



ANNO SEXTO

GEORGI IV. REGIS.

Cap. clv.

An Act for repairing the Road from *Bridgetown* in the Parish of *Old Stratford* in the County of *Warwick* to the Top of *Long Compton Hill* in the same County, and a certain other Road in the Counties of *Warwick*, *Worcester*, and *Gloucester*; and for making a new Branch of Road from the Village of *Long Compton* aforesaid, into the Turnpike Road leading from *Long Compton Hill* to *Woodstock* in the County of *Oxford*.

[10th June 1825.]

WHEREAS an Act was passed in the Fifty-eighth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for repairing the Road from Bridgetown* 58 G. 3. c. 34. in the Parish of *Old Stratford* in the County of *Warwick* to the Top of *Long Compton Hill* in the same County, and another Road therein mentioned, in the Counties of *Warwick*, *Worcester*, and *Gloucester*: And whereas the making of a new Road to branch out of the said Turnpike Road in the Village of *Long Compton* aforesaid, and to proceed from thence into the Turnpike Road leading from *Long Compton Hill* aforesaid to *Woodstock* in the County of *Oxford*, near to a certain Inn on such last-mentioned Road called *Chapel House*, will

[Local.]

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be.

be a great Accommodation to the Persons residing in the Neighbourhood, and of public Utility, by shortening the Distance, and avoiding the steep and dangerous Ascents upon the present Line of Road: And whereas an Act was passed in the Third Year of the Reign of His present Majesty, intituled *An Act to amend the general Laws now in being for regulating Turnpike Roads in that Part of Great Britain called England*: And whereas another Act was passed in the Fourth Year of the Reign of His present Majesty, intituled *An Act to explain and amend an Act passed in the Third Year of the Reign of His present Majesty, to amend the general Laws now in being for regulating Turnpike Roads in that Part of Great Britain called England*: And whereas another Act was passed in the Fifth Year of the Reign of His present Majesty, intituled *An Act to enable Justices of the Peace for Ridings, Divisions, or Sokes, to act as Trustees for repairing and maintaining Turnpike Roads*: And whereas it would facilitate the Execution of the Purposes aforesaid, if the said first-recited Act were repealed, and if the Powers thereby given, and such further Powers as may be necessary for making and maintaining the said new Branch of Road, and for carrying the said Act and this Act into Execution, were granted and comprised in One Act: 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 from and immediately after the passing of this Act the said recited Act passed in the Fifty-eighth Year of the Reign of His late Majesty King *George* the Third shall be and the same is hereby declared to be repealed, and instead thereof this Act shall be put in Execution for and during the Term herein-after mentioned, for the Purpose of more effectually amending, widening, improving, and keeping in repair the present Turnpike Road leading from *Bridgetown* in the Parish of *Old Stratford* aforesaid to the Top of *Long Compton Hill* aforesaid, and also the Turnpike Road leading from the Bridge in the Town of *Shipston-upon-Stower* aforesaid, to its Junction, near the Village of *Ebrington* in the County of *Gloucester*, with the Turnpike Road leading from the *Cross Hands* on the *Warcester* and *Oxford* Turnpike Road to *Halford Bridge* in the County of *Warwick*; and also for making and maintaining the said proposed new Branch of Road to commence in the Village of *Long Compton* aforesaid; and proceed from thence through the Lands of the several Persons mentioned in the Schedule hereto annexed, into the Turnpike Road leading from *Long Compton Hill* to *Woodstock* aforesaid, near to a certain Inn on such last-mentioned Road called *Chapel House*; and which new Branch of Road is intended to pass from, through, or into the several Townships, Parishes, Hamlets, or Places of *Long Compton* in the County of *Warwick*, and *Great Rollright* and *Over Norton* in the County of *Oxford*; and this Act, and the Term and Tolls hereby granted, shall be and the same are hereby made subject and liable to the Payment of all Monies heretofore borrowed or now due and owing on the Credit of the said first-recited Act, or secured upon or made payable out of the Tolls thereby authorized to be taken, and of all Interest due and to grow due thereon, as fully and effectually to all Intents and Purposes as if such

3 G. 4. c. 126.

4 G. 4. c. 95.

5 G. 4. c. 69.

First recited
Act repealed.

159. 1. 1. 1.

New Term
and Tolls
liable to
former Debts.

Monies

Monies had been borrowed and become due on the Credit of this Act, or of the Tolls hereby authorized to be collected.

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

Recited
Acts of 3, 4,
and 5 G. 4.
to extend to
this Act.

