



ANNO NONO

# GEORGII IV. REGIS.

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## Cap. 1.

An Act for making, amending, widening, and keeping in repair certain Roads passing through or near the Town of *Ilminster* in the County of *Somerset*.  
[13th May 1828.]

**W**HEREAS an Act was passed in the Fourth Year of the Reign of His present Majesty, intituled *An Act for making, amending, widening, and keeping in repair certain Roads passing through or near the Town of Ilminster in the County of Somerset*: And whereas the Trustees appointed in or by virtue of the said recited Act have proceeded to carry the same into Execution, and considerable Sums of Money are now due and owing on the Credit of the Tolls thereby authorized to be collected: And whereas the Road from the *Lamb Inn* in *Horton* in the Parish of *Ilminster*, to the first Boundstone between the Parishes of *Coombe Saint Nicholas* and *Buckland Saint Mary* in the County of *Somerset*, is hilly and incommodious, and it would be a Convenience to the Persons travelling thereon if the same were repaired and improved, and for that Purpose placed under the Care and Management of the said Trustees: And whereas it would be of public Utility to divert and alter the Course of Parts of the said Road, by making the new Lines of Road hereinafter described; (that is to say,) a new Line of Road from and out of the present Road at *Putcombe Hill* in the Parish of *Whitelackington*, to rejoin the present Turnpike Road in *Sevington Saint Michael* near the Dwelling House of Mrs. *Ann Ware*, in and through the several  
[Local.] 12 N Parishes

4 G. 4. c. 53.



Parishes of *Whitelackington* and *Sevington Saint Mary*; another new Line of Road from the Angle by the Milestone near the North End of *Lower Odcombe*, to join the *Yeovil Turnpike Road* in *Brimpton* at a Place called *Holmestone*, in and through the several Parishes of *Odcombe*, *Lufton*, and *Brimpton*; and another new Line of Road from the Dwelling House of *William Phelps* to the South-west Corner of *Knot Oak Orchard* in the Parish of *Ilminster*; all in the County of *Somerset*: And whereas the several Objects aforesaid cannot be effected, nor can the Money now due and owing, and the Interest thereon, be repaid, unless adequate Powers and Provisions are granted and made for those Purposes: And whereas it would facilitate the Execution of the Purposes aforesaid if the said recited Act were repealed, and further and more effectual Powers and Provisions granted and made instead thereof: And whereas an Act was passed in the Third Year of the Reign of His present Majesty, intituled *An Act to amend the General Laws now in being for regulating Turnpike Roads in that Part of Great Britain called England*: And whereas another Act was passed in the Fourth Year of the Reign of His present Majesty, intituled *An Act to explain and amend an Act passed in the Third Year of the Reign of His present Majesty, to amend the General Laws now in being for regulating Turnpike Roads in that Part of Great Britain called England*: And whereas another Act was passed in the Fifth Year of the Reign of His present Majesty, intituled *An Act to enable Justices of the Peace for Ridings, Divisions, or Sokes to act as Trustees for repairing and maintaining Turnpike Roads*: And whereas another Act was passed in the Seventh and Eighth Years of the Reign of His present Majesty, intituled *An Act to amend the Acts for regulating Turnpike Roads in England*: 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 First Day of *July* next after the passing of this Act, the said first-recited Act of the Fourth Year of the Reign of His present Majesty shall be and the same is hereby declared to be repealed.

Recited Act  
of 4 G. 4.  
repealed.

This Act to be  
put in exe-  
cution for the  
Purpose of  
making and  
repairing the  
Roads herein  
described.

II. And be it further enacted, That this Act, shall be put in execution for and during the Term herein-after mentioned, for the Purpose of making, repairing, widening, diverting, altering, straightening, improving, and maintaining the several Roads herein-after mentioned; (that is to say,) the present Turnpike Roads from the East End of the Town of *Chard*, through *Ilminster*, to *Park Gate*, at or near the South End of *West Moor*, and from *Kenny Gate* in the Parish of *Ashill*, through *Ilminster*, to the West End of the *Yeovil Turnpike Road* in *Brimpton*, and from the West End of *Peasemash Lane* to *Horton Elm*, and from *Saint Rane Hill* to *Ilminster*, and from a Place called *Three Oaks* to *Old Way*, and from the *Cross Keys* to *Catherine Wheel* in the Parish of *Ashill*, and from a Place called the *Butts*, behind *Butts* and through *Strawberry Bank*, to *West Street*, and from the South-west Corner of the Market House to the *Bell Inn* in *Ilminster*; also the present Turnpike Roads from *Durston's Corner* to the *Cross* in *Hinton Saint George*, and from *Lopen Head*, through *Shepton Lane*,  
Ilton,



