ANNO QUINQUAGESIMO

GEORGII III. REGIS.

Cap. 101.

An Act to continue and amend an Act of the Thirty-third Year of His present Majesty, for repairing several Roads in and near the Town of *Brewton*, and other Roads, in the Counties of *Somerset* and *Wilts*, therein described. [18th *May* 1810.]

WHEREAS an Act was passed in the Twenty-ninth Year of the Reign of His late Majesty King *George* the Second, intituled *An Act for repairing and widening several Roads, leading from and near the Town of* Brewton, *in the County of* Somerset: And whereas another Act was passed in the Seventeenth Year of the Reign of His present Majesty, intituled, *An Act for continuing the Term, and altering and enlarging the Powers of an Act of Parliament, made in the Twenty-ninth Year of the Reign of His late Majesty, for repairing and widening several Roads leading from and near the Town of* Brewton, *in the County of* Somerset, *and for repairing and widening the Street from the North or North-east End of* Coombe Street *along* Patwell Street, *in the said Town of* Brewton, *to the South or South-east Side of* Dymond's River: And whereas by an Act of Parliament, passed in the Thirty-third Year of His present Majesty, intituled, *An Act for continuing the Terms, and altering, enlarging, and consolidating the Powers of Two Acts of Parliament, passed in the Twenty-ninth Year of the Reign of His late Majesty King* George *the Second, and in the Seventeenth Year of the Reign of His present Majesty, for repairing and widening the several Roads and Streets in and near the Town of* Brewton, *in the County of* Somerset, *therein described; and also for repairing, widening, and altering several other Roads in the Counties of* Somerset *and* Wilts; it was (amongst other Things) enacted, that the respective Terms granted in and by the said several Acts of the Twenty-ninth Year of the Reign of His late Majesty and the Seventeenth Year of the Reign of His present Majesty, should be, and the same were thereby respectively enlarged and

29 G. 2.

7 G. 3.

33 G. 3. c. 155.

continued, from the Expiration of the Term then ſubſiſting, for the further Term therein mentioned, and that, inſtead of the Clauſes, Proviſions, Tolls, Powers, Penalties, Forfeitures, Puniſhments, Exemptions, Matters, and Things, contained in the ſaid Acts of the Twenty-ninth Year of His ſaid late Majeſty and the Seventeenth Year of His ſaid preſent Majeſty, the Clauſes, Proviſions, Tolls, Powers, Penalties, Forfeitures, Puniſhments, Exemptions, Matters, and Things, in the ſaid recited Act contained ſhould be put into Execution, for the Purpoſe of amending, widening, turning, altering, and keeping in Repair the ſeveral Roads in the ſaid in Part recited Acts thereinafter particularly deſcribed and mentioned, that is to ſay, the ſeveral Roads leading from the Town of *Brewton*, through the Pariſhes or Diſtricts of *Batcombe*, *Leighton*, and *Marſton*, to the Town of *Frome*; and from *Brewton* aforeſaid, over *Creech Hill*, to the Turnpike Gate near *Milton Bridge*; and alſo from the ſaid Town of *Brewton*, through the Hamlet of *Stoney Stoke*, to the firſt Direction Poſt on the *Wincanton* Road, and from the Eaſtern Part of *Redlynch Park* to a Houſe, late the Sign of the *White Horſe* in *Hardway*; and from the Town of *Brewton*, through the Pariſh of *Pitcombe*, up *Pitcombe* Hill to the Direction Poſt adjoining to the *Sherborne* Turnpike Road near *Hadſpen*, and from the Croſs Ways above *Pitcombe* Hill, by *Hadſpen* Houſe, to the ſaid *Sherborne* Turnpike Road; and alſo from a Place called *Whitmore Corner*, by *Shepton Montacute*, to another Part of the ſaid *Sherborne* Turnpike Road ſouthward, and from *Whitmore Corner* aforeſaid to the *Brewton* Turnpike Gate leading from *Redlynch Park*, in the ſaid County of *Somerſet*; and alſo the Street or Road leading from the North or North-eaſt End of a certain Street in the Town of *Brewton* aforeſaid, called *Coombe Street*, along *Patwell Street*, to the South or South-eaſt Side of a certain River called *Dymonds River*; alſo the Road leading from the Turnpike Road at the Weſt End of the Town of *Brewton* aforeſaid, through the ſeveral Streets called the *High Street* and *Quaperlake Street*, in the ſaid Town of *Brewton*, and through the extraparochial Lands of *Sheephouſe*, the Pariſh of *North Brewham*, the extraparochial Lands of *Brewham Lodge* otherwiſe *Brookham Lodge*, the Pariſh of *Witham Friary*, and the Hamlet of *Tarnfield*, all in the ſaid County of *Somerſet*, and through the ſeveral Pariſhes of *Maiden Bradley*, *Horningſham*, *Hill Deverill*, *Longbridge Deverill*, and *Sutton Veney*, in the County of *Wilts*; to the *Warminſter* Turnpike Road in *Norton Bavant* Field, in the Pariſh of *Norton Bavant*, in the ſaid County of *Wilts*; and alſo a Branch of Road leading from or out of the ſaid laſt-deſcribed Road at or near the North-eaſt Corner of *Kilmington Common*, in the Pariſh of *Kilmington*, in the ſaid County of *Somerſet*, by *Gare Hill*, through the Pariſh of *Marſton Biggot*, to the North End of *Nunney Common*, in the Pariſh of *Nunney*, in the ſaid County of *Somerſet*; and alſo another Branch of Road leading from *Maiden Bradley* aforeſaid; to *Gare Hill* aforeſaid; and alſo another Branch of Road leading from the ſaid *Brewton* Turnpike Road on *Holwell Hill*, in the Pariſh of *Cloford*, through the Pariſhes of *Nunney* and *Whatley*, to the *Frome* Turnpike Koad at *Honeythorn Hill*, in the Pariſh of *Mells*, all in the ſaid County of *Somerſet*; and alſo another Branch of Road, leading from the ſaid *Brewton* Turnpike Road at *Ludwell's Elm*, in the Pariſh of *Pitcombe*, to join the *Somerton* Turnpike Road at the Eaſt End of the Town of *Caſtle Cary*, all in the ſaid County of *Somerſet*; and alſo the Road leading from the Weſt End of the Town of *Brewton* aforeſaid, by *Week Croſs*, to the Dwelling-houſe of *Richard Chaffin*,