III. And be it further enacted, That all Arrears of Tolls or Rents or other Monies due to, and Property Real or Personal, and all Choses in and Rights of Action either at Law or in Equity, vested in the said Trustees under the said first-recited Act, shall immediately on the Commencement of this Act be vested in the Trustees for executing this Act, who shall be and are hereby enabled to sue for and recover the same, and for that Purpose to cause to be commenced and prosecuted all Actions and Suits at Law or in Equity, and to act in respect thereof as effectually as if the same had become due to or had been vested in them under or by virtue of this Act; or such Arrears of Tolls or Rents or other Monies so due to the said Trustees under such Act, by virtue of any Deed or Specialty, shall and may be sued for and recovered in the Name or Names of the Trustee or Trustees to or with whom such Deed or Specialty shall have been so made or entered into, at the Option or Election of the Trustees for executing this Act; and all the Costs to be incurred by the Trustees, or Persons in whose Names such Proceedings shall be had, shall be paid and defrayed by and out of the Monies to be received by virtue of this Act; and the Monies when recovered shall be paid over to the Treasurer or Treasurers of the said Trustees, to be applied for the Purposes of this Act.

Former
Debts, &c.
vested in
new Trus-
tees.

IV. And be it further enacted, That all and every the Books and Book of Proceedings which have been kept by the Trustees acting in the Execution of the Act hereby repealed, or by their Treasurer or Clerk under their Direction, according to the Provisions of such Act, and made Evidence thereby, and also the Book or Books to be kept for the Purposes of this Act, shall be admitted as Evidence in all Courts, and by all Judges, Justices, and others; and all Conveyances, Assurances,

Former
Books to be
Evidence,
and Mort-
gages, &c.
under old Act
to be valid.

Assurances, Mortgages, and Securities, and all Deeds, Bonds, Contracts, and Agreements, granted, made, or entered into under the Powers and Provisions of the said recited Act, shall be as valid and effectual to all Intents and Purposes as the same would respectively have been in case the said recited Act had remained unrepealed.

Appointment
of Trustees.

V. And be it further enacted, That all His Majesty's Justices of the Peace for the Time being acting for the Counties of *Warwick, Worcester, Gloucester, and Oxford* respectively, together with *Arthur Annesley Clerk, Edward Banister, Charles Barter Clerk, John Byrkin Bellamy, Matthew Boulton, Francis Canning, Robert Canning, Michael Corbett of Admington, Thomas Cox Clerk, James Davenport Doctor in Divinity, Charles Davenport Clerk, James Dawkins, William Dickins, Dugdale Stratford Dugdale, John Ellis Clerk, Francis Ellis Clerk, John Fellowes, John Hall, Hall, Edward Townsend Higgins, Thomas Stanley Hill, Thomas Hopkins Clerk, John Horniblow, Samuel Huckwall the elder, Thomas Hunt, John Jones Doctor in Divinity, Francis Lawley, William Longford Clerk, John Lord, Gilbert Malcolm Clerk, William Mavor Doctor in Divinity, Charles Mills, Samuel Wright Mister Clerk, Thomas Vere Richard Nicholl, Sir William Parker Baronet, Samuel Peach, Francis Penystone, George Philips, George Richard Philips, Abraham Pole, William Price Clerk, Samuel Farmer Sadler Clerk, Jeremiah Scholefield Clerk, the Honourable Edward Somerset commonly called Lord Edward Somerset, Samuel Young Seagrave Clerk, John Severne, Edward Sheldon, Evelyn John Shirley, Thomas Lambert Snow Clerk, John Tench Clerk, Gore Townsend, Henry Townsend Clerk, Edward Townsend Clerk, John Townsend, Joseph Townsend, John Hathaway Turbitt, James Roberts West, John Wheeler, Edward Welchman Wright Doctor of Medicine, and their Successors, being duly qualified according to the Provisions and Directions of the said recited Acts passed in the Third, Fourth, and Fifth Years of the Reign of His present Majesty, shall be and they are hereby appointed Trustees for making, amending, widening, improving, and keeping in repair the said Roads, and for otherwise carrying this Act into Execution.*

Meetings of
Trustees.

