



ANNO PRIMO

GULIELMI IV. REGIS.

Cap. lxxvi.

An Act for more effectually repairing several Roads in and near the Town of *Bruton*, and other Roads, in the Counties of *Somerset* and *Wilts*, and for making and maintaining Two other Roads communicating therewith. [22d April 1831.]

WHEREAS an Act was passed in the Thirty-third Year of the Reign of His late Majesty King George the Third, intituled *An Act for continuing the Terms, and altering, enlarging, and consolidating the Powers of Two Acts of Parliament passed in the Twenty-ninth Year of the Reign of His late Majesty King George the Second, and in the Seventeenth Year of the Reign of His present Majesty, for repairing and widening several Roads and Streets in and near the Town of Brewton in the County of Somerset, therein described, and also for repairing, widening, and altering several other Roads in the Counties of Somerset and Wilts*: And whereas another Act was passed in the Fiftieth Year of the Reign of His late Majesty King George the Third, intituled *An Act to continue and amend an Act of the Thirty-third Year of His present Majesty, for repairing several Roads in and near the Town of Brewton, and other Roads, in the Counties of Somerset and Wilts, therein described*: And whereas the Trustees for executing the said recited Acts have, in the Execution thereof, borrowed considerable Sums of Money upon the

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Credit

Credit of the Tolls thereby authorized to be taken, which Money cannot be repaid, nor can the said several Roads be sufficiently and effectually amended, widened, improved, and kept in repair, unless further Tolls, Powers, and Provisions be granted and made for those Purposes: And whereas it has become unnecessary to continue some Parts of the said Roads under the Care of the said Trustees; and other Parts of the said Roads are in some Places narrow and incommodious, and it would be convenient and of great Advantage to the Public if the same were widened and altered: And whereas it would also be for the Accommodation of the Public if Provision were made in manner herein-after mentioned for making and maintaining the Two additional Lines or Pieces of Road herein-after described; (that is to say,) from the present Turnpike Road at the Top of *Stoney Stoke Hill* in the Parish of *Shepton Montacute* otherwise *Shepton Montague*, to join the *Wincanton* Turnpike Road on *Charlton Common* in the Parish of *Charlton Musgrove* in the said County of *Somerset*; and from the present Turnpike Road in the Parish of *Batcombe*, near the Southern End of a Lane called *Crow Lane*, by a Mill belonging to *Mr. John Hanham*, to join the *Shepton Mallet* Turnpike Road near *Holly Hill* in the said Parish of *Batcombe*: And whereas it would be convenient if the said recited Acts were repealed, and further and more effectual Powers and Provisions granted and made instead thereof with respect to the Roads herein-after described; but the same 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 upon the Fourth *Thursday* next after the passing of this Act the said recited Acts passed in the Thirty-third and Fiftieth Years of the Reign of His late Majesty King *George* the Third shall be and the same are hereby repealed; and instead thereof this Act shall be put in execution, for and during the Term herein-after mentioned, for the Purpose of more effectually repairing, amending, widening, diverting, altering, and from Time to Time improving, maintaining, and keeping in repair the several Roads herein-after mentioned; (that is to say,) from the Place where the Cross formerly stood in the Town of *Bruton* in the County of *Somerset*, by *Brewham*, *Yarnfield*, and *Maiden Bradley*, to the Direction Post, pointing to *Warminster*, near the *Horningsham* Turnpike Gate in the Parish of *Horningsham* in the County of *Wilts*; from *Burrowfield* Turnpike Gate in the Parish of *Bruton* in the said County of *Somerset*, by *Copplesbury* and *Wanstrow*, to the Town of *Frome* in the said County of *Somerset*; from the Direction Post at the Turning to *Maiden Bradley* on the North Side of *Yarnfield* Turnpike Gate in *Yarnfield* in the said County of *Somerset*, by *Gare Hill*, to *Nunney Catch Gate*, through the Village of *Nunney*, over *Nunney Common*, by *Whatley Church* and *Haydon Cross Ways*, to *Babington Corner* in the Parish of *Babington and Mells*, or One of them, in the said County of *Somerset*; from *Haydon Cross Ways* in the Parish of *Mells* in the said County of *Somerset* to the *Frome* Turnpike Road at *Honey Thorn Hill* in the said Parish of *Mells*;

