



ANNO QUINTO

# GULIELMI IV REGIS.

\*\*\*\*\*

## Cap. xxii.

An Act for improving certain Roads within the County of *Hereford* communicating with the City of *Hereford*. [12th June 1835.]

**W**HEREAS an Act was passed in the Fiftieth Year of the Reign of King *George* the Third, intituled *An Act for more effectually repairing the Roads leading into the City of Hereford, and several Roads communicating therewith*, whereby such Roads were divided into Two Districts, the one of such Districts called "The *Hereford* District," and the other of such Districts called "The *Madley* District:" And whereas another Act was passed in the Fifty-ninth Year of the Reign of King *George* the Third, intituled *An Act to enlarge the Term and Powers of an Act of His present Majesty, for repairing the Roads leading into the City of Hereford, and several Roads communicating therewith; for transferring the Road from Wormelow Tump to Harewood from the Madley to the Hereford District; and for making a new Road from the Tuft Wood in the Parish of Hentland to the Confines of the Parish of Ganerew in the County of Hereford as a Third District*, whereby the Road from the *Tuft Wood* to the Confines of the Parish of *Ganerew*, mentioned in such Act, was created a Third District under the Name or Title of "The *Llangarren* District:" And whereas it is expedient that the Term and Powers of the said Acts should be extended and enlarged, and that the Tolls granted by the said Acts

[Local.] 7 X should

Recited Acts  
repealed.

should be increased or altered: And whereas it would be of Public Advantage if Power were given to make certain Diversions or new Lines of Road from and out of the said *Hereford* District of Roads as herein-after mentioned: And whereas it is expedient that the said *Hereford* District and the said *Madley* District should be united and consolidated: And whereas it would facilitate the Execution of the Objects herein-before mentioned if the Acts herein-before recited were repealed, and if other Powers and Provisions were granted and made instead thereof, and were embodied in the Act: And whereas the beneficial Objects herein-before mentioned cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in Parliament assembled, and by the Authority of the same, That from and after the Day next after the passing of this Act the said recited Acts of the Fiftieth Year and the Fifty-ninth Year of the Reign of King *George* the Third shall be and the same respectively are hereby declared to be repealed.

Purposes of  
this Act.

Hereford  
District.

II. And be it further enacted, That this Act shall be put in execution, for and during the Term herein-after mentioned, for the Purpose of repairing and maintaining in repair the several Roads within the *Hereford* District of the said Roads herein-after mentioned; (that is to say,) the Road leading from the City of *Hereford* towards the Town of *Abergavenny*, through the several Parishes or Townships of *Saint Martin* and *Saint John the Baptist* in the City of *Hereford*, and *Clehonger*, *Allensmoor*, *Much Dewchurch*, *Saint Devereux*, *Wormbridge*, *Howton*, *Kenderchurch*, and *Erwyas Harold* in the County of *Hereford*, to a Place called *Langua Bridge*; and also from the said City towards the Town of *Bromyard*, through the several Parishes or Townships of *Saint Peter* and *All Saints* in the City of *Hereford*, and *Tupsley*, *Holmer*, *Lugwardine*, *Withington*, *Livers Ocle*, *Ocle Pitchard*, *Moreton*, *Jeffries*, and *Much Cowarne* in the County of *Hereford*, to *Stoke Lacey* Church in the Parish of *Stoke Lacey*; and also from a Place called the *Cross Hand*, in the Parish of *Lugwardine*, to *Froomes Hill*, through the several Parishes or Places of *Lugwardine*, *Withington*, *Weston Begard*, *Shucknell*, *Yarkhill*, *Westhide*, *Monkhide*, *Stoke Edith*, *Egleton*, *Much Cowarne*, *Bishop's Froome*, and *Amnish Froome* in the County of *Hereford*, to the Bounds of the Parish of *Cradley*; and also from the said City towards the Town of *Hay*, through the several Parishes of *All Saints* in the City of *Hereford*, and *Breinton*, *Stretton*, *Kenchester*, *Bishopstone*, *Bridge Sollars*, *Byford*, *Monnington*, *Staunton-upon-Wye*, and *Brobury* in the County of *Hereford*, to a Place called *Bredwardine Bridge*; and also from the *Cross Hand* in the Parish of *Stretton* towards the Town of *Kington*, through the several Parishes of *Stretton*, *Brinsop*, *Credenhill*, *Mancel Lacey*, *Yazor*, and *Norton Cannon* in the County of *Hereford*, to a Place called *Eccles Green*; and also from the said City of *Hereford* towards the Borough of *Leominster*, through the several Parishes of *All Saints* in the City of *Hereford*, *Holmer*, *Pipe*, *Moreton-upon-Lugg*, *Wellington*, and