*Ilton*, and *Barrington*, to the Turnpike Road in *Puckington*, and from the *Cross Ways* in *Barrington*, through *Ruskway Lane*, to *West Moor*; also the said Road from the *Lamb Inn* in *Horton* to the first Boundstone between the Parishes of *Coombe Saint Nicholas* and *Buckland Saint Mary*; and also for making and maintaining the said Diversions or new Lines of Road from the present Road at *Putcombe Hill*, to rejoin the same Road in *Sevington Saint Michael* near the Dwelling House of *Mrs. Ann Ware*, from the Angle by the Milestone near the North End of *Lower Odcombe* to the *Yeovil* Turnpike Road at *Houndstone*, and also from the Dwelling House of *William Phelps* to the South-west Corner of *Knot Oak Orchard*; all which said Roads shall be called "The *Ilminster* Turnpike Roads."

III. And be it further enacted, That for the Purpose only of ascertaining where and in what Manner the Tolls granted and made payable by virtue of this Act shall be collected and received, the said several Roads, or any Deviations of the same respectively, shall be and are hereby divided into the several Districts herein-after mentioned; (that is to say,) so much and such Parts of the said Roads as lie between the said East End of the Town of *Chard* and the *Bell Inn* in *Ilminster*, and between the West End of *Peasemars Lane* and *Horton Elm*, shall be one District of the said Roads, and shall be known and called by the Name of the Southern District; the Road from *West Street* in *Ilminster* to *Park Gate*, and from *Lopen Head* to *White Cross*, and from near *White Cross* to the Turnpike Road in *Puckington*, and from the *Cross Ways* in *Barrington*, through *Ruskway Lane*, to *West Moor*, shall be another District of the said Roads, and shall be called or known by the Name of the Northern District; the said Roads from the *Yeovil* Turnpike Road in the Parish of *Brimpton* to the West End of the said Market House in *Ilminster* shall be another District of the said Roads, and shall be called or known by the Name of the Eastern District; such Parts of the said Roads as lie between the said West End of the said Market House in *Ilminster* and *Kenny Gate* in the Parish of *Ashill*, and the said Road from a Place called the *Butts*, behind *Butts* and through *Strawberry Bank*, to *West Street* in *Ilminster*, and from a Place called *Three Oaks* in the said Parish of *Ashill* to *Old Way*, and from a certain Public House called the *Cross Keys* in the said Parish of *Ashill* to a Place called *Catherine Wheel*, and from the *Lamb Inn* in *Horton* to the said Boundstone between *Combe Saint Nicholas* and *Buckland Saint Mary*, shall be another District of the said Roads, and shall be called or known by the Name of the Western District; and such Parts of the said Roads as lead from the late *Chard* and now *Crewkerne* Turnpike Road, on *Saint Rane Hill*, through *Kingstone*, to a certain Public House called the *White Horse*, in *Ilminster*, and from *Durston's Corner* to the Cross in *Hinton Saint George*, shall be another District of the said Roads, and shall be called or known by the Name of the *Kingstone* District.

IV. And be it further enacted, That the said recited Act passed in the Third Year of the Reign of His present Majesty, and all and every the Powers, Provisions, Exemptions, Penalties, Forfeitures, Payments, Remedies, Matters, and Things therein contained, (save and

Roads divided into Districts.

Southern District.

Northern District.

Eastern District.

Western District.

Kingstone District.

Powers of General Turnpike Acts extended to this Act.



and except such Parts thereof as are varied, altered, or repealed,) and also the said secondly-recited Act of the Fourth Year of the Reign of His present Majesty, and all and every the Powers, Provisions, Exemptions, Penalties, Forfeitures, Payments, Remedies, Matters, and Things therein contained, (save and except such Parts thereof as are varied, altered, or repealed,) and also the said recited Act passed in the Fifth Year of the Reign of His present Majesty, and also the said recited Act passed in the Seventh and Eighth Years of the Reign of His present Majesty, and all and every the Powers, Provisions, Exemptions, Penalties, Forfeitures, Payments, Remedies, Matters, and Things therein contained, (save and except such Parts thereof as are varied, altered, or repealed,) shall respectively be as good, valid, and effectual for carrying this Act into Execution as if the same had been repeated and re-enacted in the Body of this Act.

