



the national archives

palaeography

tutorial

Document 10: An Act of Parliament for amending and widening the road from Falmouth to Marazion, Cornwall, 1760

(Catalogue reference: C 65/739 membrane 2)

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About this document

An Act of Parliament for amending and widening the road from Falmouth to Marazion, Cornwall, 1760. (Catalogue reference: C 65/739 membrane 2)

The Act, which consists of 20 membranes, forms part of a Parliament roll. This section describes the location and condition of the road in question. The Act goes on to grant permission for the road in question to be declared a turnpike road, for gates to be erected and tolls collected, and names a long list of trustees.

An Act of Parliament was required because the common law of the land and right of passage over the king's highway made it illegal to charge tolls to pass along existing roads, unless permission was specifically granted by Parliament. The maintenance of public roads was otherwise the responsibility of the local parish. The gradual increase in trade and traffic, however, put pressure on the parish-based system, particularly where the parish was unfortunate enough to encompass a heavily used through-road. Many turnpike trusts were set up in Cornwall in the 18th century, partly owing to the pressures put on the roads by the rise in the county's production and export of tin.

Turnpike Acts were solicited by local residents concerned with improving a particular road. A petition was drawn up and given to a local member of parliament, who would present it in the House of Commons. If it was passed there and in the House of Lords, and royal assent was obtained, the bill became law. The Act would then be enrolled on a Parliament roll.

This document is written in Chancery hand.

Introduction to transcribing Document 10

Transcription tips - READ THESE FIRST!

This document is written in a late example of Chancery hand. Chancery hand was the set style of handwriting used in the royal chancery at Westminster. Its use continued for the enrolment of acts of Parliament until 1836.

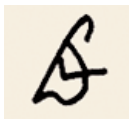
In this document you should watch out for:

- Abbreviations

There are few abbreviations in this document: the main difficulty comes from the very distinctive letter-forms. The letters are very spiky and angular, and 'biting' (the running together of adjacent letters) occurs between contrasting curves of adjacent letters. Refer to the Alphabet to help you.

- Capitals

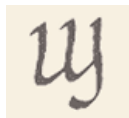
The capital letters are very hard to work out, for example:



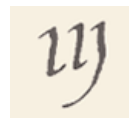
capital 'B'



capital 'M' is made up of three minims, which in Chancery hand may be joined together by strokes at the top [like a modern 'm'], at the top and bottom or



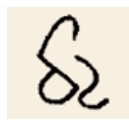
just at the bottom, (making it look like how you would expect a 'W' to look, however see below for a real 'W'), or



the joining strokes might not be visible at all, leaving you with three minims. Capital 'M's differ from lower case 'm's in that the last minim of a capital 'M' always descends below the line.



capital 'S'



capital 'W'

- 'r'

There are two forms of lower case 'r', the '2' shaped one which occurs after 'o', and the long 'r' which descends below the line. The long 'r' can consist of no more than a single downstroke, with no horizontal stroke at all. This can make it quite hard to distinguish, particularly when combined with a preceding 'e'. See for example very, **line 11**.

- 'c'

The lower case 'e' tends to not have a central stroke, so can look more like a 'c', or an 'o' if it is biting with the next letter.

glossary

Act	A Bill (proposal) to Parliament, which has been passed. For a Bill to be passed, assent has to be given by the House of Commons, the House of Lords and the monarch. Royal assent is now merely a formality - it has not been refused since 1708.
Bill	A draft proposal to parliament for a new law or to change an existing law. If the proposal is passed, it becomes an Act of Parliament.
Chancery hand	A set style of handwriting used in the royal chancery at Westminster for the engrossing of royal letters patent, writs and enrolments. Many government departments had their own set style of handwriting, which had evolved purely from a desire for distinctiveness, rather than concern for legibility. During the Commonwealth (1649-1660) such set hands were banned, along with the use of Latin in domestic administrative documents. Records were to be written in English and in an ordinary and legible hand. But the restoration of Charles II also restored all such set hands, which returned as idiosyncratic as ever. An Act of Parliament in 1731 (which came into force in 1733), declared that all records should be written in a common legible hand. The only exception was the enrolment of Acts of Parliament on Parliament rolls, for which Chancery hand continued to be used until 1836.
Enrolled	Written on to a roll, to be kept as a permanent record.
Membrane	A 'skin' or page of parchment.
Roll	Rolls consist of rectangular sheets of parchments called membranes, sewn together and rolled up to form a cylinder. Chancery and Parliament rolls are made of membranes sewn end to end and rolled up. Exchequer rolls are made of membranes placed in a pile and sewn together along the top, before being rolled up.
Toll	A payment. In the case of toll or turnpike roads, a toll would be made for permission to use the road.

Turnpike road

A road for which a charge is made to use it. By a statute of 1555 parishes were responsible for repairing roads that ran through them but the growing volume of traffic made this increasingly difficult. It was illegal for a toll to be charged on a public highway without the consent of the Crown and Parliament. Once consent was given, all road users could be stopped at gates across the road and charged a fixed amount to use the road, determined by the amount of damage each was considered to cause to the road. People on their way to church were exempt. The first turnpike road was established in 1663 and ran between Wadesmill and Royston in Hertfordshire. Between 1751 and 1772, 389 new Turnpike Acts were passed. A trust would be set up to administer the road.

