



ANNO QUADRAGESIMO PRIMO

GEORGII III. REGIS.

Cap. 85.

An Act for continuing for Twenty-one Years, and from thence to the End of the then next Session of Parliament, the Term, and altering and enlarging the Powers of Two Acts, passed in the Thirty-first Year of the Reign of His late Majesty King *George* the Second, and in the Twentieth Year of the Reign of His present Majesty, for repairing and widening several Roads therein mentioned, so far as the same Acts relate to the Road from the Market House in *Tetbury* to the Turnpike Road on *Minchinhampton Common*; and from the said Road in *Minchinhampton Field* unto the Turnpike Road from *Cirencester* to *Stroud*, near *Burnt Ash*; and from the said Turnpike Road to *Tayloe's Mill Pond* in *Chalford Bottom*; and through *Hide* to the Bottom of *The Bourn Hill*, in the County of *Gloucester*; and for repairing, altering, and improving the Road from *Tayloe's Mill Pond* aforesaid to *Foston's Ash*, in the Parish of *Bisley*, in the said County of *Gloucester*.
[20th June 1801.]

[*Loc. & Per.*]

17 X

WHEREAS

Preamble.
31 Geo. II,
and

20 Geo. III,
recited.

Additional
Road.

Acts further
continued.

WHEREAS an Act was passed in the Thirty-first Year of the Reign of His late Majesty King George the Second, intituled, *An Act for repairing and widening the Roads from Tetbury to the Gates on the West of Symonds Hall Down, and from the Turnpike Gate at the Top of Frocester Hill to the Turnpike Road from Cirencester towards Bath, and from the Field called Bouldown Sleight to the End of a Lane adjoining to the Road from Housley to Tetbury, near Tiliup's Inn; and from the Market House in Tetbury to the Turnpike Road on Minchinhampton Common; and from the said Road in Minchinhampton Field unto the Turnpike Road from Cirencester to Stroud, near Burnt Ash, and from the said Turnpike Road to Tayloe's Mill Pond in Chalford Bottom, and through Hide to the River or Brook at the Bottom of The Bourn Hill, in the County of Gloucester, whereby the said Roads were divided into Two Districts, and separate Trustees appointed for the Care of each; And whereas another Act was passed in the Twentieth Year of the Reign of His present Majesty, to enlarge the Term and Powers of the said recited Act, so far as the same relates to the Road from the Market House in Tetbury to the Turnpike Road on Minchinhampton Common, and from the said Road in Minchinhampton Field unto the Turnpike Road from Cirencester to Stroud, near Burnt Ash, and from the said Turnpike Road to Tayloe's Mill Pond in Chalford Bottom, and through Hide to the River at the Bottom of The Bourn Hill, in the County of Gloucester, being the Second District of the Roads mentioned in the first-recited Act: And whereas the Trustees appointed in or by virtue of the said recited Acts for the said Second District, have proceeded in putting the same into Execution, so far as relates to the said District, and have borrowed and taken up at Interest a considerable Sum of Money upon the Credit of the Tolls arising thereon, and have applied the same, together with the said Tolls, in and towards repairing and improving the said Roads; and the Debt so incurred cannot be paid off, nor can the said Roads be properly amended, improved, and kept in Repair, unless the Term and Powers of the said Acts, so far as relate to the Second District of Roads, be continued, altered, and enlarged: And whereas the Road from the said Turnpike Road at Tayloe's Mill Pond, in Chalford Bottom aforesaid, up to and over Bisley Common, and from thence to Foston's Ash, in the Parish of Bisley, in the said County of Gloucester, is very much out of Repair, and in many Places narrow, circuitous, and hilly, and cannot be properly amended, widened, altered, varied, improved, and kept in Repair, by the ordinary Course of Law; and it would be a great Accommodation to the Neighbourhood and the Publick in general, if the said Road were included under the Powers and Provisions of the said Act, and made Part of the said Second District; 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 recited Acts, and all and every the Authorities, Powers, Privileges, Exemptions, Provisions, Regulations, Penalties, Forfeitures, Remedies, Directions, Articles, Clauses, Matters, and Things therein contained, so far as the same relate to the Roads comprized in the said recited Act of the Twentieth Year of the Reign of His present Majesty only, (except such of them as relate to Exemption from Stamp Duties), shall be, and the same are hereby further continued, and shall be put in Execution for and during the Term herein-after mentioned,*

