



ANNO SEPTIMO & OCTAVO

GEORGIIV. REGIS.

Cap. c.

An Act for making and maintaining a Turnpike Road from *Wotton-under-Edge*, through *Kingswood*, to *Wickwar*, and Branch Roads therefrom, all in the Counties of *Gloucester* and *Wilts*.

[14th June 1827.]

WHEREAS the making and maintaining of a Turnpike Road from or from near the Town of *Wotton-under-Edge* in the County of *Gloucester*, through the Village of *Kingswood* in the County of *Wilts*, to the Town of *Wickwar* in the said County of *Gloucester*; and another Turnpike Road to branch from the before-described Road at *Kingswood* aforesaid, along the present Highway leading from *Kingswood* to the Road leading from *Wotton-under-Edge* to *Bristol*, at a Direction Post there, and from thence over *Lower Barns* and *Burrough Hill* Farms, through *Swinney*, in the Parish of *North Nibley* in the said County of *Gloucester*, to and over *North Nibley Great* and *Little Greens*, to join the Road leading from *Wotton-under-Edge* to *Berkeley* at or near the said *Little Green* in the said Parish of *North Nibley*; and also another Turnpike Road to branch from the first-described Road at *Kingswood* aforesaid, along the present Highway leading from *Kingswood* to *Hillsley* in the Parish of *Hawkesbury* in the County of *Gloucester* aforesaid, to join the Road leading from *Wotton-under-Edge* to *Bath*,

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at

at or near the Village of *Hillsley* aforesaid, will be of great Benefit and Convenience to the Owners of Estates and Residents within or near to the Parishes and Places above named, and also of great public Utility, by opening a nearer and better Communication between the said Towns of *Wotton-under-Edge* and *Wickwar*, and the said Village of *Kingswood*, and other Parts of the adjacent Country; but the same cannot be effected without the Aid and Authority of Parliament: And whereas an Act was passed in the Third Year of the Reign of His present Majesty, intituled *An Act to amend the General Laws now in being for regulating Turnpike Roads in that Part of Great Britain called England*: And whereas another Act was passed in the Fourth Year of the Reign of His present Majesty, intituled *An Act to explain and amend an Act passed in the Third Year of the Reign of His present Majesty, to amend the General Laws now in being for regulating Turnpike Roads in that Part of Great Britain called England*: And whereas another Act was passed in the Fifth Year of the Reign of His said present Majesty, intituled *An Act to enable Justices of the Peace for Ridings, Divisions, or Sokes, to act as Trustees for repairing and maintaining Turnpike Roads*: 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 all His Majesty's Justices of the Peace acting for the Counties of *Gloucester* and *Wilts* respectively for the Time being, together with *William Moore Adey* the younger, *Anthony Adey*, *Humphry Austin* the elder, *L'Estrange Southgate Austin*, *Humphry Austin* the younger, *John Southgate Austin*, *Henry Southgate Austin*, *Isaac Austin*, *Edward Austin* the younger, *William Austin*, *Anthony Austin* the elder, *Charles Austin*, *Francis Austin*, *Anthony Austin* the younger, the Reverend *Anthony Austin*, *George Isaac Austin*, *Robert Bailey*, *William Barber*, *Maurice Frederick Fitzhardinge Berkeley*, *Augustus Fitzhardinge Berkeley*, *Francis Henry Fitzhardinge Berkeley*, *Thomas Moreton Fitzhardinge Berkeley*, *Charles Grantley Fitzhardinge Berkeley*, *Craven Fitzhardinge Berkeley*, *Lewis Clutterbuck*, *Edward Cooper* the elder, *Edward Cooper* the younger, *John Cooper*, *Robert Cooper*; *Henry Cooper*, *James Cooper*, the Reverend *Thomas Cook*, *Samuel Goodson Dauncey*, *Samuel Dyer*, *John Dyer*, *Robert Hale Blagden Hale*, *Robert Blagden Hale*, *John Richard Blagden Hale*, *Matthew Blagden Hale*, *Edward Blagden Hale*, *John Blagden Hale* the elder, *John Blagden Hale* the younger, *Richard Blagden Hale*, *Thomas Hungerford Blagden Hale*, *Charles Matthew Blagden Hale*, *Walter Blagden Hale*, *John Burland Harris*, the Reverend *Rowland Hill*, *William Hobbs*, *William Hobbs* the younger, the Reverend *Lequesne Jones*, the Reverend *Richard Prankard Jones*, *William Charles Jones*, *John Jortin*, *John Bearpacker Jortin*, *Timothy Barton*, *William Alexander Long*, *William Alexander Long* the younger, *Rufus Long*, *Samuel Long*, *Samuel Long* the younger, *Thomas Mercer*, *William Tanner Mercer*, *William Miller*, the Honourable *Augustus Moreton*, the Honourable *Henry George Francis Moreton*, the Honourable *Augustus Henry Moreton*, the Honourable *Percy Moreton*, *Abraham Owen*, *Thomas Esbury Partridge*, *Daniel Esbury Partridge*, *William Perrin*, *William Perrin* the younger, the Reverend *James Phelps*,

Trustees
appointed.

Phelps, James Phelps, William John Phelps, John Blagden Phelps, the Reverend Henry Jones Randolph, William Cater Randolph, William Stoner, Ambrose Lewis Stoner, Thomas Skey, William Tanner, David Taylor, the Reverend Thomas Thomas, John Chatfield Tyler, Samuel Yeats, and their Successors, being duly qualified according to the Provisions of the said recited Acts passed in the Third, Fourth, and Fifth Years of the Reign of His present Majesty, shall be and they are hereby appointed Trustees for making and maintaining the said Roads from Wotton-under-Edge, through Kingswood, to Wickwar, and the said Branch Road from Kingswood to the Road leading from Wotton-under-Edge to Bristol, and from thence over Lower Barns and Burrough Hill Farms through Swinney, to and over North Nibley Great and Little Greens, to join the Road from Wotton-under-Edge to Berkeley at or near the said Little Green; and also the said Branch Road from Kingswood to join the Road leading from Wotton-under-Edge to Bath, at or near Hillsley aforesaid, and for otherwise putting this Act in execution, and such Roads and Branches shall be called "The Kingswood District of Roads."

