ANNO PRIMO & SECUNDO

GULIELMI IV. REGIS.

****

Cap. xxxii.

An Act for amending certain Roads in the County of *Somerset,* and for placing them and other Roads under the Care and Management of the Trustees of the *Langport*, *Somerton*, and *Castle Cary* Roads.

[30th *July* 1831.]

WHEREAS an Act was passed in the Fifth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for more effectually repairing and improving* 5 G. 4. c. 98.
certain Roads leading to, through, and from the Towns of Langport, Somerton, *and* Castle Cary, *in the County of* Somerset, *and for making and improving other Roads in the said County:* And whereas the Trustees authorized by and acting under the said recited Act have proceeded to put the same into execution, and have made, repaired, and maintained several of the Roads therein authorized to be made and repaired: And whereas it would be of advantage to the Public if the Branches or Lines of Road herein-after described were made Turnpike, and put under the Care and Management of the said Trustees: And whereas an Act was passed in the Fourth Year of the Reign of His said late Majesty, intituled *An Act for more effectually* 4 G. 4. c. 62.
repairing the Road from Dyed Way *to* Somerton, *and from* Gawbridge *to* Tintinhull Fords, *and from a Stream of Water called* Ford *to* Cart-

gate *in* Martock, *and other Roads therein mentioned, in the County of* Somerset, whereby certain Lines of Road, extending from *Hurst Bow* in *Martock* aforesaid, through *Petherton Broadmead*, and thence through the Parishes of *South Petherton*, *Shepton Beauchamp*, and *Barrington*, to join the Turnpike Road leading from *Ilminster* to *Langport*, and from *South Petherton* aforesaid, through Part of the several Parishes of *South Petherton* and *Lopen*, to *White Cross* in the said Parish of *Lopen* in the County of *Somerset*, were put under the Care and Management of the Trustees authorized to carry such Act into execution: And whereas it would be of advantage to the Public if Parts of the said Lines of Road described in the last-recited Act were transferred to the Care and Management of the Trustees acting under the first herein-before recited Act: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said recited Act passed in the Fifth Year of the Reign of His late Majesty King *George* the Fourth and all the Powers, Provisions, Matters, and Things therein contained, shall (except so far as the same are altered, varied, or repealed,) extend to this Act, and be construed therewith, in as full, ample, and beneficial a Manner, to all Intents and Purposes, as if the same had been repeated and re-enacted in the Body of this Act and made Part hereof.

Powers of recited Act of 5 G. 4. extended to this Act.

This Act to be put into execution for the Purposes herein mentioned.

II. And be it further enacted, That the Trustees authorized to act under the Act herein-before first recited shall be and they are hereby empowered to put this Act into execution, for the Purpose of making, repairing, widening, diverting, altering, improving, and maintaining the several Lines or Branches of Road herein-after described; (that is to say,) the Parish Road branching out of the present Turnpike Road in *Kingsbury Episcopi*, leading through *Southey* and *East Lambrook* towards *Joyler's Mills*, as far as *Atkins's Gate* on the *Martock* Turnpike Road; and the present Road lying on the Eastern Side of the Town of *South Petherton*, (leading from the *Martock* Turnpike Road there,) through *Over Stratton* and *South Harp*, to the Turnpike Road at *Merriott;* also the Parish Road leading from the Turnpike Road at *New Cross*, by *East Lambrook* and *Gawbridge Mills*, to the Commencement of the *Martock* Turnpike Road near thereto; and also the Parish Road from the Turnpike Road near the Pound at *Muchelney*, across *Wet Moor*, to the *Martock* Turnpike Road at *Long Load;* and likewise (when the same shall be abandoned as herein-after mentioned) the Line of Road from a Place in *Martock* aforesaid called *Hurst Bow*, through *Petherton Broadmead* and the Parishes of *South Petherton* and *Shepton Beauchamp*, as far as the Four

Cross Roads near *Shepton Beauchamp* aforesaid, leading to *Barrington*; and the Line of Road from the last-mentioned Line of Road at *South Petherton* aforesaid, through Part of that Parish and the Parish of *Lopen*, to *White Cross* in the said Parish of *Lopen*; all which said Lines or Branches of Road lie in the several Parishes of *Kingsbury Episcopi*, *South Petherton*, *Martock*, *Merriott*, *Muchelney*, *Shepton Beauchamp*, and *Lopen*, in the said County of *Somerset*; and which said several Roads shall form Part of the District of Roads in the said first-mentioned Act called the *Muchelney* District.

