



ANNO QUARTO

GEORGIIV. REGIS.



Cap. xiv.

An Act for making and maintaining a Turnpike Road from *Stroud* to *Bisley* in the County of *Gloucester*. [2d May 1823.]

WHEREAS the widening, improving, diverting, and making Turnpike the present common public Road or King's Highway, leading from the Town of *Stroud* in the County of *Gloucester*, to the Town of *Bisley* in the same County, (several Parts of which are very narrow, steep, and incommodious), will be of great Benefit and Convenience to the Owners of Estates and Residents within or near the said Towns, and also of great public Utility, by opening a better Communication between the said Towns of *Stroud* and *Bisley*, and various other Parts of the adjacent Country: And whereas an Act was passed in the Third Year of the Reign of His Majesty King George the Fourth, intituled *An Act to amend the General Laws now in being for regulating Turnpike Roads in that Part of Great Britain called England*: 3 G. 4. c. 126. 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 County of *Gloucester*, together with *William Aldridge*, *Thomas Handy Bishop*, *John Burder* Master of Arts, *Benjamin Hayward Browne* Doctor of Medicine, [Local.] Appointment of Trustees. Thomas

Thomas Packer Butt, John Ballinger, Joseph Birt, John Baker, Richard Cooke, Thomas Croome, Stephen Clissold, William Capel, John Capel, Daniel Cox, John Colborne, Samuel Colborne, William Clutterbuck Chambers, George Davis, Handy Davis, William Weale Darke Doctor of Medicine, Paul Hawkins Fisher, Thomas Freston Clerk, Joseph Grazebrook, Benjamin Grazebrook, Thomas Groves, William Groves, Thomas Hill, Solomon Hopson, John Hawker, William Hopson, Edward Humpage, Edward Humpage the younger, Robert Helme, William Helme, Edward Gilling Hallewell, William Halliday, Sir Robert Harvey Baronet, John Hawkins Clerk, Peter Hawker of Stroud, William Hall, Thomas Howell, Thomas Holbrow, John Holbrow, Nathaniel Jones, Stratfords, Charles Innell, Charles Kendrick, Peter Leversage, William Lambert, William Lewis, John Lewis, George Lewis, Edward Mansfield Clerk, Thomas Mills of Stroud, Thomas Mills of the Grange, John Mills of Miserdine, John Mills the younger, of Miserdine, William Mills Clerk, William Yarnnton Mills, Daniel Mills, Charles Newman, Henry Newman, Robert Owen, Robert Owen the younger, John Hinde Pelley, Thomas Preston, John Powell, John Paine, James Rowles, William Stanton, John Sims, Richard Sims, Charles Page Sweeting, Christopher Smith, Richard Smith, Peter Smith, Edwin Windsor Bayntun Sandys, Robert Lawrence Townsend the younger, William Townsend Clerk, William Turner, William Tayloe, John Thornton, William Toghill, John Winn, Joseph Watts, Philip Wathen, Sir Samuel Wathen Knight, George Wathen, John Watling, Nathaniel Wathen of the Field, Daniel Watkins, Daniel Watkins the younger, Henry Wyatt, Richard Wyatt, Thomas Wall, Richard Watts, William Sandilands Wilson, John Williams Doctor in Divinity, and their Successors, shall be and they are hereby appointed Trustees for making and maintaining in Repair the said Road, and for otherwise putting this Act in execution.

Powers of
3 G. 4. c. 126.
extended to
this Act.

II. And be it further enacted, That all and every the Powers, Provisions, Exemptions, Penalties, Forfeitures, Payments, Remedies, Matters, and Things contained in the said recited Act (save and except such Parts thereof as are expressly varied, altered, or repealed by this Act), shall be as good, valid, and effectual for carrying this Act into Execution as if the same had been repeated and re-enacted in the Body of this Act.

Power to
appoint
additional
Trustees.

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 be holden in pursuance of this Act, to elect and appoint any Number of Persons (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, and being duly qualified according to the Provisions or Directions of the said recited Act, and having taken and subscribed the Oath, or being a Quaker, having made and subscribed the Affirmation in the said Act and this Act mentioned, 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.

Trustees to
be sworn.

IV. Provided always, and be it further enacted, That no Person shall be capable of acting as a Trustee for putting this Act into Execution,
unless

unless he shall be qualified in such Manner as in and by the said recited Act is directed and prescribed, and unless being so qualified he shall, before he shall act as a Trustee (except in administering the Oath or Affirmation mentioned in the said recited Act, and the Oath or Affirmation herein-after mentioned), take and subscribe, or being of the People called *Quakers*, shall make and subscribe, before One or more of the said Trustees, (who is and are hereby empowered to administer the same), the Oath or Affirmation following; (that is to say),

‘ I *A. B.* do swear, [*or, being of the People called Quakers, do solemnly* Oath.
‘ affirm], That I will truly and impartially, according to the best of
‘ my Judgment, execute and perform the several Powers, Authorities,
‘ and Trusts reposed in me as a Trustee by virtue of an Act passed in
‘ the Fourth Year of the Reign of His Majesty King *George* the Fourth,
‘ intituled *An Act [here set forth the Title of this Act]*, and of an Act
‘ passed in the Third Year of the Reign of His said Majesty, intituled
‘ [*here set forth the Title of the General Turnpike Act.*]

‘ So help me GOD.’

‘ [*Or, being a Quaker, omit the Words ‘ So help me God.’*]

And if any Person shall act (except as aforesaid) before he shall have taken and subscribed the said Oath, (or being of the People called *Quakers* have made and subscribed such Affirmation), 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 in any of His Majesty’s Courts of Record at *Westminster*, by Action of Debt or on the Case, Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, or more than One Imparance, shall be allowed; provided nevertheless, that no Act or Proceeding touching the Execution of the said recited Act or this Act, which shall be done or performed by any such Person who shall have omitted or neglected to take and subscribe the said Oath (or being of the People called *Quakers* to make and subscribe the Affirmation) by this Act prescribed, shall be thereby impeached or rendered nugatory, but all such Proceedings shall be as valid and effectual as if such Person had taken such Oath or made such Affirmation previously to his having acted as such Trustee as aforesaid.

