

Appendix 5. Combe St Nicholas Inclosure Award.

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And whereas an Act was passed in the forty-first year of the reign of His present Majesty, intituled, "An Act for consolidating in one Act, certain provisions usually inserted in Acts of Inclosure, and for facilitating the mode of proving the several facts usually required on the passing of such Acts:"

Extract from page 2 of the act.

And be it further *Enacted*, That in case it shall appear to the said Commissioner that there are or is any public highways or highway, bridle roads or bridle road, footways or footway, or other road or roads, way or ways, path or paths, in through over or on any of the lands intended to be inclosed, or other lands within the said parish which may in his judgment be diverted or turned without inconvenience to the public into any other public highways or highway, bridle roads or bridle road, footways or footway, or other road or roads, way or ways, path or paths, or be diverted or turned so as to make the same more convenient to the public, or be stopped up and destroyed as superfluous and unnecessary, it shall be lawful for him with the concurrence and order of two justices of the peace acting in and for the said county of *Somerset* (not being interested in the said inclosure) and in manner and subject to appeal as in this or the said recited Act is mentioned in and by his award, to order and direct such public highways or highway, bridle roads or bridle road, footways or footway, or other road or roads, way or ways, path or paths to be altered, turned, stopped up or discontinued in such manner as the said Commissioner shall think proper.

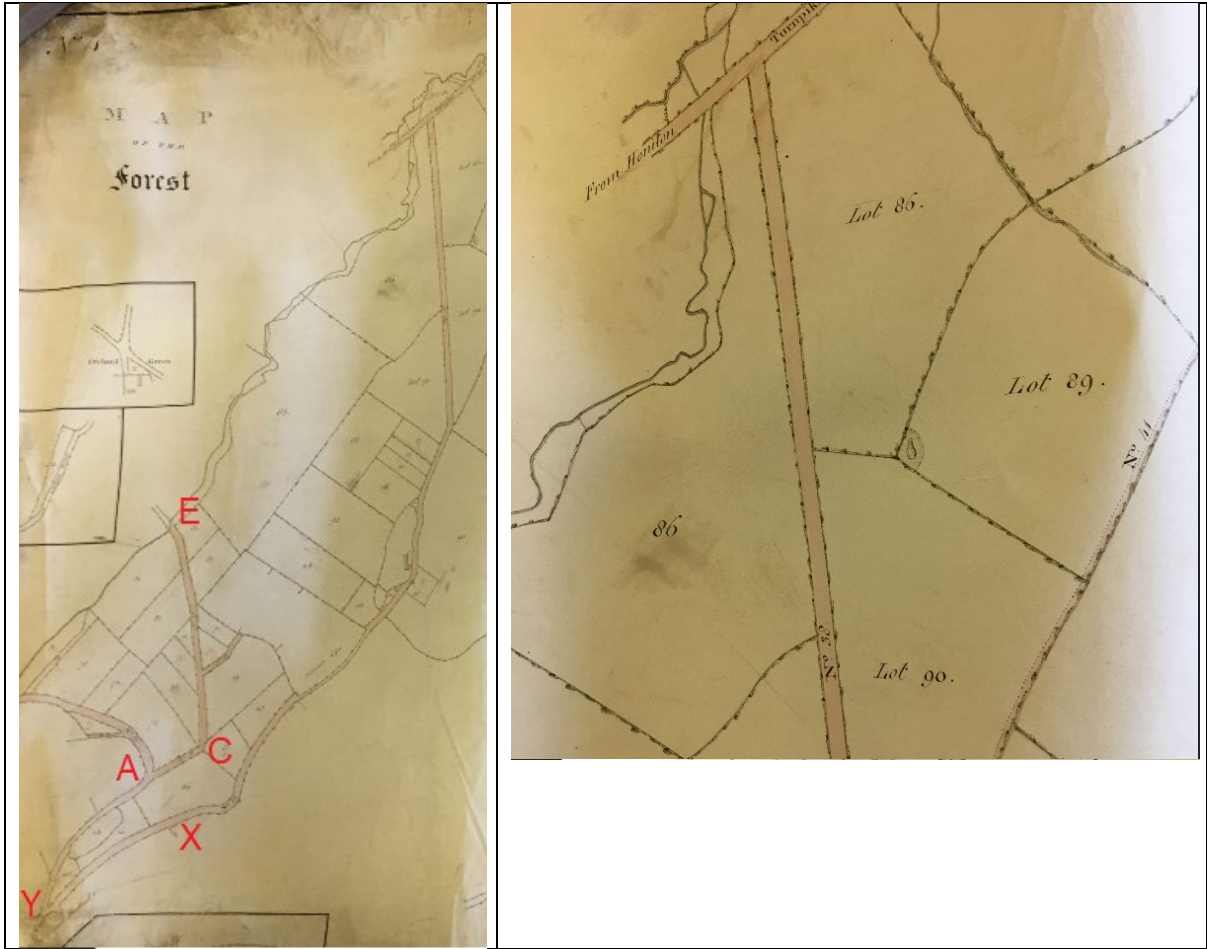
Power for diverting, turning or stopping up roads, &c.