VI. And be it further enacted, That the said Trustees shall meet on the Second *Saturday* next after the passing of this Act, between the Hours of Eleven of the Clock in the Forenoon and Three of the Clock in the Afternoon, at the *George Inn in Shipston-upon-Stower* aforesaid, or at the *White Lion Inn in Stratford-upon-Avon* in the County of *Warwick*, or at some other convenient House or Place on the Line of the said Roads, and shall then proceed to carry this Act into Execution; and the said Trustees shall then and from Time to Time afterwards adjourn to and meet at the same Place, or at such other Place on either of the said Roads, and at such Times as the said Trustees, or the major Part of them present at any such Meeting, shall think proper and appoint: Provided that if at any Meeting appointed to be held by virtue of this Act there shall not be a sufficient Number of Trustees to act, or in case the Trustees at any Meeting assembled shall not adjourn themselves, then their Clerk or Clerks shall adjourn the said Meeting, and appoint the Trustees to meet at some Place in *Stratford-upon-Avon*, if such Meeting of the said Trustees

tees was not held in the said Town, but if such Meeting was held at *Stratford-upon-Avon*, then the said Clerk or Clerks shall adjourn the Meeting to take place in *Shipston-upon-Stower* on any Day not exceeding Six Weeks after the Day on which such last Meeting was appointed to be held.

VII. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered to elect and appoint any Number of Persons, being duly qualified according to the Provisions and Directions of the said recited Acts passed in the Third and Fourth Years of the Reign of His present Majesty, (not exceeding Ten 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, shall be Trustees for the Purposes of this Act, and are hereby invested with the same Powers and Authorities for executing this Act as if they had been herein named.

Power to appoint additional Trustees.

VIII. And be it further enacted, That the said Trustees at any of their Meetings shall and may from Time to Time appoint a Clerk or Clerks, Treasurer or Treasurers, Collector or Collectors of the Tolls, and a Surveyor or Surveyors of the said Roads, and such other Officers as they shall think necessary, and from Time to Time remove any such Officer or Officers, and on the Death, Resignation, or Removal of any such Officer or Officers may appoint another or others in his or their Stead; and every such Appointment shall be entered in the Book of the Proceedings of the said Trustees; and the said Trustees shall and may, and they 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 as shall be appointed or continued by virtue of this Act, for their Services in or about the carrying of this Act into Execution, as they the said Trustees shall think reasonable.

Appointment of Officers.

IX. Provided always, and be it further enacted, That each and every Treasurer who shall have been appointed consistently with the Provisions of the said recited Act passed in the Third Year of the Reign of His present Majesty, and not contrary to the Provisions and Directions of this Act, and each and every Clerk, Receiver, Collector, Surveyor, and other Officer appointed under and by virtue of the said Act hereby repealed, shall hold and enjoy such their several and respective Offices and Employments until removed therefrom by the Trustees for executing this Act; and each and every such Treasurer, Clerk, Receiver, Collector, Surveyor, and other Officer, shall have the like Power and Authority for the Purposes of this Act, and for carrying the same into Execution, and shall be subject to the like Pains and Penalties, and to the like Power of Removal, and to the like Rules and Regulations in all respects whatsoever as if he had been appointed by virtue of this Act.

Present Officers to continue until removed.

X. And be it further enacted, That it shall not be lawful for the said Trustees to continue or appoint the Person or Persons who has or have been or may be appointed their Clerk or Clerks in the Execution

Clerk not to act as Treasurer, and vice versa.

ention of this Act, or the Partner or Partners of any such Clerk or Clerks, or the Clerk or Clerks or other Person or Persons in the Service or Employ of any such Clerk or Clerks; or the Clerk or Clerks or other Person or Persons in the Service or Employ of the Partner or Partners of such Clerk or Clerks, the Treasurer or Treasurers for the Purposes of this Act, or to continue or appoint any Person or Persons who has or have been or may be appointed Treasurer or Treasurers, or the Partner or Partners of any such Treasurer or Treasurers, or the Clerk or Clerks or other Person or Persons in the Service or Employ of any such Treasurer or Treasurers, the Clerk or Clerks to the said Trustees; and if any Person shall accept both the Offices of Clerk and Treasurer for the Purposes of this Act, or if any Person or Persons, being the Partner or Partners of any such Clerk or Clerks, or the Clerk or Clerks or Person or Persons in the Service or Employ of any such Clerk or Clerks, shall accept the Office of Treasurer, or being the Partner or Partners of any such Treasurer or Treasurers, or the Clerk or Clerks or other Person or Persons in the Service or Employ of any such Treasurer or Treasurers, or the Clerk or Clerks or other Person or Persons in the Service or Employ of the Partner or Partners of such Treasurer or Treasurers, shall accept the Office of Clerk in the Execution of this Act, or if any such Treasurer shall hold or accept any other Place or Office of Profit or Trust under the said Trustees, every such Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person or Persons who shall sue for the same; to be recovered with full Costs of Suit in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, or more than One Imparlanee, shall be allowed.

