Anno nono

Georgii III. Regis.

An Act to enlarge the Term and Powers of an Act paſſed in the Thirty firſt Year of His late Majeſty, for amending the Road from *Pengate* to *Latchett's Bridge*, and other Roads, in the County of *Wilts*; and for amending ſeveral Roads near adjoining to the ſaid Roads.

WHEREAS an Act was made in the Thirty firſt Year of His late Majeſty King George the Second, intituled, An Act for amending the Road from *Pengate*, in the Pariſh of *Weſtbury*, in the County of *Wilts*, to *Latchett's Bridge*, near the Eaſt End of *Market Lavington*; and alſo the Road leading from *Market Lavington Down*, to the Turnpike Road near *Dewey's Water*; and alſo the Road leading from *Boleſborough* to *Studley Lane End*; and alſo the Road leading from *Yarnbrook*, to the Turnpike Road at *Melkſham*, in the ſaid County of *Wilts*; for which Purpoſes, ſeveral Tolls and Powers were granted for the Term of Twenty one Years, and from thence to the End of the then

Preamble, reciting Act 31 *Geo.* II.

then next Session of Parliament: And whereas the said Roads are, by the said Act, divided into Two Districts: And whereas the Trustees, having the Care of the said Districts of Road respectively, have made great Progress in the Repair thereof; and, for that Purpose, have borrowed considerable Sums of Money upon the Credit of the said Act, which still remain unpaid, and cannot be repaid, and the said Roads compleatly amended and kept in Repair for the future, unless the Term of the said Act is continued, and some further Powers granted: And whereas the Road leading from the Turnpike Road between the Direction Post and the Two Mile Stone on Salisbury Plain, leading down Bratton Hill, through Bratton aforesaid, to the Turnpike Road near Raydown, and from the Turnpike Road at Charlford Bridge, in the Parish of Westbury, to the Turnpike Road at Madsbroke, in the same Parish, all in the said County of Wilts, and lying near or adjoining to the First District of Roads, are, in many Parts, in a ruinous Condition, and narrow in some Places, and cannot be effectually amended and kept in Repair by the ordinary Course of Law: And whereas the Road leading from Latchett's Bridge, to the Turnpike Road at Connock, and from the End of Market Lavington Road, near Dewey's Water, to the Turnpike Road at or near the Ninety third Mile Stone in the Road to Melksham; and from the Turnpike Road at the End of Market Lavington Field, over the Downs, to the Turnpike Road at or near the Tenth Mile Stone in the Road leading from Redhone Hill to Fisherton Anger; and the Road from the said Turnpike Road, at the Top of Market Lavington Hill, to the Top of the Hill on Easterton Down, leading to Netherhaven, all in the said County of Wilts, and lying near or adjoining to the Second District of Roads; are much out of Repair, and too narrow, in many Places, and, for want of proper Drains or Bridges, are, in some Places, frequently overflowed, and rendered impassable, and cannot be sufficiently amended and kept in Repair by the ordinary Course of Law: And whereas, if the said Roads were effectually amended, it would be of publick Utility, by uniting other Turnpike Roads: May it therefore please Your Majesty, that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said recited Act, made in the Thirty first Year of His late Majesty, shall be, and

The recited Act further continued.

the same is hereby further continued from the Expiration thereof; and also of the additional Term granted by an Act made in the Twenty eighth Year of the Reign of his late Majesty, intituled, An Act to amend an Act made in the Twenty sixth Year of His present Majesty, intituled, *An Act for the Amendment and Preservation of the Publick Highways and Turnpike Roads of this Kingdom, and for the more effectual Execution of the Laws relating thereto,* for and during the further Term of Twenty one Years, and to the End of the then next Session of Parliament; and that the said Act, and all Clauses, Powers, Provisions, Prohibitions, Matters, and Things, therein contained, except so far as the same are hereby altered, shall, from and immediately after the Thirtieth Day of April, One thousand seven hundred and sixty nine, extend to, and be executed, as well for the Intents and Purposes in the said former Act mentioned, as to the said additional Roads herein before mentioned and described, as fully and effectually to all Intents and Purposes, as if the said additional Roads had been included in the said recited Act; which said additional Roads from the Turnpike Road between the Direction Post and the Two Mile Stone on Salisbury Plain, leading down Bratton Hill, through Bratton aforesaid, to the Turnpike Road near Raydown; and from the Turnpike Road at Charlford Bridge, in the Parish of Westbury, to the Turnpike Road at Madbroke, in the same Parish, all in the said County of Wilts, shall be, and are hereby declared to be, a Part of the First District of Roads: And that the said additional Roads from Latchett's Bridge, to the Turnpike Road at Cornnock; and from Market Lavington Road, to the Turnpike Road at or near the Ninety third Mile Stone in the Road to Melksham; and from the Turnpike Road, at the End of Market Lavington Field, to the Turnpike Road, at or near the Tenth Mile Stone, in the Road from Redbone Hill to Fisherton Anger; and the Road from the Turnpike Road at the Top of Market Lavington Hill, to the Top of the Hill on Easterston Down, shall be, and are hereby declared to be, a Part of the Second District: And the additional Term hereby granted shall be, and is hereby declared to be, subject to the Payment of all Sums of Money now due and owing upon the Credit of the said Act of the Thirty first Year of his said late Majesty, upon Account of the said Districts respectively, and of such other Sum and Sums of Money as shall be borrowed upon the Credit of the

First District of Roads.