Extract from page 7 of the act.

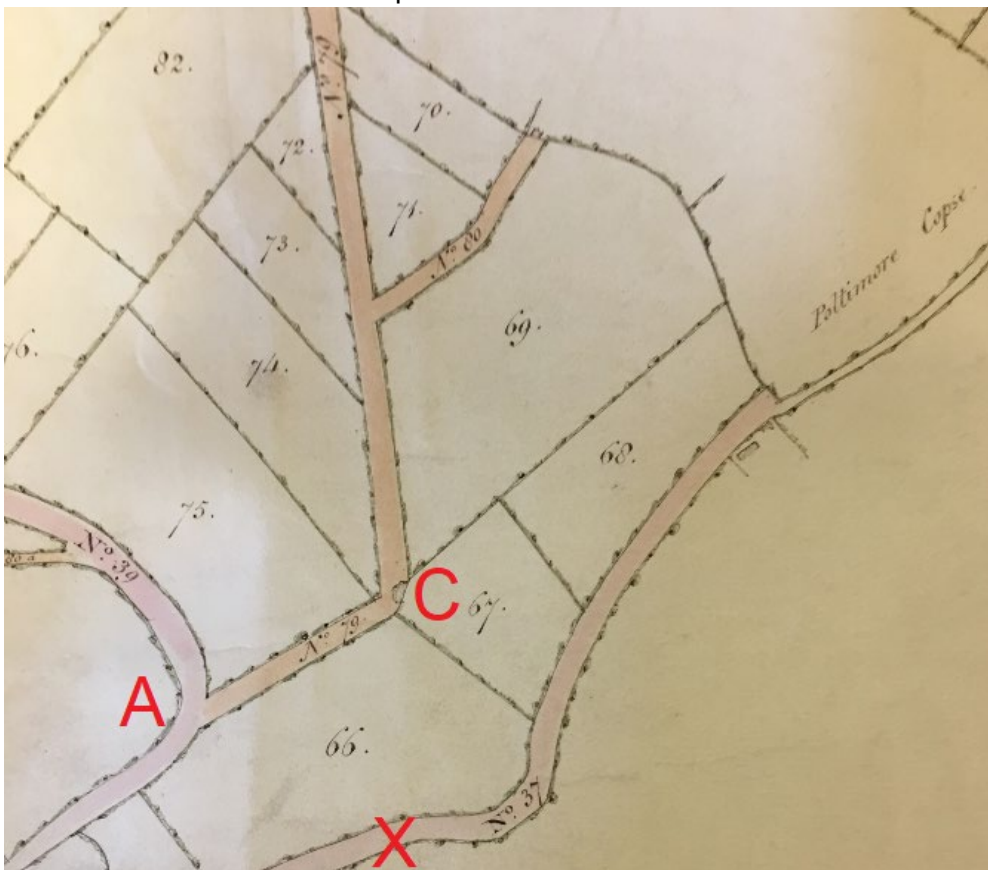
N. B. Public Roads colored pink
Private Roads colored brown

Annotation from Map 1, Longlie Common.

Appendix 5, continued



Extracts from the Award map

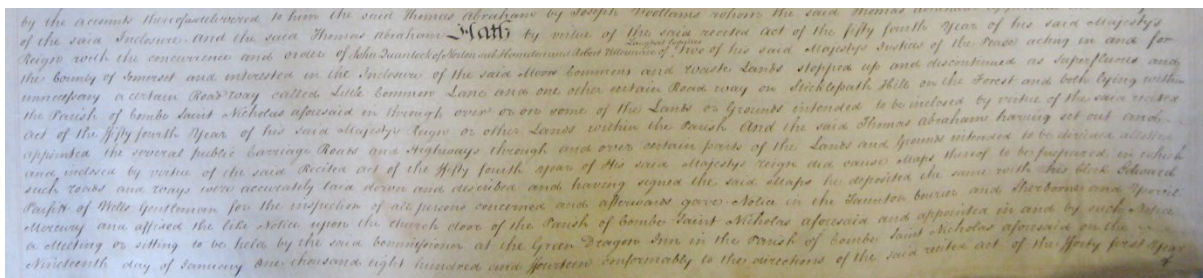


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...provided always that in case such Commissioner should by such Bill be empowered to stop up any old or accustomed Road [...]ing or leading through any part of the Old Inclosures in such Parish Township or Place the same should in no case be done without the concurrence and orders of two justices of the peace acting in and for such divisions and not interested in the repair of such Roads and which Order should be subject to an appeal to the Quarter sessions in the manner and under the same forms and restrictions as if the same had been originally made by such Justices as aforesaid

