



ANNO UNDECIMO

GEORGII IV. REGIS.

Cap. lxxxvi.

An Act for amending an Act of the last Session, intituled *An Act for more effectually repairing and improving several Roads which lead to and through the Town and Borough of Chard in the County of Somerset, and for making and maintaining a new Road from Chard to Drempton in the County of Dorset*; and for making and maintaining other Roads communicating with the said Roads in the Counties of *Somerset, Devon, and Dorset.*

[29th May 1830.]

WHEREAS an Act was passed in the Tenth Year of the Reign of His present Majesty, intituled *An Act for more effectually repairing and improving several Roads which lead to and through the Town and Borough of Chard in the County of Somerset, and for making and maintaining a new Road from Chard to Drempton in the County of Dorset*: And whereas it is expedient that the said Act should be amended in manner herein-after mentioned: And whereas the making and maintaining of the Three additional Lines of Road herein-after mentioned, (that is to say,) from the *Chard and Yarcombe Turnpike Road near Weston Gate to the Turnpike Road near Combe Beacon in the Parish of Combe Saint Nicholas in the said County of Somerset, from the Castle Inn in the Parish of Buckland Saint Mary to the Taunton Turnpike Road on Blagdon*

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Hill in the Parish of *Pitminster* in the said County of *Somerset*, and from the Turnpike Road at *Tytherleigh*, in the Parish of *Chardstock* in the County of *Dorset*, to and across the River *Axe*, in the Parishes of *Chardstock* aforesaid, and *Thorncombe* in the said County of *Devon*, or One of them, would be of great Convenience to the Owners and Occupiers of Lands in the Neighbourhood, and would otherwise be of public Utility: 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 so much of the said recited Act as enacts that no more Toll or Tolls shall be demanded or taken for passing and repassing on the same Day through all or any of the Turnpikes, Toll Gates, Bars, or Chains to be continued or erected by virtue of this Act, than the respective Tolls herein-after mentioned; (that is to say,) upon the Road leading from *Chard* towards *Crewkerne*, no more than One Toll; upon the Road leading from *Chard* to the Town of *Aminster*, no more than One Toll; upon the Road leading from *Chard* to the *Honiton* and *Ilminster* Road in the Parish of *Upottery*, no more than One Toll; upon the Road leading from *Chard* to *Staple Pound*, no more than One Toll; upon the Road leading from *Chard* to *Drempton*, no more than One Toll; shall be and the same is hereby repealed.

So much of recited Act as relates to the Limitation of Tolls on the Roads herein described repealed.

Number of Tolls limited.

II. Provided always, and be it further enacted, That nothing in the said recited Act or this Act contained shall extend or be construed to extend to empower the said Trustees to demand or take, or cause to be demanded or taken, more than Two full Tolls for the passing and repassing of any Horse, Beast, Cattle, or Carriage, on the same Day, through all or any of the Turnpikes, Toll Gates, Bars, or Chains to be continued or erected by virtue of the said recited Act and this Act.

Powers of recited Act to continue in force, except as hereby repealed.

III. And be it further enacted, That the said recited Act made in the Tenth Year of the Reign of His present Majesty, and all and every the Authorities, Powers, Tolls, Privileges, Provisions, Regulations, Penalties, Forfeitures, Clauses, Matters, and Things therein contained and now in force, (except such of them as are varied, altered, or repealed,) shall be and continue in full Force, and be applied and put in execution by the Trustees thereby appointed or to be appointed, during the Term and for the Purposes therein mentioned, and also for making and maintaining the said Three several new or additional Lines of Road herein-before mentioned and herein-after authorized to be made, in as full and ample a Manner and as effectually, to all Intents and Purposes, as if the same were repeated and re-enacted in and by this Act with relation thereto.

So much of recited Act as relates to repairing the Streets of Chard repealed.

IV. And be it further enacted, That so much of the said recited Act as enacts that it shall not be lawful for the said Trustees to apply, expend, or appropriate any of the Tolls thereby granted, or any of the Monies then borrowed or thereafter to be borrowed on the Credit thereof, in or towards the repairing, lighting, or improving any of the Streets, Highways, or Places within the said Town and Borough of *Chard*, shall be and the same is hereby repealed.