V. And be it further enacted, That the Trustees for executing this Act shall meet together at the *George Inn* at *Stroud* in the County of *Gloucester*, or some other convenient Place at *Stroud* aforesaid, on the Third *Wednesday* next after the passing of this Act, or as soon after as conveniently may be, and shall and may then, and from Time to Time after, adjourn to and meet at such Times and at such Place or Places at *Stroud* aforesaid, as they shall think proper; and in case a sufficient Number of Trustees to act in the Execution of this Act shall not appear at any Time and Place appointed for a Meeting, then the Trustees or Trustee appearing at such Time and Place, or if no Trustee shall appear, then the Clerk shall, and they and he are and is hereby respectively authorized to adjourn the Meeting to the Place where the same was appointed to have been held, and to such Time as they or he shall think fit, not being more than Thirty Days, nor sooner than Fourteen Days from the Day of such last intended Meeting; and in case at any Time no Adjourn-
Meetings of Trustees.
Adjourn-
ment.
If no Ad-
journment

be made, the Clerk or Three Trustees may call a Meeting by Notice.

Powers of the Act may be executed by Three or more Trustees at a Meeting, and the Proceedings of the major Part of the Trustees present shall be as valid as if all the Trustees had acted.

No Order to be revoked, unless Five Trustees present, and the major Part concur.

Meetings on Emergencies.

ment of any Meeting or intended Meeting shall be made as aforesaid, then it shall and may be lawful for the Clerk to the said Trustees, or for any Three or more of such Trustees, although not assembled at a Meeting, to call a Meeting of the Trustees by Notice to be inserted in some public Newspaper usually circulated in the County of *Gloucester*, and affixed on all the Turnpike Gates on the said Road, appointing the Trustees to meet at such Time and Place at *Stroud* aforesaid, as the said Clerk, or the said Trustees respectively giving such Notice shall think proper, not exceeding Thirty Days, nor sooner than Fourteen Days from the Date of advertising such Meeting; and all the Powers and Authorities by this Act or the said recited Act given to the said Trustees, and all the Matters and Things by this Act or the said recited Act directed or authorized to be done by the said Trustees, shall and may be executed and done by or before the Majority of the Trustees assembled at some Meeting to be held in pursuance of this Act, the whole Number present not being less than Three, and the same shall be of as full Force and Effect as if executed or done by or before all the Trustees for executing this Act, (except in such Cases where any such Power, Authority, Matter, or Thing is by this Act or the said recited Act particularly directed or authorized to be executed or done by any other Number of Trustees, or in any other Manner); and at all Meetings to be held in pursuance of this Act a Chairman shall or may be appointed; and in all Cases where there shall be an Equality of Votes upon any Question, (including the Vote of the Chairman), such Chairman shall have the decisive or casting Vote; and all Orders made under the Powers and Provisions of this Act may be revoked or altered if Occasion shall require, provided that no such Order shall be revoked or altered except at some Meeting where not less than Five Trustees shall be present, nor unless the major Part of the Trustees so present shall concur in such Revocation or Alteration, nor unless Three or more Trustees, although not assembled at a Meeting, shall give Notice in Writing to the Clerk, under their Hands, and also cause Notice to be inserted in some public Newspaper usually circulated in the County of *Gloucester*, and affixed on all the Turnpike Gates on the said Road, specifying that such Revocation or Alteration is intended to be moved for Twenty-one Days at least previous to any Meeting to be holden for that Purpose; and the Trustees shall at their several Meetings pay their own Expences, except any Sum not exceeding Ten Shillings *per Diem* for the Use of the Room wherein they shall meet.

VI. And be it further enacted, That if after any Adjournment of any Meeting of the said Trustees, it shall at any Time be thought necessary, for the better Execution of this Act, that the said Trustees should meet on an earlier Day than the Day to which such Meeting shall be adjourned, it shall and may be lawful to and for the Clerk to the Trustees, by or under an Order in Writing signed by Two or more Trustees, or for any Two or more Trustees (although not assembled at a Meeting) to call a Meeting of the Trustees, to be held at such Time and Place in *Stroud* aforesaid as they shall think proper, by Notice, mentioning the Time and Place and Purpose of such Meeting, to be inserted in some public Newspaper circulated in the County of *Gloucester*, and affixed on all the Turnpike Gates then standing or being across the said Road, (such Time being

being not less than Fourteen Days after Publication of such Notice); and all Proceedings of the Trustees at such Meetings shall be as valid and effectual as they would have been in case the Trustees had met in pursuance of an Adjournment: Provided always, that no other Business than what shall be specified in such Notice shall be transacted at any such Meeting.

VII. And be it further enacted, That the said Trustees at any of their Meetings shall and may from Time to Time appoint a Clerk, Treasurer or Treasurers, Collector or Collectors of the Tolls, and a Surveyor or Surveyors of the said Road, and such other Officers as they the said Trustees shall think necessary, and from Time to Time remove any such Officer or Officers, and on the Death or Removal of any such Officer or Officers, may appoint another or others in his or their Stead; and every such Appointment and Removal shall be entered in the Book of the Proceedings of the Trustees, and the Entry shall be signed by the Trustees making the Appointment or Removal, or by the major Part of the Trustees present at the Meeting where the Appointment or Removal is made; and Ten Days Notice shall be inserted in some public Newspaper usually circulated in the County of *Gloucester*, and affixed on all the Turnpike Gates standing or being across the said Road, of every Meeting where any such Appointment or Removal shall be intended to be made after the first Meeting of the said Trustees specifying the Intention of appointing or removing such Officer or Officers; and the said Trustees shall and may and are hereby authorized and empowered, by and out of the Monies arising by virtue of this Act, to pay such Salaries and make such Allowances to such Officers and other Persons employed, or who shall assist in the Execution of this Act, for their Services in or about the carrying this Act into Execution, as they the said Trustees shall think reasonable.