Recited Acts repealed, and this Act to be put in execution on the several Roads herein mentioned.

from the said Place where the Cross formerly stood in the said Town of *Bruton*, through *Batcombe*, to join the aforesaid Branch of Road leading from *Burrowfield Gate* to *Frome* aforesaid at or near *Upton Noble* in the said County of *Somerset*; from the *Shepton Mallet* Turnpike Road at *Leighton* in the said County of *Somerset*, by *Hartgill Gate*, across the aforesaid Branch of Road in the Village of *Nunney*, to meet the *Frome* Turnpike Road near *Nunney Church*; from the last-mentioned Branch of Road near *Hartgill Gate* aforesaid, through *Holwell*, to *Nunney Catch Gate* aforesaid; from *Comb Cross* in the said Parish of *Bruton*, over *Creech Hill*, to *Milton Bridge* in the Parish of *Milton Clevedon* in the said County of *Somerset*; from the Place where the Cross formerly stood in the said Town of *Bruton*, by *Wyke Cross*, to the *Shepton Mallet* Turnpike Road near *Arthur's Bridge* in the Parish of *Lamyat* in the County of *Somerset*; from the West End of *High Street* in the said Town of *Bruton*, by *Ludwell's Elm* and *Cole*, to the East End of the Town of *Castle Cary* in the County of *Somerset*; from *Ludwell's Elm* in the Parish of *Pitcombe* in the County of *Somerset*, by *Pitcombe Rock* and *Whatcombe Bottom*, to join the *Sherborne* Turnpike Road near *Grove Lane* in the Parish of *Pitcombe*; from *Whatcombe Bottom* in the Parish of *Shepton Montacute* otherwise *Shepton Montague* in the County of *Somerset*, through *Higher Shepton*, to the *Wincanton* Turnpike Road near *Jack White's Gibbet* in the Parish of *Bratton Seymour* otherwise *Bratton Saint Maur* in the County of *Somerset*; from the said Place where the Cross formerly stood in the said Town of *Bruton*, by *Redlynch Gate*, to the Top of *Stoke Hill* in the said Parish of *Shepton Montacute* otherwise *Shepton Montague*; from the Direction Post at the Top of *Whatcombe Bottom* in the said Parish of *Shepton Montacute* otherwise *Shepton Montague*, by *Redlynch Park*, to *Redlynch Turnpike Gate* in the Tithing of *Redlynch* in the County of *Somerset*; and the Road from near the Pound in *Higher Shepton* in the said Parish of *Shepton Montacute* otherwise *Shepton Montague* aforesaid, by *Welham Farmhouse*, to join the *Wincanton* Turnpike Road near *Hix's Mead* in the said Parish of *Bratton Seymour* otherwise *Bratton Saint Maur*; which said several Roads pass from, through, or into the several Parishes, Towns, Villages, Tithings, Hamlets, and Places of *Ansford*, *Honeywick*, *Hadspen*, *Pitcombe*, *Cole*, *Bruton*, *Wyke*, *Champflower*, *Milton*, *Clevedon*, *Lamyat*, *Batcombe*, *Leighton*, *Cloford*, *Holwell*, *Nunney*, *Whatley*, *Mells*, *Babington*, *Marston Bigott*, *Truddoxhill*, *Frome*, *West Woodlands*, *Garehill*, *Yarnfield*, *Kilmington*, *Sheephouse*, *Redlynch*, *Discove*, *Brewham*, *Brewham* otherwise *Brookham Lodge*, *Witham Friary*, *Upton Noble*, *Wanstrow*, *Weston Town*, *Shepton Montacute* otherwise *Shepton Montague*, and *Bratton Seymour* otherwise *Bratton Saint Maur*, in the County of *Somerset*, and of *Maiden Bradley*, *Baycliff*, and *Horningsham*, in the County of *Wilts*; and also for making, maintaining, and keeping in repair the said Two several new and additional Lines of Road herein-before mentioned and herein-after particularly described; that is to say, from the present Turnpike Road at the Top of *Stoney Stoke Hill* in the Parish of *Shepton Montacute* otherwise *Shepton Montague* aforesaid, by or near *Roundhill* in the Parish of *Wincanton* in the County of *Somerset*, to join the
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the *Wincanton Turnpike Road* on *Charlton Common* in the Parish of *Charlton Musgrove* in the said County of *Somerset*; and from the present Turnpike Road in the said Parish of *Batcombe*, near the Southern End of a Lane called *Crow Lane*, by a Mill belonging to Mr. *John Hanham*, to join the *Shepton Mallet Turnpike Road* near *Holly Hill* in the said Parish of *Batcombe*.

