Anno nono

Georgii III. Regis.

An Act for amending, widening, altering, clearing, and keeping in Repair, ſeveral Roads leading from the Borough of *Dorcheſter*, in the County of *Dorſet*; and for repealing ſo much of an Act paſſed in the Sixth Year of His preſent Majeſty's Reign, as relates to the repairing the Road leading from *Wool*, to the ſaid Borough.

WHEREAS the High Road leading from Wool Bridge in the County of Dorſet, to and through the ſeveral Pariſhes, Hamlets, Tithings, Villages, and Places, of Wool, Eaſt Burton, Weſt Burton, Eaſt Knighton, Winfrith Newburgh, Eaſt Foſſil, Weſt Foſſil, Galton, Ower Moigne, Moigne's Down, Water Coombe, Warmwell, Friar Mayne, Broad Mayne, Little Mayne, Weſt Knighton, Whitcombe, Came, Cripton, and from thence to Loud's Gate, and through the Pariſh of Fordington by the Church, and from thence through the Eaſt Street, in the Pariſhes of Saint Peter and All Saints, in the Borough of Dorcheſter, to a Place called The Bow, in Preamble.

the ſaid Pariſh of Saint Peter, within the ſaid Borough; and alſo the Road leading from Came Ford, through a Lane, and thence to a Gate leading to the new erected Bridge in the Pariſh of Came aforeſaid; and alſo the Road leading from the aforeſaid Roads in the Pariſh of Warmwell aforeſaid, through the Pariſhes of Poxwell and Oſmington, to the Church in the ſaid Pariſh of Oſmington; and alſo the Road leading from Loud's Gate aforeſaid, through a Lane called Long Lane, to the Church in the Pariſh of Stafford, in the ſaid County of Dorſet, are in a ruinous Condition, and inconvenient for Wheel Carriages, and in many Places too narrow, and cannot be amended, widened, altered, cleared, and kept in Repair, without the Aid of Parliament: And whereas by an Act paſſed in the Sixth Year of the Reign of his preſent Majeſty, 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*; it is enacted, (among other Things) That a Road ſhould be amended leading from the Market Croſs in Wareham, through the Weſt Street of the ſaid Town, and through the ſeveral Pariſhes, Hamlets, Tithings, Towns, and Villages of Lady Saint Mary, Worgret, Stockford, Wool, Burton, Winfrith, Moreton, Woodsford, Lewell, Knighton, Stafford, and Fordington, through a Place there called Doll's Hole, to the Weymouth Turnpike Road at the South End of the South Street, in the Town of Dorcheſter aforeſaid; and that One Gate or Turnpike and Toll-houſe ſhould be erected on the Weſt Branch of the Roads by the ſaid Act directed to be repaired at or near the Weſt End of a Lane called Long Lane, leading from Gould's Froome, to the Town of Dorcheſter aforeſaid: And whereas the erecting of a Gate or Turnpike at the End of Long Lane aforeſaid, would be of little or no Effect, as from the Situation thereof it might eaſily be evaded, and the Tolls ariſing therefrom would be ſcarce ſufficient to pay a Collector of the ſame, and that the ſaid Road in Conſequence thereof can never be repaired under the ſaid above-recited Act: And whereas if the ſaid Act was repealed, ſo far as the ſame relates to the erecting a Gate or Turnpike and Toll-houſe at or near the End of Long Lane aforeſaid, and to the amending, widening, altering, clearing, and keeping in Repair, ſuch Part of the ſaid Road as leads from Wool aforeſaid to the Town of Dorcheſter; and inſtead thereof the Road herein Firſt before deſcribed, leading from Wool Bridge, to a Place called The Bow, in the Borough

rough of Dorchester, was directed to be amended, widened, altered, cleared, and kept in Repair, it would be more convenient and commodious to the Publick: But as 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 erecting a Gate or Turnpike and Toll-house at or near the End of Long Lane aforesaid, and to the repairing, widening, altering, clearing, and keeping in Repair, the Road leading from Wool, through Burton, Winfrith, Moreton, Woodsford Lewell, Knighton, Stafford, and Fordington, through a Place called Doll's Hole, to the Weymouth Turnpike Road at the South End of the South Street, in the Town of Dorchester aforesaid, shall be, and the same is hereby repealed. Repeal of Part of the recited Act.

And be it further enacted, That James Acton Clerk, the Honourable John Fane, commonly called Lord Burghersh; John Bond, Nathaniel Bond, Richard Brodrepp, Edward Berkeley, Esquires; Denis Bond, Samuel Basket, John Trenchard Bromfield, Seth Bancks, Clerks; James Brooke, William Bryer, William Bridle, John Buckland, John Balston, Thomas Bartlet, Gentlemen; John Calcraft, Awnsham Churchill, George Clavell, William Churchill of Colliton, William Churchill of Henbury, Esquires; John Colson, Thomas Colson, Clerks; Thomas Coombs, William Champ, Giles Coombs, Edward Cozens, William Clavell, Jonadab Chisman, Gentlemen; John Damer, the Honourable John Damer, George Damer, Esquires; Davis of Poxwell, John Dampier, Gentlemen; William Ewer, James Frampton, John Floyer, Augustus Floyer, Esquires; Edward Fawconer, William Floyer, Lewis Fenton, Clerks; William Filliter Gentleman, Thomas Gould, James Gould, Thomas Gundry, Radford Gundry, Esquires; Robert Goodrick Clerk, Samuel Gould, John Garland, William Gundry, Joseph Garland, Thomas Gilbert, Gentlemen; John Hubbock Clerk, Joseph Hardy the younger, James Haydon, John Hawkeens, John Hayne, John Jacob, William Jacob, Nicholas Ingram, Robert Lumley Kingston, Gentlemen; Sir James Long Baronet, Warren Lisle, William Clapcott Lisle, Esquires; Timothy Lamb Clerk, John Lillington Gentleman, John Meech, John Meech the younger, David Robert Michel, Harry Meggs, Esquires; Trustees Names.

Marſhall, Clerk, John Morgan, Thomas Meggs, Henry Peverell Meggs, William Maſterman, Gentlemen; Sir William Oglander Baronet, George Pitt, William Pitt, John Pitt, Edmond Morton Pleydell, Eſquires; John Pope Clerk, Robert Pount, Peter Pount, Harry Pouncey, William Richards, William Richards the younger, George Richards, Thomas Robinſon, Eſquires; John Richards Clerk, Humphry Sturt Eſquire, Robert Smith, George Strickland, William Sparkes, Iſaac Sparkes, Samuel Slade, Robert Strickland, Charles Scott, Henry Sherren, Gentlemen; John Trenchard, John Tucker, Richard Tucker, Eſquires; Nathaniel Templeman, Richard Templeman, Benjamin Thornton, Clerks; Nathaniel Templeman, Francis Teuxbury, Gentlemen; Thomas Williams Eſquire, Robert Willis, Charles Willis, John Wallis, Peter Woods, Stephen White, Gentlemen; and the Mayor, Bailiffs, Aldermen, and capital Burgeſſes of the Borough of Dorcheſter for the time being, ſhall be and they are hereby appointed Truſtees for ſurveying, amending, widening, altering, clearing, and keeping in Repair, the ſaid Roads in and by this Act directed to be amended, widened, altered, cleared, and kept in Repair, and for putting in Execution all other the Powers in and by this Act given and granted.

Qualification of Truſtees.