New Term  
and Tolls to  
be liable to  
former  
Debts.

V. And be it further enacted, That this Act and the Term and Tolls hereby granted shall be and they are hereby charged with and made subject and liable to the Payment of all Monies which are now due and owing upon the Credit or on account of the said former Act, and also of all Money which may be borrowed or become due on the Credit of this Act, and of all Interest due and to grow due thereon respectively, as fully and effectually to all Intents and Purposes as if all such Monies had become due on the Credit of this Act, or of the Tolls hereby authorized to be collected.

Arrears of  
Tolls, &c.  
under former  
Act vested  
in the Trus-  
tees of this  
Act.

VI. And be further enacted, That all Arrears of Tolls or Rents, and all Property, Real or Personal, due to or vested in the said Trustees under the said first-recited Act, shall immediately on the Commencement of this Act belong to and be vested in the Trustees for executing this Act, who shall be and are hereby enabled to sue for and recover the same in like Manner as if the same had become due to or had been vested in them under and by virtue of this Act; and that no Action or Suit brought or to be brought before the Commencement of this Act, by or in the Names of the said Trustees acting in the Execution of the said first-recited Act, or their Clerk or Treasurer, for the Recovery of such Arrears of Tolls or Rents, or any Part thereof, shall abate or be discontinued by the Repeal of the said first-recited Act.

Existing  
Mortgages  
may be  
called in.

VII. And be it further enacted, That it shall be lawful for the said Trustees to receive in and cancel all or any of the existing Mortgages or Securities, and instead thereof to execute and deliver new Mortgages upon the Tolls by this Act authorized to be collected.

Bonds, &c.  
under former  
Act to be  
good under  
this Act.

VIII. And be it further enacted, That all Bonds, Conveyances, Covenants, Agreements, Contracts, Leases, Mortgages, and Securities, made to or entered into by any Person or Persons to or with the Trustees for executing the said first-recited Act, or to or with their Clerk or Treasurer, or any other Person or Persons on behalf of the said Trustees, shall remain in full Force and Effect, and be and continue available in all Courts of Law and Equity, until the same are fully satisfied and performed on account of the Trust under this Act; and all Bargains, Contracts, Agreements, or Notices, made, entered into,



into, or given by the Trustees for executing the said first-recited Act, or by any of their Officers by their Order or Direction, with or to any Person or Persons, for any Purpose relating to the said Roads, or to the Execution of the said Act, so far as the same are not altered or varied by this Act, shall remain in full Force and Effect, and be observed and kept by the Trustees under this Act, and by the other respective Parties to such Contracts, Agreements, or Notices, according to the Terms and Stipulations thereof respectively, according to the true and equitable Intent and Meaning thereof, notwithstanding the Repeal of the said Act.

IX. And be it further enacted, That all Roads made, opened, widened, diverted, shut up, or discontinued under or by virtue of the Powers and Provisions of the said Act hereby repealed, shall remain and continue open, widened, diverted, shut up, and discontinued, in such and the same Manner as if such Act had not been repealed, and that the Trustees under this Act shall be discharged from the Care and Management of all Roads so shut up or discontinued.

All Roads  
already open-  
ed or shut up  
to continue  
so.