*Burhope*

*Burhōpe* in the County of *Hereford*, to a Place called *The Top of Dinmore Hill*; and also from the said City to *Hoarwithy*, through the several Parishes and Townships of *Saint Martin* in the City of *Hereford*, and *Lower Bullingham*, *Upper Bullingham*, *Dinedor*, *Aconbury*, *Little Dewchurch*, and *Hentland* in the County of *Hereford*, to a Place called *Hoarwithy Passage*; and also from the said City towards the Town of *Ledbury*, through the several Parishes and Townships of *Saint Owen* in the City of *Hereford*, *Tupsley*, *Lugwardine*, *Bartestree*, *Dormington*, and *Stoke Edith* in the County of *Hereford*, to a Place called *Cross Lane* at *Stoke Park*; and also from the *Cross Hand* in the Parish of *Clehonger* to *Peterchurch*, through the several Parishes of *Clehonger*, *Eaton Bishop*, *Madley*, *Tiberton*, and *Peterchurch* in the County of *Hereford*, to the Bounds of the Parish of *Dorston*; and also from the said City of *Hereford* on the Road towards the Town of *Monmouth*, through the several Parishes of *Saint Martin* in the City of *Hereford*, *Upper Bullingham*, *Grafton*, *Callow*, *Aconbury*, *Much Dewchurch*, *Lanwarne*, *Saint Weonards*, and *Llangarren* in the County of *Hereford*, to a Place called *Llancloudy Hill*; and also from the said City to the *Old Gore*, through the several Parishes of *Saint Owen* in the City of *Hereford*, and the Parishes or Townships of *Tupsley*, *Hampton Bishop*, *Mordiford*, *Fownhope*, *Buckenhill*, *Sollershope*, *How Caple*, *Foy*, *Upton Bishop*, *Weston-under-Penyard*, and *Linton* in the County of *Hereford*, to a Place called the *Lea*, on the Road between *Ross* and *Gloucester*; and also from the said City towards the Town of *Ross*, through the several Parishes or Townships of *Saint Martin* in the City of *Hereford*, *Upper Bullingham*, *Grafton*, *Callow*, *Aconbury*, *Much Birch*, *Lanwarne*, *Landinabo*, *Pencoyd*, and *Hentland* in the County of *Hereford*, to a Place called *Harewood End*; and also from the said City of *Hereford*, through the several Parishes or Townships of *All Saints* in the City of *Hereford*, *Holmer*, *Huntington*, *Burghill*, *Tillington*, *Canon Pyon*, *King's Pyon*, *Dilwyn*, and *Burley* in the County of *Hereford*, to a Place called *Stretford Bridge*; and also from the said City to the Town of *Weobley*, through the several Parishes or Townships of *All Saints* in the City of *Hereford*, *Huntington*, *Holmer*, *Burghill*, *Tillington*, *Brinsop*, *Wormesley*, *King's Pyon*, and *Weobley* in the County of *Hereford*, to the Town of *Weobley* aforesaid; and also from the said City to *Breinton*, through the several Parishes or Places of *Saint Nicholas* in the City of *Hereford*, *Wareham*, and *Breinton* in the County of *Hereford*, to a Place called *Sugwas Passage*; and also from the Village of *Mordiford* in the County of *Hereford*, through the several Parishes of *Mordiford* and *Dormington* in the said County, to a Place called the *Cross Hand*, in the Parish of *Dormington* on the Road towards *Ledbury*; and also from the said City of *Hereford*, through the several Parishes, Townships, or Places of *Saint Martin* in the City of *Hereford*, *Lower Bullingham*, *Rotherwas*, *Dinedor*, *Hom-Lacey*, *Ballingham*, *Little Dewchurch*, and *Hentland* in the County of *Hereford*, to a Place called *Hoarwithy Passage*; and also from the said City to a Place called the *Moor of Bodenham*, in the Parish of *Bodenham* in the County of *Hereford*; and also from a Place called *Windmill Hill*, near *Harewood*, through the Parishes of *Landinabo*, *Lanwarne*, and *Much Birch*, to a Place called *Wormelow Tump*, in the said County of *Hereford*; and also the

the several Roads within the *Madley* District of the said Roads herein-after mentioned; (that is to say,) the Road from the Parish of *Tiberton* to the Turnpike Road leading to the Town of *Hay*, running into or through the several Parishes or Townships of *Madley*, *Tiberton*, *Blakemore*, *Moccas*, and *Bredwardine* in the County of *Hereford*, to the Turnpike Road in the said County leading to the Town of *Hay* in the County of *Brecon*, and also into or through the several Parishes of *Mansel Gamage* and *Yazor* in the County of *Hereford* aforesaid, to the Turnpike Road leading to the Town of *Kington* in the same County; and also from the said Road leading to the Town of *Kington* aforesaid, through the several Parishes of *Yazor* and *Weobley*, to a Place called the *White Hill*, in the Parish of *Weobley* aforesaid in the said County of *Hereford*; and from *Wormelow Tump*, through the Parishes of *Much Dewchurch* and Township of *Kivernoll* in the County of *Hereford*, to a Place called the *Old Horse Shoes*, on the Turnpike Road in the said County leading to the Town of *Abergavenny*; and from the said Turnpike Road by the *Three Horse Shoes*, through the several Parishes of *Allensmoor*, *Thruaxton*, and *Kingston* in the County of *Hereford*, to join the Road leading to the *Batcho Hill*; and also from the *Bowling Green* in the Parish of *Clehonger* running into or through the several Parishes or Places of *Clehonger*, *Allensmoor*, *Kingston*, *Madley*, and over the *Batcho Hill*, through the Parishes of *Vowchurch* and *Peterchurch* in the said County of *Hereford*, to the End of the said Parish of *Peterchurch*; and also from the Turnpike Road in the Parish of *Brobury* near to *Bredwardine Bridge*, through the said Parish and the Parish of *Stanton-on-Wye*, to the Turnpike Road leading to the Town of *Kington*, all within the County of *Hereford*; and also for the Purpose of making and maintaining the several Diversions or new Lines of Road from and out of the said *Hereford* District of Roads herein-after mentioned; (that is to say,) a Diversion from the present Road leading from the City of *Hereford* to the Town of *Ross*, commencing at or near a Cottage belonging to *John Jones* near the Bottom of *Callow Hill*, about Three Miles and a Half from the City of *Hereford* in the Parish of *Callow*, and passing in a Southward Direction through Lands belonging to the Governors of *Guy's Hospital* within the Parish of *Callow*, and terminating in the present Turnpike Road near to the *Callow* Turnpike within the Parish of *Aconbury*; and a Diversion commencing at certain Common or Waste Land within the Parish of *Much Dewchurch* near to the *Pool Cottage*, adjoining the present Turnpike Road leading from the City of *Hereford* to the Town of *Monmouth*, and passing in a Southward Direction through Lands over the Common or Waste Lands, through Lands within the Parishes of *Much Dewchurch* and *Much Birch*, belonging to *James Phillips* and *John Williams* Esquires, and the Representatives of *Thomas Hampton Symons* Esquire, and terminating in the present Turnpike Road leading from the City of *Hereford* to *Ross* at the *Ash Farm* near the Village of *Much Birch* within the said Parish of *Much Birch*, all within the County of *Hereford*; and which Roads so herein-before mentioned and described shall be deemed to be consolidated into One Trust, and shall be called "The *Hereford* District of Roads;" and also for the Purpose of repairing and maintaining in repair the several Roads within the