Trustees

Turnpike trusts were administered by trustees or commissioners appointed by the individual Turnpike Act. The number of men appointed as trustees named in each act could vary from about 30 to over 400, with the average number in the mid 1700s standing at 200. (Size was a feature of 18th-century public bodies.) Only a few trustees would actually attend meetings. Trustees were generally local men of standing: noblemen, gentlemen, Members of Parliament, justices of the peace, influential local landowners and clergymen. Trustees could appoint surveyors, arrange for the repair and upkeep of the roads, erect gates and appoint toll collectors.

how to use the interactive transcribing exercise

Help - using the interactive transcribing exercise

Step 1: Study the line of text from the document image

Step 2: On the document image, use the interactive magnifying glass to zoom in/out of image by clicking on a particular word

Step 3: Using the textbox below the document image, type in your transcription

Step 4: When you have finished the current line of text, click on the Submit button

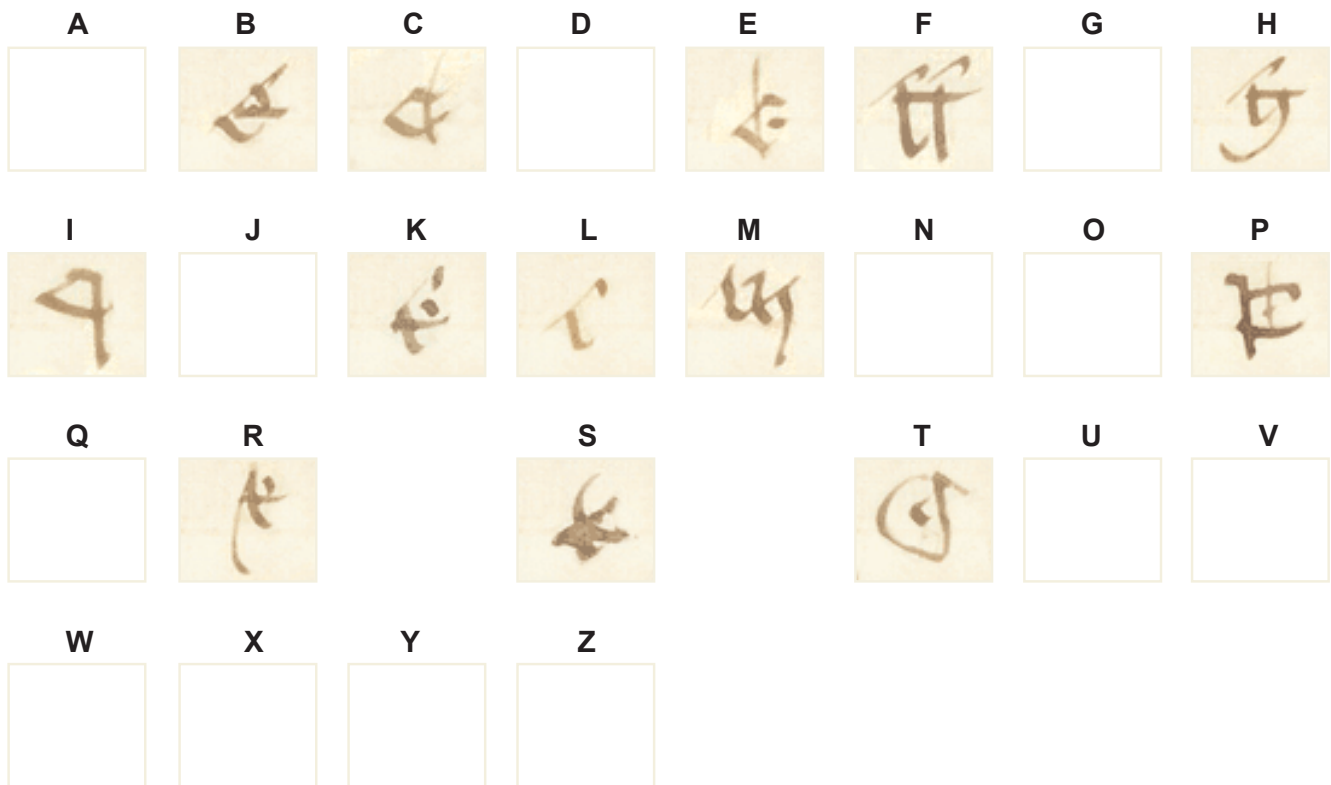
Step 5: The results will be shown and will give you the option to either retry or move onto the next line of the current document.

Help - instructions on typing your transcription

- 1) For every word you cannot transcribe, put in a dash character ' - '
- 2) Every word you transcribe should be separated with a single space
- 3) The transcribing text must match, whether it is in capital or lower case
- 4) Expand abbreviations in square brackets where necessary.

palaeography tutorial

Alphabet



Transcript

1. An Act for amending and widening
2. the road leading from the town of Falmouth in
3. the County of Cornwall through the towns of
4. Penrin Helston and Marazion and from thence to and
5. over Marazion River and Bridge and two hundred
6. feet to the westward of the said River & bridge
7. Whereas the highway or road leading from the town of Falmouth in
8. the County of Cornwall through the towns of Penryn Helston and Marazion and
9. from thence to Marazion river and bridge and two hundred feet to the westward of the
10. said river and bridge in the said County is a publick and Common highway or road
11. and is in a very ruinous Condition and in several places very narrow deep and
12. inconvenient so as the same cannot by the ordinary Course and method
13. appointed by the laws and statutes of the realm be effectually amended and kept
14. in good repair unless some provision be made for paying money for that purpose For
15. remedy whereof and to the Intent that the said highway and road may with all
16. convenient speed be effectually amended and kept in good and sufficient repair
17. May it please your Ma[jes]ty that it may be enacted and be it enacted and be it enacted
18. by the kings most Excellent Ma[jes]ty by and with the advice and consent of the Lords
19. Spiritual and Temporal and Commons in this present parliament assembled and by
20. the authority of the same ...