Old Roads deſcribed.

Chaffin, in *Week Champflower*, in the Parish of *Brewton* aforesaid; and of erecting, building and keeping in Repair such and so many Bridges, Arches, and Tunnels, upon or near to the said several Roads thereinbefore described or mentioned, as the said Trustees, or any Two or more of them, should deem requisite and necessary: And whereas the Trustees, authorized to put the said Acts of the Twenty-ninth Year of His said late Majesty, and the Seventeenth and Thirty-third Years of His present Majesty, into Execution, have, in pursuance of the Trusts in them reposed, borrowed several Sums of Money on the Credit of the Tolls thereby respectively granted or made payable, and Part of the Money so borrowed still remains due and cannot be paid, nor can the Roads comprised in the said Act of the Thirty-third Year of His present Majesty be effectually altered, amended, widened, improved, and kept in Repair, unless the same Act be continued for a further Term, and additional Tolls granted; and it is expedient that some of the Powers and Provisions of the said Act should be altered and amended: And whereas the several other Roads hereinafter particularly mentioned or described, that is to say, the Road leading from *Burrowfield Gate*, in the Parish of *Brewton* aforesaid, through the Parishes of *North Brewham* aforesaid, *Upton Noble*, *Wanstrow*, *Cloford*, and *Nunney*, in the said County of *Somerset*, to *Nunney Catch Gate*, in the said Parish of *Nunney*; and also another Road leading from *Batcombe* Church to the Road leading from *Brewton* aforesaid to *Wanstrow* aforesaid; also another Road leading from *Nunney* Churchyard to *Hartgill Gate*, in the said Parish of *Nunney*; also another Road leading from *Southhill*, in the Parish of *West Cranmore*, in the said County of *Somerset*, through the Parishes, Tythings, Hamlets, or Places, of *East Cranmore* and *Weston Town*, in the said County of *Somerset*, to *Wanstrow* aforesaid; and also another Road leading from the *Brewton* Turnpike Road at *Milton Hill*, in the Parish of *Milton* aforesaid, through *Hedgestock's* Gate, in the Parish of *Batcombe* aforesaid, to *Coppleshury*, in the Parish of *North Brewham* aforesaid; and also another Road leading from the *Brewton* Turnpike Road at or near a Place called *Pitcombe Rock*, in the Parish of *Pitcombe* aforesaid, through the Parish of *Shepton Montacute* aforesaid, to a Place called *Jack White's Gibbet*, in the Parish of *Bratton Seymour*, otherwise *Bratton Saint Maur*, in the said County of *Somerset*, and also another Road leading from the *Brewton* Turnpike Road, near the House of *Richard Chaffin*, at *Week Champflower*, in the Parish of *Brewton* aforesaid, to the *Shepton Mallet* Turnpike Road near *Arthur's Bridge*, in the Parish of *Lamyat*, in the said County of *Somerset*; and also another Road leading from the *Brewton* Turnpike Road near *Honeythorn Hill*, in the said Parish of *Mells*, through the said Parish of *Mells*, to a Place called *Babington Corner*, in the Parish of *Babington*, in the said County of *Somerset*; are all in a ruinous Condition, and in many Places circuitous, narrow, and incommodious for Travellers and Carriages, and cannot be effectually altered, new-made, amended, widened, and kept in good Repair by the ordinary Course of Law; and it would be very beneficial to the Neighbourhood and the Public in general if the Provisions of the said recited Act of the Thirty-third Year of His present Majesty, or such of them as are applicable thereto, were extended to the said several Roads lastly hereinbefore described, for the Purpose of altering, new-making, amending, widening, and keeping in Repair the same Roads, and erecting convenient Bridges thereupon: May it therefore please Your Majesty, that it may be enacted; and be it

Other Roads necessary to be comprised in the said Act.