II. And be it further enacted, That the said recited Act passed in the Third Year of the Reign of His present Majesty, and all and every the Powers, Provisions, Exemptions, Penalties, Forfeitures, Payments, Remedies, Matters, and Things therein contained, (save and except such Parts thereof as are expressly varied, altered, or repealed by the said recited Act passed in the Fourth Year of the Reign of His present Majesty, and also save and except such Parts thereof as are expressly varied, altered, or otherwise provided for,) and also the said recited Act passed in the Fourth Year of the Reign of His present Majesty, and all and every the Powers, Provisions, Exemptions, Penalties, Forfeitures, Payments, Remedies, Matters, and Things therein contained, (save and except such Parts thereof as are expressly varied, altered, or otherwise provided for,) and also the said recited Act passed in the Fifth Year of the Reign of His present Majesty, and the Power or Provision therein contained, shall respectively be as good, valid, and effectual for carrying this Act and the several and respective Purposes thereof into Execution, as if the same had respectively been repeated and re-enacted in the Body of this Act.

Powers of
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extended to
this Act.

III. And be it further enacted, That it shall and may be lawful for the said Trustees, and they are hereby authorized and empowered from Time to Time, at any of their Meetings, to elect and appoint any Number of Persons, being duly qualified as directed by the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty, (not exceeding Five in the whole in addition to the Number of Trustees herein named and appointed,) to be Trustees for the Purposes of this Act; and such Persons so elected and appointed shall be Trustees for the Purposes of this Act, and are hereby invested with the same Powers and Authorities for executing this Act as if they had been herein named.

Power to
appoint
additional
Trustees.

IV. And be it further enacted, That the Trustees for executing this Act shall hold their First Meeting at the *New Inn at Kingswood* afore-

First Meet-
ing of the
Trustees.

aforesaid, or at some other convenient Place in the Neighbourhood of the said Roads, on the Third *Wednesday* next after the passing of this Act, or as soon afterwards as conveniently may be; and the said Trustees shall and may then, and from Time to Time afterwards, adjourn to and meet at such Times, and at such Place or Places in the Neighbourhood of the said Roads, as they shall think proper.

Clerk not to act as Treasurer, and vice versa.

V. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees to appoint the Person who may be appointed to act as their Clerk in the Execution of this Act, or the Partner of any such Clerk, or the Clerk or any Person in the Service or Employ of any such Clerk, or the Clerk or any Person in the Service or Employ of the Partner of any such Clerk, to be the Treasurer for the Purposes of this Act, or to appoint the Person who may be appointed Treasurer, or the Partner of any such Treasurer, or the Clerk or any Person in the Service or Employ of any such Treasurer, or the Clerk or any Person in the Service or Employ of the Partner of any such Treasurer, to be the Clerk to the said Trustees; and if any Person shall accept both the Offices of Clerk and Treasurer for the Purposes of this Act, or if any Person, being the Partner of any such Clerk, or the Clerk or any Person in the Service or Employ of any such Clerk, or the Clerk or any Person in the Service or Employ of the Partner of any such Clerk, shall accept the Office of Treasurer, or shall act as Deputy of the Treasurer, or in any Manner officiate for the Treasurer, or being the Partner of any such Treasurer, or the Clerk or any Person in the Service or Employ of any such Treasurer, or the Clerk or any Person in the Service or Employ of the Partner of any such Treasurer, shall accept the Office of Clerk in the Execution of this Act, or shall act as Deputy of such Clerk, or in any Manner officiate for such Clerk, or if any such Treasurer shall hold any Place or Office of Profit or Trust under the said Trustees other than that of Treasurer, every such Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person or Persons who shall sue for the same, to be recovered, with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Plaint, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Impar lance, shall be allowed.

For erecting Toll Gates, Turnpikes, Side Bars, Weighing Machines, &c.

VI. And be it further enacted, That it shall be lawful for the said Trustees to erect and set up or build, or cause to be erected and set up or built, upon, in, or across the said Roads, or on the Sides thereof or any Part thereof respectively, when, where, and as they shall judge necessary, any Toll Gate or Toll Gates, Turnpike or Turnpikes, Side Gate or Side Gates, Side Bar or Side Bars, or Chain or Chains, and any Weighing Machine or Weighing Machines, and also any Toll House or Toll Houses, with Outhouses and Conveniences suitable thereto, at or near each Toll Gate and Weighing Machine, and to take in and inclose on the Sides of the said Roads suitable Garden Spots for such Toll House or Toll Houses, not exceeding One Eighth Part of a Statute Acre each, as they shall think necessary; and from Time to Time to take down and remove or alter or discontinue the said Toll Gates, Turnpikes, Side

Side Gates, Side Bars, Chains, Weighing Machines, Toll Houses, Gardens, Outhouses, and Conveniences, or any or either of them, or any Part thereof, as they the said Trustees shall think proper, and direct or appoint.

VII. And be it further enacted, That the said Trustees shall and they are hereby required to erect and set up, or cause to be erected and set up, upon each of the Branches of Road herein-before particularly described, One or more Toll Gate or Toll Gates, Turnpike or Turnpikes, Side Gate or Side Gates, Side Bar or Side Bars, Chain or Chains, and to demand and take thereat the Tolls by this Act granted.

Trustees to erect Toll Gates on each of the Branches.

VIII. Provided always, and be it further enacted, That no Money arising from any of the Tolls hereby authorized to be collected and taken shall be applied in or towards the Repair of any Branch Road comprised in this Act, unless some Toll Gate, Toll Bar, or Turnpike shall be erected and continued upon such Branch Road, nor unless the Tolls hereby granted shall be demanded and taken thereat pursuant to the Powers and Provisions of this Act and the said recited Acts.

No Money to be laid out on Branch Roads, unless Tolls are taken thereon.

IX. And be it further enacted, That it shall and may be lawful for the said Trustees, or any Person or Persons to be appointed Collector or Collectors of the Tolls to be taken by virtue of this Act, to demand and take the Tolls herein-after mentioned at the several and respective Toll Gates or Turnpikes or Toll Houses, or Side Gates or Side Bars or Chains, which shall be erected or placed by virtue of this Act in, upon, across, or on the Side or Sides of the said Roads, or any Part thereof, and on every Day (such Day to be computed from Twelve of the Clock at Night to Twelve of the Clock in the next succeeding Night); that is to say,

Power to take Tolls.

For every Horse or other Beast drawing any Coach, Stage Coach, Diligence, Chariot, Landau, Berlin, Phaeton, Chaise, Chaise Marine, Car, Calash, Caravan, Curricule, Chair, Gig, Hearse, Litter, or other such like Carriage, any Sum not exceeding the Sum of Sixpence :

Tolls.

