Anno tricesimo secundo

Georgii II. Regis.

An Act to explain, amend, and render more effectual, the Powers granted by several Acts of Parliament for repairing several Roads leading to the City of *Bath*; and for amending several other Roads near the said City.

WHEREAS the Road now used from the City of Bath to the City of Wells, up Holloway, Dunkerton, and Rodstocke Hills, is very inconvenient and dangerous: And whereas a shorter, safer, and more commodious Road might be made, but Doubts have arisen whether the Trustees appointed to put in Execution an Act of the Thirtieth Year of the Reign of His present Majesty, intituled, An Act for enlarging the Term and Powers granted by an Act passed in the Twelfth Year of the Reign of His present Majesty, for repairing and enlarging the Highways between the Top of *Kingsdown Hill* and the City of *Bath*; Preamble.

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and for amending several other Highways therein mentioned leading to the said City of *Bath*; and also for repairing several other Roads therein mentioned, are impowered to alter and turn the said Road as aforesaid: To obviate therefore such Doubts, May it please Your most Excellent 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 Right Honourable John James Perceval, commonly called Lord Viscount Perceval; the Honourable Philip Tufton Perceval, the Honourable Edward Perceval, Sir John Cope, Sir John Hartop, Baronets; Thomas Bury, Roger Lyde, James Fautrey, Richard Dixon Skrene, James Winstanley, William Gregory, Jasper Morris, James Quin, William Green, Edward Bayntun, Smart Lethulier, Esquires; the Reverend Samuel Butler, the Reverend Fothergill, the Reverend Samuel Webb, the Reverend John Culliford, the Reverend Thomas Siccombe, the Reverend Dobson, the Reverend Winstone, John Dory senior, John Dory junior, Palmer Dory, Thomas Dory, Joseph Hill, William Hippesley, Richard Chandler Hole, Jonas Hewish, Richard Hewish, William Hunt, John James, Richard Langford, Thomas Miles, John Mogg, Jacob Mogg, Thomas Sambourn Palmer, Thomas Reed, John Saunders, William Skey, William Wright, Robert Proctor Anderton, George Jesson, Thomas Gilbert, Thomas Greenaway, William Hill, John Jeffries, Isaac Axford, William Brook, James Parkes, John Morris, Charles Simpson, Edward Hutchinson, John Howse, Edward Howse, Henry Howse, Walter Taylor, Charles Harford junior, Gentlemen; being qualified as is directed by the said Act of the Thirtieth Year of His present Majesty's Reign, shall be, and they are hereby declared to be, joined with the Trustees appointed to put in Execution the said Act of the Thirtieth Year of His present Majesty; and that they, together with the Trustees appointed, or to be appointed, to put the said Act of the Thirtieth Year of His present Majesty in Execution, shall be, and they are hereby declared to be, Trustees for putting this Act in Execution; and that from and after the passing of this Act, it shall and may be lawful to and for the said Trustees, or any Seven or more of them, at a publick Meeting assembled, or such Person or Persons as they, or any Seven or more of them, shall appoint, and they are hereby directed and impowered to turn and alter the present Road,

Trustees Names.