VIII. Provided always, and be it further enacted, That the said Trustees shall, and they are hereby authorized, directed and required to take sufficient Security from the Treasurer or Treasurers acting by virtue of this Act, for the due and faithful Execution of his and their Office, and also shall or may take such Security from any Collector or Receiver of the Tolls, or any other Officer acting in Execution of this Act.

IX. And be it further enacted, That when and as often as any Collector or Receiver of the Tolls hereby granted, shall neglect or be incapable of performing his Duty, or shall abscond or absent himself, or shall otherwise misbehave or misconduct himself, it shall and may be lawful for any Two or more of the said Trustees, although not assembled at a Meeting of the Trustees appointed by virtue of this Act, to discharge such Collector or Receiver, and in such case, and also in case any Collector or Receiver shall die, to nominate and appoint a proper Person to be Collector or Receiver of the Tolls, to continue until the next Meeting of the Trustees, or until removed by virtue of the Powers and Provisions of this Act, which Person or Persons so nominated and appointed shall have the like Power and Authority, and be answerable and accountable in the same Manner in all respects, as if he or they had been nominated and appointed at a Meeting called and held in pursuance of this Act.

[*Local.*]

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X. And

Officers to
account, and
pay over
Balances.

X. And be it further enacted, That each and every Clerk, Treasurer, Receiver, Collector, Surveyor and other Officer, who shall be appointed under or by virtue of this Act, shall from Time to Time, within Twenty-one Days after being thereunto required, by Notice signed by Two or more of the said Trustees, given to him or them, or left at his or their usual Place of Abode, deliver to the said Trustees, or to such Person or Persons as they for that Purpose shall appoint, a true and perfect Account in Writing under his or their Hand or respective Hands, of all Monies which shall have been by him or them respectively had, collected, or received by virtue of this Act, and how and to whom and for what Purpose the same and every Part thereof hath been disposed of, together with proper Vouchers and Receipts for such Payments; and all such Officers or Persons shall and they are hereby respectively required, within Fourteen Days after so exhibiting their Accounts, or within such other further Time as the said Trustees shall order or appoint to pay all such Monies as upon the Balance of such Account or Accounts shall appear to be in their or his Hands to the said Trustees, or to such Person or Persons as they the said Trustees shall appoint to receive the same; and if any of the said Officers or Persons shall refuse or neglect to render and give such Accounts as aforesaid, or to produce and deliver up the Vouchers and Receipts relating to the same, or to pay the Balance remaining in their or his Hands within the Time or in Manner aforesaid, if thereunto required by the said Trustees, or if any such Officers or Persons shall refuse or neglect to deliver up to the said Trustees, or to such Person or Persons as they or any Two or more of them shall appoint to take the same, within Fourteen Days after being thereunto required by the said Trustees, all Books, Accounts, Papers, and Writings in their respective Custody or Power, in anywise relating to the Execution of this Act, or to the said Road, and Complaint shall be made of any such Neglect or Refusal to any Justice of the Peace of the County or Place where the Officer or Officers, Person or Persons so neglecting or refusing, shall live or reside, by the said Trustees, or by any Person or Persons by them authorized on their Behalf, such Justice may and he is hereby authorized and required to summon such Officer or Officers, or Person or Persons to appear before him; and in case such Officer or Officers, or Person or Persons, shall not appear upon such Summons (the same having been served upon him or them personally, or left at his or their usual Place or Places of Abode, and no reasonable Cause or Causes to the Satisfaction of the said Justice being shewn for such Non-appearance), to issue a Warrant or Warrants for the Apprehension of such Officer or Officers, or Person or Persons; and it shall be lawful for such Justice, upon the Appearance of such Officer or Officers, or Person or Persons, upon such Summons, or upon his or their being apprehended and brought before such Justice, by virtue of such Warrant, or upon his or their having absconded or not being to be found, to hear and determine the Matter of such Complaint in a summary Way, and to settle the said Account or Accounts, if produced, in the same Manner as the Trustees might have done; and if upon the Confession of the Officer or Officers, or Person or Persons, against whom any such Complaint shall be made, or by the Oath or Oaths of any credible Witness or Witnesses, it shall appear to such Justice that any of the Monies which shall have been so had, collected and received, shall be in the Hands of such Officer or Officers, or Person or
Persons,

Persons, such Justice may and he is hereby authorized and required upon Nonpayment thereof, by a Warrant or Warrants under his Hand and Seal, to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Officer or Officers, or Person or Persons respectively; and if no Goods or Chattels shall be found sufficient to answer and satisfy the said Money, and the Charges of levying the same, or if such Officer or Officers, or Person or Persons appearing or being brought before the said Justice in Manner aforesaid, shall refuse or neglect to give and deliver to such Justice an Account or Accounts of the Receipts and Payments as aforesaid, or to produce and deliver up to the said Justice the several Vouchers and Receipts relating to such Accounts respectively, or the Books, Accounts, Papers and Writings in his or their Custody or Power relating to the Execution of this Act, or to the said Road, then and in any of the Cases aforesaid, such Justice may and he is hereby authorized and required, by Warrant under his Hand and Seal, to commit such Officer or Officers, or Person or Persons, to the common Gaol of the County or Place where he or they shall live or reside, or to any House of Correction within the same, there to remain without Bail or Mainprize, until he or they shall have delivered in and settled his and their Accounts, and shall have delivered up the Vouchers and Receipts relating thereto, and shall have paid the Money which shall appear to be in his or their respective Hands, and the reasonable Charges of such Distress and Sale, as shall have been made by virtue of this Act in respect thereof, or until he or they shall have compounded with the said Trustees for the same, and paid the Composition Money to the said Trustees, or to such Person or Persons as they shall appoint to receive the same (and which Composition the said Trustees are hereby empowered to make and receive), or until he or they shall deliver up such Books, Accounts, Papers and Writings as aforesaid, or have given Satisfaction in respect thereof to the said Trustees, or to such Justice; but no such Officer or other Person who shall be committed for Want of sufficient Distress only shall be detained in Prison by virtue of this Act for any longer Space of Time than Six Calendar Months.

