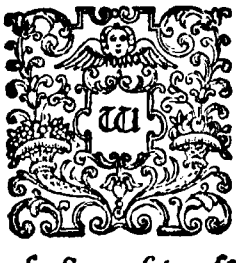
Anno quinto

Georgii III. Regis.

An Act for enlarging the Term and Powers granted by an Act paſſed in the Twenty ſixth Year of His late Majeſty's Reign, intituled, *An Act for repairing and widening the Roads therein mentioned, leading to and from the Town of* Shepton Malet *and* Ivelcheſter, *in the County of* Somerſet; and for repairing the Roads from *Shepton Malet* to *Leighton*; and from *Shipton Malet* to *Long Croſs Bottom.*



WHEREAS by an Act paſſed in the Twenty ſirth Year of the Reign of His late Majeſty King George the Second, intituled, An Act for repairing and widening the Roads therein mentioned, leading to and from the Towns of *Shepton Malet* and *Ivelcheſter*, in the County of *Somerſet*; ſeveral Tolls, Duties, and Powers, are granted to certain Truſtees in the ſaid Act mentioned, for the ſurveying, ordering, widening, and repairing, the Roads leading from the Top of Ruſh Hill, in the Pariſh of Stone Eaſton, where the Briſtol Turnpike ends, through the Pariſh of Stone Eaſton, Benagre, Aiſhwick, and Shepton Malet; and from thence to a Place called Preamble.

called Cannards Grave, and from thence by the Direction Post and Elm Tree in the Cross-ways at the Place called Butwell, to Almsford, otherwise Ansford Inn, in the said Parish of Almsford, otherways Ansford; and also the Road from Shepton Malet aforesaid, to the Red Post by Lidford Park Farm Gate, in the Parish of West Lidford; and also from Shepton Malet aforesaid, to and through the Parish of Pilton, in the Road leading to the Town of Glastonbury; and also from Cannards Grave aforesaid, to Milton Bridge, in the Parish of Milton, in the Road leading to the Town of Brewton; which said several Tolls, Duties, and Powers, were to continue for and during the Term of Twenty one Years, from the First Day of June, One thousand seven hundred and fifty three, and from thence to the End of the then next Session of Parliament: And whereas the Trustees appointed by the said Act for the Roads aforesaid, have proceeded in the Execution of the said Act, and have borrowed a considerable Sum of Money upon the Credit of the same, and it will be impossible to repay the Sum borrowed, and to repair the said Roads, and keep the same in Repair, during the subsisting Term granted by the said Act: And whereas such Part of the said Act as relates to the several Roads aforesaid, has in several Instances been found inconvenient and ineffectual; 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 former Act, and all and every the Tolls or Duties, Powers and Clauses, therein contained, except such as are hereby varied, altered, or repealed, so far as relates to the several Roads from the Top of Rush Hill, in the Parish of Stone Easton aforesaid, where the Bristol Turnpike ends, through the Parish of Stone Easton, Benagre, Aishwick, and Shepton Malet aforesaid; and from thence to the said Place called Cannards Grave; and from thence by the Direction Post and Elm Tree in the Cross-ways at the said Place called Butwell, to Almsford, otherwise Ansford Inn, in the said Parish of Almsford, otherwise Ansford; and also the Road from Shepton Malet aforesaid, to the Red Post by Lidford Park Farm Gate, in the Parish of West Lidford; and also from Shepton Malet aforesaid, to and through the said Parish of Pilton, in the Road leading to the said Town of Glastonbury; and also from Cannards Grave aforesaid, to

The recited Act further continued for 21 Years.