Appointment
of Trustees.

II. And be it further enacted, That all His Majesty's Justices of the Peace for the Time being acting for the Counties of *Somerset* and *Wilts*, together with the Right Honourable *Edward Adolphus Seymour* commonly called Lord *Seymour*, the Right Honourable *Archibald Seymour* commonly called Lord *Archibald Seymour*, the Honourable *Stephen Digby Fox Strangways*, the Honourable *John Boyle*, the Right Honourable *Henry Hobhouse*, Sir *Richard Colt Hoare* Baronet, *John Charles James Hoskyns Abrahall* Clerk, *Joseph Algar* Clerk, *Thomas Archer*, *Anthony Adam Askew* Clerk, *Edward Baker*, *Thomas Shewell Bailward*, *John Balch*, *Richard Balch*, *Thomas Barne*, *John Barnard*, *James Bennett*, *John Bennett*, *John Keale Biging* Clerk, *Thomas Brickenden M.D.*, *Edward Burgess* Clerk, *Thomas Bunn*, *Thomas Burge*, *James Candy*, *Henry Augustus Colby*, *Edward Francis Colston*, *Thomas Coney* Clerk, *John Jeane Coney*, *Bicknell Coney*, *Thomas Boucher Coney*, *John Dampier* Clerk, *Lud Westley Dampier*, *William Dampier*, *Henry Dampier*, *Thomas Dallimore*, *Hill Dawe*, *Edward Dighton* Clerk, *William Dickinson*, *John Frederick Doveton* Clerk, *Edward Dyne*, *Harry Folke*, *Edmund Edgell*, *Thomas Henry Ernst*, *George Festing* Clerk, *John Francis*, *John Fussell*, *Isaac Fussell*, *Jacob Fussell* Clerk, *Thomas Gatehouse* Clerk, *Charles Gatehouse*, *George George the younger*, *John Goldesbrough* Clerk, *William Gould*, *William Gray*, *Frederick Gray* Clerk, *William Frederick Grove* Clerk, *Charles Griffiths* Clerk, *James Harding*, *William Harding*, *George Henderson*, *Joseph Hitchins*, *Peter Richard Hoare*, *Henry Hoare*, *John Hodges*, *Thomas Strangways Horner*, *Thomas Strangways Fortescue Horner*, *John Stuart Hippiisley Horner*, *Henry Hobhouse the younger*, *John Ireland* Clerk, *Richard Jenkyns D.D.*, *John Jenkyns*, *Henry Jenkyns* Clerk, *William Francis Knatchbull*, *Wadham Knatchbull* Clerk, *William Leir* Clerk, *Paul Leir* Clerk, *Richard Leir*, *William Marriott Leir* Clerk, *William Maskell*, *Harry Martin* Clerk, *John Martin*, *Richard John Meade* Clerk, *David Mead* Clerk, *Uriah Messiter*, *George Messiter*, *Richard Messiter* Clerk, *George Messiter junior*, *Henry Messiter*, *Edward Michell*, *John Michell*, *Richard Michell*, *Henry Sampson Michell*, *Charles Michell*, *William Mogg*, *Christopher Moresby*, *Stephen Neal*, *John Neal*, *John Newman*, *John Moore Paget*, *John Phelps*, *William Phelps* Clerk, *Thomas Spencer Phelps* Clerk, *Robert Curtis Phillips*, *Thomas Henry Hele Phipps*, *William Rabbitts*, *Cicero Rabbitts* Clerk, *George Ridout* Clerk, *Francis Newman Rogers*, *Francis Rogers*, *Robert Green Rogers* Clerk, *George Rous* Clerk, *Harry Russ*, *Samuel Simon Saxon*, *John Saxon*, *Lewis Gooden Senior*, *Bernard Senior*, *Townshend Selwyn* Clerk, *Henry Sheppard*, *John Sheppard*, *George Sheppard*, *Thomas Harmes Sheppard*, *William Sheppard*, *Byard Sheppard*, *John Albin Shore*, *Francis Skurray* Clerk, *Thomas Stockwell*, *Henry Bull Strangways*, *Vincent Stuckey*, *James Talbot*, *James Talbot*
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the younger, *Joseph Davidson Thring* Doctor of Divinity, *John Gale Dalton Thring* Clerk, *John Tivitoe Thring*, *Thomas John Theobald* Clerk, *John Sharrer Ward*, *George Ridout Ward*, *Daniel Ward*, *John West* Clerk, *James Welch*, *William Welch*, *George Welch*, *John Wickham*, *William Provis Trelawney Wickham*, *James Anthony Wickham*, *James Whalley Dawe Wickham*, *Thomas Wickham*, *Thomas Williams* Clerk, *George Wyndham*, *George Dominicus Wyndham*, *Francis Woodford* Clerk, and *Thomas Woodforde* Clerk, and their Successors, being duly qualified to act as Trustees for repairing Turnpike Roads in *England*, shall be Trustees for making, amending, widening, altering, turning, diverting, and improving the Roads herein-before described, and for otherwise carrying this Act into full Execution.

III. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered, at their First and Second Meetings, or either of them, to be holden by virtue of this Act, to elect, nominate, and appoint any Number of fit and proper Persons, not exceeding Five in the whole, to be Trustees for the Purposes of this Act, in addition to the Trustees hereby nominated and appointed; and such Trustees, when so elected and appointed, and being duly qualified to act as Trustees for repairing Turnpike Roads in *England*, shall be and they are hereby invested with the same Powers for executing this Act as if they had been named and appointed in and by this Act.

Power to appoint additional Trustees.

IV. And be it further enacted, That the said Trustees shall hold their First Meeting at the *Duke of Wellington* Inn in *Bruton* aforesaid, or at some other convenient House or Place on or near the said Roads, on the Fourth *Friday* next after the passing of this Act, or as soon after as conveniently may be, between the Hours of Eleven of the Clock in the Forenoon and Two of the Clock in the Afternoon, and then and there proceed to put this Act into execution, and shall then and there afterwards adjourn to and meet at such Time or Times, and such Place or Places on or near to the said Roads, as the said Trustees or the major Part of them present at any such Meetings shall think proper and appoint.

First Meeting of Trustees.

V. And be it further enacted, That it shall and may be lawful to and for the said Trustees, or any Person or Persons to be appointed or continued Collector or Collectors of the Tolls authorized to be taken by virtue of this Act, to demand and take at each and every Turnpike, Toll Gate, Bar, or Chain which by virtue of this Act shall be continued or erected upon, across, or on the Side of the said Roads, or any of them, on each and every Day, before any Horse, Beast, Cattle, Coach, Cart, or other Carriage upon which any Toll is by this Act imposed 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, Soci-
able, Berlin, Chariot, Landau, Chaise, Phaeton, Curricle, Gig,
Caravan, Cart upon Springs, Hearse, Litter, or other such like
Carriage, any Sum not exceeding Sixpence:

Tolls.

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For every such Carriage on more than Two Wheels, being empty, drawn at the Tail of any Waggon or other Carriage, any Sum not exceeding Sixpence:

For every such Carriage on Two Wheels only, being empty, drawn as aforesaid, any Sum not exceeding Three-pence:

For every Coach, Waggon, Vehicle, or other Carriage of whatever Description, propelled or driven by Steam, Gas, or any other like Means, any Sum not exceeding Four Shillings:

For every Horse or other Beast (other than an Ass) drawing any Waggon, Wain, or Cart, or other such Carriage, having the Fellies of the Wheels of less Breadth than Four Inches and a Half, any Sum not exceeding Nine-pence:

For every Horse or other Beast (other than an Ass) drawing any Waggon, Wain, or Cart, or other such Carriage, having the Fellies of the Wheels of the Breadth of Four Inches and a Half but less than the Breadth of Six Inches, any Sum not exceeding Seven-pence Halfpenny:

For every Horse or other Beast (other than an Ass) drawing any Waggon, Wain, or Cart, or other such Carriage, having the Fellies of the Wheels of the Breadth of Six Inches but less than the Breadth of Nine Inches, any Sum not exceeding Sixpence:

For every Horse or other Beast (other than an Ass) drawing any Waggon, Wain, or Cart, or other such Carriage, having the Fellies of the Wheels of the Breadth of Nine Inches and upwards, any Sum not exceeding Four-pence Halfpenny:

