Anno tricesimo secundo

Georgii II. Regis.

An Act for repairing several Roads leading to the Town of *Bridgewater*, in the County of *Somerset*; and for amending and rendering more effectual several Acts for amending several Roads from the Cities of *Gloucester* and *Bristol*, and several other Roads in the said Acts mentioned, in the Counties of *Somerset* and *Gloucester*.

WHEREAS the Road leading from the South Gate of the Town of Bridgewater, in the County of Somerset, through the several Parishes of North Petherton and Thurloxton, to the Place where the Turnpike Road, leading from the East Side of the Town of Taunton, ends, near the House known by the Name of The Green Dragon, in the Parish of Thurloxton aforesaid; and also the Road leading from the East Gate of Bridgewater aforesaid, to Crandon Bridge, in the Parish of Bawdrip, in the said County of Somerset, and from thence through Preamble.

through the several Parishes of Bawdrip, Cossington, Stawell, Chilton, Edington, Catcot, and Shapwick, in the said County of Somerset, to Piper's Inn, in the Parish of Aishcot; and also the Road leading from Crandon Bridge aforesaid, towards Bristol, through the several Parishes of Puriton, Pawlett, and Huntspill, and passing by the Sign of The Fox and Goose, in the Parish of South Brent, to the Parish of East Brent, in the said County of Somerset; and also the Road leading from the East End of the Bridge of the said Town of Bridgewater, to a Place commonly called Langport Bridge, in the Way to Weston-zoyland, in the said County of Somerset; and also the Road leading from the West Gate of the said Town of Bridgewater, through the several Parishes of Bridgewater, Wembdon, Cannington, Charlinch, Spaxton, Fiddington, Overstowey, and Netherstowey, in the said County of Somerset, to a House called The Vicarage House, at the East End of the Town of Stowey, in the said County; and also the Road leading from the said West Gate of the Town of Bridgewater aforesaid, through the several Parishes of Bridgewater, Durleigh, Goathurst, and Enmore, to Buncombe Bottom, and from thence to the Taunton Turnpike Road, in the said County of Somerset; and from a Place called The Three Crosses, in the Parish of Bridgewater, through the several Parishes of Bridgewater, Durleigh, Cannington, Goathurst, Charlinch, Aisholt, and Spaxton, to the House commonly known by the Name of The Crown, in Spaxton, in the said County of Somerset; are, in many Parts, extremely rough and incommodious, and, in other Places, by reason of the Deepness of the Soil thereof, inconvenient and dangerous to Travellers, and, in the Winter Season, impassable for Wheel Carriages; and the said Roads are also, in many Places, too narrow, and the ordinary Course appointed by the Laws of this Realm not being sufficient for the effectual repairing, amending, and widening, the said Roads; 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 the Right Honourable John Earl of Egmont in the Kingdom of Ireland; the Right Honourable Frederick North, commonly called Lord North; the Right Honourable John James Perceval, commonly called Lord Viscount Perceval; the Right Honourable Henry Bilson Legge, the Right Honourable Vere Poulett, the Honourable Ann Poulett, the Honourable James Grenville, the

Trustees Names.

the Honourable Philip Tufton Perceval Esquire, the Right Honourable George Dodington, Sir Thomas Dyke Acland, Sir Thomas Hales, Sir William Pincent, Sir George Trevelyan, Sir Charles Kemys Tynte, Baronets; Benjamin Allen, Arthur Acland, William Axford, Richard Axford, Robert Proctor Anderdon, John Anderdon, Anthony Apperley, Charles Anderdon, John Apperly, Robert Balch Esquire, William Binford, Philip Baker, the Reverend Benjamin Burroughs, Robert Bryant, Samuel Baker, Morrice Burland, William Brown, Richard Barker, Joseph Barker, Barker, William Bridge, William Bawden, Nathanael Blake, Roger Blake, Thomas Bayley, Thomas Bryant, George Beak, William Browne, Coplestone Warwick Bampfylde Esquire, Francis Brice, Thomas Brice, John Brown, William Bridge, Ferdinando Board, John Bennett, the Reverend John Brice, the Reverend Nathanael Brice, the Mayor and Aldermen of Bridgewater for the time being, the Reverend John Coles, the Reverend John Coney, the Reverend Richard Crosse, the Reverend Francis Crane, Andrew Crosse Esquire, James Coles, Richard Codrington, William Came, John Cole, Richard Cridland, Hardy Catford, John Crosse, John Cornish, John Cripps, Francis Clark, John Card, William Counsell, Henry Coles, Jonas Coles, Jonas Coles the younger, James Chub, John Coles Mercer, John Cealey, William Culverwell, Thomas Colethurst, Jonathan Colmar, Colmar, George Combe, Andrew Crosse, William Chapman, Ely Cooke, William Clarke, the Reverend Richard Doidge, Thomas Darch Esquire, Caleb Dickinson, William Davis, Jeremiah Dewdney, John Dodd, Henry Durston, William Duddlestone Skinner, John Davis, George Davis, John Evered, Robert Evered, Richard Escott, John Esgar, John Evered junior, James Edwards, Thomas Fisher, John Fraunceis Esquire, Richard Gould Esquire, Henry Gould, Thomas Gould, William Gould, Esquires; Benjamin Good, Richard Gatcombe, Joseph Gatcombe, John Gibbs, John Good, William Gatcombe, Andrew Guy, Thomas Glubb, John Gooding, Thomas Graunt, Andrew Guy junior, Benjamin Good, William Gardner, Alexander Gapper, Thomas Gatcombe, Thomas Grant, John Godding, Thomas Giles, John Howe, John Harvey, John Hill, John Haviland, Charles Holcombe, John Hearne, William Harrison, Charles Hobbs, John Halliday, John Herne, John Harper, William Harris, James Higgins, the Reverend Robert Hole, James Hurde, John Jeane, William Jeffery, Robert Jeffery, Robert Jeffery Surgeon, James Jeane, Robert Jefferies, William Jefferies, Joseph Jefferies, John

James,

James, the Reverend Cornelius Jesson, Arthur Keyball, Thomas Knight, William Knight, Francis King, George Knight, Henry Knight, Henry Fownes Luttrell Esquire, the Reverend Samuel Lea, William Laroche, John Lovibond, John Mallack Esquire, Richard Marchant junior, William Moore, John Mellish, George Meaker, John Muttleburry, John Morley, the Reverend James Minifie, Thomas Nicholls, Thomas Oslet, Richard Ody, John Odey, the Reverend Richard Olive, Richard Odey, Thomas Prowse Esquire, Peregrine Palmer, Edward Moreton Pleydell, John Pyne, John Periam, Esquires; Thomas Phelps, Samuel Phelps, John Pinn, the Reverend John Podgar, Alexander Popham, John Pollard, John Pople, Thomas Parker, Jasper Porter, the Reverend John Potter, the Reverend John Podger, John Parker, Thomas Parker, Isaac Phelps, Richard Price, the Reverend John Podger, Charles Page, John Quantock, Henry Spiller Reynolds Esquire, Denis Rolle Esquire, Richard Rice, George Rodford, Joseph Ruscome, James Rood, the Reverend James Rock, Thomas Strode Esquire, Thomas Strangeways Esquire, John Sealy, the Reverend John Saldford, John Selleck, Richard Stradlin, Edward Stradlin, Thomas Smith, William Saunders, John Saunders, Edward Symes, John Sherwood, George Skuse, Thomas Slocombe junior, John Slocombe Esquire, John Stevens, the Reverend John Sanford, John Syms, Benjamin Syms, Robert Street, Thomas Stukey, John Saunders junior, Edward Smeathe, the Reverend Lancelot Saint Albyn, the Reverend Stanbury, Edward Smithfield, Thomas Stole, John Trott, Robert Tucker, the Reverend John Theed, Arthur Towells, Henry Tucker, the Reverend Richard Tuthill, Anthony Taylor M. D. John Tucker, the Reverend Nicholas Tanner, the Reverend John Thede, the Reverend , Vendernand, Isaac Wellman Esquire, Simon Wellman Esquire, John Wertlake, Francis Wellman, David Webber, James Watts, William Willes, Robert Woodhouse, Francis Warre, James Wollen, the Reverend Francis Warre, John Willis, the Reverend William York, the Reverend Charles York, the Reverend Younge, shall be, and they are hereby nominated and appointed Trustees for the surveying, viewing, widening, making, and repairing, the said several Roads herein before-mentioned, and for keeping the same in Repair, and for putting this Act, and all the Powers hereby given, in Execution; and that they the said Trustees, and the Survivors of them, and such other Person and Persons as shall, from time to time, be elected and appointed Trustees for putting this Act in Execution, in pursuance

of

of the Directions of this Act, or any Five or more of them, or such other Person or Persons as the said Trustees, or any Five or more of them, shall authorize and appoint, shall and may erect, set up, and build, or provide or cause to be erected, set up, and built and provided, a Gate or Gates, Turnpike or Turnpikes, Bar or Bars, upon, in, or across, any Part or Parts of the said Road from the South Gate of the Town of Bridgewater, through the several Parishes of North Petherton and Thurloxton, to the Place where the Turnpike Road, leading from the East Side of the Town of Taunton, ends, near the House known by the Name of The Green Dragon, in the Parish of Thurloxton aforesaid; and also a Toll-house or Toll-houses, Weighing Engine or Weighing Engines, in or upon the same; and shall demand and take the Tolls following, before any Horse, Mare, or Gelding, Ox, Mule, Ass, or other Beast, Cattle, Coach, Landau, Berlin, Chariot, Chaise, Calash, Caravan, Hearse, Waggon, Wain, Chair, Cart, Dray, Litter, or other Carriage whatsoever, shall be permitted to pass through the said Gates or Turnpikes; that is to say,

Trustees may erect Turnpikes and Toll-houses,

and take the following Tolls thereat.

The Tolls.

For every Horse, Mare, Gelding, Mule, or Ass, drawing in any Coach, Landau, Berlin, Chariot, Chaise, Calash, Chair, Hearse, Waggon, Wain, Cart, or other Carriage, the Sum of Three Pence.

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 Three Pence.

For every Ox, Steer, Gale, or Bull, drawing in any Waggon, Wain, Cart, or other Carriage, abreast or in Pairs, the Sum of Two Pence.

For every Horse, Mare, Gelding, Mule, or Ass, not drawing, One Penny.

For every Drove of Oxen, Cows, or Neat Cattle, the Sum of Ten Pence per Score; and so in Proportion for any greater or less Number.

For every Drove of Hogs, Calves, Sheep, or Lambs, the Sum of Five Pence per Score; and so in Proportion for any greater or less Number.

Trustees may erect Turnpikes, &c. at the several Places herein mentioned, and take Tolls thereat.

And shall and may erect, set up, and build or provide, or cause to be erected, set up, and built, a Gate or Gates, Turnpike or Turnpikes, Bar or Bars, upon, in, or across the Road from the East Gate of the Town of Bridgewater aforesaid, to Crandon Bridge, in the Parish of Bawdrip, in the said County of Somerset; and from thence through

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the several Parishes of Bawdrip, Cossington, Stawell, Chilton, Edington, Catcot, and Shapwick, in the said County of Somerset, to Piper's Inn, in the Parish of Ashcott, except within One hundred Yards of the said Inn, in the same County, where the Turnpike Road leading from Wells terminates, or any Part thereof, and also a Toll-house or Toll-houses, Weighing Engine or Weighing Engines, in or upon the same; and shall demand and take the same Toll and Duties as are by this Act imposed and appointed to be taken at the Gate or Gates, Turnpike or Turnpikes, Bar or Bars, to be erected and built by virtue hereof, between the South Gate of the Town of Bridgewater, and the Sign of The Green Dragon in the Parish of Thurloxton aforesaid: And shall and may also erect, set up, and build or provide, or cause to be erected, set up, and built, a Gate or Gates, Turnpike or Turnpikes, Bar or Bars, upon, in, or across any Part or Parts of the said Road leading from Crandon Bridge aforesaid, towards Bristol, through the several Parishes of Puriton, Pawlet, Huntspill, and South Brent, to the Parish of East Brent, in the said County of Somerset, and also a Toll-house or Toll-houses, Weighing Engine or Weighing Engines, in or upon the same; and shall demand and take the same Tolls and Duties as are by this Act imposed and appointed to be taken at the Gate or Gates, Turnpike or Turnpikes, to be erected and built by virtue hereof between the South Gate of the Town of Bridgewater, and the Sign of The Green Dragon, in the Parish of Thurloxton aforesaid: And shall and may also erect, set up, and build or provide, or cause to be erected, set up, and built, a Gate or Gates, Turnpike or Turnpikes, Bar or Bars, in or across the Road from the East End of the Bridge at the said Town of Bridgewater, to the Place commonly called Langport Bridge, in the Way to Weston-zoyland aforesaid, or any Part thereof, and also a Toll-house or Toll-houses, Weighing Engine or Weighing Engines, in or upon the same; and shall demand and take the same Tolls and Duties as by this Act are imposed and appointed to be taken at the Gate or Gates, Turnpike or Turnpikes, to be erected and built by virtue hereof between the South Gate of the Town of Bridgewater, and the Sign of The Green Dragon, in the Parish of Thurloxton aforesaid: And shall and may also erect, set up, and build or provide, or cause to be erected, set up, and built, a Gate or Gates, Turnpike or Turnpikes, Bar or Bar, in or across the Road from the West Gate of the said Town of Bridgewater, through the several Parishes of Bridgewater, Wembdon, Cannington, Charlinch, Spaxton, Fiddington, Over-