and

and to lay out and make a new Road from the Bridge at Bath, through the Toll-gate upon the Road leading from the City of Bath towards the City of Bristol, and on from the said Toll-gate, either to and through an Orchard belonging to House, lying beyond the Garden Wall of Edward Marchant, or to and through a Field belonging to William Skrine, which Premisses are situate in the Parishes of Lyncombe and Widcombe; and over the said Field, and other Fields, to a Road leading from the said City of Bristol towards Warminster, and cross the said Road, into another Road which leads from the City of Bath towards Englishcombe; and along the said Road to the Wood adjoining thereto, and thence through an Orchard, and cross Englishcombe Bottom, and through several other Fields in the Parish of Englishcombe, leaving Part of the said Road, and the Village Englishcombe, on the Right Hand; and thence into the said Road which leads on towards a Place called Tunley, in the Parish of Camerton, as far as the Lane leading towards Priston; and from the said Lane through several other Fields on the Right Hand of the said Road; and afterwards entering again into the said Road; and along the said Road to a Field of John Evans, and through the said Field, and through certain other Fields adjoining to the said Road, leaving the Village of Tunley on the Right Hand, and joining the said Road again about a Furlong and a Half from the Blacksmith's Shop at Meadgate, in the Parish of Camerton; and from the said Blacksmith's Shop along the said Road to the Lane turning off towards Timsbury; and from the said Lane, over certain Fields, leaving Rodford Bridge on the Left Hand, and the Mill on the Right, into the said Road; and thence through the Parish of Paulton, to a Hill called Rush Hill, and to the Place there where the Bristol, Wells, and Shepton Mallet Turnpike Roads meet, in the Parish of Stone Easton, in the County aforesaid; and for that Purpose, the said Trustees, or any Seven or more of them, are hereby authorized and impowered, out of the Money arising by, or to be borrowed upon, the Credit of this present Act, to purchase any Lands, Tenements, or Hereditaments, necessary for the laying out the said new Road; and likewise for making, amending, and compleating the same in such Manner, and with all the Powers granted by the said former Act, for purchasing of Lands; and such Road, when compleated, shall be repaired and kept in Repair, by such Ways and Means, as any other Road directed to be repaired by the said Act of the Thirtieth Year of the Reign of His present Majesty; and all the Powers and

Authorities therein contained shall be, and they are hereby declared to be, extended to the making, amending, and keeping in Repair, the said new Road, as fully and effectually as if the same were repeated and re-enacted in the Body of this present Act.

And whereas by the said Act of the Thirtieth Year of His present Majesty's Reign, the said Trustees are restrained from borrowing any larger Sum than Twelve thousand Pounds: And whereas the Tolls and Duties arising from the Collections at the several Toll-gates and Toll-bars erected round the City of Bath, amount to much more than was expected when the said Sum of Twelve thousand Pounds was granted: And whereas there will be Occasion to borrow a further Sum of Money, for purchasing Lands, Tenements, or Hereditaments, for the laying out and making the said new Road, and for compleating, repairing, and maintaining the same; and also for other Purposes contained in this and the former Acts; be it therefore further enacted by the Authority aforesaid, That it shall and may be lawful for the said Trustees, or their Successors, or any Seven or more of them, and they are hereby authorized to borrow, on a Second Mortgage, any further Sum, not exceeding Seven thousand Pounds, at a legal or less Interest.

Proviso. Provided always, That the whole Principal Sum due upon the Credit of the said Tolls, shall not at any One Time exceed the Sum of Nineteen thousand Pounds.

And whereas by the said Act of the Thirtieth Year of the Reign of His present Majesty, it is provided, That nothing therein contained should authorize or impower the said Trustees, or their Successors, or any of them, to repair or amend any of the Highways, Roads, Lanes, or Passages, lying or being within the City of Bath, which Provision hath been found inconvenient; be it therefore enacted by the Authority aforesaid, That so much of the said Act as prohibits the said Trustees, and their Successors, from repairing the following Roads; that is to say, From the Place on the London Road where the old Toll-gate stood, to Walter Hartford's Brewhouse; and also the Road leading from the Common Gate to King's Mead House, on the Kelston Road; and also the Road leading from the Place where the present Toll-gate stands, to the Top of Broad Street, on the Landsdown Road; and also the Road leading from the London Road, at the North End of Walcot Church-yard, to the Landsdown Road, being about Two Furlongs in Length; all which Roads lie within the Liberties and Precincts of the City of Bath; shall be, and is hereby declared to be repealed; and the said Trustees are

Clause in the recited Act 30 *Geo.* II. repealed; and the Trustees impowered to amend the particular Roads and Ways here mentioned, and described.

hereby impowered and directed to repair the said last-mentioned Roads, and also the new Road directed by this Act to be made from Bath to Rush Hill, in such and the like Manner, and with the same Powers and Authorities, as if the said Roads had been described and directed to be repaired by the said Act of the Thirtieth Year of the Reign of his present Majesty, or any other Act continued thereby; any thing in the said Act of the Thirtieth Year of the Reign of his present Majesty, or any other Act, contained to the contrary thereof in any wise notwithstanding.