For every Ass drawing any Waggon, Wain, or Cart, or other Carriage, any Sum not exceeding Sixpence:

For every Horse or other Beast (other than a Mule or Ass), laden or unladen, and not drawing, any Sum not exceeding Three-pence:

For every Mule or Ass, laden or unladen, and not drawing, any Sum not exceeding Two-pence:

For every Ox, Bull, Gall, Steer, Cow, or Heifer, not drawing, any Sum not exceeding One Penny:

For every Drove of Calves, Hogs, Sheep, or Lambs, the Sum of One Shilling and Three-pence *per* Score, and so in proportion for every greater or less Number:

Which said Tolls shall be and the same are hereby vested in the said Trustees, and shall be applied for the Purpose of this Act in manner herein-after mentioned.

Toll to be paid but once a Day for passing and repassing.

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

VII. And

VII. And be it further enacted, That no Exemption from Toll shall be claimed or allowed at any or either of the Turnpikes, Toll Gates, Bars, or Chains erected or to be erected in, upon, or across or by the Side of the said Roads, for or in respect of any Waggon, Wain, Cart, or other Carriage, or for any Horse or other Beast drawing the same, going, empty for or returning laden with Lime, whether the same shall or shall not be intended to be made use of as Manure; any thing in any Act or Acts of Parliament to the contrary notwithstanding.

No Exemption for Lime.

VIII. Provided always, and be it further enacted, That no more than Four full Tolls shall be demanded or taken on the same Day for or in respect of the same Horse or Horses, or other Beast or Cattle, or Carriage or Carriages, for passing and repassing through all the Turnpikes, Toll Gates, Bars, or Chains to be continued or erected upon or on the Sides of the said Roads, except as next herein-after provided.

Limiting the Number of Tolls.

IX. And be it further enacted, That the Tolls hereby made payable shall be paid for and in respect of all Horses or other Beasts drawing any Stage Coach, or any Stage Waggon, Car, Van, Caravan, or other Stage Carriage, carrying or conveying Passengers or Goods for Payment, Hire, or Reward, for every Time of passing and repassing along 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 the said Roads, whenever a new Hiring thereof shall have taken place: Provided nevertheless, that no further or additional Toll shall be payable in respect of Stage Coaches on account only of the Horses drawing the same having been changed.

Stage Coaches, &c. to pay every Time of passing;

Post Chaises on every new Hiring.

X. And be it further enacted, That the Tolls hereby made payable for and in respect of any Carriage propelled or moved by Steam, Gas, or any other like Means, shall be paid every Time of passing and repassing of such Carriage along the said Roads.

Steam Carriages to pay every Time of passing.

XI. Provided always, and be it further enacted, That no Part of the Money received by virtue of the said recited Acts or either of them, or to be received by virtue of this Act, shall be applied in or towards the Repair of any Branch Road comprised in this Act, unless some Toll Gate, Toll Bar, or Turnpike shall be erected and continued upon such Branch Road, nor unless the said Tolls shall be demanded and taken pursuant to the Provisions of this Act: Provided also, that no more Money shall be expended by the said Trustees in or towards the Repairs of any such Branch Road than shall be collected on such Branch Road, or borrowed on the Credit of the Tolls taken thereon.

Expence of repairing Branch Roads.

XII. And be it further enacted, That all the Monies which shall have been raised and produced by virtue of the said recited Acts hereby repealed, and which shall remain undisposed of, and also all the

Application of Monies.

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, and all other Monies which shall arise by virtue thereof, 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 Payment of all the Costs, Charges, and Expences which shall have been incurred in applying for, preparing, passing, and obtaining this Act, and otherwise relative thereto; and in the next place, in paying and discharging all Interest now due and owing and which shall hereafter become due upon any Mortgage or Securities of the Tolls or Duties hereby granted or made payable, and in defraying the Expences of building or erecting Toll Houses, Toll Gates, and Toll Bars, with suitable Outbuildings thereto, and of removing or altering the same or any of them, and other Conveniences, and in defraying the Expences of altering, raising, widening, improving, repairing, and preserving the said Roads, and otherwise in executing the several Purposes of this Act; and lastly, in reducing, paying off, and discharging the several Principal Sums of Money due on any such Mortgage or Securities as aforesaid, and also all other Debts and Sums now due and owing and hereafter to become due and owing in pursuance of this Act.