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 Act of the Thirty-third Year of the Reign of His said present Majesty, and all and every the Powers, Authorities, Privileges, Provisions, and Clauses, therein contained (except such as are hereby varied, altered, or repealed), shall, and they are hereby declared to be in full Force and Effect, and shall be used, applied, and put into Execution by the Trustees appointed or to be appointed, by or in pursuance of the same Act, and this Act, for and during the Term hereinafter mentioned, for the Purpose of amending, widening, altering, and keeping in Repair the several Roads comprised in the said recited Act of the Thirty-third Year of His present Majesty, and also for altering, new-making, amending, widening, and keeping in Repair the several other Roads hereinbefore also described, and for other the Purposes of the said recited Act, and of this Act, in as full, ample and beneficial a Manner and Form, to all Intents and Purposes whatsoever, as if the said Powers, Authorities, Privileges, Provisions, and Clauses were repeated and re-enacted in the Body of this present Act, and as if the several Roads lastly hereinbefore described or mentioned had been comprised in the said recited Act; and that all Tolls which shall be collected upon the said Roads shall, during the Continuance of the said Term, be and remain subject and liable to all Money now due and owing upon the Credit or Security of the said recited Act of the Thirty-third Year of His present Majesty, and all Money which shall or may hereafter be borrowed and become due on the Credit of the Tolls by the same Act, and this Act, granted, and of all Interest due and to grow due for the same respectively.

53 G. 3. continued.

The Tolls made liable to all Money due on that Act.

Road to be made according to the Plan;

II. And whereas a Map or Plan describing the Lines of the several Roads lastly hereinbefore described, and intended to be made or formed by virtue of this Act (being those not comprised in the said Act of the Thirty-third Year of His present Majesty), and the Lands through which the same are to be carried, together with Two Books of Reference containing a List of the Names of the Owners and Occupiers of such Lands, have been deposited with the Clerk of the Peace of the County of *Somerset*, Be it therefore enacted, That the said Map or Plan and Books of Reference shall remain in the Custody of the Clerk of the Peace for the said County, to the End that all Persons may at any seasonable Times have Liberty to inspect and peruse the same, and to take Copies or Extracts therefrom at their Will and Pleasure, paying the Clerk of the Peace the Sum of Two Shillings and Sixpence for every such Inspection, and at the Rate of Sixpence for every One Hundred Words of such Copies or Extracts of the said Map or Plan and Books of Reference; and that the said Trustees in making the said Roads shall not deviate more than One Hundred Yards, of Three Feet each, from the Lines described in the said Map or Plan, without the Consent and Approbation in Writing of the Person or Persons, Body Politic, Corporate or Collegiate, through whose Lands or Grounds such Deviation shall be made.

notwithstanding Misnomers in the Plan.

III. Provided also, and be it further enacted, That it shall and may be lawful to and for the said Trustees, or any Five or more of them, to make the said Diversion and new Road into, through, across or over the several Lands or Grounds of any Person or Persons who is or are, or may be Owner

Owner or Owners of Land over which the ſame is ſet out and deſcribed in the ſaid Map or Plan as aforeſaid, although the Name or Names of ſuch Perſon or Perſons may happen to be erroneouſly deſcribed or omited in the ſaid Book of Reference, in caſe it ſhall appear to any Two or more Juſtices of the Peace for the ſaid County, and be certified by Writing under their Hands, that ſuch Error or Omiſſion proceeded from Miſtake.

Old Tolls repealed, and new Tolls granted in lieu thereof.

IV. And be it further enacted, That from and after the paſſing this Act, the ſeveral Tolls hereinafter mentioned ſhall be demanded and taken in lieu of the Tolls granted by the ſaid recited Act; that is to ſay, For every Horſe, Mare, Gelding, Mule or Aſs, drawing in any Coach, Chariot, Landau, Berlin, Chaiſe, Calaſh, Chair, Waggon, Wain, Cart or other Carriage, the Sum of One Shilling and Sixpence; for every Ox, Steer, Gale or Bull, drawing in any Waggon, Wain, Cart or other Carriage, ſingly, and not in Pairs or abreaſt, the like Sum of One Shilling and Sixpence; for every Ox, Steer, Gale or Bull, drawing in any Waggon, Wain, Cart or other Carriage, abreaſt or in Pairs, the Sum of One Shilling; for every Horſe, Mare, Gelding, Mule or Aſs, not drawing, the Sum of Sixpence; for every Drove of Oxen, Cows or neat Cattle, the Sum of Two Shillings and Sixpence per Score, and ſo in Proportion for any greater or leſs Number; for every Drove of Hogs, Sheep or Lambs, the ſum of One Shilling and Three-pence per Score, and ſo in Proportion for any greater or leſs Number; and for every Horſe, Mare, Gelding, Mule, Aſs, Ox, Steer, Gale or Bull, drawing or not drawing, as aforeſaid, which ſhall paſs through any of the ſaid Gates, Turnpikes or Side Gates, erected or to be erected on the ſaid Roads on *Sunday*, computing the Day from Twelve of the Clock on each *Saturday* Night, to Twelve of the Clock on each Sunday Night, double the Tolls or Sums of Money hereinbefore mentioned or made payable at ſuch Toll Gates, Turnpikes or Side Gates, on other Days; which ſaid Tolls and Duties in and by this Act granted and made payable as aforeſaid, ſhall be, and are hereby veſted in the Truſtees for the Time being for carrying the ſaid recited Act and this Act into Execution, and ſhall be received and taken at the ſeveral Gates, Turnpikes, Side Gates and Toll Bars, erected or to be erected upon the ſaid ſeveral Roads, and ſhall be reduced, raiſed, paid, levied, divided, applied, diſpoſed of, leaſed and aſſigned, for ſuch Uſes and Purpoſes, and in ſuch Manner as the Tolls and Duties granted by the ſaid recited Act are thereby authorized and directed to be reduced, raiſed, paid, levied, divided, applied, diſpoſed of, leaſed and aſſigned, except as by this Act is otherwiſe directed.