Second District.

said

said Act, or this Act, within the said respective Districts and the Interest due and to grow due thereon.

Trustees Names.

And be it further enacted by the Authority aforesaid, That the Right Honourable Lord Charles Spencer, the Right Honourable Lord Robert Spencer, the Right Honourable Jacob Pleydell Bouverie, commonly called Viscount Folkestone; the Honourable and Reverend William Harley, the Honourable Edward Bouverie, the Honourable James Brudenell, the Honourable Thomas Fitzmaurice, the Honourable Everard Arundell, Sir James Long, Sir John Astley, Sir Edward Bayntun, Sir Boucher Wrey, Baronets; Sir John Griffin Griffin Knight of the Bath, Lieutenant General William A'Court, Ashforby, the Reverend Henry Arnold, the Reverend Arthur Annesly, Charles Arnold, Richard Aldridge, Charles Aldridge, William Adlam, Samuel Adlam, Edward Adlam, John Anstie, Mathew Brickdale, William Beach, Beach junior, Daniel Bull, Lewis Bull, Thomas Buckler, Thomas Bowdler, the Reverend Edward Batten, the Reverend Edward Batchelor, Richard Biggs, Robert Bythesea, Thomas Burrough, Samuel Beaver, John Bevan, Richard Baily of Itchelhampton, Andrew Bayntun, Henry Bayntun, William Blackstone, Stephen Bourne, Robert Bright, Edward Butler, Samuel Bethell, Andrew Broadribb, Thomas Beaven, Thomas Beaven, Thomas Bythesea, John Brooks, Thomas Bush, John Brooks, Samuel Bailward, George Bethell, Joan Butt of Bradford, the Reverend John Bayntun, Thomas Baskervile, John Baskervile, John Bailward, George Searle Bayliffe, John Bedford, John Hipsley Coxe, Richard Hipsley Coxe, William Colborne, Joseph Colborne, Benjamin Colborne, John Hippesly Coxe, James Collins, Richard Chandler, William Clare, John Clare, Joseph Chandler, Richard Champion, Lewis Clutterbuck, Daniel Clutterbuck junior, Henry Coulthurst, Nicholas Cross, John Chivers, William Clark M. D. Simon Collett, William Cullurne of Melksham, Samuel Cam junior, John Clark, Leonard Coward, Daniel Clutterbuck, Simon Collet, Isaac Collet, William Catherwood, John Catherwood, John Cook, Samuel Cook, John Crook, Thomas Crook, Thomas Creaser, John Cross, Peter Delme junior, George Dyke, Thomas Dyke, the Reverend Dodwell, William Dearman, Daniel Danvers, Thomas Drinkwater, George Drinkwater, Robert Davis, William Dickinson, Martin Drinkwater, Daniel Daniel, Thomas Daniel, Samuel Derick, James Dalby, Caleb Dickinson, Ezekiel Dickinson, Everett, John Eyles, Thomas Edridge, John

John Reeve, Edridge, Ralph Etwell, William Eyles, the Reverend Samuel Ferris, John Flower, Edward Flower, Mathew Figgins, Samuel Filkes, John Filkes, William Farnell, Thomas Fowler, Thomas Figgens, Thomas Figgens junior, John Fry, Henry Fisher, Henry Fisher junior, Thomas Goddard, Edward Goddard, Goddard esq. D. William Chafin Grove, John Gent, Mathew Gent, Henry Gent, George Gibbes, William Gale of Alcannings, Yate Giffard, William Giffard, Richard Gale, John Gaby, John Gaby junior, Benjamin Greenhill, Gabriel Goldney, Adam Goldney, Philip James Gibbs, John Gale, John Sadler Gale, Thomas Goldney, William Gale, Benjamin Greenhill, Cam Gyde, Nicholas Green, James Harris, James Harris junior, Josiah Eyles Heathcote, Thomas Horner, Roger Holland, Isaac Webb Horlocke, Head, the Reverend James Harris, the Reverend Head, the Reverend Hume, Robert Halfaday, Henry Halladay, the Reverend Thomas Hewet, Thomas Hunt of Rowde, Isaac Hillier, Isaac Hillier junior, Solomon Hughes, Richard Holloway, John Hampton, Thomas Hampton, John Hales, John Huntley, John Hudden, John Hicks of Melksham, Mathew Humphreys, Henry Harding, Paul Harding, James Hudson, Charles Harford junior, Abraham Richard Hawkworth, Nathaniel Houlton, John Hughes, Edward Innes, Joshua Ironmonger, Robert Jeffries, John Jennings, Edward Jeffries, George Jones, John Jones, Daniel Jones, Giles Jones, Henry Jones, all the Justices of the Peace of the County of Wilts for the time being, Kent, Henry Kemm, Charles Long, Wadham Locke, Thomas Lydiard, William Leach, John Lawrence, Thomas Locke, Wadham Locke junior, William Lewis of Patney, Benjamin Lethieullier, Richard Leyerfuch, Richard Lawrance, William Lea, David Lea, Samuel Ledyard, James Montagu, Edward Montagu, Francis Merewether esq. D. Merewether esq. B. Merewether of Calne, the Reverend Markes, Edward Marchant, George Marchant, James Maynard, William Mortimer of Devizes; Maskelyne, Paul Methuen of Holt, John Matravers, John Moxham, Samuel Martin, Thomas Matravers, Stephen Matravers, Paul Moxham, John Maskelyn, Joseph Mortimer, Joseph Mortimer junior, Edward Horlock Mortimer, Robert Mathews, James Mathews, William Miles, James Moore, Edward Moore, William Mitchell, Thomas Mitchell, Edward Richmond Nicholas esq. B. Samuel Neate, William Neate, Robert Neate, Thomas Neate, Joseph Needham, William

