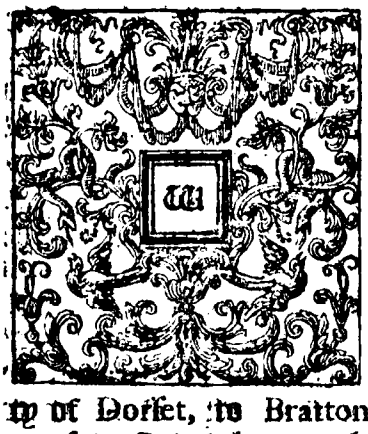
Anno septimo

Georgii III. Regis.

An Act to explain, alter, and amend, an Act for repairing and widening several Roads leading from between the Second and Third Mile Stones on the Turnpike Road between the Town and County of *Poole* and *Winborn Minster*, in the County of *Dorset*, to *Bratton Corner*, in the County of *Somerset*; and for repairing and widening the Road from the Turnpike Road in *Brainston*, to or near a House called *Fontleroy's Farm House*, in the County of *Dorset*.



WHEREAS by an Act passed in the Fifth Year of the Reign of His present Majesty, several Tolls and Powers were granted to Trustees for repairing and widening several Roads leading from between the Second and Third Mile Stones on the Turnpike Road between the Town and County of Poole and Winborn Minster, in the County of Dorset, to Bratton Corner, in the County of Somerset: And whereas the said Trustees, pursuant to the Direction in the said Act, met; and finding the Execution thereof attended with many Difficulties, have not proceeded further therein: And whereas if the Road leading Preamble.

ing from the Turnpike Road in the Pariſh of Brianſton, in the County of Dorſet, which leads from Blandford Forum to Dorcheſter, in the ſaid County, through the ſeveral Pariſhes, Hamlets, Tythings, and Places of Brianſton aforeſaid, Winterborne Stickland, Durweſton, Winterborne Houghton, Ibberton, and Woolland, to or near a Place called Bull Barrow, in the Pariſh of Stoak Wake, otherwiſe Stoak under Bull Barrow, in the County of Dorſet aforeſaid; and to and through Stoak aforeſaid, and Hazelbury Briant, in the ſaid County of Dorſet, to a Place called King Stag Bridge, in the Pariſhes of Hazelbury Briant aforeſaid and Pulham, or One of them, in the ſaid County of Dorſet; and over the ſaid Bridge, and from thence over Holwell Common, in the County of Somerſet, to and through a Lane called Crouch Lane; and from thence to and over Cornell Bridge, in the Pariſh of Holwell aforeſaid, or in the Pariſh of Biſhops Caundle, in the ſaid County of Dorſet; and from thence along by a Mill now occupied by William Notley, to and through a Common called Marſh Common, in the Pariſh of Caundle Marſh, in the ſaid County of Dorſet, to the End of a Lane lying near or leading to a Houſe called Fontleroy's Farm Houſe, in the Pariſh of Folk, in the ſaid County of Dorſet, being the high Road from the ſaid Turnpike Road in the Pariſh of Brianſton aforeſaid, to Sherborne in the ſaid County of Dorſet, was well and effectually repaired and widened, inſtead of the Road leading from the ſaid Turnpike Road in Brianſton aforeſaid, leading from Blandford Forum, to Dorcheſter aforeſaid, through the ſeveral Pariſhes, Hamlets, Tythings, and Places of Brianſton aforeſaid, Durweſton, Shillingſton, otherwiſe Ockford Shilling, Beer Marſh, Child Ockford, Fiddleford, in the Pariſh of Ockford Fitz Pain, Bellchalwell, and Sturminſter Newton Caſtle; and alſo through Part of the ſaid Pariſh of Sturminſter Newton Caſtle to the Bridge Foot there, and over the ſaid Bridge through the Town of Sturminſter Newton Caſtle, and through Part of the Pariſh of Hinton Saint Mary, to Walton Elm, in the Pariſh of Marnhull; and from thence over King's Mill Bridge, and through Part of Stalbridge Common, and through the Town of Stalbridge, in the ſaid County of Dorſet; and from thence to and through Henſtridge, in the County of Somerſet, to the Turnpike Road there leading from Shaſton, in the County of Dorſet aforeſaid, to Millborn Port, in the ſaid County of Somerſet; and from thence to and through Henſtridge aforeſaid, Yeanſom, Abbas Coombe, Temple Coombe, Horſington, South

Cheriton, commonly called Churton, and North Cheriton, in the said County of Somerset, to the Turnpike Road there leading from Wincanton in the said County, to Charlton Horethorn in the same County; and from thence through North Cheriton aforesaid, and Halton, in the said County of Somerset, to the Turnpike Road there leading from Wincanton aforesaid, to Sparkford Bridge, in the said County of Somerset; and from thence to and through Mapperton, Yarlington, and Braddon, otherwise Bratton, to a Place called the Gibbet, or Braddon, otherwise Bratton Corner, in the said County of Somerset, adjoining to the Turnpike Road leading from Wincanton aforesaid, to Cattle Hill Turnpike-gate; it would be more beneficial to Trade and Commerce, and to the Publick in general, by opening a Communication between the Town and County of Poole and the Towns of Sherborne and Blandford; but by reason of the ruinous Condition of the said Roads, and the Narrowness thereof in many Places, the same cannot be effected 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, That the said recited Act, so far as the same relates to the repairing, widening, and keeping in Repair, the Road leading from the Turnpike Road leading from Blandford Forum to Dorchester, through Part of the Parish of Brianston, and the several Parishes, Hamlets, Tythings, Towns, and Villages of Durweston, Shillingston, otherwise Ockford Shilling, Beer Marsh, Child Ockford, Fiddleford, in the Parish of Ockford Fitz Pain, Belchalwell, and Sturminster Newton Castle, and also through Part of the said Parish of Sturminster Newton Castle, to the Bridge Foot there, and over the said Bridge through the Town of Sturminster Newton Castle, and through Part of the Parish of Hinton Saint Mary to Walton Elm, in the Parish of Marnhull; and from thence over King's Mill Bridge, and through Part of Stalbridge Common, and through the Town of Stalbridge, in the said County of Dorset; and from thence to and through Henstridge, in the County of Somerset, to the Turnpike Road there leading from Shaston, in the County of Dorset aforesaid, to Milborne Port, in the said County of Somerset; and from thence to and through Henstridge aforesaid, Yeanson, Abbas Coombe, Temple Coombe, Horsington, South Cheriton, commonly

Repeal of certain Parts of the recited Act.

ly called Churton, and North Cheriton, in the County of Somerset, to the Turnpike Road there leading from Wincanton, in the said County, to Charlton Horethorn, in the same County; and from thence through North Cheriton aforesaid and Halton, in the said County of Somerset, to the Turnpike Road there, leading from Wincanton aforesaid, to Sparkford Bridge, in the said County of Somerset; and from thence to and through Mapperton, Yarlington, and Braddon, otherwise Bratton, to a Place called The Gibbet, or Braddon, otherwise Bratton Corner, in the said County of Somerset, adjoining to the Turnpike Road leading from Wincanton aforesaid, to Cattle Hill Turnpike-gate, shall be, and the same is hereby repealed; and that instead of the Clauses, Provisions, Tolls, Powers, Penalties, Forfeitures, Exemptions, Payments, Punishments, Matters, and Things, in the said recited Act contained, the Clauses, Provisions, Tolls, Authorities, Powers, Penalties, Forfeitures, Exemptions, Payments, Punishments, Matters, and Things, in this Act contained, shall, for the Purpose of repairing, widening, and keeping in Repair the said Road, leading from between the Second and Third Mile-stones on the Turnpike Road leading from the Town and County of Poole to Winborn Minster, in the County of Dorset, through the several Parishes, Hamlets, Tythings, Towns, and Villages, of Great Canford, Corfe Mullen, Combe Almer, Sturminster Marshall, Spetisbury, Charlton-Marshall, Langton-Long-Blandford, Blandford-Saint-Mary, and Brianston, in the said County of Dorset, to the Turnpike Road there, leading from Blandford Forum to Dorchester, in the same County; and also the Road leading from the said Turnpike Road, in the Parish of Brianston, leading from Blandford Forum to Dorchester, in the said County of Dorset, through the several Parishes, Hamlets, Tythings, Towns, and Villages, of Brianston aforesaid, Winterborne-Stickland, Durweston, Winterborne-Houghton, Iberton, and Woolland, to and near a Place called Bull-Barrow, in the Parish of Stoak-Wake, or Stoak-under-Bull-Barrow, and to and through Stoak aforesaid, and Hazelbury-Briant, to a Place called King-Stag-Bridge, in the Parishes of Hazelbury-Briant aforesaid, and Pulham, or One of them, in the said County of Dorset; and over the said Bridge, and from thence over Holwell Common, in the County of Somerset, to and through a Lane called Crouch Lane; and from thence to and over Cornell Bridge, in the Parish of Holwell aforesaid, or in the Parish of Bishops Caundle, in

the ſaid County of Dorſet; and from thence along by a Mill now occupied by William Notley, to and through a Common called Marſh Common, in the Pariſh of Caundle-Marſh, to the End of a Lane lying near or leading to a Houſe called Fontleroy's Farm Houſe, in the Pariſh of Folk, in the ſaid County of Dorſet; being the High Road from the ſaid Turnpike Road, in the Pariſh of Brianſton aforeſaid, to Sherborne, in the ſaid County of Dorſet, take Place, and ſhall commence from and immediately after the Sixteenth Day of April, One thouſand ſeven hundred and ſixty ſeven, and ſhall continue in Force for and during the Term of Twenty one Years.

Roads to be divided into

And be it further enacted, That for the more effectual repairing, widening, altering, and keeping in Repair, the ſaid Roads, the ſame be Two ſeparate and diſtinct Diviſions; and that the ſaid Road leading from between the Second and Third Mile-ſtones in the Turnpike Road leading from Poole to Winborn-Minſter aforeſaid, to the Turnpike Road in the Pariſh of Brianſton aforeſaid, leading from Blandford-Forum to Dorcheſter, in the ſaid County of Dorſet, ſhall be, and be called The Eaſtern Diviſion; and that the ſaid Road leading from the Turnpike Road, in the Pariſh of Brianſton aforeſaid, leading from Blandford Forum to Dorcheſter aforeſaid, to the Lane near to a Houſe called Fontleroy's Farm Houſe aforeſaid, ſhall be, and be called The Weſtern Diviſion.

Eaſtern and Weſtern Diviſions.

Truſtees for the Eaſtern Diviſion.

