ANNO NONO

GEORGII IV. REGIS.

Cap. xix.

An Act for making and maintaining a Turnpike Road from the *Bridport* Turnpike Road at *Allington*, through *Broadwindsor* and *Drimpton* in the County of *Dorset*, to the *Crewkerne* Turnpike Road at or near *Clapton Bridge*, and also from *Hewish* Toll Gate to the *Crewkerne* Turnpike Road at or near *Roundham Corner* in the Parish of *Crewkerne* in the County of *Somerset*.

[3d *April* 1828]

WHEREAS there is a common public Carriage Road or King's Highway leading from or out of the *Bridport* Turnpike Road in the Village of *Allington* in the County of *Dorset*, and leading to *Dottery*, *Solway Ash*, *Bowood*, *Four Ashes*, *Stoke Knaps*, *Broadwindsor*, and *Drimpton*, in the said County, and thence to *Clapton Bridge* in the County of *Somerset*, where the same unites with the *Crewkerne* Turnpike Road: And whereas the said common public Carriage Road or King's Highway is much out of repair, narrow, and incommodious for the passing of Cattle

and Carriages; and it would be of great Benefit and Advantage to the Inhabitants and Occupiers of Lands, Tenements, and Hereditaments in the several Parishes, Townships, Hamlets, and Villages through which the same leads, and to the Public at large, if the said Road were amended, widened, improved, repaired, and made Turnpike, whereby the Communication between the Town and Harbour of *Bridport* in the County of *Dorset*, and the Towns of *Chard*, *Crewkerne*, *Ilminster*, and *Taunton*, in the County of *Somerset*, would be greatly facilitated and improved: And whereas the making and maintaining of a new Turnpike Road from and out of the said *Crewkerne* Turnpike Road, at or near the *Hewish* Toll Gate in the Parish of *Crewkerne* in the County of *Somerset*, over several Closes or Pieces of Land in the Parish of *Crewkerne* aforesaid, and over, through, and along Part of a certain Lane or Highway, to the Village or Hamlet of *Hewish* in the Parish of *Crewkerne* aforesaid, and thence over several other Closes or Pieces of Land in the Parish of *Crewkerne* aforesaid, and over, through, and along Part of a certain other Lane or Highway, by a Place called *Roundham Corner*, to the *Crewkerne* Turnpike Road leading from the Town of *Crewkerne* aforesaid to the Town of *Ilminster* in the said County of *Somerset*, will be of great Benefit and Advantage to the Owners and Occupiers of Lands, Tenements, and Hereditaments, and Residents near to the said intended Turnpike Road, and also of great Public Advantage, by improving the Communication between the said Towns of *Ilminster* and *Taunton*, and the Town and Harbour of *Bridport* aforesaid: And whereas an Act was passed in the Third Year of the Reign of His present
3 G. 4. c. 126. Majesty, intituled *An Act to amend the General Laws now in being for regulating Turnpike Roads in that Part of* Great Britain *called* England: And whereas another Act was passed in the Fourth Year
4 G. 4. c. 95. of the Reign of His present Majesty, intituled *An Act to explain and amend an Act passed in the Third Year of the Reign of His present Majesty, to amend the General Laws now in being for regulating Turnpike Roads in that Part of* Great Britain *called* England: And whereas another Act was passed in the Fifth Year of the Reign
5 G. 4. c. 69. of His present Majesty, intituled *An Act to enable Justices of the Peace for Ridings, Divisions, or Sokes, to act as Trustees for repairing and maintaining Turnpike Roads*: And whereas another Act was passed in the Seventh and Eighth Years of the Reign of His present Majesty,
7 & 8 G. 4. c. 24. intituled *An Act to amend the Acts for regulating Turnpike Roads in* England: 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

Trustees appointed. the same, That all His Majesty's Justices of the Peace acting for the County of *Dorset*, and all His Majesty's Justices of the Peace acting for the County of *Somerset*, for the Time being respectively, together with *John Adney*, *John Bragge*, *William Bragge*, *John Bragge* Clerk, *Champneys Pleydell Bragge* Clerk, *Joseph Bishop*, *James Browne*, *George Browne*, *John Baker*, *John Calcraft* Member of Parliament, *John Hales Calcraft*, *Samuel Cox*, *William Hody Cox*, *William Cox*, *Thomas Colfox*, *William Colfox*, *John Colmer* Clerk, *John Collins*, *Jesse Cornick*, *George Derby*,