And be it further enacted, That no Perſon ſhall be capable of acting as a Truſtee in any Caſe in the Execution of this Act, unleſs he ſhall have or be ſeized of in his own Right, or in the Right of his Wife, and be in the actual Poſſeſſion, Enjoyment, or Receipt of the Rents and Profits of Lands, Tenements, Tithes, or Hereditaments, being Freehold, Leaſehold, or Copyhold, of the clear yearly Value of Forty Pounds above Reprizes; or poſſeſſed of or intitled to a Perſonal Eſtate to the Value of Eight hundred Pounds, or be Heir Apparent of a Perſon poſſeſſed of an Eſtate in Lands of the clear yearly Value of Eighty Pounds: And if any Perſon or Perſons, ſo made incapable, ſhall preſume to act, every ſuch Perſon ſhall, for every ſuch Offence, forfeit and pay the Sum of Fifty Pounds to any Perſon or Perſons who ſhall inform or ſue for the ſame, to be recovered in any of His Majeſty's Courts of Record at Weſtminſter, by Action of Debt, or on the Caſe, Bill, Suit, or Information, wherein no Eſſoin, Protection, or Wager of Law, or more than One Imparlance, ſhall be allowed; and the Perſon ſo proſecuted ſhall prove that he is qualified as aforeſaid, or otherwiſe ſhall pay the ſaid Penalty, without any other Proof or Evidence on the Part of the Proſecutor, than that ſuch Perſon

Penalty on acting if not qualified.

ſon hath acted as a Truſtee in the Execution of this Act.

And be it further enacted, That the ſaid Truſtees, or any Nine or more of them, ſhall meet together at the Houſe of James Birch, known by the Sign of the Antelope, in Dorcheſter aforeſaid, on the Fifteenth Day of June, One thouſand ſeven hundred and ſixty nine, between the Hours of Ten and Twelve of the Clock in the Forenoon, and ſhall proceed to the Execution of this Act; and ſhall then adjourn themſelves, and meet at ſuch Time and Place in Winfrith aforeſaid, as they the ſaid Truſtees, or any Five or more of them, ſhall appoint; and ſhall from thenceforth adjourn themſelves from time to time, and hold their Meetings alternately at Dorcheſter and Winfrith, during the Continuance of this Act: And if it ſhall happen that there ſhall not appear at any ſuch Meeting a ſufficient Number of Truſtees to act, and to adjourn themſelves, or if the ſaid Truſtees ſhall refuſe or neglect to adjourn; the Clerk to the ſaid Truſtees ſhall, by publick Notice in Writing to be affixed at or on all the Turnpikes to be erected by virtue of this Act, at leaſt Seven Days before ſuch intended Meeting, and before and until any Gate or Turnpike ſhall be erected, by publick Notice advertiſed in the Sherborne and Saliſbury Journals at leaſt Seven Days before ſuch Meeting, appoint the ſaid Truſtees to meet at the Place where the laſt Meeting was appointed to be held, and ſo toties quoties.

Time and Place of Truſtees Meeting.

Provided always, That Two Truſtees ſhall be deemed ſufficient for the Purpoſe of Adjournment.

Two Truſtees ſufficient for Adjournment.

Provided alſo, That if after any ſuch Adjournment, whether the ſame be made by the ſaid 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 ſhall be appointed, ſuch Clerk, upon an Order in Writing ſigned by Five or more of the ſaid Truſtees, naming the Time and Place of ſuch Meeting, ſhall immediately, by publick Notice in Writing, to be affixed at or on all the Gates or Turnpikes to be erected by virtue of this Act, and before and until any Gate or Turnpike ſhall be erected, by publick Notice advertiſed in the Sherborne and Saliſbury Journals, appoint the ſaid Truſtees to meet at ſuch Time and Place as ſhall be named in ſuch Order, Seven Days Notice at leaſt being given previous to ſuch early Meeting ſo appointed as aforeſaid; And the ſaid Truſtees ſhall at all their Meetings defray their own Charges and Expences.

Meetings may be called upon an Emergency.

Truſtees to defray their own Expences.

Trustees not to act but at a publick Meeting.

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

Trustee not to accept a Place of Profit.

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

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

And be it further enacted, That such of the Trustees appointed or to be appointed in or by virtue of this Act, as shall be a Justice or Justices of the Peace, may and is and are hereby authorized and impowered to act as a Justice or Justices of the Peace in the Execution of the Powers and Authorities hereby given to any Justice or Justices of the Peace, notwithstanding his or their being such Trustee or Trustees.

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

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

full, large, and ample Manner, as the Truſtees hereby appointed are authorized and impowered to act.

And be it further enacted, That the ſaid Truſtees, or ſuch Perſon or Perſons as they, or any Five or more of them, ſhall appoint, ſhall and may erect, or cauſe to be erected, One Gate or Turnpike in, upon, or acroſs, the ſaid Roads by this Act directed to be repaired, and alſo a Toll-houſe to the ſaid Gate or Turnpike at the following Place (that is to ſay) One Gate at or near Loud's Gate aforeſaid, in the Pariſh of Fordington aforeſaid; and ſhall demand and take at ſuch Gate or Turnpike the following Tolls or Duties before any Cattle or Carriage ſhall be permitted to paſs through the ſame; that is to ſay, Truſtees may erect Turnpikes and Toll-houſes, and take Tolls thereat.

For every Horſe, Mare, Gelding, or other Beaſt, drawing any Coach, Chariot, Landau, Berlin, Chaiſe, Chaiſe Marine, Calaſh, Vis-a-vis, Curricle, Chair, or Hearſe, the Sum of Three Pence. The Tolls.

For every Horſe, Mare, Gelding, Yoke of Oxen, or other Beaſt, drawing any Caravan, Waggon, Wain, Car, Cart, Dray, or other Carriage, the Sum of Three Pence.

For every Horſe, Mare, Gelding, Mule, Aſs, or other Beaſt of Burthen, laden or unladen, and not drawing, the Sum of One Penny.

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

And for every Drove of Calves or Hogs, the Sum of Five 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, or as a Toll or Duty: And the Money ſo to be raiſed and collected ſhall be and is hereby veſted in the ſaid Truſtees; and the ſame, and every Part thereof, ſhall be paid, applied, diſpoſed of, and aſſigned to and for the ſeveral Uſes, Intents, and Purpoſes, and in ſuch Manner, as is herein after mentioned; and it ſhall and may be lawful to and for the ſaid Truſtees, or any Five or more of them, or ſuch Perſon or Perſons as they, or any Five or more of them, ſhall, under their Hands and Seals, from time to time, nominate and appoint, to demand and take the Tolls hereby granted and made payable; and to levy the ſame upon any Perſon or Perſons who ſhall, Tolls veſted in Truſtees; to be levied by Diſtreſs and Sale.

shall, after Demand made thereof, neglect or refuse to pay such Tolls as aforesaid, by Distress of any Horse or Horses, or other Cattle or Goods, or of any Carriage, upon which such Tolls are by this Act imposed, or by Distress of any other of the Goods and Chattles of such Person or Persons who ought to pay the same; and to detain and keep the same until such Tolls, with all reasonable Charges of detaining and keeping the same, shall be paid; and it shall and may be lawful to and for such Person and Persons, after the Space of Five Days next after such Distress made and taken, to sell the Cattle, Carriages, or Goods, so distrained, returning the Overplus (if any shall be) upon Demand, to the Owner thereof, after such Tolls, and reasonable Charges of distraining, keeping, and selling the same, shall be deducted and paid.

