



ANNO DECIMO

GEORGIIV. REGIS.

Cap. lxxxiii.

An Act for consolidating the Trusts of certain Roads called “The *Blue Vein* and *Bricker’s Barn* Turnpike Roads,” in the Counties of *Wilts* and *Somerset*; and for more effectually repairing and improving the same. [22d *May* 1829.]

WHEREAS an Act was passed in the Thirty-fifth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for repairing and widening the Road from Horseley Upright Gate, leading down Bowden Hill, in the County of Wilts, to the Top of Kingsdown Hill in the Parish of Box in the said County, and several other Roads near or adjoining thereto*: 35G.3. c.136.
And whereas another Act was passed in the Fifty-sixth Year of the Reign of His said late Majesty, intituled *An Act for continuing the Term and altering and enlarging the Powers of an Act of the Thirty-fifth Year of His present Majesty, for repairing the Road from Horseley Upright Gate, leading down Bowden Hill, in the County of Wilts, to the Top of Kingsdown Hill in the Parish of Box in the said County, and several other Roads near or adjoining thereto*; and 56G.3. c.79.
[Local.] 22 Y which

59 G. 3. c. 45. which said Roads for the sake of Distinction are herein-after called "The *Blue Vein* Turnpike Roads:" And whereas an Act was passed in the Fifty-ninth Year of the Reign of His said late Majesty, intituled *An Act for more effectually repairing the Road from Bricker's Barn, in the Parish of Corsham in the County of Wilts, to the Road leading from Kingsdown to Bath Easton in the County of Somerset*; and which said last-mentioned Road for the sake of Distinction is herein-after called "The *Bricker's Barn* Turnpike Road:" And whereas the said several Turnpike Roads called "The *Blue Vein* and *Bricker's Barn* Turnpike Roads," although subject to separate and distinct Trusts, lie intermixed with and intersect each other, and the Expences of maintaining and repairing the said Roads and the other Expences connected therewith would be materially lessened, and the Sums necessary to be raised for the Purpose of defraying such Expences could be collected with much less Inconvenience to the Public, and the said Roads could be materially improved, if the Trusts of the said several Roads were consolidated and united into One Joint Trust; and it would therefore be of general public Importance and Utility, and is advisable, that all the Powers and Authorities given by the said several recited Acts to the several Trustees appointed by or under the said Acts respectively, or such of the same Powers or Authorities as it is now necessary or expedient to retain, should be vested in one and the same Board of Trustees, and that such other Powers and Authorities should be given to them as may be necessary for more effectually attaining the Purposes of this Act: And whereas the several Sums of Money borrowed for the Purposes of the said Acts respectively have been secured upon the Tolls by the said Acts respectively authorized to be taken, and it is expedient that Provision should be made for preventing the Individuals who are entitled to the said Sums of Money respectively from being in any Manner prejudiced by the Repeal of the said Acts or the Consolidation of the Trusts of the said Roads: And whereas, in order to accomplish the several Purposes aforesaid, it will be more convenient to repeal all the said several recited Acts, and to re-enact in the Manner herein-after mentioned such of the Clauses and Provisions therein contained as it may be necessary or proper to have preserved; but the Purposes aforesaid cannot be effected without the Aid and Authority 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 from and after the Second *Tuesday* next after the passing of this Act the said several Acts passed in the Thirty-fifth, Fifty-sixth, and Fifty-ninth Years of the Reign of His said late Majesty King *George* the Third shall be and the same are hereby repealed, and null and void to all Intents and Purposes whatsoever.

Recited Acts
repealed.