stowey,

Overstowey, and Netherstowey, in the said County of Somerset, to the House called The Vicarage House, at the East End of the said Town of Stowey aforesaid, or any Part or Parts thereof, and also a Toll-house or Toll-houses, Weighing Engine or Weighing Engines, in or upon the same, and shall demand and take the same Tolls and Duties as by this Act are imposed and appointed to be taken at the Gate or Gates, Turnpike or Turnpikes, to be erected and built by virtue hereof between the South Gate of the Town of Bridgewater, and the Sign of The Green Dragon, in the Parish of Thurloxton aforesaid: And shall and may also erect, set up, and build, or provide or cause to be erected, set up, and built, a Gate or Gates, Turnpike or Turnpikes, Bar or Bars, upon, in, or across, the Road from the West Gate of the Town of Bridgewater aforesaid, through the several Parishes of Bridgewater, Durleigh, Goathurst, and Enmore, to Buncombe Bottom, and from thence to the Taunton Turnpike Road, in the said County of Somerset, or any Part or Parts thereof, and also a Toll-house or Toll-houses, Weighing Engine or Weighing Engines, in or upon the same, and shall demand and take the same Tolls and Duties as are by this Act imposed and appointed to be taken at any Gate or Gates, Turnpike or Turnpikes, to be erected and built by virtue hereof between the South Gate of the Town of Bridgewater, and the Sign of The Green Dragon, in the Parish of Thurloxton aforesaid; and shall and may also erect, set up, and build, or provide or cause to be erected, set up, and built, a Gate or Gates, Turnpike or Turnpikes, Bar or Bars, in or across any Part or Parts of the said Road from a Place called The Three Crosses, in the Parish of Bridgewater aforesaid, through the several Parishes of Bridgewater, Durleigh, Cannington, Goathurst, Charlinch, Ailsholt, and Spaxton, to the House commonly known by the Name of The Crown, in Spaxton, in the said County of Somerset, or any Part of the said Roads, and also a Toll-house or Toll-houses, Weighing Engine or Weighing Engines, in or upon the same; and shall demand and take the same Tolls and Duties as are by this Act imposed and appointed to be taken at any Gate or Gates, Turnpike or Turnpikes, to be erected and built by virtue hereof between the South Gate of the Town of Bridgewater, and the Sign of The Green Dragon, in the Parish of Thurloxton aforesaid: All which said respective Sum or Sums of Money shall be demanded and taken in the Name of, or as a Toll; and the Money so to be raised and collected, shall be, and is hereby vested in the said Trustees; Tolls vested in the Trustees.

and the same and every Part thereof shall be paid, applied, disposed of, and assigned, to and for the repairing, amending, widening, and making, the several Roads hereby intended to be repaired, widened, and made, and for keeping the same in Repair, and to and for the several Uses, Intents, and Purposes, and in such Manner as is herein after mentioned and directed, the reasonable Charges expended, or to be expended in, about, or by reason of, passing this Act of Parliament being first deducted; and that it shall and may be lawful to and for the said Trustees, or any Five or more of them, or any such Person or Persons as any Five or more of them, under their Hands and Seals, shall, from time to time, nominate and appoint, to demand and take the Tolls hereby granted and made payable, and to levy the same upon any such Person or Persons who shall, after Demand thereof made, neglect or refuse to pay such Tolls as aforesaid, by Distress of any Horse or Horses, or other Cattle or Goods, upon which such Tolls are by this Act imposed, or by Distress of any other of the Goods or Chattles of any Person or Persons who ought to pay the same; and to detain and keep such Goods and Chattles so distrained, until such Tolls, with the reasonable Charges of such Distress, and of the detaining and keeping the same, shall be paid; and such Person or Persons so distraining, after the Space of Four Days after such Distress shall be taken, shall and may sell the Goods so distrained and taken, returning the Overplus (if any there be) upon Demand, to the Owner thereof, after such Tolls, and the reasonable Charges for distraining, keeping, and selling the same, shall be deducted and paid: And in case the Person or Persons, who shall (after Demand thereof made) neglect or refuse to pay such Tolls as aforesaid, shall not have any Goods or Chattles, then it shall and may be lawful for any Justice or Justices of the Peace, by Warrant under his or their Hand or Hands, Seal or Seals, to commit such Person or Persons to the House of Correction for the said County of Somerset, there to remain until such Tolls, and all Charges occasioned by such Neglect or Refusal as aforesaid, shall be paid.

Tolls may be levied by Distress and Sale.

Distress may be sold after 4 Days.

Trustees may apportion the Tolls

And be it further enacted by the Authority aforesaid, That the Produce of the Tolls and Duties arising on each of the aforesaid Roads, shall be applied by the Trustees towards making, amending, repairing, and maintaining the Road on which such Tolls and Duties shall respectively be collected, except as herein after excepted: And, in order thereto, a distinct and separate Account shall be kept of the Monies arising at the several Toll-gates

and

and Toll-bars, and Account of the several Payments of the Expences laid out thereon; and the said Trustees, or the major Part of them, at a General Meeting, being not less than Seven in Number, shall ascertain what Part of the Money which shall be borrowed on the Credit of this Act, shall be allotted for the making, amending, and repairing of each particular Road; the Tolls of which said Road shall be applied in the First Instance, to answer the Proportion of Interest due for such respective Sum allotted as aforesaid.

Where the Tolls have been unequally apportioned, they may be regulated at a general Meeting.

Provided always, That if at any future General Meeting or Meetings, it shall appear to the said Trustees, or the major Part of them, such major Part not being less than Seven, that such Apportionment was not equal, they shall have Power from time to time, to alter or vary the said Apportionment, in proportion to the Produce of each particular Road; Fourteen Days Notice being affixed in Writing at the Market-cross of Bridgewater, of the Meeting or Meetings for such Purpose.

The Tolls of such Roads as shall be sufficiently repaired, to be applied to the Repair of the other Roads.

Provided always, That after any of the Roads appointed to be repaired by this Act shall be sufficiently made, amended, and repaired, that then and from thenceforth, the said Trustees, or any Seven or more of them, assembled as aforesaid, shall, and they are hereby impowered, to apply the Tolls or Duties arising from such respective Road or Roads so made, repaired, and amended, or such Part of such Tolls and Duties, together with the Surplus of the Money to be borrowed, as they, or any Seven or more of them, shall order and direct, towards making, amending, or repairing any other Road or Roads before mentioned, by this Act directed to be made, amended, or repaired, so that the Money collected or raised upon the said several Roads by virtue of this Act, shall be, and is hereby declared to be, One General Fund for the making, amending, repairing, and maintaining, the several Roads before-mentioned directed by this Act to be made, amended, and repaired, and for the Security for, and Payment of, the Money to be borrowed upon the Credit thereof, subject to the Regulations aforesaid.

The Tolls to be deemed One General Fund, and common Security.

The Tolls and Money apportioned to the Roads here mentioned, to be applied jointly towards the Repair thereof.

Provided always, and be it further enacted and declared by the Authority aforesaid, That the Tolls to be collected at any Gate or Gates, Turnpike or Turnpikes, to be erected on any Part of the Road leading from the West Gate of the Town of Bridgewater, through the several Parishes of Bridgewater, Durleigh, Goathurst, and Enmore, to Buncombe Bottom, and from thence to the Taunton Turnpike Road in the said County of Somerset, or at any Gate or Gates, Turnpike or Turnpikes, to be

erected on any Part of the Road leading from the Place called The Three Crosses, in the Parish of Bridgewater aforesaid, through the several Parishes of Bridgewater, Durleigh, Cannington, Goathurst, Charlinch, Aitholt, and Spaxton, to the House commonly known by the Name of The Crown in Spaxton, in the said County of Somerset; and the Money appointed or allotted thereto, shall and may be applied jointly towards the repairing and amending both the said Two last-mentioned Roads, in such Proportions, and in such Manner, as the said Trustees, or any Five or more of them, at a publick Meeting assembled, shall, from time to time, order and direct; any thing in this Act contained to the contrary notwithstanding.

Trustees may erect Turnpikes and Engines at the End of any Lane leading into or out of the Roads;

And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Trustees, or any Five or more of them, or any other Person or Persons by them, or any Five or more of them, authorized and appointed for that Purpose, to erect, set up, and build, or provide, or cause to be set up, and built, or provided, One or more Gate or Gates, Turnpike or Turnpikes, Bar or Bars, Weighing Engine or Weighing Engines, Crane or Cranes, together with a Toll-house or Toll-houses, upon, in, and across, the End of any Lane or Way that doth or shall lead into or out of any of the Roads hereby intended to be made, amended, or repaired (except within One Hundred Yards of Piper's Inn aforesaid) and at such Gate or Gates, Turnpike or Turnpikes, Bar or Bars, before any Horse, Mare, or Gelding, Ox, Mule, or Ass, Cattle, Coach, Berlin, Landau, Chariot, Chaise, Chair, Calash, Waggon, Wain, Cart, Dray, or other Carriage, shall be permitted to pass through the same, to demand, take, and receive such and the same Tolls as are by this Act made payable, at the several Gates or Turnpikes hereby directed to be erected and set up, in, across, and upon the Roads hereby intended to be made, amended, or repaired, so as the same do not extend to a Double Charge, in case of passing through any other of the Turnpikes to be erected by virtue of this Act: Which said several Gates or Turnpikes, Bars, Engines, and Toll-houses, so to be erected, made, and built, as aforesaid, by virtue of this Act, and all the Rights and Properties to and of the same, and the Materials of which the same shall consist, shall be, and are hereby vested in the Trustees appointed, and to be appointed, to put this Act in Execution; and they the said Trustees, or any Five or more of them, are hereby authorized and impowered to sell and dispose

excepting near *Piper's Inn.*

Property thereof vested in the Trustees.

pose thereof, if they shall think proper; and also to bring or cause any Action or Actions to be brought, in the Name or Names of any One or more of the said Trustees, or their Treasurer or Clerk; or to prefer and order, or direct the preferring Indictments against any Person or Persons who shall dig, break up, or pull down, steal, take, carry away, spoil, injure, or destroy, any Gate or Gates, Turnpike or Turnpikes, Bar or Bars, Toll-house or Toll-houses, Engine or Engines, which shall, by virtue of this Act, be erected or built upon, in, across, or on the Sides of the said Roads or Ways, or any or either of them, or any Part thereof, or any of the Materials of which the same shall be made, built, or consist.

Qualification of Trustees.

Provided always, and be it further enacted by the Authority aforesaid, That no Person shall be qualified or capable of voting, acting, or interfering, as a Trustee, in any Case, in the Execution of this Act, except as to the Administration of the following Oath, in the First Instance (which any Two or more of the Trustees are hereby impowered to administer) unless he shall be in his own Right, or in the Right of his Wife, in the actual Possession or Enjoyment, or Receipt, of the Rents and Profits of Lands, Tenements, or Hereditaments, being Freehold, of the clear yearly Value of One hundred Pounds, over and above Reprizes; or shall be Heir Apparent to some Person or Persons having an Estate, being Freehold, of the yearly Value of Two hundred Pounds; or possessed of, and intitled to, a Personal Estate alone, or Real and Personal Estate together, to the Amount or Value of Three thousand Pounds; and until such Person, not being an Heir Apparent as aforesaid, shall have taken and subscribed an Oath in the Words, or to the Effect following, as the Case shall be; that is to say,

Trustees to take the following Oath before they act.

I *A. B.* do swear, That I, truly and *bona fide*, am in my own Right, or in the Right of my Wife, in the actual Possession and Enjoyment, or Receipt of the Rents and Profits of Lands, Tenements, or Hereditaments, being Freehold, of the clear yearly Value of One hundred Pounds, above Reprizes; or possessed of, or intitled to, a Personal Estate alone, or Real and Personal Estate together, to the Amount or Value of Three thousand Pounds.

The Oath.

So help me GOD.

And if any Person or Persons, who shall be deemed unqualified, or made incapable to act, for the Causes aforesaid, shall nevertheless presume to act or interfere, contrary

Penalty on Persons acting, if not qualified.

to the true Intent and Meaning of this Act, every such Person and Persons shall, for every such Offence or Offences, forfeit and pay the Sum of One hundred Pounds to any Person or Persons who shall inform or sue for the same, to be recovered in any of his Majesty's Courts of Record at Westminster, by Action of Debt, or on the Case, Bill, Suit, or Information, wherein no Essoin, Protection, or Wager of Law, or more than One Imparlance, shall be allowed.

Application of the Tolls.

