



ANNO QUADRAGESIMO PRIMO

GEORGII III. REGIS.

Cap. 94.

An Act to continue for Twenty-one Years, and from thence to the End of the then next Session of Parliament, the Term, and alter and enlarge the Powers of an Act, passed in the Twentieth Year of the Reign of His present Majesty King *George* the Third, for making and maintaining a Road from *Tiltups Inn*, in the Parish of *Horsley*, to join the Turnpike Road leading from *Cirencester* to *Dudbridge*, at or near *Dudbridge*, in the Parish of *Rodborough*, and from the Bridge at *Nailsworth*, in the Parish of *Avening*, to *Minchinhampton Common*, and several other Roads therein mentioned, all in the County of *Gloucester*, and for altering some Parts of the said Roads.

[20th June 1801.]

[*Loc. & Per.*]

18 U

WHEREAS

Preamble.
20 Geo. III,
recited.

Trustees have
proceeded in
the Execution
of the Act.

It is expedient
that some
Parts of the
Roads should
be altered.

Act further
continued.

Additional
Trustees.

WHEREAS an Act was passed in the Twentieth Year of the Reign of His present Majesty King George the Third, intituled, *An Act for making and maintaining a Road from Tiltups Inn, in the Parish of Horsley, to join the Turnpike Road leading from Cirencester to Dudbridge, at or near Dudbridge, in the Parish of Rodborough, and from the Bridge at Nailsworth, in the Parish of Avening, to Minchinhampton Common, and several other Roads therein mentioned, all in the County of Gloucester*: And whereas the Trustees appointed in or by virtue of the said Act have proceeded in the Execution thereof, and have for that Purpose borrowed several considerable Sums of Money on the Credit of the said Act, and of the Tolls thereby granted, and which Money is still due and owing and cannot be repaid, nor can the said Roads be properly amended, improved, and kept in Repair, unless the Term of the said Act is continued, and some of the Powers and Provisions thereof altered, and other Powers granted, and the Tolls increased: And whereas the Part of the said Road which leads from the Bridge at *Nailsworth*, in the said Parish of *Avening*, by *Howcombe Hill* and *Iron Mill Hill*, up the *Well Hill* to the Town of *Minchinhampton*, as in the said Act particularly mentioned, is found very incommodious, and it would be an Accommodation to the Neighbourhood and the Publick in general if the same were altered so as to pass by a Place called *Forwood and Trap End Gate* to the West End of the said Town of *Minchinhampton*, and also the Road leading from out of the said Road from *Tiltups Inn* to *Dudbridge*, at or near the Bridge at *Nailsworth* to *Minchinhampton Common*, other Part of the said Roads, and as in the said Act also particularly mentioned, is very steep and incommodious; and it would also be an Accommodation to the Neighbourhood and the Publick if, instead thereof, a Road was made to lead out of the said Road from *Tiltups Inn* to *Dudbridge*, at or near a Place called *Little Britain*, and to pass near *Saint Chloes School* to or near to a Place called *Amberley Bank*, upon *Minchinhampton Common*, with a Branch therefrom to *Saint Chloes Green*, also on the said Common; but the said Trustees cannot make such Alterations of Road without the Authority of Parliament; 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 Act, and all and every the Powers, Authorities, Provisions, Regulations, Penalties, Forfeitures, Clauses, Matters, and Things therein contained (except such as relate to Exemptions from Stamp Duties) shall be and are hereby further continued for and during the Term herein-after mentioned, as fully and effectually, to all Intents and Purposes, as if the same were repeated and re-enacted in the Body of this Act, but subject nevertheless to the Amendments, Variations, and Alterations herein contained, and which shall commence and take Effect upon the passing of this Act; and this Act, and the additional Term and the Tolls hereby granted, shall be subject and liable to the Payment of all the Money now due on the Credit or on Account of the said former Act, or which shall be borrowed on the Credit thereof, and of this Act, and the Interest due and to grow due thereon respectively.