And be it enacted, That the Right Honourable John Fane, commonly called Lord Burgherſh; Sir William Hanham, Sir Thomas Bankes I'anſon, Sir James Long, Sir Harry Munro, Sir John Webb, Sir William Yea, Baronets; Sir Peter Thompſon Knight, John Bankes, John Calcraft, John Bond, Awnſham Churchill, Henry Churchill, Joſhua Churchill, William Churchill, William Churchill of Colliton, George Clavill, the Honourable John Damer, the Honourable George Damer, the Honourable Lionel Damer, John Damer, John Dale, John Dennett, the Honourable Robert Digby, Thomas Erle Drax, Edward Drax, John Farr, Thomas Gould, Joſeph Gulſton, Thomas Gundry, Radford Gundry, Anthony Hall, Charles Hiley, Edward Hooper, Thomas Hutchings Medlycott, David-Robert-Mitchell, John Newton, Edmund Okeden, John Pitt, George Pitt, William Pitt, William Auguſtus Pitt, Thomas Pitt, Edmund Moreton Pleydell, Nevill Moreton Pleydell, Thomas Moreton Pleydell, Henry William Portman, Humphry Sturt, George Trenchard, John Trenchard, William Wentworth, Fredrick Thomas Wentworth, Ralph Willett, John Willis, Eſquires;

Eſquires; Robert Mitchell Doctor of Phyſick, John Bartholomew, Samuel Baſkett, Edward Butt, John Burroughs, Burt of Winborn Minſter, John Trenchard Bromfield, William Chaffin, John Cooth, John Cooper, Henry Fiſher, Henry Fitch, Henry Good, James Hanham, John Harris, Robert Henning, John Leach, Charles Frederick Moreau, William Nairn, John Richardſon, Charles Ruſſell, Nathaniel Templeman, Chriſtopher Twynihoe, Chriſtopher Twynihoe junior, John Walker, Matthew Waſſe, Clerks; Samuel Clerk, John Green, Young Green, Thomas Hyde, Peter Jolliff in Weſt Street, Poole; John Leſter, Iſaac Leſter, Thomas Nickleſon, John Pike, John Skinner, Merchants; William Auſten, Henry Auſten, Thomas Bartlett, Charles Barford, John Baſtard, James Brook, Cantelo Beſtland, John Biles, Thomas Brine, Thomas Dean, Richard Dean, Thomas Fever, Thomas Fitzherbert, John Fricker, Humphry Giles, George Hayward, Haveland Hiley, John Hudden, Nicholas Humfrey, George Huſſey, Robert Jubber, Thomas Jubber, Hookey King, Richard King, William Lear, William Mackrell, Edward Madgwick, Leonard Martin, George Milner, John Oliver, Okeley of Winborn Minſter, George Okeley, John Page, William Percy, John Tory, Richard Tory, Charles Waſſe, Robert Willis, Morgan Yetman, Morgan Yetman junior, Gentlemen; Thomas Baſkett Surgeon, Samuel Baſkett, William Dean, Sachaveril Druit, William Tice, Apothecaries; John White Grocer, **ſhall be, and they and their Succeſſors, to be elected and appointed in Manner herein after-mentioned, are hereby appointed Truſtees for putting this Act in Execution within the ſaid Eaſtern Diviſion: And, that the Right Honourable** John Fane, **commonly called Lord** Burgherſh; **Sir** William Hanham, **Sir** James Long, **Sir** Harry Munro, **Sir** John Webb, **Sir** William Yea, **Baronets; Sir** Peter Thompſon **Knight,** John Bankes, John Bailey, Richard Bingham, Charles Blair, John Bond, Charles Brune, John Buller, Awnſham Churchill, Joſhua Churchill, William Churchill, Henry Churchill, William Churchill of Colliton, **the Honourable** John Damer, **the Honourable** George Damer, **the Honourable** Lionel Damer, John Damer, **the Honourable** Robert Digby, James Dale, John Dennett, Thomas Erle Drax, Edward Drax, Walter Erle, John Farr, Fitz Foy, John Gannett, Thomas Gundry, Radford Gundry, Holyar, John Hunt, Nicholas Joyce, Nicholas Kellaway, John Hutchings Medlycott, David Robert Mitchell, John Newton, John Pitt, George Pitt, William Pitt, William Auguſtus Pitt, Thomas Pitt, Edmund Moreton Pleydell, Nevil

Truſtees for the Weſtern Diviſion.

Nevil Moreton Pleydell, Thomas Moreton Pleydell, Henry William Portman, William Salkeld, Henry Seymour, Henry Seymer, Humphry Sturt, John Thornhill, George Trenchard, John Trenchard, Edward Walter, William Wentworth, Fredrick Thomas Wentworth, Ralph Willett, John Wickham, Eſquires; Robert Mitchell Doctor of Phyſick, John Bartholomew, Richard Blackmore junior, Nathaniel Briſted, John Burroughs, Duke Butler, Edward Coates, Thomas Coker, John Cooper, John Cooth, John Dalton, Thomas Daſhwood, Clement Elſworth, Henry Fiſher, Henry Fitch, Henry Hall, James Hanham, John Harris, Thomas Hobſon, William Horſey, George Hutchings, Baptiſt Iſaac, John King, Richard Lawrence, James Metcalf, Charles Fredrick Moreau, John Parſons, James Parſons, John Richardſon, Richard Colmer Rogers, William Rothery, Digby Shuttleworth, Henry Saint Lo, Thomas Stevens, Nathaniel Templeman, Chriſtopher Twynihoe, Chriſtopher Twynihoe junior, John Walker, John Wickham, Anthony Wickham, John Wood, Charles Yetman, Clerks; White of Ibberton Merchant, Benjamin Baſtard, John Baſtard, Thomas Bird, John Biles, John Chafie, Richard Chapman, William Claver, James Brooke, Thomas Fever, Thomas Fitzherbert, John Fooks, Samuel Foot, John Foot, George Hayward, John Harriſon, William Henvill, Philip Henvill, Nicholas Humfry, John Loader, Giles Loader, Edward Madgwick, John Oliver, John Page, Samuel Phripp, Henry Seymour of Ibberton, William Toogood, William Toogood junior, Boucher Syndercombe, Edward Vaulter, Thomas Vowell, Benjamin Vowell, Charles Waſſe, Robert Willis, Morgan Yetman, Morgan Yetman junior, Gentlemen; John Deering, William Tice, Apothecaries; Robert Goadby Printer, Martin Ruſſels Ironmonger, John Toogood Mercer, John Thorne Hoſier, and John White Grocer, ſhall be, and they and their Succeſſors, to be elected and appointed in Manner herein after mentioned, are hereby appointed Truſtees for putting this Act in Execution within the ſaid Weſtern Diviſion; and it ſhall be lawful to and for the ſaid Truſtees, and the Survivors of them, and to and for any Five or more of them, in the ſaid reſpective Diviſions, or ſuch Perſon or Perſons as they, or any Five or more of them, ſhall authorize and appoint, to amend, widen, alter, and keep in Repair, all the Roads herein before mentioned, or ſuch Parts thereof, in each of the ſaid Diviſions, as they ſhall think fit; and to erect, or cauſe to be erected, a Gate or Gates, Turnpike or Turnpikes, in, upon, or croſs,

Truſtees may erect Turnpikes and Toll-houſes,

the ſaid Roads, in the ſaid reſpective Diviſions, at the ſeveral Places herein after mentioned; and alſo a Toll-houſe or Toll-houſes in, upon, or near, the ſame, ſubject nevertheleſs to the Proviſions and Regulations herein after-mentioned; and ſhall demand, receive, and take, at every Gate or Turnpike in each of the Diviſions aforeſaid, the Tolls and Duties following, before any Horſe, or other Cattle, or any Carriage, ſhall be permitted to paſs through the ſame; that is to ſay,

and take Tolls thereat.

The Tolls.

For every Horſe, Mare, Gelding, Mule, Aſs, or Yoke of Oxen, drawing any Coach, Berlin, Landau, Chariot, Chaiſe, Chaiſe Marine, Calaſh, Curricle, Chair, Caravan, Car, Hearſe, Waggon, Wain, Frame, Cart, Dray, or other Carriage, the Sum of Three Pence.

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

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

Which ſaid reſpective Sum and Sums of Money ſhall be demanded and taken in the Name of and as a Toll or Duty; and the Money ſo to be raiſed and collected is and ſhall be hereby veſted in the ſaid Truſtees of and for each of the ſaid Diviſions for the time being; and the ſame, and every Part thereof, ſhall be paid, applied, diſpoſed of, and aſſigned to and for the ſeveral Uſes and Purpoſes, and in ſuch Manner, as is hereinafter-mentioned: And it ſhall 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, appoint, in each of the ſaid Diviſions, to demand and take the Tolls or Duties hereby required to be paid, and to levy the ſame upon any ſuch Perſon or Perſons who ſhall, after Demand thereof made, neglect or refuſe to pay the ſame as aforeſaid, by Diſtreſs of any Horſe or Horſes, or other Cattle, or of any Carriage, upon which any Toll or Duty is 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 or Duties, with the reaſonable Charges of ſuch diſtraining, detaining, and keeping, the ſame, ſhall be

Toll veſted in the Truſtees.

Tolls to be levied by Diſtreſs and Sale.

fully paid and ſatisfied; and after the Space of Five Days, ſuch Perſon or Perſons ſo diſtraining (in caſe ſuch Tolls, with the reaſonable Charges incident to ſuch Diſtreſs as aforeſaid, ſhall remain unpaid or unſatisfied) ſhall and lawfully may ſell the ſaid Cattle, Carriage, or Goods, ſo diſtrained, for Payment thereof, returning the Overplus (if any) upon Demand, to the Owner or Owners thereof, after ſuch Tolls, Duties, and all reaſonable Charges of diſtraining, detaining, keeping, and ſelling, the ſame, ſhall be deducted and paid. Diſtreſs to be ſold after 5 Days.

Provided always, and be it further enacted by the Authority aforeſaid, That the ſaid Truſtees for the ſaid Eaſtern Diviſion, or any Five or more of them, ſhall and are hereby required to erect, or cauſe to be erected, on the ſaid Diviſion, a Gate or Gates, Turnpike or Turnpikes, acroſs the ſaid Road in Spetiſbury Street, at or near a Place where the ſaid Road is croſſed by a Road to and over Crawford Bridge, in the Pariſh of Spetiſbury aforeſaid; and alſo a Side Gate or Gates acroſs the ſaid Road leading to or over Crawford Bridge aforeſaid, together with a Toll-houſe or Toll-houſes to ſuch Gate or Gates, Turnpike or Turnpikes; and alſo ſhall and may, if they think fit, erect, or cauſe to be erected, on the ſaid Eaſtern Diviſion, One other Gate or Gates, Turnpike or Turnpikes, acroſs the ſaid Road between the Weſt or North Weſt End of a Lane called Bailie Lane, in the Pariſh of Sturminſter Marſhall, and the Eaſt End of the Town or Village of Corfe Mullen aforeſaid, together with a Toll-houſe or Toll-houſes to ſuch Gate or Gates, Turnpike or Turnpikes; and alſo that the ſaid Truſtees for the ſaid Weſtern Diviſion, or any Five or more of them, ſhall and they are hereby required to erect, or cauſe to be erected, on the ſaid Diviſion, One other Gate or Gates, Turnpike or Turnpikes, and Toll-houſe or Toll-houſes, acroſs the ſaid Road in a Lane called Bradley Lane, or near Bradley Wood, in the Pariſh of Brianſton aforeſaid; and alſo One other Gate or Gates, Turnpike or Turnpikes, and Toll-houſe or Toll-houſes, acroſs the ſaid Road at or near King Stag Bridge aforeſaid, or upon or acroſs any Part or Parts of the ſaid Weſtern Diviſion between Bull Barrow aforeſaid, and the End of the Lane near or leading to Fontleroy's Farm Houſe aforeſaid. Truſtees may erect Turnpikes within the Eaſtern and Weſtern Diviſions;

Provided alſo, and be it enacted, That no Perſon ſhall be obliged to pay the ſaid Toll or Duty the ſame Day at more than One Gate or Turnpike on either of the ſaid Diviſions. Toll to be paid at One Gate only in either.

Provided

Truſtees may erect Side-gates,

Provided always, and be it enacted, That it ſhall and may be lawful to and for the ſaid Truſtees, or any Seven or more of them, to erect, or cauſe 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, or any of them, and croſs any Lane or Way leading out of the ſame, within each or either of the ſaid Diviſions; and there to take and levy, or cauſe to be taken and levied, ſuch Tolls and Duties as are by this Act granted and made payable, ſo as the ſame do not extend to a double Charge in caſe of paſſing through any Gate or Turnpike, Gates or Turnpikes, which ſhall be erected by virtue of this Act on any One of the ſaid Diviſions; ſubject nevertheleſs to the Proviſions and Regulations in this Act contained.

and take Toll thereat;

except, &c.

Provided always, That no Side-gate or Gates, Turnpike or Turnpikes, ſhall be erected in any Part of the Road within the Weſtern Diviſion aforeſaid, between the Gate or Gates, Turnpike or Turnpikes, to be erected by virtue of this Act in Bradley Lane, or near Bradley Wood, and the Turnpike Road leading from Blandford to Dorcheſter, or on any Part of the South or Weſt Side of the Road, to be repaired by virtue of this Act, within the ſaid Eaſtern Diviſion, Weſt of the Pariſh of Spetiſbury aforeſaid; any thing herein, or in the ſaid former Act, contained to the contrary notwithſtanding.

Gates may be erected in either Diviſion when 800 *l.* ſhall be ſubſcribed for the Uſe of ſuch Diviſion, &c.