No Money to be laid out in repairing Streets, &c.

XIII. Provided always, 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 raised by virtue of the said recited Acts hereby repealed, or to be raised by virtue of this Act, in repairing, lighting, or improving any Street, Highway, or Place in any Town into or through which the said Roads pass, or to collect any Tolls therein, except for the Purpose of purchasing and taking and pulling down the several Houses, Buildings, Yards, inclosed Grounds, Hereditaments, and Premises comprised and mentioned in the Schedule to this Act annexed.

Map or Plan and Book of Reference to be deposited at the Office of the Clerk of the Peace, and be open to Inspection.

XIV. And whereas a Map or Plan describing the Lines of the said new Roads herein-before particularly mentioned, and the Lands, Hereditaments, and other Premises in, upon, through, over, or along which the same are respectively intended to be widened and carried, together with a Book of Reference to such Map or Plan, containing a List of the Names of the Owners or reputed Owners and Occupiers of such Lands, Hereditaments, and other Premises, have been deposited at the Office of the Clerk of the Peace of the County of *Somerset*; be it therefore further enacted, That the said Map or Plan and Book of Reference shall remain in the Custody of the said Clerk of the Peace, to the end that all Persons may at all seasonable Times have Liberty to inspect and peruse the same, and to take Copies or Extracts thereof, at their Will and Pleasure, paying to the said 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; and the said Trustees in making the said new Lines and Branches shall not deviate more than One hundred Yards from the Lines described in the said Map or Plan, without the Consent in

Writing of the Person or Persons, Bodies Politic, Corporate, or Collegiate, through whose Lands and Premises the said new Lines and Branches shall respectively be made.

XV. Provided always, and be it further enacted, That it shall be lawful for the Trustees to make the said new Line of Road through, across, or over the Lands of any Person or Persons who is or are or may be Owner or Owners of Lands, Tenements, and Hereditaments through or over which the same is set out and described in the said Map or Plan or Book of Reference, although such Lands, Tenements, and Hereditaments, or the Name or Names of such Person or Persons, or of the Parish or Parishes in which such Lands, Tenements, and Hereditaments are mentioned to be situate, or the Parish or Parishes from, through, or into which the said new Lines of Road, or any or either of them, shall commence, pass, run, or determine, shall or may happen to be erroneously mentioned, described, omitted, or mis-stated in the said Map or Plan or Book of Reference, in case it shall appear to any Two or more Justices of the Peace of the County of *Somerset*, and to be certified by Writing under their Hands, that such Omission, Misnomer, or inaccurate Description proceeded from Mistake only.

Misnomers in the Book of Reference not to impede Execution of the Act.

XVI. Provided always, and be it further enacted, That the Powers and Authorities given by this Act for making, maintaining, widening, diverting, improving, or altering the said Roads comprised in this Act, and making the said new Lines, shall not extend or be construed to extend to authorize or empower the said Trustees to take or pull down, injure, or damage any Dwelling House or other Buildings, or to take in or make use of any Curtilage, Orchard, Garden, Yard, Park, Paddock, Lawn, Shrubby, planted Walk, or Avenue to a House, Plantation, or any Part thereof respectively, without the Consent in Writing of the Owner or Proprietor thereof or other Person interested therein first had and obtained, except such as are mentioned and specified in the Schedule to this Act annexed.

Dwelling Houses, &c. not to be taken without Consent, except those mentioned in the Schedule.

XVII. And be it further enacted, That if the said Trustees shall not, within the Space of Three Years from and after the passing of this Act, agree for and cause to be valued and paid for the Lands, Tenements, and Hereditaments mentioned in the Schedule to this Act annexed, then and from thenceforth the Powers to them granted for such Purpose only shall cease, determine, and be utterly void and of no effect, save and except with the Consent of the Owners and Occupiers of such Lands, Tenements, and Hereditaments; any thing herein contained to the contrary thereof in anywise notwithstanding.

If Lands, &c. are not purchased in Three Years, Power of purchasing to cease.

XVIII. 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 Two first-recited Acts, or either of them, shall remain and continue open, widened, diverted, shut up, and discontinued respectively in such and the same Manner as if such Acts had not expired or been repealed; and the Trustees under this Act shall be discharged from the Care and Management of all

Roads made or stopped up by virtue of repealed Acts to continue so.