Derby, *John Davey*, *Daniel Ewens*, *John Ewens*, *Joseph Ewens*, *Thomas Ewens*, *William Tierney Elton* Clerk, *John Baker Edmonds*, *Edward Cooke Forward* Clerk, *John Fowler*, *Henry Fox* Clerk, *Samuel Fitzherbert* Clerk, G T Gollop, *Daniel Gundry*, *Samuel Gundry*, *Joseph Gundry*, *Samuel Bowden Gundry*, *Walter Eustace Gundry*, *Robert Graves* Doctor of Medicine, *George Golding*, *John Golding*, *Samuel Fawcett Golding*, Sir *Alexander Hood* Baronet, *William Hanning*, *William Hoskins*, *Henry Hoskins* Clerk, *William Hounsell*, *Thomas Collins Hounsell*, *James Hodder*, *Robert Halson*, *Matthew Knight*, *John Kerslake*, Sir *Thomas Buckler Lethbridge* Baronet, *John Lee Lee*, *John Perkins Lowman*, *John Hawkes Mules* Clerk, *Edward Murly*, Sir *Molyneux Hyde Nepean* Baronet, *John Nicholetts*, *Alfred Nicholetts*, Sir *William Oglander* Baronet, *John Pinney*, *John Pitfield*, *Thomas Pearce*, *John Perham*, *John Perham* the younger, *Gregory Raymond* Clerk, *William Page Richards* Doctor in Divinity, *Charles Richards* Clerk, *Richard Francis Roberts*, *Simon Davie Robinson* Doctor of Medicine, *Giles Russell*, Sir *Horace David Cholwell St. Paul* Baronet, *Henry Charles Sturt*, *Charles Stockdale*, *William Swain*, *John Symmonds*, *Hugh Speke* Clerk, *Robert Strong*, *Isaac Sparks*, *Humphry Weld*, *Henry Warburton*, and *David Williams* Clerk, and their Successors, being duly qualified according to the Directions of the said recited Acts of the Third, Fourth, and Fifth Years of the Reign of His present Majesty, shall be and they are hereby appointed Trustees for making, amending, widening, diverting, improving, and maintaining in repair the said Roads from *Allington*, through *Broadwindsor* and *Drimpton*, to *Clapton Bridge*, and from *Hewish* Toll Gate to *Roundham Corner*, and for otherwise putting this Act into Execution, and which said Roads shall be called "The *Bridport* and *Broadwindsor* Turnpike Roads."

Powers of General Turnpike Acts extended to this Act.

II. And be it further enacted, That the said recited Act passed in the Third Year of the Reign of His present Majesty, and all and every the Powers, Provisions, Exemptions, Penalties, Forfeitures, Payments, Remedies, Matters, and Things therein contained, (save and except such Parts thereof as are varied, altered, or repealed by the said recited Act of the Fourth Year of the Reign of His present Majesty, and also save and except such Parts thereof as are varied, altered, or repealed,) and also the said recited Act passed in the Fourth Year of the Reign of His present Majesty, and all and every the Powers, Provisions, Exemptions, Penalties, Forfeitures, Payments, Remedies, Matters, and Things therein contained, (save and except such Parts thereof as are varied, altered, or repealed,) and also the said recited Acts passed in the Fifth and Seventh and Eighth Years of the Reign of His present Majesty, and the Powers or Provisions therein contained, shall respectively be as good, valid, and effectual for carrying this Act and the several and respective Purposes thereof into Execution, as if the same had respectively been repeated and re-enacted in the Body of this Act.

Power to appoint additional Trustees.

III. And be it further enacted, That it shall and may be lawful for the said Trustees, and they are hereby authorized and empowered, from Time to Time, at any of their Meetings, to elect and appoint any

any Number of Persons, being duly qualified as directed by the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty, (not exceeding Five in the whole, in addition to the Number of Trustees herein named and appointed,) to be Trustees for the Purposes of this Act; and such Persons so elected and appointed shall be Trustees for the Purposes of this Act, and are hereby invested with the same Powers and Authorities for executing this Act as if they had been herein named.

First Meeting of Trustees.