XI. 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, set up or built, upon, in, or across the said Road by this Act directed or authorized to be made and maintained, or any Part thereof, or upon or across any public Road, Lane or Way leading to the same, or any Part thereof, 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 One or more Toll House or Toll Houses, with Out Houses 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 Road suitable Garden Spots for such Toll House or Toll Houses, not exceeding One-eighth Part of an Acre each, as they shall think necessary; and from Time to Time to take down and remove or alter or discontinue the same, or any of them, as they the said Trustees shall think proper and direct or appoint; provided also, that none of the said Toll Gates or Toll Bars shall be removed or discontinued as aforesaid, unless Fourteen Days previous Notice of the Intention to remove or discontinue the same, shall have been given in some Newspaper published within the County of *Gloucester*, and also affixed

For erecting
Turnpikes.

affixed in Writing upon all the Toll Gates then standing upon the said Road.

Power to
take Tolls.

XII. 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 Road, 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),

Tolls.

For every Horse, Mule, or other Beast of Draught, drawing any Coach, Stage Coach, Diligence, Van, Caravan, Sociable, Berlin, Landau, Chariot, Vis-a-Vis, Barouche, Phaeton, Chaise Marine, Calash, Curricule, Chair, Gig, Whisky, Hearse, Litter, Chaise, or other such like Carriage, the Sum of Sixpence :

For every Horse, Mule, Ass, Ox or Bullock, drawing any Waggon, Wain, Cart, or other such like Carriage, the Sum of Sixpence :

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

For every Drove of Oxen or other Neat Cattle, the Sum of Ten-pence *per* Score, and so in proportion for any greater or less Number : And,

For every Drove of Calves, Sheep, Lambs, Hogs or Swine, the Sum of Five-pence *per* Score, and so in proportion for any greater or less Number.

Which said Sums of Money or Tolls shall be demanded and taken before any Horse, Mule, Ass, Beast or other Cattle, Coach, Stage Coach, Diligence, Van, Caravan, Waggon, Cart, or other Carriage 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 Road, or any Part thereof, or in, upon, or across any Lane or Way leading into the same; 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.

Limiting the
Number of
Tolls to be
paid.

XIII. Provided always, and be it further enacted, That if any Person shall have paid the Toll hereby authorized to be taken for the passing of any Horse, Cattle, Beast or Carriage through any one of such Toll Gates, or Turnpikes, or Side Gates, such Horse, Cattle, Beast, or Carriage shall, upon a Ticket denoting the Payment thereof on that Day being produced (which Ticket the Collector or Collectors of such Tolls is and are hereby required to deliver, or offer to deliver, *gratis*, to the Person paying the same, and on which Ticket shall be named and specified the Gate at which the same shall have been paid), be permitted to pass and repass Toll-free through the same Toll Gate, Turnpike, or Side Gate, and also through all other Toll Gates, Turnpikes, and Side Gates along the whole Line of the said Road, at any Time or Times during the same Day,

Day, to be computed as aforesaid; any thing in this Act contained to the contrary thereof in anywise notwithstanding.

XIV. Provided also, and be it further enacted, That the said Tolls shall be paid for and in respect of all Horses or Beasts of Draught drawing any Stage Coach, Diligence, Van, Caravan or Stage Waggon, or other Stage Carriage conveying Passengers or Goods for Pay or Reward, every Time of passing or repassing along the said Road. Stage Coaches, &c. to pay every Time of passing.

XV. And be it further enacted, That the said Trustees shall, and they are hereby required to put up and affix, or cause to be put up and affixed, and afterwards to be continued at every Toll Gate or Bar on the said Road, in a conspicuous Place, a Table of the Tolls by this Act granted, painted in distinct and legible black Letters on a Board with a white Ground, and at the Top of such Board the usual Name of the Gate at which the same shall be affixed, and also a List of the several Gates which shall be wholly or partially cleared by the Payment of Toll at the Toll Gate or Bar where such Table of Tolls shall be affixed, and specifying which of them shall be wholly and which of them shall be partially so cleared: Provided always, that upon Payment of any of the Tolls granted or made payable by or by virtue of this Act, the Collector or Receiver shall and he is hereby required to deliver *gratis* to the Person paying such Toll, a Note or Ticket denoting such Payment, and there shall be printed and specified thereon the Name of the Gate at which the Toll is received, and of the Gate or Gates (if any) which such Ticket shall free. Table of Tolls to be put up at every Gate.

Tickets to be printed.

XVI. And be it further enacted, That during such Time as the Tolls arising on the said Road, or any Part or Parts thereof, shall be leased, demised, or let to any Person or Persons whomsoever, it shall and may be lawful to and for the Lessee or Lessees, or Farmer or Farmers thereof, or such other Person or Persons as he or they shall authorize or appoint, to occupy and enjoy the Toll House or Toll Houses, at which the said Tolls so let are to be collected and to arise, with all the Appurtenances and Conveniences to the same Toll House or Toll Houses belonging, for the Purpose of collecting such Tolls during so long Time only as such Lessee or Lessees, Farmer or Farmers, shall duly and regularly pay his, her, or their Rent or Rents, and perform the Covenants, Agreements, and Conditions of such Lease, Demise or Letting, but no further or otherwise. Lessees or Persons appointed by them may occupy Toll Houses.

XVII. And be it further enacted, That in case all or any of the Tolls arising on the said Road shall be demised or let to farm to any Person or Persons in any Manner whatsoever, and the Lessee or Lessees, Farmer or Farmers thereof, shall neglect or refuse to perform the Terms and Conditions on which the same shall be so demised or let; or in case the Rent or Rents agreed to be paid by such Lessee or Lessees, Farmer or Farmers, or any Part or Instalment thereof, shall be in arrear or unpaid for the Space of Three Days next after any of the Days on which the same ought to be paid, pursuant to the Lease, Agreement, or Contract for demising or letting thereof; or in case such Lease, Agreement, or Contract shall in any other Manner become void, then and in any of the Enabling Trustees to take Possession of Toll Houses when let to farm.

[Local.]