This Act to
be put in
force for re-

II. And be it further enacted, That this Act shall from thenceforth commence and take effect and be put in execution for and during

during the Term herein-after mentioned, for the Purpose of amending, widening, making commodious, and repairing the several Roads herein-after described; (that is to say,) the Road from *Horseley Upright Gate*, leading down *Bowden Hill*, through the Parishes of *Lacock*, *Corsham*, and *Box*, to the Top of *Kingsdown Hill* in the said Parish of *Box*, and the Road leading from *Melksham* and *Trowbridge*, through *Lacock*, to *Chippenham*, *Malmsbury*, and *Christian Malford* in the said County of *Wilts*, and to certain Coal Pits in the County of *Gloucester*, commencing at a Place called *Homan's Stile* in the Parish of *Lacock*, and ending at a Brook called *Pudden Brook* in the said Parish of *Corsham*; and also the Road branching therefrom called *Cowslip Lane*, and one other Lane called *Rudloe Lane*, leading out of the said Road at *Pickwick* in the said Parish of *Corsham*, to join the Turnpike Road from *Chippenham* to the City of *Bath*; and also a Lane leading from *Chapel of Plaister*, and leading to and joining the Turnpike Road leading from *Bath* to *Melksham*; also the said Road leading from the *Cross Keys*, otherwise *Bricker's Barn* aforesaid, to the said Turnpike Road leading from *Kingsdown* to *Bath Easton* in the said County of *Somerset*; and also a new Road (by this Act authorized to be made), and herein-after particularly mentioned and described, and wholly situate in the said County of *Wilts*.

pairing the Roads herein mentioned.

III. And be it further enacted, That nothing herein contained shall extend to prevent the suing for and Recovery of any Penalty incurred or to be incurred by any Offence against the Provisions of the said Acts hereby repealed, or any of them, previously to the Commencement of this Act, or to prevent or defeat any Prosecution commenced or to be brought for such Offence; but all Penalties already incurred, or which may be incurred before the passing of this Act, under the Provisions of the said hereby repealed Acts, or any of them, may be sued for, and all Encroachments, Nuisances, and other Offences already made or committed, or which may be made or committed before the passing of this Act, against the Provisions of the said hereby repealed Acts, or any of them, may be abated or prosecuted in the same Manner to all Intents and Purposes as if this Act had not been passed.

Not to prevent the Recovery of Penalties incurred previously to the passing of this Act.

IV. And be it further enacted, That all His Majesty's Justices of the Peace acting in and for the said respective Counties of *Wilts* and *Somerset* for the Time being, together with Sir *Harry Neale* Baronet, *Robert Ashe*, *Robert Ashe* Clerk, *John Wither Awdry*, *Nathan Atherton*, *Nathan Atherton* the younger, *William Henry Awdry*, *Richard Hayward Alexander*, *Charles Awdry* Clerk, *Michael Burrough*, *William Brown*, *John Briscoe*, *Samuel Chapman*, *William Colborne*, *Thomas Collett* the younger, *Thomas Edridge*, *Abraham Lloyd Edridge*, *John Edwards*, *John Edridge*, *Thomas Fowler*, *John Fowler*, *Stephen Fussell* the younger, *John Bird Fuller*, *Joseph Neston Fuller*, *John Figgins*, *Anthony Guy*, *Gabriel Goldney*, *William Goldney*, *Harry Goldney*, *Ralph Hale Gaby*, *William Gundry*, *Coleman Gill*, *Isaac John Horlock*, *Knightly William Horlock*, *William Hulbert*,

Appointment of Trustees.

Hulbert, Robert Humphrys, Peter Hooper, Robert Hulbert, Henry Hall Joy, John Jones, John Keddle, Thomas Leir, Thomas Little, Thomas Macie Leir, Francis Alexander Sydenham Locke, Paul Mildmay Methuen, John Andrew Methuen Clerk, George Conway Montagu, Frederick Conway Montagu, Edward Michell, George Mullins Clerk, Richard Edward Northey, James Norris, George Pinchin, Eleazer Pickwick, Thomas Pycroft, James Paley Clerk, Thomas Rumming, William Sainsbury Doctor of Medicine, William Sainsbury the younger, Doctor of Medicine, William Rance Sainsbury Clerk, William John Stump, John Edward Andrew Starkey, William Trinder, Francis Trinder, William Henry Fox Talbot, Charles Salter Tayler, John Wiltshire the younger, William Wiltshire, and George Yeeles, and their Successors, being duly qualified to act as Trustees for Turnpike Roads in England, shall be and they are hereby appointed the Trustees for making, amending, widening, improving, repairing, maintaining, and keeping in repair the said several Roads herein-before described and herein-after mentioned, and for carrying into effect the several Powers and Provisions of this Act and of the General Turnpike Acts.