IV. And be it further enacted, That the said Trustees shall hold their First Meeting at the *George Inn* in *Broadwindsor* aforesaid, or at some other convenient Place in the Neighbourhood of the said Roads, on the Second *Monday* next after the passing of this Act, or as soon after as conveniently may be; and the said Trustees shall proceed in the Execution of this Act, and shall from Time to Time after adjourn to and meet again at such Times as they shall think proper, at the same Place, or at some Inn in the Town of *Bridport*, or at such other Place or Places in the Neighbourhood of the said Roads as they shall think proper.

For erecting Toll Gates, Turnpikes, Side Bars, Weighing Machines, &c.

V. And be it further enacted, That it shall be lawful for the said Trustees to erect and set up or build, or cause to be erected, set up, or built, upon, in, or across the said Roads, or any Part thereof, or on the Sides thereof, when, where, and as they shall judge necessary, any Toll Gate or Toll Gates, Turnpike or Turnpikes, Side Gate or Side Gates, Side Bar or Side Bars, Chain or Chains, Weighing Machine or Weighing Machines, and also One or more Toll House or Toll Houses, with Outhouses and Conveniences suitable thereto, at or near each Toll Gate, Side Bar, Chain, or Weighing Machine, and to take in and inclose on the Sides of the said Roads suitable Garden Spots for such Toll House or Toll Houses, not exceeding One Eighth Part of a Statute Acre each, as they shall think necessary, and from Time to Time to take down and remove, or to alter or discontinue the same, or any of them, as they the said Trustees shall think proper, and direct or appoint.

Power to take Tolls.

VI. And be it further enacted, That it shall and may be lawful for the said Trustees, or any Person or Persons to be appointed Collector or Collectors of the Tolls to be taken by virtue of this Act, to demand and take the Tolls herein-after mentioned at the several and respective Toll Gates or Turnpikes or Toll Houses, or Side Gates or Side Bars or Chains, which shall be erected or placed, by virtue of this Act, in, upon, across, or on the Side or Sides of the said Roads, or any Part thereof, and on every Day, such Day to be computed from Twelve of the Clock at Night to Twelve of the Clock in the next succeeding Night; (that is to say,)

Tolls.

For every Horse or Beast drawing any Coach, Stage Coach, Chariot, Landau, Chaise, Curricle, Calash, Hearse, Phaeton, Chair, Caravan, Van, Taxed Cart, or other such like Carriage, any Sum not exceeding One Shilling:

For every Horse, Mule, or Ass, laden or unladen, and not drawing, any Sum not exceeding Two-pence:

For

For every Horse or Beast drawing any Waggon, Wain, Cart, or other such like Carriage, with Wheels of less Breadth than Four and a Half Inches, any Sum not exceeding One Shilling and Sixpence:

For every Horse or Beast drawing any Waggon, Wain, Cart, or other such like Carriage, with Wheels of the Breadth of Four and a Half Inches, and of less Breadth than Six Inches, any Sum not exceeding One Shilling and Three-pence:

For every Horse or Beast drawing any Waggon, Wain, Cart, or other such like Carriage, with Wheels of the Breadth of Six Inches or upwards, any Sum not exceeding One Shilling:

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

For every Drove of Calves, Swine, Sheep, or Lambs, any Sum not exceeding Sixpence *per* Score, and so in proportion for any less Number than a Score: And

For every Coach, Chariot, Landau, Chaise, Cart, or other Carriage, which shall be attached to or drawn behind or along with any other Carriage upon the said Roads, the Sum of One Shilling shall be demanded and taken for every such Carriage having Four Wheels, and the Sum of Sixpence for every such Carriage having Two Wheels, in addition to and over and above the Tolls payable for or in respect of the Horses or Beasts drawing the same:

Tolls vested in the Trustees.

Which said respective Sums of Money or Tolls shall be demanded and taken as aforesaid, before any Horse, Mule, Ass, or other Beast or Cattle whatsoever, shall be permitted to pass through any such Toll Gate or Turnpike, or Side Gate or Side Bar or Chain, which shall be erected or placed, by virtue of this Act, in, upon, or across the said Roads, or any Part thereof, or on the Sides thereof; and which said respective Tolls or Sums of Money shall be and are hereby vested in the said Trustees, and shall be applied for the Purposes of this Act in manner herein-after directed.

Fractional Part of a Halfpenny in Tolls.