V. Provided always, and be it further enacted, That none of the Tolls authorized to be taken upon the said Roads, nor any of the Monies raised by virtue of the said recited Act or the Act thereby repealed, or to be raised by virtue of this Act, shall be paid, laid out, or expended in the Repair or Improvement of any Streets, Highways, or Places within the Town of *Chard* herein-after particularly described; (that is to say,) the principal Street, extending from the Schoolhouse Porch to the Dwelling House occupied by *Rebecca Bargery* at the West End of the said Town; *Holyrood Street*, extending from the Town Hall in the said Town to the *King's Head* Inn; *Combe Street*, extending from the said Town Hall to the Dwelling House occupied by *John Stringfellow* at the North End of the same Street; nor from the Schoolhouse Porch aforesaid, through *Old Town*, to the *King's Head* Inn aforesaid; nor shall any Toll Gate, Turnpike, Bar, or Chain be erected within any of the Limits herein-before particularly described.

Tolls not to be laid out in repairing the Streets herein mentioned of the Town of Chard.

VI. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby fully authorized and empowered, to set out, make, and complete the said Three several new Lines of Road herein-before described and referred to in the Plan and Book of Reference 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.

Power to make the new Lines of Road.

VII. Provided always, and be it further enacted, That if the said Trustees shall not, within the Space of Five Years after the passing of this Act, have made and completed the new Lines of Road by this Act authorized to be made, then and from thenceforth the Powers to them hereby granted for such Purpose shall cease, determine, and be utterly void and of no effect, save and except with the Consent of the Owners and Occupiers of the Lands and Hereditaments through or into which the said Roads shall lead or pass; any thing herein contained to the contrary thereof in anywise notwithstanding.

If new Road is not completed in Five Years, Power to cease, except with Consent.

VIII. And whereas a Map or Plan, describing the said Three several new Lines of Road, and the Lands, Tenements, and Hereditaments through or over which the same are respectively intended to be made or carried, together with a Book of Reference containing the Names of the Owners and Occupiers of such Lands, Tenements, and Hereditaments, hath been deposited with the respective Clerks of the Peace for the Counties of *Somerset*, *Devon*, and *Dorset*; be it therefore further enacted, That the said Map or Plan and Book of Reference shall remain in the Custody of the said respective Clerks of the Peace, to the end that all Persons may at all seasonable Times have Liberty to inspect and peruse the same, and take Copies thereof or Extracts therefrom, at their Will and Pleasure, paying to the respective Clerks 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: Provided always, that the said Trustees, in making the said Three several new Lines of Road, or any Part or Parts thereof, shall not deviate more than One hundred Yards from the Line described in the said Map or Plan, without the Consent in Writing of the Person

Plans and Books of Reference to remain deposited.

Not to deviate more than 100 Yards from the Map.

or

or Persons, Body or Bodies Politic, Corporate, or Collegiate, through whose Lands or Grounds such Deviation shall be made.

Misnomers not to prevent the Execution of this Act.

IX. Provided always, and be it further enacted, That it shall be lawful for the said Trustees to make the said Three several new Lines of Road through, across, or over the Lands of any Person or Persons who is or are or may be Owner or Owners of the Lands, Tenements, and Hereditaments through or over which the same are respectively set out and described in the said Map or Plan and Book of Reference, although such Lands, Tenements, and Hereditaments, or the Name or Names of such Person or Persons, may be erroneously described, omitted, or mis-stated in the said Map or Plan and Book of Reference, in case it shall appear to any Two Justices of the Peace for the County in which the Lands, Tenements, and Hereditaments shall be situate, and be certified in Writing under their Hands, that such Omission or Mis-statement happened by Mistake.

Turnpikes to be erected on Branch Roads, and Tolls applied to Repair thereof.

X. And be it further enacted, That no Money arising from any of the Tolls mentioned in the said recited Act shall be applied in or towards the Repair of any of the Three Branches of Road herein-after mentioned; that is to say, from *Chard* through the Village of *Combe Saint Nicholas* to *Combe Beacon*, from the *Castle Inn* to *Staple Pound*, and from the Turnpike Road at *Tytherleigh* to and across the *River Axe*, unless some Toll Gate or Toll Gates, Toll Bar or Toll Bars, Turnpike or Turnpikes, shall be continued or erected upon such Branch Roads, nor unless the said Tolls shall be demanded and taken thereat pursuant to the Powers and Provisions of the said recited Act and this Act: Provided also, that no more of the Monies arising by virtue of the said Act or this Act shall be laid out or expended in or towards the Repair of any such Branch Roads than shall be collected thereon.

Expences of Act.

XI. And be it further enacted, That all the Costs, Charges, and Expences incident to and attending the obtaining and passing this Act shall be borne and paid out of any Monies already received or collected by virtue of the said recited Act, or which shall or may be received or collected by virtue of this Act.

Public Act.

XII. 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.

XIII. And be it further enacted, That this Act shall commence upon the passing thereof, and shall continue and be in force for and during the Remainder of the Term granted by the said recited Act.