And be it further enacted by the Authority aforesaid, That all such Tolls as shall be collected and received at any Turnpike or Turnpikes, Bar or Bars, to be erected on the said Roads hereby directed to be made, amended, or repaired, and the Money borrowed upon the Credit of such Tolls, shall be first applied for and towards paying and discharging the Charges and Expences of procuring and passing of this Act of Parliament; and that from and after such Charges and Expences shall be fully satisfied and paid, as aforesaid, then, and from thenceforth, the Money arising by the Tolls to be collected at such Turnpike or Turnpikes as shall be erected and set up on, or on the Sides of, the said Roads, and the Money borrowed upon the Credit thereof, shall be paid, applied, and disposed of, for and towards making, amending, or repairing, and keeping the said Roads in Repair, and to and for the other Purposes hereby directed and declared in relation thereto, and to no other Use or Purpose whatsoever.

Penalty on Persons permitting, or going through, private Passage,

And be it further enacted by the Authority aforesaid, That if any Person or Persons shall, with any Horse, Mare, Gelding, Ox, Mule, Ass, Cattle, Coach, Berlin, Landau, Chariot, Chaise, Chair, Calash, Waggon, Wain, Cart, Dray, or other Carriage, go or pass through any Ground, Parcel of Land, or other Place, adjoining to or lying near any of the Gates or Turnpikes to be by virtue of this Act erected or set up, the same not being a Common Road; or if any Owner or Occupier of any Ground, Land, or Hereditaments, which shall adjoin or lie near to any of the said Gates or Turnpikes, shall knowingly or willingly permit or suffer any Person or Persons with any Horse, Mare, Gelding, Ox, Mule, Ass, Cattle, Coach, Berlin, Landau, Chariot, Chaise, Chair, Calash, Waggon, Wain, Cart, Dray, or other Carriage, to go or pass through the same Ground, Land, or Hereditaments; or if any Person or Persons shall give to, or

or giving or receiving Tickets,

receive of, any other Person or Persons, except the Person or Persons appointed to collect and receive the Tolls hereby made payable, any Note or Ticket of the Day by

this Act directed to be given by the Collectors or Receivers of the said Tolls, whereby, or by Means whereof, the Payment of any of the said Tolls shall be evaded or lessened; or if any Person or Persons shall take off, or cause to be taken off, any Horse, or other Cattle, from any Coach, Chariot, Berlin, Landau, Chaise, Calash, Chair, Waggon, Wain, or any other Carriage, with an Intent to avoid paying any of the said Tolls, or shall leave, or cause to be left, upon or near to any of the said Roads, any Coach, Berlin, Landau, Chariot, Chaise, Calash, Chair, Waggon, Wain, or other Carriage, Horse, or any other Cattle, with such Intent as aforesaid, every Person so offending, and being thereof convicted, upon the Oath of One or more Witness or Witnesses, before the said Trustees, or any Five or more of them (which Oath such Trustees, or any Five or more of them, are hereby impowered to administer without Fee or Reward) or before any One or more Justice or Justices of the Peace of and for the County or Place where the said Offence or Offences shall be committed; and which Oath such Justice or Justices is and are hereby impowered also to administer without Fee or Reward; shall, for every such Offence, forfeit and pay the Sum of Forty Shillings; One Moiety whereof shall be paid to the Informer or Informers of such Offence or Offences respectively, to and for his and their own Use or Uses, and the other Moiety shall go and be paid and applied towards amending the said Roads.

or taking off Horses, &c. to avoid Payment of the Tolls.

Provided always, and it is hereby further enacted and declared by the Authority aforesaid, That if any Person or Persons shall pay the respective Tolls by this Act granted and made payable, for the passing of any Horse, Mare, Gelding, Ox, Mule, Ass, Beast, Cattle, Coach, Berlin, Landau, Chariot, Chaise, Chair, Calash, Waggon, Wain, Cart, Dray, or other Carriage, at any of the Gates or Turnpikes which shall, by virtue of this Act, be erected and set up, upon producing a Note or Ticket of the Day, denoting such Payment, he or they shall be permitted to pass, return, and repass, with the same Horse, Mare, Gelding, Mule, or Ass, Beast, or other Cattle, at any Time during that Day, to be computed and reckoned from Twelve of the Clock in one Night, to Twelve of the Clock in the next Night, through the Gate or Turnpike at which such Payment was so made; which said Notes or Tickets the Collectors or Receivers of the said Tolls at the several Gates or Turnpikes to be erected or set up by virtue of this Act, are hereby directed to give gratis.

Tolls to be paid but Once a Day.

Provided also, and it is hereby further enacted by the Authority aforesaid, That no Person or Persons shall be

Persons and Things exempted from Tolls.

charged with, or compellable to pay, any of the Tolls made payable by this Act, for the going, passing, returning, or repassing, of any Waggon, Wain, Cart, Dray, or other Carriage whatsoever, or with any Horse, Mare, Gelding, Ox, Mule, Ass, or other Beast, drawing or not drawing the same, which shall be used or employed in the Carriage of any Stone, Gravel, or other Materials, for the repairing of the Roads aforesaid, or any of the Roads within the several Parishes or Townships in which the same do lie; or in the Carriage of any Lime, Dung, Mould, Soil, or Compost of any Kind, for the manuring of any Garden, or other Land or Ground, or that shall be used or employed in the plowing, sowing, tilling, or cultivating of any Land or Ground, or in the Carriage of any Hay, Straw, or Corn in the Straw, not sold or disposed of; or for the going, passing, returning, or repassing of any Plough, Harrow, Dray, or other Implement of Husbandry, or of any Horse or other Beast drawing the same, in order for the repairing thereof, or using them in Husbandry, or any thing whatsoever that shall be used or employed in Husbandry, or manuring of Land; or for the going, passing, returning, or repassing of any Horse, Beast, or Cattle, to or from Water or Pasture, for the Purpose of watering or grazing only, and not going for, or coming from, Sale, except as herein after excepted; or for the going, passing, returning, or repassing of any Post-horse or Horses carrying or drawing any Mail or publick Packet, or of any Horse or other Beast that is or shall be used only to ride on by the Owner or Driver of any Waggon or other Carriage, the same going and travelling along with such Waggon or Carriage; or for the going, passing, returning, or repassing of the Horses of any Officers or Soldiers on their March, or of any Waggon or other Carriage, or of any Horse or other Beast drawing the same, employed in the Carriage of the Arms or Baggage of such Officers or Soldiers, or of any Waggon or other Carriage, or of any Horse or other Beast drawing or not drawing the same, which shall be used or employed in the passing of Vagrants travelling with legal Passes.

Watering and Pasturage Tolls not to be evaded by pretending to be going to or coming from Water or Pasture.

And, to prevent the evading of the Tolls, under pretence of Horses or Cattle going to, or returning from, Water or Pasture, be it further enacted by the Authority aforesaid, That no Horse, Mare, Gelding, or Cattle, shall be exempted from paying the respective Tolls by this Act granted and made payable, which shall be going to or from Water beyond the Distance of Two Miles, or to or from Pasture beyond the Distance of Three Miles, from the

the first Turnpike Gate through which such Horse, Mare, Gelding, or Cattle, shall pass; and that in case of any Horse, Mare, Gelding, or Cattle, going to, or coming from, such Water or Pasture, the Person or Persons going through any of the said Gates or Turnpikes with or for the same, shall pay the usual Tolls at the said Gates or Turnpikes, and receive from the Collector there a particular Ticket, which shall be called a Water or Pasture Ticket, with the particular Hour of the Day when such Person or Persons went through the said Gate, with or for such Horse, Mare, Gelding, or other Cattle; which Ticket the respective Collectors are hereby required to give gratis, on Receipt of the Toll; and on such Person or Persons returning to the said Gate with the said Horse, Mare, Gelding, or other Cattle, if from Water, within Two Hours, or if from Pasture, on the same Day, and within a reasonable Time after he or they shall have so first gone through the same, such Person or Persons shall receive the Money so paid as Toll back again; and that no Horse, Mare, Gelding, or other Cattle, shall be exempt from paying the respective Toll or Tolls on account of going to Water or Pasture, unless under these Circumstances; and in case any Frauds shall be committed, or Disputes shall arise, concerning the same, such Disputes shall be determined by the Trustees, from time to time, at their respective Meetings; whose Determinations thereupon respectively shall be final; any thing in this Act to the contrary notwithstanding: And that all and every Person and Persons who shall at any Time evade the Payment of any of the Tolls granted by this Act, under Pretence of going to Water or Pasture, and shall be convicted thereof before the said Trustees, or any Five or more of them, or before any One Justice of the Peace for the said County, by Confession of the Party, or by the Oath of One or more credible Witness or Witnesses (which Oath the said Trustees, or any Five or more of them, or such Justice, are and is respectively impowered to administer) such Person or Persons shall, for every such Offence, forfeit the Sum of Twenty Shillings, to be recovered, levied, and applied, in Manner herein after mentioned.

Toll to be returned on redelivering the said Tickets.

Disputes relating to Frauds to be determined by the Trustees.

Penalty on Conviction of evading the Tolls.

Provided also, and be it further enacted by the Authority aforesaid, That no Person or Persons shall be chargeable with, or compellable to pay, any of the Tolls by this Act made payable, who shall be going to, or returning from, any Election of a Knight or Knights of the Shire to serve in Parliament for the County of Somerset, or going to, or returning from, the Election of a Burgess or

No Toll on Election Days.

Burgesses to serve in Parliament for the Town of Bridgewater.

Time and Place of Trustees Meeting.

And be it further enacted by the Authority aforesaid, That the said Trustees, or any Five or more of them, shall meet at the Town Hall in Bridgewater aforesaid, upon the Day Three Weeks after the passing of this Act; and shall then and there, and at any other Meeting or Meetings which shall be by them, or any Five or more of them, afterwards held, adjourn themselves to and appoint any other Time or Times for any subsequent Meeting or Meetings, as they the said Trustees, or any Five or more of them, at any of their Meetings, shall direct or appoint.

All Meetings of Trustees to be at the Town Hall of *Bridgewater*.

Provided always, That all the Meetings of the Trustees appointed by or in pursuance of this Act, shall be held at the Town Hall within the Town of Bridgewater, and at no other Place.

Trustees may appoint Officers;

And be it further enacted by the Authority aforesaid, That the said Trustees, or any Seven or more of them, at any of their Meetings to be had as aforesaid, may, and they are hereby authorized and impowered, from time to time, to elect and appoint fit and proper Persons to be Collectors and Receivers of the Tolls by this Act made payable, at the several Gates and Turnpikes to be erected and set up by virtue of this Act; and One or more proper Person or Persons to be Clerk or Clerks, Treasurer or Treasurers, Surveyor or Surveyors of the Roads, or Parts of the Roads, hereby intended to be repaired, widened, or made, and such other Officer or Officers, as they the said Trustees, or any Seven or more of them, shall think necessary or convenient, Ten Days Notice being given by the Order of the Trustees, or any Five or more of them, for that Purpose, as herein after mentioned; and such Collectors, Receivers, Clerks, Treasurers, Surveyors, and other Officers, or any or either of them, from time to time, to remove or displace, and to elect and appoint others in the Rooms or Places of such of them as shall be so removed, or shall die; Notice thereof being first given, and fixed on the several Gates or Turnpikes to be erected by virtue of this Act, signifying the Time of such Meeting, at least Ten Days before such Election;

and remove them, and appoint others.

Trustees to allow Officers Salaries.

and may, and they are hereby authorized and impowered, by and out of the Monies which shall arise by and from the several Tolls aforesaid, to contract for, allow, and pay to the several Collectors, Receivers, Clerks, Surveyors, and other Officers, who shall be appointed respectively as aforesaid, and to such other Person and Persons as shall be assisting to them, or any or either of them, in or about the repairing, widening, or making the said Roads, or any

Part thereof, such Salaries, Rewards, and Allowances, for their Attendances, Care, and Services, in those Respects, as to them the said Trustees, or any Seven or more of them, shall seem reasonable and convenient.

Victuallers, &c. not to have a Place of Profit.

Provided always, That every Person keeping a common Ale-house or Tipling-house, shall be incapable to act as a Collector of the said Tolls and Duties hereby granted, during such Time as he, she, or they shall keep such common Ale-house or Tipling-house.

Proviso.

Provided also, That every Person having a Vote for a Member or Members to serve in Parliament for the Borough of Bridgewater, shall be incapable to act as a Collector of the said Tolls and Duties hereby granted.

Officers to account upon Oath.