*Llangarren*

*Llangarren* District of the said Roads herein-after mentioned; (that is to say,) the Road leading out of the Turnpike Road going from *Hereford* to *Ross* at a Place called the *Tuft Wood*, in the Parish of *Hentland* or *Selleck* in the said County, into or through the several Parishes of *Hentland*, *Selleck*, *Bridstow*, *Peterstow*, *Llangarren*, *Marstow*, and *Whitchurch*, some or one of them, in the said County of *Hereford*, unto and into the Highway leading from *Monmouth* to *Ross* at or near a Place called the *Plough*, in the Parish of *Whitchurch* aforesaid; and also to and unto the Rivers *Wye* and *Garron*, at or near a Place called the *Old Forge*, in the Parishes of *Goodrich* and *Whitchurch* aforesaid, or One of them, and through and along the Parish of *Whitchurch* aforesaid to the Confines of the Parish of *Ganerew* in the said County of *Hereford*; and which Roads so herein-before mentioned and described shall be called "The *Llangarren* District of Roads."

III. And be it further enacted, That all His Majesty's Justices of the Peace acting for the County of *Hereford*, together with *William Havard Apperley*, *Richard Arkwright*, *John Arkwright*, *Whaley Armitage*, Reverend *Braithwaite Armitage*, *Charles Ballinger*, *John Barneby* M. P., *William Bennett*, Reverend *Joseph Biddle*, *Benjamin Biddulph*, *John Biddulph*, Reverend *Charles John Bird*, *Thomas Bird*, *Joseph Blessett*, *Richard Blakemore*, *Robert Biddulph* M. P., *Charles Thomas Bodenham*, Reverend *Francis H* *Brickenden*, *Thomas Charles Bridges*, *John Lowdham Brett*, *Higford Duwall Burr*, *John Henry Burchell*, *Charles Burmester*, *Charles Bulmer*, *Sir George Cornwall* Baronet, *Sir John Geers Cotterell* Baronet, *Samuel Cam*, *Samuel Carless*, *John Altham Graham Clarke*, *John Altham Graham Clarke junior*, *Thomas Clarke*, *William Clifford*, *Edward Bolton Clive* M. P., Lieutenant Colonel *Clive*, *George Clive*, Reverend *John Clutton* D. D., *Thomas Clarke junior*, *Charles Gomond Cooke*, *Thomas Cooke*, Reverend *William Cooke*, Reverend *George Coke*, *Samuel Cox*, the Custos of the College for the Time being, the Dean of *Hereford* for the Time being, *Thomas Daniell*, *William James Downes*, Reverend *John Duncumb*, Reverend *William George Duncumb*, Viscount *Eastnor*, Reverend *John Echley*, Reverend *Edmund Echley*, *John Smith Edwards*, Reverend *Richard Evans*, *John Edmund Echley*, *Sir James Eyre* Knight, *Edward Thomas Foley* M. P., *Jasper Farmer*, *Robert Fisher*, Reverend *Edward Freeman*, *John Freeman*, *Francis Freeman*, *Henry Gibbons*, *William Gordon*, *Jonathan Elliott Gough*, *John Samuel Gowland*, *John Griffiths*, the *Weir*, *John Griffiths*, *Widmarsh Street*, *John Griffiths*, *Saint Owen's Street*, *Edward Griffiths*, *John Gwillim*, *James Gwillim*, *Sir Hungerford Hoskyns* Baronet, *Hungerford Hoskyns*, *James Wallace Richard Hall*, *Francis Hamp*, Reverend *John George Hannington*, *John Hardwick*, *John Harris*, *William Chute Hayton*, *Richard Hereford*, *Edmund Higginson*, *Charles Holloway*, Reverend *Robert Keyse Holder*, Reverend *William Hopton*, Reverend *John Hopton*, *Kedgwyn Hoskyns* M. P., *Samuel Hughes* M. D., Reverend *William Hassall*, *William James*, *John James*, *John Jauncey*, *George Jauncey*, *Richard Johnson*, *John Johnstone*, *Philip Jones*, *Edmund John Jones*, Reverend *John Jones*, Reverend *James Johnson*, Reverend *Christopher Jones*, Reverend *Matthew Henry Jones*,

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Trustees for  
the Hereford  
District.