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said Cases it shall be lawful for any Justice or Justices of the Peace for the County of Gloucester, upon Application made by the said Trustees, or by any Person by them appointed on their Behalf, by Warrant under his or their Hand and Seal or Hands and Seals, to order any Constable or other Peace Officer, with such Assistance as shall be necessary, to enter upon and take Possession of every or any Toll House, Toll Gate, Bar or Chain, or Weighing Machine, and the Buildings and Appurtenances thereunto belonging, in the Day-time, and to remove and put such Lessee or Lessees, Farmer or Farmers of the Tolls arising thereout respectively, or other the Person or Persons who shall be found therein, together with his, her, or their Goods, out of the same, and from the Possession thereof, and from the Collection of such Tolls, and to give to the said Trustees or other Persons acting by or under their Authority Possession thereof; and thereupon it shall be lawful for the said Trustees, if they shall think fit, to vacate and determine the Lease, Agreement, or Contract for demising or letting the said Tolls to such Lessee or Lessees, Farmer or Farmers, and the same shall accordingly be utterly void to all Intents and Purposes (save as to the Covenants or Agreements for Payment of the Rent or Rents thereby reserved, or other unperformed or broken Obligations, Covenants or Agreements on the Lessee's Part), as if such Lease, Agreement, or Contract had never been made; and it shall and may be lawful for the said Trustees in every such Case to demise or let to farm the said Tolls again to any other Person or Persons, or cause them to be collected in such and the same Manner as if no former Lease, Agreement or Contract had been made relative thereto.

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 any Money for and towards the making or maintaining the said Road, 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 is or are expressed in the Writing subscribed by them, or as the said Trustees shall order and direct, and the same shall be demanded by and paid to such Person or Persons as the said Trustees shall by any 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 to sue for the same in the Name of any One of such Trustees, or of their Clerk, 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 Impar lance, shall be allowed; and all such Monies shall be vested in the said Trustees, and applied as herein-after mentioned.

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

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 Road, 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, the said Trustees shall in the first Place pay and discharge all the Costs and Expences relative to the obtaining and passing of this Act, with Interest for the same, and the Remainder of all such Monies so subscribed or to be subscribed, advanced or borrowed, shall be applied in defraying

defraying the Expences of purchasing Lands and Hereditaments, and Materials for the Purpose of making and widening the said Road, and in erecting, making, or providing Toll Gates, Turnpikes, Bars, Gates, Chains, 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; and after Payment of all such Expences, the Remainder (if any) of such Monies, and all Monies which shall arise or be received from the Tolls by this Act granted, or otherwise, shall from Time to Time be applied in keeping down the Interest of the Monies subscribed or advanced for the Purposes of the said Road, and which may be borrowed on the Credit of this Act, and in amending and keeping in repair the said Road, and the Toll Gates and Toll Houses, and in otherwise putting this Act into Execution; and lastly in repaying the Principal Monies subscribed or advanced for the Purposes of the said Road, or which shall be borrowed by virtue of this Act or the said recited Act, either rateably or by Lot, as the said Trustees shall think proper.

XX. And whereas a Map or Plan describing the Line of the said Road, and the Lands through or over which the same is to be made or carried, together with a Book of Reference, containing a List of the Names of the Owners and Occupiers of such Lands, have been deposited at the Office of the Clerk of the Peace for the said County of *Gloucester*; be it therefore enacted, That the said Map or Plan and the Book of Reference shall remain in the Custody of the Clerk of the Peace for the said County, to the End that all Persons may at all seasonable Times have Liberty to inspect and peruse the same, and to take Copies or Extracts thereof at their Will and Pleasure, paying the Clerk of the Peace the Sum of One Shilling for every such Inspection, and at the Rate of Sixpence for every Seventy-two Words of such Copies or Extracts of the said Map or Plan and Book of Reference; and that the said Trustees in making the said Road shall not deviate more than One hundred Yards of Three Feet each from the Line described in the said Map or Plan, without the Consent and Approbation in Writing of the Person or Persons, Bodies Politic, Corporate or Collegiate, through whose Lands such Deviation shall be made.

Road to be made according to the Map or Plan deposited at the Office of the Clerk of the Peace.

XXI. Provided always, and be it further enacted, That it shall be lawful for the said Trustees to make the said Road into, through, across, or over the several Lands of any Person or Persons who is or are or may be Owner or Owners of Lands 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, in case it shall appear to any Two or more Justices of the Peace for the said County of *Gloucester*, and be certified by Writing under their Hands, that such Error or Omission proceeded from Mistake, and such Certificate shall be deposited with and remain in the Custody of the Clerk of the Peace for the said County.

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

XXII. Provided always, and be it further enacted, That the Powers and Authorities given by this Act for making the said Road, or given by the

Trustees restrained from pulling down said

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

said recited Act for amending, altering, turning, widening and improving the same, shall not 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 Schedule to this Act annexed.

Fences to
Road by
whom to be
made and
kept in Re-
pair.

XXIII. And be it further enacted, That in all Cases where, by virtue of this Act or the said recited Act, any new Road shall be made over or through any private Grounds, or where any Fence for widening, diverting or turning any Road already made shall be taken away, the said Trustees shall, and they are hereby required to make, erect, or place sufficient Fences or Stone Walls (with Gates therein where necessary) on the Sides of the said Road, where the same shall pass through or over any private Lands, Fields, or Grounds, or on the Side of such Road where any Fence shall be so removed as aforesaid, so as effectually to fence off the Lands adjoining; and after such Fences shall be made, the same shall be for ever thereafter the Property of the Persons or Parties on whose Lands, Fields, or Grounds the same shall have been made, erected or placed, and shall be supported and maintained for One Year by or at the Expence of the said Trustees, and for ever afterwards by or at the Expence of the Owners or Proprietors, or Occupiers of the Lands, Fields, or Grounds whereon such Fences shall have been so made, erected, or placed.

Ditches,
Drains,
Bridges, &c.
by whom to
be made and
cleansed.