Toll not to be taken at any one Gate more than once a Day:

And that no Perſon who ſhall have paſſed thro' one Gate ſhall pay Toll at the next Gate.

V. And be it further enacted, That no Perſon or Perſons ſhall be liable to pay Toll more than once at any one Toll Gate or Turnpike erected or to be erected upon the ſaid Roads reſpectively, for paſſing or repaſſing at any Time or Times in any one Day (to be computed from Twelve of the Clock at Night, to Twelve of the Clock the ſucceeding Night), with or driving the ſame Horſe or Horſes, Cattle, Beaſts or Carriage, through the ſame Toll Gate or Turnpike: And that no Perſon or Perſons who ſhall have paſſed through any one Toll Gate or Turnpike erected or to be erected on the ſaid Roads reſpectively, with any Horſe or Horſes, Cattle, Beaſts or Carriage, ſhall be liable to pay Toll at the next Gate ſuch Perſon or Perſons ſhall paſs through on the ſaid Roads in the ſame Day with the ſame Horſe or Horſes, Cattle, Beaſts or Carriage; but all and every

Perſon and Perſons, after having paid Toll at any Toll Gate or Turnpik as aforeſaid, and producing a Note or Ticket denoting the Payment of ſuch Toll, which Note or Ticket the Collectors are hereby required to give gratis on the Receipt of the Toll, ſhall afterwards paſs and repaſs with the ſame Horſe or Horſes, Cattle, Beaſts or Carriage, Toll-free during the ſame Day through the ſame Toll Gate or Turnpike, and through the next Toll Gate or Turnpike on the ſame Roads as aforeſaid, ſo as that Tolls ſhall not be paid at any Two ſucceſſive Gates; and no Perſon or Perſons who ſhall have paid the full Tolls hereby granted ſhall afterwards on paſſing through any of the Toll Gates or Turnpikes erected or to be erected by virtue of this Act or any former Act, be liable to pay any further Toll or Tolls, for paſſing through all or any of ſuch Toll Gates or Turnpikes with the ſame Horſe or Horſes, Cattle, Beaſts or Carriage, on the ſame Day.

And that no Perſon who ſhall have paid the full Toll granted by this Act ſhall be liable to pay at any Gates the ſame Day.

Exemption from Tolls.

VI. And be it further enacted, That all and every Exemption or Exemptions from the ſeveral Tolls and Duties granted and made payable by the ſaid recited Act, ſhall ceaſe and be no longer allowed, and that in lieu thereof the ſeveral Exemptions from Tolls hereinafter mentioned ſhall be allowed; that is to ſay, that no Tolls ſhall be demanded or taken for any Horſe or other Cattle, or any Carriage paſſing through any of the Turnpikes or Toll Gates erected or to be erected upon or on the Sides of the ſaid Roads, carrying or conveying Stone, Bricks, Lime, Timber, Wood, Heath, Chalk, Gravel or other Materials to be uſed on or about the ſaid Roads, or for the repairing any Highways in the Pariſhes, Townſhips, Diſtricts or other Places which are liable to perform Statute Duty upon any Part of the ſaid Roads, or returning empty when ſo employed; or carrying or conveying Hay or Corn in the Straw only, not to be ſold or diſpoſed of, but going to be laid up in the Houſes, Outhouſes, Barns or Yards of the Owners thereof; or any Mould, Marle, Dung or Compoſt, for manuring Lands, or returning empty when ſo employed; nor any Ploughs, Harrows or other Implements of Huſbandry to be uſed in the Cultivation of Lands; nor ſhall any Toll be paid by any Rector, Vicar or Curate going to officiate, or returning from officiating at any Church, Chapel or other Place of religious Worſhip; or when viſiting his ſick Pariſhioners, or upon any other his parochial or miniſterial Duty; or by any other Perſon or Perſons reſiding in the ſaid Pariſhes, Townſhips, Diſtricts or Places, who ſhall paſs through the ſaid Turnpikes or Toll Gates to or from Church, Chapel or other Place of religious Worſhip, within his, her or their Pariſh, Townſhip, Diſtrict or Place; or who ſhall attend the Funeral of any Perſon or Perſons who ſhall die or be buried in any of the ſaid Pariſhes, Townſhips, Diſtricts or Places; nor for any Horſes, Mares, Geldings, Mules, Aſſes or Cattle, which are kept within ſuch Pariſhes, Townſhips, Diſtricts or Places, by or through which the ſaid Roads ſhall paſs, going to or returning from Work in cultivating the Lands within the ſaid Pariſhes, Townſhips, Diſtricts or Places or any of them; nor for any Horſes, Mares, Geldings, Mules, Aſſes, Cattle, Sheep, Lambs, Goats or Hogs, which ſhall be kept within the ſaid Pariſhes, Townſhips, Diſtricts or Places, going to or returning from Paſture on the Commons or other grazing Grounds or Watering Places, or Blackſmiths' Shops for the Purpoſe of being ſhoed, within the ſame or any of them; nor for any Horſes or Carriages of whatſoever Deſcription, employed or to be employed in conveying the Mails of Letters and Expreſſes under the Authority