Distress may be sold after 5 Days.

Trustees may erect Side-gates,

And be it further enacted, That, to prevent Persons from evading Payment of the Tolls or Duties hereby granted, it shall and may be lawful to and for the said Trustees, or any Five 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, upon the Side or Sides of the said Roads, and upon, in, or cross, any Lane or Way leading out of the same; and there to take and levy, or cause to be taken and levied, such Tolls as are by this Act made payable at any Gate or Turnpike to be erected by virtue hereof, so as the same do not extend to a Double Charge upon any Person or Persons passing through any other Gate or Gates, Turnpike or Turnpikes, erected by virtue of this Act; provided no such Side-gate be erected within One Mile of the said Town of Dorchester.

and take Tolls thereat;

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

Trustees may compound with Travellers.

And be it further enacted, That it shall and may be lawful to and for the said Trustees, or any Five or more of them, from time to time, as often as they shall think fit, to compound with any Person or Persons (except Common Carriers) using to travel through any Turnpike to be erected by virtue of this Act, with any Carriage or Cattle, and living within Two Miles of any Gate or Turnpike to be erected by virtue of this Act, for any Sum of Money for and in lieu of the Payment of the Tolls or Duties hereby granted at such Gate only; which Composition-money shall be instantly paid to the said Trustees, or to their Appointment.

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

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

And be it further enacted, That it shall and may be lawful to and for the Trustees appointed in and by virtue of this Act, or any Nine or more of them, and they are hereby impowered, with the Consent of the Person or Persons intitled to Three Fourths of the Money borrowed on the Credit of the Tolls to be collected by virtue of this Act, at a Meeting to be held for that Purpose at any Time hereafter, as often and for such Times as they shall think proper, to lessen or reduce all or any of the Tolls granted by this Act; and afterwards at any other Meeting to be held, from time to time, if they shall see Occasion, to advance all or any of the Tolls so lessened, to any Sum or Sums of Money not exceeding the several Rates granted by this present 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. Trustees, with Consent of Creditors, may lessen the Tolls, and raise them again.

And

Tolls to be paid but Once a Day.

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

Exemptions from Toll.

And be it further enacted, That none of the Tolls by this Act granted and made payable shall be demanded or taken at any of the Gates or Turnpikes to be erected by virtue hereof, for any Horse, Mare, Gelding, Mule, Ox, Ass, or Beast of Draught, drawing or carrying Materials for repairing any Road or Highway, or any Corn or Grain in the Straw, or Hay not sold or disposed of, Fodder, Dung, Lime for the Improvement of Land, or other Manure or Implements of Husbandry only, or from any Person or Persons travelling to or from Church, or any other Place of religious Worship on Sundays, or for any Horse or other Cattle going to or returning from Pasture or Water, or going to or returning from being employed in any Husbandry Work, or for any Waggon, Wain, Cart, or Carriage, passing or repassing, being employed in such Work, or for any Post-horse carrying the Mail or publick Packet, or for Horses of any Officers or Soldiers on their March, or for Horses travelling with Vagrants sent by Passes, or for any Coaches or other Carriages, or Passengers on Horseback, going to or returning from any Election of a Knight or Knights of the Shire to serve in Parliament for the County of Dorset, or of a Burgess or Burgesses to serve in Parliament for the Borough of Dorchester, on the Day or Days of such Election: And if any Person shall claim and take the Benefit of any of the Exemptions aforesaid, not being intitled to the same, every such Person shall forfeit and pay the Sum of Twenty Shillings, to be recovered and applied in Manner herein after-directed.

Penalty on making illegal Claims.

Penalty on permitting, or going thro' private Passage, &c.

And be it further enacted, That if any Person or Persons shall, with any Horse, Mare, Gelding, Mule, Ass, Cattle, Coach, Berlin, Landau, Chariot, Chaise, Calash, Chair, Caravan, Hearse, Waggon, Wain, Cart, Dray,

Dray, or other Carriages, 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 which shall be erected by virtue of this Act, 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 or either of the said Gates or Turnpikes, shall knowingly or willingly permit or suffer any Person or Persons with any Horse, Mare, Gelding, Ox, Mule, Ass, Cattle, Coach, Berlin, Landau, Chariot, Chaise, Calash, Chair, Caravan, Hearse, Waggon, Wain, Cart, Dray, or other Carriages, to go or pass through the same Ground, Land, or Hereditaments; or if any Person or Persons shall give to or receive from any other Person or Persons (except the Person or Persons appointed to collect and receive the Tolls hereby made payable) any Note or Ticket of the Day, by this Act directed to be given by the Collectors or Receivers of the said Tolls; or if any Person or Persons shall at any Time or Times take off, or cause to be taken off, any Horse, Mare, Gelding, Ox, Mule, or Ass, from any Coach, Berlin, Landau, Chariot, Calash, Chaise, Caravan, Hearse, Waggon, Wain, Cart, Dray, or Carriages aforesaid, whereby the Payment of any of the said Tolls shall be evaded; that then, and in either of the aforesaid Cases, every Person so offending, and being thereof convicted upon the Oath of One or more Witness or Witnesses, before One or more Justice or Justices of the Peace of and for the County or Place where the said Offence or Offences shall be committed (which said Oath such Justice or Justices is and are hereby impowered to administer) shall for every such Offence forfeit and pay the Sum of Twenty Shillings; One Moiety whereof shall be paid to the Informer or Informers of such Offence or Offences respectively, upon whose Oath or Oaths the said Offender or Offenders shall be convicted, to and for his and their own Use and Uses, and the other Moiety shall go and be applied towards the amending the said Roads.

or taking off Horses, &c.

And, for the more speedy repairing and widening the said Roads, be it further enacted, That it shall and may be lawful to and for the said Trustees, or any Nine or more of them, from time to time, upon the Credit of the Tolls and Duties hereby made payable, to borrow and take up at Interest any such Sum or Sums of Money as they, or any Nine or more of them, shall think needful; and may, and they are hereby authorized

Trustees may borrow Money.

and impowered to assign over the said Tolls and Duties, or any Part or Parts thereof, to any Person or Persons for any Term or Number of Years, as a Security or Securities for the several Sums of Money that shall be so borrowed, and the Interest thereof as aforesaid; which said Sums of Money so to be borrowed (the Charges of procuring and passing this Act in the Manner aforesaid being thereout first paid) shall be laid out and applied in and for the repairing and widening the said Roads in such Manner as the said Tolls or Duties are hereby directed to be laid out and applied, and to and for no other Use or Purpose whatsoever; and no Preference shall be given to any Person or Persons advancing any Part or Parts of the Money so borrowed, in respect of the Priority of advancing of his, her, or their Part or Parts thereof, but that all such Lenders or Persons to whom such Assignment shall be made as aforesaid, shall, so far as the Money borrowed as aforesaid shall extend, be, and are hereby declared, Creditors on the said Tolls or Duties in an equal Degree One with another.

All Creditors deemed equal in Degree.

Assignments may be transferred.

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

Notice to be given of borrowing Money.