Provided always, and be it enacted, That no Gate or Turnpike ſhall be erected, or any Toll or Duty be demanded, taken, or levied, by virtue of this Act, in the ſaid Eaſtern Diviſion, or in any Part thereof, until the Sum of Eight hundred Pounds ſhall have been ſubſcribed, promiſed, or undertaken to be lent, upon the Credit of the Tolls or Duties to be collected and raiſed by virtue of this Act, within the ſaid Eaſtern Diviſion; and that no Gate or Turnpike ſhall be erected, or any Toll or Duty be demanded, taken, or levied, by virtue of this Act, in the ſaid Weſtern Diviſion, or in any Part thereof, until the like Sum of Eight hundred Pounds ſhall have been ſubſcribed, promiſed, or undertaken to be lent, upon the Credit of the Tolls or Duties to be collected and raiſed by virtue of this Act, within the ſaid Weſtern Diviſion: And that it ſhall be lawful for the ſaid reſpective Truſtees, in either of the ſaid reſpective Diviſions, when and as ſoon as either of the ſaid Sums of Eight hundred Pounds ſhall have been ſubſcribed, promiſed, or undertaken to be lent, for the Uſe of ſuch Diviſion, to proceed in erecting a Gate or Gates, Turnpike or Turnpikes, and Toll-houſe or Toll-houſes, and

in

in repairing and widening the Roads within ſuch Diviſion, although the Sum of Money herein before directed to be ſubſcribed, promiſed, or undertaken to be lent, for the Uſe of the ſaid other Diviſion, ſhall not have been ſubſcribed, promiſed, or undertaken to be lent, as aforeſaid.

Regulations to be obſerved till the *Wareham* Truſtees ſhall erect a Gate in *Spetiſbury* or in *Charlton*, by virtue of Act 6 *Geo.* III;

Provided always, and be it further enacted, That until a Gate or Turnpike ſhall be erected in the Pariſh of Spetiſbury, or in the Pariſh of Charlton, or at or near a Place called The World's End, by virtue of an Act of Parliament paſſed in the Sixth Year of His preſent Majeſty's Reign, intituled, An Act for amending, widening, altering, clearing, and keeping in Repair, ſeveral Roads leading from the Market Croſs in the Town of *Wareham*, and in *Purbeck*, in the County of *Dorſet*, any and every Horſe, Mare, Gelding, Ox, Mule, Aſs, or other Cattle, and any and every Coach, Berlin, Landau, Chariot, Chaiſe, Chaiſe Marine, Chair, Calaſh, Caravan, Hearſe, Waggon, Wain, Frame, Dray, Cart, or other Carriage, paſſing through the Gate or Turnpike leading from the Town of Wareham, called North Port Gate, and paying the Tolls and Duties by the ſaid Act made payable, ſhall paſs Toll-free through any Gate or Gates, Turnpike or Turnpikes, to be erected by virtue of this Act within the ſaid Eaſtern Diviſion, in the Pariſh of Spetiſbury, upon producing a Ticket marked with the Words Wareham and Spetiſbury, denoting the Payment of the Tolls or Duties payable at the ſaid Gate or Turnpike called North Port Gate; and that any and every Horſe, Mare, Gelding, Ox, Mule, Aſs, or other Cattle, and any and every Coach, Berlin, Landau, Chariot, Chaiſe, Chaiſe Marine, Chair, Calaſh, Caravan, Hearſe, Waggon, Wain, Frame, Dray, Cart, or other Carriage, paſſing through any Gate or Gates, Turnpike or Turnpikes, to be erected by virtue of this or the ſaid former Act within the ſaid Eaſtern Diviſion, in the ſaid Pariſh of Spetiſbury, and paying the Tolls or Duties impoſed, or to be impoſed or granted by virtue of this Act, ſhall, in the ſame Day, paſs Toll-free through the ſaid Gate or Turnpike near the Town of Wareham called North Port Gate, upon producing a Ticket marked with the Words Spetiſbury and Wareham, denoting the Payment of the Tolls or Duties payable at the ſaid Gate or Gates, Turnpike or Turnpikes, to be erected in Spetiſbury aforeſaid; and that every ſuch Ticket, denoting the Payment made at the ſaid Gate or Gates, Turnpike or Turnpikes, to be erected within the ſaid Pariſh of Spetiſbury, ſhall intitle the Truſtees

for putting in Execution the ſaid laſt-mentioned Act of the Sixth Year of His preſent Majeſty's Reign, to ſo much Money as the Truſtees for putting in Execution this preſent Act, or their Collector or Collectors of the Tolls or Duties at the ſaid Gate or Gates, Turnpike or Turnpikes, within the Pariſh of Spetiſbury aforeſaid, ſhall, by the ſaid Tickets marked as aforeſaid, appear to have received; and the ſaid Truſtees for putting this preſent Act in Execution within the ſaid Eaſtern Diviſion, or any Five or more of them, ſhall, and they are hereby required, to pay, or order the Payment of, the ſame, upon Demand, into the Hands of the ſaid Truſtees for putting in Execution the ſaid laſt-mentioned Act of the Sixth Year of His preſent Majeſty's Reign, or of ſuch Perſon or Perſons as they, or any Five or more of them, ſhall authorize and appoint to receive the ſame.

and the Compenſation they are to make, in caſe they do erect one.

And be it further enacted, That in caſe the Truſtees for putting in Execution the ſaid laſt-mentioned Act of the Sixth Year of His preſent Majeſty's Reign, ſhall erect a Gate or Turnpike in any Place within the Pariſh of Spetiſbury aforeſaid, or ſhall carry their Turnpike Road to any Part of the Roads to be repaired by virtue of this Act, within the ſaid Pariſh of Spetiſbury, they ſhall be chargeable with, and pay, to the Truſtees for putting in Execution this preſent Act, or to ſuch Perſon or Perſons as they, or any Five or more of them, ſhall, for that Purpoſe, authorize and appoint, One fourth Part of the original Expence of repairing and widening ſo much of the ſaid Road as ſhall lie between ſuch Gate or the Place where ſuch Turnpike Road ſhall meet any Part of the ſaid Road to be repaired by virtue of this Act, within the ſaid Pariſh of Spetiſbury, and the Turnpike Road leading from Blandford to Dorcheſter aforeſaid: But in caſe any Gate or Turnpike ſhall, by the ſaid Truſtees for putting in Execution the ſaid laſt-mentioned Act of the Sixth Year of His preſent Majeſty's Reign, be erected in any Place within the Pariſh of Charlton as aforeſaid, the ſaid laſt-mentioned Truſtees ſhall not be chargeable with, or pay, any Part of the original Expence of repairing and widening any Part of the Roads to be repaired by virtue of this Act; any thing herein contained to the contrary notwithſtanding.

Tolls to be paid but Once a Day in each Diviſion.

Provided always, and be it further enacted by the Authority aforeſaid, That no Horſe, Mare, Gelding, Ox, Mule, Aſs, or other Cattle, drawing or not drawing, for which the Tolls or Duties impoſed by this Act ſhall have been paid, ſhall be liable or compelled the ſame Day to pay the ſaid Tolls or Duties more than Once in each

each of the ſaid Diviſions; ſubject nevertheleſs to the Regulations herein after mentioned.

Carriages, &c. having paid Half Toll between *Bailie Lane* and *Corfe Mullen*,

Provided always, That all Cattle and Carriages whatſoever paſſing through any Gate or Gates, Turnpike or Turnpikes, that ſhall or may be erected by virtue of this Act in the ſaid Eaſtern Diviſion, between the Weſt End of Bailie Lane, and the ſaid End of the Town or Village of Corfe Mullen aforeſaid, without producing a Ticket, denoting Payment of the ſaid Tolls or Duties made at any other Gate or Gates in the ſaid Eaſtern Diviſion, ſhall be liable to pay only One Half of the Tolls or Duties made payable and to be collected by virtue of this Act, at any or either of the other Gate or Gates, Turnpike or Turnpikes, within the ſaid Eaſtern Diviſion; and that upon producing a Ticket denoting Payment of ſuch Half Tolls or Duties at the ſaid Gate or Gates, Turnpike or Turnpikes, between the ſaid End of Bailie Lane, and the Eaſt End of the ſaid Town or Village of Corfe Mullen, to the Collector or Collectors of the Tolls or Duties at any other Gate or Gates, Turnpike or Turnpikes, within the ſaid Eaſtern Diviſion, all ſuch Cattle and Carriages ſhall be liable to paſs through any ſuch other Gate or Gates, Turnpike or Turnpikes, on Payment of the other Half of the ſaid Tolls or Duties, to be collected at ſuch Gate or Gates, Turnpike or Turnpikes, and no more; any thing herein before contained to the contrary notwithſtanding.

to pay only Half Toll at any other Gate in the Eaſtern Diviſion.

Penalty on giving or receiving Tickets;

And be it further enacted, That if any Perſon or Perſons, having paid any of the ſaid Tolls or Duties by this Act granted, and having any Note or Ticket, Notes or Tickets, ſhall offer, give, or diſpoſe of the ſame, to any Perſon or Perſons (except the Perſon or Perſons appointed to collect or receive the Tolls hereby made payable) or if any Perſon or Perſons ſhall, with any Horſe, Mare, Gelding, Ox, Mule, Aſs, or other Cattle, Coach, Berlin, Landau, Chariot, Chaiſe, Chaiſe Marine, Calaſh, Curricle, Chair, Caravan, Car, Hearſe, Waggon, Wain, Frame, Cart, Dray, or Carriage, go or paſs through any Ground, Parcel of Land, or other Place, adjoining to or lying near any or either of the Gates or Turnpikes to be erected by virtue of this Act, in either of the ſaid Diviſions, 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,

or permitting, &c. private Paſſage;

Or, Mule, Aſs, Cattle, Coach, Berlin, Landau, Chariot, Chaiſe, Chaiſe Marine, Calaſh, Curricle, Chair, Caravan, Car, Hearſe, Waggon, Wain, Frame, Cart, Dray, or other Carriage, to go or paſs through the ſame Ground, Land, or Hereditaments; or if any Perſon or Perſons ſhall at any Time or Times, take off, or cauſe to be taken off, any Horſe, Mare, Gelding, Or, Mule, Aſs, or any other Sort of Cattle, from any Coach, Berlin, Landau, Chariot, Chaiſe, Calaſh, Curricle, Chaiſe Marine, Chair, Caravan, Car, Hearſe, Waggon, Wain, Frame, Cart, Dray, or other Carriage, 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 of Dorſet (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 Forty Shillings; One Moiety whereof ſhall be paid to the Informer or Informers, 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 in repairing and widening the ſaid Roads.

or taking off Horſes, &c.

to avoid Payment of the Tolls.

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

And be it further enacted, That it ſhall be lawful to and for the ſaid reſpective Truſtees, or any Seven or more of them, and they are hereby authorized and impowered, from time to time, with the Conſent of ſuch Perſons as ſhall have advanced Money on the Credit of the ſaid Tolls and Duties, or of the major Part of them in Number and Value, at any Time or Times hereafter, as often and for ſuch Time or Times as they ſhall think proper, to leſſen all or any of the Tolls or Duties by this Act made payable at all or any of the Gates or Turnpikes which ſhall be erected by virtue of this Act, in each of the ſaid Diviſions; and ſo again as often and for ſuch Time as the ſaid reſpective Truſtees, or any Seven or more of them, ſhall find it neceſſary to raiſe and increaſe all or any of the ſaid Tolls or Duties, ſo that the ſame do not exceed the Tolls or Duties made payable by virtue of this Act; and ſuch Tolls or Duties, ſo reduced or raiſed again, ſhall be collected, recovered, and applied, in the ſame Manner as the Tolls or Duties herein before granted and made payable are directed to be collected, recovered, and applied.

and raiſe them again.

Notice thereof to be given.

Provided always, That after all or any of the Gates or Turnpikes herein before-mentioned ſhall have been erected,

erected, Twenty Days Notice ſhall be given of every Meeting to be held by the Truſtees for the Purpoſes laſt mentioned, by Writing under the Hand of the Clerk to the ſaid reſpective Truſtees, and ſhall by Order of the ſaid Truſtees, or any Seven or more of them, be affixed upon all the Gates or Turnpikes that ſhall be erected by virtue of this Act in each of the ſaid Diviſions.

Property of Turnpikes, &c. veſted in the Truſtees.