tity of His Majesty's Post-master General, either when employed in conveying, fetching or guarding the Same or in returning back from the conveying of the same; or for the Horses of Soldiers on their March or on Duty; or Carriages or Horses or other Beasts, employed in carrying the Arms or Baggage of such Soldiers; or for any Horse, Mare or Gelding, furnished by or for any Person belonging to any Corps of Yeomanry or Volunteer Cavalry, and rode by him in going to or returning from the Place for and on the Days of Excercise, 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; nor for any Waggon, Wain, Cart or other Carriage whatsoever or the Horses or other Cattle drawing the same, which shall be employed in conveying any Ordnance, Barrack or Commissariat or other public Stores of or belonging to His Majesty or for the Use of His Majesty's Forces; or for any Carriage, Horse or other Beast employed in the Conveyance of Vagrants travelling with legal Passes or travelling with Vagrants sent by legal Passes; nor for any Horse or Carriage going to or returning from any Election of a Knight or Knights of the Shire to serve in Parliament for the Counties of *Somerset* and *Wilts*, through the Gates in the respective Counties in which such Election is held, on the Day or Days of such Election, or on the Day before or Day after such Election shall begin and be concluded; and if any Person shall claim and take the Benefit of any of the Exemptions aforesaid, not being entitled thereto, or shall make use of any Fraud whatsoever whereby the Payment of the said Tolls or any Part thereof shall be evaded, every such Person for every such Offence shall forfeit and pay any Sum not exceeding Five Pounds.

Carriages employed in His Majesty's Service not tob e subject to Regulations for Overweight.

VII. And be it further enacted, That no Person or Persons owing or driving any Horse or Horses, or other Cattle, or any Waggon, Wain, Cart, or other Carriage, provided for the Service of His Majesty's Forces, or in conveying any Ordnance, Barrack, or Commissariat, or other public Stores of or belonging to His Majesty, or for the Use of His Majesty's Forces, shall be subject to any Penalty or Forfeiture for Overweight; nor shall any Waggon, Wain, Cart, or other Carriage be stopped or detained by reason of any Weight in any such Waggon, Wain, Cart, or other Carriage, or of being drawn by any Number of Horses or Oxen; but it shall be lawful for any Owner or Driver of any such Waggon, Wain, Cart, or other Carriage, to put any Number of Horses or Oxen to such Waggon, Wain, Cart, or other Carriage, any Thing in any Act or Acts of Parliament relating to Highways or Turnpike Roads, or in this Act contained, to the contrary notwithstanding.

So much of the Act of the 33 G. 3. as relates to the Performance of Statute Labour repealed. Regulations as to Performance of Statute Duty.

VIII. And be it further enacted, That so much of the said recited Act as relates to the Performance of Statute Labour on the said Roads, shall be, and the same is hereby repealed; and 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 Roads comprised in the said recited Act, 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, within their Jurisdiction, and they are hereby required and empowered, upon Application made to him or them by the said Trustees, or any One or more of them, or by their Treasurer, Clerk, or Surveyor, by their

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 ſaid Roads 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 of every ſuch Pariſh or Place, to bring in Liſts before ſuch Juſtices at ſome Place to be expreſſed in ſuch Summons, within Five 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 ſuch 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 or 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 for the Repairs of the public Highways, and ſhall be verified on Oath by ſuch Surveyor or Surveyors; 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 to be 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 on ſuch Days and at ſuch Times (not being Hay Time or Harveſt), and on ſuch Parts of the ſaid Roads, as the ſaid Truſtees, or any Five or more of them, 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 Payment of any 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 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 recited 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 or Surveyors to the ſaid Truſtees, ſhall for every Day of his, her, or their Default, or the Default of any Labourer or Labourers, Team or Teams, Draught or Draughts, Horſe or Horſes, Beaſt or Beaſts, to be provided by him, her, or them, be ſubject and liable to ſuch Pains, Penalties and Forfeitures, as ſuch Perſon or Perſons may be ſubject or liable to by any Law or Statute in force for the public Highways; and if any Perſon who ſhall come or be ſent 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 Perſon ſending ſuch Labourer ſo removed or diſmiſſed, ſhall be ſubject and liable to the reſpective Forfeitures and Payments aforeſaid, as

if

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 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 or imperfect Lists, every such Surveyor so offending shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds.