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

Trustees to appoint Officers,

And be it further enacted, That the said Trustees, or any Five or more of them, may and are hereby authorized and impowered, from time to time, to elect and appoint fit and proper Persons to be Collectors and Receivers of the Tolls by this Act made payable, and proper Persons to be Clerk or Clerks, Treasurer or Treasurers, Surveyor or Surveyors of the said Roads, and

such other Officer or Officers, as the said Trustees, or any Five or more of them, shall think necessary or convenient; and such Collectors or Receivers, Clerks, Treasurers, Surveyors, and other Officers, or any or either of them, from time to time, to remove or displace, and to elect and appoint others in the Rooms and Places of such of them as shall be so removed, or shall die, Notice of the Time and Place of Meeting for that Purpose being fixed on the Turnpikes erected by virtue of this Act, at least Ten Days before such Election; and may and are hereby authorized and impowered, out of the Monies which shall arise by the Tolls aforesaid, to allow and pay to the several Collectors or Receivers, Clerks, Treasurers, Surveyors, and other Officers, who shall be appointed as aforesaid, and to such other Person and Persons as shall be assisting to them, or any or either of them, in or about the repairing or widening the said Roads, or any Part thereof, or in the Execution of any of the Powers of this Act, such Salaries, Rewards, and Allowances, for their Attendance, Care, and Service, in those Respects, as to the said Trustees, or any Five or more of them, shall seem reasonable.

and remove them, and appoint others.

Trustees to allow Officers Salaries.

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

Officers to account upon Oath.

(which Oaths the said Trustees, or any Two or more of them, are hereby authorized and impowered to administer to such Officers and Persons) verify their said Accounts, and the particular Items and Articles thereof, and the several Receipts and Payments which shall be therein contained; and if any or either of the said Officers or Persons so accounting or to account as aforesaid, being required so to, shall refuse or neglect to render or give up such Account or Accounts as aforesaid, or to produce and deliver up to the said Trustees, or any Five or more of them, the Receipts and Vouchers relating to the same, or to verify the Items or Articles thereof upon his or their Oath or Oaths, or shall refuse or neglect to pay such Money as upon the Balance of any Account or Accounts shall appear to be in their respective Hands to the said Trustees, or any Five or more of them, or as they, or any Five or more of them, shall direct or appoint; then, and in either of the Cases aforesaid, the said Trustees, or any Five or more of them, may and are hereby authorized and impowered to bring or cause any Action or Actions to be brought in the Names of the said Trustees, or in the Name or Names of any One or more of them, or in the Name of their Treasurer or Clerk, against the Officer or Officers, Person or Persons, so refusing or neglecting as aforesaid, in order for the Recovery of the Monies that shall be in the Hands of such Officer or Officers, Person or Persons respectively; or if Complaint shall be made of any such Refusal or Neglect as aforesaid to any Justice or Justices of the Peace of the County or Place where the Officer or Officers, Person or Persons, so neglecting or refusing shall live or reside, such Justice or Justices may, and is and are hereby authorized and required, by a Warrant or Warrants under his or their Hand and Seal, or Hands and Seals, to cause the Officer or Officers, Person or Persons, so refusing or neglecting to be brought before him or them, and upon his or their appearing, or not being to be found, to hear and determine the Matter of such Complaint in a summary Way, and to settle the said Accounts, if produced, in such Manner as the said Trustees, or any Five or more of them, by virtue of this Act might have done: And if upon the Confession of the Officer or Officers, Person or Persons, against whom such Complaint or Complaints shall be made, or by the Oath or Oaths of One or more Witness or Witnesses (which said Oath or Oaths such Justice or Justices is and are hereby impowered

Officers refusing to account,

Complaint may be made to Justices, who are to determine the Matter.

powered to administer) it shall appear to such Justice or Justices that any of the Monies which shall have been collected or raised by virtue of this Act shall be in the Hands of such Officer or Officers, Person or Persons; such Justice or Justices may, and is and are hereby authorized and required, upon the Non-payment thereof, by a Warrant or Warrants under his or their Hand and Seal, or Hands and Seals, to cause such Money to be levied by Distress and Sale of the Goods of such Officer or Officers, Person or Persons respectively: And if no Goods of such Officer or Officers, Person or Persons, can be found sufficient to answer and satisfy the said Money, and the Charges of distraining and selling the same, or if such Officer or Officers, Person or Persons, shall not appear before the said Justice or Justices at the Time and Place by him or them appointed for that Purpose, upon Notice thereof in Writing being delivered to such Officer or Officers, Person or Persons, or left at their last Place or Places of Abode respectively; or, if appearing, shall refuse or neglect to deliver to the said Justice or Justices such Account or Accounts of the Receipts and Payments as aforesaid, and to verify the Truth of such Accounts, and of the Items and Articles thereof, upon Oath as aforesaid, or to produce or deliver up to the said Justice or Justices the several Receipts and Vouchers relating to such Accounts respectively, and to the Items and Articles thereof; then, and in either of the Cases aforesaid, the said Justice of Justices may, and is and are hereby authorized and required, by a Warrant or Warrants under his or their Hand and Seal, or Hands and Seals, to cause such Officer or Officers, Person or Persons, to be committed to the Common Gaol of the County where such Officer or Officers, Person or Persons, shall live or reside; there to remain without Bail or Mainprize, until he or they shall have delivered in and settled his or their respective Accounts, and verified the Items thereof on Oath, and shall have produced and delivered up the Receipts and Vouchers relating to such Accounts respectively, and shall have paid the Money which shall appear to be in their respective Hands, and the reasonable Charges of such Distress and Sale as shall in those Respects have been made, or shall have compounded with the said Trustees, or any Five or more of them, for the same, and paid the Money which shall be thereby to them stipulated to be paid; which said Composition and Money the said Trustees, or any Five or more of them, are hereby authorized and impowered to make and receive.

Balance may be levied by Distress and Sale.

For want of Distress, the Offender to be committed,

until Payment or Composition be made.

Treasurer to give Security.

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

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

And be it further enacted, That no Person or Persons keeping any Inn, Alehouse, or other House of publick Entertainment, or who shall sell Ale, Wine, Brandy, or other Spirituous Liquors, by Retail, shall be capable of taking, holding, or enjoying, any Place or Places of Trust or Profit under this Act, during such Time as he or they shall keep such Inn, Ale-house, or other publick House of Entertainment, or shall sell Ale, Wine, Brandy, or other Spirituous Liquors, by Retail.

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

And be it further enacted, That the said Trustees, or any Five or more of them, or the Surveyor or Surveyors by them appointed, or any other Person or Persons who shall, by the said Trustees, or by the said Surveyor or Surveyors, or either of them, be employed or appointed for that Purpose, may, and is and are hereby authorized and impowered to cut, dig, gather, take, and carry away, or cause to be digged, cut, and carried away, any Furze, Heath, Stones, Gravel, Chalk, Sand, Flints, or other Materials proper for repairing of Roads, in, upon, or out of or from, any Waste or Common Ground or Grounds in any Parish, Town, or Place, in, adjoining to, or lying near, the Roads aforesaid, in and by this Act directed to be repaired, altered, amended, and widened, or in any neighbouring Parish, Town, or Place, to be used, disposed of, and applied in repairing the said Roads, without paying any Thing for the same, they the said Trustees or Surveyors, or other Persons, filling up the Pits and levelling the Ground from which such Materials shall be taken, or causing the same to be done; And if such Quantities of Furze, Heath, Stone, Gravel, Chalk, and Flints, or other Materials proper and sufficient for that Purpose, cannot be had or found in or upon such Waste or Common Ground or Grounds; then, and in such Cases, to cut, dig, gather, take, and carry away, or cause to be cut, digged, gathered, taken, and carried away, any Quantity or Quantities of Furze, Heath, Stones, Gravel, Chalk, Sand, Flints, or other Materials proper and sufficient for that Purpose, in, upon,

without paying for the same;

levelling the Pits.