Power to
appoint ad-
ditional
Trustees.

V. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered, from Time to Time, or at any of their Meetings, to elect and appoint any Number of Persons, being duly qualified as directed by the said General Turnpike Acts, (not exceeding Five in the whole, in addition to the Number of Trustees hereby authorized to act as aforesaid,) to be Trustees for the Purposes of this Act and the said General Turnpike Acts; and such Persons so elected and appointed shall be Trustees for the Purposes of this Act, and are hereby invested with the same Powers and Authorities for executing this Act as if they had been herein named.

First Meet-
ing of
Trustees.

VI. And be it further enacted, That the said Trustees shall hold their First Meeting at the House known by the Sign of the *Methuen Arms Inn*, in *Corsham* aforesaid, or some other convenient Place in *Corsham*, on the Second *Tuesday* next after the passing of this Act, or as soon after as conveniently may be, and shall and may then and from Time to Time after adjourn to and meet at such Times, and at such Place or Places within the said Town of *Corsham* or in the Neighbourhood of the said Roads, as they shall think proper.

Map or Plan
deposited
with the
Clerk of the
Peace to be
open to In-
spection, and
Trustees not
to deviate
therefrom.

VII. And whereas a Map or Plan describing the Line of the new Road by this Act intended to be made, and of the Lands, Hereditaments, and Premises through or over which the same is intended to be carried or made, together with a Book of Reference containing a List of the Names of the Owners and Occupiers of such Lands, Hereditaments, and Premises, have been deposited at the Office of the Clerk of the Peace for the said County of *Wilts*, in which County the said new Road is situate; be it therefore further enacted, That the said Map or Plan and Book of Reference shall remain

remain in the Custody of the said Clerk of the Peace, to the end that all Persons may at any seasonable Time or Times have Liberty to inspect and peruse the same, and to take Copies or Extracts thereof at their Will and Pleasure, paying to the Clerk of the Peace for the said County for the Time being the Sum of One Shilling for every such Inspection, and at the Rate of Sixpence for every Seventy-two Words of such Copies or Extracts of any such Map or Plan and Book of Reference; and the said Trustees, in making the Road described in such Map or Plan, shall not deviate more than One hundred Yards from the Lines described in such Map or Plan, without the Consent in Writing of the Person or Persons, Bodies Politic, Corporate, or Collegiate, through whose Lands or Premises such Deviation or Deviations shall be made.

VIII. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered, to make and maintain as Turnpike Road a new Line of Road to lead from and out of the said Road called the *Blue Vein* Road, commencing at or near a Place called *Chapel Bottom*, into, through, and across certain Lands called *Hazlebury Valley*, there to join a new Line of Road proposed or intended to be made by the Trustees of the *Bath* Turnpike Roads, provided such last-mentioned new Line of Road shall be so made, but not otherwise; and, for the Purpose aforesaid, it shall be lawful for the Trustees for executing this Act, their Surveyor and Workmen, with or without Carriages and Cattle, from Time to Time to enter into and upon, purchase, take, and use the Lands and Premises through which or whereupon the said new Line of Road herein-before described and hereby authorized to be made and kept in repair is intended to pass, and also any adjoining Lands or Grounds, and to stake out the Road or Alteration, and to make Drains or Ditches through or into any Lands or Grounds adjoining or lying contiguous to any Part thereof, in such Manner as the said Trustees shall think necessary or proper, first making Satisfaction to the Owners and Occupiers of such Lands and Grounds for the Damages that shall be thereby occasioned.

Trustees may make and maintain a new Line of Road.