Power to
erect Toll
Gates.

XI. And be it further enacted, That it shall be lawful for the said Trustees from Time to Time to erect and set up, or cause to be erected and set up, or to continue, in, upon, or across the said Roads or any Part thereof, or upon or across the Entrance to any public Road, Lane, or Way leading into the same, when, where, and as the said Trustees shall judge necessary and expedient, any Toll Gate or Toll Gates, Turnpike or Turnpikes, Side Bar or Side Bars, Chain or Chains, and also to erect and build, or cause to be erected and built, or to continue, proper Toll Houses, with sufficient Outhouses and Conveniences thereto, at or near each and every such Toll Gate, Turnpike, Side Bar, or Chain, and to inclose on the Sides of the said Roads suitable Gardens, not exceeding One-eighth Part of a Statute Acre each, for the said Toll Houses respectively, and from Time to Time to take down and remove or alter or discontinue the aforesaid Toll Gates, Turnpikes, Side Bars, and Chains, Toll Houses and Gardens, or any of them, as the said Trustees shall from Time to Time think proper and expedient.

Power to
take Tolls.

XII. And be it further enacted, That it shall and may be lawful to and 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 following at the several and respective Turnpikes and Toll Gates or Toll Houses, or Side Bars or Side Gates,

or Chains, which are or is or shall be erected or continued by virtue of this Act in, upon, across, or on the Side or Sides of the said Roads, or any Part thereof, once 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),

For every Horse, Mule, or other Beast, drawing any Coach, Chariot, Sociable, Landau, Berlin, Vis-a-vis, Barouche, Phaeton, Curricule, Calash, Chaise, Chair, Gig, Whiskey, Taxed Cart, Caravan, Hearse, Litter, or other such Carriage, the Sum of Three-pence: Tolls.

For every Horse, Mule, or other Beast, drawing any Waggon, Wain, Cart, or other such Carriage, having upright cylindrical Wheels of equal Diameter in the whole Breadth of the Felliés or Sole, and of the Breadth of Nine Inches, the Sum of Two-pence:

For every Horse, Mule, or other Beast, drawing any Waggon, Wain, Cart, or other such Carriage, having upright cylindrical Wheels of equal Diameter in the whole Breadth of the Felliés or Sole, and of the Breadth of Six Inches, the Sum of Three-pence:

For every Horse, Mule, or other Beast drawing any Waggon, Wain, Cart, or other such Carriage, having Wheels of less Breadth than Six Inches, or having Wheels of any Breadth, not being upright cylindrical Wheels of equal Diameter in the whole Breadth of the Felliés or Sole, the Sum of Four-pence Halfpenny:

For every Horse, Mule, or Ass, not drawing, the Sum of One Penny:

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

And the said respective Tolls shall, subject to the Restrictions herein contained, be demanded and taken before any Horse, Mule, or other Beast, or any Carriage whatsoever, or Drove of Oxen or other Cattle, Hogs, or Sheep, be permitted to pass through any Toll Gate or Toll Bar, Side Gate, Side Bar, or Chain, erected or to be erected or continued upon the said Roads by virtue of this Act, or in, upon, or across any Lane, Street, or Way leading into or out of the same; and upon Payment of the said Tolls the Collector or Receiver shall and he is hereby required to give and deliver *gratis* to the Person paying such Tolls a Ticket denoting such Payment, whereon shall be printed and specified the Names of such other Toll Gates or Toll Bars, Side Gates, Side Bars, or Chains (if any), which shall be freed thereby.

Tolls to be paid before Cattle pass the Gates.

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 the said Toll Gates, Toll Bars, Side Gates, Side Bars, or Chains, to be erected or continued by virtue of this Act, such Horse, Cattle, Beast, or Carriage shall, on a Ticket denoting the Payment thereof for that Day being produced, (which Ticket the Collector or Collectors of such Tolls is and are hereby required to deliver *gratis* to the Person paying the same, and whereon shall be named and specified

Tolls to be paid but once a Day.

the

the Gate at which the same shall have been paid, and also the Gate or Gates (if any) freed by the Payment of such Toll) be permitted to pass Toll-free through the same Toll Gate, Toll Bar, Side Gate, Side Bar, or Chain, and also through such other Gate or Gates as the Ticket for such Payment shall free, at any Time or Times during the same Day, to be computed as aforesaid; any thing in this Act contained to the contrary thereof in anywise notwithstanding.

Limiting the
Number of
Tolls.