XXIV. And be it further enacted, That Ditches, Drains or Watercourses, of a sufficient Depth and Breadth for keeping the said Road dry and conveying the Water from the same, shall be made by the said Trustees, or their Surveyor, or other Officer, on the Sides of such Parts of the said Road as shall be widened or altered by virtue of this Act, or the said recited Act; and also, where they shall judge it necessary, into or through any Lands or Grounds adjoining to or lying near the said Road (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 sufficient Bridges, Arches, Culverts, Trunks, Tunnels, or Plats shall be made by the said Trustees, or their Surveyor or other Officer, where any Carriageways or Footways lead into or out of such widened or altered Parts of the said Road, also at the Expence of the said Trustees, out of the Monies aforesaid, any thing in the said recited Act contained to the contrary notwithstanding; and all such Ditches, Drains and Watercourses, Bridges, Arches, Culverts, Trunks, Tunnels, or Plats, when made and completed by the said Trustees, shall for ever afterwards be scoured, cleansed and kept open, repaired and maintained by the Occupiers of the adjoining Lands or Grounds; but all new Bridges, Arches, Culverts, Trunks, Tunnels and Plats to be made by virtue of this Act, which shall cross or pass in or under the said Road, shall be scoured, cleansed and kept open, repaired and maintained by the said Trustees, subject to the Provisions of of the said recited Act.

XXV. And

XXV. And be it further enacted, That all and every Person and Persons, Counties, Towns, Parishes, Townships, Hamlets, Villages and Places, and the Inhabitants thereof respectively, and Bodies Politic, Corporate and Collegiate, and the Members thereof, who heretofore hath or have used, or of Right ought to repair any Part of the said Road, or any Bridge; Watercourse, Drain or Sewer in or upon the same, or to pay any Sum or Sums of Money for or towards the Repairs thereof, by Reason of the Tenure of any Lands, Tenements or Hereditaments, or otherwise howsoever, shall, notwithstanding this Act, be subject and liable to such Repairs, or to the Payment of such Sums of Money, in the same Manner as he, she or they, and every of them would have been in case this Act had not been passed.

Persons, &c.
before liable
to Repairs, to
continue so.

XXVI. And be it further enacted, That all Persons who by Law are or shall be liable to do Statute Work, or are or shall be chargeable towards repairing and amending the said Road or any Part thereof, shall still remain liable thereto as heretofore; and it shall and may be lawful for any Two or more Justices of the Peace for the County or Place in which the said Road or any Part thereof lies, and they are hereby empowered and required (upon Application made to them for that Purpose by the said Trustees, or by their Clerk or Surveyor by their Order) yearly to adjudge and determine what Part or Proportion of the Statute Work shall every Year be done upon the said Road by the Inhabitants of the respective Parishes, Townships, Hamlets, Divisions or Places liable thereto, or in which the said Road lies; and also what Proportion of the Money received by the Surveyor or Surveyors of the Highways of every such Parish, Township, Hamlet, Division or Place, in lieu of or as a Composition for such Statute Work, shall be by him or them paid to the said Trustees or to their Treasurer; and in order thereunto it shall be lawful for such Justices from Time to Time to summon the Surveyor or Surveyors of the Highways for every such Parish, Township, Hamlet, Division or Place, to bring in Lists before such Justices at some Place to be expressed in such Summons (within Ten Days after the serving of such Summons, either personally or by leaving the same at his or their Dwelling House or Dwelling Houses) of the Names of the several Persons who within such Parish, Township, Hamlet, Division or Place are by Law subject and liable to do Statute Work for that Year, or to the Payment of any Money in lieu of or as a Composition for such Statute Work, distinguishing the Nature of the Work to be done, whether with Teams or Draughts, or otherwise, and also the Amount of the respective Sums to be paid; which Lists of Names shall be made in such Manner, and under such Regulations and Restrictions, as is, are, or may be directed by any Law or Statute in Force and Effect for the Repair of the public Highways; and out of such Lists such Justices shall and may allot, appoint and order such and so many of the Persons who shall appear to be subject or liable to do Statute Work as aforesaid, to do such Number of Days Statute Work in every Year upon the said Road as the said Justices shall think reasonable; and the same shall be done on such Days and at such Times (not being Hay-time or Harvest) and on such Parts of the said Road, as the said Trustees, or their Surveyor or Surveyors by their Order shall from Time to Time order, direct, and appoint; and the said Justices shall and may also order and direct the Surveyor or

Statute
Labour.

Justices to
determine
Differences
touching Sta-
tute Work.

[Local.]

4 X

Surveyors

Surveyors of every such Parish, Township, Hamlet, Division or Place, to pay over to the said Trustees or their Treasurer such Proportion of the Composition for Statute Work as aforesaid, as they the said Justices shall think proper, and at such Time or Times as the said Justices shall direct; and each and every Person who shall neglect or refuse to do Statute Work as aforesaid (after Notice in Writing given to or left for him, her, or them at his, her, or their last or usual Place or Places of Abode for that Purpose, signed by the Surveyor or Surveyors to the said Trustees) shall for every Day of his, her, or their Default, or the Default of any Labourer or Labourers, Team or Teams, Draught or Draughts, Horse or Horses, Beast or Beasts, to be provided by him, her, or them, be subject and liable to such Pains, Penalties and Forfeitures as any Person or Persons may be subject or liable to by any Law or Statute in force and effect for the Repair of the Public Highways; and if any Person who shall come to Work as a Labourer, or who shall be sent with any Team or Draught to work on the said Road, shall be found idle or negligent by any Surveyor to the said Trustees, such Surveyor is hereby empowered to remove and turn off or discharge the Person who shall be found idle or negligent as aforesaid; and in that case every such Person shall be subject and liable to the respective Forfeitures and Payments aforesaid, as if he had neglected or refused to come, or such Team or Draught had not been sent to work on any Part of the said Road; all which Forfeitures shall be paid to the Treasurer to the said Trustees, and applied towards amending the said Road; and in case the said Surveyor or Surveyors of the Highways for any of the said Parishes, Townships, Hamlets, Divisions or Places shall refuse or wilfully neglect to give in such Lists as aforesaid, or shall knowingly or wilfully give in false or imperfect Lists, or shall refuse or neglect to collect or pay over such Composition Money, or any Part thereof, in Manner aforesaid, every such Surveyor so offending shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds; and such Composition Money shall and may be recovered from such Surveyor or Surveyors of the Highways, by Distress and Sale of his and their Goods and Chattels, by Warrant under the Hands and Seals of any Two Justices of the Peace for the County or Place wherein such Surveyor or Surveyors of the Highways shall live or reside, on Complaint made to such Justices by the Surveyor or Surveyors to the said Trustees.