Materials may be taken from private Grounds;

on, or out of and from, the Lands, Fields, or Grounds, of any Person or Persons where the same may be found, to be used, disposed of, and applied, in or towards the repairing of the Roads by this Act directed to be repaired (such Lands, Fields, or Grounds, or either of them, not being in a Yard, Garden, Orchard, Park, Paddock, Wood, Coppice, Nursery, or inclosed Ground, planted with any Avenue of Trees for the Ornament of any House) they the said Surveyors, or other Person or Persons by them appointed or employed as aforesaid, or some or One of them, having an Order from the said Trustees, or any Five or more of them, for so doing, and paying, or offering to pay, to the respective Owners or Occupiers of such Lands, Fields, or Grounds, such Damages for the cutting, gathering, taking, and carrying away, the said Furze, Heath, Stones, Gravel, Chalk, Sand, Flints, and other Materials, and for carrying the same over their Grounds, as the said Trustees, or any Five or more of them, shall adjudge or think reasonable, they the said Trustees or Surveyors, or other Persons, filling up the Pits and levelling the Ground from whence such Materials shall be so taken, or causing the same to be done; and in case of any Difference between the said Trustees, Surveyors, or Person or Persons by them appointed or employed as aforesaid, and the said Owner or Owners, or any or either of them, concerning the said Damages, any Two or more Justices of the Peace of the County or Place where the same Furze, Heath, Stones, Gravel, Chalk, Sand, Flints, or other Materials, shall be cut, digged, gathered, and taken away, shall and may, on Ten Days Notice thereof to be given by the said Surveyor or Surveyors to the said Owner or Owners, Occupier or Occupiers, or by them the said Owner or Owners, Occupier or Occupiers, to the said Surveyor or Surveyors, to be left at their respective Places of Abode with some or One of their respective Families, hear, settle, and determine, the Matter of the said Damages; and the Judgement or Order of the aforesaid Justices therein shall be final and conclusive to all Parties.

making Satisfaction to the Owners.

Justices to determine Differences.

And be it further enacted, That the said Trustees, or any Five or more of them, or the Surveyor or Surveyors by them appointed as aforesaid, or any other Person or Persons by them, or either of them, appointed or employed, they the said Surveyor or Surveyors, or other Person having a Warrant or Order from and under the Hands of the said Trustees, or any Five or more

Surveyors may make Causeways, &c.

more of them, for those Purposes respectively, may and is and are hereby authorized and impowered to make, or cause to be made, any Causeway or Causeways, in or along the Side or Sides of any Part or Parts of the said Roads; and shall and may erect or build, or cause to be erected or built, any Bridges or Arches of Stone, Brick, or Timber, upon, in, or cross, the said Roads by this Act to be repaired; and shall or may dig or cut, or cause to be digged or cut, Drains or Watercourses, in, through, or across any Lands or Grounds, to prevent the said Roads, or any Part or Parts thereof, from being overflowed, and erect Bridges over such Drains or Watercourses, if necessary; making such reasonable Satisfaction to the Owners or Occupiers of such Lands or Grounds, for the Damages they may thereby sustain, as to the said Trustees, or any Five or more of them, shall seem reasonable,

and erect Bridges;

making Satisfaction to the Owners.

And be it further enacted, That the Tolls and Duties arising and the Money to be borrowed by virtue of this Act, which shall be applied in repairing, widening, altering, and keeping in Repair, the said Roads, shall be applied and disposed of in the Manner following; that is to say, In the first Place, in well and effectually repairing, altering, widening, and keeping in Repair, the Road which leads from The Bow in the Parish of Saint Peter in Dorchester aforesaid, through the East Street in the Parish of Saint Peter aforesaid, and All Saints in the said Borough, and through the Parish of Fordington by the Church to Loud's Gate in the said Parish, and through the said Parish there, to and through the several Parishes, Hamlets, Tithings, Villages, and Places, of Cripton, Came, Whitcombe, West Knighton, Little Mayne, Broad Mayne, Fryar Mayne, Warmwell, Watercombe, Moigne's Down, Ower Moigne, Galton, West Fossil, East Fossil, Winfrith Newburgh, East Knighton, West Burton, East Burton, and Wool, to Woolbridge, and the Road leading from Came Ford, to the Gate leading to the new erected Bridge at Came aforesaid; and also the Road which leads from the Parish of Warmwell, through Poxwell and Osmington, to the Church in the said Parish of Osmington, such Reparations and Amendments to begin at The Bow in the Parish of Saint Peter in Dorchester aforesaid, at the Road leading from Came Ford through a Lane, and thence to the Gate leading to the new erected Bridge at Came aforesaid, at Woolbridge in the said Parish of Wool, and at the aforesaid Road in Warmwell aforesaid, through

Directing the particular Roads to be first repaired.

the said Parish of Poxwell to the Parish Church of Ofmington aforesaid; and so to be continued and carried on from the said several and respective Places, in equal Lengths progressively, till the Whole is effectually repaired and finished.

When the Road from the *Bow* in *Dorchester* to *Loud's Gate* is repaired, the Trustees may lay out a Sum of Money in repairing the Road from the said Gate to *Stafford* Church.

Provided always, and be it further enacted, That when the Road which leads from The Bow in Dorchester aforesaid shall be amended and repaired, to Loud's Gate aforesaid, it shall and may be lawful to and for the said Trustees, or any Five or more of them, out of the said Tolls, Duties, and Money borrowed, to lay out and expend any Sum or Sums of Money, not exceeding in the Whole the Sum of One hundred and fifty Pounds, in repairing, altering, and amending the Road leading from the said Gate through Long Lane, to the Parish Church of Stafford aforesaid; and if the said Sum of One hundred and fifty Pounds shall not be sufficient to repair the Whole of the said Road, then the Residue thereof is to be repaired, altered, widened, and amended, by and out of such Tolls, Duties, and Monies borrowed, when all the other Roads by this Act directed to be repaired, are well and sufficiently repaired, altered, widened, and amended, and the Expence, from time to time, of keeping the same in good and effectual Repair are defrayed, or Money sufficient reserved for that Purpose.

For shutting up particular Roads.

And whereas the Tolls granted by this Act may be evaded, if a certain Road leading from the Parish of Fordington, through a Gate called Hyde Gate, and through Farrington, alias Winterborne Saint Germains, to a Gate called Windmill Gate, in Farrington, alias Winterborne Saint Germains aforesaid; and also another Way or Road beginning at the South End of Loud's Gate in Fordington aforesaid, and from thence to a Gate called Came Gate, which parts Came from Fordington Field, and so on to a Gate called Cripton Gate, which parts Cripton from Whitcombe, are not stopped up, and disused by all Travellers and other Persons; be it therefore further enacted, That the said Road leading from the Parish of Fordington, through Hyde Gate and Farrington, alias Winterborne Saint Germains, to Windmill Gate, in Farrington, alias Winterborne Saint Germains, shall be stopped up, and disused by all Travellers and other Persons, except Foot Passengers; and that the said Road from the South End of Loud's Gate in Fordington, and from thence to Came Gate aforesaid, and so on to Cripton Gate aforesaid, shall be stop-

ped up, and it shall not be lawful for any Person, either on Foot, or with Horses, Cattle, or Carriages, to use the said last-mentioned Road, after the passing of this present Act.