X. And be it further enacted, That all His Majesty's Justices of the Peace for the Time being acting for the County of *Somerset*, together with *Robert Abraham, Thomas Abraham, Samuel Alford Clerk, Robert Henry Aberdein, Charles Jeffrys Allen Clerk, John Allen the younger, Clerk, Charles Joseph Aldridge, Samuel Anstice, Robert Bagehot, Thomas Watson Bagehot, Edward Baker, John Bawden, William Brown, Thomas Arden Baker, John Batten, Robert Collins Bryant, John Chaffey, William Chaffey, Thomas Edward Clarke, Thomas Clifton, Charles Collins, John Collins, Robert Collins, Thomas Collins, Edward Combe Clerk, John Cook, Richard Cook, Isaac Cox, Joseph Henry Carslake, William Blake Collins, Richard Cook, Joseph Duke, George Eames, John Baker Edmonds, John Baker Edmonds the younger, John England, William Tierney Elton Clerk, Thomas England, John Frost, Christopher Flood, Christopher Samuel Flood, James Gifford, John Scott Gould, John Hallett, Philip Hext, Samuel Daniel Hine, William Hoskins, Joseph Hull, Henry Samuel Knowles, Giles Lang, John Langdon, Vincent Langworthy, Hugh Stanger Leathes, John Hawkes Mules Clerk, John Melhuish, John Murch junior, James Murch, William Murch, Charles Hawkes Marwood Mules, Philip Mules, John Nicholetts, George Notley, John Newberry, Richard Phelps Clerk, Stephen Pitt, Robert Poole, the Honourable George Poulett, Richard Pople, Henry Palmer Clerk, William Palmer, John Weston Peters, Robert Phelps Clerk, James Poole, Robert Hooper Scott, John Slatter, Sumner Smith Clerk, Isaac Sparks, William Speke, Hugh Speke Clerk, Henry Stambury Clerk, John Standerwick, James Stayner, William Stephens, William Smark, Benjamin Barker Smark, George Speke, Robert Standerwick, Francis Roach Spragg Clerk, Charles Benjamin Tucker, Thomas Templeman, George Tuson, James Upton Clerk, John Vincent, Theophilus Wallington, William Walter, John Wheadon, James Winter and John Warren, and their Successors, being duly qualified according to the Provisions and Directions of the said recited Acts of the Third, Fourth, Fifth, and Seventh and Eighth Years of the Reign of His present Majesty, shall be and*

Trustees  
appointed.

[*Local.*]

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they



they are hereby appointed Trustees for putting this Act into Execution.

Power to  
appoint addi-  
tional Trus-  
tees.

XI. And be it further enacted, That it shall be lawful for the said Trustees at their First or at any subsequent Meeting to be held for that Purpose (of which subsequent Meeting, and of the Purpose whereof, Twenty-one Days Notice shall be given by Insertion in some public Newspaper usually circulated in the County of *Somerset*) to elect and appoint any Number of fit and proper Persons, not exceeding Three in the whole, to be Trustees for the Purposes of this Act in addition to the Trustees hereby appointed; and such Trustees, when so elected and appointed, and being duly qualified according to the Provisions of the said recited Acts made in the Third, Fourth, Fifth, and Seventh and Eighth Years of the Reign of His present Majesty, shall be and they are hereby invested with the same Powers and Authorities for executing the said last-mentioned Acts and this Act as if they had been named and appointed in and by this Act.

First Meet-  
ing of the  
Trustees.

XII. And be it further enacted, That the said Trustees shall meet at the *George Inn* or some other convenient Place in *Ilminster* aforesaid, on the Second Day of *July* next after the passing of this Act, or as soon after as conveniently may be, between the Hours of Eleven in the Forenoon and Two in the Afternoon, and shall then proceed to carry this Act into Execution, and may then and from Time to Time afterwards adjourn to and meet at such Times and at such Place or Places upon or near to the said Roads as they the said Trustees, or the major Part of them present at any such Meetings, shall think proper and appoint.

Old Officers  
to continue  
until new  
ones appoint-  
ed.

XIII. Provided always, and be it further enacted, That each and every Treasurer who shall have been appointed consistently with the Provisions of the said recited Act passed in the Seventh and Eighth Years of the Reign of His present Majesty, and each and every Clerk, Receiver, Collector, Surveyor, and other Officer and Officers nominated and appointed under and by virtue of the said former Act hereby repealed, shall hold and enjoy such their several and respective Offices and Employments until he or they shall die, resign, or be removed therefrom respectively by the said Trustees; and every such Treasurer, Clerk, Receiver, Collector, Surveyor, or other Officer or Officers shall have the like Powers and Authorities for the Purposes of this Act, and for carrying the same into Execution, and shall be subject and liable to such Pains and Penalties, and to the like Powers of Removal, and to the like Rules and Regulations in all respects whatsoever, as if he or they had been nominated and appointed under and by virtue of this Act.

Officers un-  
der former  
Acts to ac-  
count to the  
Trustees of  
this Act.