IX. Provided always, and be it further enacted, That it shall be lawful for the said Trustees to make the said new Road into, through, across, or over the several Lands, Hereditaments, and Premises of any Person or Persons who is or are or may be Owner or Owners of Lands or Premises over which the same are set out and described in the said Map or Plan as aforesaid, and to take down the Houses, Buildings, and Erections, and to take and use the Woods and Plantations, Lands and Premises, described in such Map or Plan and Book of Reference, although the Name or Names of the Owner or Owners may happen to be omitted or mis-stated in the said Book of Reference, in case it shall appear to any Two or more Justices of the Peace for the County or Place where the Land or Premises shall be situate, and be certified by Writing under their Hands, that such Error or Omission proceeded from Mistake.

Lands marked in the Plan may be used, notwithstanding Errors in the Book of Reference and Schedule.

Power to
erect Toll
Gates, &c.

X. And be it further enacted, That it shall be lawful for the said Trustees (if they think proper) to continue or remove all and every or any of the Toll Gates or Turnpikes and Toll Houses and Weighing Machines now standing and being, or hereafter to stand or be, in, upon, or across the said Roads, or on the Sides thereof, and also to erect and set up or build, or cause to be erected, set up, and built, upon, in, or across the said Roads, or on the Sides thereof, or any Part thereof, or in, upon, or across the said intended new Line of Road, or on the Sides thereof, or any Part thereof, when, where, and as they shall judge necessary, any Gate or Gates, Turnpike or Turnpikes, Side Gate or Side Gates, Side Bar or Side Bars, Chain or Chains, Weighing Machine or Weighing Machines, and also One or more Toll House or Toll Houses, with Outhouses and Conveniences suitable thereto, at or near each Gate, Bar, Chain, or Weighing Machine; and to take in and inclose on the Sides of the said Roads, or on the Side of the said intended new Line of Road, suitable Garden Spots for the same respectively, not exceeding One Eighth Part of a Statute Acre each, as they shall think necessary; and from Time to Time to take down and remove, or to alter and discontinue the same, or any of them, as they the said Trustees shall think proper, and direct or appoint.

Power to
take Tolls.

XI. And be it further enacted, That it shall be lawful for the said Trustees, or any Person or Persons appointed or continued or to be appointed Collector or Collectors of the Tolls to be taken by virtue of this Act, and they are hereby authorized, to demand, receive, and take, at the several and respective Toll Gates or Turnpikes or Toll Houses, or Side Gates, Side Bars, or Chains, which are or shall be standing and being, or continued or erected, by virtue of this Act, in, upon, or across, or on the Side or Sides of the said Roads, or any Part or Parts thereof, before the Horse, Carriage, or other Animal or Vehicle in respect of which the same shall be payable shall be allowed to pass through any such Toll Gate or Turnpike, or Side Gate, Side Bar, or Chain, the several Tolls herein-after mentioned; (that is to say,)

Tolls.

For every Horse or other Beast drawing any Waggon, Wain, Cart, Sledge, Dray, Van, Caravan, or other such Carriage, having the Fellies of the Wheels thereof of less Breadth than Four Inches and a Half at the Bottom thereof, the Sum of Nine-pence:
For every Horse or other Beast drawing any Waggon, Wain, Cart, Sledge, Dray, or other such Carriage, having the Fellies of the Wheels thereof of the Breadth of Four Inches and a Half and less than Six Inches, the Sum of Seven-pence Halfpenny:
For every Horse or other Beast drawing any Waggon, Wain, Cart, Sledge, Dray, or other such Carriage, having the Fellies of the Wheels thereof of the Breadth of Six Inches, the Sum of Sixpence:
For every Horse or other Beast drawing any Coach, Chaise, Chariot, Landau, Berlin, Hearse, Curricule, Chair, Gig, Taxed Cart, or other Carriage of whatever Description, the Sum of Sixpence:

For every Horse or other Beast, laden or unladen, and not drawing, the Sum of Two-pence :

For every Drove of Oxen, Cows, or other Neat Cattle, the Sum of One Shilling and Eight-pence *per* Score, and so in proportion for any greater or less Number :

For every Drove of Calves, Sheep, Lambs, or Swine, the Sum of Ten-pence *per* Score, and so in proportion for any greater or less Number :