Surveyors may remove Annoyances in the Roads, &c.

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

the Owners neglecting to remove the same after Notice;

Charges to be reimbursed the Surveyor;

to be levied by Distress and Sale.

Penalty on a Second Offence.

Owners neglecting to cleanse their Watercourses, after Notice,

And be it further enacted, That if any Person or Persons, who of Right ought to scour or cleanse any Ditch, Drain, or Watercourse, lying or which shall lie in,

in, or leading or which shall lead into or out of, the said Roads, or any Part thereof, shall not, in a proper Manner, scour and cleanse such Ditches, Drains, and Watercourses, or cause the same to be done, within the Space of Twenty Days next after Notice in Writing shall for that Purpose be given to him, her, or them respectively, or shall be left at his, her, or their respective Place or Places of Abode, by Order of the said Trustees, or any Five or more of them, or by the said Surveyor or Surveyors; then, and in either of the said Cases, the said Surveyor or Surveyors may, and is and are hereby authorized and impowered to cause such Ditches, Drains, and Watercourses, to be scoured and cleansed, and pay for scouring and cleansing the same; and if the said Person and Persons shall not repay the Money so paid by such Surveyor or Surveyors, upon Demand thereof upon him, her, or them respectively made, either in Person, or by Writing to be left at his, her, or their respective Place or Places of Abode, the same Money, and every Part thereof, upon Proof of cleansing and scouring the said Ditches, Drains, and Watercourses, and Payment of the said Money, and Demand thereof made, and Non-payment thereof as aforesaid, by the Oath of One or more Witness or Witnesses, before any Justice of the Peace of the County or Place where such Person or Persons respectively shall live, shall and may, by a Warrant or Warrants under the Hand and Seal of such Justice, be raised and levied by Distress and Sale of the Goods and Chattles of such Person or Persons, rendering the Overplus (if any be) to the Owner or Owners thereof, upon Demand, after all Charges paid.

Surveyors may cleanse them,

and levy the Charges by Distress and Sale.

And be it further enacted, That it shall and may be lawful for the Owners or Occupiers of any Lands, Tenements, and Hereditaments, through which the Roads by this Act directed to be repaired do lead, to erect any Gate or Gates in, upon, or across, the said Roads where such Gates have been usually erected, or as near the same as conveniently may be; provided the said Gates shall at all Times be left in such Manner as to be free for all Passengers to pass and repass through the same.

Owners of Lands may erect Gates on the Road.

And be it further enacted, That in case the said Trustees, or any Seven or more of them, shall, at any Time or Times during the Continuance of this Act, think proper to widen, turn, or alter, any Part or Parts of the said Roads, for the better Accommodation of

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

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

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

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

Agreements, Sales, and Conveyances, which shall be so made, shall be valid to all Intents and Purposes; any Law, Statute, Usage, or any other Matter or Thing whatsoever, to the contrary thereof in any wise notwithstanding: And all Feoffees in Trust, Executors, Administrators, Guardians, and Trustees, Corporations Aggregate or Sole, and all other Persons, are and shall be hereby indemnified for what they shall do by virtue of, or in pursuance of, this Act.

Where Persons refuse to treat, &c.

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

Jury to settle the Damage and Recompence.

Witnesses may be summoned, and examined upon Oath.

and they shall also order and cause the said Jury to view the said Places in Question, if there be Occasion, and use all other lawful Ways and Means, as well for their own as for the said Jury's better Information in the Premisses, as they the said Trustees, or any Seven or more of them, shall think fit; and after the said Jury shall have enquired of, ascertained, and settled, such Damage and Recompence, they the said Trustees, or any Seven or more of them, shall thereupon order, adjudge, and determine, the said Sum and Sums of Money, so assessed by the said Jury, to be paid to the said Owners, Occupiers, or Proprietors of, or other Persons interested in, the said Lands, Grounds, or Hereditaments, according to such Verdict or Inquisition of the said Jury; which said Verdict or Inquisition, and Judgement, Order, or Determination, so had and made, shall be final, binding, and conclusive, to all Intents and Purposes, against all Persons and Parties whatsoever, claiming in Possession, Reversion, Remainder, or otherwise, their Heirs and Successors, as well absent as present, Infants, Femes-covert, and Persons under any Disability whatsoever, Bodies Politick, Corporate, or Collegiate, as well as all and every other Person or Persons whomsoever; and all and every such Owners, Occupiers, and Proprietors, and all and every Person and Persons any way interested in any such Lands, Grounds, or Hereditaments, shall, upon Payment or Tender of the Sum or Sums of Money so assessed as aforesaid, thereby be from thenceforth, to all Intents and Purposes, divested of all Right, Title, Claim, Interest, and Property of, in, to, and out of the same: And for the summoning or returning of such Jury or Juries, the said Trustees, or any Seven or more of them, are hereby impowered to issue out their Warrant or Warrants to the Sheriff of such County in which such Lands and Grounds so to be taken in do lie, thereby commanding and requiring him to impanel, summon, and return, an indifferent Jury of Twenty four Persons, to appear before the said Trustees, or any Seven or more of them, at such Time and Place as in such Warrant shall be appointed; and the said Sheriff, or his Deputy or Deputies, is and are hereby required to impanel, summon, and return, such Number accordingly; and out of the Persons so impanelled, summoned, and returned, or out of such of them as shall appear upon such Summons, the said Trustees, or any Seven or more of them, shall swear, or cause to be sworn, Twelve,

Verdict of the Jury to be final.

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

who

who shall be the Jury for the Purposes aforesaid; and in Default of a sufficient Number of Jurymen, the said Sheriff, or his Deputy or Deputies, shall return other honest and indifferent Men of the Standers-by, or that can easily be procured to attend the Service, to the Number of Twelve: And all Persons concerned shall have their lawful Challenges against any of the said Jurymen when they come to be sworn: And the said Trustees, or any Seven or more of them, acting in the Premisses, shall have Power, from time to time, to impose any reasonable Fine or Fines on such Sheriff, his Deputy or Deputies, Bailiffs, or Agents, making Default in the Premisses, and on any of the Person or Persons that shall be summoned and returned on such Jury, and shall not appear, or shall refuse to be sworn on the said Jury, or being so sworn, shall refuse to give or not give their Verdict, or in any other Manner wilfully neglecting their Duty therein, contrary to the true Intent and Meaning of this Act, and on any of the Persons who, being required to give Evidence to the said Jury touching the Premisses, shall refuse or neglect to appear, or, appearing, shall refuse to be examined and give Evidence, and, from time to time, to levy such Fine and Fines in the same Manner as any other Forfeiture and Penalty, herein before mentioned, is hereby directed to be levied; so as that no such Fine shall exceed the Sum of Ten Pounds upon any One Person for One Offence; and all such Fines shall be applied for such Uses, and in such Manner, as the Tolls granted by this Act are to be applied.

Jurors may be challenged.