XIV. And be it further enacted, That all Officers or other Persons who are or shall have been employed, or who have received or shall receive any Tolls or other Money, by virtue or on account of the said Act hereby repealed, or who have or shall have in their Custody or Possession any Money, Books, Accounts, Papers, Writings, or any thing relating to the said Roads or either of them, shall (when



required so to do) account for and pay and deliver over the same and every Part thereof to the Trustees of this Act, in like Manner, and under the like Pains and Penalties, and with the like Powers to the Trustees for enforcing the Recovery thereof, as are by the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty imposed or provided in respect to the several Collectors and other Persons receiving any Money, or having Possession of any Books, Accounts, Papers, Writings, or other Things, by virtue of the said Acts and this Act.

XV. And be it further enacted, That all and every the Books and Book of Proceedings which have or has been kept by the Trustees for executing the said former Act hereby repealed, or by their Treasurer or Clerk under their Direction, according to the Provisions of such Act, and made Evidence thereby, and also the Book or Books to be kept for the Purposes of this Act, shall and may be admitted in Evidence in all Courts, and by all Judges, Justices, and others.

Books under former Acts to be Evidence.

XVI. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered, to continue or remove all or any of the Toll Gates and Toll Houses which now stand upon, across, or on the Sides of the said Roads, and also from Time to Time to erect and set up, or cause to be erected and set up, in addition thereto respectively, or in lieu thereof, One or more Toll Gate or Toll Gates, Bar or Bars, Chain or Chains, or any Weighing Engine or Weighing Engines, in, upon, across, or on the Sides of any Parts of the said Roads, when, where, and as the said Trustees shall judge necessary and proper; and also to erect and provide, or cause to be erected and provided, a Toll House, with suitable Buildings, Lamps, and other Conveniences, at each such Toll Gate, and also to take in and inclose from the Sides of the said Roads convenient Garden Plots for such Toll Houses respectively, not exceeding One Eighth Part of a Statute Acre to each Toll House; and from Time to Time to remove, alter, or discontinue such Toll Gates, Bars, Chains, Weighing Engines, and Toll Houses, or any of them, as they the said Trustees shall think proper and expedient.

Power to continue the present Gates and to erect others.

XVII. And be it further enacted, That upon and from and after the Second Day of *July* next after the passing of this Act, it shall be lawful for the said Trustees, or any Person or Persons to be continued or appointed Lessee or Lessees, Collector or Collectors of the Tolls to be taken by virtue of this Act, to demand and take, at each and every Turnpike, Toll Gate, and Side Gate, Bar, or Chain to be continued or erected by virtue of this Act, before any Horse, Cattle, Beast, or Carriage shall be permitted to pass through the same, the several Tolls following; (that is to say,)

Power to take Tolls.

For every Horse or other Beast drawing any Coach, Barouche, Sociable, Landau, Chariot, Chaise, Phaeton, Cabriolet, Curricle, Gig, Whiskey, Car, Van, Caravan, Hearse, Litter, Chair, or other such like Carriage, whether with or without Springs, any Sum not exceeding Sixpence :

Tolls.

For every Horse or other Beast drawing any Waggon, Wain, Timber Carriage, Cart, Dray, or other such like Carriage, any Sum not exceeding Four-pence Halfpenny :

For



For every Horse or other Beast, laden or unladen, and not drawing, any Sum not exceeding One Penny :

For every Drove of Oxen, Cows, or Neat Cattle, any Sum not exceeding Ten-pence *per* Score, and so in proportion for any greater or less Number :

For every Drove of Calves, Hogs, Sheep, or Lambs, any Sum not exceeding Five-pence *per* Score, and so in proportion for any greater or less Number :

Which said respective Tolls or Sums of Money shall be and the same are hereby vested in the said Trustees, and shall be applied and disposed of in manner herein-after directed.

Toll to be paid but once for passing and repassing.

XVIII. Provided always, and be it further enacted, That if the Toll by this Act authorized to be taken shall have been paid for the passing of any Horse, Cattle, Beast, or Carriage through any One of the Turnpikes or Toll Gates, Side Gates, Bars, or Chains, to be continued or erected by virtue of this Act, such Horse, Cattle, Beast, or Carriage, shall, upon a Ticket denoting the Payment thereof being produced, be permitted to return, pass, or repass Toll-free through the same Turnpike or Toll Gate, Side Gate, Bar, or Chain, and also through such other Turnpike or Toll Gate, Bar or Chain, as the Ticket for such Payment shall free, at any Time during the same Day.

Only One full Toll on either District, and to be paid on Two Districts only on the same Day.

