Anno primo

Georgii III. Regis.

An Act for repairing and widening ſeveral Roads leading to and through the Towns of *Weymouth* and *Melcombe Regis*, and *Dorcheſter*, in the County of *Dorſet*.

WHEREAS the ſeveral high Roads through the ſeveral Towns, Pariſhes, Tills, or Hamlets following, in the County of Dorſet, to wit, from the Turnpike Road at the Bottom of an Hill called Revell's Hill, in the Pariſh of Buckland Newton, through the ſeveral Pariſhes of Buckland Newton, Minterne, Cerne Abbas, Nether Cerne, Puddletrenthide, Charminſter, Part of the Pariſh of Forthington, the High Street in the Pariſh of the Holy Trinity in the Borough of Dorcheſter, the South Street in the Pariſh of Saint Peter in the ſaid Borough of Dorcheſter, other Part of the ſaid Pariſh of Forthington, Winterborne Monkton, Bincombe, Upway, Broadway, Radipole, and Melcombe Regis, in the Borough and Town of Weymouth and Melcombe Regis, through the ſeveral Streets called Saint Thomas, Saint Mary, and Maiden Streets, to the Wharfs in the ſaid Pariſh of Melcombe Regis; and alſo from the ſaid Pariſh of Melcombe Regis, up Jordan Hill, through the ſeveral Pariſhes of Preſton Preamble.

Preſton and Sutton Pointz, and Oſmington, to the Church in the ſaid Pariſh of Oſmington; and alſo from the ſaid Hill called Jordan Hill, through the ſaid Pariſh of Preſton and Sutton Pointz, to the South Entrance of a Down called Sutton Down; and alſo from the ſaid Pariſh of Broadway, through a Lane called Stottingway Lane, through the ſeveral Pariſhes and Tythings of Stottingway, Upway, Aſhton, Winterborne Saint Martin, and Winterborne Steepleton, to the Turnpike Road in the Pariſh of Winterborne Abbas; and alſo from the South End of Weymouth Bridge, in the Pariſh of Weymouth, within the ſaid Borough and Town of Weymouth and Melcombe Regis, through the ſeveral Pariſhes of Weymouth, Wyke Regis, and Chickerell, to the Foot of an Hill called Crook Hill; and alſo from the North End of a Lane called Leach Lane, or Bucklers Lane, in the ſaid Pariſh of Weymouth, through the ſaid Lane, and the ſaid Pariſhes of Weymouth and Wyke Regis, to the Sands Foot in the Highway to the Iſland of Portland, in the ſaid County of Dorſet; are narrow in many Places, and dangerous to Travellers, and the ſame cannot be effectually repaired and widened without the Aid of Parliament; May it therefore pleaſe Your Majeſty, that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame,

Truſtees Names.

That the Right Honourable Henry Lord Digby in the Kingdom of Ireland, the Right Honourable Joſeph Lord Milton in the Kingdom of Ireland, Sir Gerard Napier, Sir Robert Long, Baronets; Ralph Allen, Marriot Arbuthnot, George Acton, Eſquires; Richard Arbuthnot, William Ouſley Attwool, John Ouſley Attwool, William Adams, Gentlemen; John Bond, Nathaniel Bond, Richard Brodrepp, Charles Brune, George Browne, Eſquires; John Baſkett, Denis Bond, John Trenchard Bromfield, Seth Banks, Clerks; James Brooke, Caleb Brooks, George Bayly, Thomas Bryer, William Browne, Simon Bunter, Samuel Braine, Morgan Balſtone, John Balſtone, Robert Bridge, John Light Banger, Gentlemen; William Bryer Grocer, Thomas Bezant, Joſeph Browne, Gentlemen; Awnſham Churchill, George Clavell, Nicholas Cary, William Churchill, Eſquires; William Cuming M. D. John Colſon, John Cooth, Edward Comer, Abraham Channing, Clerks; William Channing, Thomas Combes of Dorcheſter, John Crouch, Thomas Collier, William Champ, John Champ, Giles Combes, John Cozens, Edward Cozens, Richard

Richard Cozens, Gentlemen; the Right Honourable George Dodington, John Damer, Thomas Earle Drax, Eſquires; John Davis, John Deveniſh, John Davis junior, William Davis of Cerne, Henry Davis of Compton, Joſeph Davis of Littlebredy, George Elmes, George Elmes junior, John Elliott, John Everet, Gentlemen; James Frampton, Thomas Foſter, John Fane, Eſquires; Michael Feſting, Edward Fauconer, Thomas Franklyn, Lewis Fenton, Clerks; John Friend, Abraham Fowler, Bravell Friend, Gentlemen; John Gould, James Gould, James Gollop, Richard Goſtelowe, Thomas Gundry, Radford Gundry, Thomas Gould, Eſquires; Robert Goodrich, John Guppy, Clerks; Samuel Gould, William Gundry, John Gundry, Thomas Gilbert of Steepleton, Thomas Gilbert of Portland, John Golding, Gentlemen; William Harvey, Joſeph Hardy, Eſquires; John Hubbock, Henry Hooton, James Harris, John Harris, Charles Hughes, Clerks; William Haydon, Joſeph Hardy junior, William Haydon junior, Edward Homard, Robert Hawes, John Henvill, Harry Henning, Gentlemen; John Jennings Eſquire, John Jacob M. D. John Jacob, Samuel Jacob, James Joyeux, Thomas Jerrard, Angel James, Stephen Iles, Robert Lumley Kingſtone, James Kellaway, James Kellaway of Puddlehinton, Nicholas Kellaway, John Keate, Gentlemen; Warren Liſle Eſquire, Robert Lambert, Thomas Lockyer, Gentlemen; Carew Harvey Mildmay, Adam Martin, John Meech, Thomas Meech, Harry Meggs, David Robert Michel, Eſquires; William Maſterman, Moreland, Philip Montague, Clerks; William Morgan, John Manſell, Henry Marder, Thomas Maſterman, Charles Maſterman, William Maſterman, Thomas Marſhalſay, John Marſhalſay, Walter Nicholls, Thomas Nicholls, George Neppred, Gentlemen; John Olmius Eſquire, John Oſborne Clerk, George Pitt, William Pitt, John Pitt, John Frederick Pinney, Jocelyn Pickard, Taylor Penny, Edmund Moreton Pleydell, Jonathan Moreton Pleydell, Thomas Moreton Pleydell, William Moreton Pleydell, Eſquires; John Pitman of Frome, Thomas Pitman, William Pond, George Paſhen, Edward Pierce, Robert Pount, Thomas Pouncey, Henry Petty, Gentlemen; William Richards, William Richards junior, Henry Rodbard, George Richards, Eſquires; Randall, Rhudde, Clerks; Humphry Sturt, Charles Steward, John Sabin, Eſquires; Thomas Saint Loe D. D. George Shuttleworth, Samuel Stains, Clerks; Robert Smith, Nicholas Stickland, Nathaniel Stickland, George Stickland, George Swaffield, John Swaffield, Henry Shortoe, John Symes, William Sparkes, Nathaniel Sparkes,

Iſaac Sparkes, Richard Seymer, Robert Symes, John Samwayes, George Samwayes, Hugh Smith, Henry Sherren, Gentlemen; Thomas Tregonwell, Edward Tucker, George Trenchard, John Trenchard, Eſquires; Chriſtopher Twinihoe of Forthington, Nathaniel Templeman, Richard Templeman, Clerks; William Taunton, Thomas Taunton, Henry Thornton, Willam Taunton junior, Morgan Tizard, John Smith Tizard, John Threſher, William Tilley, Francis Tewxbury, Gentlemen; John Waters, Wadham Wyndham, Thomas Williams, Nicholas Weare, Eſquires; Robert Willis, John Willis, Gentlemen; John White Grocer, John White Cooper, Thomas White, Charles Willis, Charles White, William White, John Ward, Peter Wood, Joſias Wallis, Gentlemen; the Mayor, Bailiffs, Aldermen, and Capital Burgeſſes, of the Borough of Dorcheſter for the time being; the Mayor, Aldermen, Bailliffs, and Capital Burgeſſes of the Borough and Town of Weymoth and Melcombe Regis for the time being; ſhall be, and they are hereby appointed, Truſtees for ſurveying, ordering, amending, widening, and keeping in Repair, the ſaid Roads, and for putting in Execution all other the Powers in and by this Act given and granted.