88 William Noyes, Robert Noyes, Anthony Norris, Dennis Newman, Adam Newman, Jonathan Noade, John Newman, Samuel Newman, William Osgood, Francis Popham, John Powell of Marlborough, Samuel Peach, Nathaniel Peach, William Gaisford Peach, Stephen Powell, John Powell of Caroche, Edward Poore of Tidworth, Edward Poore of Russell, Edward Poore junior of Russel, John Poore, Smart Poore, William Periam, George Paradice, James Powell, Scudamore Perry, Hanbury Pittingall, Hanbury Pittingall junior, Morgan Price, George Powlett, Thomas Pennington, John Palmer junior, William Phipps, Thomas Phipps, Thomas Hale Phipps, William Pinnigar, Joseph Philot, Joseph Philot junior, Joseph Phelps, Stephen Phelps, John Palmer, the Reverend John Rolt, John Richards, Joel Rowden, Charles Rose, William Reade, William Reade junior, Richard Reade, William Roome, the Reverend Benjamin Rogers, John Rogers, Thomas Rogers, Thomas Rogers, Richard Roberts, Jonathan Rutty, Richard Bunter Robins, Henry Robins, Richard Roberts, John Reynolds, Jonathan Reynolds, Esau Reynolds, Reverend Richard Ring, Willy Sutton, James Sutton junior, Reverend Slade, Reverend Sanderson, Reverend Robert Smith, Reverend John Smith, Reverend Thomas Seecomb, William Salmon, Charles Simpson, William Simpson, Charles Sympkins, Charles Sympkins junior, William Sawyer, John Shorter, John Spearing, John Savage, the Reverend Doctor James Stonehouse, Joseph Saunders, Mathew Saunders, Richard Stafford, John Shoare, George Stokes, Richard Stokes, Richard Singer, Henry Slade, John Slade, James Slade, Robert Sloper, William Stevens, Joseph Smith, James Shrapnell, James Self, Samuel Sanger, Still of Hilperton, John Stafford, Henry Singer, John Scott, William Temple, Thomas Thurman, Samuel Taylor, John Tylee, Robert Paris Taylor, William Temple of Bishopstrow, William Temple of Bishopstrom, William Temple of Trowbridge, Thomas Timbrell, Humphry Tugwell, Thomas Tugwell, William Tugwell, Richard Taylor, Robert Townsend of Broton, Henry Chivers Vince, James Usher, John Usher, John Vine, John Walker, Nicholas Webb, Charles Waters, John Warren, Anthony Wingrove, John Wadman, Henry Waters, John Wansey, Walter Wiltshire, William Wingrove, John Wingrove, Francis Wingrove, John Wood, John Williams, Henry Williams, Richard Watton, Robert Waylen, Roger Warne, William Waylen, Robert Waylen junior, George Whately, Thomas Whitfield, Thomas

Thomas Walker, James Wilde, Thomas Whittington, Simon Wood, John Webb, Benjamin Webb, Harry Willoughby, the Mayor of Westbury for the time being, Boucher Wrey junior, William Whitaker of Trowbridge, William Whitaker junior, Thomas Whitaker of Roade, John Whereat, Walter Waistford, John Wadman, William Wall, Francis Yerbury, Richard Yerbury, and John Yerbury, shall be joined with, and added to, the Trustees of the said respective Districts of Roads, appointed by or in pursuance of the said recited Act of the Thirty first Year of the Reign of His late Majesty; and shall, in all Respects whatsoever, have the like Power and Authority to act in the Execution of the said recited Act, and of this Act, as if they had been originally named in and appointed Trustees for the said respective Districts, by virtue of the said recited Act.

Two Trustees may adjourn.

Provided always, and be it further enacted, That whenever it shall happen that there are not Five Trustees present at any Meeting or Meetings appointed to be held, and to act and adjourn to another Day as directed by the said former Act; it shall and may be lawful for any Two or more of the Trustees assembled to make and sign an Adjournment for any future Meeting or Meetings, from time to time, as often as Occasion shall be or require.

1,500 *l.* to be laid out on the *Lavington* Road within 3 Years.