*Jones, Walter Jones, Richard Jones, Reverend Morgan Jones, Thomas Andrew Knight, James Davies Kedward, Robert Lane, Reverend Henry Lee Warner, Henry James Lee Warner, Capel Lechmere, Thomas Lloyd, Reverend Charles Scott Luxmore, John Bleech Lye M. D., the Mayor, Aldermen, and Common Council of the City of Hereford for the Time being, Reverend Francis Merewether, Thomas Maddy, Charles Mason, John Holder Matthews, Reverend Arthur Matthews, Sir Samuel Rush Meyrick, William Milton, Colonel James Kyrle Money, Peter Rickard Mynors, Reverend Hugh Hanmer Morgan, Reverend Henry Charles Morgan, Reverend Kyrle Erne Money, Nathaniel Morgan, Edmund Burnham Pateshall, Richard Parkinson, Reverend Robert Pearce, James Pendergrass, Samuel Peploe, Edward William Wynn Pendarves M. P., James Phillips, John Phillips, Robert Biddulph Phillips, Edward Poole, Richard Phillips, Sir Robert Price M. P., Reverend Richard Prosser D. D., Fowler Price, Sir Edwin F S Stanhope Baronet, John Lucy Scudamore, Reverend James Simpkinson, Reverend John Lovell Salvador, Reverend John Robert Smythies, Richard Smyth, Reverend Henry Anthony Stillingfleet, William Symonds M. D., Reverend Thomas Powell Symonds, Reverend Charles Taylor D. D., Francis Henry Thomas, Reverend James Watson Thornton, David Thomas, George Terry, John Tomkins, Henry Unett, Reverend Thomas Underwood senior, Reverend Thomas Underwood junior, Reverend Henry Stonehouse Vigor, Lieutenant Colonel Thomas Weare, Thomas William Weare, Reverend Henry Wetherell, Reverend J Birch Webb, Abraham Whittaker, William Seaward Wood, and their Successors, being duly qualified according to the Provisions and Directions of the several Acts for regulating Turnpike Roads in *England*, shall be and they are hereby declared to be Trustees for carrying into execution this Act within the said *Hereford* District of Roads; and all His Majesty's Justices of the Peace acting for the County of *Hereford*, together with *Richard Blakemore, John Brown, William Brown, John Stratford Collins, Thomas Dowle, George Davis, William Henry Harford, Kedgwyn Hoskyns M. P., Sir Hungerford Hoskyns Baronet, William Hooper, Richard Jones, Edmund John Jones, Edward Jones, Reverend John Jones, Reverend Matthew Henry Jones, Thomas Lloyd, Charles Marriott, James Matthews, Samuel Millard, Sir Samuel Rush Meyrick Knight, Llewellyn Meyrick, Sir Charles Morgan Baronet, Reverend Henry Charles Morgan, Nathaniel Morgan, Philip Palmer, Thomas Price, Walter Palmer, Henry Williams Ross, Reverend Thomas Powell Symonds, Thomas Taylor, Reverend John Webb, and their Successors, being duly qualified according to the Provisions and Directions of the several Acts for regulating Turnpike Roads in *England*, shall be and they are hereby declared to be Trustees for carrying into execution this Act within the said *Llangarren* District of Roads.**

Trustees for  
the Llangar-  
ren District.

Power to  
elect addi-  
tional Trus-  
tees for each  
District.

IV. And be it further enacted, That it shall be lawful for the Trustees of the said *Hereford* District, and also for the Trustees of the said *Llangarren* District, at the First Meeting of such respective Trustees to be held for the Execution of this Act, to elect any Number of Persons not exceeding Two in the whole in each District

to be Trustees for the Purposes of this Act within such District, in addition to the Trustees herein named; and such additional Trustees so elected, and being duly qualified, shall have the same Powers and Authorities for executing this Act within their respective Districts as if they had been herein named.

V. And be it further enacted, That the Trustees for executing this Act within the said *Hereford* District shall hold their First Meeting at the Shire Hall in the said City of *Hereford*, or at some other convenient Place within the said District, on the First *Wednesday* after the passing of this Act, and the Trustees for executing this Act within the said *Llangarren* District shall hold their First Meeting at the House known by the Sign of the *Crown* at *Whitchurch*, or at some other convenient Place within the said District, on the Second *Monday* after the passing of this Act, or as soon afterwards as conveniently may be, between the Hours of Eleven and Two, and shall and may then and from Time to Time afterwards adjourn to and meet at such Times and Places upon or near to or in the Neighbourhood of the said respective Districts of Roads as the Trustees of each District or the Majority of them present at such respective Meetings shall think proper and appoint.

First Meeting  
of Trustees  
for each Dis-  
trict:

VI. And be it further enacted, That it shall be lawful for the Trustees for the said *Hereford* District to make and maintain within such District the several Diversions and new Lines of Road hereinbefore mentioned of such Width as they shall think proper, not exceeding Forty Feet, together with such Footpaths, Causeways, Embankments, Bridges, Arches, Culverts, Ditches, Drains, and Fences for the Purposes of such Diversions and new Lines as they shall think expedient, and for the Purposes aforesaid (subject nevertheless to the several Provisions and Restrictions in this Act and in the various Acts for regulating Turnpike Roads in *England* contained) to take or use any Lands, making or tendering Satisfaction to the Owners thereof and Persons interested therein for the same, or for the Damage they may sustain by the Execution of the Powers of this Act; and it shall also be lawful for the said Trustees, and for their Surveyors and Workmen, from Time to Time to enter upon any Lands upon, in, over, and through which the said Diversions and new Lines, Footpaths, Causeways, Embankments, Bridges, Arches, Culverts, Ditches, Drains, and Fences, or any of them, are intended to be made or pass, and also upon, in, over, or through any adjoining Lands, and to stake out the same in such Manner as the said Trustees shall think proper, without being deemed Trespassers, and without being subject to any Penalty or Punishment for entering or continuing upon such Lands for any of the Purposes of this Act; and if any Person shall remove, destroy, or injure any of the Stakes or other Marks used for the Purposes aforesaid, such Person shall forfeit and pay any Sum not exceeding Five Pounds for every such Offence.

Power to  
make Diversions  
within  
the *Hereford*  
District.

VII. And be it further enacted, That in case any Lands or Hereditaments shall be purchased by the said Trustees for the Purposes

The Freehold  
and Inheritance  
of

Lands to remain and be vested in the Persons of whom they are purchased.

poses of this Act, the Freehold and Inheritance of and in the Lands so purchased shall not (notwithstanding any Provisions in any of the Acts in force for regulating Turnpike Roads in *England*), by means of any such Purchase, or any Conveyance made in pursuance thereof, be vested in the said Trustees, but that the Freehold and Inheritance of and in the Lands and Hereditaments so purchased shall, notwithstanding such Purchase and Conveyance, remain and be vested in the Person or Persons in whom the same were vested immediately prior to such Purchase by the said Trustees; and the said Trustees shall, by means of such Purchase and Conveyance, or either of them, be entitled to a perpetual Right of Way in, over, or upon the Lands so purchased by them.