Qualification of Truſtees.

And be it further enacted by the Authority aforeſaid, That no Perſon ſhall be capable of acting as a Truſtee in any Caſe in the Execution of this Act, unleſs he ſhall have, or be ſeiſed of, in his own Right, or in the Right of his Wife, and be in the actual Poſſeſſion, Enjoyment, or Receipt, of the Rents and Profits of a Real Eſtate, in Law or Equity, of the clear yearly Value of Fifty Pounds, above Reprizes; or poſſeſſed of a Perſonal Eſtate alone, or Real and Perſonal Eſtate together, to the Amount of One thouſand Pounds, or be Heir Apparent of a Perſon poſſeſſed of an Eſtate in Lands of the clear yearly Value of One hundred Pounds: And if any Perſon or Perſons, ſo made incapable, ſhall preſume to act in the Truſt aforeſaid, every ſuch Perſon ſhall, for every ſuch Offence, forfeit the Sum of Fifty 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: And the Perſon ſo proſecuted ſhall prove that he is qualified as aforeſaid, or otherwiſe, ſhall pay the ſaid Sum of Fifty Pounds, without any other Proof or Evidence on the Part of the Proſecutor, than that ſuch Perſon hath acted as a Truſtee in the Execution of this Act.

Penalty on acting if not qualified.

And

And be it further enacted by the Authority aforesaid, That the Trustees hereby appointed, or any Nine or more of them, shall meet together at the Grand Jury Chamber, in the Shire Hall at Dorchester aforesaid, on the Twenty third Day of April, One thousand seven hundred and fifty one, at Ten of the Clock in the Morning, and shall proceed to the Execution of this Act; and shall then, and from time to time afterwards, adjourn themselves, and meet at the Place aforesaid, or at any other Place or Places near the said Roads, as the said Trustees, or any Five or more of them, shall think proper, as often as it shall be necessary for putting this Act in Execution: And if it shall happen that there shall not appear at any such Meeting, a sufficient Number of Trustees to act, and to adjourn to any other Time, then, and in such Case, the Clerk to the said Trustees, shall and may, by affixing, or causing to be affixed, publick Notice in Writing, at all the Turnpikes which shall be erected by virtue of this Act, at least Ten Days before such Meeting, appoint such Trustees to meet at the House or Place where the last Meeting of the said Trustees was appointed to be held, on that Day Three Weeks next after the Day on which such last Meeting was appointed to be held; and that the said Trustees, at all their Meetings, shall defray their own Charges and Expences.

Time and Place of Trustees Meeting.

In Default of a sufficient Number of Trustees to act,

Notice to be given of another Meeting.

Trustees to defray their own Expences.

Provided always, and be it further enacted by the Authority aforesaid, That no Trustee named or appointed, or which shall be named or appointed, in or by virtue of this Act, shall act, or be impowered to do any Act in the Execution of the Powers hereby given to them, or either of them, except it be at a Meeting to be by them held in pursuance of this Act.

Trustees not to act except at a Meeting held in pursuance of this Act.

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 and 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 Time 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.

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

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

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

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.

On Death or Removal of Trustees, others to be chosen.

And be it further enacted by the Authority aforesaid, That when, and as often as any of the Trustees, named in or appointed by virtue of this Act, shall die, remove, or refuse to act, it shall and may be lawful for the surviving or remaining Trustees, or any Seven or more of them, by Writing or Writings, under their Hands and Seals, on the First Monday next after the Fourth Day of June, yearly, to elect, nominate, and appoint, One or more fit Person or Persons, to be a Trustee or Trustees, in the room of such Trustee or Trustees so dying, removing, or refusing to act: And Notice of the Time and Place of the Meeting, for the Election of such new Trustee or Trustees, shall be given by the Clerk or Clerks to the Trustees, by affixing the same in Writing, at all the Turnpikes which shall be erected by virtue of this Act, at least Thirty Days before the Meeting for such Election; and all and every such Person and Persons as shall be so chosen and appointed, to be joined with such surviving or remaining Trustees, shall and may, and he and they is and are hereby authorized and impowered to act, in the Execution of this Act, to all Intents and Purposes, in as full, large, and ample Manner, as the Trustees hereby appointed are authorized and impowered to act.

Notice of Election to be given.

Trustees may erect Turnpikes and Toll-houses,

and take the following Tolls thereat.

And be it further enacted by the Authority aforesaid, That the said Trustees, or such Person or Persons as they, or any Five or more of them, shall appoint, shall and may erect, or cause to be erected, Two Gates or Turnpikes, in, upon, or across the said Roads, and also a Toll-house to each Gate or Turnpike, at the following Places; that is to say, One on Melcombe Narrows, at the North End thereof, and another between a Gate called Sherborne Gate and Burton Alehouse, in the said Parish of Charminster, and shall demand and take at every such such Gate or Turnpike, the following Tolls or Duties, before any Cattle or Carriage shall be permitted to pass through the same; that is to say,

The Tolls.

For every Coach, Chariot, Landau, Berlin, Chaise, Chaise Marine, Car, Calash, Chair, Caravan, or Hearse, drawn by Six or more Horses, or Beasts of Draught, the Sum of One Shilling; and drawn by Four Horses, or Beasts of Draught, the Sum of Nine Pence; and drawn by Two Horses, or Beasts of Draught, the Sum of Six Pence; and drawn by One Horse, or Beast of Draught, Three Pence.

For

For every Waggon, Wain, Cart, Dray, or other Carriage, drawn by Four Horses, or Beasts of Draught, the Sum of One Shilling; and drawn by Three Horses, or Beasts of Draught, the Sum of Nine Pence; and drawn by Two Horses, or Beasts of Draught, the Sum of Six Pence; or by One Horse, or Beast of Draught, the Sum of Three Pence.

For every Horse, Mare, Gelding, Mule, Ass, or Beast of Burden, laden or unladen, and not drawing, the Sum of 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 Calves, Hogs, Sheep, or Lambs, the Sum of Two Pence per Score, and so in Proportion for any greater or lesser Number.

Which said respective Sum or Sums of Money shall be demanded and taken in the Name of, or as, a Toll or Duty; and the Money so to be raised and collected, shall be, and is hereby vested in the said Trustees; and the same, and every Part thereof, shall be paid, applied, disposed of, and assigned, to and for the several Uses, Intents, and Purposes, and in such Manner as is herein after mentioned: And it shall and may be lawful to and for the said Trustees, or any Five or more of them, or such Person or Persons as they, or any Five or more of them, shall, under their Hands and Seals, 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 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, or of any Carriage, upon which such Tolls are by this Act imposed, or by Distress of any other of the Goods and Chattles of such Person or Persons, who ought to pay the same; and to detain and keep the same, until such Tolls, with the reasonable Charges of detaining and keeping the same, shall be paid: And it shall and may be lawful to and for such Person and Persons, after the Space of Five Days next after such Distress made and taken, to sell the Cattle, Carriage, or Goods, so distrained; returning the Overplus (if any shall be) upon Demand, to the Owner thereof, after such Tolls, and reasonable Charges of distraining, keeping, and selling the same, shall be deducted and paid.

Tolls vested in the Trustees.

Tolls may be levied by Distress and Sale.

Distress may be sold after 5 Days.