and

and for the Purpose of repairing, widening, altering, varying, improving, and keeping in Repair the said Road from the Market House in *Tetbury* to the Turnpike Road on *Mitchinbampton Common*, and from the said Road in *Mitchinbampton Field* unto the Turnpike Road from *Cirencester* to *Stroud*, near *Burnt Ash* and from the said Turnpike Road to *Tayloe's Mill Pond* in *Chalford Bottom*, and through *Hide* to the River at the Bottom of *The Bourn Hill*, in the County of *Gloucester*; and also the said additional Road from the said Turnpike Road at *Tayloe's Mill Pond*, in *Chalford Bottom* aforesaid, up to and over *Bisley Common*, and from thence to *Foston's Ash*, in the Parish of *Bisley*, in the said County of *Gloucester*, and which last-mentioned Road shall from henceforth be added to, and made Part of the said Second District of Roads, as fully and effectually, to all Intents and Purposes, as if the said recited Acts, and the several Authorities, Powers, Provisoos, Regulations, Clauses, and Privileges therein contained, were herein particularly repeated and re-enacted, and as if the said additional Roads had been originally included in and made Part of the said Second District of Roads intended to be repaired by the said recited Act, but subject nevertheless to the Amendments, Variations, Alterations, and Additions herein contained, and which shall commence upon and take Effect from the passing of this Act; and this Act and the additional Term, and the Tolls hereby granted shall be, and the same are hereby made subject and liable to the Payment of all the Monies now due and owing on the Credit or on Account of the said recited Acts, or either of them, or that may hereafter be borrowed on the Credit of the said recited Acts and this Act, and all Interest due or to grow due thereon respectively.

II. And be it further enacted, That *Edward Aldridge, Charles Ballinger, John Baker, William Carkin, James Chambers, William Clutterbuck Chambers, Joseph Cambridge, Stephen Cambridge, Thomas Cripps, the Reverend Richard Davies, Thomas Howell, the Reverend Edward Hawkins, Sir Robert Bateon Harney, the Reverend Henry Charles Jeffreys, Peter Levenage the Younger, William Yarnton Mills, John Paul Paul, Robert Clarke Paul, Samuel Paul Paul, John Saunders, Daniel Webb Smith, Monkhouse Tate, Samuel Tanner, William Tayloe the Younger, Edward Tayloe, Walter Welch, John Gregory Welch, Paul Wathen, Nathaniel Peach Wathen, Joseph Watts, Richard Whitehead, the Reverend Joseph Williams, Williams, William Wood, and George Wathen*, shall be, and are hereby added to and joined with the Trustees appointed by virtue of the said former Acts, or either of them, for putting the same and this Act into Execution, with respect to the said Roads included in the said last recited Act and this Act; and the Trustees herein nominated and appointed, and their Successors to be hereafter elected, being qualified according to the Directions herein contained, shall be and are hereby empowered to act in the Execution of the said former Acts and this Act, with respect to the said Roads, as fully and effectually, to all Intents and Purposes, as if they had been nominated and appointed Trustees in and by the said former Acts, or either of them.

Additional
Trustees.

III. And whereas the Qualifications of Trustees appointed by the said First recited Act is insufficient; be it therefore enacted, That the same shall be and is hereby declared to be repealed, so far as relates to the said Second District of Roads.

Repealing
former Quali-
fication of
Trustees.

IV. Provided

Future Quali-
fications of
Trustees for
the Second
District.

IV. Provided, always, and be it further enacted, That no Person shall be capable of acting as a Trustee in the Execution of the said recited Acts or this Act for the said Second District, unless he shall at the Time of his acting be seised or possessed, and in the actual Possession and Receipt of the Rents and Profits of Messuages, Lands, Tenements, Tithes, or Hereditaments, of the clear yearly Value of One hundred and fifty Pounds above Reprizes, or shall be Heir Apparent of a Person seised or possessed, and in the actual Possession and Receipt of the Rents and Profits of Messuages, Lands, Tenements, Tithes, or Hereditaments, of the clear yearly Value of Three hundred Pounds above Reprizes, or be possessed of a personal Estate to the Amount of Four thousand Pounds, nor (except in administering the Oath or Affirmation following) until he shall have taken and subscribed, before any Two or more of the said Trustees, who are hereby authorized, to administer the same, an Oath or Affirmation in the Words or to the Effect following, as the Case may require; (that is to say),

Oath.