And be it further enacted by the Authority aforesaid, That in case the Sum of One thousand five hundred Pounds, exclusive of the Statute Labour, or any Composition for the same, shall not be actually laid out and expended in and about amending that Part of the Road which lies between the End of the Market Lavington Road, near Dewey's Water, and the Turnpike Road at or near the Ninety third Mile Stone, within the Space of Three Years from the Feast of Saint Michael the Archangel, One thousand seven hundred and fifty nine, and satisfactory Proof thereof given upon Oath to the Justices of the Peace at the First General Quarter Sessions of the Peace to be holden for the said County of Wilts after the Expiration of the said Three Years, or at any previous General Quarter Sessions, whereof Fourteen Days Notice shall be given in some public Newspaper published in the said County of Wilts; then the Tolls authorized to be taken upon the said Road shall cease, determine, and be no longer paid; any thing in the said former Act or this Act to the contrary notwithstanding.

Trustees not to remove Horse Causeways, until a certain Time.

And be it further enacted, That nothing herein contained shall impower the said Trustees, or any of them, to take away or remove the present Horse Causeways, or any Part or Parts thereof, upon the Road between Dewey's Water and the said Ninety third Mile-stone, until a Certificate shall have been obtained from the Justices at some General Quarter Sessions, that the Sum of One thousand five hundred Pounds has been laid out and expended on the said Road as is herein before mentioned and directed; except in such Places where it shall happen that any Part or Parts of the said Horse Causeways cross or intersect the Road intended to be amended.

How Expences on account of Indictments shall be defrayed.

And be it further enacted by the Authority aforesaid, That from and after the granting of a Certificate by the Justices at their General Quarter Sessions as aforesaid of the said Sum of One thousand five hundred Pounds having been actually laid out and expended on the said Road, all Expences that may or shall then after arise or accrue by reason of any Indictment or Indictments, Presentment or Presentments, that may be laid or brought against the Inhabitants of the Chapelry of Seend, or of the several Parishes of Worton, Bulkington, or Rolshot, or either of them, on account of the Want of Repairs of the said Road, or any Part of the said Road, within the said Chapelry of Seend, or of Worton, Bulkington, or Rolshot aforesaid, shall be borne, satisfied, and paid, in equal Parts and Proportions by the said Trustees, and the Inhabitants of the said Chapelry and Parishes respectively, as the Case may happen.

No Gates to be removed.

And be it further enacted, That nothing in this Act, or the said recited Act of the Thirty first Year of his said late Majesty, shall authorize or impower the respective Trustees appointed to put the said Acts in Execution, or either of them, to take down or remove any Turnpike or Toll-gate now erected, or which may hereafter be erected, across or on the Side or Sides of any of the Roads directed to be repaired by virtue of an Act made in the Twenty fourth Year of the Reign of his late Majesty, for repairing the Road lading from West Lavington to the Devizes, and from the Devizes to Seend, or by virtue of an Act made in the Twenty fifth Year of his said late Majesty, for repairing the Road from the Green Man in Seend to Trowbridge in the County of Wilts, or either of them; or by virtue of any Act or Acts of Parliament which may hereafter be made for amend-

ing the said several Roads, or any of them; any thing contained in the said recited Act of the Thirty first Year of His said late Majesty, or in this present Act, to the contrary in any wise notwithstanding.

Half Toll to be taken on *Dewey's* Road, during the Time Tolls shall be taken on the *Lavington* new Road.

Provided always, That no more than One Half of the full Tolls now granted by the said Act of the Twenty fourth of His late Majesty, shall be demanded, received, or taken, at any Gate or Turnpike erected, or to be erected, upon or across any Road or Roads or the Side or Sides of any of the Roads directed to be repaired by the said Act made in the Twenty fourth Year of the Reign of His late Majesty, or of any Act made, or to be made, for continuing or amending the said Act, during such Time as the Tolls granted by this Act shall continue to be payable, and be collected at any Turnpike-gate to be erected on such Part of the Road as lies between the Road leading from the End of the Market Lavington Road near Dewey's Water, and the Turnpike Road near the said Ninety third Mile-stone; any thing contained in the said recited Act of the Twenty fourth Year of His late Majesty to the contrary hereof in any wise notwithstanding.

If the Tolls upon the Road between *Market Lavington* and the 93d Mile Stone shall cease at any Time,

the full Tolls granted by Act 24 *Geo.* II. all then to be taken at the Side gates, &c.

Provided nevertheless, That if at any Time hereafter the said Tolls shall cease to be due and payable upon such Part of the said Road as lies between the End of the Market Lavington Road, near Dewey's Water, and the said Ninety third Mile-stone; that then from and after the Time such Tolls shall so cease to be due and payable, the full Tolls granted by the said recited Act of the Twenty fourth Year of his late Majesty, shall again be received and taken at any Turnpike or Gate erected, or to be erected, upon the Side or Sides of any of the Roads directed to be repaired by the said recited Act; any thing herein contained to the contrary thereof in any wise notwithstanding.

Clause 31 *Geo.* II. impowering the Trustees to cut down Trees growing on the Side of the *Seend* Road, repealed.