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

Fine not to exceed 10 *l.*

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 shall have been agreed to, and offered by, the said Trustees, or any Seven 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, in the said Lands, Grounds, or Hereditaments, or Loss or Damage as aforesaid; that then, and in such Case, the Costs and Expences of summoning and returning the Jury and Witnesses, concerning the ascertaining and determining the Value of any such Right, Property, Interest, or Damages sustained as aforesaid, shall be borne

Expences of Juries how to be borne.

borne and paid by the said Trustees, or any Five or more of them, out of the Tolls or Duties hereby granted, or out of any Money to be borrowed upon the Credit hereof: But if any Jury or Juries, so to be summoned and sworn as aforesaid, shall give or deliver in a Verdict or Assessment for no more or for less Money than shall have been agreed to, and offered by, the said Trustees, or any Seven or more of them, before the summoning and returning the said Jury, as a Recompence or Satisfaction for any such Right, Interest, or Property, in any such Lands, Grounds, or Hereditaments, or Losses or Damages aforesaid; then, and in such Case, the Costs and Expences of summoning and returning the said Jury and Witnesses, shall be borne and paid by the Person or Persons with whom the said Trustees shall have such Controversy or Dispute.

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

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

Part

Part of the said Roads, in such Manner as the said Trustees, or any Five or more of them, shall order and direct, and shall be by them, or by such Person or Persons as they, or any Five or more of them, shall appoint, sufficiently drained, ditched, fenced, and set out, for that Purpose; and after such draining, ditching, fencing, and setting out, the said Lands, Grounds, or Hereditaments, shall, to all Intents and Purposes whatsoever, become and be, and be deemed and taken to be, a publick and common Highway, and be from thenceforth Part of the said Roads for ever after, and shall be repaired and kept in Repair by such Ways and Methods, and in all Respects in such Manner, as the old Road so widened, altered, or turned, was and ought to have been kept in Repair; and after such new Road shall be compleated, the Lands or Grounds comprised in or constituting the old or former Road, shall be vested in, and shall or may be sold by, the said Trustees, or any Seven or more of them, to such Person or Persons as shall be willing to become a Purchaser or Purchasers thereof, for the best Price that can be gotten for the same; and the Money arising by such Sale, shall be applied and disposed of for the repairing and amending of the said Roads; and the Sale, or Conveyance and Conveyances to be made of such Lands or Grounds, being executed by the said Trustees, or any Seven or more of them, and inrolled with the Clerk of the Peace for the County where such Lands or Grounds do lie, shall be good and effectual in the Law, to all Intents and Purposes whatsoever.

and deemed a publick Highway.

Old Road to be sold.

Application of the Money.

Provided always, and be it further enacted, That in turning or diverting any Part or Parts of the said Roads, nothing shall be done which shall or may in any Case injure or damage any House or Building, or any Yard, Garden, Orchard, Plantation, or Nursery of Trees, or any Walk of Trees, or Avenue to any House.

Buildings not to be injured, &c.

And be it further enacted, That the Inhabitants of and Occupiers of Lands, Tenements, and Hereditaments, in the several Towns, Parishes, Hamlets, and Places, through which the said Roads hereby intended to be repaired do lie, who by the Laws and Statutes of this Realm are or shall be obliged or liable to perform the Work in the said Highways for the repairing thereof, commonly called Statute-work, shall be subject and liable to do the same Work, and shall and are hereby required to do and perform such and so many Days Work in such Parts of the said Roads by this Act directed to be repaired,

Inhabitants to do Statute-work.

paired, and lying within the said Parishes, Hamlets, or Places, in which such Inhabitants or Persons respectively shall live, or shall occupy such Lands, Tenements, or Hereditaments, and at such Times, and in such Manner, as the said Trustees, or any Five or more of them, or the Surveyor or Surveyors by them authorized, shall direct or appoint; and that every Inhabitant of and Occupier of Lands, Tenements, and Hereditaments, in the said Towns, Parishes, Hamlets, and Places respectively, who shall rent, hold, or occupy any Lands, Tenements, or Hereditaments, of the yearly Value of Fifty Pounds, shall be deemed and taken to keep a Team for every such yearly Value of Fifty Pounds he or they shall so rent, hold, or occupy, and shall do and perform such Work in and towards the repairing the Highways of the several Towns, Parishes, Hamlets, and Places, in which they respectively live, or occupy such Lands, Tenements, or Hereditaments, as Persons keeping Teams are obliged by Law and ought to do: And that all and every Person and Persons, Parishes, Hamlets, Tythings, Places, and Inhabitants thereof, and all Lands, Tenements, and Hereditaments, and the Rents, Issues, and Profits, issuing out of any Lands, Tenements, or Hereditaments, which before the making of this Act was or were liable to and chargeable with the Repair of any Part or Parts of the Roads hereby intended to be repaired, or hath or have used, or of Right ought, by reason of the Tenure of any such Lands, Tenements, or Hereditaments, or on any other Account or Accounts, to repair any Part or Parts of the said Roads hereby intended to be repaired, shall, notwithstanding this Act, be subject and liable to, and charged and chargeable with, the repairing and keeping in Repair the same Parts of the same Roads, and in the same Manner as they or every of them hath or have heretofore usually done or ought to do; save and except from a Place called The Bow in Dorchester aforesaid, through the Street called the East Street, in the Parishes of Saint Peter and All Saints, in Dorchester aforesaid, from the Time it shall begin to be repaired by virtue of this Act; and which said excepted Road is by this Act to be repaired, and the said Trustees are to cause the said Street to be sufficiently repaired, and kept in Repair, out of the Monies arising by virtue of this Act, as soon as the same comes in course to be repaired by virtue of this Act.

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

Persons liable to the Repair of the Roads, *&c.* to continue so.

Exception.

And

And, to the End the Trustees may know the Inhabitants of and Occupiers of Lands, Tenements, and Hereditaments in all the Towns, Parishes, Hamlets, and Places, wherein the Roads by this Act directed to be repaired do lie, who are liable to do Statute in the Highways, and what Sort of Duty they ought respectively to do, be it further enacted, That the Surveyors of the Highways of and for every of the said Towns, Parishes, Hamlets, or Places, where, or in, or for which any such Surveyor or Surveyors usually have been or ought to be chosen, shall, and they are hereby required, at the First Meeting of the said Trustees after the Twenty fifth Day of March in every Year during the Continuance of this Act, Ten Days Notice of such Meeting being fixed on all the Turnpikes erected by virtue of this Act, to deliver in to the said Trustees, or any Five or more of them, true and perfect Lists in Writing, under their respective Hands, of the Names of all the Inhabitants of and Occupiers of Lands, Tenements, and Hereditaments, in all such Towns, Parishes, Hamlets, and Places respectively, who are liable to do their Statute Duties in and upon the said Highways; and shall in such Lists, and every of them, distinguish and set forth which of the Inhabitants shall and by this Act shall be deemed to keep a Team or Teams, and which of the said Inhabitants rent, hold, and enjoy Lands, Tenements, or Hereditaments, of less yearly Value than Fifty Pounds, and how much they respectively rent, hold, and enjoy, and which of them are Labourers only, or do not, or by this Act are not deemed to keep a Team or Teams.

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

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

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

and on Persons not performing Statute-work.

and Places, and in such Manner, as they shall, by the said Trustees, or any Five or more of them, or by the Surveyor or Surveyors by them authorized, be directed or appointed to do, such Inhabitants, and every of them, shall, for every such Neglect or Default, forfeit and pay the several Sums hereafter mentioned; that is to say, Every such Inhabitant or Person who shall keep, or by virtue of this Act shall be deemed to keep, a Team or Teams, for every Day's Work the Sum of Ten Shillings; and every other Inhabitant or Person not keeping, or being by virtue of this Act not deemed to keep, a Team, for every Day's Work the Sum of One Shilling and Six Pence.