Application of Compensation for Lands to be purchased, when amounting to 200l.

IX. And be it further enacted, That if any Money shall be agreed or assessed to be paid for any Lands, Tenements, or Hereditaments, purchased, taken, or used by virtue of the said recited Act or this Act, which shall belong to any Body Politick, Corporate or Collegiate, Corporation Aggregate or Sole, Feoffees in Trust, Guardians, Committees, Trustees, Femes Covert or other incapacitated Person or Persons, such Money shall, if the same 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 *ex parte* the Trustees for executing this Act, to the Intent that such Money shall be paid 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, or Hereditaments, in the Purchase of the Land-tax, or in the Discharge of any Debt or Debts, or such other Incumbrance, 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 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 Messuages, Lands, Tenements or Hereditaments, which shall be conveyed and settled to, for and upon such and the like Uses, Trusts, and Purposes, and in the same Manner as the 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 of Chancery, upon Application thereto, be invested by the 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 and Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made.

Application where the Conpensation is less than 200l.

X. Provided always, and be it further enacted, That if any Money so agreed or assessed to be paid for Lands, Tenements or Hereditaments purchased, taken or used for the Purposes aforesaid, and belonging to any Body Politick, or to any Person or Persons under any Disability or Inca-

and exceeds 20l.

Incapacity as aforesaid, shall be less than the Sum of Two Hundred Pounds, and shall exceed 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 Hereditaments so purchased, taken or used, or of his, her or their Guardian or Guardians, Committee or Committees, in case of Infancy 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 hereinbefore 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 or more of the said Trustees for executing this Act; such Nomination and Approbation to de 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 hereinbefore directed, so far as the Case may be applicable, without obtaining or being required to obtain the Direction or Approbation of the Court of Chancery.

Application where the money is less than 20l.

XI. Provided also, and be it further enacted, That when such Money so agreed or assessed to be paid as hereinbefore mentioned, shall be less than Twenty Pounds, then, and in all such Cases, the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Hereditaments so purchased, taken or used for the Purposes of the said recited Act, or this Act, in such Manner as the said Trustees, or any Five or more of them, shall think fit; or in case of Infancy or Lunacy, then to his or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

How Purchase monies, shall be paid in case of not making out Titles.

XII. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be awarded or assessed for any Lands, Tenements, or Hereditaments to be purchased by virtue of this Act, shall refuse to accept the same, or shall not be able to make a good Title to the Premises, to the Satisfaction of the said Trustees, or any Five or more of them; or in case the Person or Persons to whom such Sum or Sums of Money shall be awarded or assessed 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 be lawful for the said Trustees to order the Sum or Sums of Money so awarded or assessed 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, Control, and Disposition of the said Court of Chancery, which said Court, on the Application of any Person or Persons also making Claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall be and is hereby empowered in a summary Way of Proceeding or otherwise, as to the said Court shall seem meet, to order the same to be laid out and invested in the public Funds, and to make Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest of the Person

or

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: Provided always, and be it further enacted, That where any Queſtion ſhall ariſe touching the Title of any Perſon or Perſons 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 thereof, or to any Bank Annuities, to be purchaſed with any ſuch Sum, or to 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 Perſons, ſhall be deemed and taken to be lawfully entitled to ſuch Lands, Tenements and 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.

Perſons in Poſſeſſion to be deemed well entitled unleſs the contrary be ſhewn.

XIII. 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 this Act, the Purchaſe Money for the ſame ſhall be required to be paid into the ſaid Court, and to be applied in the Purchaſe of other Lands or Hereditaments, to be ſettled to the like Uſes in purſuance of this Act, it ſhall be lawful for the ſaid Court to order the Expences of all Purchaſes from Time to Time to be made in purſuance of this Act, or ſo much of ſuch Expences as the Court ſhall deem reaſonable, together with the neceſſary Coſts and Charges of obtaining ſuch Order, to be paid by the ſaid Truſtees, who ſhall from Time to Time pay ſuch Sums of Money for ſuch Purpoſes as the ſaid Court ſhall direct.

Truſtees to pay Expences of Purchaſes in certain Caſes.

XIV. And be it further enacted, That if any Leſſee of the Tolls to be demanded and taken by virtue of this Act, or any Gatekeeper ſhall refuſe to deliver up Poſſeſſion of any Turnpike Gate or Toll Houſe erected or to be erected upon or by the Side of the ſaid Roads, after the Expiration of his Term or Leaſe, or after Nonpayment of Rent for Five Days after Demand thereof, any Juſtice within the Diſtrict where ſuch Turnpike Gate or Toll Houſe ſhall be, may by his Warrant order a Conſtable, with ſuch Aſſiſtance as ſhall be neceſſary, to enter the Toll Houſe and Premiſes in the Day Time, and remove the Perſon or Perſons who ſhall be found therein, together with his or their Goods, out of ſuch Houſe.

Power to take Poſſeſſion of Toll Gates or Houſes in a ſummary Way.

XV. And

Power to raise the interest.