For every Horse or other Beast drawing any Cart, when drawn by only One Horse or other Beast, any Sum not exceeding the Sum of Sixpence :

For every Horse or other Beast drawing any Waggon, Wain, Van, Cart, Dray, Sledge, Slide, or other such like Carriage, having the Sole or Bottom of the Fellies of the Wheels thereof of the Width or Gauge of Six Inches or upwards (except Horses or other Beasts drawing any Cart when drawn by only One Horse or other Beast as aforesaid), any Sum not exceeding the Sum of Four-pence :

For every Horse or other Beast drawing any Waggon, Wain, Van, Cart, Dray, Sledge, Slide, or other such like Carriage, having the Sole or Bottom of the Fellies of the Wheels of the Breadth or Gauge of Four Inches and a Half and less than Six Inches (except Horses or other Beasts drawing any Cart when drawn by only One Horse or other Beast as aforesaid), any Sum not exceeding the Sum of Five-pence :

For every Horse or other Beast drawing any Waggon, Wain, Van, Cart, Dray, Sledge, Slide, or other such like Carriage, having the

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Sole

Sole or Bottom of the Fellies of the Wheels of less Breadth or Gauge than Four Inches and a Half, any Sum not exceeding the Sum of Sixpence :

For every Carriage with Four Wheels, affixed to any Waggon, Wain, Van, Cart, or other Carriage, the Sum of Two Shillings; and for every Carriage with Three or Two Wheels so affixed, the Sum of One Shilling :

For every Horse, Mule, or Ass, laden or unladen, and not drawing, any Sum not exceeding the Sum of Two-pence :

For every Score of Oxen, Cows, or Neat Cattle, any Sum not exceeding the Sum of Ten-pence; and so in proportion for any less Number :

For every Score of Calves, Hogs, Swine, Goats, Sheep, or Lambs, any Sum not exceeding the Sum of Five-pence, and so in proportion for any less Number :

Which said respective Sums of Money or Tolls shall be demanded and taken before any Horse, Mule, Ass, Beast, or other Cattle whatsoever shall be permitted to pass through any Toll Gate or Turnpike, or Side Gate or Side Bar or Chain, which shall be erected or placed by virtue of this Act in, upon, or across the said Roads, or on the Sides thereof, or any Part thereof respectively; and which said respective Tolls shall be and are hereby vested in the said Trustees, and shall be applied for the Purposes of this Act in manner herein-after directed.

Fractional Part of a Halfpenny in Tolls.

X. Provided always, and be it further enacted, That in all Cases where there shall be a fractional Part of a Halfpenny in the Calculation or Amount of the Tolls hereby granted and authorized, or any of them, the Sum of One Halfpenny shall be demanded and taken in lieu of such fractional Part.

Tolls to be paid but Once a Day.

XI. Provided always, and be it further enacted, That in case the Toll hereby authorized to be taken shall have been paid for the passing of any Horse or Beast drawing or not drawing, or of any Cattle, through any One such Toll Gate or Turnpike, or Side Gate or Side Bar or Chain, such Horse or other Beast drawing or not drawing, and such Cattle, shall, upon a Ticket denoting the Payment of such Toll on that Day being produced, be permitted to pass Toll-free through the same Toll Gate, Turnpike, Side Gate, Side Bar, or Chain, and also through such other Toll Gates, Turnpikes, Side Gates, Side Bars, and Chains on the said Roads, or on the Sides thereof, as the Ticket for such Payment shall free, at any Time or Times during the same Day, (to be computed as aforesaid,) except such Horses or Beasts as shall be employed in drawing a different Carriage from that which they were employed in drawing when the Payment was made, in which Case such Horses or other Beasts so drawing shall be again liable to Toll.

Limiting the Number of Tolls on the whole Line of Roads.

XII. Provided also, and be it further enacted, That nothing herein contained shall extend or be construed to extend to empower the said Trustees, or any Collector or Collectors, to demand or take, for or in respect of the same Horse, Beast, or Cattle, for passing or repassing at any Time or Times in any One Day (to be computed as aforesaid), through all or any of the Toll Gates, Turnpikes, Side Gates, Side Bars, or Chains along the whole Line of the said Roads between the Towns of *Wotton-under-Edge* and *Wickwar* aforesaid, more than One full Toll; or between *Hillsley* aforesaid and the Termination of the said

Line of Roads at the *Little Green* in the Parish of *North Nibley* aforesaid, more than One full Toll.

XIII. Provided also, and be it further enacted, That One Moiety or Half Part of the Tolls hereby made payable shall be paid in addition to such Tolls, for and in respect of every Horse or other Beast drawing any Waggon, Wain, Van, Cart, Sledge, Slide, or other such like Carriage laden with Coals, between the Thirty-first Day of *October* and the First Day of *April* following, within the Period of each and every Year.

Coal Wag-
gons, &c. to
pay an addi-
tional Half
Toll between
31st October
and 1st April.

XIV. Provided also, and be it further enacted, That the Tolls hereby made payable for or in respect of Horses or Beasts drawing any Stage Coach, Diligence, Van, Caravan, or Stage Waggon, or other Stage Carriage conveying Passengers or Goods for Pay or Reward, shall be payable and paid every Time of passing or repassing along the said Roads or any of them.

Stage
Coaches,
&c. to pay
every Time
of passing:

XV. Provided also, and be it further enacted, That the Tolls hereby made payable for or in respect of Horses or Beasts let out to hire, and drawing any Post Chaise or other Carriage, shall be payable and paid every Time of passing along the said Roads, or any of them, whenever any new Hiring thereof shall take place.

Post Chaises
on every new
Hiring.

XVI. And be it further enacted, That none of the Tolls hereby authorized to be taken shall be demanded, taken, or received, at any of the Toll Gates, Turnpikes, Side Gates, Side Bars, or Chains to be erected or set up on, across, or by the Sides of the said Roads, for any Horse, Beast, or other Cattle or Carriage used or employed only in carrying or conveying, or going empty to fetch, carry, or convey, or returning empty from carrying or conveying, having been employed only in carrying or conveying on the same Day, any Dung, Soil, Lime, Compost, or Manure for improving Lands, or any Ploughs, Harrows, or Implements of Husbandry, (unless laden also with some other Thing not exempted from Toll,) or any Hay, Straw, Fodder for Cattle, Corn in the Straw, Potatoes, or other agricultural Produce, or Milk, which has grown, arisen, or been produced on Land or Ground in the Occupation of the Owner of any such Hay, Straw, Fodder, Corn in the Straw, Potatoes, or other agricultural Produce, or Milk, and which has not been bought, sold, or disposed of, nor is going to be sold or disposed of.

Exemption
from Toll.