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, to erect, or cause

Trustees may erect Sidegates,

to be erected, One or more Gate or Gates, Turnpike or Turnpikes, and Toll-house or Toll-houses, on the Side or Sides of the said Roads, and upon, in, or across, any Lane or Way leading out of the same; and there to take and levy, or cause to be taken and levied, such Tolls as are by this Act made payable, at any Gate or Turnpike to be erected by virtue hereof, so as the same do not extend to a Double Charge, upon any Person or Persons passing through any other Gate or Gates, Turnpike or Turnpikes, erected by virtue of this Act; provided that no such Side-gate be erected within One Mile of the said Towns of Dorchester or Weymouth and Melcombe Regis respectively.

and take Tolls thereat,

so as the same do not extend to a Double Charge.

Property of the Turnpikes and Toll-houses, &c. vested in the Trustees.

And be it further enacted by the Authority aforesaid, That the said several Gates or Turnpikes, and Toll-houses, erected by virtue of this Act, and 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 said Trustees; and they, or any Five or more of them, are hereby authorized and impowered to bring, or cause any Action or Actions to be brought, in the Name of their Treasurer or Clerk, or to prefer, and order and direct the preferring of, Indictments against any Person or Persons, who shall dig up, break, or pull down, steal, take, or carry away, spoil, injure, or destroy, any Gate or Gates, Turnpike or Turnpikes, Toll-house or Toll-houses, which shall, by virtue of this Act, be erected upon, in, across, or on the Sides of the said Roads or Bye-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.

Application of the Money.

And be it further enacted by the Authority aforesaid, That out of the first Money arising by the Tolls or Duties by this Act granted, or out of such Money as shall be borrowed on the Credit thereof, the said Trustees, or any Seven or more of them, shall, in the first Place, pay and discharge all the Expences and Costs of procuring and passing this Act, and shall apply the Remainder of the Money so raised in erecting Turnpikes and Toll-houses, and repairing, widening, and amending the said Roads, and defraying the necessary Costs, Charges, and Expences attending the same, and of the Execution of this Act, and to no other Use or Purpose whatsoever.

Trustees, with Consent of the Creditors, may lessen the Tolls.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful for the said Trustees, or any Nine or more of them, with the Consent of the Mortgagee or Mortgagees, or other Creditors, to lessen or alter all or any or either of the Tolls or

Duties

Duties by this Act granted, at any Time hereafter, and for such Time as they shall think proper; and such Tolls or Duties, so lessed or altered, shall be collected, recovered, and applied, in the same Manner as the Tolls or Duties hereby granted are directed to be collected, recovered, and applied.

Tolls to be paid but Once a Day.

And be it further enacted 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 Carriage or Cattle through any Gate or Turnpike erected by virtue of this Act, the same Person, upon producing a Note or Ticket of the Day, denoting such Payment, shall be permitted to pass through all and every Turnpike and Turnpikes, on any Part of the said Roads, with the same Carriage or Cattle, Toll-free, at any Time or Times during the same Day, to be computed from Twelve of the Clock in one Night to Twelve of the Clock in the next Night; which said Notes or Tickets the Collectors of the said Tolls are hereby required to give gratis.

Persons that come into the Town of *Weymouth* and *Melcombe Regis*, to pay Tolls but Once a Day.

Provided always, and it is hereby declared and enacted by the Authority aforesaid, That all and every Person or Persons, who shall come into the said Town of Weymouth and Melcombe Regis, through any Turnpike or Turnpikes erected by virtue of this Act, with any Waggon, Wain, Cart, or Dray, having the same Day paid the Tolls or Duties at any of such Turnpikes, for such Waggon, Wain, Cart or Dray, and who shall return from the said Town of Weymouth and Melcombe Regis through any One or more of the Turnpikes erected on any Part of the said Roads by virtue of this Act, with such Waggon, Wain, Cart, or Dray, before Twelve of the Clock at Noon of the next succeeding Day, shall repass with the same Waggon, Wain, Cart, or Dray, Toll-free, on producing a Note or Ticket of the said preceding Day, denoting such Payment as aforesaid.

Exemptions from Tolls.

And be it further enacted by the Authority aforesaid, That none of the Tolls, by this Act granted and made payable, shall be demanded or taken, at any of the Gates or Turnpikes erected by virtue hereof, for any Waggon, Wain, Cart, Dray, or other Carriage, or for any Horse, Mare, Gelding, Ox, Mule, Ass, or other Beast, drawing or not drawing the same, when the same shall be only used or employed in the Carriage of any Materials for repairing any Road or Highway, or in the Carriage only of Lime, Chalk, Dung, Mold, Soil, or Compost, of any Nature or Kind whatsoever, for manuring of any Garden, or other Land or Ground, or in the Carriage

only

only of Hay, Straw, or Corn in the Straw, not sold or disposed of, but to be laid up in the Houses, Outhouses, Barns, Yards, or Backsides, of the Owners thereof, or for any Plough, Harrow, Dray, or other Implement of Husbandry, or for any other Thing whatsoever, employed in Husbandry, or for manuring or stocking of Land, in the several Parishes in which the said Roads hereby intended to be repaired do lie; or for any Coaches or other Carriages, or Passengers on Horseback, going to or returning from any Election of a Knight or Knights of the Shire, to serve in Parliament for the Counties of Dorset or Wilts, on the Day or Days of such Election; or from any Person or Persons passing or repassing to or from Church, or any other Place of religious Worship, on Sundays; or for any Horse or other Cattle, going to or returning from Pasture or Water; or for any Post Horse or Vehicle carrying the Mail or Publick Packet; or for the Horses of any Officers or Soldiers on their March, or for Carts, Carriages, or Waggons attending them; or for Horses, Carts, or Waggons, travelling with Vagrants sent by Passes: And if any Person shall claim and take the Benefit of any of the Exemptions aforesaid, not being intitled to the same, such Person shall forfeit and pay the Sum of Twenty Shillings, to be recovered and applied in Manner herein after directed.

Penalty on making illegal Claims.

Penalty on Persons going thro' or permitting 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, Calash, Chair, Caravan, Hearse, 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 either of the Gates or Turnpikes, to be by virtue of this Act erected, 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 either of the said Gates or Turnpikes, shall knowingly or wilfully permit or suffer any Person or Persons, with any Horse, Mare, Gelding, Ox, Mule, Ass, Cattle, Coach, Berlin, Landau, Chariot, Chaise, Calash, Chair, Caravan, Hearse, 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 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; or if any Person or Persons shall, at any Time or Times, take off, or cause

or giving or receiving Tickets,

or taking off Horses, &c.

to be taken off, any Horse, Ass, Mule, or any other Sort of Cattle, from any Coach, Berlin, Landau, Chariot, Chaise, Calash, Chair, Caravan, Hearse, Waggon, Wain, Cart, Dray, or Carriage, as aforesaid, whereby the Payment of any of the said Tolls shall be evaded; that then, and in either of the aforesaid Cases, every Person so offending, and being thereof convicted upon the Oath of One or more Witness or Witnesses, before 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 (which said Oath such Justice or Justices is and are hereby impowered to administer) shall, for every such Offence, forfeit and pay the Sum of Twenty Shillings; One Moiety whereof shall be paid to the Informer or Informers of such Offence or Offences respectively, upon whose Oath or Oaths the said Offender or Offenders shall be convicted, to and for his and their own Use and Uses; and the other Moiety shall go and be applied towards the amending the said Roads.

to avoid Payment of the Tolls.