‘ I *A. B.* do swear, [or, being One of the People called *Quakers*, do solemnly, sincerely, and truly declare and affirm] That I am in my own Right, [or, in the Right of my Wife] truly and *bond fide* seised or possessed, and in the actual Possession and Receipt of the Rents and Profits of Messuages, Lands, Tenements, Tithes, or Hereditaments, of the clear yearly Value of One hundred and fifty Pounds above Reprizes [or, in case of an Heir Apparent] that I am Heir Apparent to *C. D.* who, to the best of my Knowledge and Belief, is truly and *bond fide* seised or possessed, and in the actual Possession and Receipt of the Rents and Profits of Messuages, Lands, Tenements, Tithes, and Hereditaments, of the clear yearly Value of Three hundred Pounds above Reprizes, [or, in case of a Personal Estate], that I am truly, and *bond fide* possessed of a clear Personal Estate of the Amount or Value of Four thousand Pounds; and that I will truly and faithfully execute the Powers and Trusts reposed in me as a Trustee for executing several Acts passed in the Thirty-first Year of the Reign of His late Majesty King *George the Second*, and in the Twentieth and Forty-first Years of the Reign of His Majesty King *George the Third*, for repairing the Road from the Market House in *Tisbury* to the Turnpike Road on *Minchinhampton Common*, and several other Roads therein mentioned, in the County of *Gloucester*, according to the best of my Judgement, and without Favour or Affection to any Person or Persons whomsoever.

‘ So help me GOD.’

Penalty on
acting if not
qualified.

And if any Person, not being qualified as aforesaid, shall nevertheless presume to act contrary to the true Intent and Meaning of this Act, every such Person shall for every such Offence forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall inform or sue for the same, to be recovered in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt, or on the Case, or by Bill, Plaint, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparance shall be allowed; and the Person so prosecuted shall prove that he is so qualified, or otherwise shall pay the said Penalty, without any other Proof or Evidence on the Part of the Prosecutor than that such Person hath acted as a Trustee in the Execution of this Act: Provided nevertheless, That such Acts and Proceedings as shall have been done and performed by any such Person, touching the Execution of the said recited Acts and this Act, previous to his being convicted of the Offence

ence before mentioned, shall, notwithstanding such Conviction, be as valid and effectual as if such Person had been qualified according to the Directions of this Act.

V. And whereas the Tolls now authorized to be taken on the said Second District of Roads are insufficient; be it therefore enacted, That the said Tolls shall be and the same are hereby repealed, and that instead thereof the respective Tolls following shall be demanded and taken at all or any of the Gates or Turnpikes which now are, or hereafter may be erected in, upon, or on the Side or Sides of the said District of Roads, or upon or across any Street, Lane, or Way leading into the same, before any Cattle or Carriage shall be permitted to pass through the same; (that is to say),

Present Tolls granted by this Act repealed, and other Tolls granted.

For every Horse, or other Beast of Draught, drawing any Coach, Waggon, or other Carriage whatsoever, any Sum not exceeding the Sum of Sixpence, and Two Oxen shall be deemed as One Horse:

Tolls.

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

For every Drove of Oxen, Cows, or neat Cattle, the Sum of One Shilling and Eight-pence *per* Score, and so in Proportion for any greater or less Number:

And for every Drove of Calves, Sheep, Lambs, or Swine, any Sum not exceeding the Sum of Ten-pence *per* Score, and so in Proportion for any greater or less Number:

And that double the respective Tolls aforesaid shall be demanded and taken for all Horses, Cattle, and Beasts, upon every *Sunday*, to be reckoned from Twelve of the Clock in every *Saturday* Night to Twelve of the Clock in the next succeeding *Sunday* Night.

Which said several Tolls shall be, and the same are hereby vested in the said Trustees for the said Second District, and the same and every Part thereof shall be collected, recovered, levied, paid, applied, assigned, and disposed of in such and the same Manner, and by such Ways and Means, and with such Remedies for Non-payment or Evasion thereof, and with such Powers, Provisions, Exemptions, and Restrictions, as are contained in the said recited Acts, or either of them, with respect to the Tolls thereby granted, continued, and made payable, for passing and repassing on the said Second District of Roads, but subject nevertheless to the Regulations and Alterations in this Act contained.