Milton

Milton Bridge, in the said Parish of Milton, in the Road leading to the said Town of Brewton, shall be and continue in full Force, and be executed from and after the Expiration of the Term granted by the said former Act, for and during the further Term of Twenty one Years, and from thence to the End of the then next Session of Parliament, as fully as if the same were herein again repeated and re-enacted in the Body of this present Act; which said additional Term, and the Tolls or Duties, Powers and Clauses, hereby continued and granted, are hereby declared to be subject and liable to the Payment of all Sums of Money now due and owing upon the Credit of the said former Act, on that Part of the Road; and of such other Sum and Sums of Money as shall be borrowed for the Purposes of the said former or this Act, and the Interest due and to grow due for the same, for that Part of the said Road.

Additional Roads to be repaired.

And whereas the several Roads leading from, to, and through, Shepton Malet aforesaid to the Parish of Leighton, leading towards Frome, being Part of the Great Post Road to London; and also the Road from Shepton Malet aforesaid to a Place called Long Cross Bottom, which joins the Frome Turnpike Road, are in many Places narrow and ruinous, and cannot be widened and repaired by the ordinary Course of Law; be it therefore enacted by the Authority aforesaid, That the said Roads from, to, and through, Shepton Malet aforesaid, to the Parish of Leighton, leading towards Frome, being Part of the Great Post Road to London; and also the Road from Shepton Malet aforesaid to a Place called Long Cross Bottom, which joins the Frome Turnpike Road, shall be and they are hereby declared to be put under the Direction of the Trustees appointed by the said Act of the Twenty sixth Year of his late Majesty's Reign, for repairing the Roads from the Top of Rush Hill, in the Parish of Stone Easton aforesaid, where the Bristol Turnpike ends, through the Parish of Stone Easton, Benagre, Aishwick, and Shepton Malet, to the Town of Shepton Malet aforesaid; and from thence to the said Place called Cannards Grave; and from thence, by the Direction Post and Elm Tree, at the Cross-way, in the said Place called Butwell, to Almsford, otherwise Ansford; and also the Road from Shepton Malet aforesaid to the Red Post by Lidford Park Farm Gate, in the Parish of West Lidford; and also from Shepton Malet aforesaid to and through the Parish of Pilton, in the Road leading to the said Town of Glastonbury; and also from Cannards Grave aforesaid to Milton

Bridge, in the said Parish of Milton, in the Road leading to the said Town of Brewton; and that it shall and may be lawful for the said Trustees, and they are hereby authorized and impowered, by and out of the Tolls collected or to be collected by virtue of the said former Act and this present Act, or the Money borrowed or to be borrowed upon the Credit thereof, to amend, repair, and widen, the said Roads leading from, to, and through, Shepton Malet aforesaid, to the Parish of Leighton, leading towards Frome, being Part of the Great Post Road to London; and also the Road from Shepton Malet aforesaid to a Place called Long Cross Bottom, which joins the Frome Turnpike Road, as fully, compleatly, and effectually, as if the same had been inserted and directed to be repaired in and by the said former Act; and to set up and erect or cause to be set up and erected One or more Gate or Gates, Turnpike or Turnpikes, in, upon, or across, any Part of the said Roads in the said former or this present Act mentioned, or on the Sides thereof, and to collect and receive or cause to be collected and received such Toll or Tolls at the same, as they are by the said former Act or this Act impowered to take, at any Gate or Gates erected by virtue thereof.

Trustees to borrow Four thousand Pounds, &c.

And be it further enacted by the Authority aforesaid, That the said Trustees, or any Nine or more of them, at a General Meeting assembled, may and they are hereby authorized and impowered to borrow any Sum not exceeding Four thousand Pounds for repairing the new Roads directed to be repaired by this Act, on such Conditions, and in the like Manner, as they are impowered to borrow Money by the said Act of the Twenty sixth Year of His late Majesty's Reign.

Times of General Meetings altered.