And whereas by the said recited Act of the Thirty first Year of His late Majesty, the Trustees are impowered to turn or alter the Course of the Roads thereby directed to be repaired, and to cut down, lop and top, any Trees growing in or near the said Road; which Power, in some Cases, may be very improper to be continued; be it therefore enacted by the Authority aforesaid, That from and after the passing of this Act, so much of the said recited Act as impowers the said Trustees for the Second District of Road to turn or divert the Course or Paths of any Part or Parts of the said Road within the said Chapelry of Seend, without the Consent of

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the Owner; (a Ground called Ashley's Close, the Property of John Knight Esquire, now rented by John Haines, within the said Chapelry, only excepted) or to cut down, lop, or top, any Timber Trees growing in the Hedges or Banks near or adjoining thereto, within the said Second District, granted by the said Act of the Thirty first of His late Majesty (Pollard Trees only excepted) shall be, and the same is hereby repealed.

Power to inclose a Garden Spot, and provide a Lamp at each Turnpike House.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful for the Trustees for the respective Districts, or any Five or more of them, to take in, and inclose from, the Common or Waste near or whereon any Turnpike-house shall be provided, a Garden Spot to each such Turnpike-house, suitable and convenient thereto, so as such Garden Spot does not exceed Five Poles square; and also to provide and maintain a Lamp or Lamps, with proper Furniture, at or near each Turnpike.

Trustees may erect Gates, &c. at *Bratton Pound.*

And be it further enacted, That the Trustees for the said First District of Roads, or any Five or more of them, shall, and they are hereby required forthwith to erect, or cause to be erected and set up, a Turnpike-gate or Gates, upon, across, and on the Side of the said Roads, at or near Bratton Pound, and upon, across, or on the Side or Sides of any Lane or Bye-way, in or near Bratton aforesaid; and erect or provide a Toll-house, with suitable Out-buildings thereto, at or near each of the said Turnpikes (if necessary); and that the said Gate and Gates shall not be removed without the Consent of Fifteen Trustees, assembled at a Meeting to be held for that Purpose; of which Meeting, and the Intent thereof, Twenty one Days Notice at the least shall be given by advertising the same in Manner aforesaid.

No Gate to be erected between *Bratton* and *Raydown.*

Provided always, That no Gate or Turnpike shall be erected or set up on any Part of the Road leading from the North Side of Bratton to that Part of Raydown joining to the Tinhead Turnpike Road, or on the Side or Sides thereof; any thing in this Act, or the said recited Acts, to the contrary thereof in any wise notwithstanding.

Gate, &c. continued at *Drove Lane.*

And, in order to prevent as much as may be the Payment of the Tolls being evaded, be it further enacted by the Authority aforesaid, That the Trustees having the Care of the Second District of Roads, shall, and they are hereby authorized and required, to continue and maintain, during the Continuance of the said former and this Act,

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the Turnpike-gate or Bar now erected in Drove Lane, near the said Second District, and leading from Lodge Common in the Parish of Market Lavington towards Urshfont. 488

And, to the End that a sufficient Sum of Money may be raised for amending and completing the Repairs of the said several Roads, by the said former and this present Act directed to be amended, within the said First and Second Districts, and for keeping the same in Repair, and for discharging the Debt now due, or which shall hereafter be contracted on account of the said Repairs; be it further enacted, That from and after the Thirtieth Day of April, One thousand seven hundred and sixty nine, it shall and may be lawful to and for the Trustees appointed or elected, or to be appointed or elected, to put the said former and this present Act in Execution, or any Five or more of them, within their respective Districts, or such Person or Persons as they, or any Five or more of them, shall from time to time authorize and appoint, to demand, collect, receive, and take, or cause to be demanded, collected, received, and taken, the Toll or Duty herein after mentioned, before any Horse, or other Cattle and Carriage whatsoever, shall be permitted to pass through any of the Gates or Turnpikes erected and to be erected within each of the said Districts; that is to say, What Tolls are to be taken.

For every Horse, Mare, Gelding, Mule, Ass, or other Beast, drawing any Carriage, the Sum of Six Pence; which said Toll or Duty shall and may be levied, demanded, collected, received, and taken, instead of the Toll or Duty granted and made payable for every Horse, or other Beast, drawing in any Coach, Chariot, Landau, Berlin, Chaise, Calash, Chair, Hearse, Waggon, Wain, Cart, or other Carriage, by the said former Act.

And the same shall be paid, applied, disposed of, and assigned, according to the Directions of the said former or this present Act, and shall and may be levied and recovered by such Power, and in such Manner, as therein or herein is mentioned.

And be it further enacted by the Authority aforesaid, That the said Trustees for the respective Districts, or any Seven or more of them, are hereby authorized and impowered, from time to time, as they shall think proper, to lessen, vary, or alter, all or any Part or Parts of the several Tolls to be collected within their respective Trustees may lessen the Tolls, and raise them again.

tive Districts, and to cause the said Tolls to be taken in such Proportions and at such Turnpikes as they shall think most convenient for the Benefit of the said Roads, and to raise the same again from time to time, so as the same do not exceed the Tolls by the said Act granted, and so as such Reduction or Alteration be with the Consent of the several Persons who shall be intitled to Two Thirds at the least of the Money then due on the Credit of the said Tolls; but such Reduction or Alteration shall not be made, unless Notice in Writing be given for that Purpose, by affixing the same upon all the Turnpikes then erected cross the said respective Districts, or by advertising the same in some Weekly Newspaper, circulated in the respective Neighbourhood, at least Fourteen Days before making such Reduction or Alteration; and such Tolls so lessened, varied, apportioned, or altered, shall be collected, recovered, and applied, in the same Manner as the Tolls by the said Act granted are directed to be collected, recovered, and applied.