XVII. And whereas an Act was passed in the Second Year of the Reign of His present Majesty, intituled *An Act for repairing Part of the great Road from Gloucester to Bristol, and certain Roads through and near the Towns of Berkeley, Dursley, Wotton-under-Edge, and Stroud, and other Roads therein mentioned, in the Counties of Gloucester and Wilts*: And whereas the new Line of Roads hereby authorized to be made between *Wotton-under-Edge* and *Kingswood* aforesaid (being in Length Three Quarters of a Mile or thereabouts) will lead from and into a certain Part of the *Wotton-under-Edge* Division of Roads comprised in the lastly-recited Act, near the Town of *Wotton-under-Edge* aforesaid, whereby Persons travelling to or from *Wotton-*
under-

Enabling the
Trustees to
agree with
Trustees of
adjoining
Roads re-
specting
Tolls and
Repair of
Roads.

under-Edge with Horses or other Beasts or Cattle and Carriages, along such Part of the said Line of Roads hereby authorized, will pass over and along such Part of the said *Wotton-under-Edge* Division of Roads, and may thereby become liable to the Payment of Tolls upon such Division, as well as to the Payment of Tolls upon the Line of Roads hereby authorized: And whereas it is expedient that the Trustees acting in execution of this Act should, for the Purpose of avoiding such Double Toll in so short a Distance of Road, be empowered to contract and agree with the Trustees acting for the said *Wotton-under-Edge* Division of Roads to contribute to the Repair of such Part of the said Division of Roads as Horses, Beasts, or other Cattle and Carriages travelling as aforesaid to or from *Wotton-under-Edge* from or to the Line of Roads hereby authorized to be made between *Wotton-under-Edge* and *Kingswood* aforesaid will pass over or along, or otherwise to compound for such Repairs, upon having Permission granted by such other Trustees for Horses, Beasts, or other Cattle and Carriages to travel to and from the said last-mentioned Line of Roads from and to *Wotton-under-Edge* aforesaid, free from any Toll for or in respect of the said Division of Roads; be it therefore further enacted, That it shall be lawful for the Trustees acting in execution of this Act, and they are hereby fully authorized and empowered, at any of their Meetings, to enter into any Contract, Agreement, or Arrangement with the Trustees acting in execution of the said recited Act passed in the Second Year of the Reign of His present Majesty for the said *Wotton-under-Edge* Division of Roads, for the Payment of any annual or other Sum or Sums of Money to the said Trustees acting for the said Division of Roads, or for the Performance of any other Matter or Thing whatsoever, as and by way of Composition, and as a Satisfaction for the travelling over the said Part of the said Division of Roads which lies between the said Town of *Wotton-under-Edge* and the Commencement of the new Line of Road to *Kingswood* aforesaid hereby authorized, by Horses or other Beasts or Cattle and Carriages passing from or to *Wotton-under-Edge* aforesaid to or from *Kingswood* aforesaid, and the Repair of such Part of the said Division of Roads, and for any Tolls which might be otherwise demanded or payable.

Subscribers
to pay their
Subscrip-
tions.

XVIII. And be it further enacted, That the several and respective Persons who have subscribed for or agreed to advance, or who shall or may subscribe for or agree to advance, any Money for and towards the making or maintaining of the said Roads hereby authorized to be made, or any Part thereof, shall and they are hereby required to pay the Sum or Sums of Money which such Persons have respectively subscribed, or shall or may hereafter respectively subscribe, at or within such Time and Times, and in such Parts and Proportions, as in the Agreements signed by such Persons is or are expressed, or as the said Trustees shall order and direct; and the same shall be demanded by and paid to such Person or Persons as in the said Agreements mentioned, or as the said Trustees shall by any Writing under their Hands authorize to receive the same; and if any such Person or Persons shall neglect or refuse to pay the same, or any Part thereof as aforesaid, it shall be lawful for the said Trustees to sue for the same in the Name of any One of such Trustees, or of their
Clerk

Clerk for the Time being, and to recover the same, together with full Costs of Suit, in any of His Majesty's Courts of Record, by Action of Debt or on the Case, or by Bill, Plaint, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, or more than One Imparlance, shall be allowed; and all such Monies shall be vested in the said Trustees, and applied as herein-after mentioned.

XIX. And be it further enacted, That out of the Monies already subscribed or to be subscribed or advanced for the Purpose of making the said Roads, or which shall be borrowed on the Credit of this Act, or out of the first Money which shall arise or be received from the Tolls by this Act granted, or otherwise, the said Trustees shall pay and discharge all the Costs, Charges, and Expences relative to the obtaining and passing of this Act, with Interest for the same from the Time or Times of Advancement, in preference of all other Payments and Disbursements whatsoever; and the Remainder of all such Monies shall in the first place be applied by the said Trustees in defraying the Expences of making the said Roads from *Kingswood* to *Wickwar*, and from *Kingswood* to *Wotton-under-Edge*, and in purchasing Lands and Hereditaments and Materials for the Purpose; and in erecting, making, or providing Toll Gates, Turnpikes, Bars, Gates, Chains, Weighing Machines, Toll Houses, with Outhouses and Conveniences, and also Footpaths, Causeways, Bridges, Ditches, Fences, Rails, Posts, Boards, Lamps, Books, and other Matters and Things necessary or requisite for carrying the Purposes of this Act into Execution with respect to the said Roads, and in Payment of the Interest of the Monies agreed to be advanced or borrowed, or which shall or may be advanced or borrowed for the Purposes aforesaid, or other the Purposes of this Act, or on the Credit of this Act; and in the next place the Remainder of all such Monies shall be applied in defraying the Expences of making, diverting, and widening the said Road from *Kingswood* to *Hillsley* aforesaid, and in making the said Road from *Kingswood* to *North Nibley Little Green* aforesaid, and in purchasing Lands and Hereditaments and Materials for the Purpose, and in erecting, making, or providing Toll Gates, Turnpikes, Bars, Gates, Chains, Weighing Machines, Toll Houses, with Outhouses and Conveniences, also Footpaths, Causeways, Bridges, Ditches, Fences, Rails, Posts, Boards, Lamps, Books, and other Matters and Things necessary or requisite for carrying the Purposes of this Act into Execution, with respect to the said Two lastly-mentioned Roads; and the Remainder (if any) of all such Monies, and all Monies which shall arise or be received from or by the Tolls by this Act granted, shall from Time to Time be applied in discharging the Interest of the Monies agreed to be advanced or borrowed, or which shall or may hereafter be advanced or borrowed for the Purposes or on the Credit of this Act, and afterwards in amending and keeping in repair all the said Roads, and the said Toll Gates, Toll Houses, and Weighing Machines, and in otherwise putting this Act into Execution; and lastly, in repaying the Principal Monies advanced or borrowed for the Purposes or on the Credit of this Act.

Application
of the Tolls
and Money
to be bor-
rowed.

