

cannot be done - Mr Innes is  
writing you to-day as to appealing.  
but there are 10 days to consider  
the matter -

Michaelmas Day the time for  
giving notice to quit arrives on  
Monday & I much fear there  
will be some notices to quit  
received on 4 or 5 Servants  
have asked for interviews during  
the next 3 days but I will write  
again to-morrow as to this -

Yours very obedt Servant  
A. J. [Signature]

(B55)

Sturminster Newton,  
Blandford 25<sup>th</sup> Sept 1884

Dear General Pitt-Rivers,

Although everything was  
done that could be and we had  
a really good case the  
Magistrates at Sturminster yesterday  
would not to give it in your  
favor & from the commencement  
it was very evident to me that  
the majority had made up

their minds almost before it  
began, the prosecution only  
proceeded with one part of  
their case & obtained an order  
for £8. The clerk to the  
Board informed me that they  
should now proceed with the  
other cases against Sir Tho.  
Grove & others. You may appeal  
to the Quarter Sessions against the  
decision but I really cannot see

why you should fight this case  
alone as you can take your boat  
from Kemerton & Blomford and  
not go on the Wilshire roads  
at all, of course there is the  
chance of getting a claim from  
there if any damage should  
be done but then could take  
care not to go over the roads  
much when they were very wet  
or just after the break up of  
a severe frost & then much damage

Gillingham. Dorset.  
24 September 1804.

Dear Sir. / You will, doubtless, have heard from Mr. Campbell, that the decision of the Hindon Bench, today, was an adverse one, & confess much to my dis appointment & contrary to my expectation. The grounds of the decision were not given, but the Chairman, Sir J. Gove, intimated that whilst there was a minority which held a different view, the majority was a substantial one. The Magistrates present were Sir Thomas Gove, Mr. Locke, Lord Arundell, Mr. Dutton, Mr. Bennett Stanford, Mr. Fane, Mr. Coalter, Gove & Mr. Beaufoy. Mr. Ceech was present, and I think he will tell you that all was done that could be done, but for some cause or other arguments & considerations which I should have thought strong & convincing, seemed to be listened to with some impatience, & consistently put aside.

dealt with, was that (between 2 & 3 miles in length) from Rushmore by way of Fern <sup>Hollow</sup> ~~Dorset~~. The money portion of the judgment was for £0. Each side to bear its own costs. The question as to the 2 other sections of road described in the summons remains therefore, undecided, & may be made the subject of a further contest; but the principle being now established by the decision of today, a judgment in the same direction would no doubt be given in the other cases, in the event of another summons being taken out — The question for decision now is, whether or not you will appeal, & as to this my Clerk tells me that you will see me & decide the matter — I shall be at Shaftesbury on Saturday until 4 o'clock, if it meet your convenience to drive in during the afternoon, or I could, of course, come to Rushmore say on Wednesday or Thursday next,

cannot help regarding the decision as being a distinctly retrograde one, & one which, if followed, will either drive the steam locomotion upon country roads out of use, or else compel legislation action to enforce their freedom from such exceptional restrictions.

Mr. Helster the County Surveyor, stated that nich for nich of impact the locomotion did no more damage to the road than ordinary carts & wagons, & that the roads complained of were in decidedly bad repair, & that the amount of metal stated by the District Surveyor to have been used upon them was absurdly inadequate. It was fully proved that ~~the~~ your engine was the lightest in the District, and that the maximum legal weight had never been reached, much less exceeded, and also that engines had been used over the roads of the District for 12 or 13 years, and it was argued that in consequence of this last fact, the roads ought long ago to have been

improved up to a condition to bear locomotion, drawing proper loads, without injury, & that the Highway Board being charged with this duty & having failed to perform it, could not fairly take advantage of their own wrong - It was further argued that altho the first time that a locomotion was worked in a District, it might fairly be classed as extraordinary traffic, yet that every succeeding year of its use it more & more ceased to be so, and that under the circumstances of their long use in the particular District, they had long ago ceased to come within that category, & the more so as the Highway Board itself had employed Mr. Hayes' engine for the conveyance of Road material, over the same road, for 3 or 4 consecutive years. All was useless, however, with the result which I have said. The only portion of the 3 divisions of road comprised in the summons which was

the former being the more convenient  
day for me of the two: I would  
say Monday or Tuesday, but that  
they are the Petty Sessions days at  
Sturminster and Shaftesbury to  
which Benches last as Clerk. We  
have 10 days to give our notice of  
appeal, and the appeal would  
come on for hearing at the January  
Quarter Sessions. As matters strike  
me at present, and under the  
peculiar circumstances of the case,  
I doubt if I should advise it. It  
might possibly assist you in coming  
to a decision on this point, if you  
could learn from Sir Thomas Gore the  
real grounds of the decision of the  
Bench.

I am, dear Sir,

Faithfully yours,

Robert S. Frazer.

Gen. Pitt Rivers F. R. S.

Rushmore House.

Salisbury, Wilt.

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