And be it further enacted by the Authority aforesaid, That all and every the Collectors and Receivers of the Tolls made payable by this Act, and all and every the Clerks, Treasurers, Surveyors, and other Officers, who shall be appointed as aforesaid, and all and every other Person and Persons whomsoever, who shall have or receive any of the Monies which shall be raised, collected, or received, by virtue of this Act, shall, as often as he or they shall be thereunto required by the said Trustees, or any Five or more of them, produce, render, and give up, to them the said Trustees, or any Five or more of them, a full, true, and fair Account in Writing, of all the Monies which shall have been by them respectively had, collected, or received, and how, to whom, and for what, such Monies, and every Part thereof, hath or shall have been paid, disposed of, or applied, together with proper Receipts and Vouchers for such Payments; and shall, and are hereby respectively required, to pay all such Monies as shall upon the Balance of such Accounts, shall appear to be in their respective Hands, to the said Trustees, or any Five or more of them, or to such Person or Persons, and for such Uses and Purposes, as they, or any Five or more of them, shall direct or appoint; and that all and every the said Officers and Persons, so accounting, or to account as aforesaid, shall, if required upon their several Oaths (which Oaths the said Trustees, or any Five or more of them, are hereby authorized and impowered to administer to such Officers and Persons respectively) verify their said Accounts, and the particular Items and Articles thereof, and the several Receipts and Payments which shall be therein contained: And if any or either of the Officers or Persons so accounting, or to account as aforesaid, being required so to do, shall refuse or neglect to render or give up such Account or Accounts as

Officers refusing to account;

as aforesaid, or to produce and deliver up to the said Trustees, or any Five or more of them, the Receipts and Vouchers relating to the same, or to verify the Items and Articles thereof upon his or their Oath or Oaths, or shall refuse or neglect to pay such Money as upon the Balance of any Account or Accounts shall appear to be in their respective Hands, to the said Trustees, or any Five or more of them, or as they shall direct or appoint, then, and in either of the Cases aforesaid, the said Trustees, or any Five or more of them, may, and are hereby authorized and impowered to bring, or cause any Action or Actions to be brought, in the Names of the said Trustees, or in the Name or Names of any Two or more of them, against the Officer or Officers, Person or Persons, so refusing or neglecting as aforesaid, in order for the Recovery of the Monies that shall be in the Hands of such Officer or Officers, Person or Persons, respectively; or if Complaint shall be made of any such Refusal or Neglect, as aforesaid, to any Two Justices of the Peace of the County where the Officer or Officers, Persons or Persons, so neglecting or refusing shall live or reside, such Justices may, and are hereby authorized and required, by a Warrant or Warrants under their Hands and Seals, to cause the Officer or Officers, Person or Persons, so refusing or neglecting to be brought before them, and, upon his or their appearing, or Oath being made of his or their not being to be found, to hear and determine the Matters of such Complaint in a summary Way, and to settle the said Account or Accounts, if produced, in such Manner as the said Trustees, or any Five or more of them, by virtue of this Act might have done; and if, upon Confession of the Officer or Officers, Person or Persons, against whom such Complaint or Complaints shall be made, or by the Oath or Oaths of One or more Witness or Witnesses, which said Oath or Oaths such Justices are hereby impowered to administer, it shall appear to such Justices that any of the Monies which shall have been collected, raised, or received, by virtue of this Act, shall be in the Hands of such Officer or Officers, Person or Persons, such Justices may, and are hereby authorized and required, upon Non-payment thereof, by a Warrant or Warrants under their Hands and Seals, to cause such Money to be levied by Distress and Sale of the Goods of such Officer or Officers, Person or Persons, respectively; and, if no Goods or Chattles of such Officer or Officers, Person or Persons, can be found sufficient

Justices to enquire into the Default, &c.

cient to answer and satisfy the said Money, and the Charges of levying and raising the same; or if such Officer or Officers, Person or Persons, shall not appear before the said Justices at the Time and Place by them appointed for that Purpose, upon Notice thereof in Writing being delivered to such Officer or Officers, Person or Persons, or left at their last Place or Places of Abode respectively; or, if appearing shall refuse or neglect to give or deliver to the said Justices, such Account or Accounts of their Receipts and Payments as aforesaid, or to verify the Truth of such Account or Accounts, and of the Items and Articles thereof, upon Oath as aforesaid, or to produce or deliver up to the said Justices the several Receipts and Vouchers relating to such Accounts respectively, and to the Items and Articles thereof, then, and in either of the Cases aforesaid, the said Justices may, and are hereby authorized and required, by a Warrant or Warrants under their Hands and Seals, to cause such Officer or Officers, Person or Persons, to be committed to the Common Goal of the County where such Officer or Officers, Person or Persons, shall live or reside, there to remain without Bail or Mainprize, until he or they shall have delivered in and settled his or their respective Accounts, and verified the Items thereof, on Oath, as aforesaid, and shall have produced and delivered up the Receipts and Vouchers relating to such Accounts respectively, and shall have paid all the Money which shall appear to be in their respective Hands, and the reasonable Charges of such Distresses and Sales, as shall in those respects have been made, or shall have compounded with the said Trustees, or any Five or more of them, for the same, and paid the Money which shall be thereby to them stipulated to be paid; which said Compositions and Money the said Trustees, or any Five or more of them, are hereby authorized and impowered to make and receive.

and may commit the Offender to Gaol,

or until he shall deliver up his Accounts,

or compound for the same.

And be it further enacted by the Authority aforesaid, That the Justices of the Peace for the Borough and Parish of Bridgewater for the time being, are hereby authorized and impowered to grant Warrants, and to do all and every other Matter and Thing for putting in Execution this Act, for repairing so much of the said Roads as lie within the said Borough and Parish, or the Liberties and Precincts of the same, in the same Manner, and as fully and effectually, as any of the Justices of the Peace for the County of Somerset, are hereby authorized and impowered to do.

Justices of *Bridgewater* impowered to grant Warrants for Repair of the Roads thereof.

And be it further enacted by the Authority aforesaid, That the Trustees appointed or to be appointed by this

Surveyors may dig Gravel, &c. in Waste Grounds,

Act, or any Five or more of them, the Surveyor or Surveyors which shall be by them appointed and impowered by virtue of this Act, or any or either of them, or any other Person or Persons who shall by them the said Trustees, or by the said Surveyor or Surveyors, or either of them, be employed or appointed for that Purpose, may, and is and are hereby authorized and impowered to cut, dig, gather, take, and carry away, or cause to be cut, digged, gathered, taken, and carried away, any Furze, Heath, Gravel, Stones, Sand, or other Materials, proper for the repairing of Roads, in and upon, out of, or from, any Waste or Common Ground or Grounds, in any Parish, Town, or Place in, adjoining to, or lying near the several Roads by this Act intended to be repaired, or in any neighbouring Parish, Town, or Place, to be used, disposed of, and applied, in repairing the same Roads, without paying any thing for the same; and if Quantities of Furze, Heath, Stones, Gravel, Sand, or other Materials, proper and sufficient for that Purpose, cannot be had or found in or upon such Waste or Common Ground or Grounds, then, and in such Cases, to dig, gather, take, and carry away, or cause to be cut, digged, gathered, taken, and carried away, any Quantity or Quantities of Furze, Heath, Stones, Gravel, Sand, or other Materials, proper and sufficient for that Purpose, in, upon, or out of, and from the Lands, Fields, or Grounds, of any Person or Persons, where the same may be had or found, to be used, disposed of, and applied in or towards repairing the said Roads; such Lands, Fields, and Grounds, or either of them, not being a Yard, Garden, Orchard, Park, Paddock, Wood, Coppice, Nursery, or Ground already planted with any Walk or Walks of Trees, or Avenue to any House; and they the said Surveyors, or other Person or Persons by them appointed or employed as aforesaid, or some or One of them, having an Order from the said Trustees, or any Five or more of them, for so doing, and paying, or offering to pay, to the respective Owners or Occupiers of such Lands, Fields, or Grounds, such Damages for the cutting, digging, gathering, taking, and carrying away, the said Furze, Heath, Stones, Gravel, Sand, and Materials, and for carrying the same over their Grounds, as the said Trustees, or any Five or more of them, shall adjudge or think reasonable; and they the said Trustees or Surveyors filling up the Pits, and levelling the Ground, from which such Materials shall be so taken, or causing the same to be done; and in case of any Difference between the said Trustees, Surveyors, or Person or Persons by them appointed

without paying for the same;

and where sufficient Materials are not to be there had, they may be taken from private Grounds;

making Satisfaction to the Owners.

Justices to determine Differences.

pointed or employed as aforesaid, and the said Owners or Occupiers, or any or either of them, concerning the said Damages, the Justices of the Peace of the County or Place where the said Furze, Heath, Stones, Gravel, Sand, or Materials, shall be cut, digged, gathered, taken, and carried away, at their General Quarter Sessions of the Peace to be held in and for the same County and Place next after such Differences shall arise, and on Six Days Notice thereof to be given by the said Surveyor or Surveyors to the said Owner or Owners, Occupier or Occupiers, or by them the said Owner or Owners, Occupier or Occupiers, to the said Surveyor or Surveyors, or to be left at their respective Place of Abode, with some One of their respective Families, shall hear, settle, and determine the Matters of the said Damages, whose Judgement or Order therein shall be final and conclusive to all Parties.

Surveyors may remove Annoyances,

And be it further enacted by the Authority aforesaid, That the said Trustees, or any Five or more of them, or the Surveyor or Surveyors to be by them, or any Five or more of them, appointed as aforesaid, or any other Person or Persons by them, or either of them, appointed or employed, may, and is and are hereby authorized and impowered (they, or any of them, having a Warrant or Order from and under the Hands of the said Trustees, or any Five or more of them, for those Purposes respectively) to remove, or cause to be removed, all Annoyances and Inconveniences by Filth, Dung, Ashes, Rubbish, or otherwise, and all Nuisances, Bars, or Obstructions, which are or shall be in or upon any Part or Parts of the said Roads hereby intended to be made, amended, or repaired; and to turn any Watercourses, Sinks, or Drains, laid open, or running into, or along any Part of the said Roads, or otherwise, to the Prejudice thereof; and to make, or cause to be made, any Causeway or Causeways in or along the Side or Sides of any Part or Parts of the said Roads, or any of them; and shall and may make, erect, or build, or cause to be made, erected, or built, any Bridges or Arches of Stone, Brick, or Timber, upon, in, or across the same Roads, or any of them, or any Part thereof; and to open, scour, or cleanse, dig, or cut, or cause to be opened, scoured, or cleansed, digged, or cut, any Watercourses, Ditches, or Drains, in, through, or across, any Ground or Grounds, Lands, or Places, adjoining or lying contiguous to the same Roads, or any of them, or any Part or Parts thereof, and to make the same as deep and as large as he or they shall think necessary, and to cut down, lop or top,

turn Watercourses,

erect Bridges,

cleanse Ditches, &c.

and cut down Bushes, &c.

top, any Trees or Bushes growing on the said Roads, or in the Hedges or Banks on the Sides of the said Roads, or any Tree or Trees, or Bushes, growing within such Distance, as to incommode or prejudice such Roads, and to carry away the same, in case the Owners or Occupiers of the Premisses respectively, neglect to remove such Annoyances, for the Space of Six Days next after Notice in Writing given for that Purpose under the Hand of the Surveyor or Surveyors, or of the said Trustees, or any Five or more of them; the Charges whereof shall be reimbursed to the said Surveyor or Surveyors by such Owners or Occupiers so neglecting to cut down such Trees or Bushes, or to remove such other Annoyances, as aforesaid; but such Trees, Wood, and Timber, shall remain the Property of the Owner.

the Owners neglecting to remove the same after Notice.

Surveyors to be reimbursed the Charges.

And whereas some Parts of the said Roads in this present Act mentioned are so very narrow, that, during the Time of amending the same Roads, there will not be Room sufficient for the passing of the Coaches, Waggons, and Carriages, that shall be then drove through the same, without hindering and disturbing the Workmen who shall be there employed, and prejudicing the Work before it is perfected and completed; be it therefore further enacted by the Authority aforesaid, That the said Trustees appointed or to be appointed, or any Seven or more of them, shall have Power to make a temporary Road whenever and wherever the same may be necessary, so that the said Power do not extend to pull down any House, or take away the Ground of any Garden, Orchard, Court, or Yard, or of any Avenue to any House, already planted, without the Consent of the Owner; making such reasonable Satisfaction to the Owners or Occupiers, or others interested in the Ground so taken in for that Purpose herein last mentioned, or in any Rent or Charge thereon, as the Trustees appointed by this Act, or any Seven or more of them, shall respectively judge reasonable for the Use only of such Lands or Grounds, during the Term aforesaid; and in case of any Difference concerning such Satisfaction or Recompence for Damages between such Owners, Occupiers, or Persons interested, and the Trustees, the Justices of the Peace, at the next General Quarter Sessions of the Peace for the County of Somerset, shall and may adjudge, order, and finally determine the same.

Trustees may make a temporary Road;

making Satisfaction to the Owners of the Grounds.

Justices to determine Differences.