XIV. Provided also, and be it further enacted, That no more than Two full Tolls shall be demanded or taken of or from any Person or Persons for or in respect of the same Horse or Horses, or other Beasts or Cattle, or Carriage or Carriages, in any one Day, to be computed from Twelve of the Clock at Night to Twelve of the Clock in the next succeeding Night, for passing and repassing, as often as he, she, or they shall have occasion, through all or any of the said Toll Gates, Toll Bars, Side Gates, Side Bars, or Chains, erected or continued or to be erected on that Part of the said Road which leads from *Bridgetown* to *Shipston-upon-Stower*; and no more than Two full Tolls in any one Day, to be computed as aforesaid, shall be demanded or taken from any Person or Persons passing and repassing, as often as he, she or they shall have occasion, with the same Horses or other Beasts, Cattle, or Carriages, through all or any of the said Toll Gates, Toll Bars, Side Gates, Side Bars, or Chains, erected or continued or to be erected on that Part of the said Road which leads from the Town of *Shipston-upon-Stower* to the Point in the Village of *Long Compton* where the new Line of Road will branch off, and if Two Tolls shall have been collected between *Shipston-upon-Stower* and the aforesaid Point in the Village of *Long Compton*, no other Toll shall be collected between that Point and the Spot where the old Line of Road joins the *Woodstock* Road on the Top of *Long Compton Hill*; and no more than Two full Tolls in any one Day, to be computed as aforesaid, shall be demanded or taken from any Person or Persons passing and repassing, as often as he, she, or they shall have occasion, with the same Horses or other Beasts, Cattle, or Carriages, through any Toll Gate, Toll Bar, Side Gate, Side Bar, or Chain, to be erected and set up upon the new Branch of Road from *Long Compton* Village into the *Woodstock* Turnpike Road near *Chapel House*; and which said Two Tolls last mentioned it shall and may be lawful for the said Trustees to collect and receive at any One Toll Gate, Toll Bar, Side Gate, Side Bar, or Chain, to be erected on any Part of such new Line of Road; and no more than One Toll and a Half in any one Day, to be computed as aforesaid, shall be demanded or taken from any Person or Persons passing and repassing, as often as he, she, or they shall have occasion, with the same Horses or other Beasts, Cattle, or Carriages, through all or any of the Toll Gates, Toll Bars, Side Gates, Side Bars, or Chains, erected or continued on that Part of the said Road which leads from the Bridge in the Town of *Shipston-upon-Stower* aforesaid to *Ebrington Bratch*, and which One Toll and a Half may be collected at any One Toll Gate or Toll Bar which now stands or may be erected on the said last-mentioned Road.

Exemption
for Carriages
laden with
Stone.

XV. Provided always, and be it further enacted, That no Tolls shall be demanded or taken at any Toll Gate or Toll Bar, Side Gate, Side Bar, or Chain, erected or to be erected or continued by virtue of this

this Act within the said Parishes of *Long Compton, Great Rollright, and Over Norton*, for or in respect of any Horses or other Beasts drawing any Waggon, Cart, or other Carriage laden with Stone raised within the said Parishes for the Purpose of repairing Roads or Highways, and to be used within the said respective Parishes where such Stone shall be raised as aforesaid.

XVI. Provided also, and be it further enacted, That the Tolls hereby made payable shall be paid for and in respect of all Horses or Cattle drawing any Stage Coach, Van, Caravan, or Stage Waggon or other Stage Carriage conveying Passengers or Goods for Pay or Reward, for every Time of passing or repassing along the said Roads, and also for and in respect of all Horses or other Beasts drawing any Post Chaise or other Carriage travelling for Hire, for every Time of passing or repassing along the said Roads, whenever a new Hiring of such Post Chaise or other Carriage shall have taken place.

Stage Coaches, &c. to pay each Time of passing, and Post Chaises on every new Hiring.

XVII. And be it further enacted, That out of the Tolls and other Monies which shall be raised or received by virtue of this Act the said Trustees shall in the first Place pay and discharge all the Expences and Costs relative to the procuring and passing of this Act, and the Remainder of such Monies shall from Time to Time be applied in erecting Toll Houses, Toll Bars, Side Gates, Side Bars, Chains, and Weighing Machines, and in making, amending, widening, altering, and improving the said Roads, and keeping the same in repair, and in defraying all the Charges and Expences of carrying this Act into Execution, and in repaying the Principal Monies by this Act charged or to be borrowed, and the Interest due or to grow due thereon.

Application of Tolls and other Monies.