And for every Carriage impelled or drawn by Machinery, and not by any Animal or Animals, such Toll as the said Trustees shall appoint, or One Penny *per* Hundred Weight, at the Option of the Conductor or Driver of such Carriage :

And in all Cases where there shall be a fractional Part of a Half-penny in the Calculation or Amount of the Tolls hereby granted or authorized to be taken, or in the Apportionment of such Tolls or any of them, the Sum of One Halfpenny shall be demanded and taken in lieu of such fractional Part; and all the Tolls and Money to be collected or levied under this Act and the said General Turnpike Acts, and Monies borrowed or to be borrowed on the Credit thereof respectively, shall be and are hereby vested in the said Trustees, and shall be paid, applied, and disposed of to and for the several Uses, Intents, and Purposes, and in such Manner as hereinafter mentioned.

XII. And be it further enacted, That no Toll shall be demanded or taken by virtue of this Act for any Sheep or Lambs passing through any Toll Gate or Toll Gates, or Side Bar or Side Bars, erected or to be erected in pursuance of this Act, in going to a Place of washing previously to their being sheared, or in returning therefrom after being washed. Exemption from Toll.

XIII. And be it further enacted, That in case the full Toll hereby authorized to be taken shall have been paid for the passing of any Horse, Beast, or Cattle through any One of such Toll Gates or Turnpikes or Side Gates, such Horse, Beast, or Cattle shall, upon a Ticket being produced denoting the Payment on the same Day (such Day to be computed from Twelve of the Clock in one Night to Twelve of the Clock in the next succeeding Night), be permitted to pass Toll-free through the same Toll Gate, Turnpike, or Side Gate, and also through such second or other Gate or Gates (if any) as the Ticket for such Payment shall free, at any Time or Times during the same Day, to be computed as aforesaid. Tolls to be paid but once a Day at the same Gate.

XIV. Provided always, and be it further enacted, That the Tolls hereby made payable for and in respect of Horses or other Beasts drawing any Stage Coach, Diligence, Van, Caravan, Stage Waggon, Cart, or other Stage Carriage conveying Passengers or Goods for Pay, Hire, or Reward, shall be payable and paid every Time of such Stage Coach, Diligence, Van, Caravan, Stage Waggon, Cart, or Stage Coaches, &c. to pay every Time of passing.
Taxed

Taxed Cart, or other Stage Carriage passing or repassing along the said Roads.

Post Chaises
on every new
Hiring.

XV. Provided also, and be it further enacted, That the Tolls hereby made payable for and in respect of Horses or Beasts let out to Hire, and drawing any Post Chaise or other such Carriage, shall be payable and paid every Time of passing along the said Roads, whenever any new Hiring thereof shall take place.

Stone Wag-
gons, &c. to
pay an addi-
tional Toll
every Third
Time of
passing.

XVI. Provided also, and be it further enacted, That where the Owner or Driver of any Horses or other Beasts drawing any Waggon, Wain, Cart, or other such Carriage laden with Stone, from any of the Stone Quarries situate in the several Parishes of *Corsham* and *Box* or either of them, shall have paid One full Toll in the whole for or in respect of the Horses or other Beasts drawing such Waggon, Wain, Cart, or other such Carriage, at all or any of the Toll Gates, Turnpikes, or Side Gates erected or to be erected on the said Roads, such Horses or other Beasts drawing such Waggon, Wain, Cart, or other such Carriage shall be permitted to pass through the said Toll Gates, Turnpikes, or Side Gates, in respect of such Payment, Twice only during the same Day (to be computed as aforesaid); and before any such Horses or other Beasts drawing such Waggon, Wain, Cart, or other such Carriage laden with Stone as aforesaid, shall be permitted to pass through any One or more of such Toll Gates, Turnpikes, or Side Gates a Third Time on the same Day (to be computed as aforesaid), the Owner or Driver of the Horses or other Beasts drawing such Waggon, Wain, Cart, or other such Carriage shall be subject and liable to the Payment of One Half of the original full Toll payable in respect thereof, over and besides such original full Toll; any thing in this Act contained to the contrary thereof in anywise notwithstanding.