VII. Provided always, and be it further enacted, That in all Cases where there shall be a Fractional Part of a Halfpenny in the Calculation or Amount of the Tolls hereby granted and authorized, or any of them, the Sum of One Halfpenny shall be demanded and taken in lieu of such Fractional Part.

Additional Toll on Carriages employed in carrying Timber.

VIII. And be it further enacted, That between the First Day of *November* in any one Year and the last Day of *February* in the next succeeding Year, it shall be lawful for the Collectors of the Tolls on the said Roads to demand and take for each and every Horse or other Beast drawing any Timber Carriage employed in carrying or conveying any Timber, or any Tree or Trees, a Toll equal to One Half, in addition to the Toll which otherwise might be demanded or taken for such Horse or other Beast: Provided always, that no such additional Toll shall be demanded or taken, save and except there shall be Three or more Horses or other Beasts in any such Carriage.

No more than One full Toll to be taken in One Day, except as after mentioned.

IX. Provided always, and be it further enacted, That no more than One full Toll in any One Day (to be computed from Twelve of the Clock at Night to Twelve of the Clock in the next succeeding Night) shall be demanded or taken for or in respect of the same Horse or Horses, or other Beast or Beasts, or Cattle, drawing the same Coach, Chariot, Chaise, Waggon, Cart, or other Carriage, or for or in respect of the same Horse, Mule, Ass, or other Beast or Cattle, laden or unladen, and not drawing, or for or in respect of the same Oxen or Ox, Neat Cattle, Calves, Swine, Sheep, or Lambs, for passing and repassing through all or any of the Gates to be erected by virtue of this Act along the Line of the said Roads, except as herein-after mentioned.

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

X. Provided also, and be it further enacted, That the Tolls hereby made payable for or in respect of Horses or Beasts drawing any Stage Coach, Diligence, Van, Caravan, or Stage Waggon, or other Stage Carriage, or any Cart, conveying Passengers or Goods for Pay or Reward, shall be payable and paid every Time of passing or repassing along the said Roads or either of them.

Post Chaises on every new Hiring.

XI. Provided also, and be it further enacted, That the Tolls hereby made payable for or in respect of Horses or Beasts let out to Hire, and drawing any Post Chaise or other Carriage, shall be payable and paid every Time of passing along the said Roads, or either of them, whenever any new Hiring thereof shall take place.

Restricting Trustees from erecting Toll Gates until after a certain Expenditure.

XII. Provided always, and be it further enacted, That nothing in this Act contained shall authorize and empower the collecting or taking any of the Tolls herein-before mentioned at any or either of the Toll Gates, Turnpikes, Side Gates, Side Bars, or Chains to be erected by virtue of this Act on such Part of the said Road as lies between the Town of *Bridport* and *Clapton Bridge* aforesaid, until it shall have been clearly ascertained by the said Trustees that the Sum of Three thousand Pounds hath been laid out and expended in widening, repairing, and amending the same, or at any or either of the Toll Gates, Turnpikes, Side Gates, Side Bars, or Chains to be erected by virtue of this Act on such Part of the said Road as lies between *Hewish* Toll Gate and *Roundham Corner*, until it shall have been certified to the said Trustees, under the Hands of Two of His Majesty's Justices of the Peace in and for the Counties of *Dorset* or *Somerset*, that the same is rendered safe and commodious for the Passage of Carriages.

Subscribers to pay their Subscriptions.

XIII. And be it further enacted, That the several and respective Persons who have subscribed for or agreed to advance any Money for or towards the improving the said Road from and out of the *Bridport* Turnpike Road in the Village of *Allington* to the *Crewkerne* Turnpike Road at *Clapton Bridge*, and for making and maintaining the said new Road from the *Crewkerne* Turnpike Road near *Hewish* Toll Gate to the said *Crewkerne* Turnpike Road near *Roundham Corner*, or any Part thereof respectively, shall

shall and they are hereby required to pay the Sum or Sums of Money so subscribed within such Time and Times and in such Parts and Proportions as the said Trustees shall order and direct, and the same shall be demanded by and paid to such Person or Persons as the said Trustees shall by any Writing under their Hands authorize to receive the same; and if any Person or Persons shall neglect or refuse to pay the same, or any Part thereof, as aforesaid, it shall be lawful for the said Trustees to sue for the same in the Name of any One of such Trustees, or of their Clerk, and to recover the same, together with full Costs of Suit, in any of His Majesty's Courts of Record, by Action of Debt or on the Case, or by Bill, Plaint, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, or more than One Imparlance, shall be allowed; and all such Monies shall be vested in the said Trustees, and applied as herein-after mentioned.