Trustees may compound for the Toll with the Trustees of *Devizes* Roads

Provided always, and be it further enacted, That the Trustees of the said Second District of Roads, or any Seven or more of them, shall and may and are hereby authorized to agree with or compound with the Trustees acting under the said Act, of the Twenty fourth of his late Majesty, For repairing the Road leading from West Lavington to the Devizes, and from the Devizes to Seend, or any Seven or more of them, for or in respect of passing through any Gate already erected or to be erected on that Part of the Road which leads from the Devizes to West Lavington; such Agreement or Composition being entered into by and with the Approbation and Consent in Writing first had of the Persons intitled to Two Third Parts at least of the Principal Money then due and owing upon the Credit of any of the Tolls granted by the said recited Act of the Twenty fourth of his late Majesty.

And be it further enacted by the Authority aforesaid, That the Assignments or Mortgages of the Tolls by the Trustees within the respective Districts shall be in the following Words, or other Words to that Effect;

Form of Assignment.

BY virtue of an Act made in the Year of the Reign of King *George* the Third, intituled, *An Act* We of the Trustees to the (First *or* Second) District of Roads contained in the said Act, do assign unto *A. B.* his Executors

tors, Administrators, or Assigns, in Consideration of the Sum of from this Day of until the said Sum of with Interest, at the Rate of *per Centum, per Annum*, shall be repaid, such Proportion of the Tolls arising between as the said Sum of shall bear to the Whole Sum advanced on the Credit of the same.

And Copies of all such Mortgages or Assignments shall be entered in a Book or Books to be kept for that Purpose by the Clerk or Treasurer to the said Trustees; and all and every Person or Persons to whom any such Assignment or Assignments shall be made as aforesaid, or who shall be intitled to the Money thereby secured, may, from time to time, assign or transfer his, her, or their Right, Title, Interest, or Benefit, to the Principal and Interest thereby secured, to any Person or Persons whatsoever, indorsing on the Back of such Security, before One credible Witness, the following Words, or Words to the like Effect; Entries to be made of all Assignments.

Form of Transfer.

I Do transfer this Assignment, with all my Right and Title to the Principal hereby secured, and to all the Interest now due, unto his Executors, Administrators, or Assigns. Dated this Day of

Witness, *G. H.*

Which said Transfer or Assignment shall be produced and notified to the said Clerk or Clerks, Treasurer or Treasurers; who shall cause an Entry or Memorial to be made thereof, containing the Numbers, Dates, Names of the Parties, and Sums of Money therein transferred, in the said Book or Books to be kept for the entering the said Original Assignments; for which the said Clerk or Clerks, Treasurer or Treasurers, shall be paid such Sum as the said Trustees, or any Five or more of them, shall appoint, not exceeding the Sum of Two Shillings and Six Pence; and after such Entry made, but not till then, every such Assignment shall intitle such Assignee, his, her, and their Executors, Administrators, and Assigns, to the Benefit thereof, and Payment thereon; and every such Assignee may in like Manner assign again, and so toties quoties. But in case any Sum or Sums so assigned shall not exceed the Sum of One hundred Pounds, it shall and may be lawful to and for the respective Person or Persons intitled

Assignments to be entered in Books.

Clerk's Fee.

Form of Assignment.

titled to such Assignment respectively, by an Indorsement of his, her, or their proper Name, without Witness; to transfer his, her, or their Property in such Assignment or Assignments to any other Person or Persons, without an Entry to be made thereof in the said Book or Books to be kept for entering the said Original Mortgages or Assignments; and all such Transfers and Assignments shall intitle such Assignee, his, her, or their Executors, Administrators, and Assigns, to the Benefit thereof, and Payment thereon; and such Assignee may, in like Manner, assign or transfer the same again, and so toties quoties; and it shall not be in the Power of such Person or Persons who shall have made such Assignments respectively, to make void, release, or discharge the same, or any Monies thereby due, or any Part thereof; and all and every Person and Persons to whom any such Mortgage or Assignment shall be made as aforesaid, shall be, in Proportion to the Sum or Sums therein mentioned, Creditors on such Tolls, on the Credit whereof such Sum or Sums are advanced, in equal Degree one with another, and shall have no Preference in respect of the Priority of any such Monies: And the said Trustees within the respective Districts may and shall, if thereunto required, receive in and cancel all or any Mortgages or Assignments now standing out, and give and execute another or others for the respective Sums, in Manner above mentioned, instead and in lieu thereof respectively.

Money due to Mortgagees, half yearly,

And be it further enacted by the Authority aforesaid, That the Treasurer or Treasurers to the Roads included in the said recited Act and this Act shall, and he and they is and are hereby required, Twice in every Year, to discharge, out of the Money that shall come into his or their Hands by virtue of the former and this present Act, the Interest that shall be then due upon all Mortgages made or secured by virtue of the said former Act or this Act, if the same shall be demanded, in Preference to any other Payment whatsoever.

in preference to any other Payment.