Trustees may contract for making or repairing the Road, &c.

XXVII. And be it further enacted, That the said Trustees, or such Person or Persons as they shall for that Purpose authorize or appoint, shall and may, and they and he are and is hereby empowered to contract with any Person or Persons for making or amending, repairing and maintaining the said Road, or any Part or Parts thereof, and for erecting Mile or Direction Stones or Posts, Bridges, Culverts or Arches thereon or therein, or for doing any other Works to be performed in the Execution of this Act or the said recited Act, in such Manner and for such Sum or Sums of Money as the said Trustees shall think proper; and all Contracts or Agreements in Writing entered into pursuant to any Order of the said Trustees, by their Clerk, Surveyor or other Officer, with any Workmen, or other Person or Persons, relating to any Matter or Thing to be done by virtue of this Act or the said recited Act, shall be binding on the said Trustees and their Successors, and upon all other Parties who shall sign the same, and the Executors and Administrators of such other Parties;

Parties; and that Actions and Suits shall and may be maintained thereon by the said Trustees, and Damages and Costs recovered against the Party or Parties, or Person or Persons failing in the Performance of such Contracts or Agreements respectively; and such Sum or Sums of Money as shall be requisite for making, amending, repairing or maintaining the said Road or any Part thereof, or any other Matter or Thing to be done by virtue of this Act, and which by such Contracts or Agreements respectively the Parties ought to have done, shall be the Measure of the Damages to be recovered in any Action or Suit against such Party or Parties, or Person or Persons so as aforesaid making Default in fulfilling his, her, or their Contract or Agreement; any Law or Usage to the contrary in anywise notwithstanding.

XXVIII. Provided always, and be it further enacted, That when and as often as any Sum or Sums of Money shall be directed or ordered to be paid by any Justice or Justices of the Peace in pursuance of the Directions of the said recited Act or this Act, as or by way of Compensation or Satisfaction for any Materials, Costs, Damages, Spoil or Injury of any Nature or Kind whatsoever, done or committed by the said Trustees, or any Person or Persons acting by or under their Authority, and such Sum or Sums of Money shall not be paid by the said Trustees or their Treasurer (which such Treasurer is hereby authorized and empowered to do out of any Monies received or to be received by him as such Treasurer by virtue of this Act), to the Party or Parties entitled to the same within Ten Days after Demand in Writing shall have been made, stating the Order of such Justice or Justices from the Clerk to the said Trustees or their Treasurer, in pursuance of the Direction or Order made by such Justice or Justices, then and in such case the Amount of such Compensation or Satisfaction shall and may be levied and recovered by Distress and Sale of the Goods and Chattels vested in the said Trustees by virtue of this Act, or of the Goods and Chattels of their Treasurer for the Time being, under a Warrant to be issued for that Purpose by such Justice or Justices of the Peace, which Warrant any such Justice or Justices is and are hereby authorized and required to grant, under his Hand and Seal or their Hands and Seals, on Application made to him or them for that Purpose, by the Party or Parties entitled to such Sum or Sums of Money, or Compensation or Satisfaction aforesaid; and in case any Overplus shall remain after Payment of such Sum or Sums of Money, and the Costs and Expences of hearing and determining the Matter in Dispute, and also the Costs and Expences of such Distress and Sale, then and in such case such Overplus shall be returned on Demand to the said Trustees, or to their Treasurer for the Time being, as the case may be: Provided always, that it shall and may be lawful for such Treasurer to retain out of any Monies which he shall receive in pursuance of the said recited Act or this Act, all such Costs, Charges, and Expences as he shall be put unto by virtue of any such Order as aforesaid.

In case of Nonpayment of Compensation for Materials, Damages, or Injury done by the said Trustees, &c. the same to be levied by Distress of the Goods of such Trustees or their Treasurer.

XXIX. Provided always, and be it further enacted, That the Trustees appointed or to be appointed by virtue of this Act shall not be personally subject to or charged with the Payment of any Sum or Sums of Money by reason of their having signed or executed any Mortgage, or Assignment by way of Mortgage, or other Security to be made for the Purposes of this Act.

Trustees not personally liable for Mortgages.

XXX. And

Penalty for
certain
Offences.

XXX. And be it further enacted, That if any Person or Persons whomsoever shall wilfully pull down, break, injure, or damage any Table of Tolls put up or affixed at any Toll Gate or Bar on any Part of the said Road, or wilfully or designedly deface or obliterate any of the Inscriptions, Letters, Figures, or Marks thereon; or if any Person or Persons shall wilfully pull up, throw down, break, injure, or damage any Posts, Rails, or Fences to be placed or put up by Order of the said Trustees, or their Surveyor or Surveyors, either by the Side or Sides of the said Road, or at or near to any Pit or Quarry which shall be used, opened or made for the getting of Stones, Gravel or other Materials for the Purposes of this Act, in order to prevent Accidents; or if any Person or Persons shall wilfully cause any Damage or Injury to be done to any Bridge, Arch, Wall or other Building or Erection to be set up or erected by virtue of this Act on any Part of the said Road, or by the Side or Sides thereof; or if any Person or Persons shall cast or throw any Earth or Rubbish or other Matter or Thing into any Drain, Ditch, Culvert, Tunnel or other Watercourse made by virtue of this Act, so as to obstruct the Water from running or draining off the said Road; or if any Person or Persons shall, without being thereto authorized by the Surveyor or Surveyors for the Time being acting under this Act, shovel up, scrape, gather or carry away any Stones, Gravel, Sand or other Materials, Slutch, Dirt, Mire, Drift or Soil from off any Footpath or Causeway, or any other Part of the said Road; or if any Person or Persons shall turn loose any Horse, Ass, Beast, Sheep or Swine upon the said Road, or suffer any Horse, Ass, Beast, Sheep or Swine to be turned loose, or to wander or stray or to be or remain upon the said Road, to graze or depasture on the Sides thereof; or if any Person on Horseback meeting any Coach, Chaise, Waggon, Cart or other Carriage, or other Person on Horseback upon the said Road, shall not keep his Horse on the Left or Near Side of the said Road; or if any Person or Persons shall dig, make, or use any Pit or Pits for sawing of Timber or Wood on the Sides of the said Road; every Person offending in any of the Cases aforesaid shall forfeit and pay a Sum not exceeding Five Pounds for every such Offence; and every such Offender shall also pay to the said Trustees, or their Treasurer or Treasurers, or other Person or Persons, in addition to the Penalty, such Sum of Money as shall be a full Satisfaction for the Damage or Injury so done or occasioned to any such Table of Tolls, Post, Rail, Fence, Bridge, Arch, Wall, or other Building or Erection; and such Penalties and Damages shall be levied and recovered (together with the necessary Costs and Charges of levying the same) by the same Ways and Means, and in the like Manner as Penalties, Forfeitures, and Fines are by the said recited Act directed or authorized to be levied, and one Moiety of such Penalties shall be paid to the Informer, and the other Moiety thereof shall be paid to the Treasurer to the said Trustees, and applied or disposed of for the Purposes of this Act.