That such commissioner should and he is thereby empowered and required to set out and appoint such private Roads bridle ways footways ... Bridges, Gates, Stiles, allotments, fences, Banks, Bounds and Land marks, in over upon and through or by the side of the allotments to be made and set out in pursuance of such act as he should think requisite giving such Notice and subject to such examination as to any private Roads or Paths as are therein required in the case of Public Roads and the same should be made and at all times forever thereafter be supported and kept in repair by and at the expense of the Owners and Proprietors for the time being of the lands and Grounds directed to be divided and inclosed in such shares and proportions as the Commissioner should in and by his award order and direct...

Extract of award and transcription.

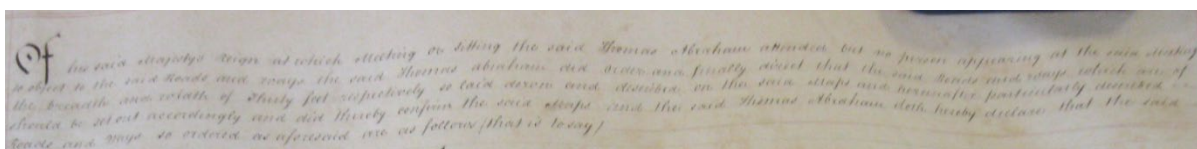


...**Hath** by virtue of the said recited acts of the fifty fourth year of his said Majesty's Reign with the concurrence and order of John Duanlock of Norton sub Hamdon and Robert [...]ase of Langport Esquire two of his said Majestys Justices of the Peace acting in and for the County of Somerset and interested in the Inclosure of the said Moors Commons and waste Lands stopped up and discontinued as superfluous and unnecessary a certain Road Way called Little Common Lane and one other certain Road way on Sticklepath Hill on the Forest and both lying within the Parish of Combe Saint Nicholas aforesaid in through over or on some of the Lands or Grounds intended to be inclosed by virtue of the said recited act of the fifty fourth year of his said Majesty's Reign or other Lanes within the Parish and the said Thomas Abraham having set out and appointed the several public Carriage Roads and Highways through and over certain parts of the Lands and Grounds intended to be divided allotted and inclosed by virtue of the said recited act of the fifty fourth year of His said Majestys reign and caused Maps thereof to be prepared

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in which such roads and ways were accurately laid down and described and having signed the said maps he deposited the same with his clerk Edward Parfitt of Wells Gentleman for the inspection of all persons concerned and afterwards gave Notice in the Taunton Courier and Sherborne and Yeovil Mercury and affixed the like Notice upon the Church door of the Parish of Combe Saint Nicholas aforesaid and appointed in and by such Notice a meeting or sitting to be held by the said Commissioner as the Green Dragon Inn in the Parish of Combe Saint Nicholas aforesaid on the Nineteenth day of January one thousand eight hundred and fourteen conformably to the directions of the said recited act of the forty first year of

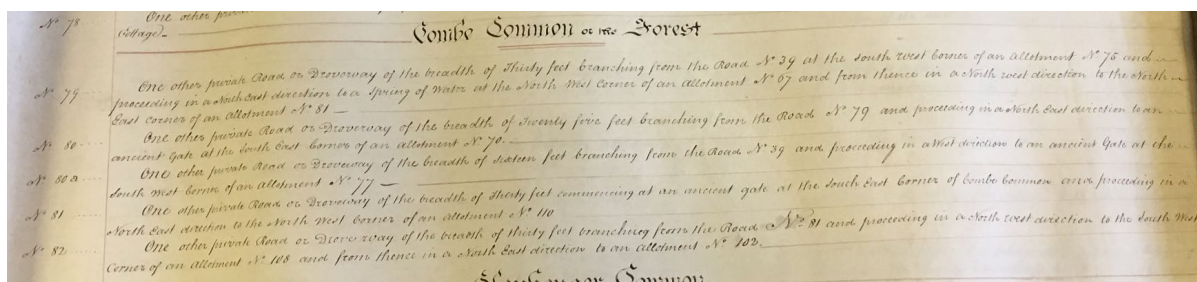
Extract of award and transcription.