Plan deposited with Clerk of the Peace to remain there, and be open to Inspection.

III. And whereas a Map or Plan of the new Road proposed to be made from *East Lambrook* aforesaid, across several Closes of Land, and leading into the said Road lying on the Eastern Side of the Town of *South Petherton* aforesaid, together with a Reference thereto, containing Lists of the Names of the Owners or reputed Owners and Occupiers of such Lands and Premises, have been deposited at the Office of the Clerk of the Peace for the County of *Somerset*; be it therefore enacted, That the said Map or Plan and Reference shall remain in the Custody of the Clerk of the Peace for the said County, to the end that all Persons may at all reasonable Times have Liberty to inspect and peruse the same, and take Copies or Extracts thereof, at their Will and Pleasure, paying the Clerk of the Peace One Shilling for every such Inspection, and at the Rate of Sixpence for every One hundred Words of such Copies or Extracts of the said Map or Plan and Reference.

Misnomers not to prevent the Road being made.

IV. Provided always, and be it further enacted, That it shall be lawful for the said Trustees to set out and make the said new Road in, through, and over the said Lands, Hereditaments, and Premises in, upon, over, or through which the same are described, as set out in the said Map or Plan and Reference as aforesaid, although any of such Lands and Premises, or the Name or Names of such Person or Persons, may happen to be erroneously described, omitted, or misstated in the said Map or Plan and Reference, in case it shall appear to any Two or more Justices of the Peace for the said County of *Somerset*, and be certified in Writing under their Hands, that such Error or Omission proceeded from Mistake.

Trustees not to pull down Houses without Consent.

V. Provided always, and be it further enacted, That the Powers and Authorities hereby given shall not extend or be construed to extend to empower or authorize the said Trustees to take or pull down any Dwelling House or other Building, or to take 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, without the Consent in Writing of the Owner or Proprietor thereof

thereof first had and obtained, save and except a Garden in the Occupation of *Hannah Wiggins*.

Trustees may abandon Part of old Road.

VI. And be it further enacted, That when the said new Road as aforesaid shall be made and completed it shall be lawful for the said Trustees to abandon such Part of the said Line of Road leading from *East Lambrook* aforesaid to *Atkins's Gate* aforesaid as will be avoided by passing over the said new intended Road.

New Road not to be made until ordered, nor until sufficient Money is subscribed.

VII. Provided always, and be it further enacted, That the said new intended Road herein-before described shall not be made or repaired under the Authority of this Act until an Order shall have been made for such Purpose by the Trustees at some public Meeting, of which One Month's previous Notice shall be given in some public Newspaper usually circulated in the County of *Somerset*, and by a similar Notice in Writing affixed on all the Toll Gates on the said Turnpike Road, nor until a sufficient Sum of Money be subscribed or borrowed for that Purpose.

Power to alter the Road through Wet Moor.

VIII. And be it further enacted, That it shall be lawful for the Trustees acting under this Act, at any Meeting, of which and of their Intention so to do Fourteen Days Notice shall be given in some public Newspaper circulated in the County of *Somerset*, and on all the Toll Gates on the said Turnpike, to continue, make, and repair the said Road leading from the Pound at *Muchelney* aforesaid, across *Wet Moor*, through a Road or Drove into the said *Martock* Turnpike Road near *Stapleton Gate*, as set out in the said Map or Plan, in lieu of the said Road across the said Moor to the said *Martock* Turnpike Road at *Long Load*, and thereupon to discontinue and abandon as a Turnpike Road the said Line of Road through the said Moor to the said *Martock* Turnpike Road at *Long Load*.