And be it further enacted, That the Right and Property of all the Gates, Turnpikes, and Toll-houſes, which ſhall be erected by virtue of this Act, and of the Materials of which the ſame ſhall conſiſt, ſhall be, and are hereby veſted in the reſpective Truſtees appointed or to be appointed by or in purſuance of this Act; and ſuch Truſtees, or any Five or more of them, are hereby impowered to bring or cauſe any Action or Actions to be brought in the Names of any Five or more of them, or in the Name or Names of their Clerk or Clerks, Treaſurer or Treaſurers, for the time being, or to prefer or cauſe a Bill or Bills of Indictment to be preferred againſt any Perſon or Perſons who ſhall dig up, break, or pull down, ſteal, take, or carry away, ſpoil, injure, or deſtroy, any ſuch Gate or Gates, Turnpike or Turnpikes, Toll-houſe or Toll-houſes, or any Part thereof.

Qualification of Truſtees.

Provided always, and be it enacted, That no Perſon ſhall be capable of acting as a Truſtee in the Execution of this Act, in either of the ſaid Diviſions, unleſs at the Time of his acting therein, he ſhall have or be ſeiſed in his own Right, or in the Right of his Wife, and 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 be Heir Apparent of a Perſon ſeized of a Real Eſtate in Law or Equity, of the clear yearly Value of One hundred Pounds; or unleſs, at the Time of acting therein, he be poſſeſſed of a Perſonal Eſtate to the Amount of One thouſand 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 be recovered by Action at Law, to be brought in any of His Majeſty's Courts of Record at Weſtminſter; 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; One Moiety of which Forfeiture ſhall be paid to the Proſecutor, and the other Moiety ſhall be applied in Repair of the ſaid Roads, in

Penalty on acting if not qualified.

ſuch of the ſaid Diviſions where the ſaid Penalties ſha be incurred.

Truſtees may appoint Officers,

And be it further enacted, That the ſaid reſpective Truſtees, or any Seven or more of them, may, and are hereby authorized and impowered, in each of the ſaid reſpective Diviſions, to chuſe a Clerk or Clerks, and a Treaſurer or Treaſurers, and appoint a Collector or Collectors of the Tolls or Duties aforeſaid, and alſo a Surveyor or Surveyors to view the Condition of the ſaid Roads, and to ſee that the ſame be repaired, and ſuch other Officer or Officers as they, or any Seven or more of them, ſhall think neceſſary for the Execution of this Act; and, from time to time, to remove ſuch Clerks, Treaſurers, Collectors, Surveyors, and other Officers, or any of them, as they ſhall ſee Occaſion, and to appoint new Ones on their Death or Removal; Notice of the Time and Place of Meeting for electing and appointing ſuch others being fixed on the Gates or Turnpikes then erected by virtue of this Act, and before and until the ſaid Gates or Turnpikes ſhall be erected, by Advertiſement in the Saliſbury and Sherborne Journals, or One of them, at leaſt Ten Days before ſuch Election and Appointment; and all Perſons who ſhall be appointed as aforeſaid to receive the ſaid Tolls or Duties, or any Monies which ſhall be raiſed, collected, or received, by virtue of this Act, ſhall, upon Oath, when thereunto required by the ſaid reſpective Truſtees, or any Five or more of them (which Oath any Two of the ſaid Truſtees are hereby impowered to adminiſter, and for adminiſtering of which Oath no Fee ſhall be taken) on the Firſt Tueſday in every Month, or oftener, if the ſaid Truſtees, or any Five or more of them, ſhall ſo require, give in a true, exact, and perfect Account in Writing to the ſaid reſpective Truſtees, or any Five or more of them, of all Monies which ſuch Perſons ſhall to ſuch Time reſpectively have received by virtue of this Act, and how, and to whom, and for what Uſes, ſuch Monies, and every Part thereof, ſhall have been paid, diſpoſed of, or applied, together with the proper Receipts and Vouchers for ſuch Payments; and in caſe any Money ſo received ſhall remain in their reſpective Hands, the ſame ſhall be paid to the ſaid reſpective Truſtees, or any Five or more of them, or to ſuch Perſon or Perſons as they, or any Five or more of them, ſhall impower to receive the ſame, and ſhall be laid out and diſpoſed of according to the true Intent and Meaning of this Act; and the ſaid reſpective Truſtees, or any Five or more of them, to whom

and remove them, and appoint others.

Officers to account upon Oath.

Truſtees to allow Officers Salaries.

whom ſuch Account ſhall be given, may and ſhall, out of the ſaid Tolls or Duties, make ſuch Allowance to the ſaid Collectors, Receivers, Clerks, Treaſurers, Surveyors, and other Officers, or any or either of them, and to ſuch other Perſon or Perſons as ſhall be aſſiſting to them, or any or either of them, in or about any Matter or Thing relative to repairing or widening the ſaid Roads, or any Part thereof, as to the ſaid reſpective Truſtees, or any Five or more of them, ſhall ſeem reaſonable; and in caſe ſuch Collectors, Receivers, Clerks, Treaſurers, or other Officers, or any or either of them, ſhall not give in ſuch Account, and make ſuch Payment, or produce and deliver up the Receipts and Vouchers relating to the ſame, or verify the Articles thereof on his or their Oath or Oaths when required ſo to do, then, and in either of the Caſes aforeſaid, the ſaid Truſtees, or any Five or more of them, are hereby authorized and impowered to bring, or cauſe to be brought, any Action or Actions in the Names of the ſaid reſpective Truſtees, or in the 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 to any One or more Juſtice or Juſtices of the Peace for any Diviſion in which any Part of the ſaid Roads do lie, ſuch Juſtice or Juſtices ſhall make Enquiry concerning ſuch Default in a ſummary Way, as well by Confeſſion of the Parties themſelves, as by the Teſtimony of One or more credible Witneſs or Witneſſes upon Oath (which Oath the ſaid Juſtice or Juſtices is and are hereby impowered and required to adminiſter without Fee or Reward;) and if ſuch Officer ſhall be thereof convicted, ſuch Juſtice or Juſtices ſhall commit the Party to the Common Gaol of the ſaid County of Dorſet, there to remain until he ſhall have given and made a true and perfect Account and Payment as aforeſaid, or until he ſhall have compounded and agreed with ſuch reſpective Truſtees, or any Five or more of them, and have paid ſuch Compoſition to the ſaid Treaſurer or Treaſurers, or other Officer or Officers to be by them appointed to receive the ſame; which Compoſition the ſaid reſpective Truſtees, or any Five or more of them, at any Meeting, are hereby impowered to make.

Officers refuſing to account,

may be ſued;

or if Complaint be made to Juſtices,

they may determine the Matter,

and commit the Offender,

until Payment or Compoſition made.

Provided

No Victualler, &c. to hold any Place of Profit.

Provided always, That no Perſon keeping an Inn, Alehouſe, or other Houſe of publick Entertainment, or who ſhall ſell Beer, Ale, Wine, Brandy, or other ſpirituous Liquors, by Retail, ſhall be capable of taking, holding, or enjoying, any Place of Truſt or Profit under this Act.

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

And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid reſpective Surveyor or Surveyors, or ſuch Perſon or Perſons as he, or any Five or more of the ſaid reſpective Truſtees, ſhall appoint, to dig, cut, gather, take, and carry away, or cauſe to be digged, cut, gathered, taken, or carried away, any Chippings or Rubbiſh, Gravel, Furze, Heath, Sand, Stones, Chalk, Flint, or other Materials, for repairing the ſaid Roads, out of any Quarry, River, Brook, Waſte or Common Grounds, in any Pariſh, Hamlet, Tything, Town, Village, or Place, wherein or near which the ſaid Roads do lie, without paying any thing for ſuch Materials; and for want of ſufficient Materials to be had within ſuch Pariſhes, Hamlets, Tythings, Towns, Villages, or Places, he and they may, and is and are hereby authorized to dig, cut, gather, take, and carry away, the ſame from any Open or Waſte Grounds in any neighbouring Pariſh, Hamlet, Tything, Town, Village, or Place, where the ſame may be had, without paying any thing for ſuch Materials, and alſo in, upon, or out of, the Lands of any Perſon or Perſons where the ſame may be had (not being a Yard, Garden, Orchard, Park, Paddock, Plantation, Wood, Coppice, planted Walk, or Avenue to any Houſe, or any incloſed Ground planted and ſet apart for a Nurſery for Trees) they the ſaid Surveyors, or other Perſons aforeſaid, having an Order from ſuch reſpective Truſtees, or any Five or more of them, for ſo doing, and paying or tendering ſuch Price for the ſame, and for the Damage done to ſuch Owner or Owners, as the ſaid Truſtees, or any Five or more of them, ſhall adjudge reaſonable.

without paying for the ſame.

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

making Satisfaction to the Owners.

Surveyors may make Cauſeways, &c.

And be it further enacted, That the ſaid reſpective Truſtees, or any Five or more of them, or the Surveyor or Surveyors by them reſpectively appointed as aforeſaid, or any other Perſon or Perſons by ſuch Surveyor or Surveyors reſpectively appointed or employed, may, and is and are hereby authorized and impowered (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 any Part or Parts

Parts of the ſaid Roads within their reſpective Diviſions; and ſhall and may erect or build, or cauſe to be erected or built, Bridges or Arches of Stone, Brick, or Timber, upon, in, or acroſs, the ſaid Roads, or any Part thereof; and may and ſhall make, raiſe, or erect, or cauſe to be made, raiſed, or erected, any Mounds or Banks, and 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 or incommoded by Water; and may and ſhall erect, or cauſe to be erected, Bridges over ſuch Drains or Watercourſes, if neceſſary, making ſuch reaſonable Satisfaction to the Owner or Owners, Occupier or Occupiers of ſuch Lands or Grounds for the Damages he, ſhe, or they, may thereby ſuſtain, as to the ſaid Truſtees, or any Five or more of them, ſhall ſeem meet.

erect Bridges,

making Satisfaction to the Owners.

Provided alſo, and be it further enacted, That where any Part or Parts of the ſaid Roads, or where any Bridge or Bridges, Dram or Drains, Sewer or Sewers, lying in and upon the ſaid Roads hereby intended to be repaired, and which have been accuſtomed or ought to be repaired and maintained by any particular Perſon or Perſons, or Body or Bodies Politick or Corporate, by reaſon of the Tenure of any Lands, Tenements, or Hereditaments, or by the ſaid County of Dorſet, or the ſaid County of Somerſet, or any otherwiſe howſoever; all and every ſuch Part or Parts of the ſaid Roads, Bridges, Drains, and Sewers, ſo lying in and upon the ſaid Roads, ſhall, from time to time, be maintained and kept in Repair by ſuch Perſon and Perſons, and Body and Bodies Politick and Corporate, and in ſuch Manner as the ſame were reſpectively maintained and kept in Repair before the Paſſing of this Act: And in caſe any Difference ſhall ariſe, as to Damage done in getting Materials for repairing the ſaid Roads from private Grounds, or how and in what Manner ſuch particular Part or Parts of the ſaid Roads, or the Bridges, Drains, and Sewers, lying in and upon the ſame, are or ought to be repaired and maintained as aforeſaid; it may and ſhall be lawful for the Juſtices of the Peace for the ſaid County, and they are hereby impowered and required, at their General or Quarter Seſſions, upon Application to them made by the ſaid reſpective Truſtees, or any Five or more of them, or by their Clerk or Clerks for the time being, to adjudge and determine what Satisfaction or Recom-

Bridges, &c. chargeable to the Highways, to continue ſo.

Juſtices to determine Differences.

pence ſhall be paid, and how and in what Manner ſuch particular Part or Parts of the ſaid Roads, Bridges, Drains, and Sewers aforeſaid, ſhall, from time to time, be repaired and maintained.

Surveyors may remove Annoyances, &c.