II. And be it further enacted, That the Right Honourable *Henry Charles Somerset* commonly called Marquis of *Worcester*, the Right Honourable

Honourable *Charles Somerset* commonly called Lord *Charles Somerset*, the Right Honourable *Edward Somerset* commonly called Lord *Edward Somerset*, the Right Honourable *Robert Edward Henry Somerset* commonly called Lord *Robert Edward Henry Somerset*, the Right Honourable *Arthur John Henry Somerset* commonly called Lord *Arthur John Henry Somerset*, the Right Honourable *William Fitzbarding Berkeley* commonly called Lord Viscount *Dursley*, the Honourable *Frederick Morris Fitzbarding Berkeley*, the Honourable *Augustus Fitzbarding Berkeley*, the Honourable *George Cranfield Berkeley*, the Right Honourable *Henry Bathurst* commonly called Lord *Apsey*, *James Arundell*, *Archer Blackwell*, *Thomas Packer Butt*, *Charles Ballinger*, *Henry Burgb*, *Thomas Beard*, *William Capel* of Prestbury, *William Capel* of the Grove, *John Capel*, *Christopher Capel*, *Edmund Clutterbuck*, *James Clutterbuck*, *John Caruthers*, *Edward Palling Caruthers*, *Richard Cook*, *Henry Cook*, *John Cook*, *William Chance*, *Thomas Chance*, *Daniel Chance*, *Cockle*, *Thomas Cooper*, *Richard Cooper*, *Charles Cox* of *Lipiat*, *Charles Westley Cox* of *Kemble*, *Joseph Colborne*, *Richard Davis* Clerk, *Jeremiah Day*, *Daniel Day*, *Nathaniel Dyer*, *William Ellis* Clerk, *Thomas Estcourt*, *Thomas Estcourt* the Younger, *Edmund Eastcourt*, *Edmund Eastcourt* the Younger, *Henry Eycot*, *William Frost*, *William George*, *John George*, *Thomas Gray*, *Benjamin Hyett*, *Peter Hawker* Clerk, *Richard Hawker*, *William Holbrow*, *John Hollings*, *William Halliday*, *William Halliday* the Younger, *Peter Hawker* the Younger, Clerk, *Charles Hawker*, *George Hayward* Clerk, *George Hayward* the Younger, Clerk, *Edward Hill*, *Robert Kingscote*, *Peter Leversage*, *Peter Leversage* the Younger, *Samuel Lysons*, *Daniel Lysons* Clerk, *John Overbury*, *Nathaniel Overbury*, *Anthony Overbury*, *William Parker*, *William Purnell*, *John Purnell*, *Thomas Pettat*, *Richard Pettat*, *John Pettat* Clerk, *Thomas Pettat* the Younger, Clerk, *Richard Playne*, *John Peach*, *John Paul Paul*, *Robert Clarke Paul*, *Samuel Paul Paul*, *John Remington*, *Richard Fowler Rickards*, *William Read*, *William Read* the Younger, *Charles Read*, *Edward Shephard*, *Rowles Scudamore*, *William Smith*, *Peter Smith*, *William Seville*, *Philip Shephard*, *Henry Shephard*, *Thomas Saunders*, *John Saunders*, *Nathaniel Thornbury* Clerk, *Nathaniel Winchcombe*, *Thomas White*, *Thomas White* the Younger, *Samuel Webb*, *Richard Wetts*, *Nathaniel Watts*, *Peter Watts*, *Samuel Walbank*, *George White*, *William Wood* the Elder, *Robert Wight*, *Robert Wight* the Younger, *Nathaniel Peach Wathen*, *Charles Wathen*, *Joseph Wathen*, *Obadiab Paul Wathen*, *Samuel Wathen* of *Newhouse*, and *Nathaniel Wathen*, shall be and they are hereby added to and joined with the Trustees appointed in or by virtue of the said recited Act for putting the same and this Act in Execution; and the Trustees herein nominated, and their Successors, being qualified according to the Directions of the said Act, are hereby empowered to act in the Execution of the said Act and this Act, as fully and effectually, to all Intents and Purposes, as if they had been appointed by the said Act.