And whereas Power is given, by the said former Act, to the Trustees for the Care of the said respective Districts to purchase Land for the Purposes of widening, turning, or altering, the Way or Path of any Part of the Roads thereby directed to be repaired: And whereas the said Act directs, that in case the said Trustees cannot agree with the Owners or Proprietors of the Land or Ground necessary to be purchased for the Purposes aforesaid, the Damages and Recompence shall be assessed by a Jury, whose Verdict shall be binding and conclusive

upon

upon all Parties; be it therefore further enacted, That in case any Jury shall give in and deliver a Verdict or Assessment for more Monies, as a Recompence for the Right, Interest, or Property, of any Person or Persons in any Lands or Hereditaments, than what shall have been agreed to and offered by the said respective Trustees, or any Seven or more of them, before the summoning or returning the Jury, as a Recompence or Satisfaction for any such Right, Interest, or Property, as aforesaid, that then, and in such Case, the Costs and Expences of summoning and maintaining the Jury and Witnesses shall be borne and paid by the said respective Trustees, or any Seven or more of them, out of the Tolls, or out of any Money to be borrowed upon the Credit thereof, within their respective Districts; but if any such Jury shall give and deliver a Verdict or Assessment for no more or for less Money than shall have been agreed to and offered by the said respective 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, that then 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 Trustees shall have such Controversy or Dispute.

Expences of the Juries how to be borne.

And whereas several Parts of the said Roads lead through Downs, Commons, Common Fields or Waste Grounds, and the Payment of the Tolls may, by reason of the Width of the said Downs, Commons, or Waste Grounds, be evaded; be it therefore enacted by the Authority aforesaid, That the said respective Trustees, within their respective Districts, or any Five or more of them, shall and may, if they see Occasion, fence and ditch off such Parts of the said Downs, Commons, Common Fields or Waste Grounds, as they shall think necessary, in order to prevent the Payment of the said Tolls being evaded.

Commons, &c. may be fenced off.

And whereas by the said former Act Power is given to widen, divert, turn, or alter, any Road or Roads to be repaired by virtue of the said recited Act; be it therefore further enacted by the Authority aforesaid, That after any new Road shall be compleated by virtue of the said Act or this Act, the Lands constituting the former Road, unless leading over some Moor or Waste Ground, or to some Village, Town, or Place, to which such new Road doth not lead, shall be vested in, and shall and may be exchanged or may be sold and conveyed by,

Disposing of former Road when any new one is made.

the said respective Trustees, within their respective Districts, or any Five or more of them, for the best Price that can be gotten for the same, giving Preference to the Owners or Proprietors of such Lands as lay most contiguous to that Part of the said Road intended to be sold; and the Money arising by such Sale shall be applied to the Repair of that Part of the said Road so diverted and turned; and the Sale, and Conveyance or Conveyances, to be made of such Lands and Grounds comprized in the said old Road, being executed by the said respective Trustees, or any Five or more of them, and inrolled amongst the Records of the Sessions of the Peace of the said County of Wilts, shall vest the Property of the same Lands and Grounds in the Person or Persons to whom the same shall be sold and conveyed, to all Intents and Purposes whatsoever.

Statute Labour how to be performed at *Seend*, and other Places.

And be it further enacted by the Authority aforesaid, That the Inhabitants of the Chapelry of Seend, and of the several Parishes of Bulkington and Polshot, or either of them, shall not be liable or compellable by the said Act of the Thirty first Year of his said late Majesty, or by this Act, to do or perform more than a proportionable Part of the whole Statute Labour which such Inhabitants are liable by Law to perform upon all the Roads within the said respective Parishes, upon such Part or Parts of the Road directed to be repaired by the said recited Act of the Thirty first Year of the Reign of his late Majesty as lies within the said respective Parishes; any thing in the said recited Act, or in this Act, to the contrary in any wise notwithstanding.

Statute Labour to be done at *Lavington*, &c.

And be it further enacted by the Authority aforesaid, That the Inhabitants of the Parishes, Tythings, or Hamlets, of Market Lavington and Worton respectively shall be liable to perform Five Days Statute Labour in each Year, upon such Parts of the Roads included in the said former Act and this Act as lie in the said Parishes, Tythings, or Hamlets respectively; any thing in the said former Act to the contrary notwithstanding.

to be delivered in upon Oath.

And, for preventing Frauds in delivering in to the Trustees Lists of Persons liable to perform Statute Labour upon the Roads included in the said former Act and this Act, be it further enacted by the Authority aforesaid, That all such Lists shall be verified by the Oath of the Person or Persons delivering in the same, if thereunto required by the said Trustees, or any Five or more of them; which Oath the said Trustees, or any

Two

Two or more of them, are hereby impowered and required to administer

And be it further enacted by the Authority aforesaid, That nothing in this Act contained shall extend, or be construed to extend, to authorize any Person or Persons whatsoever, to enter into or upon any Lands or Grounds in Seend, Seend Row) or the Chapelry of Seend aforesaid (not being Commons or Waste Grounds) to collect, gather, pick up, dig, or quar Stones, in or upon any such Lands or Grounds, without the Consent in Writing of the Owner or Owners of such Lands and Grounds first had and obtained; unless the Owner or Owners of such Lands and Grounds shall, upon Application to him or her made for that Purpose, refuse to sell to the said Trustees, or to such other Person or Persons as they, or any Seven or more of them, shall authorize to contract for the same, hard Stones ready digged, at the Rate of Three Shillings for each Waggon Load thereof; any thing in this Act contained to the contrary thereof notwithstanding. Materials not to be gathered in *Seend*.