XV. And whereas several Sums of Money now due and owing on the Credit of the Tolls granted in and by the said recited Act of the Thirty-third Year of His present Majesty, bear an Interest at and after the Rate of Four Pounds and Four Pounds Ten Shillings *per Centum per Annum* only, and other Sums bear an Interest of Five Pounds *per Centum*; Be it therefore enacted, That it shall be lawful for the said Trustees or any Seven or more of them, as and when their Funds will admit thereof, and they shall deem it expedient in other respects, to order and direct that as well all and every Sum and Sums of Money heretofore due and owing on the Credit of the said Tolls, as also all and every Sum and Sums of Money to be borrowed in pursuance of this Act, shall from henceforth bear an Interest not exceeding the Rate of Five Pounds *per Centum per Annum*.

Power for Recovery of Subscriptions.

XVI. And be it further enacted, That the several Sums of Money already subscribed, or to be hereafter subscribed towards the Expence of obtaining and passing this Act, and carrying the same or any Part or Parts thereof into Execution, shall be paid and recovered in such and the same Manner as is directed by the said recited Act of the Thirty-third Year of the Reign of His said present Majesty, with regard to the Payment and Recovery of the Subscriptions therein mentioned.

Power to remove Annoyances, &c.

XVII. And be it further enacted, That such Part of the said recited Act of the Thirty-third Year of the Reign of His present Majesty as relates to the Removal of Annoyances, Obstructions and Encroachments, and to the inflicting of Penalties for leaving Obstructions on the Roads, be repealed, and that from and after the passing of this Act it shall and may be lawful for the Surveyor and Surveyors of the said Roads, and that such Person or Persons as he or they shall appoint, from Time to Time to remove and prevent all Nuisances and Annoyances on any Part or Parts of the said Roads respectively, by Timber, Stone, Carriages, Saw Pits or other Pits, Ashes, Dung, Filth, Rubbish or otherwise; and to turn any Watercourses, Gutters, Conduits or Drains, running into the same to the Prejudice thereof; and to open, scout and cleanse, deepen and enlarge, any Gutter, Ditch, Conduit or Watercourse, adjoining or near to the said Roads, or any Part or Parts thereof respectively; and also to cut down, lop or top any Tree or Trees, Shrubs, Evergreens, Branches or Bushes, now standing or growing in the Hedges, Fences, Plantations, Wastes or Grounds, within Fifteen Feet of the Centre of the said Roads, or which shall hereafter be planted or grow within Thirty Feet of the Centre of the said Roads, to the Annoyance thereof, in such Manner as such Surveyor or Surveyors or other Person or Persons to be appointed by them, shall think expedient, and to take and carry away the same, in case the respective Owners or Occupiers of the Lands where such Annoyances shall happen to be, shall neglect so to do for Five Days after Notice in Writing given for that Purpose under the Hand or Hands of such Surveyor or Surveyors; the Charges whereof, to be settled by the said Trustees or any Five or more of them, shall be reimbursed to the said Surveyor or Surveyors by such respective Owners neglecting to cut down, top or lop such Trees, Shrubs, Evergreens, Branches or Bushes, or by the Person or Persons occasioning or neglecting or refusing to remove such Annoyances as aforesaid; which Charges shall be levied and recovered in such and the same Manner as the Penalties, Forfeitures

and

and Fines by the ſaid recited Act of the Thirty-third Year of His preſent Majeſty are directed to be levied and recovered; and if after the Removal of any ſuch Annoyances any Perſon or Perſons ſhall offend again in like Manner, every ſuch Perſon ſhall for every ſuch further Offence forfeit and pay any Sum not exceeding Five Pounds; Provided that no Oak Tree ſhall be ſo cut down, lopped or topped, except between the Twentieth Day of *April* and the laſt Day of *May*; nor any other Timber Trees cut down except between the Months of *September* and *March* inclusive.

Power to take down and remove Obſtructions.

XVIII. And be it further enacted, That it ſhall be lawful for the ſaid Truſtees, or any Seven or more of them, from Time to Time to cauſe to be taken down and removed any Penthouſe, Porch, Bulk, or Wall, erected or built within Fifteen Feet of the Centre of any Part of the ſaid Roads; and any Penthouſe, Porch, Bulk, Wall, or other Building, which may hereafter be erected or built within Twenty Feet of the Centre thereof; and alſo to cauſe all ſuch Poſts on the ſaid Roads as they ſhall think uſeleſs and inconvenient, and all Steps, Signs, Sign-poſts, Rails, and Water ſpouts or Shoots, encroaching upon and projecting into and over any of the ſaid Roads, to be taken down and removed; and the Charges attending the taking down and removing the ſame ſhall be paid and defrayed out of the Monies which ſhall ariſe by virtue of the ſaid recited Act and this Act.

Penalty for leaving Obſtructions on the Roads.