III. And whereas it is in and by a Clause in the said recited Act enacted and provided, that no Order made by Five Trustees shall be revoked or altered unless Twenty-one Trustees shall be present, and Two Thirds of them concur therein, at a Meeting to be held for that Purpose, as in the said Act particularly mentioned (which Number of Twenty-one Trustees has been found too large); be it therefore enacted, That so much of the said recited Clause as requires that Twenty-one Trustees shall be present to revoke or alter any Order made by Five Trustees, shall be and the same

For altering the Quorum of Trustees required by the former Act to be present at a Meeting for revoking any Order.

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is hereby declared to be repealed: Provided nevertheless, That no Order made by Five Trustees or more shall be revoked or altered unless Fifteen Trustees shall be present, and Ten of them concur therein, at a Meeting to be held for that Purpose, as in the said Act mentioned.

For altering
certain Parts
of the Roads.

IV. And be it further enacted, That it shall be lawful for the said Trustees, or the major Part of such of them as shall be present at a Meeting to be held for that Purpose, such major Part not being less than Five, to alter the said Road leading from the said Bridge at *Nailsworth* to the Town of *Minchinhampton*, by making the same across certain Inclosures in the Parish of *Minchinhampton*, beginning at a Field belonging to the Reverend *Joseph Williams* Clerk, near the *Iron Mill Hill*, by a Barn belonging to *Thomas Chambers*, and then by *Trap End Gate* to the West End of the Town of *Minchinhampton*, and to alter the said Road branching out of the Road from *Tiltups Inn* to *Dudbridge*, from the Bridge at *Nailsworth* to *Minchinhampton Common*, by making the same to lead from and out of the said Road leading from *Tiltups Inn* to *Dudbridge*, at or near a Place called *Little Britain*, and passing through a Field called *Broad Mead*, near *Saint Chloes School* and *Culver House Grounds*, to or near a Place called *Amberley Bank*, upon *Minchinhampton Common*, with a Branch therefrom to *Saint Chloes Green* also on the said Common: And to enable the said Trustees to make the said Branches or Pieces of Road, it shall be lawful for them, or any Five or more of them, to treat, contract, and agree with the several Owners, Proprietors, and Occupiers of and Persons interested in or entitled unto the several Lands, Grounds, Tenements, and Hereditaments, through which the same may be intended to be made, for the Purchase thereof, or of so much thereof as the said Trustees, or any Five or more of them, shall think necessary, so as to make the said respective Branches or Pieces of Road of any Width they shall think proper not exceeding Twelve Yards, and out of the Monies to arise by virtue of the said Act and this Act to pay for the same, or so much thereof as shall be necessary as aforesaid; and in case of any Differences between the said Trustees and the said other Persons, all of whom are hereby empowered to treat and agree with the said Trustees concerning the Price or Satisfaction to be paid for the Purchases before mentioned, such Differences shall be adjusted, settled, and determined, and such Recompence ascertained by a Jury, in such Manner and under the same Rules and Orders as are prescribed in and by the said recited Act, for settling Recompence and Damage on Account of Land to be used for making, widening, and altering the said Roads; and the said respective new Branches or Pieces of Road when made shall for ever after be and be deemed to be common Highways and Parts of the Roads included in the said Act and this Act, and the said Act shall extend to and include the said Branches or Pieces of Road, as fully and effectually, to all Intents and Purposes, as if the same had originally been included in the said Act; and that as soon as the said Trustees shall have made or caused to be made the said several and respective Alterations of Road, then the respective Part of the present Roads, in lieu of which such new Branch or Piece of Road shall be made, shall cease to be Part of the Turnpike Roads included in the said Act and this Act, or to be repaired as such, and the said Trustees shall from thenceforth be, and they are hereby declared to be discharged from any future Care or Management of the same; but this Act shall not extend to the taking down of any Dwelling House or other Building,

Building, or to take in any Land that is a Garden adjoining to any Dwelling House, or any Yard, Park, planted Walk or Avenue to a House, or any Part thereof (except as herein-after specified) without the Consent of the Owner or Proprietor thereof respectively, such Garden, Yard, planted Walk or Avenue, not having been made or planted within the Space of One Year immediately preceding the passing of this Act.