Monies subscribed to be secured by Mortgage on the Tolls.

XIV. And be it further enacted, That the Monies subscribed, and which have been and shall be hereafter advanced for obtaining this Act, and for making the said Improvements and new Road, shall be secured to the respective Parties advancing the same, their Executors, Administrators, and Assigns, by Mortgages of the Tolls hereby granted, which Mortgages the said Trustees, or any Three or more of them, are hereby authorized and directed to make, upon Payment of the Monies so subscribed as aforesaid; and such Monies shall carry Interest from the respective Times of the Advancement thereof, pursuant to any Agreement entered into for making the said Improvements and new Road.

Application of Money borrowed, and of the Tolls.

XV. And be it further enacted, That out of the Monies already subscribed or advanced for the Purposes of this Act, the said Trustees shall, in the first place, pay and discharge all the Costs and Expences relative to the obtaining and passing this Act, with Interest on any Sum or Sums of Money which shall be advanced for that Purpose; and the Remainder of all such Monies shall be applied in defraying the Expences of making the said Improvements and new Turnpike Road, according to the Terms of the Agreements for Subscriptions, together with such Monies as shall be borrowed on the Credit of this Act, and in purchasing Lands, Hereditaments, and Materials for that Purpose, and in erecting, making, or providing Turnpikes, Toll Gates, Toll Bars, Chains, Weighing Machines, and Toll Houses, with Outhouses and Conveniences thereto, as aforesaid, and all other Matters and Things necessary or requisite for carrying the Purposes of this Act into Execution; and after Payment of all such Expences the Residue (if any) of such Monies, and all Monies which shall arise or be received from the Tolls by this Act granted, and all other Monies which shall come to the Hands of the said Trustees by virtue of this Act or the said recited Acts, shall from Time to Time be applied, first in paying and keeping down the Interest of the Monies subscribed or borrowed on the Credit of this Act, and in the next place in maintaining, amending, and keeping in repair the said Roads, and the Turnpikes, Toll Gates, Toll Bars, Chains, Weighing Machines, Toll Houses, Outhouses, and Con-

Conveniences aforesaid, and in otherwise putting this Act and the said recited Acts into Execution, and in repaying the Principal Monies subscribed and borrowed by virtue of this Act, and to or for no other Use or Purpose whatsoever.

Power to agree with adjoining Trust respecting Payment of Tolls.

XVI. And whereas an Act was passed in the Eighteenth Year of the Reign of King *George* the Third (the Terms and Powers of which Act are enlarged by subsequent Acts of the Thirty-eighth and Fifty-ninth Years of the Reign of King *George* the Third), for amending certain Roads leading to and from *Maiden Newton* in the County of *Dorset*, and, amongst others, a Road from *Furze Moor Gate* in the Parish of *Broadwindsor* to *Lenham's Water* in the Parish of *Beaminster*, which said last-mentioned Road crosses the Line of Road by this Act intended to be made Turnpike in the Village of *Broadwindsor*, and the said Two Roads pass in nearly the same Direction for the Space of Two hundred Yards, or thereabouts; and it may be convenient for Persons travelling with Horses, Cattle, and Carriages, along the Roads comprised in this Act, to pass over such Part of the said Road from *Furze Moor Gate* to *Lenham's Water* as is situate in *Broadwindsor*, as last mentioned; and it is therefore expedient that the Trustees for executing this Act should be enabled to contract and agree with the Trustees for executing the said last-recited Act, for and in respect of the Removal, Alteration, or Reduction of the Tolls which might otherwise be payable in respect of Horses, Cattle, and Carriages which might pass from the Road comprised in this Act, over the said last-mentioned Part of the *Maiden Newton* Road from *Furze Moor Gate* to *Lenham's Water* as lies in the Village of *Broadwindsor*, as aforesaid; be it therefore further enacted, That it shall be lawful for the Trustees for executing this Act, at any of their Meetings, to enter into any Contract, Agreement, or Arrangement with the Trustees of the said *Maiden Newton* Turnpike Roads, for the Payment of any annual or other Sum or Sums of Money, or for the Performance of any other Matter or Thing whatsoever, as and by way of Composition in lieu of and as a Satisfaction for the Tolls which would otherwise be payable by any Person or Persons, for or in respect of Horses, Cattle, or Carriages passing from the Roads comprised in this Act over the said last-mentioned Parts of the said *Maiden Newton* Turnpike Road, and for the Purpose of procuring the Exemption of, and exonerating and relieving such Person or Persons wholly or partially from the Payment of the said Tolls.