VI. And be it further enacted, That the said Trustees, or any Five or more of them, may, and they are hereby authorized and empowered from Time to Time, as they shall think proper, to lessen, vary, or alter all or any Part or Parts of the Tolls hereby granted at all or any of either of the Turnpikes erected or to be erected as aforesaid, and cause the same to be collected in such Manner, Parts, and Proportions, and with such Restrictions or Exemptions with respect to the Tolls to be taken at any Gate or Turnpike erected or to be erected on the Side of the said Roads, or across any Street or Lane or Way leading into the same, as they, or any Five or more of them, shall think fit, and to raise the same again, so as they do not exceed the Tolls by this Act granted; and so as such Reduction be with the Consent of the several Persons who shall be entitled to

Power to vary and alter the Tolls.

[*Loc. & Per.*]

17 Y

Three

Three Fifth Parts of the Monies then due upon the Credit of the Tolls, in Writing under their Hands first had and obtained, in case such Tolls shall be proposed to be reduced below what they were when such Monies were lent; but no such Reduction, Variation, or Alteration, shall be made after the First Meeting of the said Trustees, unless Notice in Writing be given for that Purpose, by affixing the same upon all the Gates or Turnpikes then erected across the said Roads at least Twenty-one Days before such Meeting, and by Advertisement to be inserted Twice in the *Gloucester Journal*, or some other Newspaper circulated in the said County of *Gloucester*.

Exempting
Clergy from
Toll.

VII. Provided always, and be it further enacted, That no Toll shall be demanded or taken by virtue of the said recited Acts or this Act, of or from any Rector, Vicar, or Curate, going to or returning from his own Parish Church or other Place of Divine Worship, or visiting his sick Parishioners, or from any Persons going to or returning from their own Parish Church or other Place of Divine Worship upon *Sundays*, or any other Days on which Divine Worship is ordered by Authority to be celebrated, nor from any Person or Persons going to or returning from the Funeral of any Person or Persons who shall die and be buried in either of the Parishes or Places in which any Part of the said Roads do lie; any Thing in the said recited Acts, or either of them, contained to the contrary hereof notwithstanding.

Special Meet-
ings to be
holden.

VIII. And be it further enacted, That if, after any Adjournment of the said Trustees, it shall at any Time be thought necessary that an earlier Day of Meeting should be appointed than the Day appointed by such Adjournment, in that Case the Clerk or Clerks to the said Trustees, upon an Order in Writing, signed by Two or more of the acting Trustees, although not assembled at a Meeting, shall forthwith give Notice thereof in the Manner before directed, and of the Time and Place which shall be mentioned in the Order of the said Trustees, (such Time not being less than Ten Days after such Notice), and such earlier Meeting shall and may be held accordingly; and all the Proceedings of the Trustees at every such Meeting shall be as valid and effectual as they would have been in case the same had been holden in pursuance of Adjournment.

Trustees to
purchase cer-
tain Lands.

IX. And be it further enacted, That it shall be lawful for the said Trustees, or any Five or more of them, or any Person authorized by them, to treat, contract, and agree with the several Owners, Proprietors, and Occupiers of, and Persons entitled unto or interested in the several Premises herein-after mentioned; (that is to say), Two Orchards belonging to and in the Occupation of *John Blackwell*, an Orchard belonging to and in the Occupation of *William Hopkins*; which said Premises are situate, lying, and being in the Parish of *Avonring*, in the County of *Gloucester*; and also a Rick Yard belonging to and in the Occupation of *John Stafford*, which said Rick Yard is situate, lying, and being in the Parish of *Minchinhampton*, in the County of *Gloucester*; and also a Garden belonging to *Corpus Christi College*, in the University of *Oxford*, in the Occupation of *Thomas Packer Butt* Esquire; Two Gardens belonging to and in the Occupation of *Isaac Lewis*; a Garden belonging to *Corpus Christi College* aforesaid, and in the Occupation of *Charles Ballinger*; an Orchard belonging to and in the Occupation of the said *Charles Ballinger*; a Garden belonging