XIX. Provided also, and be it further enacted, That no more than One full Toll shall be demanded or taken for or in respect of any Horse, Cattle, Beast, or Carriage for passing along the whole Extent of either of the said Districts of Road on the same Day, and that any Horse, Cattle, Beast, or Carriage for or in respect of which Tickets shall be produced denoting the Payment of a full Toll on Two of the said Districts, shall be permitted to pass Toll-free on the same Day through all the Turnpikes, Toll Gates, Bars, or Chains to be continued or erected on the said Roads.

Stage Coaches to pay every Time of passing.

XX. Provided always, and be it further enacted, That the Tolls hereby made payable shall be paid for or in respect of all Horses or other Beasts drawing any Stage Coach or Stage Waggon, Van, Caravan, or other Stage Carriage carrying or conveying Passengers or Goods for Payment, Hire, or Reward, for every Time of passing or repassing along either District of the said Roads; and also for and in respect of all Horses or other Beasts drawing any Post Chaise or other Carriage travelling for Hire, for every Time of passing or repassing along either District of the said Roads, whenever a new Hiring of such Post Chaise or other Carriage shall have taken place.

Post Chaises on every new Hiring.

Trustees to fix Amount of Tolls at their First Meeting, and afterwards may increase or lessen them.

XXI. And be it further enacted, That the said Trustees shall at their First Meeting fix and settle the Amount of the Tolls to be taken under the Authority of this Act; and it shall be lawful for the said Trustees, and they are hereby empowered, at any subsequent Meeting, and from Time to Time, to increase or lessen such Tolls as they the said Trustees shall think proper, provided the said Tolls do not at any Time exceed the several and respective Sums by this Act authorized to



to be collected ; and no such Tolls shall, during the Existence of any Lease or Contract for the letting of Tolls made or entered into by the said Trustees, be reduced below the Sums which shall have been taken at the Time of the Commencement of any such Lease or Contract, without the Consent of the Lessee or Lessees, Contractor or Contractors thereof.

XXII. And be it further enacted, That all the Monies which on the Day of the Commencement of this Act shall have been raised and produced by virtue of the said recited Act hereby repealed, and which shall be remaining undisposed of, and also all the Monies which shall arise and be produced by or from the Tolls by this Act granted or made payable, together with the Monies which shall hereafter be borrowed upon the Credit thereof, or arise and be produced by virtue thereof, or of the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty, and not otherwise appropriated, shall be applied to and for the several Uses, Intents, and Purposes, and in the Order and Manner following ; (that is to say,) in the first place, in the Payment of all the Costs, Charges, and Expences which shall have been incurred in applying for, preparing, obtaining, and passing this Act, and otherwise relative thereto ; secondly, in paying and discharging all the Interest which shall at the Commencement of this Act be owing to any Mortgagee or Mortgagees, Creditor or Creditors of the Tolls payable under the said Act hereby repealed ; thirdly, in paying and discharging all Interest which shall hereafter accrue or become due upon or by virtue of any Mortgages or Securities which have been already made and granted of the said Tolls, and of any Mortgages or Securities which shall after the Commencement of this Act be made and granted of the Tolls hereby made payable on the said Roads ; fourthly, in defraying the Expences of diverting, altering, making, widening, improving, repairing and preserving the said Roads or any of them, and of erecting and providing, altering, and repairing such Toll Gates, Bars, Chains, Toll Houses, Outbuildings, and other Conveniences as aforesaid, and otherwise in executing the other Purposes of this Act ; and, lastly, in reducing, paying off, and discharging the several Principal Sums of Money which have already been borrowed and secured, or may after the Commencement of this Act be borrowed and secured, upon the Tolls hereby authorized to be collected, and all other Debts and Sums of Money now owing, or which may hereafter become due and owing, by or on account of the Trust under and by virtue of this Act.

Application  
of Monies.

XXIII. And be it further enacted, That it shall not be lawful for the said Trustees to apply, expend, or appropriate any of the Tolls hereby granted, or any of the Monies now borrowed or hereafter to be borrowed on the Credit thereof, in or towards the repairing, lighting, or improving any of the Streets, Highways, or Places from the East End of an Orchard adjoining *Higher Love Lane* as far as an Orchard belonging to *Theophilus Wallington*, at the End of *West Street*, and from *Shitrock Bridge* to the *Bell Inn*, and from thence to the *Round House* in the Town of *Iminster*.