The Right of Way to cease when Lands are not wanted.

VIII. Provided always, and be it further enacted, That if at any Time any Land or Hereditament purchased by the said Trustees for the Purposes of the Roads mentioned in this Act or any of them shall not be wanted for the same, then and in such Case the Right of Way in, over, or upon the said Lands or Hereditaments vested in the said Trustees shall cease, determine, and be extinguished, and the Freehold and Inheritance of the said Lands and Hereditaments shall be and remain in the Person or Persons then entitled to the same, freed and discharged of and from such Right of Way.

Trustees to have the same Power of cutting and digging as if they had purchased the Fee Simple of the Lands.

IX. Provided also, and it is hereby further enacted, That the said Trustees shall have such and the same Power and Authority of cutting and digging the Lands and Hereditaments taken by them for the Purposes of this Act, and also of erecting any Toll House or other Building, or of building any Bridge thereon, as fully and effectually to all Intents and Purposes as the said Trustees would have had in case they had purchased the Fee Simple of the said Lands and Hereditaments.

Plan of Diversions, &c. to remain with Clerk of the Peace, &c.

X. And whereas a Plan describing the said intended Diversions and new Lines of Road, and the Lands upon, in, over, or through which the same respectively are intended to be carried, together with a Book of Reference to such Plan, containing the Names of the Owners and Occupiers of such Lands, has been deposited in the Office of the Clerk of the Peace for the County of *Hereford*; be it therefore enacted, That the said Plan and Book of Reference shall remain in the Custody of the said Clerk of the Peace, to the end that all Persons may at all seasonable Times have Liberty to inspect the same, and to take Copies thereof or Extracts therefrom, paying to such Clerk of the Peace the Sum of One Shilling for every such Inspection, and at the Rate of Sixpence for every One hundred Words of such Copies or Extracts; and the said Plan and Book of Reference, or either of them, or any Copy thereof respectively, or of any Part thereof respectively, certified by the Clerk of the Peace for the Time being to be a true Copy thereof, shall be good Evidence in all Courts of Law and Equity.

Trustees empowered to deviate from

XI. And be it further enacted, That the Trustees of the said *Hereford* District, in making the Diversions and new Lines of Road within



within such District by this Act authorized, shall have full Power and Authority to deviate from the Course delineated on the Plan so deposited with the Clerk of the Peace as herein-before mentioned: Provided always, that no such Deviation shall extend to a greater Distance than One hundred Yards from the Course so delineated upon the said Plan without the Consent in Writing of the Party upon, in, over, and through whose Land such Deviation beyond the said Distance of One hundred Yards shall be proposed to be made.

Plan to an Extent not exceeding One hundred Yards.

XII. Provided always, and be it further enacted, That the Powers and Authorities by this Act granted for making the said Diversions and new Lines of Road shall not authorize the said Trustees to pull down, or to take, use, or injure any Dwelling House or other Building, or to take, use, or injure any Curtilage, Orchard, Garden, Yard, Paddock, Lawn, Shrubbery, Plantation, 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, (except such as are mentioned in the Schedule to this Act annexed,) without the Consent in Writing of the Owners or Proprietors thereof or other Persons interested therein first obtained.

Dwelling Houses, &c. not to be taken without Consent.

XIII. Provided nevertheless, and be it further enacted, That it shall be lawful for the Trustees of the said *Hereford* District to make the said Diversions and new Lines in the Course, and upon, in, over, or through the Lands delineated on the said Plan, although such Course, or such Lands, or any of them, or the Situation of such Lands respectively, or the Names of the Owners or Occupiers thereof respectively, may happen to be omitted, mis-stated, or erroneously described in this Act, or in the Schedule thereto, or in the Plan or Book of Reference thereto, provided it shall be made appear to any Two or more Justices of the Peace for the County, Division, or Place within which the Question shall arise, and be certified by Writing under their Hands, that such Omission, Mis-statement, or erroneous Description apparently proceeded from Mistake; and the Certificate of the said Justices shall be deposited with and shall remain in Custody of the Clerk of the Peace of such County, Division, or Place for the Time being.

Unintentional Errors in Act or Plan or Book of Reference not to prevent Execution of Act.

XIV. And be it further enacted, That if the Trustees of the said *Hereford* District shall not, within the Space of Three Years next after the passing of this Act, agree for or cause to be valued and pay for the Lands for which they are by this Act authorized to take, the Powers by this Act granted or by any other Act granted in relation to the taking of Lands for the Purposes of Turnpike Roads shall, so far as relates to the Lands herein-before authorized to be taken for the Purposes of this Act, cease and be utterly void, unless with the Consent of the Owners and Occupiers of such Lands respectively, any thing in this Act or in any such Act as aforesaid contained to the contrary thereof notwithstanding.

Limiting the Period of purchasing Property.

XV. And be it further enacted, That when and so soon as the said Diversions and new Lines of Road within the said *Hereford* District

Part of the old Lines of Road to be

abandoned  
after Diver-  
sions, &c.  
are made.

District shall have been made and completed fit for the Passage of Horses, Cattle, and Carriages, so much and such Parts of the present Lines of Road within such District as shall have been substituted by such Diversions and new Lines respectively shall cease to be Turnpike Roads, and to be maintained as such by the said Trustees; and such Parts of the said Lines of Road so ceasing to be Turnpike Roads as in the Judgment of the said Trustees shall be useless and unnecessary to the Public shall be discontinued as public Highways, and shall and may be stopped up by the said Trustees, subject to the Provisions and Directions of an Act passed in the Third Year of the Reign of His late Majesty King *George* the Fourth, intituled

3 G. 4. c. 126.

*An Act to amend the General Laws now in being for regulating Turnpike Roads in that Part of Great Britain called England*; and so much of the Land constituting any former Road so stopped up as aforesaid, for which Rent is now paid or payable to the Owner thereof, shall be restored and given up to such Owner; and so much of such Land for which no Rent is now paid or payable as herein-before mentioned shall vest in the respective Owners of the adjoining Lands in manner following; (that is to say,) One Moiety thereof in the Owner of the Land on the one Side, and the Remainder thereof in the Owner of the Land on the other Side thereof.