And, for the more speedy repairing and widening the said Roads, be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Trustees, or any Nine or more of them, from time to time, upon the Credit of the Tolls and Duties hereby made payable, to borrow and take up at Interest any such Sum or Sums of Money as they, or any Nine or more of them, shall think needful, so that no more in the Whole than the Sum of Six thousand Pounds shall be owing on the Credit of the said Tolls at any One Time; and may, and they are hereby authorized and impowered to assign over the said Tolls and Duties, or any Part or Parts thereof, to any Person or Persons, for any Term or Number of Years, as a Security or Securities for the several Sums of Money that shall be so borrowed, and the Interest thereof, as aforesaid; which said Sums of Money, so to be borrowed (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 repairing and widening the said Roads, in such Manner as the said Tolls or Duties are hereby directed to be laid out and applied, and to and for no other Use or Purpose whatsoever; and no Preference shall be given to any Person or Persons advancing any Part or Parts of the said gross Sum of Six thousand Pounds, in respect of the Priority of advancing his, her, or their Part or Parts thereof; but that all such Lenders, and Persons to whom such Assignments shall be made as aforesaid, shall, so far as the said gross Sum shall extend, be, and are hereby

Trustees may borrow Money on the Credit of the Tolls.

Limitation of the Sum to be borrowed.

All Creditors to be deemed equal in Degrees.

declared to be, Creditors on the said Tolls or Duties in an equal Degree one with another.

Assignments may be transferred.

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

Notice to be given of borrowing Money.

Provided always, and be it enacted, That no Money shall be borrowed on the Credit of this Act by the said Trustees after their First Meeting, unless Notice in Writing, under the Hand of the Clerk to the said Trustees, be, by Order of such Trustees, or any Five or more of them, fixed upon all the Turnpikes erected by virtue of this Act, at least Ten Days before the borrowing of such Money.

Trustees may appoint Officers;

And be it further enacted by the Authority aforesaid, That the said Trustees, or any Nine or more of them, may, and 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, and proper Persons to be Clerk or Clerks, Treasurer or Treasurers, Surveyor or Surveyors, of the said Roads, and such other Officer or Officers as the said Trustees, or any Nine or more of them, shall think necessary or convenient; and such Collectors or 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 and Places of such of them as shall be so removed, or shall die; Notice of the Time and Place of Meeting for that Purpose being fixed on the Turnpikes erected by virtue of this Act, at least Ten Days before such Elections;

and remove them, and appoint others.

Trustees to allow Officers Salaries.

and may and are hereby authorized and impowered, out of the Monies which shall arise by the Tolls aforesaid, to allow and pay to the several Collectors or Receivers, Clerks, Treasurers, Surveyors, and other Officers, who shall be appointed as aforesaid, and to such other Person or Persons as shall be assisting to them, or any or either of them, in or about the repairing or widening the said Roads, or any Part thereof, or in the Execution of any of the Powers of this Act, such Salaries, Rewards, and Allowances, for their Attendance, Care, and Service in

those

those Respects, as to the said Trustees, or any Nine or more of them, shall seem reasonable.

Officers to account upon Oath.

And be it further enacted by the Authority aforesaid, That all and every the Collectors or Receivers of the said Tolls, 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, who shall have or receive any of the Monies which shall be raised, collected, or received by virtue of this Act, shall, from time to time, and 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, full, true, and fair Accounts in Writing, of all the Monies which shall have been by them respectively had, collected, 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, 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 said Oaths the said Trustees, or any Two or more of them, are hereby authorized and impowered to administer to such Officers and Persons) 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 said 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 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 or 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, or any Five or more of them, 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

Officers not making Account and Payment, may be sued.

Name or Names of any One 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 Justice or Justices of the Peace of the County or Place where the Officer or Officers, Person or Persons, so neglecting or refusing shall live or reside, 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 the Officer or Officers, Person or Persons, so refusing or neglecting, to be brought before him or them; and upon his or their appearing, or 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:

Balance may be levied by Distress and Sale;

And if upon the 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 Justice or Justices is and are hereby impowered to administer) it shall appear to such Justice or Justices, that any of the Monies, which shall have been collected or raised by virtue of this Act, shall be in the Hands of such Officer or Officers, Person or Persons, such Justice or Justices may, and is and are hereby authorized and required, upon Non-payment thereof, by a Warrant or Warrants under his or their Hand and Seal, or 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 of such Officer or Officers, Person or Persons, can be found, sufficient 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 Justice or Justices, at the Time and Place by him or 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 deliver to the said Justice or Justices such Account or Accounts of the Receipts and Payments as aforesaid, and to verify the Truth of such Accounts, and of the Items and Articles thereof, upon Oath as aforesaid, or to produce or deliver up to the said Justice or Justices the several Receipts

and for want of Distress, the Party to be committed,

ceipts and Vouchers relating to such Accounts respectively, and to the Items and Articles thereof; then and in either of the Cases aforesaid, the said 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 Officer or Officers, Person or Persons, to be committed to the Common Gaol 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, and shall have produced and delivered up the Receipts and Vouchers relating to such Accounts respectively, and shall have paid 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. until he shall conform.

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

And be it further enacted by the Authority aforesaid, That no Person or Persons, keeping any Inn, Alehouse, or other House of publick Entertainment, or who shall sell Ale, Wine, Brandy, or other Spirituous Liquors, by Retail, shall be capable of taking, holding, or enjoying any Place or Places of Trust or Profit under this Act, during such Time as he or they shall keep such Inn, Alehouse, or other publick House of Entertainment, or shall sell Ale, Wine, Brandy, and other Spirituous Liquors, by Retail. Victualler, &c. not to have a Place of Profit.

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 by them appointed, or any other Person or Persons, who shall by 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 Surveyors may dig Gravel, &c. from Waste Grounds,

cauſe to be cut, digged, gathered, taken, and carried away, any Furze, Heath, Stones, Gravel, Chalk, Sand, Flints, or other Materials proper for repairing of Roads, in, 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 Roads aforeſaid, or in any neighbouring Pariſh, Town, or Place, to be uſed, diſpoſed of, and applied in repairing the ſaid Roads, without paying any thing for the ſame; they the ſaid Truſtees or Surveyors, or other Perſons, filling up the Pits, and levelling the Ground from which ſuch Materials ſhall be taken, or cauſing the ſame to be done; and if ſuch Quantities of Furze, Heath, Stones, Gravel, Chalk, Sand, Flints, 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 cut, 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, Chalk, Sand, Flint, 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 incloſed Ground, planted with any Avenue of Trees for the Ornament of any Houſe, 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, Chalk, Sand, Flints, and other 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; they the ſaid Truſtees or Surveyors, or other Perſons, filling up the Pits, and levelling the Ground from whence 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 or employed as aforeſaid, and the ſaid Owner or Owners, or any or either of them, concerning the ſaid Damages, any Three or more of the Juſtices of the Peace, of the County or Place where

without paying for the ſame.

levelling the Pits.

If ſufficient Materials cannot be had there, they may be taken from private Grounds;

making Satisfaction to the Owners of the Ground.

Juſtices to determine Differences.

where the said Furze, Heath, Stones, Gravel, Chalk, Sand, Flints, or other Materials shall be cut, digged, gathered, taken, and carried away, shall and may, on Ten 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, to be left at their respective Places of Abode, with some or one of their respective Families, hear, settle, and determine the Matters of the said Damages; and the Judgement or Order of the said Justices therein shall be final and conclusive to all Parties.

Surveyors may make Causeways,

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 by 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 the said Surveyor or Surveyors, or other Person, 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 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; and shall and may erect or build, or cause to be erected or built, any Bridges or Arches of Stone, Brick, or Timber, upon, in, or across the said Roads, or any Part thereof; and shall and may dig or cut, or cause to be digged or cut, any Drains or Watercourses, in, through, or across any Lands or Grounds, to prevent the said Roads, or any Part or Parts thereof, from being overflowed; and erect Bridges over such Drains or Watercourses, if necessary, making such reasonable Satisfaction to the Owners or Occupiers of such Lands or Grounds for the Damages they may thereby sustain, as to the said Trustees, or any Five or more of them, shall seem meet.

erect Bridges, &c.

making Satisfaction to the Owners.