Roads so shut up or discontinued, and also of all such of the Roads in the said Two first-recited Acts, or either of them, comprised, as are not comprised in this Act.

Public Act. XIX. 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.

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

The SCHEDULE referred to by the Act.

Intended new Road from the present Turnpike Road at the Top of Stoney Stoke Hill, by Roundhill, to the Wincanton Turnpike Road on Charlton Common. G. to H. in the Map.

No. on Map.	Parish.	Premises.	Owners.	Occupiers.
53	Stoney Stoke in the Parish of Shepton Montague - }	Cottage and Garden -	Earl of Ilchester -	Benjamin Cook.
54	Ditto - - -	Lands - - -	Ditto - - -	James Moger.
55	Ditto - - -	Lands - - -	Ditto - - -	Robert Corry.
56	Ditto and Wincanton - - }	Land - - -	George Wyndham Esq ^r .	Himself.
57	Wincanton - - -	Land - - -	Ditto - - -	Ditto.
58	Charlton Musgrave	Lands - - -	Ditto - - -	Ditto.
59	Ditto - - -	Land - - -	Ditto - - -	James Marks.
60	Ditto - - -	Land - - -	Mrs. Grace Moger -	Herself.
61	Ditto - - -	Orchard or Garden -	George Hansford -	William Kiddle.

Intended new Road from the present Turnpike Road in the Parish of Batcombe, near the Southern End of Crow Lane, to the Shepton Mallet Turnpike Road near Holly Hill. I. to K. in the Map.

No. on Map.	Parish.	Premises.	Owners.	Occupiers.
62	Batcombe - - -	Lands - - -	Mrs. Jenny Diggle -	John Bown.
63	Ditto - - -	Land - - -	John Hanham - - -	Thomas Butler.
64	Ditto - - -	Land - - -	Stephen Neal - - -	Himself.
65	Ditto - - -	Lands - - -	John Hanham - - -	Thomas Butler.
66	Ditto - - -	Land and Garden -	Stephen Neal - - -	Himself and Charles Boyce.
67	Ditto - - -	Garden - - -	Stephen Neal - - -	Thomas Chambers, now Stephen Boyce.
68	Ditto - - -	Lands - - -	Reverend Thomas Coney	Himself.
69	Ditto - - -	Garden, Orchard, and Land - - -	William Boord - - -	Thomas Butler and John Gibbons, now Charles Boyce.
70	Ditto - - -	Land - - -	Thomas H. Ernst Esq ^r .	William Taylor.

Intended Alterations on the old Roads.

No. in Map.	Parish.	Premises.	Owners.	Occupiers.
71	Wyke Champflower in the Parish of Bruton - - }	Orchard. at Cold Harbour - - }	William Gould Esquire	John Brown.
72	Bruton - - }	Orchard called Waterwells - - }	Jane Chaffin - - }	William Ewens.
73	Ditto - - }	Withy Bed, Garden Ground, and Two Tenements - - }	George Boyer - - }	George Young, John Bishop, and Harry Hyam.
74	Ditto - - }	Orchard called Shute- lane Orchard - - }	Mrs. Theophila Vigar	Herself.
75	Ditto - - }	Old Tenement, Gar- den, and Curtilage at West End - - }	Ann Kittle - - }	John Hill.
76	Ditto - - }	Strip of Orchard or Garden Ground at West End - - }	John Sharrar Ward - - }	William Vicker.
77	Ditto - - }	Five Tenements, all adjoining, at West End - - - }	Alice Ellen - - }	Ann Warr, Mary Smith, James Bishop, William Sweatman, and Thomas Isgrove.
78	Ditto - - }	Tenement, Stable, and adjoining Building and Gar- den, at West End }	Mrs. Theophila Vigar }	James Pointing and John Green.
79	Ditto - - }	Privy, Pigsties, and Garden at West End - - - }	Charles White and John Hunt - - }	James Biss, Thomas Vigar, and Betty Thomas and others.
80	Ditto - - }	Stable or Calves- house, and Part of Yard - - - }	Thomas Higgins - - }	Himself, John Higgins, and — Sims.
81	Ditto - - }	Causeway or Curti- lage in front of a Row of Tenements called Walk - - }	Executors of Richard Sims, Theophilus and Mary Perceval, Elizabeth Bord, Alice Ellen, and Thomas Raishley }	John Davis, Samuel Card, Richard Cox, Joannah Rex, Alice Ellen, and Thomas Raishley.
82	Ditto - - }	Old Tenements, Sta- ble, Buildings, and Garden near Church Bridge - }	John Trimby - - }	Himself and Thomas Hix.
83	Ditto - - }	Dwelling House, or Part thereof, at or near Church Bridge }	Henry Syms - - }	Robert Candy.
84	Ditto - - }	Orchard near Bur- rowfield Turnpike Gate - - }	Robert Elliott Everat	Thomas Chappell.