Power to con-  
tinue Toll  
Gates, &c.,  
and to erect  
additional  
Gates.

XVI. And be it further enacted, That it shall be lawful for the Trustees of the said respective Districts to continue all or any of the Toll Gates, Toll Bars, Toll Houses, and Weighing Machines now erected upon the Roads within the said respective Districts, or upon the Sides thereof, and also to erect or build others in lieu thereof or in addition thereto upon the said Roads within such respective Districts, or upon any Part or Parts thereof respectively, or upon the said Diversions and new Lines respectively, or upon the Sides thereof respectively, when and where and as they shall judge necessary, and also from Time to Time to alter or take down, and to re-erect or reconstruct, or to discontinue and remove, such Toll Gates, Toll Bars, Toll Houses, and Weighing Machines, or any of them, as they the said Trustees respectively shall think proper.

Trustees to  
erect Toll  
Gates on each  
Road, and to  
take Tolls  
thereat.

XVII. And be it further enacted, That the Trustees of the said respective Districts shall and they are hereby required to continue or to erect upon each and every Road comprised within their respective Districts One or more Toll Gate or Toll Gates, or Toll Bar or Toll Bars, and to demand and take thereat the Tolls by this Act granted, subject to the Provisions of this Act and of the various Acts for regulating Turnpike Roads in *England*; and no Money arising from the Tolls by this Act authorized to be taken shall be applied in or towards the Repair of any Road upon which there shall not be some Toll Gate or Toll Bar at the Time standing; and no more of the Monies arising by virtue of this Act shall be laid out or expended upon any of the said Roads than shall be actually raised or received upon or in respect of such Road, any thing in this Act contained to the contrary thereof in anywise notwithstanding.

XVIII. And

XVIII. And be it further enacted, That the Tolls to be taken by virtue of this Act within the said respective Districts shall not exceed the following; (that is to say,) Tolls.

For every Horse, Ass, Mule, or other Beast or Cattle drawing any Coach, Stage, Landau, Berlin, Barouche, Sociable, Chariot, Calash, Hearse, Litter, Break, Chaise, Curricule, Gig, or other such like Carriage, the Sum of One Shilling :

For every Horse, Ass, Mule, or other Beast or Cattle drawing any Waggon, Wain, Cart, Van, Caravan, or other such like Carriage, having the Fellies of the Wheels of the Breadth of Six Inches or upwards at the Bottom or Sole thereof, the Sum of Sixpence ; and in case the Fellies of the Wheels thereof shall be of less Breadth than Six Inches and not of less Breadth than Four Inches and a Half, the Sum of Nine-pence ; and in case the Fellies of the Wheels shall be of less Breadth than Four Inches and a Half, the Sum of One Shilling :

For every Horse, Ass, Mule, or other Beast or Cattle, laden or unladen, and not drawing, the Sum of Four-pence :

For every Score of Oxen, Cows, or Neat Cattle (Calves excepted), the Sum of Three Shillings and Four-pence, and so in proportion for any less Number than a Score :

For every Score of Calves, Swine, Sheep, or Lambs, the Sum of One Shilling and Eight-pence, and so in proportion for any less Number than a Score :

For every Carriage moved or propelled by Steam or Machinery, or by any other Power or Agency than Animal Power, the Sum of Sixpence *per* Wheel for each Wheel thereof :

And for every Waggon, Wain, Cart, or other such like Carriage, having the Nails of the Tire of the Wheels thereof projecting more than One Quarter of an Inch above such Tire, or not having the Name of the Owner or Owners of any such Waggon, Wain, Cart, or other such like Carriage, affixed in legible Characters on the Right or Off Side thereof, the Sum of Ten Shillings :

Such last-mentioned Toll to be taken in lieu of any Penalty to which, by virtue of an Act passed in the Fourth Year of the Reign of His late Majesty King *George* the Fourth, 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*, the Owner or Driver of any such Waggon, Wain, Cart, or other Carriage would be subject or liable by reason or on account of the Nails of the Tire of the Wheels thereof projecting more than One Quarter of an Inch above such Tire. 4 G. 4. c. 95.

XIX. And be it further enacted, That in all Cases where there shall be a fractional Part of a Halfpenny in the Amount of any of the Tolls by this Act authorized to be taken the Sum of One Halfpenny may be demanded and taken in lieu of such fractional Part. Fractional Part of a Halfpenny in Tolls.

XX. And be it further enacted, That no more than Two full Tolls shall be taken for or in respect of the same Horse, Beast, Cattle, or Carriage. Limiting the Number of Tolls for Carriage

passing and  
repassing  
once through  
all the Gates  
on the Road.

Carriage for passing and repassing once in the Course of the same Day through all or any of the Toll Gates or Toll Bars upon the Roads within the said *Hereford* District, nor more than Two full Tolls upon the Roads within the said *Llangarren* District, except as is herein-after otherwise excepted.

Toll to be  
paid on re-  
passing in  
certain Cases.

XXI. Provided nevertheless, and be it further enacted, That if any Horse, Beast, or Cattle for which Toll shall have been paid for passing through any of the said Toll Gates or Toll Bars shall return drawing another or a different Waggon, Wain, Cart, or other such Carriage, such Horse, Beast, or Cattle shall not be permitted to repass through such Toll Gate or Toll Bar on the same Day without Toll being again paid for such Horse, Beast, or Cattle.

Horses draw-  
ing Stage  
Carriages, &c.  
to be subject  
to Toll for  
each Time of  
passing.