Road from Hurst Bow, &c., when abandoned by the Trustees of the Martock Act, to be under the Care of the Trustees under this Act.

IX. And be it further enacted, That from and after the Time when the Trustees acting in execution of the said recited Act of the Fourth Year of the Reign of His said late Majesty, for repairing the *Martock* Roads, shall abandon and discharge themselves from the future Repairs of such Parts of the said Roads as extend from *Hurst Bow* aforesaid to the Four Cross Roads near *Shepton Beauchamp* aforesaid, and from *South Petherton* aforesaid to *White Cross* aforesaid, the same shall thenceforth be repaired, widened, altered, diverted, and kept in repair by the Trustees for putting this Act into execution, and shall be subject to the Clauses, Provisions, Directions, Penalties, Matters, and Things herein and in the said first-recited Act contained; and the Monies which have been raised and are now due on the Credit of the Tolls arising upon the said last-mentioned Parts or Portions of Road, and the Deeds Poll and other Securities given or granted for

securing

securing the same, and all Interest due and to grow due thereon, shall from and after such Abandonment be charged and chargeable upon and payable out of the Tolls granted by this and the said first-recited Act; and from thenceforth the Tolls collected or to be collected under the said recited Act of the Fourth Year of the Reign of His said late Majesty shall be exonerated and discharged from the Payment of the same or any Part thereof, and thereupon the Toll Houses and Toll Gates, with the Appurtenances thereto belonging, remaining on the said Parts of the said Road, shall pass to and be under the Care of the Trustees for putting this Act into execution.

Toll Gates to be erected on every Road, and no more Money expended in the Repair of such Road than is collected thereon.

X. And be it further enacted, That the said Trustees shall and they are hereby required to continue or erect upon each of the Roads comprised in this Act One or more Toll Gate or Toll Gates, Turnpike or Turnpikes, and to demand and take thereat the Tolls by the said first-recited Act granted; and no Money arising from any of the said Tolls shall be applied in or towards the Repairs of any Road comprised in this Act upon which there shall not be a Toll Gate or Turnpike continued or erected under the Authority of the Trustees for carrying the said Acts into execution: Provided also, that no more of the Monies arising by virtue of the said Act or this Act shall be laid out or expended upon any such Road, or in the Payment of any Principal Money borrowed on the Credit of the Tolls arising or payable upon any such Road, or the Interest thereof, than shall be actually raised or received upon or in respect of such Road; any thing in the said Act or this Act contained to the contrary thereof notwithstanding.

Trustees not to expend Money in repairing Streets in Langport, Somerton, and Castle Cary.

XI. And be it further enacted, That it shall not be lawful for the said Trustees to collect any Tolls, or to apply, expend, or appropriate any of the Tolls to be collected upon any of the Roads comprised in this Act, under or by virtue of the said Act or this Act, or any of the Monies borrowed by virtue of the said recited Act, or to be borrowed on the Credit of this Act, in or towards the repairing, watching, or improving any of the Streets, Highways, or Places within the Limits of the Towns of *Langport*, *Somerton*, and *Castle Cary*, or either of them.

Trustees of Langport, &c. Act to pay the Costs of this Act.

XII. And be it further enacted, That the Trustees for executing the said first-recited Act shall pay the Costs and Charges incident to and attending the obtaining and passing this Act, out of the first Monies which shall come into their Hands in virtue of the said first herein-before recited Act.

Public Act.

XIII. 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.

Commencement and Continuance of this Act.

XIV. And be it further enacted, That this Act shall commence and take effect from and after the Expiration of One Calendar Month from the passing thereof, and shall continue and be in force for and during the Term and Time which the said first herein-before recited Act shall continue in force and operation.

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