Road may be made in the Manner herein described.

XVII. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered to make the said Improvements on the said Road from and out of the *Bridport* Turnpike Road in the Village of *Allington* to the *Crewkerne* Turnpike Road at *Clapton Bridge*, and to make the said new Road from the *Crewkerne* Turnpike Road near *Hewish* Toll Gate to the said *Crewkerne* Turnpike Road near *Roundham Corner*, upon, in, over, or through any private Lands, Hereditaments, and Premises, making or tendering Satisfaction to the Owners thereof and Persons interested therein for the same, or for any Damage they may sustain thereby, and

and also in, upon, over, or through any Commons or Waste Lands, without making any Satisfaction for such Commons or Waste Lands, of such Width or Dimensions as they shall think proper, not exceeding Sixty Feet, together with such Footpaths, Causeways, Bridges, Arches, Culverts, Ditches, Drains, and Fences, on the Line of the said Roads, as they shall think necessary or expedient; and for such Purposes also to take and use the Buildings, Gardens, and Premises described, or intended so to be, in the Schedule to this Act annexed, marked (A.); any thing in the said recited Acts contained to the contrary notwithstanding; and it shall also be lawful for the said Trustees, and for their Surveyors or Surveyor and Workmen, from Time to Time to enter upon the Lands and Premises or Hereditaments through which or whereupon such Roads, Footpaths, Causeways, Bridges, Arches, Culverts, Ditches, Drains, and Fences is or are intended to be made or pass, and also upon any adjoining Lands or Grounds, to stake out the same in such Manner as the said Trustees shall think necessary or expedient, without being deemed a Trespasser or Trespassers, and without being subject or liable to any Fine, Penalty, or Punishment for entering or continuing upon such Lands or Premises respectively for any of the Purposes of this Act; and if any Person shall pull up, remove, or destroy any of such Stakes or other Marks used for the Purposes aforesaid, every Person so offending shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds.

Map or Plan deposited at the Office of the Clerk of the Peace to remain there.

XVIII. And whereas a Map or Plan describing the Line of the said new Road from the *Crewkerne* Turnpike Road near *Hewish* Toll Gate to the said *Crewkerne* Turnpike Road near *Roundham Corner*, and the Lands through or over which the same is to be made or carried, together with a Book of Reference containing a List of the Names of the Owners or reputed Owners and Occupiers of such Lands, has been deposited at the Office of the Clerk of the Peace for the said County of *Somerset*; be it therefore enacted, That the said Map or Plan and Book of Reference shall remain in the Custody of the said Clerk of the Peace, to the end that all Persons may at all seasonable Times have Liberty to inspect and peruse the same, and to take Copies or Extracts thereof, at their Will and Pleasure, paying the Clerk of the Peace the Sum of One Shilling for every such Inspection, and at the Rate of Sixpence for every One hundred Words of such Copies or Extracts of such Map or Plan and Book of Reference; and the said Trustees in making the said Road shall not deviate more than One hundred Yards from the Line described in such Map or Plan, without the Consent and Approbation in Writing of the Person or Persons, Bodies Politic, Corporate, or Collegiate, through whose Lands such Deviation shall be made.

Road not to deviate from Plan.

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

XIX. Provided always, and be it further enacted, That it shall be lawful for the said Trustees to make the said new Road into, through, across, or over the several Lands, Hereditaments, or Premises of any Person or Persons who is or are or may be Owner or Owners, or reputed Owner or Owners, of such Lands, Hereditaments,

taments, or Premises over which the same is or are set out and described in the said Map or Plan as aforesaid, although such Lands, Hereditaments, or Premises, or the Name or Names of such Person or Persons, may happen to be erroneously described or omitted or mis-stated in the said Map or Plan or Book of Reference, in case it shall appear to any Two or more Justices of the Peace for the County in which such Lands, Hereditaments, or Premises shall lie or be situate, and be certified by Writing under their Hands, that such Error or Omission proceeded from Mistake, or was not wilful; and such Certificate shall be deposited with and remain in the Custody of the Clerk of the Peace for the County in which such Lands, Hereditaments, or Premises respectively shall be.