Of the said maps drawn at which meeting or sitting the said Thomas Abraham attended but no person appearing at the said meeting to object to the said Roads and ways the said Thomas Abraham did order and finally direct that the said Roads and ways which are of the breadth and width of Thirty feet respectively so laid down and described on the said maps and hereinafter particularly described should be set out accordingly and did thereby confirm the said maps and the said Thomas Abraham doth hereby declare that the said Roads and ways so ordered as aforesaid are as follows (that is to say)

Of his said Majesty's Reign at which Meeting or sitting the said Thomas Abraham attended but no person appearing at the said meeting to object to the said Roads and ways the said Thomas Abraham did order and finally direct that the said Roads and ways which are of the breadth and width of Thirty feet respectively so laid down and described on the said maps and hereinafter particularly described should be set out accordingly and did thereby confirm the said maps and the said Thomas Abraham doth hereby declare that the said Roads and ways so ordered as aforesaid are as follows (that is to say)

Extract of award and transcription.



Combe Common or the Forest

No. 78 One other private Road or Drove-way of the breadth of thirty feet branching from the Road No. 29 at the south west corner of an allotment No. 76 and proceeding in a North East direction to a Spring of Water at the North West Corner of an allotment No. 67 and from thence in a North West direction to the North East corner of an allotment No. 81

No. 79 One other private Road or Drove-way of the breadth of thirty feet branching from the Road No. 39 and proceeding in a North East direction to an ancient Gate at the South East Corner of an allotment No. 76

No. 80 One other private Road or Drove-way of the breadth of twenty feet branching from the Road No. 39 and proceeding in a North East direction to an ancient Gate at the South East Corner of an allotment No. 77

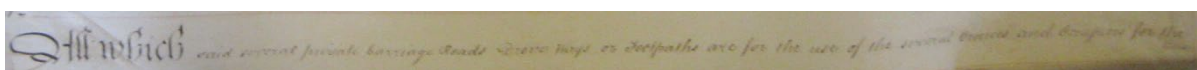
No. 81 One other private Road or Drove-way of the breadth of thirty feet commencing at an ancient Gate at the South East Corner of Combe Common and proceeding in a North East direction to the North West Corner of an allotment No. 110

No. 82 One other private Road or Drove-way of the breadth of thirty feet branching from the Road No. 31 and proceeding in a North East direction to the South West Corner of an allotment No. 118 and from thence in a North East direction to an allotment No. 120

Combe Common or the Forest

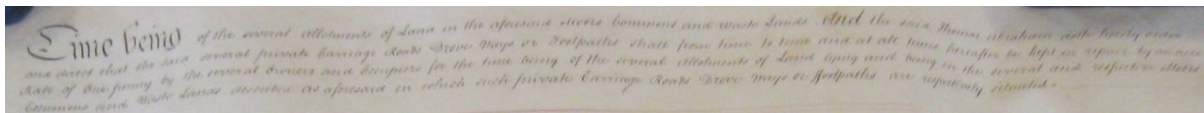
No. 79. One other private Road or Drove-way of the breadth of Thirty feet branching from the Road No. 39 at the south west corner of an allotment No. 75 and proceeding in a North East direction to a spring of water at the North West corner of an allotment No. 67 and from thence in a North west direction to the North East corner of an allotment No. 81.

Extract of award and transcription.



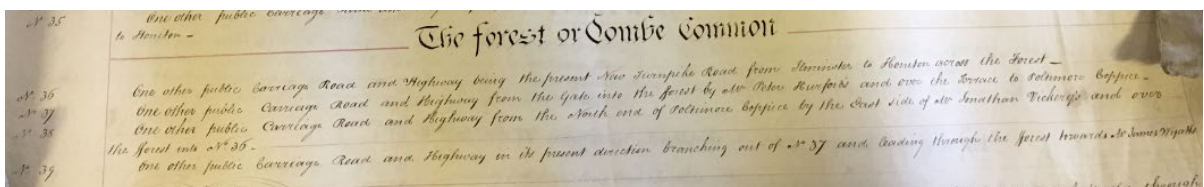
All which said roads and ways or drove-ways are for the use of the several tenants and occupiers for the

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...**All which** said several private carriage Roads Drove Ways or Footpaths are for the use of the several Owners and Occupiers for the **Time being** of the several allotments of land in the aforesaid Moors Commons and waste Lands **and** the said Thomas Abraham doth hereby order and direct that the said several private Carriage Roads Drove Ways or Footpaths shall from time to time and at all times hereafter be kept in repair by an acre Rate of One penny by the several Owners and Occupiers for the time being of the several allotments of land lying and being in the several and respective Moors Commons and Waste Lands described as aforesaid in which such private Carriage Roads Drove Ways or Footpaths are respectively situated.

Extract of award and transcription.



No. 37. One other public carriage Road and Highway from the Gate into the forest by Mr Peter Hurford's and over the terrace to Poltimore Coppice.
No. 38 One other public carriage Road and Highway from the North end of Poltimore Coppice by the East side of Mr Jonathan Vickery's and over the forest into No. 36.
No. 39. One other public carriage Road and Highway in its present direction branching out of No.37 and leading through the forest towards Mr James Wyatts

Extract of award and transcription.