Damages and
Charges in
certain Cases,
how to be
ascertained.

XXXI. And be it further enacted, That where by this Act or the said recited Act any Damages or Charges are directed or authorized to be paid or recovered in addition to any Penalty or Penalties for any Offence or Offences, the Amount of such Damages or Charges, in case of Dispute respecting the same, shall be settled, ascertained, and determined by the Justice or Justices of the Peace, by or before whom any Offender shall be convicted of any such Offence or Offences.

XXXII. And

XXXII. And whereas the making Turnpike and diverting the said Road will render useless and unnecessary a certain Road commencing at or near a Place upon the Side of the said intended Turnpike Road, called *Kendrick's Barn*, and leading from thence down to the Cross Road in *Stroud Field*, where a public Road or Highway there leads to a Place called *Horns*, in the said Parish of *Stroud*; and also a certain other Road commencing at or near the *Abbey Cottage*, at the *Slad*, in the Parish of *Stroud* aforesaid, and leading from thence up to and communicating with the said intended Turnpike Road at or near to the lower End of a certain Field adjoining, called the *Forty Acres*; and also a certain other Road commencing at or near the *Abbey Cottage* aforesaid, and leading from thence up to and communicating with the said intended Turnpike Road at or near the Lodge adjoining the same, at the Entrance of *Lypiatt Park* in the said Parish of *Stroud*; and also a certain other Road commencing at *Trantor's Hill* in the Parish of *Bisley* aforesaid, and leading from thence up to and communicating with the said intended Turnpike Road at or near the middle Entrance or Door into *Lypiatt Park* aforesaid; and also a certain Footpath commencing at or near *Nowlson's Cross*, at the Top of the Town of *Stroud* aforesaid, and thence leading and extending over certain Fields called the *Slug Piece*, *Barn Piece*, *Churches*, *Tumpy Ground*, *Lower Frith* and *Upper Frith* respectively, into and communicating with the said Road hereby intended to be made at or near the Corner of the Field herein-before mentioned, called the *Forty Acres*; be it therefore enacted, That it shall and may be lawful to and for the said Trustees, at any Meeting or Meetings to be held in exercise of the Powers of this Act, by Order under their Hands and Seals, and they are hereby authorized and empowered to stop up and discontinue, and to prevent the using for the future of the said Roads and Footpath, or any or either of them as aforesaid; and it shall not be lawful for any Person or Persons whomsoever to use the said Roads and Footpath, or such of them as shall be so stopped up and discontinued as aforesaid, but the same shall thenceforth cease to be a common Highway or Highways to all Intents and Purposes whatsoever; and the same may be sold and conveyed by the said Trustees, or any Three or more of them, in the Manner mentioned in the said recited Act; and the Money arising by such Sale shall be applied for the Purposes of this Act: 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 Road or Footpath so ordered to be stopped up and discontinued, and also on the Church Door of the Parish or Parishes in which such Road or Footpath shall be situate, immediately before Divine Service, upon Three successive *Sundays* next after the making thereof, and also 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 the Appeal next herein-after provided.

For discontinuing certain Roads which will become unnecessary.

XXXIII. And be it further enacted, That it shall and may be lawful to and 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 and Footpath respectively, or any or either of them, to appeal against the same at any General Quarter Sessions of the Peace

Appeal may be made against Order of Trustees.

[Local.]

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for

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, duly signed by him, her, or them, to or leaving the same at the usual Place of Residence of the Clerk to the said Trustees for the Time being, at least Twenty-one clear Days before such General Quarter Sessions of the Peace; and the Justices assembled at such General Quarter Sessions are hereby authorized and required, upon due Proof before them by the Appellant or Appellants of such Notice having been regularly given by him, her, or them as aforesaid, to hear and determine the said Appeal, and upon the quashing or Confirmation of the said Order, to award and adjudge the Party against whom the said Appeal shall be determined to pay such Costs as the said Justices shall appoint; and the said Appeal, being 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,
Order to be
final.

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

Public Act.

XXXV. 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.

Commence-
ment and
Continuance
of this Act.

XXXVI. 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.

The SCHEDULE referred to by this Act.

Description of Property.	Names of Owners.	Names of Occupiers.
Gardens and Cottages	James Rowles -	{ The Gardens in the Occupation of James Rowles, and the Cottages unoccupied.
Cottages, Courts, and Gardens -	Mr. Minchin -	{ Richard Aldridge. Jeremiah Alloway. Thomas Perkins. Hester Nicholls.
Court or Yard -	Mr. Colborne's Trustees - -	Rev ^d . Mr. Burder.
Cottages - -	D ^o - -	{ Thomas Hill. — Powell.
D ^o - -	D ^o - -	J. Barrett.

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