And be it further enacted by the Authority aforesaid, That in case the said Trustees appointed or to be appointed to put this Act in Execution, or any Seven or more of them, shall, at any Time or Times hereafter, during the Continuance of this Act, think proper to extend, enlarge, widen,

Trustees may contract for the Purchase of Lands to be taken into the Roads.

widen, divert, or turn, any of the said Road or Roads, or to make, exchange, or substitute, in lieu thereof, any new Road or Roads contiguous or adjacent to the said Roads, or any Part or Parts of the Roads hereby directed to be made, amended, or repaired, or any of them, for the better Accommodation of Coaches, Carriages, and Passengers, that then it shall and may be lawful for the said Trustees, or any Seven or more of them, and they are hereby authorized and impowered to extend, enlarge, widen, divert, or turn, any of the said Road or Roads, or to make, exchange, or substitute, in lieu thereof, any new Road or Roads contiguous or adjacent to the said Roads, or any Part or Parts of the Roads hereby directed to be made, amended, or repaired, or any of them as aforesaid, and to contract with any Person or Persons whatsoever, or Bodies Politick or Corporate, having any Interest in, or the Owner or Owners of the Lands lying on either Side of the Road or Roads to be made, extended, enlarged, or widened, diverted, turned, or exchanged, or through which any new Road or Roads, made contiguous or adjacent to any Part or Parts of the Roads hereby directed to be repaired or made, shall lead, for the absolute Purchase or Exchange of so much and such Part or Parts of such Lands as they the said Trustees, or any Seven or more of them, shall think proper and necessary for the extending, enlarging, widening, making, diverting, turning, or exchanging, any Road or Roads, or any Part or Parts thereof, as aforesaid; and if the said Trustees and Person or Persons, Bodies Politick or Corporate, Owner or Owners, cannot agree as to the Price or Prices, or Values of the Lands so intended to be purchased or exchanged, then, and in such Case, the said Trustees, or any Five or more of them, may, and are hereby authorized and impowered, Six Days at the least before any General Quarter Sessions of the Peace to be holden for the County where such Lands shall lie, to give, or cause to be given, to such Owner or Owners, and other Persons interested in such Lands, or to be left at their last Places of Abode respectively, with some one of the of their respective Families, a Notice in Writing, denoting and describing the respective Quantities of Lands so intended to be purchased or exchanged and laid into the said Roads, and the Places where the same shall lie, and purporting that the Value and Values of such Lands respectively will be adjusted and settled by a Jury at the said Sessions; and the Justices at their said Sessions, upon Proof to them then and there made of such Notice or Notices having been given, shall, and are hereby autho-

Where Persons refuse or neglect to treat, &c. for the Sale of such Lands;

Jury to be impanelled and sworn.

rized and required to charge the Jury which shall attend at such Sessions, or some other Jury of Twelve honest and substantial Men, to be then and there impanelled and returned by the Sheriff of the County, without Fee or Reward, and cause them to be sworn well and truly, on their Oaths, to assess the Value of the Lands comprized in the said Notices, and the Recompence to be given for the same to the respective Person or Persons, Bodies Politick or Corporate, having any Interest therein, or to the Owner or Owners thereof, according to their respective Interest therein, which Oath the said Justices are hereby impowered and required to administer to the said Juries, and to which said Juries the said Trustees, and all Parties interested in the said Lands, shall have their lawful Challenges; and the said Jury being so charged and sworn as aforesaid, and after proper Evidence or Oath to them given, concerning the Nature and Quantity, and Value, of the said Lands, shall, by their Verdict, appoint or assess the Recompence to be given for the said Lands to the respective Person or Persons, Bodies Politick or Corporate, or Owner or Owners thereof, according to their respective Interests therein; which Verdict of the said Jury, and the Judgement of the said Justices upon the same, shall finally bind and be conclusive to the said Trustees, and all Persons and Parties interested in the said Lands; and that from and after such Verdict and Judgement, and after Payment or Tender of the Recompence therein and thereby found or directed to be given for the said Lands to the respective Person or Persons, Bodies Politick or Corporate, or Owner or Owners thereof, or after the Execution of any Conveyance of the said Lands to the said Trustees, or any Five or more of them, by the respective Person or Parties, or Owner or Owners thereof as aforesaid, and Payment or Tender of the Recompence or Money thereby stipulated to be paid for the same, and which Money or Recompence the said Trustees, or any Five or more of them, are hereby impowered to make, by Exchange, or to pay out of the Monies which shall be borrowed, raised, and collected, by virtue of this Act, the said Lands, and every Part thereof, and the Fee-simple and Inheritance thereof, and every Part thereof, shall be vested in the said Trustees, and their Successors, without any Fine or Recovery, notwithstanding the same shall or may be limited or settled to, for, or upon, any Use, Trust, or Limitation, in Tail, Remainder, or otherwise, and notwithstanding any Bodies Politick, Corporate, or other Interest therein; and that then and from thenceforth the said Trustees, or any Five

Verdict of the Jury to be binding and conclusive.

Money allowed for Lands, &c. how to be charged and tendered.

or

or more of them, or any Person or Persons by them for that Purpose impowered or employed, may, and is and are hereby authorized and impowered to take and lay the said Lands, and every Part thereof, into the said Road or Roads, and then, and from thenceforth for ever afterwards, the same Lands, and every Part thereof, shall be deemed, taken, and used, and the same are and is hereby made and declared to be a Part or Parts of such Road or Roads, and shall for ever thereafter be repaired and kept in Repair as Part of such Roads respectively; any Right, Title, Interest, Law, Custom, or Usage, to the contrary thereof in any wise notwithstanding.

Buildings, &c. not to be damaged.

Provided always, and be it further enacted, That in altering, widening, or making any new Road or Roads contiguous to the old Roads, or any of them, or any Part thereof, nothing shall be done which shall or may in any wise injure or damage any House or Building, or any Yard, Garden, Orchard, Plantation, or Nursery of Trees, or any Walk of Trees, already planted, or Avenue to any House, without the Consent of the Owner or Owners thereof.

Roads near *Bridgewater* to be first repaired.

And whereas it is necessary that the said Trustees should begin to repair the said Roads from some certain Place, and from thence to carry the said Repairs on regularly, as far as the Produce of the said Tolls will admit, be it enacted by the Authority aforesaid, That the said Trustees shall in the First Place begin to repair the Roads from the respective Places in or near the Town of Bridgewater, where mentioned in this Act to begin, and from thence shall regularly carry on such Repairs as far as the Produce of the said Tolls will admit, and agreeable to the other Provisions of this Act.

Trustees may borrow Money on the Credit of the Tolls.

And, for the more speedy repairing, widening, and making the Roads aforesaid, be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Trustees, or any Seven or more of them, from time to time, upon the Credit of the Tolls hereby made payable, to borrow and take up at Interest any Sum or Sums of Money as they, or any Seven or more of them, shall think needful; and may, and are hereby authorized and impowered, to assign over the said Tolls to any Person or Persons for any Term or Number of Years, not exceeding the Term for which this Act is to continue, as a Security or Securities for the said Sum or Sums that shall be so respectively borrowed and taken up; which said Sum or Sums, the Charges of procuring and passing this Act, in the Manner aforesaid, being thereout first paid, shall be laid out and applied in and for the

making, repairing, widening, turning, altering, and widening, the said Roads, in such Manner as the said Tolls are hereby directed to be disposed of, applied, and laid out, and to and for no other Use or Purpose whatsoever.

Assignments may be transferred.

And be it further enacted by the Authority aforesaid, That all and every Person and Persons to whom any Assignment or Assignments of the Tolls by this Act made payable shall be made by the said Trustees, or any Seven or more of them, as a Security or Securities for any Sum or Sums of Money by him, her, or them lent on the Credit of the said Tolls, and his, her, or their Assignee or Assignees, may, and are hereby impowered, from time to time, to transfer or assign over such Security or Securities, and all the Monies that shall be due thereon, to any other Person or Persons.

Method prescribed for borrowing and securing Money.

Provided always, and it is hereby enacted by the Authority aforesaid, That the said Trustees, or any Seven or more of them, at their First or other Meeting or Meetings, shall and may, if they think fit, pursue the Method herein after prescribed for borrowing and securing Monies on the Credit of the said Tolls; that is to say, That the said Trustees, or any Seven or more of them, at such Meeting or Meetings, shall and may resolve on and declare what gross Sum of Money they shall think requisite to be borrowed on the Security of the said Tolls, and what Part of such Sum shall be forthwith raised and paid, in and into whose Hands, and what Rate of Interest, not exceeding legal Interest, shall be allowed for the same; and also in what Manner the Money to be forthwith raised, or any Part thereof, shall be applied; which Resolutions and Declarations shall at the same Meeting or Meetings be entered by the Clerk of the said Trustees, in a Book to be provided for that Purpose; and shall at the same Meeting be signed by the said Trustees, or such Seven or more of them, concurring in such Resolutions and Declarations; and the said Person or Persons to whom such Part of the said gross Sum shall be appointed to be paid as aforesaid, may, and are hereby authorized to receive the same Money from such Person or Persons as shall be willing to advance the same; and, upon Receipt thereof, to execute respective Deeds Poll unto the Person or Persons so advancing such Money, to the Amount of the Sums by them respectively advanced; which said Deeds Poll shall purport, that the principal Sum therein mentioned, is Part of the Sum directed to be raised at a Meeting of the said Trustees of the said Turnpike Roads, on the Day of

on

on the Credit of the Tolls appointed to be collected in respect of the said Roads; and that the said Sum mentioned in such Deed Poll, with Interest for the same, at the Rate of [illegible] per Centum, is payable out of the said Tolls to the Persons named in such respective Deeds Poll, or his or their Assignee or Assignees; and the said Person or Persons so appointed to receive such Part of the said gross Sum shall, at the Time of issuing the said Deeds Poll, or any of them, cause the same respectively to be sealed with such Seal as the said Trustees, or any Five of them, at such Meeting, shall direct; and shall also sign their Names to each of the said Deeds Poll; which signing and sealing shall be attested by the Clerk of the said Trustees, or in any other Manner as the said Trustees, or any Five of them, at such Meeting, shall think necessary and direct; and at the next Meeting of the said Trustees, the said Persons appointed to receive such Money as aforesaid, shall produce or account for the same to the said Trustees then assembled; and such Part thereof as shall not be accounted for, shall be disposed of as they, or any Five or more of them, shall direct; At which Meeting the said Deeds Poll shall be produced before the said Trustees then assembled; and thereupon the Clerk of the said Trustees shall make Entries in the said Book, wherein such Resolutions and Declarations shall be entered as aforesaid, of the respective Dates of the said Deeds Poll, and the Names of the Persons to whom they purport to be issued out, and by whom they are signed and attested; and shall mark the said Deeds Poll in this Manner (Entered N° I.) and so on as they stand in Course in such Book, A. B. Clerk of the Commissioners of the Bridgewater Turnpike Roads; and after such Entries shall be made in the said Book, in a Series one after another, the said Trustees, at such Meeting, or any Five or more of them, shall subscribe their Names thereto, in Manner as before directed; and may at the same or any subsequent Meeting or Meetings, direct the Residue of the said gross Sum, or such Part or Parts thereof as, from time to time, they shall think necessary to be raised, to be borrowed and received by such Person as at such Meeting or Meetings shall by the said Trustees, or any Five or more of them, then assembled, be appointed for that Purpose; who may, and are hereby authorized accordingly to receive the same, and to execute respective Deeds Poll for the same, to the Purport and in the Manner before directed; which Money so, from time to time, received, shall be produced or accounted for at the next Meeting of the said Trustees after the Receipt thereof; and such Part thereof as shall not be

accounted for, shall be disposed of as the said Trustees shall direct in Manner before-mentioned; and the said last-mentioned Deeds Poll shall be also then produced, and Entries shall be made in the said Books of such further Resolution and Declaration, or Resolutions and Declarations, of the said Trustees, and of the said Deeds Poll, in Manner before-mentioned, and the Numbers to be marked as aforesaid on the said last-mentioned Deeds Poll shall go on progressively from the last Number in the last preceding Entry.

All Creditors to be deemed equal in Degree.

And it is hereby declared and enacted, That there shall be no Preference given to the Persons advancing any Part or Parts of the said gross Sum, in respect of the Priority of advancing his, her, or their Part or Parts thereof; but that all such Lenders and Proprietors of the said Deeds Poll, so far as the said gross Sum shall extend, shall be, and are hereby declared to be, Creditors on the said Tolls in an equal Degree one with another: And in case the said Trustees, or any Seven or more of them, shall pursue this Method of borrowing Money on the said Tolls, then, and in such Case, for the Security of the Lenders or Persons intitled to the said Deeds Poll, it shall not be lawful to borrow any further Sum of Money on the Credit of the said Tolls beyond the said gross Sum so first resolved to be raised on the Credit of the said Tolls, without the Consent of the major Part of the Proprietors of the said Deeds Poll, to be signed by their Subscription on the Face of the said Deeds Poll, to be witnessed by the Clerk or Clerks to the said Trustees, whereof a proper Entry shall be made in such Book wherein such Entries shall be made as aforesaid, or unless the Monies due to the Proprietors of such Deeds Poll, or such of them as will not give their Consent, shall be first paid off and discharged; and that then, and in such Case, it shall be lawful for the said Trustees, or any Seven or more of them, at any Meeting or Meetings, to borrow such Sum or Sums of Money on the Security of the said Tolls, and to pursue the same Method therein, or any such other Method, as they shall think more expedient.

Trustees not subject to the Payment of Debts contracted upon this Act.

Provided, That nothing herein contained shall extend, or be construed to extend, to charge or subject the said Trustees, or Persons appointed to receive the said Money, or any Part thereof, to any Payment of the same, by reason of their, or any of their signing the said Entries, or signing or sealing the said Deeds Poll, or any or either of them.

Provided

Writings to be without Stamps.

Provided also, That the said Deeds Poll, Securities, or Mortgages, or any of them, or any Issue, Entry, Declaration of Trust, or Assignment or Transfer thereof, shall not be liable to be stamped, nor be subject to any Duties upon that Account.