belonging to and in the Occupation of *Betty Ireland*; a Garden belonging to *Thomas Howell*, in the Occupation of *John Box*; a Garden belonging also to *Corpus Christi College* aforesaid, and in the Occupation of *William Seville*; Three Gardens belonging to and in the Occupation of *William Yarnton Mills* Esquire; a Garden belonging to the said *William Yarnton Mills*, and in the Occupation of *John Dutton*; which said last-mentioned Premises are situate, lying, and being in the Town and Parish of *Bisley*, in the County of *Gloucester* aforesaid; and also Two Gardens belonging to *Peter Herbert*, in the Occupation of *Samuel Cliffold*; and a Garden belonging to the said *Peter Herbert*, and in the Occupation of *Nathaniel Blackwell*; which said last-mentioned Gardens and Premises are situate, lying, and being in the Parish of *Miserdine*, in the County of *Gloucester*, for the Purchase of the said several Gardens, Buildings, and Premises, or so much thereof respectively as shall be necessary for the Purpose of widening, turning, altering, and improving the said Road leading from *Tayloe's Mill Pond* to *Foston's Ash* aforesaid; and out of the Monies to arise by virtue of this Act to pay for such Houses, Buildings, Hereditaments, and Premises, or so much thereof as shall be thought necessary as aforesaid; and in case the said Trustees, and such Owner or Owners, and other Person or Persons as aforesaid, cannot agree touching such Compensation, or in case such Owner or Owners, Person or Persons, is or are incapacitated or unable to treat, contract, and agree as aforesaid, then the same shall be settled and ascertained in such Manner as is directed by the said first-recited Act with respect to Lands, Grounds, and Hereditaments, thereby authorized to be taken for the Purposes of the said Act.

X. Provided always, That if any of the before-mentioned Premises, or the Owners, Proprietors, or Occupiers thereof, shall happen to be improperly or inaccurately described or named, such wrong Description or Misnomer shall not prevent or retard the making the said Road through or over any Part of the Premises, but the same may be taken and used for the Purposes of this Act in such and the same Manner as if the same were more accurately and properly described or named.

Misnomers, or wrong Description, not to prevent the Execution of this Act.

XI. And be it further enacted, That when any Road shall by virtue of the said Acts and this Act be turned and made through any Land or Ground, being private Property, and there shall be in such Land or Ground, or in any other Land or Ground adjoining thereto, any Footpath or Footpaths leading to the same Place or Places to which such new Road shall lead, it shall be lawful for the Owners or Occupiers of such Lands or Grounds to stop up or discontinue all or any such Footpaths, and to prevent the using the same in future, and it shall not be lawful for any Person or Persons thenceforward to make or use any Road or Way over such respective Lands or Grounds, other than such as shall be authorized by the said Trustees, or any Five or more of them.

Footpaths may be discontinued.

XII. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands, Tenements, or Hereditaments, purchased, taken, or used by virtue of the Powers of the said first-recited Act, and this Act, for the Purposes thereof, with respect to the said Second District, which shall belong to any Corporation, Feme Covert, Infant, Lunatick, or Person or Persons under any Disability or Incapacity,

Application of Compensation Monies when exceeding 200^l.

as in the said recited Act is particularly mentioned, such Money shall, in case the same shall amount to the Sum of Two hundred Pounds, with all convenient Speed be put into the Bank of *England*, in the Name and with the Privy of the Accountant General of the High Court of Chancery, to be placed to his Account *ex parte* the Trustees for executing the said Act, and to the Intent that such Money may be applied under the Direction and with the Approbation of the said Court, to be signified by an Order made upon, or Petition to be preferred 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, in the Purchase of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrance or Part thereof, as the said Court shall authorize to be paid affecting the same Lands, Tenements, and Hereditaments, standing settled therewith, or to the same or the like Uses, Intents, and Purposes, or when such Money shall be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Messuages, Lands, Tenements, or Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Messuages, Lands, Tenements, and 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 and capable of taking Effect, and in the mean Time, and until such Purchase shall be made, the said Money shall, by Order of the Court of Chancery, 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, and in the mean Time, and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of the said Consolidated or Reduced Bank Annuities, 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 the said Lands, Tenements, or Hereditaments, so hereby directed to be purchased in case such Purchase or Settlement were made.

Application
where the
Sum does not
amount to
200 l.

XIII. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands, Tenements, or Hereditaments, purchased, taken, or used for the Purposes aforesaid, and belonging to any Corporation, or Person or Persons under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed the Sum of Twenty Pounds, then and in all such Cases, the same shall be at the Option of the Person or Persons for the Time being, entitled to the Rents and Profits of the Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians; Committee or Committees, in case of Infancy or Lunacy, to be signified in Writing under their respective Hands, to be paid into the Bank, in the Name and with the Privy of the said Accountant General of the High Court of Chancery, and be placed to his Account as aforesaid, in order to be applied in Manner herein before directed, or otherwise the same shall be paid, at the like Option, to Two Trustees, to be nominated by the Person or Persons making such Option, and approved of by Three or more of the said Trustees, (such Nomination and Approbation to be signified in Writing under

under the Hands of the nominating and approving Parties), in order that such Principal Money, and the Dividends arising thereon, may be applied in any Manner herein-before directed, so as the Case be applicable, without obtaining or being required to obtain the Direction or Approbation of the Court of Chancery.