No. on Map.	Parish.	Premises.	Owners.	Occupiers.
85	Bruton - - {	Garden or Curtilage at Dropping Lane }	Earl of Ilchester - -	Mrs. Honor Dubois.
86	Ditto - - -	Garden - - -	Ditto - - -	Joseph Hillard.
87	Leighton in the Parish of Clouford - - {	Garden - - - {	Thomas Strangeways Horner Esquire }	Grace Joyce.
88	Ditto - - -	Gardens - - -	Ditto - - - {	John Veysey and Sarah Veysey.
89	Nunney - - -	Part of Court and Yard	Samuel Fussell - -	Mary Fussell.
90	Ditto - - - {	Old Dwelling House and Garden - - }	Charles Turner, for Lives, under Thomas Theobald Esquire - - }	Joseph Hobbs and William Newport.
91	Ditto - - - {	Barton Court and small Warehouse }	John Miles - - -	William Millard.
92	Ditto - - - {	Part of Parsonage, Garden, and small Outbuilding - }	Reverend Charles Richards, now Theobald - }	Reverend John Ireland.
93	Ditto - - - {	A projecting Window of Dwelling House }	John Snook, for One Life, under Thomas Theobald Esquire - - }	John Snook.
94	Ditto - - - {	Dwelling House or Tenement - }	Benjamin Millard, for One Life, under Thomas Theobald Esquire - - }	Benjamin Millard.
95	Ditto - - - {	Dwelling House or Tenement - }	William Williams, for Lives, under Thomas Theobald Esquire - - }	James Stevens.
96	Ditto - - - {	Tenement and Shop }	James Millard and Benjamin Millard }	James Millard.
97	Ditto - - -	Brewhouse - - -	William Fussell - -	Thomas Dallimore.
98	Ditto - - - {	Part of Barton and Waggonhouse - }	Thomas Theobald Esquire - - }	Henry Blandford.
99	Ditto - - - {	Garden - - - }	Thomas Gunning, for Lives, under Thomas Theobald Esquire - - }	John Yeoman.
100	Ditto - - - {	Garden - - - }	Thomas Theobald Esquire - - }	Henry Blandford.
101	Frome - - - {	Dwelling House and Court - - }	Ann Singer and John Sperring, under Marquis of Bath }	Ann Singer.
102	Ditto - - - {	Carthouse and Stable }	John Seer, now Robert Hassell - }	Robert Lee.
103	Ditto - - - {	Garden and Privy - }	Ann Singer and John Sperring, by Lease under Marquis of Bath - - }	Ann Singer.
104	Ditto - - - {	Part of Yard - }	Robert Lee, under Marquis of Bath }	Robert Lee.

[Local.]

No. on Map.	Parish.	Premises.	Owners.	Occupiers.
105	Frome	Garden and small Building against the Road	Robert Lee, under Marquis of Bath	Robert Lee.
106	Ditto	Two Tenements and Court	John Nuth, under Marquis of Bath	Elisha Whitcombe and Thomas Messiter.
107	Ditto	Wash-house and Privy	James Browning, under Lord Cork	Richard Dole.
108	Ditto	Four adjoining Tenements	James Browning and John Haines, under Lord Cork	Richard Dole, James Wimpey, Stephen Richards, and John Fricker.
109	Ditto	Two Tenements, Garden and Wash-house	Richard Hodder, under Marquis of Bath	Henrietta Upton and John Case.
110	Ditto	Tenement and Garden	William Tiley, under Marquis of Bath	Mary Ann Skilling.
111	Ditto	Tenement and Garden	Benjamin Treasure, under Marquis of Bath.	Alexander Barber.

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