XIX. And be it further enacted, That if any Perſon or Perſons ſhall wilfully drive, ſet, place, or leave any Waggon, Cart, or other Carriage, or any Plough or other Inſtrument of Huſbandry, or any Timber, Stones, or other Things whatſoever, or any Collier's Horſe or Horſes, or other Cattle (other than and except ſuch Carriage or Horſe which may ſtand for the loading or unloading thereof), in or upon any Part or Parts of the ſaid Roads reſpectively, ſo as to interrupt or hinder the free Paſſage along the ſaid Roads of any Carriage, or of any of His Majeſty's Subjects; or if any Horſe or Horſes, or any Waggon, Cart, or other Carriage, which may ſtand for the loading or unloading thereof, ſhall be ſuffered to remain longer than is abſolutely neceſſary for ſuch Purpoſes reſpectively, every Perſon ſo guilty as aforeſaid ſhall, for every ſuch Offence, forfeit the Sum of Twenty Shillings, and it ſhall be moreover lawful for any Two or more of the ſaid Truſtees, or any Perſon appointed by them as aforeſaid, to ſeize or cauſe to be ſeized, any Horſe or Horſes or other Cattle, or any Waggon, Wain, Cart or other Carriage or other Thing as aforeſaid, cauſing ſuch Interruption, Nuiſance or Obſtruction, and to drive and remove, or cauſe the ſame to be driven and removed to ſome ſecure Place, there to be kept and detained until the Offender or Offenders, ſhall pay to the Perſon in whoſe Cuſtody the ſame ſhall be the ſaid Penalty, together with the Coſts and Charges of removing the ſame, and of keeping ſuch Horſe or Horſes, or other Cattle (if any); and in caſe the ſame ſhall not be claimed, and the Penalty and Charge paid within the Space of Five Days next after ſuch Seizure thereof reſpectively, then it ſhall and may be lawful to and for any Five or more of the ſaid Truſtees to order and cauſe the ſame to be ſold, and to apply the Money ariſing by ſuch Sale in Payment of the Penalty hereby impoſed or inflicted, and the Coſts attending the taking and detaining the ſame; and if any

Overplus ſhall remain after paying the ſaid Penalty and the Coſts of recovering the ſame, ſuch Overplus ſhall be returned to the Perſons or Perſon to whom ſuch Horſe or other Cattle, or Waggon, Wain, Cart or other Carriage or Thing, ſo to be ſold or diſpoſed of, ſhall belong.

Power to compel Surveyors of Highways to erect Bound Stones.

XX And be it further enacted by the Authority aforeſaid, That from and immediately after the paſſing of this Act it ſhall and may be lawful to and for the ſaid Truſtees, or any Seven or more of them, in Writing under their Hands, from Time to Time to direct the Surveyor or Surveyors of the Highways, in the ſeveral Pariſhes, Hamlets, and Diſtricts, through which the ſaid Roads by the ſaid recited Act of the Thirty-third Year of His preſent Majeſty, and this Act, deſcribed, paſs, or any or either of them, to fix or erect on the ſaid Road Bound Stones, to ſhew the Termination of the ſaid Roads, in his or their reſpective Pariſhes, Hamlets, or Diſtricts, on which ſaid Bound Stones ſhall be inſcribed, in Words at Length, "Here ends Road," naming the Pariſh, Hamlet, or Diſtrict, with a Hand to ſhew which Part of the ſaid Road belongs to or lies in the Pariſh, Hamlet, or Diſtrict, in which ſuch Stone ſhall be erected, and from Time to Time repair ſuch Stones, and keep and continue legible the Inſcription thereon reſpectively; and the Expence of erecting ſuch Bound Stones ſhall be defrayed by the Pariſh, Hamlet, or Diſtrict, in which ſuch Stones reſpectively ſhall be erected; and in caſe any ſuch Surveyor or Surveyors ſhall, by the Space of One Month after ſuch Direction to him or them ſo given, neglect or refuſe to cauſe any ſuch Stones to be fixed or repaired as aforeſaid, every ſuch Offender, for every ſuch Offence, ſhall forfeit any Sum not exceeding Forty Shillings.

Reſtriction in the former Act againſt erecting a Toll Gate in a particular Situation, repealed.

XXI. And be it further enacted, That ſo much of the ſaid recited Act of the Thrty-third Year of the Reign of His ſaid preſent Majeſty, as reſtrains or prevents the Truſtees of the ſaid Roads from erecting or placing any Toll Gate or Turnpike on any Part of the Road lying between *Reynolds Grave* and one Furlong beyond *Weſtham* Gate, or on the Side or Sides thereof, ſhall be, and the ſame is hereby repealed and made void: Provided that all and every the Inhabitants of *Maiden Bradley* aforeſaid, ſhall and may all Times paſs and repaſs through any Toll Gate or Turnpike to be erected upon ſuch Part of the ſaid Road as laſt hereinbefore is mentioned, with any Horſe or Horſes, Cattle or Carriage, Tollfree.

Expences of the Act.

XXII. And be it further enacted, That the Expences of obtaining and paſſing of this Act, together with legal Intereſt for Money advanced by any Perſon or Perſons for that Purpoſe, ſhall be paid out of the Money already raiſed by virtue of the ſaid recited Act, or out of the firſt Money to be raiſed by virtue of this Act.

Publick Act.

XXIII. 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.

XXIV. And

XXIV. And be it further enacted, That this Act shall commence upon the First Day of *June* One thousand eight hundred and ten, and shall continue in Force for the Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament. Commencement and Continuance of the Act.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN,
Printers to the King's most Excellent Majesty. 1810.