XXII. Provided also, and be it further enacted, That the Tolls by this Act granted shall be paid for or in respect of Horses, Beasts, or Cattle drawing Stage Carriages, of whatever Description, conveying Passengers or Goods for Hire or Reward, for each Time of passing and for each Time of repassing upon the said Road: Provided always, that no further or additional Toll shall be payable in respect of such Carriages on account of the Horses, Beasts, or Cattle drawing the same having been changed.

Horses let  
out to Hire  
to be subject  
to Toll on  
every distinct  
Hiring.

XXIII. Provided also, and be it further enacted, That the Tolls by this Act granted shall be paid for or in respect of Horses, Beasts, or Cattle let out to Hire, whether for riding, or for drawing Post Chaises or other Carriages, and passing upon the said respective Roads, on each Occasion of a new and distinct Hiring of such Horses, Beasts, or Cattle.

Weight of  
One-horse  
Carts limited.

XXIV. And be it further enacted, That the Weights to be allowed to Carts or other such Carriages drawn by only One Horse, Beast, or Cattle upon such Roads shall not exceed the following; (that is to say,) from the First Day of *May* to the Thirty-first Day of *October* (both Days inclusive) One Ton and Twelve Hundred Weight for each such Carriage and the Lading thereof, and from the First Day of *November* to the Thirtieth Day of *April* (both Days inclusive) One Ton and Eight Hundred Weight for each such Carriage and the Lading thereof.

One-horse  
Carts to be  
weighed.

XXV. And be it further enacted, That all Carts and other such Carriages drawn by only One Horse, Beast, or Cattle upon any of the said Roads may be weighed at any Weighing Machine upon such Roads, and the like additional Tolls may be demanded and recovered for the Overweight thereof as are by Law now payable in respect of the Overweight of Carts or other Carriages drawn by Two or more Horses; and all the Powers, Regulations, and Penalties now in force relating to the weighing of Carts or other Carriages drawn by Two or more Horses shall be applicable to Carts or other such Carriages passing on the said Roads drawn by only One Horse, Beast, or Cattle, and to the Drivers and Owners thereof respectively.

XXVI. And

XXVI. And whereas great Injury may be done to the said Roads by the Lessees or Renters of the Tolls accepting an inadequate Composition for the Tolls of Carriages by Law liable to be charged in respect of Overweight; be it therefore enacted, That if any Lessee or Renter of the Tolls by this Act granted, or any Deputy or Agent of such Lessee or Renter, shall make Composition by the Year or otherwise with any Person whomsoever for or in lieu of the Tolls of any Carriage of whatever Description by Law liable to be weighed and charged for or in respect of the Overweight thereof, such Lessee or Renter, Deputy or Agent, shall, on Conviction thereof by Confession or upon the Oath of any Witness before any of His Majesty's Justices of the Peace, forfeit and pay, besides the Costs and Charges attending the Conviction, a Sum of Money not exceeding Ten Pounds, and shall also forfeit his Contract, Lease, or Agreement for renting the Tolls, if the Trustees within the District in respect of which such Contract, Lease, or Agreement shall have been made or entered into shall think proper to order that the same shall be made void; and every such Composition shall be null and void; and One Moiety of every such Penalty shall be paid to the Informer, and the Remainder thereof to the said Trustees, to be applied towards the general Purposes of this Act within such District.

Penalty on Lessees of Tolls compounding for Weight.

XXVII. And be it further enacted, That it shall be lawful for the said Trustees within their respective Districts, or for the Trustees of either of such Districts, at any of their Meetings to be held within Three Calendar Months next after the passing of this Act, or at any Adjournment thereof, to declare and order that all Demises, Leases, and Agreements for Leases of the Tolls granted by the said former Acts hereby repealed, and of the several Toll Houses, Buildings, and Appurtenances thereto belonging, shall cease and be void from and after the Twenty-first Day next after the Day on which such Meeting shall be held; and from and after the Time mentioned in the said Declaration and Order all such Demises, Leases, and Agreements shall cease and be void to all Intents and Purposes, except as to the Right of the said Trustees (which in all Cases is hereby reserved) to receive and recover Payment of all Rent and Arrears of Rent, and of all other Sums due and to become due thereon; and the said Trustees shall and they are hereby required to make a fair and just Compensation and Satisfaction to the respective Lessees of the said Tolls for any Loss or Damage which they shall sustain by the Determination of such Demises, Leases, and Agreements before the Expiration of the Time for which they were originally granted or made, such Compensation and Satisfaction to be paid at such Times and in such Proportions as shall be agreed upon between the said Trustees and such Lessees respectively: Provided always, that in case such Compensation or Satisfaction shall not be paid within Six Calendar Months next after the same shall have become due to any such Lessee, and have been demanded of the Clerk or Treasurer to such Trustees, or in case the said Trustees and any such Lessee shall not agree upon the Amount of such Compensation or Satisfaction, the same may be recovered by such Lessee by Action of Debt or on the Case in any of His Majesty's Courts of Record at *Westminster*; Provided also, that nothing herein contained shall prevent the said

Power to Trustees to vacate existing Leases of Tolls.

[Local.]

8 A

Trustees

Trustees from entering into any new or other Agreement with all or any of the present Lessees of the Tolls for such additional Rent, in respect of the Tolls by this Act granted, as they shall think reasonable and proper, for the unexpired Term of the existing Demises, Leases, or Agreements.

Power to Trustees of Llangarren District to agree with Trustees of Ross District as to Repair of certain Road.