And be it further enacted, That it may and ſhall be lawful to and for the ſaid reſpective Surveyor or Surveyors, and for ſuch Perſon or Perſons as he or they ſhall appoint, to remove and carry away, from time to time, all Annoyances on any Part of the Roads aforeſaid, by Filth, Dung, Timber, Rubbiſh, or otherwiſe; and to divert and turn any Watercourſes, Sinks, or Drains, running into, along, croſs, or out of, the ſaid Roads within their reſpective Diviſions, to the Prejudice thereof; and to open, ſcour, or cleanſe, any Watercourſes or Ditches adjoining to the ſaid Roads, and make the ſame as deep and large as he or they ſhall think proper or neceſſary, and to make any new Drains, Watercourſes, or Ditches, adjoining to the ſaid Roads; and to grub up or cut down, lop or ſhroud, any Trees or Buſhes growing in the ſaid Roads, or in the Hedges or Banks adjacent thereto, or in any Land or Ground to be taken into the ſaid Roads; and to take and carry away the ſame, in caſe the Owners or Occupiers of the Premiſſes ſhall neglect to remove ſuch Annoyances, or to grub, cut down, lop, ſhroud, and carry away, ſuch Trees or Buſhes as aforeſaid, or to open, ſcour, or cleanſe, ſuch Watercourſes or Ditches for the Space of Twenty Days next after Notice, in Writing, given for that Purpoſe under the Hand or Hands of the ſaid Surveyor or Surveyors, or of the ſaid reſpective Truſtees, or any Five or more of them; the Charges whereof ſhall be ſettled by the ſaid reſpective Truſtees, or any Five or more of them, and reimburſed to the ſaid Surveyor or Surveyors by ſuch Owners or Occupiers ſo neglecting to grub up, cut down, lop, ſhroud, and carry away, ſuch Trees or Buſhes, or to remove ſuch other Annoyances as aforeſaid; and if after Removal of any of the ſaid Annoyances any Perſon ſhall again offend in the like Kind, every ſuch Perſon ſo again offending, and being thereof convicted on Oath as aforeſaid, ſhall, for every ſuch Offence, forfeit and pay, unto the ſaid reſpective Truſtees, the Sum of Twenty Shillings.

and cut down Trees, &c.

the Owners neglecting to remove the ſame after Notice;

the Charges to be reimburſed the Surveyor.

Penalty of a Second Offence.

Penalty on not removing Aſhes after Notice.

And be it further enacted, That if any Perſon or Perſons who ſhall have laid or thrown any Heap or Heaps of Aſhes upon or in any Part of the ſaid Roads by this Act directed to be repaired, ſhall neglect to remove and carry away ſuch Heap or Heaps of Aſhes for the Space of Five Days next after Notice, in Writing, given for

that

that Purpoſe under the Hand or Hands of the ſaid Surveyor or Surveyors, or of the ſaid reſpective Truſtees, or any Five or more of them; every ſuch Perſon ſo offending, and being thereof convicted on Oath as aforeſaid, ſhall, for every ſuch Offence, forfeit and pay the Sum of Twenty Shillings.

Truſtees may make a temporary Road;

And be it further enacted, That it ſhall and may be lawful for the ſaid Surveyor or Surveyors, or ſuch Perſon or Perſons as he or they ſhall appoint (ſuch Surveyor or Surveyors having an Order for that Purpoſe from the ſaid reſpective Truſtees, or any Five or more of them) to widen any narrow Part or Parts of the ſaid Roads within their reſpective Diviſions, by opening, clearing, and laying into the ſame, any Lands, Grounds, or Hereditaments, of any Perſon or Perſons lying contiguous thereto; and alſo to make a Road or Roads through the Grounds adjoining or lying near to any hollow Way, or any narrow or ruinous Part of the ſaid Roads; ſuch Grounds reſpectively not having any Houſe or Building ſtanding thereon, and not being a Yard, Garden, Orchard, Court, Park, Paddock, Plantation, Wood, Coppice, planted Walk, or Avenue to any Houſe, or an incloſed Ground planted and ſet apart as a Nurſery for Trees; ſuch temporary Road or Roads to be made uſe of as a Publick Highway or Publick Highways whilſt the old Road is repairing or widening; making ſuch Recompence to the Owners and Occupiers of ſuch private Grounds reſpectively, for the Damages they ſhall or may ſuſtain by ſuch widening or making ſuch temporary Road or Roads, as ſhall be adjudged reaſonable by the ſaid reſpective Truſtees, or any Five or more of them.

making Satisfaction to the Owners.

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

And be it further enacted, That in caſe the ſaid reſpective Truſtees, or any Five or more of them, ſhall think proper to widen, turn, or alter, any Part or Parts of the ſaid Roads within their reſpective Diviſions, the ſaid reſpective Truſtees, or any Five or more of them, ſhall have full Power and Authority, from time to time, to contract and agree with any Owner or Owners, Occupier or Occupiers of, and any Perſon or Perſons intereſted in any Lands, Grounds, or Hereditaments, lying contiguous or near to the ſaid Roads, for the Purchaſe thereof, or for the Loſs or Damage he, ſhe, or they, may ſuſtain by ſuch widening, turning, or altering, of any Part or Parts 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,

Hereditaments, and for such Loss or Damage as aforesaid, such Sum or Sums of Money as shall be agreed upon between such Owner or Owners, Occupier or Occupiers, Person or Persons interested as aforesaid, and the said respective Trustees, or any Five or more of them, and also the Costs and Charges attending such Agreements and Purchase: and it shall be lawful for all Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, and all Feoffees in Trust, Executors, Administrators, Husbands, Guardians, and other Trustees whatsoever, for or on Behalf of themselves, their Heirs and Successors, and also for any Infants, Femes Covert, or Cestuique Trusts, and for all Femes Covert who are or shall be seised in their own Right, and for all other Persons whatsoever, to contract and agree with such respective Trustees, or any Five or more of them, for such Purchase or Recompence as aforesaid; and all Contracts, Agreements, Sales, and Conveyances, which shall be so made, shall be valid and effectual to all Intents and Purposes whatsoever, and all such Persons are and shall be hereby indemnified for what they shall do by virtue or in pursuance of this Act.

Bodies Politick, &c. impowered to treat.

And be it further enacted by the Authority aforesaid, That if such Owners, Proprietors, Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Trustees, or other Persons interested in any such Lands, Grounds, or Hereditaments, or any or either of them, upon Notice to him, her, or 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 or through which such Roads are to be turned or altered as aforesaid, shall, by the Space of Twenty Days after such Notice given 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 respective Trustees, or any Five or more of them, shall cause to be inquired, ascertained, and assessed, by and upon the Oaths of a Jury of Twelve indifferent Men of the County of Dorset, (which Oath any One of the respective Trustees is hereby impowered and required to administer) what Damages

Persons neglecting to treat, &c.

Jury to settle the Recompence.

mages will be ſuſtained by, and what Recompence and Satisfaction ſhall be made to ſuch Owners, Proprietors, Occupiers, or other Perſons intereſted, or any or either of them, for or upon account of the taking ſuch Lands, Grounds, or Hereditaments, into the ſaid Roads, or of turning ſuch Roads into or through any ſuch Lands, Grounds, or Hereditaments; and in order thereto the ſaid reſpective Truſtees, or any Five or more of them, are hereby impowered and required, from time to time, as Occaſion ſhall be, to ſummon and call before the ſaid Jury, and examine, upon Oath, all and every Perſon or Perſons who ſhall be thought neceſſary or proper to be examined as a Witneſs or Witneſſes touching or concerning the Premiſſes (which Oath any One or more of the ſaid reſpective Truſtees is hereby impowered 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 ſuch lawful Ways and Means, as well for their own as for the ſaid Jury's Information in the Premiſſes, as they the ſaid reſpective Truſtees, or any Five or more of them, ſhall think fit: And after the ſaid Jury ſhall have inquired of, aſcertained, and aſſeſſed, ſuch Damages and Recompence, they the ſaid reſpective Truſtees, or any Five or more of them, ſhall thereupon order, adjudge, and determine, the Sum or Sums of Money, ſo aſſeſſed by the ſaid Jury, to be paid to the Owners, Proprietors, or Occupiers 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 whatſoever claiming in Poſſeſſion, Reverſion, Remainder, or otherwiſe, their Heirs and Succeſſors, as well abſent as preſent, Infants, Femes Covert, and Perſons under any other Diſability whatſoever, Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, Feoffees in Truſt, Executors, Adminiſtrators, Husbands, Guardians, and Truſtees, as well as all other Perſons whatſoever; and all ſuch Owners, Proprietors, and Occupiers, and all Perſons intereſted in ſuch Lands, Grounds, or Hereditaments, ſhall, upon Payment or Tender of the Sum or Sums of Money ſo aſſeſſed as aforeſaid, be thereby, and 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 and returning

Witneſſes may be ſummoned, and examined upon Oath.

Verdict of the Jury to be final.

Truſtees may iſſue a Warrant to Sheriff, &c. to impanel a Jury.

ſuch Jury or Juries, the ſaid reſpective Truſtees, or any Five or more of them, are hereby impowered to iſſue out their Warrant or Warrants to the Sheriff of the County of Dorſet, thereby commanding him to impanel, ſummon, and return, an indifferent Jury of Twenty four Perſons to appear before the ſaid reſpective Truſtees, or any Five or more them, at ſuch Time and Place as in ſuch Warrant ſhall be appointed; and the ſaid Sheriff, and his Deputy or Deputies, is and are hereby required to impanel, ſummon, and return, ſuch Number accordingly; and out of the Perſons ſummoned and returned, or out of ſuch of them as ſhall appear upon ſuch Summons, the ſaid reſpective Truſtees, or any One of them, ſhall ſwear, or cauſe to be ſworn, Twelve, to be drawn by Ballot, out of the ſaid Twenty four; 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 ſpeedily be procured to attend that Service, who ſhall be ſworn in like Manner, till the Number of Twelve be completed, which Twelve ſhall be the Jury for the Purpoſes aforeſaid; and all Perſons concerned ſhall have their lawful Challenges againſt any of the ſaid Jurymen, when they come to be ſworn: And the ſaid reſpective Truſtees, or any Five or more of them, acting in the Premiſſes, ſhall have full Power, from time to time, to impoſe any reaſonable Fine or Fines on ſuch Sheriff, his Deputy or Deputies, Bailiff or Bailiffs, Agent or Agents, making Default in the Premiſſes, and on any of the Perſons who ſhall be ſummoned and returned on ſuch Jury, and ſhall not appear, or who ſhall refuſe to be ſworn on the ſaid Jury, or being ſo ſworn ſhall refuſe to give, or ſhall not give, their Verdict, or in any other Manner wilfully neglect 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 ſworn and give Evidence, ſo that no ſuch Fine ſhall exceed the Sum of Ten Pounds upon any One Perſon for One Offence.

Jurors may be challenged.

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

Expences of the Jury how to be borne.

And be it further enacted, That in caſe any Jury or Juries to be ſummoned and ſworn, purſuant to the Authority of this Act, ſhall give in or deliver a Verdict or Aſſeſſment for more Money, as a Recompence or Satisfaction for the Right, Intereſt, or Property, of any Perſon or Perſons, in any ſuch Lands, Grounds, or Hereditaments, or for any ſuch Loſs or Damage, than

what

what ſhall have been agreed to, and offered by, the ſaid reſpective Truſtees, or any Five or more of them, before the ſummoning or returning the ſaid Jury or Juries, as a Recompence or Satisfaction for any ſuch Right, Intereſt, or Property, of the ſaid Lands, Grounds, or Hereditaments, or Loſs or Damage as aforeſaid; then, and in ſuch Caſe, the Coſts and Expences of ſummoning and maintaining the Jury and Witneſſes, concerning the aſcertaining and determining the Value of any ſuch Right, Property, or Intereſt, or Damages ſuſtained as aforeſaid, ſhall be borne and paid by the ſaid reſpective Truſtees, or any Five or more of them, out of the Tolls or Duties hereby reſpectively granted, or out of any Money to be borrowed upon the Credit thereof; but if any Jury or Juries, ſo to be ſummoned and ſworn as aforeſaid, ſhall give in or deliver a Verdict or Aſſeſſment for leſs Money than ſhall have been agreed to, and offered by, the ſaid reſpective Truſtees, or any Five or more of them; before the ſummoning and returning the ſaid Jury or Juries, as a Recompence or Satisfaction for any ſuch Right, Intereſt, or Property, in any ſuch Lands, Grounds, or Hereditaments, or Loſſes or Damages as aforeſaid; then, and in ſuch Caſe, the Coſts and Expences of ſummoning and maintaining the ſaid Jury and Witneſſes, ſhall be borne and paid by the Perſon or Perſons with whom the ſaid reſpective Truſtees ſhall have ſuch Controverſy or Diſpute.