Method prescribed for repairing the Roads.

And be it further enacted by the Authority aforesaid, That the Tolls and Duties arising, and the Monies to be borrowed by virtue of this Act, which shall be applied in repairing, widening, altering, and keeping in Repair, the said Roads, shall be applied and disposed of in the following Manner; that is to say, In the first Place, in well and effectually repairing, altering, widening, and keeping in Repair, the Road which leads from the Wharfs in the said Town of Melcombe Regis, through the said several Streets of Saint Thomas, Saint Mary's, and Maiden Street, in Melcombe Regis aforesaid, and through the said several Towns and Parishes of Mel-

combe Regis, Radipole, Broadway, Upway, Bincombe, Winterborne Munkton, Part of Forthington, the South Street in the Parish of Saint Peters, the High West Street in the Parish of the Holy Trinity, in the said Town of Dorchester, other Part of the said Parish of Forthington, to the Turnpike-gate in the Parish of Charminster aforesaid, such Reparation beginning at such Part of the said Road as the said Trustees, or any Five or more of them, shall think proper; and when all the said Road is well and effectually repaired, altered, and widened, and the Expence, from time to time, of keeping the same in good and effectual Repair is defrayed, or Money sufficient reserved for that Purpose, then the Residue of such Tolls, Duties, and Monies, shall be applied in repairing, altering, widening, and keeping in good Repair, the Road which leads from the said Turnpike-gate in Charminster aforesaid, through the several Parishes of Charminster, Puddletrenthide, Nether Cerne, Cerne Abbas, Minterne, and Buckland Newton, to the Turnpike-road at the Bottom of the said Hill, called Revell's Hill, such Reparation beginning at such Part of the said Road as the said Trustees, or any Five or more of them, shall think proper; and when all the said Road is well and effectually repaired, altered, and widened, and the Expence, from time to time, of keeping the same in good and effectual Repair is defrayed, or Money sufficient reserved for that Purpose, then the Residue of such Tolls, Duties, and Monies, shall be applied in repairing, altering, widening, and keeping in good Repair, the Road from the Turnpike-gate at the North End of Melcombe Narrows aforesaid, up Jordan Hill, through the several Parishes of Preston and Sutton Pointz and Osmington, to the Church in the said Parish of Osmington, and from Jordan Hill aforesaid, to the South Entrance of Sutton Down aforesaid, such Reparation beginning at such Part of the said Road as the said Trustees, or any Five or more of them, shall think proper; and when all the said Road is well and effectually repaired, altered, and widened, and the Expence, from time to time, of keeping the same in good and effectual Repair is defrayed, or Money sufficient reserved for that Purpose, then the Residue of such Tolls, Duties, and Monies, shall be applied in repairing, altering, widening, and keeping in good Repair, the Road from the East End of a Lane called Stottingway Lane, through the several Parishes and Tythings of Stottingway, Upway, Ashton, Winterborne Saint Martin, and Winterborne Steepleton, to the Turnpike-road in the said Parish of Winterborne Abbas, such Reparation beginning

beginning at such Part of the said Road as the said Trustees, or any Five or more of them, shall think proper; and when all the said Road is well and effectually repaired, altered, and widened, and the Expence, from time to time, of keeping the same in good and effectual Repair is defrayed, or Money sufficient reserved for that Purpose, then the Residue of such Tolls, Duties, and Monies, shall be applied in repairing, altering, widening, and keeping in good Repair, the Road which leads from the South End of Weymouth Bridge, in the said Town of Weymouth and Melcombe Regis, through the several Parishes of Weymouth, Wyke Regis, and Chickerell, to the Foot of Crook Hill aforesaid, and from the North End of Leach Lane, or Buckler's Lane, through the said Lane, and the said Parishes of Weymouth and Wyke Regis, to the Sands Foot, in the Highway to the Island of Portland, such Reparation beginning at such Part of the said Road as the said Trustees, or any Five or more of them, shall think proper.

Surveyors may remove Annoyances in the Road, &c.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Surveyor or Surveyors, and such Person or Persons as he or they shall appoint, having an Order of the said Trustees, or any Five or more of them, from time to time, to remove and carry away all Annoyances by Filth, Dung, Ashes, Rubbish, or otherwise, on any Part of the Roads aforesaid, and to cut down Trees or Bushes growing in the said Roads, or in the Hedges or Banks adjacent thereto, the Owners or Occupiers neglecting to cut down such Trees or Bushes, or to remove such other Annoyances as aforesaid, for the Space of Six Days, after Notice in Writing given for that Purpose, under the Hand or Hands of the said Surveyor or Surveyors, the Charges whereof shall be reimbursed to the said Surveyor or Surveyors, by such Owners or Occupiers neglecting to cut down the said Trees or Bushes, or to remove such other Annoyances as aforesaid: And in case such Owner or Owners shall not, upon Demand, pay and reimburse to the Surveyor or Surveyors such Charges as aforesaid, it shall and may be lawful for such Surveyor or Surveyors, by Warrant or Warrants under the Hand and Seal, or Hands and Seals, of Two or more Justices of the Peace for the County wherein the Matter in Dispute shall arise, from time to time, to levy the Charge thereof upon such Owners or Occupiers, by Distress and Sale of his and their Goods and Chattles, rendering the Overplus (if any be) to the Owner or Owners thereof, upon Demand, after all Charges paid; And if, after Removal

and cut down Trees, &c.

the Owners neglecting to remove the same after Notice;

Charges to be reimbursed the Surveyor,

to be levied by Distress and Sale.

Penalty of a Second Offence.

of any of the said Annoyances, any Person or Persons shall again offend in the like Manner, every such Person so offending, and being thereof convicted upon Oath before Two or more Justices of the Peace for the County wherein the Matter in Dispute shall arise, shall, for every such Offence, forfeit and pay unto the said Trustees, or any Five or more of them, the Sum of Twenty Shillings, to be levied and recovered in Manner aforesaid.

Owners neglecting to cut their Hedges, and scour their Ditches, &c.

And be it further enacted by the Authority aforesaid, That if any Person or Persons who of Right ought to scour or cleanse any Ditch, Drain, or Watercourse, lying or which shall lie in, or leading or which shall lead into, or out of, the said Roads, or any Part thereof, shall not in a proper Manner scour and cleanse such Ditches, Drains, and Watercourses, or cause the same to be done, within the Space of Six 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, by Order of the said Trustees, or any Five or more of them, or by the said Surveyor or Surveyors; then, and in either of the said Cases, the said Surveyor or Surveyors may and is and are hereby authorized and impowered to cause such Ditches, Drains, and Watercourses, to be scoured and cleansed, and to pay for the Scouring and Cleansing the same; and if the said Person and Persons shall not repay the Money so paid by such Surveyor or Surveyors, 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 Place or Places of Abode, the same Money, and every Part thereof, upon Proof of the cleansing and scouring the said Ditches, Drains, or Water-courses, 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, shall and may, by a Warrant or Warrants under the Hand and Seal of such Justice, be raised and levied by Distress and Sale of the Goods and Chattles of such Person or Persons, rendering the Overplus (if any be) to the Owner or Owners thereof, upon Demand, after all Charges paid.