XX. And be it further enacted, That the said Trustees shall and may and they are hereby authorized and empowered to make, widen, [Local.] 27 Q alter,

Roads may
be made.

alter, and divert the said Roads, upon, in, over, or through any private Lands, Grounds, or Hereditaments, making or tendering Satisfaction to the Owners thereof and Persons interested therein for the same or for any Damage they may sustain thereby, and also in, upon, over, or through any Commons or Waste Lands without making any Satisfaction for such Commons or Waste Lands, of such Width or Dimensions as they shall think proper, not exceeding Forty Feet, together with such Footpaths, Causeways, Bridges, Arches, Culverts, Ditches, Drains, and Fences, on the Line of the said Roads, as they shall think necessary or expedient; and it shall also be lawful for the said Trustees, and for their Surveyors or Surveyor and Workmen, from Time to Time to enter upon the Lands and Premises or Hereditaments through which or whereupon such Roads, Footpaths, Causeways, Bridges, Arches, Culverts, Ditches, Drains, and Fences are respectively intended to be made or pass, and also upon any adjoining Lands or Grounds, and to stake out the same in such Manner as the said Trustees shall think necessary or expedient, without being deemed a Trespasser or Trespassers, and without being subject or liable to any Fine, Penalty, or Punishment for entering or continuing upon such Lands or Premises respectively for any of the Purposes of this Act; and if any Person shall pull up, remove, or destroy any of such Stakes or other Marks used for the Purposes aforesaid, every Person so offending shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds.

Plan deposited with the Clerk of the Parliaments not to be deviated from.

XXI. And whereas a Map or Plan, describing the Lines of the said Roads, and the Lands through which the same are respectively intended to be carried, together with a Book of Reference containing a List of the Names of the Owners and Occupiers of such Lands, has been deposited in the Office of the Clerk of the Parliaments; be it therefore enacted, That the said Trustees in making the said Roads shall not deviate more than One hundred Yards from the Lines described in the said Map or Plan, without the Consent in Writing of the Person or Persons, or Party or Parties, or Body or Bodies Politic, Corporate, or Collegiate, through whose Land such Deviation shall be made; and the said Map or Plan and Book of Reference shall remain in the Custody of the Clerk of the Parliaments.

Lands marked in the Plan may be used notwithstanding Errors in the Book of Reference.

XXII. Provided always, and be it further enacted, That it shall be lawful for the said Trustees to make the said Roads into, through, across, or over the several Lands, Hereditaments, or Premises of any Person or Persons who is or are or may be Owner or Owners of Lands or Premises over which the same is or are set out and described in the said Map or Plan as aforesaid, although the Name or Names of such Person or Persons may happen to be omitted or mis-stated in the said Book of Reference, or in the Schedule to this Act annexed, marked (A.), in case it shall appear to any Two or more Justices of the Peace for the County in which the Lands or Premises shall be situate, and be certified by Writing under their Hands, that such Error or Omission proceeded from Mistake.

Trustees restrained from pulling down

XXIII. Provided always, and be it further enacted, That the Powers and Authorities given by this Act for making the said Roads shall not extend

extend or be construed to extend to empower or authorize the said Trustees to take or pull down any Dwelling House or other Building, or to take in or make use of any Curtilage, Orchard, Garden, Yard, Park, Paddock, Lawn, Shrubbery, planted Walk, or Avenue to a House, or any inclosed Ground planted and set apart as a Nursery for Trees, or any Part thereof respectively, without the Consent in Writing of the Owner or Proprietor thereof, or other Person interested therein, first had and obtained, except such as are mentioned in the said Schedule to this Act annexed, marked (A.)

Dwelling Houses, &c. without the Consent of the Owner.

XXIV. Provided also, and be it further enacted, That in case the said Trustees shall not purchase the Lands, Buildings, Tenements, and Hereditaments mentioned in the Schedule to this Act annexed within the Space of Five Years from the passing of this Act, all the Powers granted by this Act or the said recited Acts for purchasing, taking, or using the same, or such of them as shall not then have been purchased, shall cease and determine, save and except with the Consent of the Owners or Proprietors thereof for the Time being.

Power of purchasing hereby granted to cease in Five Years.

XXV. And be it further enacted, That it shall be lawful for the said Trustees from Time to Time to treat, contract, and agree with the Parties or Persons who shall be Owners of or interested in any Lands, Buildings, Tenements, Hereditaments, or Premises to be taken or made use of in the Execution of this Act, or who shall sustain any Loss or Damage by means thereof, for the Purchase of such Lands, Buildings, Tenements, Hereditaments, or Premises, and for the Value, Consideration, Compensation, or Satisfaction to be made for the same, or for such Loss or Damage as aforesaid; and it shall be lawful for all Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Civil, Corporations Aggregate or Sole, Tenants for Life or in Tail, Husbands, Guardians, Trustees, Feoffees in Trust, Committees, Executors, Administrators, and all other Persons whomsoever, not only for and on behalf of themselves, their Heirs and Successors, but also for and on the Behalf of the Person or Persons entitled in Reversion, Remainder, or Expectancy after them, and for and on behalf of their Cestuique Trusts, whether Femes Covert, Wards, Infants, or Issue unborn, Lunatics, Idiots, Persons of unsound Memory and Understanding, or other Person or Persons whomsoever, and to and for all Femes Covert who are or shall be seised or interested in their own Right or entitled to Dower, and to and for all and every Persons and Person whomsoever who are or is or shall be seised or possessed of or interested in any such Lands, Buildings, Tenements, Hereditaments, or Premises, to give their Consent in Writing to the said Trustees for the taking and using of any such Lands, Tenements, Hereditaments, and Premises, and the pulling down of any Dwelling House or any other Building, and to treat, contract, and agree with the Trustees for executing this Act for the Value, Consideration, Compensation, or Satisfaction to be made for such Property or Interest, or for any Loss or Damages as aforesaid, and by Conveyance, Lease and Release, or Bargain and Sale, to sell and convey unto the said Trustees any such Lands, Buildings, Tenements, Hereditaments, or Premises, or any Part thereof, for any of the Purposes of this Act; and all Contracts, Agreements, Sales, and Conveyances which shall be so made, shall be good, valid, and

Trustees may contract for the Purchase of Land.

