement of this Act, and also out of the Monies which shall be borrowed, arise, or be produced under or by virtue of this Act, the said Trustees shall pay and discharge, in the first place, all the Costs, Charges, and Expences incident to or attending the applying for, preparing, and obtaining this Act, together with Interest for any Money paid and advanced for those Purposes, and also the Costs, Charges, and Expences of cancelling existing Securities and granting new Securities under the Provisions for that Purpose hereinafter contained; and, in the next place, shall pay and discharge the Expence of continuing, providing, erecting, and keeping in repair the Toll Gates, Turnpikes, Toll Bars, Toll Houses, and other Buildings authorized by this Act to be continued, erected, and made, and of making Turnpike, amending, widening, diverting, altering, improving, maintaining, and keeping in repair the Roads, Bridge, and other Works by this Act authorized to be made and kept in repair as aforesaid, and all Works connected therewith respectively; and, in the next place, shall pay and discharge the Interest of all Sums of Money now due and owing and hereafter to be borrowed or raised on the Credit of the Tolls granted by the said hereby repealed Acts and by this Act; and the Residue of the Money so already received or to be borrowed and raised as aforesaid shall be applied in paying off the Principal Monies now due and owing on the Credit of the Tolls granted by the said hereby repealed Acts, and which shall be borrowed on the Credit of the Tolls granted by this Act, *pari passu*, without Preference or Priority, and in defraying all other Costs, Charges, and Expences attending the Execution of this Act, in such Manner as the said Trustees shall from Time to Time appoint.

Securities for the present Debt of 5,550*l.* to be cancelled,

XLV. And whereas the said several Persons to whom the said Sum of Five thousand five hundred and fifty Pounds is due, on the Security of the Tolls by the hereby repealed Acts authorized to be levied, have consented to cancel and give up their respective Securities, and to accept new

and new Securities on on the Tolls granted by this Act to be accepted in lieu thereof.

Securities on the Tolls by this Act authorized to be levied for the Sums due to them respectively; be it therefore enacted, That within Three Calendar Months next after the passing of this Act the several Persons holding Securities on the Tolls levied by virtue of the Acts hereby repealed shall accept good and valid Securities on the Tolls by this Act authorized to be levied for the Sums now due to them, in lieu of their present existing Securities, which shall thereupon be cancelled and given up, and such new Securities shall be granted accordingly; provided that such new Securities shall not be chargeable with any *ad valorem* Stamp Duty, and shall have no Preference or Priority to the Securities to be given for the Sums to be borrowed and raised for the express Purposes of this Act.

No Money to be laid out in repairing Streets.

XLVI. Provided always, and be it further enacted, That no Part of the Money to be received by virtue of this Act shall be laid out or expended in paving, maintaining, or repairing any of the Streets in or adjoining to the said Town and County of *Poole* or the Town of *Wimborne Minster*.

No more Money to be laid out in repairing the new Lines to Wareham and Blandford than shall be collected thereon.

XLVII. Provided also, and be it further enacted, That no Money arising from any of the Tolls to be collected or received by virtue of this Act shall be applied towards the Repair of the said new Lines of Road towards *Wareham* and *Blandford* respectively, unless some Turnpike, Toll Bar, or Chain shall be erected and continued thereon, nor unless the Tolls granted by this Act shall be demanded and taken thereat: Provided also, that no more Money shall be applied by the said Trustees in or towards the Repair of either of such new Lines of Road, or of the said Bridge at *Rockley Point*, or the Works connected therewith, than shall be collected on such Lines of Road respectively.

Rule for Construction of certain Expressions in this Act.

XLVIII. And be it further enacted, That wherever in this Act any Word or Words is or are used importing the Singular Number or the Masculine Gender only, such Word or Words shall extend to and shall be construed to include several Persons or Things as well as one Person or Thing, and Females as well as Males, and a Body or Bodies Politic, Corporate, or Collegiate, Corporation or Corporations Aggregate or Sole, as well as Individuals, unless it be otherwise specifically directed or provided for.

Public Act.

XLIX. 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 Duration of Act.

L. And be it further enacted, That this Act shall commence and take effect upon the passing thereof, and shall thenceforth continue and being force and be executed 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 above referred to.

First.—The Line of Road from Hamworthy towards Blandford.

Number on Map.	Names of Owners or reputed Owners.	Lessees.	Occupiers.	Description of Property.
	In the Parish of Lytchett Matravers.			
19.	Elizabeth Trenchard -	William Gill Paxton, Esq.	Thomas Cookman	Garden.
24.	Ditto - - -	Ditto - -	George Ricketts -	Cottage, Barn, and Pasture Plot.
26.	Ditto - - -	Ditto - -	Ditto - -	Orchard.
	In the Parish of Lytchett Minster.			
36 a.	Charles Baskett, Esq. -	Charles Bartlett -	Charles Bartlett -	Garden.
42.	Ditto - - -	- - -	Himself - -	Plantation.
46.	Robert Strong, Esq. -	David Slade -	David Slade -	Garden.
62.	William Thompson, Esquire	- - -	Himself - -	Garden.
62 a.	Ditto - - -	- - -	Ditto - -	Plantation.
	In the Parish of Hamworthy.			
69.	The Honourable William Francis Spencer Ponsonby and Thomas Henry Graham, Esquire, Trustees under the Will of Sir John Webb, Baronet, deceased.	- - -	Joseph Robbins -	Garden.

Second.—The Line of Road from Hamworthy to Wareham by Way of Rockley Point.

	In the Parish of Saint Martin's Wareham.			
1.	Admiral Sir Henry Digby -	- - -	Himself - -	Plantation and Heath.
4.	The said William Francis Spencer Ponsonby and Thomas Henry Graham, Trustees as above.	- - -	Hezekiah Talbot -	Plantation.
	In the Parish of Hamworthy.			
13.	The said William Francis Spencer Ponsonby and Thomas Henry Graham, Trustees as above.	- - -	The Honourable William Francis Spencer Ponsonby.	Plantation.

Number on Map.	Names of Owners or reputed Owners.	Lessees.	Occupiers.	Description of Property.

Third.—The Line of Road towards Wareham by Way of Peter's Finger.

In the Parish of Lytchett Minster.

1.	John Hector - -	- - -	John Sansom -	Garden, Pigs House, and Rails.

Fourth.—The Lines of Road from the present Stop Gate leading into Poole, or from Port Mahon Castle, towards Bushell's Mill.

In the Parish of Great Canford.

1.	The said William Francis Spencer Ponsonby and Thomas Henry Graham, Trustees as above.	William Adey -	Thomas Mantellow	Public House and Yard.
			William Bennett -	A Cottage.
			Thomas Woodcock	Ditto.
			George Kerley -	Ditto.
2.	Ditto - - -	Ditto - -	Thomas Mantellow	Garden.
3.	Ditto - - -	- - -	John Barnes -	Ditto.
7.	Ditto - - -	- - -	Francis Turner -	Public House and Garden.

Fifth.—The Line of Road from Barter's Store to the Northern Extremity of Poole Bridge.

In the Town and County of Poole.

1.	George Welch Ledgard -	- - -	George Welch Ledgard.	Open private Quay.
2.	Mayor and Corporation of Poole as Trustees under an Act of Parliament, 29th George 2nd, Cap. 10.	- - -	Mayor and Corporation of Poole as Trustees under an Act of Parliament, 29th George 2nd, Cap. 10.	Part of the open public Quay.

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