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

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

And be it further enacted by the Authority aforesaid, That in case the said Trustees, or any Nine or more of them, shall at any Time or Times during the Continuance of this Act, think proper to widen, turn, or alter, any Part or Parts of the said Roads, for the better Accommodation of Coaches, Carriages, and Passengers, that

then the said Trustees, or any Nine or more of them, shall have full Power and Authority, from time to time, to treat, contract, and agree, with the several Owners, Proprietors, Occupiers of, and Persons interested in, any Lands, Grounds, or Hereditaments, lying contiguous or near to the said Roads, for the Purchase of any such Lands, Grounds, or Hereditaments, or for the Loss or Damage such Owners, Proprietors, Occupiers, and Persons interested, or any of them, shall or may any ways sustain by such widening, turning, or altering, any Part of such Roads; and out of the Tolls or Duties by this Act granted, or out of any Money to be borrowed on the Credit thereof, to pay for such Lands, Grounds, or Hereditaments, and for such Loss or Damage, such Sum or Sums of Money as shall be agreed upon between such Owners, Proprietors, Occupiers, and Persons interested as aforesaid, and the said Trustees, or any Nine or more of them, and also the Costs and Charges attending such Agreement and Purchase.

And whereas it may happen that some Persons or Bodies Politick, Corporate or Collegiate, Feoffees in Trust, or others, are or may be seised or possessed of Lands, Grounds, or Hereditaments, which may by the said Trustees be thought necessary or proper to be taken in and added to the said Roads, for turning, widening, altering, or amending the same, and such Persons, or Bodies Politick, Corporate, Collegiate, or Feoffees, may be willing to treat and agree for the Sale of such Lands, Grounds, or Hereditaments, but may be incapable of granting or conveying the same, by reason of Infancy or other Disability; be it further enacted by the Authority aforesaid, That it shall and may be lawful for all Bodies Politick, Corporate, or Collegiate, Aggregate or Sole, and all Feoffees in Trust, Executors, Administrators, Guardians, or other Trustees whatsoever, for or on Behalf of any Infants, Femes Covert, or Cestuique Trust, and for all and every Person or Persons whomsoever, who are or shall be seised, possessed of, or interested in, any such Lands, Grounds or Hereditaments, to treat, contract, and agree, with the said Trustees, or any Nine or more of them, for the Purchase of such Grounds, Lands, or Hereditaments, or any Part thereof, or for their Interest therein, for the Purposes aforesaid, and to sell or convey the same, as Occasion shall be or require; and all Contracts, Agreements, Sales, and Conveyances, which shall be so made, shall be valid to all Intents and Purposes, any Law, Statute, Usage, or any other Matter or Thing whatsoever, to the contrary thereof in any wise notwith-

Bodies Politick, &c. may contract for the Sale of Lands, &c.

notwithstanding: And all Feoffees in Trust, Executors, Administrators, Guardians, and Trustees, Corporations Aggregate or Sole, and all other Persons, are and shall be hereby indemnified for what they shall do by virtue of or in pursuance of this Act.

Where Persons refuse to treat, &c. for Sale of such Lands, &c.

And be it further enacted by the Authority aforesaid, That if any such Owner, Proprietor, Occupier, Bodies Politick, Corporate, or Collegiate, Trustees, or any Person or Persons interested in Lands, Grounds, or Hereditaments, upon Notice to them given, or left in Writing at the Dwelling-house or Houses, or Place or Places of Abode, of such Person or Persons, or of the Head Officer or Officers of such Bodies Politick, Corporate, or Collegiate, or at the House of the Tenant in Possession of the Lands, Grounds or Hereditaments, so to be taken in and added to the said Roads, or into which such Roads are to be turned or altered as aforesaid, shall by the Space of Fourteen Days after such Notice given or left as aforesaid, neglect or refuse to treat, or shall not agree in the Premisses, or by Reason of Absence shall be prevented from treating, then and in every or any such Case, the said Trustees, or any Five or more of them, shall cause it to be inquired into and ascertained by and upon the Oaths of a Jury of Twelve indifferent Men of the County in which such Lands or Grounds, so to be taken in, do lie (which Oaths any Two or more of the said Trustees, are hereby impowered and required to administer) what Damages will be sustained by, and what Recompence and Satisfaction shall be made to such Owners, Occupiers, or Proprietors, or other Person or Persons interested, for or upon Account of the taking such Lands, Grounds, or Hereditaments, into the said Roads, or of turning such Roads into the same; and in order thereto the said Trustees, or any Five or more of them, are hereby impowered and required, from time to time, as Occasion shall be or require, to summon and call before the said Jury, and examine upon Oath, all and every Person and Persons whatsoever, who shall be thought necessary or proper to be examined as a Witness or Witnesses, touching or concerning the Premisses (which Oath any Two or more of the said Trustees are hereby impowered and directed to administer) and they shall also order and cause the said Jury to view the said Places in Question, if there be Occasion, and use all other lawful Ways and Means, as well for their own as for the said Jury's better Information in the Premisses, as they the said Trustees, or any Five or more of them, shall think fit: And after the said Jury shall have inquired of, ascertained, and settled, such

Jury to settle the Recompence.

Witnesses may be summoned, and examined upon Oath.

Damage

Damage and Recompence, they the ſaid Truſtees, or any Five or more of them, ſhall thereupon order, adjudge, and determine, the ſaid Sum or Sums of Money, ſo aſſeſſed by the ſaid Jury, to be paid to the ſaid Owners, Occupiers, or Proprietors of, or other Perſons intereſted in, the ſaid Lands, Grounds, or Hereditaments, according to ſuch Verdict or Inquiſition of the ſaid Jury; which ſaid Verdict or Inquiſition, and Judgement, Order, or Determination, ſo had and made, ſhall be final, binding, and concluſive, to all Intents and Purpoſes, againſt all Parties and Perſons whomſoever, claiming in Poſſeſſion, Reverſion, Remainder, or otherwiſe, their Heirs and Succeſſors, as well abſent as preſent, Infants, Femes Covert, and Perſons under any Diſability whatſoever, Bodies Politick, Corporate, or Collegiate, as well as all other Perſon or Perſons whomſoever; and all and every ſuch Owners, Occupiers, and Proprietors, and all and every Perſon and Perſons, any ways intereſted in ſuch Lands, Grounds, or Hereditaments, ſhall, upon Payment or Tender of the Sum or Sums of Money ſo aſſeſſed as aforeſaid, thereby be from thenceforth, to all Intents and Purpoſes, diveſted of all Right, Title, Claim, Intereſt, and Property, of, in, to, or out of the ſame; And for the ſummoning or returning ſuch Jury or Juries, the ſaid Truſtees, or any Five or more of them, are hereby impowered to iſſue out their Warrant or Warrants to the Sheriff of the County in which ſuch Lands and Grounds, ſo to be taken in, do lie, thereby commanding and requiring him to impanel, ſummon, and return, an indifferent Jury of Twenty four Perſons, or more, to appear before the ſaid Truſtees, or any Five or more of them, at ſuch Time and Place as in ſuch Warrant ſhall be appointed; and the ſaid Sheriff, or his Deputy or Deputies, is and are hereby required to impanel, ſummon, and return, ſuch Number accordingly; and out of the Perſons ſo impannelled, ſummoned, and returned, or out of ſuch of them as ſhall appear upon ſuch Summons, the ſaid Truſtees, or any Two or more of them, ſhall ſwear, or cauſe to be ſworn, Twelve, who ſhall be the Jury for the Purpoſes aforeſaid; and in Default of a ſufficient Number of Jurymen, the ſaid Sheriff, or his Deputy or Deputies, ſhall return other honeſt and indifferent Men of the Standers-by, or that can eaſily be procured to attend the Service, to the Number of Twelve.

Verdict of the Jury to be concluſive to all Parties.

Truſtees to iſſue their Warrants to the Sheriff, to impanel and ſummon a Jury.

Provided always, and be it further enacted by the Authority aforeſaid, That all Perſons concerned ſhall have their lawful Challenges againſt any of the ſaid Jurymen when they come to be ſworn; and the ſaid Truſtees, or any

Jurors may be challenged.