XIV. Provided always, and be it further enacted, They where such Money so agreed or awarded to be paid as next before-mentioned, shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Hereditaments so purchased, taken, or used for the Purposes of the said Act and this Act, in such Manner as the said Trustees shall think fit, or in case of Lunacy or Infancy, then to his, her, or their Guardian or Guardians, Committee or Committees respectively, to and for the Use and Benefit of such Person or Persons so entitled.

Application where the Money is less than 20 l.

XV. And be it further enacted, That the said Trustees may sue and be sued for or concerning any Thing to be done by virtue or in pursuance of this Act, or the said recited Acts, in the Name or Names of their Clerk or Clerks for the Time being, and that no Action or Suit to be brought or commenced by the Direction of or against the Trustees, in the Name or Names of their Clerk or Clerks, shall abate or be discontinued by the Death or Removal of any such Clerk or Clerks, nor by the Act of such Clerk or Clerks, without the Consent of the Trustees, or any Five or more of them, but that the Clerk or Clerks for the Time being to the said Trustees shall be deemed to be Plaintiff or Plaintiffs, Defendant or Defendants, as the Case may be, in every such Action or Suit.

Actions may be brought by or against the Clerk to the Trustees,

XVI. Provided always, That all and every such Clerk or Clerks in whose Name or Names any Action or Suit shall be commenced, prosecuted, or defended in pursuance of this Act, shall be fully reimbursed and paid, out of the Money to arise by virtue of this Act, all such Costs, Charges, Damages, and Expences, as by the Event, or in Consequence of any such Action or Proceeding, he or they shall pay, bear, sustain, expend, or be put unto, or become chargeable with, by reason of his or their being Plaintiff or Plaintiffs, Defendant or Defendants, as aforesaid.

who shall be reimbursed his Expences as Plaintiff or Defendant.

XVII. And be it further enacted, That the Charges and Expences of obtaining this Act shall be paid out of any Monies already received by virtue of the said former Acts, or out of the First Monies to be received by virtue of the said former Acts and this Act on Account of the said Second District, in Preference to all other Payments whatsoever, and that in case any Person or Persons shall advance any Money for or on Account of obtaining this Act, the Person or Persons advancing and paying any such Money shall be repaid the same out of any Monies already raised or received, or to be raised or received by virtue of the said former Acts and this Act, together with Interest for the same, after the Rate of Five Pounds *per Centum per Annum*, from the Time of advancing the same.

For paying the Expences of this Act.

XVIII. And be it further enacted, That the several and respective Persons who have subscribed Money, or have severally agreed to subscribe

Subscribers to pay their Subscription Money.

Money for and towards the making, widening, altering, and repairing the said Road leading from the Turnpike Road at *Taylor's Mill Pond* up to and over *Bisley Common*, and from thence to *Foston's Ash* aforesaid, shall, and they are hereby required to pay the Sum or Sums of Money so subscribed within such Time and Times, and in such Parts and Proportions as the said Trustees, or any Five or more of them, shall from Time to Time order, direct, and appoint, and the same shall be paid to such Person or Persons as the said Trustees, or any Five or more of them, shall by Writing under their Hands authorize to receive the same; and if any 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, or any Five or more of them, to sue for the same in the Names of the said Trustees, or any Five or more of them, or in the Name or Names of their Clerk or Clerks, Treasurer or Treasurers, 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 Effoign, Protection, or Wager of Law, or more than One Imparance shall be allowed, and shall recover the same, with double Costs of Suit.

Publick Act.

XIX. And be it further enacted, 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 whomsoever, without specially pleading the same.

Commencement and Continuance of this Act.

XX. And be it further enacted, That the Term of the said recited Acts, so far as relates to the Roads comprized in the said Second District, shall from and after the First Meeting of the Trustees herein-before appointed cease and determine; and that the said recited Acts (subject as aforesaid) and this Act, shall from thenceforth continue and be in Force, and be executed for and during the Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament.

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