V. Provided nevertheless, and be it further enacted, That for the better carrying into Execution the Purposes of the said Act and this Act, it shall be lawful for the said Trustees, or any Five or more of them, to treat, contract, and agree with the Owners, Proprietors, and Occupiers of and Persons interested in or entitled unto the several Hereditaments and Premises herein-after particularly mentioned, for the Purchase thereof, or for making Recompence and Satisfaction for any Damage done thereto; (that is to say) a Garden in the said Parish of *Minchinhampton*, the Property of *Thomas Chambers*, and in the Occupation of *Miles Bennett*; a Garden and Orchard in the same Parish, the Property of the Reverend *Joseph Williams*, and in the Occupation of *Benjamin Sparks*; a Rick Yard at or near *Forwood* in the said Parish of *Minchinhampton*, the Property and in the Occupation of the said *Thomas Chambers*; a Stable Yard and Garden in the Town of *Minchinhampton*, the Property and in the Occupation of *William Moody*; a Messuage or Tenement and Garden at *Spout Gate* in the Parish of *Rodborough*, the Property of the Reverend *Henry Charles Jefferies*, and in the Occupation of *Elizabeth Dudbridge*; an Orchard at *Saint Chloes* in the said Parish of *Minchinhampton*, the Property of the Feoffees of *Saint Chloes* School in the Occupation of *Joseph Hort*; and a Garden at *Amberley Bank* in the said Parish of *Minchinhampton*, the Property of *William Cook*, and in the Occupation of *Elizabeth Cook*, or so much or such Part or Parts thereof respectively as the said Trustees, or any Five or more of them, shall think necessary, and out of the Monies to arise by virtue of the said Act and this Act to pay for the same, 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 recited Act with respect to Lands, Grounds, and Hereditaments, thereby authorized to be taken for the Purposes of the said Act; any Thing therein contained to the contrary hereof notwithstanding.

Trustees to purchase Premises for the making the Road.

VI. Provided always, and be it further enacted, That if any or either of the above-mentioned Premises, or any of the Persons in whose Possession or Occupation the same or any Part thereof are or is stated or described to be, or the Owner or Owners thereof, shall happen to be misnamed or inaccurately described, such Misnomer or inaccurate Description shall not prevent or retard the Execution of this Act, but the same Premises, and every Part thereof, shall and may be purchased, sold, conveyed, disposed of and applied to and for the Purposes of this Act, as fully and effectually, to all Intents and Purposes, as if the same were more particularly named or described.

Misnomer not to prevent the Execution of the Act.

Application of
Compensation
where exceed-
ing 200^l.

VII. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands or Hereditaments purchased, taken, or used by virtue of the Powers of the said recited Act and this Act, for the Purposes thereof, which shall belong to any Corporation, Feme Covert, Infant, Lunatick, or Person or Persons under any other Disability or Incapacity as in the said recited Act particularly mentioned, such Money shall, in case the same shall amount to 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 High Court of Chancery, to be placed to his Account there *ex parte* the Trustees for executing the said Act and this Act, to the Intent that such Money shall be applied under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a 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 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 or Hereditaments, or affecting other Lands or Hereditaments standing settled therewith, to the same or the like Uses, Intents, or Purposes; or where such Money shall not 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 Lands 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 Lands 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 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 Lands or Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made.

Application
where the
Compensation
does not ex-
ceed 200^l, nor
less than 20^l.

VIII. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands or Hereditaments purchased, taken, or used, for the Purposes aforesaid, 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 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 or 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) be paid into the Bank in the Name and with the Privity 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

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 Five or more of the Trustees for executing the said Act and this Act (such Nomination and Approbation to be signified in Writing 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 far as the Case be applicable, without obtaining or being required to obtain the Direction or Approbation of the Court of Chancery.

IX. Provided also, and be it further enacted, That 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 Lands or Hereditaments so purchased, taken, or used for the Purposes of the said Act and this Act, in such Manner as the said Trustees, or any Five or more of them, shall think fit; or in case of Infancy or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

Application where the Money is less than 20^l.