Buildings not to be injured, &c.

Provided always, That in widening, turning, or altering, any Part or Parts of the ſaid Roads, nothing ſhall be done which may in any wiſe injure or damage any Houſe or Building, or any Yard, Garden, Orchard, Court, Park, Paddock, Plantation, planted Walk, or Avenue to any Houſe, or any incloſed Ground ſet apart as a Nurſery for Trees, unleſs the Owner thereof ſhall conſent thereto.

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

And be it further enacted, That all and every ſuch Sum and Sums of Money, Conſideration, Recompence, or Satisfaction, to be agreed for 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, within the Diviſion where ſuch Caſe ſhall happen, and ſhall be paid thereout accordingly to the Perſons reſpectively intitled thereto, or to their Agents; and that upon Payment, or Tender thereof, to ſuch Perſons or their Agents, or in caſe of Refuſal to accept the ſame; then, upon leaving the ſame in the Hands of the

the Clerk to the ſaid reſpective Truſtees for the Uſe of ſuch Perſons, and after Ten Days Notice thereof given to ſuch Perſons, or their Agents, to receive ſuch Money, Conſideration, Recompence, or Satisfaction, it ſhall be lawful for the ſaid reſpective Truſtees, or any Seven or more of them, or their Surveyors, Workmen, or Agents, to take into and add to the ſaid Roads, ſuch Lands, Grounds, or Hereditaments, and to do all and every ſuch Act, Matter, and Thing, with relation to ſuch Grounds, Lands, or Hereditaments, as the ſaid Truſtees, or any Seven or more of them, ſhall think fit; and after the Purchaſe of the ſaid Lands, Grounds, or Hereditaments, or Tender of Payment as aforeſaid, ſuch Lands, Grounds, and Hereditaments, ſhall be laid into, and made and deemed, 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 was or ought to have been repaired and kept in Repair; and the Lands and Grounds compriſed in or conſtituting the former Road, and which ſhall be no longer neceſſary to be uſed as ſuch, ſhall be veſted in and ſold or exchanged by the ſaid reſpective Truſtees, or any Seven or more of them, for the beſt Price or on the beſt Terms that can be got for the ſame; and the Money ariſing thereby ſhall be applied to the repairing of the ſaid Roads; and the Sale and Conveyance of ſuch Lands, Grounds, or Hereditaments, being executed by any Seven or more of the reſpective Truſtees, and inrolled with the Clerk of the Peace for the County of Dorſet, ſhall be good and effectual in the Law to all Intents and Purpoſes whatſoever.

Lands, &c. purchaſed to be deemed Part of the Road,

and eſteemed a publick Highway.

Truſtees not to act where intereſted.

Provided alſo, That no Perſon ſhall act as a Truſtee in any Caſe relating to the contracting for or the purchaſing of any Lands or Hereditaments, where he ſhall be concerned in Intereſt.

And foraſmuch as the Money to be collected by the Receipt of the Tolls or Duties by this Act impoſed or granted will not be ſufficient for the ſpeedy amending of the Roads hereby directed to be repaired; be it further enacted, That the ſaid reſpective Truſtees, or any Seven or more of them, at the Firſt Meeting of the ſaid Truſtees, or at any other Meeting or Meetings to be held for that Purpoſe within their reſpective Diviſions (whereof Twenty Days Notice ſhall be given in Writing, affixed upon every Gate or Turnpike to be erected within ſuch reſpective Diviſions by virtue of this Act, and

Truſtees may borrow Money on the Credit of the Tolls.

and before and until the ſaid Gates or Turnpikes ſhall be erected, by Advertiſement in the Saliſbury and Sherborne Journals, or One of them) may and they are hereby impowered, from time to time, to borrow any Sum or Sums of Money upon the Credit of the Tolls which ſhall be raiſed, collected, or made payable by virtue of this Act, within ſuch reſpective Diviſions, and by any Writing or Inſtrument under their Hands and Seals, to aſſign over the ſaid Tolls or Duties, or any Part thereof (the Coſts and Charges of ſuch Aſſignment or Aſſignments to be borne and paid out of ſuch Tolls or Duties) for any Time or Term for which the ſame are hereby made payable, or any Part of ſuch Time or Term, as a Security for any Sum or Sums of Money ſo to be borrowed by the ſaid reſpective Truſtees for that Purpoſe, to ſuch Perſon or Perſons, or his, her, or their Truſtees, as ſhall advance and lend ſuch Money, to ſecure the Repayment thereof, by and out of the Monies ariſing or to be collected by the ſaid Tolls or Duties within ſuch reſpective Diviſions, with ſuch Intereſt for the ſame as the ſaid reſpective Truſtees, or any Seven or more of them, ſhall think fit and agree to give; and no Preference ſhall be given to any Perſon or Perſons advancing any Part or Parts of the Money ſo borrowed, in reſpect of the Priority of advancing his, her, or their Part or Parts thereof; but 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 declared to be Creditors on the ſaid Tolls or Duties in each of the ſaid reſpective Diviſions in an equal Degree one with another; and all and every the Original Aſſignment and Aſſignments, ſo to be made by the ſaid reſpective Truſtees, for ſecuring ſuch Sum or Sums of Money, ſhall be entered at Length in a Book or Books to be kept for that Purpoſe by the ſaid reſpective Clerk or Clerks, Treaſurer or Treaſurers; which ſaid Book or Books ſhall and may be peruſed at all ſeaſonable Times by any Perſon or Perſons whatſoever, without Fee or Reward; but no Money ſhall be borrowed by the ſaid reſpective Truſtees, upon the Credit of the ſaid Tolls, in either of the reſpective Diviſions, after their firſt Meeting, unleſs Twenty Days Notice be previouſly given thereof, by Writing under the Hand of the Clerk of the ſaid reſpective Truſtees, and be, by Order of the ſaid reſpective Truſtees, or any Seven or more of them, affixed upon all the Gates or Turnpikes to be erected by virtue of this Act within their reſpective Diviſions,

All Creditors deemed equal in Degree.

Entries to be made of all Aſſignments.

Notice to be given of borrowing of Money.

and before and until the ſaid Gates or Turnpikes ſhall be erected, by an Advertiſement in the Saliſbury and Sherborne Journals, or One of them.

Truſtees not ſubject to the Payment of Debts, &c.

Provided always, That nothing in this Act contained ſhall extend to charge or ſubject the ſaid reſpective Truſtees with or to the Payment of any Monies, by reaſon of their or any of their Signing and Sealing the ſaid Securities, or any or either of them.

Aſſignments may be tranſferred.

And be it further enacted, That all and every Perſon and Perſons to whom any ſuch Aſſignment or Aſſignments ſhall be made by the ſaid reſpective Truſtees, or any Seven or more of them, or who ſhall be intitled to the Money thereby ſecured, may, and are hereby impowered, from time to time, by Words of Aſſignment to be indorſed on his, her, or their Security or Securities, to aſſign or transfer ſuch Security or Securities, and all Benefit and Advantage thereof, and all his, her, and their Right, Title, and Intereſt, to and in the Principal and Intereſt Money thereby ſecured, or any Part thereof, to any Perſon or Perſons whatſoever; and ſuch Aſſignment ſhall intitle ſuch Aſſignee, his, her, and their Executors, Adminiſtrators, and Aſſigns, to the Benefit thereof, and Payment thereon; and ſuch Aſſignee may, and is hereby impowered, in like Manner, to aſſign the ſame again, and ſo toties quoties.

Charges of paſſing this Act to be firſt paid.

And be it further enacted, That out of the Firſt Money ariſing by the Tolls or Duties which ſhall be collected by virtue of this Act within the ſaid Eaſtern Diviſion, or out of the Money which ſhall be borrowed on the Credit thereof, the ſaid Truſtees for the ſaid Eaſtern Diviſion, or any Five or more of them, ſhall, and they are hereby required, in the Firſt Place, to pay and diſcharge Two Third Parts of the whole Amount of the Coſts and Charges of obtaining and paſſing this Act, and of the Coſts and Charges of obtaining and paſſing the ſaid former Act, intituled, An Act for repairing and widening ſeveral Roads leading from between the Second and Third Mile-ſtones on the Turnpike Road between the Town and County of *Poole* and *Windborn Minſter* in the County of *Dorſet*, to *Bratton Corner* in the County of *Somerſet*; and that out of the Firſt Money ariſing by the Tolls or Duties which ſhall be collected by virtue of this Act within the ſaid Weſtern Diviſion, or out of the Money which ſhall be borrowed on the Credit thereof, the ſaid Truſtees for the ſaid Weſtern Diviſion, or any Five or more of them, ſhall, and they are hereby required, in the Firſt Place, to pay and diſcharge the remaining Third Part of the whole Amount of the ſaid Coſts and Charges.

And be it further enacted, That after the whole Amount of the Proportion of the Costs and Charges of procuring and passing this Act, and the said former Act last-mentioned, by this Act made payable, shall have been paid and discharged, in Manner aforesaid, by the Trustees of the said respective Divisions, the Residue of the Tolls or Duties that shall be collected, and of the Monies that shall be borrowed on the Credit of such Tolls or Duties to be collected by virtue of this Act, within each of the said Divisions respectively, shall be applied and employed in erecting Gates or Turnpikes, and Toll-houses, according to the Directions of this Act, and in repairing, widening, and amending, the said Roads, and erecting Bridges, and in defraying the necessary Costs, Charges, and Expences, attending such Works within the said several Divisions; subject nevertheless to the Provisions and Regulations in this Act contained. Application of the Residue of the Monies.

Provided always, and be it further enacted, That no Tolls or Duties shall be demanded or taken at any Gate or Turnpike to be erected by virtue of this Act, in either of the said Divisions, for any Waggon, Wain, Frame, Cart, Dray, or other Carriage, or for any Horse, Mare, Gelding, Ox, Mule, Ass, or other Beast, that shall be employed or used in drawing or carrying Materials for repairing any Road or Highway, or Ashes, Dung, Mould, Soil, Marl, Chalk, Lime, or Compost, for manuring Gardens, or any other Land or Ground, through or into which the said Roads lead; or Grass, Hay, Saintfoin, Fodder, Fearn, Straw, or Corn in the Straw, not sold or disposed of, or Turf for Fuel, to be laid up in the Houses, Out-houses, Barns, Yards, or Backsides, of the Owners thereof; or for any Ploughs, Harrows, or any other Implements or Things whatsoever, that shall be used or employed in Husbandry, or the Tilling or Stocking of any Land or Ground; or for any Horse, Mare, Gelding, Mule, Ox, Ass, or other Cattle, going to or from Water, Pasture, Plough, or other Tillage or Work in Husbandry; or from any Person or Persons residing in any of the Parishes or Places in which the said Roads do lie, passing to or from Church, or other Places of Religious Worship, on Sundays; or for any Post-horse or Vehicle carrying the Mail or Packet; or for the Horses of any Officers or Soldiers passing on their March, or for Horses or Carriages belonging to, and passing with, them, or carrying their Baggage; or for Horses or Carriages travelling with Vagrants sent by Passes. Exemptions from Tolls.

Provided

No Toll on Election Days.

Provided also, and be it further enacted, That no Toll or Duty shall be demanded or taken for any Coach, Berlin, Landau, Chariot, Calash, Curricle, Chaise, Chaise Marine, Chair, Car, Caravan, or Passenger on Horseback, going to, or returning from, any Election of a Knight or Knights of the Shire to serve in Parliament for the County of Dorset, on the Day or Days of such Election, or on the Day next before or after such Day or Days of Election.

Penalty of making illegal Claims.

Provided also, That 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.

Persons chargeable with the Repairs of Highways, to continue so.

Provided also, and be it further enacted, That all Persons who by Law are obliged or liable to perform the Work in the Highways for the repairing thereof, commonly called Statute-work, or chargeable towards amending the same, shall still remain liable and chargeable, and do their respective Works in the Parishes in which the said Roads do lie, in such Manner as such Persons ought to have done before the Passing of this Act; 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 Towns, Parishes, Hamlets, Tythings, or Places, in which such Inhabitants respectively shall live, and at such Times, and in such Manner, as the said respective 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, Tythings, or 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, Tythings, and Places, in which they respectively live, as Persons keeping Teams are obliged by Law and ought to do.