Trustees may impose a Fine on Sheriff, &c. making Default in the Premisses.

any Five or more of them, acting in the Premisses, shall have Power, from time to time, to impose any reasonable Fine or Fines on such Sheriff, his Deputy or Deputies, Bailiffs or Agents, making Default in the Premisses, and on any of the Persons that shall be summoned and returned on such Jury, and shall not appear, or shall refuse to be sworn on the said Jury, or being so sworn, and refusing to give or not giving their Verdict, or in any other Manner wilfully neglecting their Duty therein, contrary to the true Intent and Meaning of this Act, and on any of the Persons who, being required to give Evidence before the said Jury touching the Premisses, shall refuse or neglect to appear, or appearing shall refuse to be examined and give Evidence, and, from time to time, to levy such Fine or Fines in the same Manner as any other Forfeiture or Penalty herein before-mentioned is hereby directed to be levied, so as that no such Fine shall exceed the Sum of Ten Pounds upon any One Person for One Offence; and all such Fines shall be applied for such Uses, and in such Manner, as the Tolls granted by this Act are to be applied.

Fine not to exceed 10*l.*

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

And be it further enacted by the Authority aforesaid, That all and every such Sum and Sums of Money, Consideration, Recompence, or Satisfaction, to be agreed for, ascertained, or assessed, as aforesaid, shall be, and is and are hereby charged and chargeable upon the Monies which shall be raised, received, or borrowed, by virtue of this Act, and shall be paid thereout accordingly to the Persons respectively intitled thereto, or to their Agents; and that upon Payment thereof, or Tender thereof, to such Persons or their Agents, and in case of Refusal to accept the same, or in case they cannot be met with, then, upon leaving the same in the Hands of the Clerk to the said Trustees for the Use of such Persons, and after Ten Days Notice thereof given to such Persons or their Agents, or left at their Places of Abode, or with the Tenant or Occupier of such Land, Ground, or Hereditament, to receive such Money, Consideration, Recompence, or Satisfaction, it shall and may be lawful for the said Trustees, or any Five or more of them, their Surveyors, Workmen, or Agents, to take into and add to the said Roads, such Grounds, Lands, or Hereditaments, and to do all and every such Act, Matter, and Thing, with relation to such Lands, Grounds, or Hereditaments, as the said Trustees, or any Five or more of them, shall think fit; and after the Purchase of the said Lands, Grounds, or Hereditaments, or Adjudication of the Value thereof made, and Tender of Payment,

Payment, or in case of Refusal to accept the same, or in case the Parties cannot be met with, then, upon such Notice given as aforesaid, such Lands, Grounds, or Hereditaments, shall be laid into and made Part of the said Roads, in such Manner as the said Trustees, or any Five or more of them, shall order and direct, and shall be by them, or by such Person or Persons as they, or any Five or more of them, shall appoint, sufficiently drained, ditched, fenced, and set out for that Purpose; and after such draining, ditching, fencing, and setting out, the said Lands, Grounds, or Hereditaments, shall, to all Intents and Purposes whatsoever, become and be, and be deemed and taken to be, a publick and common Highway, and be from thenceforth Part of the said Roads for ever after, and shall be repaired and kept in Repair by such Ways and Methods, and in all Respects in such Manner as the old Road, so widened, altered, or turned, was and ought to have been kept in Repair; and after such new Road shall be completed, the Lands and Grounds comprized in or constituting the old or former Road shall be vested in, and shall and may be sold by, the said Trustees, or any Five or more of them, to such Person or Persons as shall be willing to become Purchaser or Purchasers thereof, for the best Price that can be gotten for the same; and the Money arising by such Sale shall be applied and disposed of for the repairing and amending of the said Roads; and the Sale or Conveyance and Conveyances to be made of such Lands or Grounds, being executed by the said Trustees, or any Five or more of them, and inrolled with the Clerk of the Peace for the County where such Lands or Grounds do lie, shall be good and effectual in the Law, to all Intents and Purposes whatsoever.

Lands when purchased to be made Part of the Roads,

and kept in Repair as such.

Old Road to be sold.

Provided always, and be it enacted by the Authority aforesaid, That in widening, turning, or diverting, any Part or Parts of the said Roads, 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, or Avenue to any House.

Buildings, &c. not to be injured.

And be it further enacted by the Authority aforesaid, That the Inhabitants of the several Towns, Parishes, Hamlets, and Places, through which the Roads hereby intended to be repaired do lie, who by the Laws and Statutes of this Realm, are or shall be obliged or liable to perform the Work in the Highways for the repairing thereof, commonly called Statute-work, shall be subject and

Persons, &c. chargeable to the Repairs of the Roads to continue so.

and liable to do and perform 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, in which such Inhabitants respectively shall live, and at such Times, and in such Manner, as the said Trustees, or any Five or more of them, or the Surveyor or Surveyors by them authorized, shall direct or appoint; and that every Inhabitant of the said Towns, Parishes, Hamlets, and Places respectively, who shall rent, hold, or occupy, any Lands, Tenements, or Hereditaments, of the yearly Value of Fifty Pounds, shall be deemed and taken to keep a Team, and shall do and perform such Work, in and towards the repairing the Highways of the several Towns, Parishes, Hamlets, and Places, in which they respectively live, as Persons keeping Teams are obliged by Law and ought to do; and that all and every Person and Persons, Parishes, Tythings, Hamlets, and Places, and the Inhabitants thereof, and all Lands, Tenements, and Hereditaments, and the Rents, Issues, and Profits, issuing out of any Lands, Tenements, or Hereditaments, who, before the making of this Act, was or were liable to, and chargeable with the Repair of any Part or Parts of the Roads hereby intended to be repaired, or hath or have used, or of Right ought, by reason of the Tenure of any such Lands, Tenements, or Hereditaments, or on any other Account or Accounts, to repair any Part or Parts of the Roads hereby intended to be repaired, 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, and in the same Manner, as they or every of them hath or have heretofore usually done or ought to do, save and except the High West Street in the Parish of the Holy Trinity, and the South Street in the Parish of Saint Peter's, in the Town of Dorchester, and the Streets called Saint Thomas Street, Saint Mary Street, and Maiden Street, in the said Town of Melcombe Regis, and also the High Street of the Town of Weymouth, and the Street through Leach Lane, or Buckler's Lane, from the Times respectively when they shall be begun to be repaired, by virtue of this Act; and which said several Streets are by this Act to be repaired; and the said Trustees, or any Five or more of them, are hereby required and directed to cause the said Streets to be sufficiently repaired and kept in Repair out of the Monies arising by virtue of this Act, as soon as

Persons renting 50*l. per Annum*, to be deemed Teamholders.

Inhabitants to do Statute-work.

as the said Streets respectively come in Course to be repaired by virtue of this Act.

And, to the End that the said Trustees may know the Inhabitants of all the Towns, Hamlets, and Places, wherein the Roads by this Act directed to be repaired do lie, who are 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 said Towns, 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, at the First Meeting of the said Trustees, after the Twenty fifth Day of March in every Year, during the Continuance of this Act, Ten Days Notice of such Meeting being fixed on all the Turnpikes erected by virtue of this Act, to deliver in to the said Trustees true and perfect Lists in Writing, under their respective Hands, of the Names of all the Inhabitants of all such Towns, Parishes, Hamlets, and Places respectively, who are liable to do their Statute-duties in and upon the said Highways, and shall, in such Lists, and every of them, distinguish and set forth which of the 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.

Surveyors of the Highways to give in Lists of Persons who are chargeable to do Statute-work.

And be it further enacted by the Authority aforesaid, That if the Surveyor or Surveyors of the several Towns, Parishes, Hamlets, or Places, through which the said Roads do lead, shall not deliver in to the said Trustees Lists of the Inhabitants of the said several Towns, Parishes, Hamlets, or Places, by such Times, and in such Manner, as by this Act is directed and required to be delivered, such Surveyor or Surveyors, and every of them, shall forfeit and pay, for every such Default, the Sum of Five Pounds; And if any or either of the Inhabitants of the said several Towns, Parishes, Hamlets, or Places, being obliged or liable by Law to do Statute-work in and upon the Highways, shall not do such Statute-work in and upon the said 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, 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, for every Day's Work

Penalty on Surveyors not delivering in such Lists,

and on Persons not performing Statute-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.