and effectual to all Intents and Purposes without Fine or Recovery, and shall be a complete Bar to all Estates Tail and other Estates, Rights, Titles, Trusts, and Interests whatsoever, any Law, Statute, Usage, or other Matter whatsoever to the contrary notwithstanding; and all such Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Civil, Corporations Aggregate or Sole, Tenants for Life or in Tail, Husbands, Guardians, Trustees, Feoffees, Committees, Executors and Administrators, and all other Persons, shall be and are hereby indemnified for what they shall do by virtue or in pursuance of this Act; and if any such Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Civil, Corporations Aggregate or Sole, Tenants for Life or in Tail, Husbands, Guardians, Trustees, Feoffees, Committees, Executors or Administrators, or any other Person or Persons as aforesaid, upon Notice to him, her, or them given, or left in Writing at the Dwelling House or Houses or other Place or Places of Abode of such Person or Persons, or of the principal Officer or Officers of such Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Civil, or at the House of the Tenant in Possession of the Premises, shall, for the Space of Thirty Days next after such Notice given or left, neglect or refuse to treat, or shall not agree, or by reason of Absence shall be prevented from treating, then and in every or any such Case the said Trustees shall cause such Value, Consideration, Compensation, or Satisfaction or Damages to be inquired into and ascertained by a Jury in the Manner prescribed by the said recited Act passed in the Third Year of the Reign of His present Majesty in Cases where any Damages, Value, or Recompence for Premises thereby authorized to be taken and used for widening, diverting, altering, and improving any Turnpike Road are directed to be inquired into and ascertained, subject to all the Regulations and Provisions of such Act relative to the summoning and impannelling the Jury, the summoning of Witnesses, the fining of the Sheriff, his Deputy, Bailiff, or Agent, and fining the Witnesses, and to the Payment of the Expences of summoning and maintaining the Jury and Witnesses.

Application
of Compen-
sation when
amounting to
200*l.*

XXVI. And be it further enacted, That if any Money shall be paid or agreed or awarded to be paid for the Purchase of any Lands, Tenements, or Hereditaments to be purchased, taken, or used for the Purposes of the said Roads, which shall belong to any Body Politic, Corporate, or Collegiate, Ecclesiastical or Civil, Corporation Aggregate or Sole, Tenant for Life or in Tail, or to any Feoffee in Trust, Executor, Administrator, Husband, Guardian, Committee, or other Trustee for or on behalf of any Infant, Idiot, Lunatic, Feme Covert, or other Cestuique Trust, or to any Person or Persons whose Lands, Tenements, or Hereditaments are limited in strict or other Settlement, or to any Person under any other Disability or Incapacity whatsoever, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Exchequer, to be placed to his Account there *ex parte* the Trustees for executing this Act, pursuant to the Method prescribed by an Act passed in the First Year of the Reign of His present Majesty King George the Fourth, intituled *An Act for the better securing Monies and Effects paid into the Court of Exchequer at Westminster on account*

*account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes, and the General Orders of the said Court, and without Fee or Reward; and shall, when so paid in, there remain until the same shall, by Order of the said Court made upon a Petition to be preferred to the said Court in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments, be applied either in the Purchase or Redemption of the Land Tax, or in or towards the Payment or Discharge of any Debt or Debts or other Incumbrances affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments standing settled therewith or to the same or the like Uses, Trusts, Intents, or Purposes, as the said Court of Exchequer shall authorize to be purchased, redeemed, paid, or discharged, or such Part thereof as shall be necessary; or until the same shall, upon the like Application, be laid out in a summary Way, by Order of the said Court, in the Purchase of other Lands, Tenements, or Hereditaments, which shall be conveyed, limited, and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Lands, Tenements, or Hereditaments which shall be so purchased, taken, or used as aforesaid stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined or capable of taking effect; and in the meantime, and until such Order can be made, the said Money may, by Order of the said Court upon Application thereto, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities, or in Government or Real Securities; and in the meantime, and until the said Bank Annuities or Government or Real Securities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends or Interest and annual Produce of the said Consolidated or Reduced Bank Annuities, or Government or Real Securities, shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of such Lands, Tenements, or Hereditaments so to be purchased, conveyed, and settled.*

XXVII. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands, Tenements, or Hereditaments to be purchased, taken, or used for the Purposes of the said Roads, and belonging to any Corporation, or to any Person or Persons under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed or amount to the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy, Idiocy, Lunacy, or other Incapacity, with the Approbation of the said Trustees, or any Three or more of them, to be signified in Writing under their respective Hands, be paid into the Bank of *England* in the Name and with the Privity of the said Accountant General of

Where less than 200*l.* and amounting to 20*l.*

the Court of Exchequer, and be placed to his Account as aforesaid, in order to be applied in manner herein-before directed; or otherwise the same may be paid, at the like Option and with the like Approbation, to Two Trustees to be nominated by the Person or Persons who for the Time being would be entitled to the Rents and Profits of the Lands, Tenements, and Hereditaments so to be purchased and settled, such Nomination to be approved of by Three or more of the Trustees for executing this Act, and such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties; and the Money so paid to such Trustees, and the Dividends and Produce arising thereon and therefrom, shall be by them applied in like Manner as is herein-before directed with respect to the Money so to be paid into the Bank in the Name of the Accountant General of the Court of Exchequer, but without obtaining or being required to obtain any Order of the said Court touching the Application thereof.

When less
than 20l.

XXVIII. Provided also, and be it further enacted, That where such Money so agreed or awarded to be paid as next herein-before mentioned shall be less than Twenty Pounds, then and in all such Cases the same shall be paid to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken, or used for the Purpose of this Act, for his, her, or their own Use and Benefit; or in Cases of Infancy, Idiocy, Lunacy, or other Incapacity, then such Money shall be paid to his, her, or their Guardian or Guardians, Committee or Committees, Trustee or Trustees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

In case of
not making
out Title, &c.

XXIX. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be awarded for the Purchase of any Lands, Tenements, or Hereditaments, to be purchased, taken, or used under or by virtue of the Powers of this Act, shall refuse to accept the same, or shall not be able to make a good Title to the Premises to the Satisfaction of the said Trustees; or in case the Person or Persons to whom such Sum or Sums of Money shall be so awarded as aforesaid cannot be found, or if the Person or Persons entitled to such Lands, Tenements, or Hereditaments be not known or discovered; then and in every such Case it shall be lawful for the said Trustees to order the said Sum or Sums of Money so awarded as aforesaid to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the said Court of Exchequer, to be placed to his Account there to the Credit of the Parties interested in the said Lands, Tenements, or Hereditaments (describing them), subject to the Order, Controul, and Disposition of the said Court; which said Court, on the Application of any Person or Persons making claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall be and is hereby empowered, in a summary Way of Proceeding or otherwise, as to the said Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest of the Person or Persons making claim thereunto,

thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England* who shall receive such Sum or Sums of Money is and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying therein for what and for whose Use the same is or are received, to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank of *England* as aforesaid.