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

Surveyors to deliver in Lists of Persons liable to do Statute-work.

And be it further enacted, That the Surveyor or Surveyors of the Highways for the respective Parishes, Hamlets, Tythings, or Places, wherein any Part of the said Roads do lie, and in case no Surveyor or Surveyors is or are appointed for such respective Parishes, Hamlets, Tythings, or Places, then the respective Churchwardens or Overseers of the Poor of such Parishes, Hamlets, or Tythings, shall, and are hereby required, at the First Meeting of the said respective

ſpective Truſtees, within each of the ſaid reſpective Diviſions, 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 within ſuch reſpective Diviſions erected by virtue of this Act) to deliver in true and perfect Liſts in Writing to ſuch reſpective Truſtees, or any Five or more of them, upon Oath (which Oath they, or any One of them, is and are hereby impowered to adminiſter) of the Names of the ſeveral Perſons within each Pariſh, Hamlet, Tything, or Place reſpectively, who are obliged by this Act, or by any other Law, to do their Statute-work for that Year with Teams and Draughts, or otherwiſe, and alſo the Number of Days Work each Perſon ought to perform on the Highways within their ſeveral Pariſhes, Hamlets, Tythings, or Places reſpectively; a reaſonable Part of which ſaid Statute-work ſhall be done at ſuch Times, in ſuch Manner, and in ſuch Parts of the ſaid Roads, as the ſaid reſpective Truſtees, or any Five or more of them, or their Surveyor or Surveyors, ſhall, from time to time, direct and appoint; and if any ſuch Perſon as aforeſaid ſhall neglect or refuſe to do ſuch Statute-work, every ſuch Perſon 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 ſhall by virtue of this Act be deemed to keep, a Team, the Sum of Fifteen Shillings; and every other Inhabitant not keeping, or not deemed by this Act to keep, a Team, the Sum of Two Shillings for each Day's Default: And if any Perſon or Perſons, who ſhall (according to ſuch Summons or publick Notice as aforeſaid) come to work as Labourers, or be ſent with any Team, Draught, or Cart, to work on the ſaid Roads, is or are found idle or negligent by the ſaid Turnpike Surveyor or Surveyors where the Work is to be done; then, and in ſuch Caſe, ſuch Turnpike Surveyor or Surveyors may, and is and are hereby impowered and required to remove or turn him or them off who ſhall be found idle or negligent as aforeſaid, and it ſhall be eſteemed and taken as if ſuch Perſon or Perſons had not come or ſent any Team, Cart, or Draught, to work on the ſaid Roads; and he, ſhe, or they, ſhall be ſubject and liable to the reſpective Penalties and Forfeitures, as if he, ſhe, or they, had neglected or refuſed to do or perform the ſaid reſpective Days Work, or to ſend ſuch Team, Draught, or Cart, ſo ordered and appointed as aforeſaid: And in caſe any

Penalty on Perſons not performing Statute-work.

Perſons found idle, to be turned off.

Penalty on Surveyors, &c. neglecting to deliver in Liſts.

of the ſaid Surveyors of the Highways, Churchwardens, or Overſeers of the Poor, ſhall refuſe or neglect to deliver in true and perfect Liſts as aforeſaid; then every ſuch Surveyor, Churchwarden, and Overſeer, ſhall, for every ſuch Neglect or Refuſal, forfeit the Sum of Five Pounds.

Surveyors with Conſent of Inhabitants, may compound for Statute-work.

Provided always, and be it enacted, That it ſhall be lawful for the Surveyor or Surveyors of the Highways of any of the ſaid Pariſhes, Hamlets, or Tythings (by and with the Conſent of the Inhabitants of ſuch Pariſhes, Hamlets, or Tythings, at a Veſtry or other publick Meeting of ſuch Inhabitants) to compound and agree, by the Year or otherwiſe, with the reſpective Truſtees, or any Five or more of them, for and in lieu of the Statute-work to be performed by the Inhabitants of ſuch Pariſh, Hamlet, or Tything, or Pariſhes, Hamlets, or Tythings, upon any Part of the ſaid Roads; and if ſuch or any future Surveyor or Surveyors ſhall pay ſuch Compoſition-money, or the ſame ſhall be levied on him or them, he or they ſhall be reimburſed the Monies ſo by him or them paid, or ſo levied on him or them, in ſuch Manner as Surveyors of the Highways are, by the Laws now in being, to be reimburſed the Monies by them expended in buying Materials for repairing the Highways: And in caſe ſuch Compoſition-money ſhall not be paid to the ſaid reſpective Truſtees, or any Five or more of them, or to ſuch Perſon as they ſhall appoint to receive the ſame, within Fifteen Days after the ſame ſhall be demanded; it ſhall be lawful for any One or more Juſtice or Juſtices of the Peace within the ſaid County of Dorſet (upon Oath made before him or them of ſuch Default) and he and they is and are hereby required to iſſue a Warrant or Warrants under his or their Hand and Seal, or Hands and Seals, impowering ſuch Perſon or Perſons, ſo by the ſaid reſpective Truſtees, or any Five or more of them, appointed to receive ſuch Compoſition-money, to levy the ſame by Diſtreſs of the Goods and Chattles of ſuch Surveyor or Surveyors of the Highways; and in caſe no Surveyor or Surveyors is or are appointed for ſuch reſpective Pariſh, Hamlet, Tything, or Place, or for ſuch reſpective Pariſhes, Hamlets, Tythings, or Places, then of the Churchwarden or Churchwardens, Overſeer or Overſeers, for the time being, of the ſaid Pariſh, Hamlet, Tything, or Place, or of the ſaid Pariſhes, Hamlets, Tythings, or Places reſpectively; and ſuch Goods and Chattles ſo diſtrained, after the Space of Three Days (ſuch Compoſition-money, and the reaſonable

Surveyors, &c. paying the Compoſition-money, how to be reimburſed.

Compoſition-money how to be recovered.

ſonable Charges of diſtraining and keeping the ſame, not being paid) to ſell, returning the Overplus (if any be) to the Owner or Owners thereof, upon Demand, after the ſaid Compoſition-money, and the reaſonable Charges of diſtraining, keeping, and ſelling, the ſame, ſhall be deducted and paid; which Compoſition-money ſhall be by the ſaid reſpective Truſtees, or any Five or more of them, applied towards amending the ſaid Roads, and to no other Uſe or Purpoſe whatſoever.

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

Provided always, and be it further enacted, That if the Surveyor or Surveyors of the Highways, and where no Surveyor or Surveyors is or are appointed, the Churchwarden or Churchwardens, Overſeer or Overſeers, for the time being, of any of the Pariſhes, Hamlets, Tythings, or Places, wherein the ſaid Roads directed by this Act to be repaired do lie, ſhall think the ſaid reſpective Truſtees, or the Surveyor or Surveyors by them authorized, hath or have directed or appointed too large a Proportion of the Statute-work in any Pariſh, Hamlet, Tything, or Place, to be done on the ſaid Roads; it ſhall be lawful for ſuch Surveyor or Surveyors of the Highways, or for ſuch Churchwarden or Churchwardens, Overſeer or Overſeers, to appeal to the Quarter Seſſion of the Peace next after ſuch Direction or Appointment to be held for the County of Dorſet; and the Juſtices, in their reſpective Quarter Seſſions, are hereby authorized and impowered finally to adjuſt and determine what Proportion of the Statute-work in any Pariſh, Hamlet, Tything, 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 Twenty Days Notice in Writing of ſuch Appeal to the Surveyor or Surveyors authorized by the ſaid reſpective Truſtees as aforeſaid.

Compoſition-money how to be recovered.

And be it further enacted, That in caſe any ſuch Compoſition-money agreed to be paid in lieu of any Statute or Days Work of the Inhabitants of any Pariſh, Hamlet, Tything, or Place, wherein the Roads to be amended by virtue of this Act do lie, or in reſpect of any Lands, Tenements, or Hereditaments, liable or chargeable by Tenure or otherwiſe as aforeſaid, ſhall not be paid within Three Days next after the ſame ſhall become payable, according to ſuch Compoſition or Agreement; then and in ſuch Caſe it may and ſhall be lawful to and for the ſaid reſpective Truſtees, or any Five or more of them, or for any One or more Juſtice or Juſtices of the Peace for the ſaid County of Dorſet, by Warrant under his or their Hand and Seal, or

Hands

Hands and Seals, to impower the Perſon or Perſons authorized by the ſaid reſpective Truſtees, or by any Five or more of them, to receive ſuch Compoſition-money (Oath being firſt made that the ſame hath been demanded, and remains unpaid; which Oath the ſaid reſpective Truſtees, or any One or more of them, or the ſaid Juſtice or Juſtices, is and are hereby impowered to adminiſter) and to levy the ſame by Diſtreſs and Sale of the Goods and Chattles of the Perſon or Perſons ſo having compounded as aforeſaid, or of the Surveyor or Surveyors of the Highways, for the time being, of ſuch Pariſh, Hamlet, Tything, or Place, in reſpect of whoſe Statute or Days Work ſuch Compoſition ſhall have been made; returning the Overplus (if any be) on Demand, the Charges of ſuch Diſtreſs and Sale being thereout firſt deducted.

Roads to be meaſured, and Mile-ſtones erected.

And be it further enacted, That the ſaid reſpective Truſtees, or any Five or more of them ſhall direct, and they are hereby required to cauſe the ſaid Roads to be meaſured, and Stones or Poſts to be ſet up in or near the Sides of the Roads by this Act directed to be repaired within their reſpective Diviſions, at the Diſtance of One Mile from each other, denoting the Diſtance of every ſuch Stone or Poſt from London, or any other Place, as to the ſaid reſpective Truſtees, or any Five or more of them, ſhall ſeem meet: And if any Perſon ſhall wilfully and maliciouſly break, pull up, injure, or deſtroy, any of ſuch Stones or Poſts as ſhall be ſo erected, or ſhall obliterate or deface any of the Letters, Figures, or Marks, which ſhall be inſcribed thereon; every ſuch Perſon ſo offending, being convicted thereof before any One or more Juſtice or Juſtices of the Peace for the ſaid County of Dorſet, ſhall forfeit and pay the Sum of Forty Shillings for every ſuch Offence; One Moiety whereof ſhall go to the Informer, and the other Moiety ſhall be laid out and applied in repairing ſuch Stones or Poſts, or in ſupplying of new ones in their Stead; and if there ſhall be any Overplus, the ſame ſhall be laid out in repairing the Roads directed to be repaired by this Act.

Penalty on defacing Mile-ſtones, &c.

Penalties and Forfeitures how to be recovered.

And be it further enacted, That all Penalties and Forfeitures by this Act impoſed (the Manner of levying and recovering whereof is not hereby otherwiſe particularly directed) ſhall be levied and recovered by Diſtreſs and Sale of the Offender's Goods and Chattles, by Warrant under the Hands and Seals of Two or more Juſtices of the Peace for the ſaid County of Dorſet, (which Warrant the ſaid Juſtices are hereby impowered

powered and required to grant) upon the Confeſſion of the Party or Parties, or upon the Information of any One or more credible Witneſs or Witneſſes upon Oath (which Oath the ſaid Juſtices are hereby impowered to adminiſter) and the Penalties and Forfeitures when recovered, after rendering the Overplus (if any be) when demanded, to the Party or Parties whoſe Goods and Chattles ſhall be ſo diſtrained and ſold (the Charges of ſuch Diſtreſs and Sale being firſt deducted) ſhall be paid to the ſaid reſpective Truſtees, or any Five or more of them, or to their Treaſurer or Treaſurers, and ſhall by them reſpectively be applied (if not directed to be otherwiſe applied by this Act) to and towards the amending the ſaid Roads; and in caſe ſufficient Diſtreſs cannot be found, and ſuch Penalties and Forfeitures ſhall not be paid, it may and ſhall be lawful for ſuch Juſtices, and they are hereby authorized and required, by Warrant under their Hands and Seals, to commit ſuch Offender or Offenders to the Common Gaol of the County of Dorſet, for any Time not exceeding Three Months.