Trustees may compound with Parishes, &c.

Provided always, 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 by them appointed, being authorized or impowered so to do, by the said Trustees, or any Five or more of them, may and are hereby authorized and impowered to compound with the several Inhabitants of the several Towns, Parishes, Hamlets, and Places, through which the Roads hereby intended to be repaired, or any Part or Parts thereof, do or doth lie, for the several Days Statute-work to be by them respectively done upon the said Roads, at and for such Rates or Sums of Money, by the Year or otherwise, as they the said Trustees, or any Five or more of them, or the Surveyor or Surveyors and Inhabitants respectively shall agree upon; which Money shall be instantly paid to the said Trustees, or any Five or more of them, or to their Appointment.

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

Provided always, and be it further enacted by the Authority aforesaid, That if the Surveyor or Surveyors of the Highways, for the time being, of any of the Towns, Parishes, Hamlets, or Places, wherein the said Roads directed 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 Town, Parish, Hamlet, or Place, to be done on the said Roads, it shall and may be lawful for such Surveyor or Surveyors of the Highways to appeal to the Quarter Sessions of the Peace, next after such Direction or Appointment, to be held for the County wherein such Highway lies; and the Justices, in their said respective Quarter Sessions, are hereby authorized and impowered finally to adjust and determine what Proportion of the Statute-work in any Town, Parish, Hamlet, or Place, shall be done on the Roads by this Act directed to be repaired, such Surveyor or Surveyors of the Highways as aforesaid, having first given Fourteen Days Notice in Writing of such Appeal, to the Surveyor or Surveyors authorized by the said Trustees as aforesaid.

Proviso.

Provided always, and be it further enacted by the Authority aforesaid, That nothing herein contained shall impower the said Trustees, or any of them, to enforce or compel the Performance of Statute-work by, or to make any Composition in lieu thereof, with the Inhabitants of

the Parish of Cerne Abbas aforesaid, upon any Part of the Roads hereby intended to be repaired.

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 on the Sides of the said Roads, 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 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, obliterate, or deface, any of the Inscriptions which shall be made thereon, or cause or procure the same to be done, every such Person so offending, shall forfeit and pay the Sum of Forty Shillings for each Stone or Post so wilfully or designedly broken, obliterated, defaced, or pulled down, 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 Trustees, or any Five or more of them, or the Justice or Justices of the Peace for the County or Place where the Offence shall be committed, before whom such Conviction shall be made, One Moiety of which Forfeiture shall go to the Informer, and the other Moiety shall be laid out and applied in repairing the Stones or Posts so broken, pulled down, obliterated, or defaced, or in supplying new ones in their stead; and if there shall be any Overplus of such Forfeitures, the same to 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 the said Trustees, or any Five or more of them, or any One or more of such Justice or Justices of the Peace as aforesaid, by Warrant under his or their Hand and Seal, or Hands and Seals, to commit such Person or Persons to the House of Correction for the County wherein such Offence shall be committed, 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;

and for want of Distress, the Offender to be committed.

Penalties and Forfeitures how to be recovered and applied.

And be it further enacted by the Authority aforesaid, That all Penalties and Forfeitures imposed and made payable by this Act (the Manner of levying and recovering whereof is not otherwise particularly directed) upon

Proof

Proof thereof, and of the several Matters, Causes, or Things, for which the same Penalties and Forfeitures shall be incurred respectively, before any Justice of the Peace of the County or Place where the respective Party or Parties, who shall incur such Penalties and Forfeitures, shall live, either by the Confession of such Party or Parties, or by the Oath of One Witness, shall be levied by Distress and Sale of the Goods, Chattles, and Effects of the Party or Parties so incurring, by a Warrant or Warrants under the Hand and Seal of such Justice, which Warrant or Warrants any such Justice is hereby authorized and required to grant for those Purposes, and to administer such Oath gratis; and the same Penalties and Forfeitures, 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, or any Five or more of them, or to their Appointment, and shall be laid out and applied in and towards the repairing and widening the Roads by this Act directed to be repaired, or in making a new Road through private Grounds as aforesaid, and keeping the said Road in Repair.

Overplus of the Money to be returned to the Owner.

Provided always, and be it further enacted, That the Overplus of the Monies which shall be raised and levied by such Distresses and Sales as aforesaid, after Payment and 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, Chattles, and Effects, which shall be so distrained and sold; and if no Goods, Chattles, and 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 (if any such shall be taken and made) then, and in such Cases, any Justice may, and is hereby authorized and required, by a Warrant or Warrants under his Hand and Seal, to cause such Person and Persons to be committed to the common Gaol of the said County, for any Time not exceeding Two Months for the first Offence, or until such Penalties or Forfeitures, and the 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 Four Months, nor less than One Month, or until such Penalties or Forfeitures by him, her, or them incurred,

For want of Distress, the Offender to be committed.

and

and the reasonable Charges of the said Distresses and Sales (if any such there be) shall be fully satisfied and paid.

Provided also, and be it further enacted by the Authority aforesaid, That if any Person or Persons shall think him, her, 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 the next General Quarter Sessions of the Peace for the County or Place where the Matter or Thing, for or by reason of which such Act, Order, or Judgement, shall be so done, made, or awarded, and which shall be holden next after the doing, making, or awarding, of such Act, Order, or Judgement; he, she, or they, causing Fourteen 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 done, made, or awarded, and to some or One of the Collectors or Receivers of the said Colls; 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 every of them; and the Orders and Judgements of the said Justices shall be final and conclusive to all Parties concerned or interested therein.

Persons aggrieved may appeal to the Quarter Sessions.

14 Days Notice of Appeal to be given.

Provided also, and be it further enacted by the Authority aforesaid, That no 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, or in the Execution of the Powers hereby to them respectively given, shall 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, until the Person or Persons, who shall sue or prosecute such Writ, shall enter into a Bond, with Two sufficient Sureties, 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 intended to be removed, in case such Writ shall not be prosecuted with Effect, or such Covition or Order shall be confirmed.

Proceedings not to be quash'd for want of Form only;

not removable by *Certiorari*,

until Security given to prosecute.

Proceedings, &c. to be entered in a Book.

And be it further enacted by the Authority aforesaid, That full, true, and perfect Accounts and Entries of all the Monies that shall be collected and received, laid out, 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 the Execution of the Powers hereby to them given, shall, from time to time, be duly and regularly entered in a Book or Books which shall be kept for those Purposes; which Book or Books shall be deemed and taken to be Originals, and shall and may be read in Evidence in all Cases of Appeal, and in all Suits or Actions, touching any thing done in pursuance of this Act.

Books may be read in Evidence.

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 of, or only signed by, any Trustee or Trustees, for putting this Act in Execution, or by any Justice or Justices of the Peace, or exhibited before them, or any of them, touching, concerning, 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.

No Order to be repealed unless Nine Trustees are present.

And be it further enacted by the Authority aforesaid, That no Order made by the said Trustees, or any Five or more of them, in, for, or concerning the executing the Trusts, Powers, and Authorities of this Act, or any of them, shall be revoked, repealed, or set aside, by any subsequent Order of the Trustees, unless Nine Trustees shall be then present.

Commencement and Continuance of this Act.

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

Limitation of Actions.

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 in 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

ed within Six Months next after the 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 Action or Actions; or if, upon any 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 Remedy for recovering the same, as any Defendant or Defendants may have for his, her, or their Costs, in any 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 whomsoever, without specially pleading the same.

Publick Act.

FINIS.