XXX. Provided always, and be it further enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the said Court of Exchequer in pursuance of this Act, for the Purchase of any Lands, Tenements, or Hereditaments, or of any Estate, Right, Title, or Interest in any Lands, Tenements, or Hereditaments to be purchased in pursuance of this Act for the Purposes aforesaid, or to any Bank Annuities or Government or Real Securities to be purchased with any such Money, or the Dividends or Interest of any such Bank Annuities or Government or Real Securities, the Person or Persons who shall have been in Possession of such Lands, Tenements, or Hereditaments at the Time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, or Hereditaments, according to such Possession, until the contrary shall be shown to the Satisfaction of the said Court; and the Dividends or Interest of the Bank Annuities or Government or Real Securities to be purchased with such Money, and also the Capital of such Bank Annuities or Government or Real Securities, shall be paid, applied, and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

Where any Question shall arise touching the Title to Money.

XXXI. Provided also, and be it further enacted, That where, by reason of any Disability or Incapacity of the Person or Persons, or Corporation, entitled to any Lands, Tenements, or Hereditaments to be purchased, taken, or used under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the said Court of Exchequer, or to be applied in the Purchase of other Lands, Tenements, or Hereditaments to be settled to the like Uses in pursuance of this Act, it shall be lawful for the said Court to order the Expences of all Purchases from Time to Time to be made in pursuance of this Act, or so much of such Expences as to the said Court shall seem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Trustees out of the Monies to be received by virtue of this Act, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

The Court may order reasonable Expences to be paid by Trustees.

XXXII. And be it further enacted, That it shall be lawful for the said Trustees and their Surveyor or Surveyors, or other Person or Persons

Ditches, Drains, Bridges, &c. Persons

by whom to
be made and
cleansed.

Persons by them appointed, and they are hereby authorized and empowered to make such Ditches, Drains, or Watercourses of a sufficient Depth and Breadth as shall be necessary for keeping the said Roads dry, and conveying the Water from the same, on the Sides of the said Roads, and also, where necessary, into or through any Fields, Lands, or Grounds adjoining to or lying near the said Roads (not being a Yard, Garden, Orchard, Park, Paddock, planted Walk, or Avenue to a House), at the Expence of the said Trustees, out of the Monies to be received by virtue of this Act, and also such sufficient Bridges, Arches, Culverts, Trunks, Tunnels, or Plats as shall be necessary, also at the Expence of the said Trustees, out of the Monies aforesaid, any Law or Statute to the contrary notwithstanding; and all such Ditches, Drains, and Watercourses, Bridges, Arches, Culverts, Trunks, Tunnels, or Plats, when so made and completed, shall for ever afterwards be scoured, cleansed, and kept open, repaired and maintained, by the Occupiers of the adjoining Fields, Lands, or Grounds; but all such new Bridges, Arches, Culverts, Trunks, Tunnels, and Plats as shall cross or pass in or under the said Roads, shall be scoured, cleansed, and kept open, repaired and maintained, by the said Trustees, subject to the Provisions of the said Act of the Third Year of the Reign of His present Majesty.

Trench Lane
vested in
Trustees to
be sold or
exchanged.

XXXIII. And whereas the present Highway leading from *Kingswood* towards *Wickwar* aforesaid, leads through and along a certain Green Lane in the Parish of *Kingswood* aforesaid, called the *Trench Lane*, which commences at the Northward End of another Lane or Highway called *Walk Mill Lane*, near the Village of *Kingswood*, and extends unto a Lane or Highway called *Chasehill Lane*, leading from *Hawkesbury* to *Wickwar*: And whereas the making of the intended new Road from *Kingswood* to *Wickwar* under the Powers of this Act will render the said Highway called the *Trench Lane* useless and unnecessary as a public Highway; be it therefore enacted, That when and as soon as the said Road hereby authorized to be made between *Kingswood* and *Wickwar* aforesaid shall be made and completed, such new Road shall be in lieu of the said Lane called *Trench Lane* as a public Highway, and the same Lane shall thenceforth cease to be a common and public Highway, to all Intents and Purposes whatsoever; and the said Lane called *Trench Lane*, and the Land and Soil thereof, shall vest in the Trustees of this Act, and shall and may be by them sold, disposed of, and conveyed, the Value thereof ascertained, and the Sale Monies arising therefrom applied according to the Directions, Provisions, and Enactments, and in the Manner in all respects contained and directed in and by the herein-before recited Act passed in the Third Year of the Reign of His present Majesty, with regard to the Sale of old Roads and Pieces of Land not wanted by Trustees, to the Conveyances thereof, and to the Application of the Sale Monies arising therefrom; but subject nevertheless to such Rights and Interests as *Robert Hale Blagden Hale* Esquire hath in and to the said Lane or some Part or Parts thereof, and in and to the Trees growing in such Lane.

Trustees to
make Com-
munications

XXXIV. Provided always, and be it further enacted, That if the Communication to any Lands or Grounds shall be cut off or obstructed
by

by the stopping up of the said Road or Way called *Trench Lane*, then and in such Case it shall be lawful for the said Trustees to order and lay out a Passage from the said new Road to and from such Lands or Grounds, in like Manner as by the said recited Act of the Third Year of the Reign of His present Majesty Trustees or Commissioners of any Turnpike Road are authorized to order and lay out Passages to any new Road in Cases where any Turnpike Road shall be diverted or turned.

from Lands where the present Communications are obstructed.