Clause for paying off the Creditors, if the major Part in Number and Value of them shall signify their Desire for that Purpose.

And it is hereby further enacted by the Authority aforesaid, That in case the major Part in Number and Value of the Persons who shall lend and advance Money upon the Credit of the said Tolls, and shall continue Creditors thereto, or their Assignees, or the major Part of the Possessors of the said Deeds Poll, shall be at any Time desirous to be repaid the Money due to them, and shall deliver a Notice, in Writing, signifying such their Desire to the said Clerk or Clerks of the said Trustees, at some Meeting of the said Trustees, that then, and in such Case, unless the Principal and Interest due, and to grow due, to them, on the Security of the said Tolls, shall be fully paid, or tendered unto, and refused to be accepted by, such Creditors so signing such Notice, within Six Calendar Months after the Delivery thereof as aforesaid, it shall and may be lawful to and for the said Creditors to receive and collect, or cause to be received and collected, the Tolls and Duties granted by this Act, in respect of the aforesaid Roads, and charged with the Payment of their respective Debts, and to apply the same rateably and proportionably to the Payment of the Principal and Interest of their Debts, until the same shall be discharged.

10 Days Notice to be given of borrowing Money.

Provided always, and it is hereby declared, That no Money shall be borrowed on the Credit of this Act by the said Trustees, at their First or any other subsequent Meeting, unless Notice in Writing under the Hand of the Clerk to the said Trustees, be by Order of the said Trustees, or any Five or more of them, for that Purpose fixed upon the Market-cross of the said Town of Bridgewater, at least Ten Days before the borrowing of such Money.

Trustees may lease, &c. the Tolls.

And be it enacted by the Authority aforesaid, That it shall and may be lawful to and for the Trustees appointed, or to be appointed, to put this Act in Execution, or any Seven or more of them, from time to time, by Writing under their Hands and Seals, without any Stamp thereupon, to assign, lease, demise, let, farm, or set out, the Tolls by this Act granted, or any Part of such Tolls, to any Person or Persons who shall be willing to take or farm the same, from Year to Year, or for any Part of the said Term hereby granted, not exceeding Seven Years, upon Ten Days Notice at the

least, in Writing, to be affixed upon the Market Cross of the said Town of Bridgewater, for the best Price such Trustees can get for such Tolls, or any Part thereof, payable at such Times, and under such Covenants, as such Trustees, or any Seven or more of them, shall think fit, and to be paid to such Person or Persons as they, or any Seven or more of them, shall appoint to receive the same; which Money so to be paid, shall be applied and disposed of for repairing the said Roads, and the other Purposes herein mentioned, relating to the said Roads, and to no other Use or Purpose whatsoever.

Bodies Politick, &c. liable to the Repair of the Roads, to continue so.

And be it further enacted by the Authority aforesaid, That all and every Person and Persons, Towns, Parishes, Hamlets, and Places, and the Inhabitants thereof, Bodies Politic and Corporate, and the Members thereof, who, before the making of this Act, have or have used, or of Right ought, by reason of the Tenure of any Lands or Hereditaments, or on any other Account or Accounts, to repair any Part or Parts of the Roads hereby intended to be repaired, or any Bridges on the same, shall, notwithstanding this Act, be subject and liable to, and charged and chargeable with, the repairing and keeping in Repair, the same Parts of the same Roads or Bridges, in the same Manner as he, they, and every of them, hath or have heretofore usually done or ought to do; and that the said Inhabitants of the several Parishes, Hamlets, and Places, through which the several Roads do lie, who by the Laws and Statutes of this Realm, are or shall be obliged or liable to work on the Highways, for the repairing thereof, commonly called The Statute-work, shall still be subject and liable to do the same Work, and shall and are hereby required to do and perform such and so many Days Work in such Parts of the said Roads by this Act directed to be repaired, and lying within the said Parishes, Hamlets, or Places, and there only, in which such Inhabitants respectively shall live, and at such Times, and in such Manner, as the said Trustees, or any Seven or more of them, or the Surveyor or Surveyors, by them authorized, shall direct or appoint; and that every Inhabitant of the said Parishes, Hamlets, and Places respectively, who shall rent, hold, or occupy, any Lands, Tenements, or Hereditaments, of the yearly Value of Fifty Pounds, or more, shall be deemed and taken to keep a Team for every Fifty Pounds which he shall rent, hold, occupy, or enjoy, and shall be subject and liable to do and perform such Work in and towards the repairing the Roads and Ways of the several Parishes, Hamlets, and Places, in which they respectively

Inhabitants to do Statute-work.

Persons renting 50 *l. per Ann.* to be deemed Team-holders.

spectively live, as Persons keeping Teams are obliged by Law, and ought to do.

And, to the end that the said Trustees may the more certainly know the Inhabitants of all the Parishes, Hamlets, and Places, wherein the Roads intended by this Act to be repaired do lie, liable to do Statute-work in their Highways, and what Sort of Duty they ought respectively to do; be it further enacted by the Authority aforesaid, That the Surveyors of the Highways of and for every of the Parishes, Hamlets, and Places, where, or in or for which, any such Surveyor or Surveyors usually have been, or ought to be, chosen, shall and are hereby required, before the Twenty fifth Day of March in every Year, during the Continuance of this Act, to return and deliver unto the said Trustees, at their Meetings to be by them held, upon Oath, if required (which Oath the said Trustees, or any Five or more of them, are hereby authorized to administer) or to the Collectors or Receivers of the Tolls by this Act made payable, at the respective Gates or Turnpikes by virtue of this Act set up, true and perfect Lists in Writing, under their respective Hands, of the Names of all the Inhabitants of such Parishes, Hamlets, and Places, respectively, that are liable to do their Statute-duties in and upon the Highways; and shall, in such Lists, and every of them, distinguish and set forth which of such Inhabitants shall, and by this Act shall be deemed to keep a Team or Teams, and which of them are Labourers only, or do not, or by this Act are not deemed to keep a Team or Teams.

Parish Surveyors to deliver in Lists of Persons who are chargeable with Statute-work.

And be it further enacted by the Authority aforesaid, That if the Surveyor or Surveyors of the several Parishes, Hamlets, or Places, through which the several Roads by this Act intended to be repaired do lead, shall not deliver in Lists of the Inhabitants of their said several Parishes, Hamlets, or Places, to such Person or Persons, or by such Times, and in such Manner, as the same are by this Act directed and required to be delivered, such Surveyor and Surveyors, and every of them, shall forfeit and pay for every such Default, any Sum not exceeding Five Pounds, nor less than Forty Shillings: And if any or either of the Inhabitants of the said several Parishes, Hamlets, or Places, being obliged or liable by Law to do Statute-duty in and upon the Highways, shall not do Statute-work in and upon the said respective Roads, at such Times and Places, and in such Manner, as they shall by the said Trustees, or any Five or more of them, or by the Surveyor or Surveyors by them authorized, be directed or appointed to do by virtue

Penalty on Surveyors not delivering in such Lists;

and on Persons not performing Statute-work.

of this Act, such Inhabitants, and every of them, shall, for every such Neglect or Default, forfeit and pay the several Sums herein after-mentioned; that is to say, Every such Inhabitant or Person, who shall keep, or, by virtue of this Act, shall be deemed to keep a Team or Teams, for every Day's Work, the Sum of Ten Shillings; and every other Inhabitant or Person not keeping, or being, by virtue of this Act, not deemed to keep, a Team, for every Day's Work, the Sum of One Shilling and Six Pence.

Trustees may compound with Parishes, &c. for Statute-work.

Provided always, and be it further enacted by the Authority aforesaid, That the said Trustees, or any Five of more of them, or the several Surveyors to be by them appointed by virtue of this Act, being authorized or empowered so to do by the said Trustees, or any Five or more of them, may, and are hereby authorized and empowered to compound with all and every Person and Persons, Towns, Parishes, Hamlets, and Places, and the Inhabitants thereof, Bodies Politick and Corporate, and the Members thereof, who, before the making of this Act, hath or have used, or of Right ought, by reason of the Tenure of any Lands or Hereditaments, or on any other Account or Accounts, to repair any Part or Parts of the Roads hereby intended to be repaired, or any Bridges on the same, for a certain Sum of Money, or otherwise, for a Payment yearly, in lieu of the Charges to which they are subject and liable for repairing, and keeping in Repair, the same; and also to compound with the several Inhabitants of the several Parishes, Hamlets, and Places, through which the several Roads hereby intended to be repaired, or any Part or Parcel thereof, do or ought to lie, for the several Days Statute-work to be by them respectively done upon the said Roads, in such Proportions, and as and for such Rates or Sums of Money, by the Day or otherwise, as they the said Trustees, or any Five or more of them, or the Surveyors and Inhabitants respectively, shall agree upon; which said Money shall be paid to the said Trustees, or any Five or more of them, or to their Appointment, according to the Times and Conditions of such Agreement.

Surveyors may appeal to the Quarter Sessions to proportion the Statute-work.

Provided always, and be it enacted by the Authority aforesaid, That if the Surveyor or Surveyors of the Highways, for the time being, of the several Parishes, Hamlets, or Places, wherein the Roads intended by this Act to be repaired do lie, shall think the said Trustees, or the Surveyor or Surveyors by them authorized, have directed or appointed too large a Proportion of the Statute-work in any Parish, Hamlet, or Place, to be done on

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the Roads by this Act directed to be made, amended or repaired, or shall and may be lawful for such Surveyor or Surveyors of the Highways aforesaid, to appeal to the Quarter Sessions of the Peace next after such Direction or Appointment, to be held for the said County of Somerset, and the Justices in their said Quarter Sessions are hereby authorized and impowered finally to adjust and determine what Proportion of the Statute work in any Parish, Hamlet, or Place, shall be done on the Roads by this Act directed to be made, amended, or repaired; such Surveyor or Surveyors of the Highways as aforesaid, having first given Six Days Notice in Writing, of such Appeal, to the Surveyor or Surveyors authorized by the said Trustees, as aforesaid.

If the Owners shall neglect to trim, &c. their Hedges, and scour their Ditches, after due Notice given for that Purpose,

And be it further enacted by the Authority aforesaid, That if any Person or Persons to whom any Hedge or Hedges, Tree or Trees standing, or that shall stand, on or near the Side or Sides of the several Roads by this Act intended to be repaired, or any Part or Parts thereof, the Limbs or Branches whereof do or shall hang or hang over the said Roads, or any Part or Parts thereof, or the Prejudice or Annoyance of the same, shall belong, or who of Right ought to scour or cleanse any Ditch, Drain, or Watercourse, lying or which shall be in or leading or which shall lead into or out of the same Roads, or either of them, or any Part thereof, shall not cut down, or in a proper Manner cut the Overhanging of such Hedge or Hedges, Tree or Trees; and every of them, and well and sufficiently scour and cleanse such Ditches, Drains, and Watercourses, and every of them, or cause the same to be done, within the Space of Twenty eight Days next after Notice in Writing shall for that Purpose be given to him, her, or them, respectively, or shall be left at his, her, or their respective Place or Places of Abode for him, her, or them, so to do, by Order of the said Trustees, or any Five or more of them, or by the Surveyor or Surveyors to be by them appointed by virtue of this Act, or either of them; then, and in either of such Cases, the said Surveyor or Surveyors, or either of them, by Order of the said Trustees, or any Five or more of them, may, and are hereby authorized and impowered to cause such Trees to be felled, or Overhanging to be cut, and such Drains, Ditches, and Watercourses to be scoured and cleansed, and to pay for the cutting, scouring, and cleansing the same: And if the said Person or Persons shall not repay the Money so paid, upon Demand thereof upon him, her, or them respectively made, either in Person, or by Writing to be left at his, her, or their respective

the Surveyors may set Men to work thereon, and levy the Charges.

Place

Place or Places of Abode, the same Money, and every Part thereof, upon Proof of the felling of such Trees, the cutting the Overhangings, and cleansing and scouring the said Ditches, Drains, or Watercourses, and Payment of the said Money, and Demand thereof made, and Non-payment thereof, as aforesaid, by the Oath of One or more Witness or Witnesses, before any Justice of the Peace of the County or Place where such Person or Persons respectively shall live, may and shall, by a Warrant or Warrants under the Hand and Seal of such Justice, cause the same to be raised and levied by Distress and Sale of the Goods and Chattles of such Person or Persons; the Overplus of the Money so to be raised and levied by Distress and Sale to be paid to the Owner or Owners of such Goods and Chattles, upon Demand, after the said Money so paid by the said Surveyor or Surveyors, and the reasonable Charges of such Distresses and Sales, shall be first paid and deducted thereout.