X. And whereas the said Trustees have erected a Toll House, with Out-buildings and Appurtenances, and have provided a Garden thereto, at or near the *Well Hill* in the Parish of *Minchinbampton*, on the Side of Part of the Roads, which when the new Road from *Nailsworth* to *Minchinbampton* is made as aforesaid will cease to be included under the Powers and Provisions of the said Act and this Act, and in the Execution of the Powers of the said Act and this Act, the said Trustees may purchase Lands or Hereditaments which may afterwards become not necessary for the Purposes thereof; and it is therefore expedient that the said Trustees should be enabled to dispose of all such Premises as aforesaid for the Benefit of their Trust; be it therefore enacted, That it shall be lawful for the said Trustees, or any Five or more of them, to sell and convey the said House, Out-buildings, and Gardens, and the Site thereof, and all the Appurtenances thereto belonging, and also all other Lands and Hereditaments which they may hereafter purchase, and which may afterwards not be wanted for the Purposes of the said Act and this Act, to any Person or Persons who shall be willing to purchase the same; and the Receipt or Receipts of the said Trustees, or any Five or more of them, for the Purchase Money which shall be agreed to be paid, shall be a full and complete Discharge or full and complete Discharges to the Purchaser or Purchasers thereof for the Consideration Money which shall be then expressed to be received; and such Purchaser or Purchasers, after such Receipt or Receipts, shall not be obliged to see to the Application of such Purchase Money, or any Part thereof, or be answerable or accountable for the Misapplication or Non-application thereof, or of any Part thereof; and after Payment of the Purchase Money the Purchaser or Purchasers shall thereupon respectively have and take to himself, herself, or themselves, and his, her, or their respective Heirs and Assigns, an absolute and indefeasible Estate of Inheritance in Fee Simple of and in the Premises which shall be comprized in such his, her, or their Purchase or Purchases, and for which such Consideration Money shall be so paid as aforesaid, and the same shall be also conveyed unto the respective Purchasers

Enabling the Trustees to dispose of a certain Toll House.

chasers thereof, and a Conveyance thereof by Lease and Release, made and executed by the said Trustees, or any Five or more of them, shall be valid and effectual in the Law to vest the same in such respective Purchasers, their Heirs and Assigns, and the Money arising from such Sale or Sales shall be applied by the said Trustees in carrying into Execution the said Act and this Act, and to no other Use, Intent, or Purpose whatsoever.

Not to sell Toll House, if erected on any Waste, without Consent of the Lord of the Manor.

XI. Provided nevertheless, and be it further enacted, That in case the said Toll House, Outbuildings, and Appurtenances shall be found to have been erected on Waste Land, it shall not be lawful for the said Trustees to sell or dispose of the same as aforesaid, without the Consent in Writing under the Hand of the Lord of the Manor of *Minchinhampton* for the Time being.

Regulation of Toll to be taken of Persons travelling Post, and changing Horses at the *Fleece Inn*, or any other Inn in a like Situation.

XII. And whereas the *Fleece Inn*, in the Parish of *Rodborough*, is situated between Two of the Turnpikes erected by virtue of the said Act, and Persons travelling Post, who change Horses at the said Inn, and who have already paid Toll at One of such Turnpikes, are nevertheless liable to pay Toll again for passing with such other Horses through the other of such Turnpikes; but Persons who do not so change Horses between such Turnpikes pay only One Toll for passing through both; be it therefore enacted, That it shall be lawful for the said Trustees, or any Five or more of them, and they are hereby empowered, if they shall think proper, to order and direct, that all Persons travelling with Post Horses, who shall pay Toll for the same at One of such Turnpikes, and shall then take other Horses at the said *Fleece Inn*, or at any other Inn or Place between the said Turnpikes, shall pass Toll-free with such Horses through the other of such Turnpikes, upon producing a Note or Ticket, denoting that Toll has been paid at the first Turnpike for the same Number of Horses; any Thing in the said recited Act contained to the contrary notwithstanding; all which Notes or Tickets the Receivers or Collectors of the Tolls at the said Turnpikes are hereby required to deliver gratis, on Demand, on Receipt of the respective Dollars appointed.

Post Horses returning with different Passengers to pay again.