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

XX. Provided always, and be it further enacted, That the Powers and Authorities given by this Act shall not extend or be construed to extend to empower or authorize the said Trustees to take or pull down, injure, or damage any Dwelling House or other Building, or to take in or make use of any Curtilage, Orchard, Garden, Yard, Park, Paddock, Lawn, Shrubbery, planted Walk, or Avenue to a House, or any inclosed Ground planted or set apart as a Nursery for Trees, or any Part thereof respectively, without the Consent in Writing of the Owner or Proprietor thereof, or other Person interested therein, first had and obtained, except such as are mentioned or intended so to be in the Schedule to this Act annexed, marked (A).

Power of purchasing limited to Five Years.

XXI. Provided also, and be it further enacted, That in case the said Trustees shall not purchase the Buildings, Lands, Tenements, and Hereditaments mentioned in the Schedule to this Act annexed, within the Space of Five Years from the passing of this Act, all the Powers granted by this Act or the said recited Acts for purchasing, taking, or using the same, or such of them as shall not then have been purchased, shall cease and determine, save and except with the Consent of the Owners or Proprietors thereof for the Time being.

Ditches, Drains, &c. by whom to be made and cleansed.

XXII. And be it further enacted, That it shall be lawful for the said Trustees, and their Surveyor or Surveyors, or other Person or Persons by them appointed, and they are hereby authorized and empowered to make such Ditches, Drains, or Watercourses, and of such Depth and Breadth, as they shall consider expedient for the Purposes of keeping the said Roads dry, and of conveying the Water from the same, as well on the Side or Sides of the said Roads, as also, where necessary, into or through any Fields, Lands, or Grounds adjoining to or lying near the said Roads, (not being a Yard, Garden, Orchard, Park, Paddock, planted Walk, or Avenue to a House,) at the Expence of the said Trustees, out of the Monies to be received by virtue of this Act, and also such sufficient Bridges, Arches, Culverts, Trunks, Tunnels, or Plats as shall be necessary, also at the Expence of the said Trustees, out of the Monies aforesaid, any Law or Statute to the contrary notwithstanding; and all such Ditches, Drains, and Watercourses,

Bridges, Arches, Culverts, Trunks, Tunnels, or Plats, when so made or completed, shall for ever afterwards be scoured, cleansed, and kept open, repaired, and maintained by the Occupiers of the adjoining Fields, Lands, or Grounds, but all such new Bridges, Arches, Culverts, Trunks, Tunnels, and Plats as shall cross or pass in or under the said Roads, shall be scoured, cleansed, and kept open, repaired, and maintained by the said Trustees, subject to the Provisions of the said recited Act of the Third Year of the Reign of His present Majesty.

Public Act.

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

Term of Act.

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

SCHE-

SCHEDULE (A.) to which the Act refers.

Description of Property.	Names of Owners.	Names of Occupiers.
	Parish of Allington.	
Garden	James Stevens	Jonas Greenham.
Garden	Robert Symmonds	Robert Symmonds.
House and Garden	John Saunders	Wilmot Raddon.
House and Garden	Ditto	Hannah Stevens.
House and Garden	Ditto	John Brooks.
House and Garden	Ditto	John Cooper.
House and Garden	Ditto	John Saunders.
Garden	John Legg	James Webb, Isaac Way, Robert Wheadon, Isaac Dunham.
House and Garden	Ditto	James Webb.
House and Garden	Ditto	Isaac Way.
House and Garden	Ditto	Robert Wheadon.
House and Garden	Ditto	Isaac Dunham.
Garden	Samuel Fry	Anthony Slade.
Garden	Ditto	Samuel Fry.
Barn	James Morey	James Morey.
	Parish of Loders.	
House and Garden.	John Spencer.	John Hansford.
	Parish of Netherbury, Tithing of Ash.	
Garden	John Symes Davie	William Hayward.
Garden	Thomas Conway	Charles Reason.
Garden	Ditto	Benjamin Dunham.
House and Garden	Henry Charles Sturt	Robert Walbridge.
Garden	Joseph Gundry	Elizabeth Martin.
House and Garden	Robert Mabey	Robert Mabey.
House and Garden	Elizabeth Way	Elizabeth Way.
House and Garden	John Tucker	George Tucker.
House and Garden	Ditto	John Poolman.
House and Garden	Ditto	John Tucker.
Garden	Ditto	Ditto.
House and Garden	Elizabeth Travers	John Morris, John Brake, and Elizabeth Travers.
House and Garden	James Major	James Major.
House and Garden	Robert Major	Robert Major.
Blacksmith's Shop	Frederick Hansford	Frederick Hansford.
House and Garden	Joanna Hallett	Joanna Hallett.
Garden	Ditto	John Hallett.
Orchard	Sarah Lloyd, Hannah Lloyd, and Augusta Lloyd	David Payne.
House and Garden	William Smith	William Smith.