Justices for the County of *Somerset* impowered to appoint Surveyors of the Roads;

And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the Justices of the Peace, at any of their General Quarter Sessions to be holden for the said County of Somerset, yearly and every Year during the Continuance of this Act (if they think fit) to appoint One or more fit Person or Persons of the said County of Somerset, to survey and view the said Highways and Roads by this Act directed to be made, amended, or repaired, and enquire of and concerning the Tolls taken and reserved in pursuance of this Act; and in case such Person or Persons so appointed shall find any Misapplication of the Monies levied by this Act, or any other Abuses of the Powers and Authorities hereby given, such Person or Persons shall thereupon certify the same to the Justices of the Peace at their General Quarter Sessions to be held for the said County of Somerset, who are hereby authorized, impowered, and required, to hear, examine, and finally determine the same, without further or other Appeal; and all such Sum and Sums of Money, or other Satisfaction, as the said Justices at their respective Quarter Sessions to be holden as aforesaid, shall thereupon think fit to order or direct to be paid or given, shall by the Person or Persons making such Misapplication, or committing any such Abuses, and so ordered to pay or give, be paid or given to the Treasurer of the Turnpike or Turnpikes for the time being, within Ten Days next after such Determination and Demand thereof made; and, in Default thereof, it shall and may be lawful for the said Justices, at the next General Quarter Sessions to be holden for the said County, from time to time,

who are to certify to the Justices such Misapplication of Money as they shall find.

Justices to make Order thereon, &c.

after such Determination made, by Warrant to levy the same by Distress and Sale of the Offenders Goods and Chattles, returning the Overplus (if any there be) after deducting all Costs and Charges thereupon, to the Person or Persons so neglecting to make such Payment or Satisfaction; and for want of sufficient Goods to be found, for that Purpose, to commit the Person or Persons to the Common Gaol of the said County of Somerset, there to remain without Bail or Mainprize until Payment and Satisfaction be made as aforesaid.

Roads to be measured, and Mile-stones erected.

And be it further enacted by the Authority aforesaid, That the said Trustees, or any Five or more of them, may and are hereby authorized, impowered, and required, to cause the said Roads to be measured, and Mile Stones or Posts to be fixed or set up in, or by the Sides of, the Roads by this Act intended to be repaired, with Inscriptions to be made thereon, denoting the Number of Miles and Distance of Places, as they, or any Five or more of them, shall think fit; and that if any Person or Persons shall wilfully or designedly break or pull down, dig up, injure, or destroy, any or either of the Stones or Posts that shall be so fixed or set up, or erase, or obliterate, or deface, any of the Inscriptions which shall be made thereon, or any Part thereof, or cause or procure the same to be done, every such Person so offending shall, for every such Offence committed on each Stone or Post, forfeit and pay the Sum of Forty Shillings for each Stone or Post so wilfully or maliciously broken, obliterated, defaced, or pulled up, to be levied by Distress and Sale of the Goods and Chattles of every such Offender, by Warrant under the Hand and Seal or Hands and Seals of the Justice or Justices before whom such Conviction shall be made; such Forfeitures to be laid out and applied in repairing the Posts or Stones so broken, pulled up, obliterated, or defaced, or in supplying new Ones in their Stead, and if there shall be any Overplus of such Forfeitures, the same shall be laid out in repairing the Roads aforesaid; and in case the Person or Persons so offending and convicted, shall have no Goods or Chattles, then it shall and may be lawful for such Justice or Justices of the Peace as aforesaid, by Warrant under his or their Hand or Hands, Seal or Seals, to commit such Person or Persons to the House of Correction for the said County of Somerset, there to remain for the Space of One Calendar Month, to be reckoned from the Day of Commitment, and the Person or Persons shall not be discharged, till he, she, or they, shall have paid the Sum of Forty Shillings, or until the Expiration of the said Calendar Month.

Penalty on defacing Mile-stones, &c.

to be levied by Distress and Sale.

For want of Distress, Offender to be committed.

Penalty on drawing Timber, &c. otherwise than on Wheel Carriages.

And be it further enacted by the Authority aforesaid, That if any Person or Persons, during the Continuance of this Act, shall haul or draw, or cause to be hauled or drawn, upon, in, or along, the Roads by this Act intended to be repaired, or any Part thereof, any Tree or Trees, Piece or Pieces of Timber, otherwise than and except upon Wheels or Carriages, every such Person or Persons, for every such Offence, shall forfeit and pay the Sum of Ten Shillings.

Penalties and Forfeitures how to be recovered and applied.

And be it hereby further enacted by the Authority aforesaid, That all the Forfeitures and Penalties imposed and made payable by this Act, and which shall be incurred thereby, or by reason of any thing therein contained (other than and except such for the Recovery whereof any other Method or Methods is or are herein before prescribed) upon Proof thereof, and of the several Matters, Causes, or Things, for which the same Forfeitures and Penalties shall be incurred respectively, before any One or more Justice or Justices of the Peace of the County or Place where the respective Party or Parties who shall incur such Forfeitures and Penalties shall live, either by the Confession of such Party or Parties, or by the Oath of One or more Witness or Witnesses, shall be levied by Distress and Sale of the Goods and Chattles, or Effects, of the Party or Parties so incurring any such Forfeitures and Penalties, by a Warrant or Warrants under the Hand and Seal, or Hands and Seals, of such Justice or Justices; which Warrant or Warrants any such Justice or Justices is and are hereby authorized and required to grant for those Purposes, and to administer such Oath without Fee or Reward; and the same Forfeitures and Penalties being so levied as aforesaid, or otherwise paid, and every Part thereof (other than and except such Parts thereof as are hereby directed to be paid to Informers against Persons for Offences which shall be by them committed, in breach of this Act) shall, from time to time, be paid to the said Trustees; and shall be laid out and applied in and towards the repairing or widening the Roads by this Act intended to be repaired, or in making a new Road or Roads through private Grounds as aforesaid, and keeping the said Roads in Repair, where the Offences, for which such Penalties and Forfeitures were incurred respectively, shall be committed.

Overplus of the Money to be returned to the Owner.

Provided always, and be it further enacted, That the Overplus of the Money which shall be raised and levied by such Distresses and Sales as aforesaid, after Payment or Deduction of the respective Penalties and Forfeitures for which the same shall be taken and made, and of the

reasonable Charges of taking and making the same, shall (if demanded) be paid to the respective Owners of the Goods and Chattles, or Effects, which shall be so distrained and sold; and if no Goods, Chattles, or Effects, of the Person or Persons who shall incur the said Penalties and Forfeitures, can be found, sufficient to answer the same, and the Charges of such Distresses and Sales as aforesaid, if any such shall be taken or made, then and in such Cases, any such Justice or Justices may, and is and are hereby authorized and required, by a Warrant or Warrants under his or their Hand and Seal, or Hands and Seals, to cause such Person or Persons to be committed to the Common Gaol of the said County of Somerset for any Time not exceeding Three Calendar Months for the First Offence, or until such Penalties or Forfeitures and Charges of such Distresses and Sales (if any such there be) shall be paid; and for the Second and every other Offence of the same Kind or Nature, for any Time not exceeding Six Calendar Months, or less than One Calendar Month, or until such Penalties and Forfeitures by him, her, or them, incurred, and the reasonable Charges of the said Distresses and Sales (if any such there be) shall be fully satisfied and paid.

For want of Distress the Offender to be committed.

Provided also, and be it further enacted by the Authority aforesaid, That if any Person or Persons who shall think himself, herself, or themselves, aggrieved, by any Act, Order, or Judgement, of any Justice or Justices of the Peace, which shall by him or them be done, made, or awarded, by virtue of this Act, or in the Execution of any of the Powers hereby to him or them given, such Person or Persons may appeal to the Justices at their General Quarter Sessions of the Peace for the said County of Somerset, and which shall be holden next after the doing, making, or awarding, of such Act, Order, or Judgement, he, she, or they, causing Six Days Notice in Writing of such Appeal, and of the Cause or Matter thereof, to be given to the Person or Persons on whose Oath or Oaths, or Evidence, such Act, Order, or Judgement, shall be so made, done, or awarded, and to some or One of the Collectors or Receivers of the Tolls of some or One of the Gates or Turnpikes to be erected by virtue of this Act; which said Justices, at their said Sessions, upon due Proof of such Notices being given as aforesaid, shall proceed in, and hear and determine, the Causes and Matters of the said Appeals, and of every of them, and whose Orders and Judgements therein shall be final and conclusive to all Parties concerned or interested therein.

Persons aggrieved may appeal to the Quarter Sessions.

Notice of Appeal to be given.

Provided

Proceedings not to be quash'd for want of Form,

Provided also, and be it further enacted by the Authority aforesaid, That any Conviction, Judgement, or Order, of the Justices of the Peace, at their General Quarter Sessions, or of any Justice or Justices of the Peace, which shall be by them respectively awarded or made in pursuance of this Act, in the Execution of the Powers hereby to them respectively given, shall not be quashed, vacated, or discharged, for or on Account of Form only; nor shall be removed by Certiorari into any of His Majesty's Courts of Record at Westminster; nor shall any Writ of Certiorari be allowed for that Purpose, until the Person or Persons who shall sue out or prosecute such Writs shall enter into a Bond with Two sufficient Securities, in the Penalty of Fifty Pounds, to the Person or Persons in whose Favour such Conviction, Judgement, or Order, shall be made, conditioned for the prosecuting such Writ with Effect, and Payment of the Costs and Charges to be awarded by the Court into which such Conviction, Judgement, or Order, shall be, or be intended to be removed, in case such Writ shall not be prosecuted with Effect, or such Conviction or Order shall be confirmed.

nor removeable by *Certiorari*, until Security be given to prosecute.

Commencement and Continuance of this Act.

And be it further enacted by the Authority aforesaid, That this present Act, and the several Tolls, Authorities, and Powers, hereby made payable and given, shall commence and have Continuance from the passing of this present Act, for and during the Term of Twenty one Years, and from thence to the End of the then next Session of Parliament.

Proceedings to be entered in a Book.

And be it further enacted by the Authority aforesaid, That full, true, and fair Accounts and Entries of all the Monies that shall be collected and received, laid out and expended, and paid, by virtue of this Act, and of all Orders, Acts, Matters, Proceedings, and Things, which shall be done by the said Trustees in pursuance hereof, and in Execution of the Powers hereby to them given, shall, from time to time, be duly and regularly entered and made in the Books which shall be kept for those Purposes.

On Death, &c. of Trustees, others to be chosen.

And be it further enacted by the Authority aforesaid, That when and as often as any Trustee or Trustees, named or to be named and appointed by virtue of this Act, shall die, remove, or refuse to act, it shall and may be lawful for such of the said Trustees as shall survive and remain, or any Seven or more of them, by Writing or Writings under their Hands and Seals, from time to time, during the Continuance of the said Term hereby granted, to elect, nominate, and appoint, One or more

more fit Person or Persons, qualified to act as a Trustee or Trustees according to the Directions of this Act, to be a Trustee or Trustees in the Room and Place of such Trustee or Trustees so dying, removing, or refusing to act; and such Person and Persons, so elected, nominated, and appointed, shall be joined with the surviving and remaining Trustees, in the Execution of all and every the Powers in them reposed by virtue of this Act; and Notice of the Time and Place of Meeting for the Election of such new Trustee or Trustees shall be given by the Clerk or Clerks to the Trustees for the time being, who is and are hereby required to fix, or cause to be fixed, such Notice in Writing, upon the Market-cross of the said Town of Bridgewater, at least Ten Days before the Meeting for such Election; and all and every such Person or Persons as shall be chosen and appointed to be joined with such surviving or remaining Trustees, shall and may, and be and they is and are hereby authorized and impowered to act, to all Intents and Purposes, in as full, large, and ample Manner, as the said Trustees are by this Act authorized and impowered to act and do.

10 Days Notice to be given of such Election.

Provided always, and be it further enacted by the Authority aforesaid, That any or either of the Trustees named or appointed, or which shall be named or appointed in or by virtue of this Act, shall not act, or be impowered to do any Act, in the Execution of the Powers hereby to them given, or either of them, except it be at a Meeting to be by them held in pursuance of this Act; and that all and every of the said Trustees shall, out of his and their own Monies, pay and defray all his and their Charges and Expences which they and every of them shall be put unto, or expend, in putting this Act, and the several Powers and Authorities hereby given, in Execution.

No Act valid, except done at a publick Meeting of the Trustees.

Trustees to defray their own Expences.

Provided always, and be it enacted by the Authority aforesaid, That if it shall happen there shall not appear at any Meeting which shall be appointed to be held by the said Trustees, a sufficient Number of them to act at such Meeting, then, and in such Case, the Clerk or Clerks to the said Trustees shall and may adjourn the said Meeting to that Day Three Weeks, and cause Notice thereof in Writing under his or their Hand or Hands, to be fixed upon the Market-cross of the said Town of Bridgewater, at least Ten Days before the next Meeting, and shall appoint the said Trustees to meet at the Town Hall of Bridgewater aforesaid, at Twelve of the Clock at Noon,

In Default of a sufficient Number to act, Notice to be given of another Meeting.

on that Day Three Weeks on which such last Meeting of the said Trustees was appointed to be held.

On Neglect of the Clerk, 2 Trustees may appoint a Meeting.

Provided always, That in case such Clerk shall refuse or neglect to give such Notice for the Space of Ten Days, that then it shall and may be lawful for any Two or more of the said Trustees appointed to put this Act in Execution, at any Time or Times (the Space of Ten Days after such Neglect or Refusal of the Clerk respectively having first intervened) to appoint such Trustees to meet at the Town Hall in Bridgewater aforesaid, on the Day Three Weeks after the Date of such Notice; which said Notice shall be affixed upon the Market Cross of the said Town of Bridgewater, and the same shall be deemed and taken to be sufficient Notice; any thing in this Act contained to the contrary notwithstanding.