And whereas the Road from the Six Mile Stone in the Parish of Camerton, through Rodstoke, to the White Post in the Parish of Midsomer Norton; and also the Road leading from the Cross Post in the Parish of Newton Saint Loe, to the Kelston Road in the Parish of Weston; and also the Road from the Turnpike Road leading from Bath to Bradford, on the Top of Munckton Hill, in the Parish of Munckton Combe, to the Cross Road leading to Entry Hill; and also the Lane called Bathwicke Lane, leading from the Village of Bathwicke, into the Turnpike Road from the Top of Claverton alias Clarton Down, to the City of Bath, are not at present directed to be repaired by any particular Act of Parliament, and are not capable of being repaired by the ordinary Course of Law; be it therefore enacted by the Authority aforesaid, That the Trustees appointed, or to be appointed, to put in Execution the said Act, passed in the Thirtieth Year of the Reign of his present Majesty, or this present Act, shall be, and they are hereby authorized, impowered, and directed, to repair, amend, and keep in Repair, the said Road from the Six Mile Stone in the Parish of Camerton, through Rodstoke, to the White Post in the Parish of Midsomer Norton; and also the Road leading from the Cross Post in the Parish of Newton Saint Loe, to the Kelston Road in the Parish of Weston; and also the Road from the Turnpike Road leading from Bath to Bradford, on the Top of Munckton Hill in the Parish of Munckton Combe, to the Cross Road leading to Entry Hill; and also the Lane called Bathwicke Lane, leading from the Village of Bathwicke into the Turnpike Road leading from the Top of Claverton alias Clarton Down, to the City of Bath, by such Ways and Means as any other Roads are directed to be repaired, amended, and kept in Repair, by the said Act of the Thirtieth Year of the Reign of his present Majesty; and every Clause, Rule, Article, Matter, and Thing, in the said Act contained, shall and are hereby declared to extend to all the said Roads from the Six Mile Stone

Trustees impowered to amend the Roads here described and mentioned.

Stone in the Parish of Camerton through Rodstock, to the White Post in the Parish of Midsomer Norton, and to the Road leading from the Cross Post in the Parish of Newton Saint Loe, to the Kelston Road, in the Parish of Weston; and also to the said Road from the Turnpike Road leading from Bath to Bradford, on the Top of Muncton Hill, in the Parish of Muncton Combe, to the Cross Road leading to Entry Hill; and also the Lane called Bathwicke Lane, leading from the Village of Bathwicke into the Turnpike Road leading from the Top of Claverton alias Clarton Down, to the City of Bath, as fully and effectually as if the same were repeated and re-enacted in the Body of this present Act.

No Gate to be erected within 3 Furlongs of *The White Post* in *Midsomer Norton*.

Provided always, That nothing in this Act contained shall extend, or be construed to extend, to impower the said Trustees to erect any Gate or Gates, Bar or Bars, at or within Three Furlongs of the Post called or known by the Name of The White Post in the Parish of Midsomer Norton; any thing in this Act contained to the contrary notwithstanding.

Expences in procuring this Act to be paid by the general Treasurer of the *Bath* Turnpikes.

Provided also, and be it further enacted, That the Expences incurred in procuring this Act, shall be paid by the general Treasurer of the Bath Turnpike Roads, out of any Money that has arisen, or shall arise, from the said Roads; and that the Sum of Three thousand Pounds, Part of the said additional Sum of Seven thousand Pounds, directed by this Act to be borrowed upon the said Second Mortgage, shall be applied in the next Place, to and for the purchasing of Lands, Tenements, or Hereditaments, for the laying out, making, and repairing the new Road from Bath to Rush Hill aforesaid, and for completing the same, and to and for no other Use or Purpose whatsoever; and also that the Sum of Four hundred Pounds, Part of the said Sum of Seven thousand Pounds, shall be applied to and for repairing the Road from the Six Mile Stone in the Parish of Camerton, through Rodstoke, to the White Post in the Parish of Midsomer Norton aforesaid, and for completing the same, and to no other Use or Purpose whatsoever.

Application of particular Parts of the Money directed to be borrowed.

Publick Act.

And be it further enacted by the Authority aforesaid, That this Act shall be deemed, adjudged, and taken to be a Publick Act; and be judicially taken Notice of as such, by all Judges, Justices, and other Persons whomsoever, without specially pleading the same.

FINIS.