And whereas by the said Act of the Twenty sixth Year of His late Majesty's Reign it is enacted, That the said Trustees shall hold Four General Meetings in each Year; that is to say, upon the First Monday in August, the First Monday in November, the First Monday in February, and the First Monday in May, which said Times appointed by the said Act for the said General Meetings have been found to be inconvenient; be it therefore enacted, by the Authority aforesaid, That the said Clause, so far as it appoints the Times for the said General Meetings, shall be and is hereby declared to be repealed, and that from and after the passing of this present Act the said Four General Meetings of the said Trustees, shall be holden on such Days as shall by the said Trustees, or any Nine or more of them, at a General

neral Meeting assembled, be ordered and appointed respectively in each Year.

And whereas by the said Act of the Twenty first Year of his late Majesty's Reign, the Tolls to be collected under the Direction of the Trustees appointed by the said Act for repairing the several Roads herein before mentioned, are separately and distinctly appropriated for the Repair of the said several Roads, which Appropriation has been found inconvenient; be it therefore further enacted by the Authority aforesaid, That such Part of the said Act as appropriates the Tolls to the repairing of the several Roads heretofore mentioned in this Act, shall be, and is hereby declared to be, repealed; and that from and after the passing of this present Act, the Tolls arising on any Part of the said Roads, or the Money borrowed upon the Credit thereof, may be applied for the repairing any Part of the said Roads, or of the Roads directed to be repaired by this Act; any thing in the said former Act to the contrary notwithstanding.

Appropriation of former Tolls repealed.

And be it further enacted by the Authority aforesaid, That the said former Act, and all the Tolls directed to be taken by virtue thereof, and all other Powers, Exemptions, Provisions, Penalties, Forfeitures, Clauses, Matters, or Things, therein contained, and every Part thereof, except such Parts as are hereby repealed, altered, amended, and explained, shall, during the Continuance of the said former and this present Act, be in full Force and Effect; and be executed for the surveying, ordering, repairing, widening, and keeping in Repair, the several Roads mentioned in this Act, in such and the same Manner, to all Intents and Purposes, as if the said Roads had been described in and directed to be repaired, widened, and kept in Repair, by the said former Act, and as if the same had been repeated and re-enacted in this present Act.

Powers of the former Act extended to this.

And be it further enacted by the Authority aforesaid, That the Charges and Expences of obtaining and passing this Act, shall be repaid out of the First Money raised or to be raised by virtue of the said former or this present Act.

Charges of passing this Act to be paid out of the Tolls.

And be it further enacted by the Authority aforesaid, That if any Action or Actions shall be brought against any Person or Persons for any thing done or to be done by virtue or in pursuance of this Act, or in relation to the Matters herein contained, such Actions or Suits, and every of them, shall be commenced within the Space of Six Calendar Months next after the doing the Matter or Thing for which such Action or Actions, Suit or Suits,

Limitation of Actions.

shall

shall be brought, and not afterwards; and shall be brought, laid, and tried, in the County or Place where such Matters and Things respectively shall be committed or done, and not in any other County or Place; and that the Defendant or Defendants in such Actions or Suits, and every of them, may plead the General Issue, and give this Act and the Special Matter in Evidence, at any Trial or Trials which shall be had thereupon, and that the Matter or Thing for which such Action or Actions, Suit or Suits, shall be brought, was done in Pursuance and by the Authority of this Act; and if the said Matter or Thing shall appear to have been so done, or if any such Action or Suit shall not be commenced within the Time before for that Purpose limited, or shall be laid in any other County or Place than as aforesaid, then the Jury or Juries shall find for the Defendant or Defendants therein; and if a Verdict or Verdicts shall be found for such Defendant or Defendants; or if the Plaintiff or Plaintiffs in such Action or Actions, Suit or Suits, shall become nonsuited, or suffer a Discontinuance of such his, her, or their, Action or Actions; or if, upon any Demurrer or Demurrers in such Action or Actions, Judgement shall be given for the Defendant or Defendants therein; then, and in either of the Cases aforesaid, such Defendant or Defendants shall have Treble Costs, and shall have such Remedy for recovering the same as any Defendant or Defendants may have for his or their Costs in other Cases by Law.

General Issue.

Treble Costs.

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

FINIS.