XXXV. And whereas the making of the said Roads will render useless and unnecessary a certain Road or Footway leading out of the Turnpike Road from *Wotton-under-Edge* to *Bristol*, over and across a Close of Ground called the *Lodge Ground* in the Parish of *Wotton-under-Edge* aforesaid, and leading thence over a Homestead called the *Lodge Farm*, and several Closes of Ground called the *Home Leaze*, the *Fourteen Acres*, the *Long Ragg*, and the *Oatlands*, all situate in the Parish of *Wotton-under-Edge* aforesaid, into and terminating at an ancient Carriage Road or Highway called *Vineyard's Lane*, near or adjoining the Village of *Kingswood* aforesaid; and also a certain other Road or Footway, commencing at a public Carriage Road or Highway in the Parish of *Wotton-under-Edge* aforesaid, called *Sym Lane*, and leading thence into and along a Lane there called *Cherry Orchard Lane*, and over several Closes of Ground called the *Lower Middle*, the *Hill*, the *Ten Acres*, and the *Long Ragg*, all situate in the Parish of *Wotton-under-Edge* aforesaid, into and terminating at the Eastward Corner of a Close called the *Six Acres*, situate in the same Parish; and also a certain other Road or Footway, commencing at the South-west End of the said lastly-mentioned Lane, and leading thence over several Closes of Ground called the *Lower Middle*, the *Little Hill*, the *Upper Orchard*, *Home Leaze*, and *Lower Orchard*, all situate in the said Parish of *Wotton-under-Edge*, into and terminating at the said Eastward Corner of the said Close called the *Six Acres*, where it joins the last-mentioned Footpath in the said Close called the *Six Acres*; be it therefore enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered, at any Meeting or Meetings to be held under this Act after the making of the said Road from *Kingswood* to *Wotton-under-Edge*, by Order under their Hands and Seals, to order and direct that the said useless and unnecessary Roads or Footways, or any or either of them, shall be stopped up and discontinued at the End of Four Calendar Months next after the Date of such Order; and from and after the Expiration of such Four Calendar Months it shall not be lawful for any Person or Persons whomsoever afterwards to use the said Roads or Footways, or such of them as shall be so stopped up and discontinued as aforesaid, but the same shall thenceforth cease to be common Highways, or a common Highway, to all Intents and Purposes whatsoever: Provided always, that Notice in Writing of such Order having been made as aforesaid shall be affixed on some conspicuous Place by the Side of the Roads or Footways, or Road or Footway, so ordered to be stopped up and discontinued as aforesaid, and also upon the principal Door of the Church or Chapel belonging to the Parish or Parishes within which such Roads or Footways, or Road or Footway, shall be situate, immediately before Divine Service, upon Three successive

Unnecessary Roads and Footpaths may be stopped by Order of Trustees.

Sundays next after the making of such Order, and shall also be Twice inserted in some public Newspaper usually circulated in the County of *Gloucester*, for the Purpose of enabling any Person or Persons who may be aggrieved by the said Order to make his, her, or their Appeal against the same as herein-after provided; nor shall any such Road or Footway be stopped up or discontinued, in case any such Person or Persons shall make any such Appeal within Four Calendar Months next after the making of such Order, until after the Determination of such Appeal.

Appeal.

XXXVI. And be it further enacted, That it shall be lawful for any Person or Persons who may be aggrieved by the making of any Order hereby authorized for stopping up and discontinuing the said old Roads or Footways, or any or either of them, to appeal against the same at any General or Quarter Sessions of the Peace for the said County of *Gloucester* which shall be held within the Space of Four Calendar Months next after the making of the said Order, upon giving a Notice in Writing of such Appeal (to be duly signed by such Appellant or Appellants), or leaving the same at the usual Place of Residence of the Clerk to the said Trustees for the Time being, at least Ten Days before such General or Quarter Sessions of the Peace; and the Justices assembled at such General or Quarter Sessions, upon Proof of such Notice of Appeal having been duly given as aforesaid, are hereby authorized and required to hear and determine the said Appeal, and upon the Quashing or Confirmation of the said Order to award and adjudge that the Party against whom such Appeal shall be determined shall pay such Costs as the said Justices shall appoint; and the said Appeal, having been so heard and determined, shall be final and conclusive to all Intents and Purposes whatsoever; and no Order against which any such Appeal shall be made as aforesaid shall be quashed for Want of Form only.

If no Appeal, the Order to be final.

XXXVII. Provided also, and be it further enacted, That in case no such Appeal shall be made within the Time aforesaid, the said Order or Orders shall be final and conclusive upon all Persons whomsoever.

Public Act.

XXXVIII. 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.

Commencement and Continuance of this Act.

XXXIX. And be it further enacted, That this Act shall commence upon the passing thereof, and shall continue and be in force for Twenty-one Years, and from thence to the End of the then next Session of Parliament.

SCHEDULE (A.) to which the Act refers.

Description of Premises.	Names of reputed Owners.	Names of reputed Occupiers.
A Garden - - -	William Fitzhardinge Berkeley, Esq.	John Saunders.
Ditto - - -	Ditto - - -	Ditto and David Workman.
An Orchard or Garden - - -	William Long - - -	In hand.
A Garden - - -	Robert Gainer, senior - - -	In hand.
Slaughter-house and Butcher's Shop - - -	Thomas Vaisey - - -	Thomas Hooper.
A Yard - - -	Edward Cooper, Esq. - - -	In hand.
A Garden - - -	Robert Hale Blagden Hale, Esq. as Lord of the Manor of Kingswood, or the Churchwardens of Kingswood - - -	Churchwardens of Kingswood.
A Garden - - -	Thomas Jefferis - - -	In hand.
A Garden - - -	Robert Hale Blagden Hale, Esq. - - -	George Hawkins.
An Orchard - - -	Miss Susanna Jones - - -	William Barber.
A Fishpond - - -	William Barber - - -	In hand.
A Garden - - -	Ditto - - -	James William Watts and William Barber.
House and Garden - - -	Thomas Arnold - - -	Ann Watts.
A Garden - - -	Hester Phillpotts - - -	Thomas Phillpotts and John Phillips.
Ditto - - -	Lord Ducie - - -	Giles Heaven.
Ditto - - -	Samuel Fowler - - -	George Church.
Ditto - - -	Mary Smith - - -	In hand.
An Orchard - - -	Ditto - - -	Ditto.
A Garden - - -	The Reverend Anthony Austin, Edward Austin, jun. and Le Strange Southgate Austin, and George Barton, a Purchaser of them under Contract - - -	Hester Organ.
Ditto - - -	Mark Shearman - - -	In hand.
Ditto - - -	John Munday - - -	In hand.
Ditto - - -	Thomas Hathaway - - -	In hand.
Ditto - - -	Samuel Curnock - - -	In hand.
Ditto - - -	Elizabeth Webb - - -	In hand.
Ditto - - -	James Perrett - - -	In hand.
A Piece of Pasture Ground - - -	Mary Harris - - -	Moses Knight.
A private Road - - -	Ditto - - -	- - -
A Garden - - -	William Reynolds - - -	Widow Pullen.
Ditto - - -	Thomas Gilbert - - -	In hand.
Ditto - - -	Ditto - - -	Ditto.
A Brick Yard - - -	John Gunter - - -	Ditto.
A Garden - - -	Robert Hale Blagden Hale, Esq. - - -	James Rodway.
An Orchard - - -	Samuel Roach - - -	In hand.
Ditto - - -	Christian Winter - - -	Ditto.
A Garden - - -	Robert Hale Blagden Hale, Esq. - - -	Mary Weight.
Summer House and Garden - - -	William Hitchcock - - -	William Dutton.
Buildings and Yard - - -	William Joseph Baylis - - -	William Tilley and Daniel Knight.