And be it further enacted by the Authority aforesaid, That the Expences and Charges in and about the procuring and passing this Act shall be defrayed out of the Monies already raised within the said respective Districts, or out of the first Monies to be raised thereon by virtue of the said former Acts or this Act, in an equal Share. Charges of passing this Act to be first paid.

And be it further enacted, That if any Person or Persons shall interrupt or hinder, or cause to be interrupted or hindered, any or either of the said Turnpike Surveyors, or any other Person or Persons by them or either of them, or by the said respective Trustees, or any Five or more of them, for those Purposes employed, in the cutting, digging, taking, or carrying of any Furze, Heath, Stones, Gravel, Chalk, Lime Stone, Sand, Flints, or other Materials, for the altering, widening, or repairing, the said several Roads in the said former and this Act mentioned, or any Part or Parts thereof; or in topping, lopping, cutting down, or removing, any Trees or Bushes, or in digging, cleansing, or scouring, any Ditch, Drain, or Watercourse, or in doing any other Act in or for the repairing, widening, or altering such Roads, or any Part thereof, or otherwise, in or for the Execution of the Powers by the said former and this present Act given, or any of them; every such Person shall, for every such Offence, forfeit and pay the Sum of Forty Shillings. Penalty on obstructing Surveyors &c. in their Duty.

And

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

And be it further enacted by the Authority aforesaid, That if any Person or Persons shall permit or suffer any Part of any Tree or Piece of Timber, which shall be conveyed upon any Wheel Carriage along any Part or Parts of the Roads included in the said former Act, or this Act, to drag or trail upon any Part of the said Roads, every such Person shall, for every such Offence, forfeit and pay the Sum of Forty Shillings.

And, for the more easy and speedy Conviction of Offenders against the said former and this present Act, be it further enacted, That all and every the Justice or Justices of the Peace, before whom any Person or Persons shall be convicted of any Offence against this or the said former Act, shall and may cause the Conviction to be drawn up in the following Form of Words, as the Case shall happen, or in any other Form of Words to the same Effect:

Form of Conviction.

County of BE it remembered, That on the Day of in the Year of the Reign of His Majesty King *George* the Third, and in the Year of our Lord *A. B.* of in the is convicted before of his Majesty's Justices of the Peace, in and for the said County of for that the said *(specifying the Offence, and Time and Place when and where the same was committed.)*

Given under our Hands and Seals the Day and Year first above written.

Persons aggrieved may appeal to the Quarter Sessions.

Provided always, and be it further enacted by the Authority aforesaid, That if any Person shall think himself or herself aggrieved by any thing done in pursuance of this Act, and for which no particular Method of Relief hath been already appointed, such Person may appeal to the Justices of the Peace, at any General Quarter Sessions of the Peace to be held for the said County of Wilts, and within Four Months after the Cause of such Complaint shall have arisen; such Appellant first giving, or causing to be given, Fourteen Days Notice at the least in Writing, of his or her Intention to bring such Appeal, and of the Matter thereof, to the Clerk or Treasurer to the said Trustees, and within Fourteen Days after such Notice, entering into Recognizance be-

Notice of Appeal to be given.

fore some Justice of the Peace for the said County, with Two sufficient Sureties, conditioned to try such Appeal at, and abide the Order of, and to pay such Costs as shall be awarded by, the Justices at such Quarter Sessions; and the said Justices, at such Session, upon due Proof of such Notice being given as aforesaid, and of the entering into such Recognizance, shall hear and finally determine the Causes and Matters of such Appeal, in a summary Way, and award such Costs to the Parties appealing, or appealed against, as they the said Justices shall think proper; and the Determination of such Quarter Sessions shall be final, binding, and conclusive, to all Intents and Purposes.

Limitation of Actions.

And be it further enacted by the Authority aforesaid, That if any Action or Suit shall be brought against any Person or Persons for any thing done or to be done by virtue or in pursuance of this Act, or in relation to any of the Matters herein contained, every such Action or Suit shall be commenced within the Space of Six Calendar Months next after doing the Matter or Thing for which such Action or Suit shall be so brought, and not afterwards, and shall be brought, laid, and tried, in the County where such Matter and Thing shall be committed and done, and not in any other County; 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, on 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 brought, was done in pursuance, and by the Authority of this Act; and if the said Matter or Thing shall be so done, or if any such Action or Suit shall not be commenced within the Time for that Purpose limited, or shall be laid in any other County than as aforesaid, then the Jury or Juries shall find for the Defendant or Defendants therein; and if the Plaintiff or Plaintiffs in such Action or Suit shall become Nonsuited, or suffer a Discontinuance of his or their Action or Suit, after the Defendant or Defendants shall have appeared, or if a Verdict or Verdicts shall pass against the Plaintiff or Plaintiffs, or if upon a Demurrer, or otherwise, Judgement shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall recover Treble Costs, and have such Remedy for the same, as any Defendant or Defendants hath or may have for his or their Costs in any Cases by Law.

General Issue.

Treble Costs.

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

FINIS.