Trustees may compound with Parishes, &c.

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

Appeal to Quarter Sessions.

Provided always, and be it further enacted, That if the Surveyor or Surveyors of the Highways for the time being of any of the Towns, Parishes, Hamlets, or Places, wherein the said Roads directed by this Act to be repaired do lie, shall think the said Trustees, or the Surveyor or Surveyors by them authorized, have directed too large a Proportion of the Statute-work in any Town, Parish, Hamlet, or Place, to be done on the said Roads; it shall and may be lawful for such Surveyor or Surveyors of the Highways to appeal to the Quarter Sessions of the Peace next after such Direction or Appointment to be held for the County wherein such Highway lies; and the Justices in their respective

five Quarter Sessions are hereby authorized and impowered finally to adjust and determine what Proportion of the Statute-work in any Town, Parish, Hamlet, or Place, shall be done on the Roads by this Act directed to be repaired; such Surveyor or Surveyors of the Highways as aforesaid having first given Fourteen Days Notice in Writing of such Appeal to the Surveyor or Surveyors authorized by the said Trustees as aforesaid.

Roads to be measured, and Mile-stones erected.

And be it further enacted, That the said 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, at the Distance of One Mile from each other, denoting the Number of Miles and Distance of Places, as to the said 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.

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

And be it further enacted, That if any Person shall hale or draw, or cause to be haled or drawn, along any Part of the said Roads, any Tree or Trees, Piece or Pieces of Timber, or any Stone or Stones, otherwise than upon Wheel Carriages; every such Person or Persons shall, for every such Offence, forfeit and pay the Sum of Twenty Shillings.

Penalties and Forfeitures how to be recovered and applied.

And be it further enacted, That all Penalties and Forfeitures imposed and made payable by this Act (the Manner of levying and recovering whereof is not otherwise particularly directed) upon Proof thereof, and of the several Matters, Causes, or Things, for which the same Penalties and Forfeitures shall be incurred respectively, before any Justice of the Peace of the County or Place where the respective Party or Parties who

shall incur such Penalties and Forfeitures shall live, either by the Confession of such Party or Parties, or by the Oath of One Witness, shall be levied by Distress and Sale of the Goods, Chattles, and Effects, of the Party or Parties so incurring, by a Warrant or Warrants under the Hand and Seal of such Justice (which Warrant or Warrants any such Justice is hereby authorized and required to grant for those Purposes, and to administer such Oath gratis); and the same Penalties and Forfeitures being so levied as aforesaid, or otherwise paid, and every Part thereof (other than and except such Parts thereof as are hereby directed to be paid to Informers against Persons for Offences which shall be by them committed in Breach of this Act) shall, from time to time, be paid to the said Trustees, or any Five or more of them, or to their Appointment, and shall be laid out and applied in and towards the repairing and widening the Roads by this Act directed to be repaired.

Overplus to be repaid.

Provided always, and be it further enacted, That the Overplus of the Monies which shall be raised and levied by such Distress and Sale as aforesaid, after Payment and Deduction of the respective Penalties and Forfeitures for which the same shall be taken and made, and of the reasonable Charges of taking and making the same, shall (if demanded) be paid to the respective Owners of the Goods, Chattles, and Effects, which shall be so distrained and sold; and if no Goods, Chattles, or Effects, of the Person or Persons who shall incur the said Penalties and Forfeitures can be found sufficient to answer the same, and the Charges of such Distress and Sale (if any such shall be taken and made) then, and in such Cases, any Justice may and is hereby authorized and required, by a Warrant or Warrants under his Hand and Seal, to cause such Person and Persons to be committed to the Common Gaol of the said County for any Time not exceeding Two Months for the First Offence, or until such Penalties or Forfeitures, and the Charges of such Distress and Sale (if any such there be) shall be paid; and for the Second and every Offence of the same Kind and Nature, for any Time not exceeding Four Months, nor less than One Month, or until such Penalties or Forfeitures by him, her, or them incurred, and the reasonable Charges of the said Distress and Sale (if any such there be) shall be fully satisfied and paid.

For want of Distress, Person to be committed.

And

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 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 any Action on the Case.

Distress not unlawful for want of Form,

nor the Parties distraining deemed Trespassers *ab initio*.

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 any such Irregularity, Trespass, or wrongful Proceedings, before such Action brought; and in case no such Tender shall have been made, it shall and may 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 Judgement, 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.

Plaintiff not to recover, if Tender of Amends has been made.

Provided also, and be it further enacted, That if any Person or Persons shall think him, her, or themselves, aggrieved by any Act, Order, or Judgement, of any Justice or Justices of the Peace, which shall be by him or them done, made, or awarded, by virtue of this Act, or in the Execution of any of the Powers hereby to him or them given, such Person or Persons may appeal to the Justices at their next General Quarter Sessions of the Peace for the County or Place where the Matter or Thing, for or by reason of which such Act, Order, or Judgement, shall be so done, made, or awarded, and which shall be holden next after the doing, making, or awarding, such Act, Order, or Judgement, he, she, or they, causing Fourteen Days Notice in Writing of such Appeal, and of the Cause and Matter thereof, to be given to the Person or Persons on whose Oath or Oaths or Evidence such Act, Order, or Judgement, shall be so done, made, or awarded, and to some or One of the Collectors or Receivers of the said Tolls; which said

Persons aggrieved may appeal to the Quarter Sessions.

Notice of Appeal to be given.

said Justices, at their said Sessions, upon due Proof of such Notices being given as aforesaid, shall proceed in, and hear and determine the Causes and Matters of the said Appeals, and every of them; and the Orders and Judgements of the said Justices shall be final and conclusive to all Parties concerned or interested therein.

Proceedings not to be quashed for want of Form,

Provided also, and be it further enacted, That no Conviction, Judgement, or Order, of the Justices of the Peace at their General Quarter Sessions, or of any Justice or Justices of the Peace, which shall be by them respectively awarded or made in pursuance of this Act, or in the Execution of the Powers hereby to them respectively given, shall be quashed, vacated, or discharged, for or on account of Form only, nor shall be removed by Certiorari into any of his Majesty's Courts of Record at Westminster, or elsewhere.

nor removeable by *Certiorari*.

Proceeding to be entered in a Book.

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

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 whatsoever, under the Hand and Seal, or Hands and Seals of, or only signed by any Trustee or Trustees for putting this Act in Execution, or by any Justice or Justices of the Peace, or exhibited before them, or any of them, touching, concerning, or in Execution of, any of the Powers or Authorities hereby vested in such Trustee or Trustees, Justice or Justices of the Peace, or any of them, shall be charged or chargeable with any Stamp-duty whatsoever.

No Order to be revoked, unless Nine Trustees are present.

And be it further enacted, That no Order made by the said Trustees, or any Five or more of them, in, for, or concerning the executing the Trusts, Powers, and Authorities,

Authorities of this Act, or any of them, shall be revoked, repealed, or set aside, by any subsequent Order of the Trustees, unless Nine shall be then present.

Commencement and Continuance of this Act.

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

Limitation of Actions.

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

General Issue.

Treble Costs.

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

FINIS.