Description of Property.	Names of Owners.	Names of Occupiers.
	Parish of Netherbury, Tithing of Bowood.	
House and Garden - -	Richard Travers - -	Richard Travers.
House and Garden - -	Mary Itchcock, John Wakeley, and Sarah his Wife - - -	Mary Itchcock, John Wakeley, and Sarah his Wife.
House and Garden - -	John Croker - - -	John Croker.
House and Garden - -	William Warr - - -	William Warr.
House and Garden - -	Samuel Gundry - -	Joseph Warr.
House and Garden - -	Samuel Warr - - -	Samuel Warr.
House and Garden - -	Augustus Hansford - -	Augustus Hansford.
House and Garden - -	Ditto - - -	Ditto.
House and Garden - -	Ditto - - -	John Cox.
House and Garden - -	Edward Hansford - -	Samuel Record.
House and Garden - -	Ditto - - -	John Biles.
Garden - - -	George Brinson - -	George Brinson.
House and Garden - -	Jane Sprake - - -	Jane Sprake.
	Parish of Stoke.	
House and Garden - -	Thomas Roe - - -	Thomas Roe.
House and Garden - -	Stephen Gerrard - -	Stephen Gerrard.
House and Garden - -	John Welch - - -	John Welch.
House and Garden - -	Shadrack Staple - - -	Shadrack Staple.
Garden - - -	Ditto - - -	Ditto.
Garden - - - -	Giles Russell - - -	Giles Russell.
	Parish of Broadwindsor.	
Garden - - -	Robert Elliott - -	John Ostler.
Shed - - -	George Smith - -	George Smith.
House and Garden -	Robert Elliott - -	John Ostler.
Butcher's Shop and Garden - - -	John Symmonds - -	George Smith.
Garden - - -	Robert Rendall - -	Robert Rendall.
Shed and Garden -	William Hoare - -	John Biles.
House and Garden - -	Robert Chick - -	Robert Chick.
	Parish of Broadwindsor, Tithing of Drimpton.	
House and Garden - -	Mary Cox - - -	Samuel Sebley.
House and Garden - -	Ditto - - -	William Cleal.
House and Garden - -	Ditto - - -	Charles Priest.
House and Steps - -	Charles Stockdale - -	Angel Daman.
Shed - - - -	John Smith - - -	John Johnson.
Orchard - - -	Thomas Pearce - -	Thomas Pearce.
Orchard - - - -	Giles Russell - - -	Richard Phillips.
Orchard - - -	Ditto - - -	Ditto.
House and Garden - -	Ditto - - -	Ditto.
House and Garden - -	Henry Northover - -	James Slade.
Orchard - - -	Giles Russell - -	Richard Phillips.
Orchard - - -	Henry Northover - -	Henry Northover.
Garden and Shed - -	Hugh Lowman - -	John Welden.

Description of Property.	Names of Owners.	Names of Occupiers.
	Parish of Crewkerne.	
Garden Plot - - -	William Paul - - -	William Paul.
Garden Plot - - - -	Betsey Hutchin - - -	Betsey Hutchin.
Garden Plot - - -	Earl Poulett - - -	Earl Poulett.
House, Barton, &c. -	Honor Wesley, Isaac Sparks, and Edward Murly - - - -	Thomas Marsh.
Orchard - - - -	Ditto - - -	Ditto.
Orchard - - - -	John Bryant - - - -	Robert Crocker.
Plantation - - -	Earl Poulett - - -	Earl Poulett.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1828.

5

6

31. 8
2. 2
86