No Money  
to be ex-  
pended in  
repairing  
any of the  
Streets, &c.  
in the Town  
of Iminster.

[*Local.*]

12 P

XXIV. And



Power to  
make pro-  
posed Altera-  
tions accord-  
ing to Plan.

XXIV. And be it further enacted, That it shall be lawful for the Trustees, and they hereby authorized and empowered, to make and complete the several Alterations and Improvements of the said Roads described and referred to in the Plans herein-after mentioned, in such Manner and within the Limits herein-after mentioned, as they shall think proper for the Convenience and Benefit of the Public.

Map depo-  
sited with the  
Clerk of the  
Peace to  
remain there  
and be open  
to Inspec-  
tion.

XXV. And whereas Maps or Plans describing the proposed Alterations and Improvements of the said Roads, and the Lands through or over which the same are intended to be carried, together with Books of Reference containing the Names of the Owners or reputed Owners and Occupiers of such Lands, have been deposited at the Office of the Clerk of the Peace for the County of *Somerset*; be it therefore enacted, That the said Maps or Plans and Books of Reference shall remain in the Custody of the Clerk of the Peace for the said County, to the end that all Persons may at any seasonable Times have Liberty to inspect and peruse the same, and to take Copies or Extracts therefrom at their Will and Pleasure, paying to the Clerk of the Peace the Sum of One Shilling for every such Inspection, and at the Rate of Sixpence for every One hundred Words of such Copies or Extracts: Provided always, that the said Trustees, in making the said Alterations and Improvements, shall not deviate more than One hundred Yards from the Lines described in such Maps or Plans, without the Consent in Writing of the Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, through whose Lands or Grounds such Deviation shall be made.

Trustees not  
to deviate  
from Plan.

Misnomers  
not to pre-  
vent the  
Execution of  
the Act.

XXVI. Provided always, and be it further enacted, That it shall be lawful for the said Trustees to set out and make the said Alterations and Improvements of the said Roads through, across, or over the Lands and other Hereditaments described in the said Maps or Plans respectively, although such Lands, or the Name or Names of any Person or Persons who is or are the Owner or Owners or Occupier or Occupiers thereof, may happen to be omitted or mis-stated in the said Books of Reference respectively, in case it shall appear to any Two Justices of the Peace for the said County of *Somerset*, and be certified by Writing under their Hands, that such Error or Omission proceeded from Mistake.

Trustees  
restrained  
from pulling  
down Houses  
&c. unless  
mentioned in  
the Schedule.

XXVII. Provided also, and be it further enacted, That the Powers and Authorities hereby given shall not in any Case be construed or extend to empower or authorize the said Trustees to take or pull down any Dwelling House or other Building, or to take in or make use of any Garden, Yard, Park, Paddock, planted Walk, or Avenue to a House, or any inclosed Ground planted and set apart as a Nursery for Trees, or any Part thereof respectively, except such as are mentioned and described in the Schedule to this Act, or to take in or make use of any Part of a Farm in the Parish of *Brimpton* called *Highleaze*, without the Consent in Writing of the Owner or Proprietor thereof first had and obtained.



XXVIII. Provided always, and be it further enacted, That if the said Trustees shall not within the Space of Five Years, to be computed from the passing of this Act, agree for or cause to be valued and paid for, as by the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty is mentioned and directed, the several Lands and other Hereditaments which they are hereby empowered to purchase as aforesaid, or so much thereof as they shall deem necessary or proper for the Purposes of this Act, then and from thenceforth the Powers and Authorities by this Act granted to them for such Purpose shall cease, determine, and be utterly void, (save and except with the Consent of the Owners and Proprietors thereof respectively).

Power of  
purchasing  
Lands, &c.  
limited to  
Five Years.

XXIX. 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.

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

Commence-  
ment and  
Continuance.



The **SCHEDULE** to which the foregoing Act refers.

No. in the Plans.	Premises.	Proprietors.	Occupiers.
<i>Parish of Ilminster.</i>			
1.	Garden - - -	Richard Cannicott -	William Phelps.
3.	Orchard - - -	Ditto - - -	Ditto.
4.	Ditto - - -	John Paull - - -	Samuel Paull.
<i>Parish of Sevington Saint Mary.</i>			
21.	Orchard - - -	Thomas Welman, Esq.	John England, Esq.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN  
Printers to the King's most Excellent Majesty. 1828.

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