Trustees, who are in the Commission of the Peace, may act as Justices.

And be it further enacted by the Authority aforesaid, That such of the Trustees appointed, or to be appointed, in or by virtue of this Act, as shall be a Justice or Justices of the Peace, may, and is, and are hereby authorized and impowered to act as a Justice or Justices of the Peace in the Execution of the Powers and Authorities hereby given to any Justice or Justices of the Peace, notwithstanding his or their being such Trustee or Trustees, except in such Matters, Things, or Respects, in which he or they shall be personally interested, in any or either of which said Matters, Things, or Respects, such Persons shall not be intitled or impowered to act either as a Trustee or Justice.

No Trustee to accept of a Place of Profit arising from the Tolls.

And be it further enacted by the Authority aforesaid, That if any Person or Persons, appointed or to be appointed a Trustee or Trustees in or by virtue of this Act, shall have or accept of any Place of Profit arising out of the Tolls or Monies by this Act made payable, such Person or Persons, from and after his and their accepting such Place or Places of Profit, and during the respective Times of his and their holding and enjoying the same, shall be incapable of acting as a Trustee or Trustees in or under this Act, or in the Execution of the Authorities and Powers to them given.

Writings to be without Stamps.

Provided always, and be it further enacted by the Authority aforesaid, That no Nomination, Appointment, Information, Order, Judgement, Conviction, Warrant, Mortgage, Assignment, Transfer, or other Security for the borrowing of Money, or other Writing whatsoever, under the Hand and Seal, or Hands and Seals, or only signed by, any Trustee or Trustees for putting this Act in Execution, or any Justice or Justices of the Peace, or exhibited before them, or any of them, touching, concerning,

cerning, or in Execution of, any of the Powers or Authorities hereby vested in such Trustee or Trustees, or Justice or Justices of the Peace, or any of them, shall be charged or chargeable with any Stamp-duty whatsoever.

And be it further enacted by the Authority aforesaid, That the said Trustees, or any Five or more of them, are hereby required to take such Security from the Treasurer or Treasurers, to be appointed for the Purposes of this Act, for the due Execution of his said Office, as to the said Trustees, or any Five or more of them, shall seem meet. Trustees to give Security.

And whereas by several Acts of Parliament for amending the Roads leading from the City of Bristol, the Road through the Parish of Bedminster, over Broadways, alias Broadfields Down, in the Parish of Winford, to Langford, and from thence to Cross and Ware, in the said County of Somerset, called the Windford Road, is directed to be repaired: And whereas it will be of publick Utility to continue the Repair of the said Road to the Parish of South Brent, where the Bridgewater Turnpike towards Bridgewater ends; be it therefore enacted by the Authority aforesaid, That the Trustees appointed, or to be appointed, to put in Execution an Act of Parliament passed in the Thirty first Year of the Reign of His present Majesty, intituled, An Act for enlarging the Terms and Powers of Two Acts of Parliament, one passed in the Nineteenth Year of the Reign of His present Majesty, intituled, *An Act for enlarging the Term and Powers granted by an Act passed in the Twelfth Year of the Reign of His late Majesty King* George *the First, for repairing the Road from the City of* Gloucester *to* Stone, *and other Roads therein mentioned; and for making the said Act more effectual*; and the other passed in the Twenty second Year of the Reign of His present Majesty, intituled, *An Act for continuing Two Acts of Parliament, the one passed in the Thirteenth Year of the Reign of His late Majesty King* George *the First, for amending the several Roads leading from the City of* Bristol; *and the other passed in the Fourth Year of the Reign of His present Majesty, to explain and amend the same Act; and for making the said Acts more effectual; and also for repairing other Roads therein mentioned*; and for making all the said Acts more effectual; and for repairing, widening, and keeping in Repair, several other Roads; shall be, and they are hereby declared to be Trustees for amending and repairing the said Road from the Place where the present Bristol Turnpike Road ends, at Ware, to the Parish of South Brent, as aforesaid, in the Road leading from Ware to Bridgewater, in the said County of Somerset; Trustees for the Act 31 *Geo.* II. appointed Trustees for repairing the Road from *Ware* to *South Brent*, &c.

and

and that all and every the Powers, Authorities, Articles, Penalties, and Provisions, contained in the said Two recited Acts, shall, and are hereby declared to be granted to the said Trustees, with regard to the said additional Road leading from the Place where the present Bristol Turnpike Road ends, at Ware, to the Parish of South Brent aforesaid.

And whereas the Distance from Bristol to the Parish of South Brent aforesaid, is so great, that the Tolls granted by the said recited Acts, will be insufficient effectually to repair the same; be it further enacted by the Authority aforesaid, That the said Trustees appointed, or to be appointed, by the said recited Acts, or any Five or more of them, or such Person or Persons as they, or any Five or more of them, shall appoint, shall and may, and they are hereby authorized and impowered to erect One or more Gate or Gates, Turnpike or Turnpikes, on any Part of the said Road, at or between the Bow called Cross Bow, or The Little River Bridge, and South Brent aforesaid; and also One or more Gate or Gates, Turnpike or Turnpikes, on any Part of the said Road that lies between The King's Arms Inn, at Cross, and Perry Bridge, in the Parish of Wrington; and shall and may, at each of the said respective Gates or Turnpikes, receive and take the same Tolls and Duties, with the same Privileges and Exemptions as are payable and granted by the said recited Acts, before any Coach, Berlin, Landau, Chariot, Chaise, Chair, Calash, Litter, Caravan, Hearse, Cart, Waggon, Dray, or any other Carriage, Horse, Ox, Ass, or any other Beast of Burden, or Cattle, shall be admitted to pass through the same.

Gates to be erected on the said Road;

and the like Tolls to be taken thereat, as are payable by the recited Acts.

Provided nevertheless, That nothing in this Act, or the said recited Acts contained, shall extend to impower the said Trustees, to take any more than the Two Tolls hereby granted upon the said Road between Perry Bridge and South Brent aforesaid; any thing in the said recited Acts contained to the contrary notwithstanding.

Two Tolls only to be taken between *Perry Bridge* and *South Brent*.

Provided also, That no Ticket to be given at any Gate or Turnpike between the City of Bristol and Perry Bridge, shall intitle any Person to pass any of the Gates to be erected by virtue of this present Act; nor shall any Ticket to be given at any Gate or Turnpike between South Brent and Perry Bridge, intitle any Person to pass any Gate between Perry Bridge and the City of Bristol.

Tickets for *Bristol* Road, &c. not to pass through the Roads to be repaired by this Act.

And be it further enacted by the Authority aforesaid, That the Trustees who are or shall be appointed Trustees, subdivided for the separate Care and Service of the Windford Road, or any Five or more of them (the Approbation

of the Trustees at large, or the major Part of them, at a General Meeting assembled, being first obtained, signified under their Hands) are hereby authorized and impowered, from time to time, during the Term granted by the said recited Acts, to borrow and raise any Sum at legal or less Interest, on the Credit of the Tolls granted by this Act to be collected between Perry Bridge and South Brent aforesaid; and, from time to time, by Writing under their Hands and Seals, to assign over the said Tolls and Duties to be collected and levied upon the said Road (the Costs and Charges of making such Assignment to be borne and paid out of such respective Tolls and Duties) for any Term during the Continuance of the said former Acts, as a Security for any Sum or Sums of Money, to be borrowed for that Purpose, to such Person or Persons, or their Trustees, who shall advance or lend the same, to secure the Repayment thereof, with such Interest as shall be agreed upon, being legal or less Interest; which said Money so borrowed, together with the Tolls and Duties collected upon the said Road from Perry Bridge to the Parish of South Brent, shall be applied and disposed of, in the First Place, in defraying such Part of the Expence of this Act as shall be incurred on account the said Road, and then for the repairing and amending the said last mentioned Road.

Trustees for the *Windford* Road may borrow Money on *Perry Bridge* and *South Brent* Tolls;

And be it further enacted by the Authority aforesaid, That the said Trustees, who are or shall be appointed Trustees for the separate Care and Service of the Windford Road, or any Five or more of them, at their First Meeting which shall be held after the Commencement of this present Act, or at any succeeding Meeting, shall and may appoint a Treasurer or Receiver of the Tolls and Duties to be collected upon the said Road from Perry Bridge to South Brent aforesaid, of which a separate and distinct Account shall be kept; and shall take such Security for the Execution of his Office as the said Trustees shall approve of.

and appoint a Collector of the Tolls,

And be it further enacted by the Authority aforesaid, That it shall and may be in the Power of the said Trustees, who are or shall be appointed Trustees for the separate Care and Service of the Windford Road, or any Five or more of them, at a publick Meeting assembled, to lower or reduce any of the Tolls by this Act granted to be taken between Perry Bridge and South Brent aforesaid, for such Time as they shall think proper, and, as they shall see Occasion, to raise the same again to the Sums by this Act made payable, or any less Sum.

and may occasionally reduce and raise again the Tolls.

No Reduction to be made of the Tolls without the Consent of the Creditors.

Provided always, That no such Reduction shall be made of any of the said Tolls or Duties granted for the repairing the said Roads, without the Consent of all and every Person and Persons who shall have lent any Sum or Sums of Money upon the Credit of the said Tolls and Duties.

And whereas by the said recited Act of the Thirty first Year of His present Majesty, the Surveyor or Surveyors of the Highways in the Parishes, Tythings, Hamlets, and Places, in which any Part of the Roads hereby directed to be repaired do lie, are required on Fourteen Days Notice in Writing from, and signed by, the respective Surveyor or Surveyors to be appointed by virtue of this Act, Once in every Year, during the Continuance of the same, to return and deliver to the Trustees hereby appointed, or any Five or more of them, at their Meetings to be held (and on Oath, if thereunto required) Lists in Writing, under their respective Hands, of the Names of all the Inhabitants of such Parishes, Tythings, Hamlets, and Places respectively, that are liable to do their Statute-work upon the said Highways; distinguishing in each of such Lists which of them are by the said Act deemed to keep a Team or Teams, and which of them are Labourers only: And whereas, by reason of the great Length of the Road hereby directed to be repaired, it may be very inconvenient to Surveyors to attend Meetings, to return such Lists as aforesaid; be it enacted, That it shall and may be lawful for any Surveyor, when and as often as he shall be required to attend any Meeting of Trustees for the Purpose aforesaid, the Place of such Meeting being appointed at more than Twelve Miles Distance from the Parish in which such Surveyor dwells, to return (if he chuses) the List so directed by that Act, to the Treasurer, or any One of the Toll-gate Keepers hereby to be appointed; such List having been signed by such Surveyor, and attested by him, on Oath, before One Justice of the Peace; which Oath such Justice is hereby impowered and required to administer gratis; and provided such List be delivered to the Treasurer or Toll-gate Keeper at least Three Days before the Day appointed for the Meeting of such Trustees.

Surveyors residing at a Distance from the Place of Meeting of the Trustees, may transmit to the Treasurer, &c. Lists of the Persons liable to do Statute-work.

Limitation of Actions.

Provided always, and be it further enacted by the Authority aforesaid, That if any Action or Actions, Suit or Suits, shall be brought against any Person or Persons for any thing done or to be done by virtue or in pursuance of this Act, or in relation to the Matters herein contained, such Actions and Suits, and every of them, shall be commenced within the Space of Six Calendar Months

next after doing the Matter or Thing for which such Action or Actions, Suit or Suits, shall be so brought, and not afterwards; and shall be brought, laid, and tried, in the County or Place where such Matters and Things respectively shall be committed or done, and not in any other County or Place; and that the Defendant or Defendants in such Actions and Suits, and every of them, may plead the General Issue, and give this Act, and the Special Matter in Evidence, at any Trial or Trials which shall be had thereupon; and that the Matter or Thing for which such Action or Actions, Suit or Suits, shall be so brought, was done in pursuance and by the Authority of this Act; and if the said Matter or Thing shall appear to have been so done, or if any such Action or Suit shall not be commenced within the Time before for that Purpose limited, or shall be laid in any other County or Place than as aforesaid, then the Jury or Juries shall find for the Defendant or Defendants therein; and if a Verdict or Verdicts shall be found for such Defendant or Defendants, or if the Plaintiff or Plaintiffs in such Action or Actions, Suit or Suits, shall become nonsuited, or suffer a Discontinuance of such his, her, or their Action or Actions; or if, upon Demurrer or Demurrers in such Action or Actions, Judgement shall be given for the Defendant or Defendants therein, then, and in either of the Cases aforesaid, such Defendant or Defendants shall have Treble Costs, and shall have such Remedies for recovering the same, as any Defendant or Defendants may have for his or their Costs in other Cases by Law.

General Issue.

Treble Costs.

And be it further enacted by the Authority aforesaid, That this Act shall be adjudged, deemed, and taken, to be a Publick Act, and shall be judicially taken Notice of as such, by all Judges, Justices, and other Persons whatsoever, without specially pleading the same.

Publick Act.

FINIS.