XVIII. And whereas the Turnpike Road leading from *Woodstock* to the Top of *Rollright Lane* in the County of *Oxford*, which is under the Care and Management of the Trustees appointed in and by an Act passed in the present Session of Parliament, intituled *An Act for repairing certain Roads from the Borough of New Woodstock to Rollright Lane, and other Roads therein mentioned, in the County of Oxford*, adjoins to and communicates with Part of the Road herein-before described at the Top of *Long Compton Hill* aforesaid; and it will be of mutual Advantage to the Roads respectively comprised in the said last-mentioned Act and this Act, as well as of public Utility, if the Trustees acting in the Execution of this Act were enabled to enter into an Arrangement respecting the making and maintaining of the new Branch of Road herein-before mentioned, with the Trustees of the said recited Act; be it therefore further enacted, That it shall be lawful for the Trustees acting in the Execution of this Act to enter into an Agreement with the Trustees for executing the said recited Act respecting the making and maintaining of the said new Branch of Road.

The Trustees may enter into an Agreement with the Trustees of the Woodstock Road.

XIX. And whereas the Turnpike Road leading from *Birmingham* to *Stratford-upon-Avon*, which is under the Care and Management of the Trustees appointed in and by virtue of an Act passed in the Second Year of the Reign of His present Majesty, intituled *An Act*

The Trustees may enter into an Agreement with the

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for

Trustees of
the Birmingham
Road.

for repairing the Road from Birmingham, through Stratford-upon-Avon, to Stratford Bridge in the County of Warwick, also adjoins to and communicates with Part of the Roads herein-before described; and the making of the said new Branch of Road will be of great Benefit and Advantage to the Line of Road under the Care and Management of the said Trustees; and it is expedient that the Trustees acting in the Execution of this Act should be empowered to enter into an Agreement with the last-mentioned Trustees respecting the making and maintaining of the said new Branch of Road; be it therefore enacted, That it shall be lawful for the Trustees acting in the Execution of this Act to enter into an Agreement with the Trustees appointed under or by virtue of the said Act passed in the Second Year of the Reign of His present Majesty respecting the making and maintaining the said new Branch of Road.

The present
Road from
Long Compton
to the
Top of Long
Compton
Hill to con-
tinue Turn-
pike.

XX. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to discharge the said Trustees from the Liability to maintain the present Turnpike Road from the Village of *Long Compton* to the Top of *Long Compton Hill*, but the same shall continue to be Turnpike, and to be maintained and repaired by them as heretofore, notwithstanding the making of the said new Branch of Road from *Long Compton* to *Chapel House*.

New Branch
of Road may
be made.

XXI. And be it further enacted, That it shall be lawful for the Trustees for carrying this Act into Execution, and they are hereby authorized and empowered to make the new Branch of Road herein-before described, in, over, upon, or through any private Lands or Grounds of any Person or Persons, Body or Bodies Politic, Corporate, or Collegiate whatsoever, according to the Directions and Provisions of this Act, and to take and use such Quantities of Land or Ground as shall be requisite and necessary for making such Road, and forming the Base of the Embankments and the Openings of the deep Cuttings, of such Width as will leave such Road Forty Feet on the level Surface when completed, and also to take, in some convenient Place or Places on the Side or Sides of such Road, a sufficient Quantity of Land for depositing such Soil and Materials from the deep Cuttings as shall not be wanted for filling up Valleys or making Embankments; and also to erect and make, or cause to be erected and made, such Footpaths, Causeways, Bridges, Culverts, Ditches, Drains, Walls, Mounds, Fences, Gates and Stiles, as may be requisite and necessary or expedient; and for such Purpose or Purposes to pull down, take, and use or lay into the said Road any Houses, Buildings, Lands, Tenements, or Hereditaments mentioned in the Schedule to this Act annexed, making full Satisfaction in manner directed by the said recited Act passed in the Third Year of the Reign of His present Majesty, with respect to Lands, Tenements, and Hereditaments by the said Act authorized to be purchased for the Purpose of widening, diverting, altering, and improving Turnpike Roads, to the Owners or Proprietors of and all Persons interested in any Lands, Tenements, and Hereditaments which shall be taken, removed, or injured, for the Estate and Interest therein of such Persons respectively, and for all Damages to be by them sustained in

and by the Execution of all or any of the Powers hereby granted, and also in, upon, over, or through any Commons or Waste Grounds, without making any Satisfaction for such Commons or Waste Grounds; and it shall be also lawful for the said Trustees, and for their Surveyors and Workmen, from Time to Time to enter upon the Lands and Premises through which or whereupon such Road, Footpaths, Causeways, Bridges, Culverts, Ditches, Drains, Mounds, Fences, Gates, and Stiles are intended to be made and pass, and also upon any adjoining Lands or Grounds, and to stake out the same in such Manner as the said Trustees shall think necessary or expedient, without being deemed Trespassers, and without being subject or liable to any Fine, Penalty, or Punishment for entering or continuing upon such Lands or Premises respectively for any of the Purposes of this Act; and if any Person shall pull up, remove, or destroy any of such Stakes or other Marks used for the Purposes aforesaid, every Person so offending shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds.