XXVIII. And whereas so much of the Road comprised within the *Llangarren* District as lies between *Tuft Wood* and *Harewood End* is at present repaired under the Provisions of an Act passed in the Fifty-fifth Year of the Reign of King *George* the Third, intituled *An Act for more effectually repairing the Roads leading into and through the Town of Ross in the County of Hereford, and several Roads communicating therewith*, and such Portion of the Road is used in common by Persons travelling on the said *Ross* Road and by Persons travelling on the said *Llangarren* District of Roads, and it is expedient that the Trustees of the said *Llangarren* District should be empowered to enter into an Agreement with the Trustees for executing the said Act relating to the *Ross* Road respecting the Repair and Maintenance of such Portion of Road; be it therefore enacted, That it shall be lawful for the Trustees acting in the Execution of this Act within the said *Llangarren* District to enter into any Agreement with the Trustees acting in the Execution of the Act herein-before recited relative to the Repair and Maintenance of the Portion of Road herein-before mentioned, and to contribute and pay, out of the Tolls to be collected under the Authority of this Act within the said District, towards the Repair and Maintenance of such Portion of the said Road, such Sums of Money as they shall so agree to contribute and pay, or to receive from the Trustees acting in the Execution of the said Act relating to the said *Ross* Road such Sums of Money as they the Trustees acting in the Execution of this Act shall think proper to accept towards the Repair and Maintenance of the Portion of Road herein-before mentioned.

Trustees, &c. declared competent Witnesses in Actions, &c.

XXIX. And whereas by the said Act passed in the Third Year of the Reign of His late 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*, it is enacted, that the Trustees and Commissioners of Turnpike Roads may sue and be sued in the Name or Names of any such Trustees and Commissioners, or of their Clerk or Clerks for the Time being: And whereas Doubts have arisen whether such Trustees, Commissioners, or Clerks are competent to give Evidence in any Action or Suit in which they may be Plaintiffs or Defendants, and it is expedient that such Doubts should be removed; be it therefore enacted, That no Trustee or Clerk acting under the Authority of this Act shall be deemed incompetent to give Evidence or shall be disqualified from giving Evidence in any Action or Suit by reason of his being Plaintiff or Defendant in any such Action or Suit.

No Priority of Mortgages.

XXX. And be it further enacted, That no Preference shall be given to any Person, or to any Assignee of any Person, who may have advanced any Money on the Credit of the Tolls granted by the said

said former Acts hereby repealed, or any of them, over any of the Persons who may have advanced any Money on the Credit of the Tolls granted by such Acts or any of them, and no Preference shall be given to any Person, or to any Assignee of any Person, who may hereafter advance any Money on the Credit of the Tolls granted by this Act, over any of the other Persons who may advance any Money on the Credit of the Tolls granted by this Act, by reason of Priority in Date of the Mortgage or Assignment or other Security for the same, but such Persons respectively and their respective Assignees shall (in proportion to the Sums in such Mortgages or Assignments mentioned) be Creditors under this Act within the respective Districts for which they shall have advanced or shall advance such Money in equal Degree one with another, and without any Preference.

XXXI. And be it further enacted, That the Money already received or which shall be received by virtue or in respect of the said former Acts hereby repealed, or of either of them, and also the Money which shall be received under or by virtue of this Act, shall be applied by the said Trustees within their respective Districts in manner following; (that is to say,) in the first place, and in preference to all other Disbursements whatsoever, in paying and discharging in equal Portions all Costs, Charges, and Expences incurred in preparing, applying for, and obtaining this Act, or otherwise incident thereto, with lawful Interest for any Money which may have been or which shall be advanced for the Payment thereof or of any Part thereof from the Time that the same or any Part thereof shall have been advanced to the Time of the same being repaid; in the next place, in defraying the necessary Expences of erecting or repairing Toll Gates, Toll Houses, Milestones, Posts, and Fences, and of Books, Advertisements, Salaries of Officers, and other Expences incidental to the Execution of this Act (except the Expences of maintaining the Roads authorized to be made and maintained by the said former Acts hereby repealed, and also except the Expences of making and maintaining the several Diversions and new Lines of Road by this Act authorized, for which Provision is herein-after made); and, in the next place, in paying and discharging any Interest which now is or which may from Time to Time hereafter become due on the Credit of the said former Acts hereby repealed and of this Act; in the next place, in defraying the Expences of maintaining in repair the Roads by the said former Acts authorized to be made, and of making and maintaining the several Diversions and new Lines of Road by this Act authorized to be made, and of otherwise executing the Purposes of this Act; and, in the last place, in repaying any Principal Monies which may have been borrowed and secured under or on the Credit of the said former Acts hereby repealed, or which may be borrowed and secured under or on the Credit of this Act.

Application of the Tolls and other Monies vested in the Trustees.

XXXII. And be it further enacted, That no Money received by virtue of this Act shall be laid out in repairing or cleansing the Streets of any Town through which any of the said Roads may pass.

No Tolls to be laid out in repairing the Streets.

XXXIII. And

Construction  
of certain  
Terms used  
in this Act.

XXXIII. And be it further enacted, That wherever in this Act any Word shall be used importing the Singular Number or the Masculine Gender only, such Word shall be construed to include several Matters as well as One Matter, and several Persons as well as One Person, and Females as well as Males, and a Body or Bodies Politic, Corporate, or Collegiate, Corporation or Corporations Aggregate or Sole, as well as Individuals; and where the Word "Lands" shall be used the same shall be construed to include Tenements and Hereditaments; unless in any of the Cases aforesaid it be otherwise specially provided, or there be something in the Subject or Context repugnant to such Construction.

Term of Act.

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

Public Act.

XXXV. And be it further enacted, That this Act shall be deemed a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others.

The SCHEDULE to which the foregoing Act refers.

No. on Plan.	Parish or Township.	Owners.	Occupiers.	Description of Property.
5	Callow - -	Governors of Guy's Hospital.	Elizabeth Dimmery	Rick-yard.
21	Much Dewchurch	James Phillips, Esquire -	James Pendergrass, Esquire.	Pasture Orchard.
26	Ditto - -	Ditto - - -	Himself - -	Coppice Wood.
32	Much Birch -	The Representatives of the late Thomas Hampton Symons, Esq.	Ann Bevan - -	Garden.
33	Ditto - -	John Williams, Esquire -	George Garland Davies.	Grass Plat.

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