Toll for
Overweight
of single
Blocks of
Stone.

XVII. And be it further enacted, That where the Horse or Horses or other Beast or Beasts drawing any Waggon, Wain, Cart, or other such Carriage drawing or bearing a single Block of Stone, shall pass through any Gate or Bar erected or to be erected on the said Roads, or any of them, there shall be demanded and paid in respect thereof, over and above the Tolls hereby authorized to be received and taken, the Sum of Two-pence for every One Hundred Weight of One hundred and twelve Pounds to the Hundred which such Waggon, Wain, Cart, or other such Carriage, together with the Loading thereof, shall weigh at any Weighing Engine erected or to be erected on the said Roads, over and above the Weights allowed to each of them respectively in and by the said several Acts: Provided such additional Toll for Overweight doth not exceed Double the Amount of the Toll payable for the Horse or Horses or other Beast or Beasts drawing such Waggon, Wain, Cart, or other such Carriage, under this Act.

Power to
raise the Tolls
One Half, if

XVIII. Provided always, and be it further enacted, That if it shall at any Time appear to the said Trustees, or to a Majority of them,

them, at any Meeting to be held under or by virtue of this Act, (such Majority not being less than Seven,) that the Roads included in this Act cannot be sufficiently repaired, widened, and altered, and the said proposed or intended new Line of Road made and maintained, and the Interest of the Money borrowed or to be borrowed on the Credit of the said Tolls be from Time to Time punctually paid, then and in such Case it shall be lawful for the said Trustees and they are hereby required (after Twenty-one Days previous Notice in Writing of the Time and Place of Meeting for that Purpose shall have been affixed, advertised, and given as herein-before mentioned,) to raise and increase the said several Tolls, or such of them as they may think necessary, not exceeding One Half of the Tolls granted by this Act, over and besides and in addition to the Tolls herein-before authorized to be taken; and the Tolls so raised shall be from Time to Time collected, recovered, paid, and applied in the same Manner as the Tolls herein-before authorized to be taken are by this Act directed to be collected, recovered, paid, and applied.

Roads cannot be sufficiently repaired.

XIX. And be it further enacted, That out of the Monies already received by virtue of the said several Acts hereby repealed, on account of the said Roads, and now in the Treasurer's Hands, or out of the first Money which shall arise or be received from the Tolls by this Act granted or otherwise, the said Trustees shall, in the first place, and in preference to all other Payments whatsoever, pay and discharge all the Costs, Charges, and Expences relative to the obtaining and passing of this Act; and the Remainder of all such Monies shall (after Payment of the necessary Expences of erecting or repairing Toll Gates, Toll Houses, Milestones, or Posts and Fences, and for Books, Advertisements, Salaries of Officers and other Expences incidental to the Execution of this Act,) be applied, in the first place, in keeping down the Interest of the Principal Monies advanced or borrowed on the Credit of the Tolls arising on the said Roads by virtue of the said Acts hereby repealed, in preference to the Interest of any Monies to be borrowed on the Credit of this Act; in the next place, in keeping down the Interest of the Principal Monies which may hereafter be borrowed on the Credit of this Act, and afterwards in amending, improving, maintaining, repairing, and keeping in repair the said Roads, and in otherwise putting this and the said General Turnpike Acts into execution, and then in repaying the Principal Monies already borrowed on the Credit of the Tolls arising on the said Roads by virtue of the said Acts hereby repealed; and, lastly, in repaying the Principal Monies to be borrowed on the Credit of this Act, and to or for no other Use or Purpose whatsoever.

Application of Tolls and other Monies.

XX. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others, without being specially pleaded.

Public Act.

2026

10° GEORGII IV. *Cap.*lxxxiii.

Term of Act. XXI. And be it further enacted, That this Act shall commence upon the said Second *Tuesday* next after the passing thereof, and shall continue and be in force for Thirty-one Years, and from thence to the End of the then next Session of Parliament.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN,
Printers to the King's most Excellent Majesty. 1829.