XIII. Provided always, and be it further enacted, That in case Toll shall have been paid at Any Turnpike erected or to be erected upon or on the Side of any Part of the said Roads, for or in respect of Post Horses, such Payment shall not exempt such Horses from the Payment of Toll again in case they shall pass through the said or any other such Turnpike with any other Carriage, or with the same Carriage, if conveying a different Passenger or different Passengers than they were first employed in conveying, when the Toll was first paid as aforesaid; but all such Horses shall again be liable to the same Tolls as they would have been in case they had not before passed any Turnpike as aforesaid.

Tolls on Sundays to be taken.

XIV. And be it further enacted, That it shall be lawful for the said Trustees, or any Five or more of them, assembled at a Meeting to be held for that Purpose, to order and cause to be demanded and taken, at all and every of the Turnpikes already erected, or that may hereafter be erected, under and by virtue of the said recited Act and this Act, on every Sunday throughout the Year, such further Tolls than shall be payable on any other Day in the Week as they may

from Time to Time think proper, but not exceeding the full Amount of the several and respective Tolls by the said Act and this Act granted and made payable.

XV. And be it further enacted, That it shall be lawful for the said Trustees, or any Five or more of them, to make or cause to be made a Footpath or Way on either Side of any Part of the said Roads, and for that Purpose where necessary to treat, contract, and agree with the several Owners, Proprietors, and Occupiers of the Lands or Grounds adjoining to such Part of the said Roads, for the Purchase of so much thereof as shall be requisite for making such Footpath or Way, so that the Whole of the Road, including such Footpath or Way, shall not exceed Thirty-six Feet in Width, exclusive of the Ditches; and in case of any Difference between the said Trustees and the said other Persons, the same shall be adjusted, settled, and determined as herein-before mentioned with respect to other Lands or Premises to be taken for the Purposes of the said Act and this Act; and if any Person shall ride on any such Footpath or Way, or shall drive any Horse, Cattle, or Carriage thereon, or shall cause any Damage to any such Footpath or Way, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Ten Shillings nor less than Five Shillings.

For making Footpaths.

XVI. And be it further enacted, That if any Person shall leave any Waggon, Cart, or other Carriage, in, upon, or on the Side of any Part of the said Roads, without any Horse or other Beast of Draught harnessed or yoked thereto, or shall lay any Timber, Wood, Stone, Hay, Straw, Dung, Manure, Soil, Rubbish, or other Matter or Thing whatsoever, in any Part of the said Roads, or on the Side or Sides thereof, within Fifteen Feet from the Centre thereof, to the Prejudice or Annoyance thereof (except Stones for the Use and Repairs of the said Roads, and the Soil or Drift which may from Time to Time be scraped off the said Roads by Order of the Trustees, or their Surveyor) every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Twenty Shillings nor less than Ten Shillings.

Not to leave empty Carriages or Rubbish in the Roads.

XVII. And be it further enacted, That in case any Person or Persons shall, without the Permission of the said Trustees, or any Five or more of them, or of their Surveyor or Surveyors, scrape, rake, or take any of the Soil from off any Part of the said Roads, or shall take or carry away any of the Scrapings which may have been collected on the Side or Sides of any Part of the said Roads, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Ten Shillings nor less than Five Shillings.

Penalty on scraping the Road, or taking away Scrapings.

XVIII. And be it further enacted, That out of any Monies already raised by virtue of the said former Act, or out of the first Monies to be raised by virtue of the said Act and this Act, the said Trustees, or any Five or more of them, shall pay and defray all the Charges and Expences incident to and attending the obtaining and passing of this Act, in Preference to all other Payments whatsoever.

For paying the Expences of this Act.

XIX. And be it further enacted, That this Act shall be deemed, adjudged, and taken to be a Publick Act, and shall be judicially taken

Publick Act.

[*Loc. & Per.*]

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Notice

1650

41^o GEORGII III. *Cap.* 94.

Notice of as such by all Judges, Justices, and other Persons whomsoever, without specially pleading the same.

Term of the Act.

XX. And be it further enacted, That the Term granted by the said recited Act shall, from and after the passing of this Act, cease and determine, and that the said Act (subject to the Alterations, Additions, and Amendments herein contained) 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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