Diſtreſs not to be deemed unlawful for want of Form,

And be it further enacted, That where any Diſtreſs ſhall be made for any Sum or Sums of Money to be levied by virtue of this Act, the Diſtreſs itſelf ſhall not be deemed unlawful, nor the Party or Parties making the ſame be deemed a Treſpaſſer or Treſpaſſers, on account of any Default or Want of Form in any Proceeding relating thereto; nor ſhall the Party or Parties diſtraining be deemed a Treſpaſſer or Treſpaſſers *ab initio*, on account of any Irregularity which ſhall be afterwards done by the Party or Parties diſtraining; but the Perſon or Perſons aggrieved by ſuch Irregularity may recover full Satisfaction for the Special Damage, in an Action on the Caſe.

nor the Parties diſtraining deemed Treſpaſſers *ab initio*.

Plaintiffs not to recover, if Tender of Amends hath been made.

Provided always, That no Plaintiff or Plaintiffs ſhall recover in any Action for any ſuch Irregularity, Treſpaſs, or other Proceedings, if Tender of ſufficient Amends ſhall be made by, or on Behalf of, the Party or Parties who ſhall have committed, or cauſed to be committed, any ſuch Irregularity, Treſpaſs, or wrongful Proceedings, before ſuch Action brought: And in caſe no ſuch Tender ſhall have been made, it may and ſhall be lawful for the Defendant or Defendants in any ſuch Action, by Leave of the Court where ſuch Action ſhall depend, at any Time before Iſſue joined, to pay into Court ſuch Money as he or they ſhall ſee fit; whereupon ſuch Proceedings or Orders and Judgements ſhall be had, made, or given, in and by ſuch Court, as in other Actions where the Defendant is allowed to pay Money into Court.

Perſons aggrieved may appeal to the Quarter Seſſions.

Provided always, and be it further enacted, That in caſe any Perſon ſhall think himſelf or herſelf aggrieved by any Act, Order, or Judgement, done, made, or awarded, in purſuance of this Act, and for which no particular Method of Relief hath been already hereby appointed; it ſhall be lawful for him or her to appeal to the Juſtices of the Peace at their next General Quarter Seſſions of the Peace to be held for the County of Dorſet, 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 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 Tolls; ſuch Perſon entering into a Recognizance before ſome Juſtice of the Peace for the ſaid County, with ſufficient Sureties, conditioned to proſecute the ſaid Appeal with Effect; and the Juſtices, ſo aſſembled at their General Quarter Seſſions as aforeſaid, are hereby authorized and required to take Cognizance thereof, and to hear and determine the Complaint of any ſuch Perſon in a ſummary Way; and the Orders and Judgements of the ſaid Juſtices ſhall be final and concluſive to all Parties concerned or intereſted therein.

Notice of Appeal to be given.

Recognizance to be entered into.

Proceedings not to be quaſhed for want of Form,

Provided alſo, and be it further enacted, That no Order touching or concerning any of the Matters aforeſaid, or any other Proceedings touching the Conviction of any Offender or Offenders againſt this Act, ſhall be quaſhed or vacated for want of Form, or removed or removeable by Certiorari, or any other Writ or Proceſs, into any of His Majeſty's Courts of Record at Weſtminſter; any thing herein contained to the contrary notwithſtanding.

nor removable by *Certiorari*.

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

And be it further enacted, That when and as often as any of the ſaid reſpective Truſtees for either of the ſaid reſpective Diviſions ſhall die or refuſe to act, it ſhall be lawful for the ſurviving Truſtees, or any Seven or more of them, within their reſpective Diviſions, from time to time, to elect and appoint One or more fit Perſon or Perſons to be a Truſtee or Truſtees in the Room of ſuch Truſtee or Truſtees ſo deceaſed or refuſing to act; and Notice in Writing of the Time and Place of Meeting for the Election of every ſuch new Truſtee ſhall be fixed on all the Gates or Turnpikes to be erected by virtue of this Act, at leaſt Ten Days before the Meeting for ſuch Election; and all ſuch Perſons as ſhall from time to time be ſo choſen and appointed, ſhall be joined with ſuch ſurviving Truſtees, and are hereby authorized

Notice of Election to be given.

authoriſed and impowered to act to all Intents and Purpoſes in as full, large, and ample, Manner, as the ſaid reſpective Truſtees hereby appointed are impowered to act.

Times and Place of Truſtees Meeting.

And be it further enacted, That the Truſtees for the ſaid Eaſtern Diviſion, or any Seven or more of them, ſhall meet together at the Houſe known by the Sign of the Crown in Blandford aforeſaid, upon Wedneſday the Twenty ſecond Day of April, in the Year of our Lord One thouſand ſeven hundred and ſixty ſeven; and that the ſaid Truſtees for the ſaid Weſtern Diviſion, or any Seven or more of them, ſhall meet together at the ſaid Houſe known by the Sign of the Crown in Blandford aforeſaid, upon Tueſday the Twenty eighth Day of April, in the Year of our Lord One thouſand ſeven hundred and ſixty ſeven, and ſhall reſpectively proceed to the Execution of this Act, ſo far as the ſame relates to the ſaid reſpective Diviſions; and ſhall and may, and they are hereby reſpectively required to, adjourn themſelves from time to time, and afterwards meet at the ſame or any other Place or Places near the ſaid Roads within the ſaid reſpective Diviſions, as the ſaid reſpective Truſtees, or any Seven 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 reſpective Meeting a ſufficient Number of the ſaid reſpective Truſtees to act, and to adjourn themſelves, or if the ſaid reſpective Truſtees ſhall refuſe or neglect to adjourn; the Clerk to the ſaid reſpective Truſtees ſhall, by publick Notice, in Writing, to be affixed at or on all the Turnpikes to be erected by virtue of this Act in ſuch reſpective Diviſion, at leaſt Seven Days before ſuch intended Meeting, and before and until the ſaid Gates or Turnpikes ſhall be erected, by publick Notice advertiſed in the Saliſbury and Sherborne Journals, or One of them, at leaſt Seven Days before ſuch Meeting, appoint the ſaid reſpective Truſtees to meet at the Place where the laſt Meeting was appointed to be held, and ſo toties quoties.

In Default of a ſufficient Number to act,

Clerk to give Notice of another Meeting.

Proviſo.

Provided always, That Two Truſtees preſent ſhall be deemed ſufficient for the Purpoſe of Adjournment in each of the ſaid reſpective Diviſions.

A Meeting to be called on Emergency.

Provided alſo, That if, after any ſuch Adjournment, whether the ſame be made by the ſaid reſpective Truſtees, or by their Clerk, or after ſuch Refuſal or Neglect as aforeſaid, it ſhall at any Time be thought neceſſary for the better Execution of this Act, that an early Day of Meeting

Meeting ſhall be appointed; ſuch Clerk, upon an Order ſigned by Seven or more of the ſaid reſpective Truſtees, naming the Time and Place of ſuch Meeting, ſhall immediately, by publick Notice, in Writing, to be affixed at or all the Gates or Turnpikes to be erected by virtue of this Act within ſuch reſpective Diviſion, and before and until the ſaid Gates or Turnpikes ſhall be erected, by publick Notice, advertiſed in the Salisbury and Sherborne Journals, or One of them, appoint the ſaid reſpective Truſtees to meet at ſuch Time and Place as ſhall be named in ſuch written Order, Seven Days Notice at the leaſt being given previous to ſuch early Meeting ſo appointed as aforeſaid: And the ſaid reſpective Truſtees ſhall at all their Meetings defray their own Charges and Expences.

Truſtees to defray their own Expences.

General Meetings to be held annually.

And be it further enacted, That a General Meeting of the ſaid reſpective Truſtees ſhall be held Once, at the leaſt, in every Year, during the Continuance of this Act, in each of the ſaid Diviſions, at the Houſe known by the Sign of the Crown aforeſaid, or at any other convenient Houſe, in the ſaid Town of Blandford, for auditing, ſettling, and paſſing, the Accounts of all Treaſurers, Receivers, Collectors, Surveyors, and other Officers, belonging or relating to the ſaid Roads; Ten Days Notice thereof being previouſly given, in Writing, and affixed on all the Turnpikes to be erected by virtue of this Act; and that the ſaid General Meeting or Meetings ſhall be held between the Twenty fifth Day of June and the Twenty ninth Day of September.

Treaſurer to give Security.

And be it further enacted, That the ſaid reſpective Truſtees, or any Seven or more of them, ſhall, and they 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 or their ſaid Office or Offices, as the ſaid reſpective Truſtees, or any Seven or more of them, ſhall think fit.

No Truſtee to have a Place of Profit.

Provided always, and be it further enacted by the Authority aforeſaid, That if any Perſon appointed a Truſtee by virtue of this Act, ſhall have or hold any Place of Profit ariſing out of the Tolls or Duties hereby made payable in either of the ſaid reſpective Diviſions, ſuch Perſon ſhall be incapable of acting as a Truſtee during his Enjoyment of ſuch Place of Profit; nor ſhall any Truſtee execute any of the Powers or Authorities granted or given by this Act, except at a publick Meeting, unleſs for appointing a publick Meeting or publick Meetings of the ſaid reſpective Truſtees in Manner aforeſaid.

No Act valid, except at a publick Meeting.

Trustees in Commission of the Peace may act as Justices.

Provided also, and be it further enacted, That such of the said respective Trustees as are or shall be in the Commission of the Peace may, and are hereby authorized and impowered to act as Justices of the Peace in the Execution of the several Powers and Authorities hereby given to any Justice or Justices of the Peace, notwithstanding his or their being such Trustee or Trustees.

Proceedings to be entered in a Book.

And be it further enacted, That full, true, and fair, Accounts and Entries of all the Monies that shall be collected, 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 respective Trustees, in the Execution of the Powers hereby to them given, in each of the said respective Divisions, shall, from time to time, be duly and regularly entered in Books which shall be kept for those Purposes; and all such Orders, Acts, and Proceedings so entered, shall be signed by the said respective Trustees, or any Five or more of them, at any Meeting; which said Books, and also the Book or Books by this Act directed to be kept for registering the original Assignments aforesaid, shall and may be produced and 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, That no Nomination, Appointment, Information, Order, Judgement, Conviction, Warrant, Mortgage, Assignment, Transfer, or other Security for the borrowing of Money, or other Writing or Instrument whatsoever, under the Hand and Seal, or Hands and Seals of, or only signed by, any of the respective Trustee or Trustees for putting this Act in Execution, or under the Hand and Seal, or Hands and Seals of, or only signed 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 respective Trustees 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 15 Trustees be present.

And be it further enacted, That no Order made by the said respective Trustees, or any 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 respective Trustees, unless Fifteen Trustees shall be then present.

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Limitation of Actions. And be it further enacted, That if any Action or Suit ſhall be brought againſt any Perſon or Perſons for any thing done, or to be done, in purſuance of this Act, the ſame ſhall be commenced within Six Calendar Months next after the Fact committed, and not afterwards; and ſhall be laid, brought, and tried, within the County of Dorſet, and not elſewhere; and the Defendant or Defendants in ſuch Action or Suit may plead the General Iſſue, and give this Act, and the Special Matter, in Evidence at any Trial to be had thereupon; and that the Matter or Thing, for which ſuch Action or Suit ſhall be ſo brought, was done in Purſuance, and by the Authority, of this Act: And if it ſhall appear ſo to be done; or if any ſuch Action or Suit ſhall be commenced after the Time herein before limited for bringing the ſame, or ſhall be brought in any other County or Place than as aforeſaid, then the Jury ſhall find for the Defendant or Defendants; and upon a Verdict for the Defendant, or if the Plaintiff or Plaintiffs ſhall become nonſuited, or diſcontinue his, her, or their Action or Suit, after the Defendant or Defendants ſhall have appeared; or if, upon Demurrer, Judgement ſhall be given againſt the Plaintiff or Plaintiffs, the Defendants ſhall have Treble Coſts, and have ſuch Remedy for the ſame, as any Defendant or Defendants hath or have in other Caſes by Law.

General Iſſue.

Treble Coſts.

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

FINIS.