XXII. And whereas Maps or Plans describing the Line of the said new Branch of Road through the Lands to be taken for making the same, together with Books of Reference containing a List of the Names of the Owners and Occupiers of such Lands, have been deposited with the Clerks of the Peace for the Counties of *Warwick* and *Oxford*; be it therefore enacted, That the said Maps or Plans and Books of Reference shall remain in the Custody of the respective Clerks of the Peace for the said Counties, 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 therefrom, at their Will and Pleasure, paying to the Clerks of the Peace the Sum of One Shilling for every such Inspection, and at the Rate of Four-pence for every Seventy-two Words of such Copies or Extracts of the Maps or Plans and Books of Reference; and 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 Maps or Plans, without the Consent and Approbation in Writing of the Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, through whose Lands or Grounds such Deviation shall be made.

Plans to remain with the Clerk of the Peace for the Counties of Warwick and Oxford.

XXIII. Provided always, and be it further enacted, That it shall be lawful for the said Trustees to take and use the Lands, Hereditaments, and Premises of any Person or Persons who is or are or may be Owner or Owners of Lands and Premises described in the said Maps or Plans as aforesaid, for the Purpose of making the said new Branch of Road, although the Name or Names of such Person or Persons may happen to be erroneously described or omitted in the said Books of Reference, in case it shall appear to any Two or more Justices of the Peace for the Counties of *Warwick* or *Oxford*, and be certified by Writing under their Hands, that such Error or Omission proceeded from Mistake.

Lands marked in the Plans may be used notwithstanding Errors in the Books of Reference.

XXIV. Provided also, and be it further enacted, That the Powers and Authorities hereby given shall not extend or be construed to extend to empower or authorize the said Trustees to take or pull

Trustees restrained from pulling down Dwelling Houses, &c.

down

without the
Consent of
the Owners.

down any Dwelling House or other Building, or to take in or make use of any Orchard, Garden, Yard, Park, Paddock, 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, (other than and except such as are mentioned in the said Maps or Plans, and in the Schedule to this Act annexed), without the Consent in Writing of the Owner or Proprietor thereof first had and obtained.

Land in
Schedule to
be purchased
within Five
Years.

XXV. Provided also, and be it further enacted, That unless the Lands and Hereditaments mentioned in the said Schedule shall be purchased for the Purposes of this Act within the Space of Five Years next after the passing thereof, it shall not be lawful for the said Trustees to take or use any of such Lands or Hereditaments without the Consent in Writing of the Owners or Proprietors thereof for that Purpose first had and obtained.

Application
of Compen-
sation Money
if amounting
to 200*l*.

XXVI. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands, Tenements, or Hereditaments purchased, taken, or used by virtue of the Powers of the said recited Act passed in the Third Year of the Reign of His present Majesty, or of this Act, which shall belong to any Corporation, Feme Covert, Infant, Lunatic, or Person or Persons under any Disability or Incapacity as in the said Act mentioned, such Money, in case the same shall amount to or exceed the Sum of Two hundred Pounds, shall with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Exchequer, to be placed to his Account *ex parte* the Trustees of the *Old Stratford* and *Long Compton* Road, pursuant to the Method prescribed by an Act passed in the First Year of the Reign of His present Majesty, intituled *An Act for the better securing Monies and Effects paid into the Court of Exchequer at Westminster on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes*, and the General Orders of the said Court, and without Fee or Reward; to the Intent that such Money may be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon 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, Tenements, or Hereditaments, in the Purchase of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrances, or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments standing settled therewith to the same or the like Uses, Trusts, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under and with the like Direction and Approbation of the said Court, in the Purchase of other Lands, Tenements, or Hereditaments, which shall be conveyed and settled to, for, and upon such and the same Uses, Trusts, Intents, and Purposes, and in the same Manner as the Lands, Tenements, and Hereditaments which shall be so purchased, taken, or used as aforesaid stood settled or limited, or such of them as at the Time of making the Conveyance and Settlement shall be existing unde-

undetermined and capable of taking effect; and in the meantime, and until such Purchase shall be made, the said Money shall, by Order of the said Court of Exchequer 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 meantime, and until such 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 be entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made.

XXVII. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands, Tenements, or Hereditaments 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, Tenements, 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 said Court of Exchequer, and be placed to his Account as aforesaid, in order to be applied in manner herein-before directed; or otherwise the same shall be paid at the like Option to Two Trustees, to be nominated by the Person or Persons making such Option, and approved of by Three or more of the Trustees for executing 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 therefrom, may be applied in manner herein-before directed, so far as the Case be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court of Exchequer.

Where less than 200*l.* and exceeding 20*l.*

XXVIII. Provided also, and be it further enacted, That when such Money so agreed or awarded to be paid as last before mentioned shall not exceed the Sum of 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, Tenements, or Hereditaments so purchased, taken, or used for the Purposes of this Act, in such Manner as the said Trustees shall think fit, or in the 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.

Where not more than 20*l.*

XXIX. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be awarded for

[*Local.*]

49 Q

In case of not making out Titles, the

or if Persons
entitled be
not known,
Money to be
paid into the
Bank.

the Purchase of any Lands, Tenements, or Hereditaments to be purchased by virtue of the said recited Act passed in the Third Year of the Reign of His present Majesty, or of this Act, shall refuse to accept the same, or shall not be able to make a good Title to the Premises to the Satisfaction of the said Trustees, or in case such Person or Persons to whom such Sum or Sums of Money shall be so awarded as aforesaid cannot be found, or if the Person or Persons entitled to such Lands, Tenements, or Hereditaments be not known or discovered, then and in every such Case it shall be lawful for the said Trustees to order the said Sum or Sums so awarded as aforesaid to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the said Court of Exchequer, to be placed to his Account to the Credit of the Parties interested in the said Lands or Hereditaments [describing them], subject to the Order, Controul, and Disposition of the said Court of Exchequer; which said Court, on the Application of any Person or Persons making claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall be and is hereby empowered, in a summary Way of Proceeding or otherwise, as to the said Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest of the Person or Persons making claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England*, who shall receive such Sum or Sums of Money, is and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying for what and for whose Use the same is or are received, to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank as aforesaid.

Respecting
disputed
Titles to
Money.

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

entitled to such Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

XXXI. Provided also, and be it further enacted, That where by reason of any Disability or Incapacity of the Person or Persons or Corporation entitled to any Lands, Tenements, or Hereditaments to be purchased under the Authority of the said recited Act passed in the Third Year of the Reign of His present Majesty, or of this Act, the Purchase Money for the same shall be required to be paid into the said Court, and to be applied in the Purchase of other Lands, Tenements, or Hereditaments to be settled to the like Uses in pursuance thereof, it shall be lawful for the said Court to order the Expences of all Purchases from Time to Time to be made in pursuance of the said last-mentioned Act or of this Act, or so much of such Expences as the said Court shall deem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Trustees, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

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

XXXII. And be it further enacted, That the Charges and Expences incurred in and about the obtaining and passing of this Act, together with lawful Interest for the Money which may have been advanced for that Purpose, shall be paid out of any Money already raised by virtue of the said recited Act passed in the Fifty-eighth Year of the Reign of His said late Majesty, or out of any Money to be collected by virtue thereof, or of this Act, in preference to all other Payments.

For paying the Expences of this Act.

XXXIII. 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.

Public Act.

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

Commencement and Continuance of this Act.

The SCHEDULE to which this Act refers.

Parishes.	Description.	Owners or reputed Owners.	Occupiers.
Long Compton in the } County of Warwick }	Nine Pieces of Land	{ The Right Honourable } Charles Marquess of } Northampton - - }	Thomas Walker. James Taylor. Sarah Wheeler. John Wheeler.
Great Rollright in the } County of Oxford - }	A Piece of Land -	{ The Feoffees of the Poor, } viz. } John Berry - - - } Thomas Hughes - - - } Robert Harbidge - - - } John Hall - - - }	Elias Harris.
Great Rollright - Over Norton in the } County of Oxford - }	Seven Pieces of Land -	John Hall, Esquire - - }	Richard Williams. John Berry.
Over Norton - - - }	A Piece of Land - - -	Samuel Huckvale - - -	Samuel Huckvale.
Over Norton - - - }	Three Pieces of Land -	John Wheeler - - -	William Slatter.
Over Norton - - - }	Three Pieces of Land -	James Dawkins, Esq. -	Thomas Carpenter.

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