



ANNO QUINTO

# GEORGIIV. REGIS.

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## Cap. xcix.

An Act for repairing certain Roads between *Stokenchurch* and the Borough of *New Woodstock* in the County of *Oxford*, and several other Roads communicating therewith. [3d June 1824.]

WHEREAS an Act was passed in the Eighteenth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for repairing and widening the Road from Stokenchurch in the County of Oxford to Wheatley Bridge, and from the said Bridge to Enslow Bridge, and from Wheatley Bridge to the Mileway leading towards Magdalen Bridge, and from the Mileway leading from 'Saint Giles' Church near the City of Oxford, by Begbroke to New Woodstock in the said County*: And whereas an Act was passed in the Twenty-ninth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act to enlarge the Term and Powers of an Act passed in the Eighteenth Year of the Reign of His present Majesty, for repairing and widening the Road from Stokenchurch in the County of Oxford to Wheatley Bridge, and from the said Bridge to Enslow Bridge, and from Wheatley Bridge to the Mileway leading towards Magdalen Bridge, and from the Mileway leading from Saint Giles' Church near the City of Oxford by Begbroke to New Woodstock in the said County; and for making, amending, completing, and keeping in Repair a Road from the Bottom of Cheyney Lane up Headington Hill, to join the present Enslow Branch of Road in the Parish of Holton in the said County of Oxford, to be used instead of the present Road up Cheyney Lane and Shotover Hill to the West*

[Local.]

26 G

End

*End of the Town of Wheatley, and for amending and widening the Road from the West End of the said Town to the said Enslow Branch of Road: And whereas considerable Sums of Money have been borrowed on the Credit of the Tolls granted by the said several recited Acts, great Part of which now remain due and owing, and which Sums of Money cannot be paid off, nor can the said Roads comprised in the said Acts be repaired and maintained unless the Term granted by the said Acts be further continued; and it would be more convenient if the said Acts were repealed, and further, better, and more effectual Powers and Provisions granted instead thereof; but the same, and the beneficial Purposes herein-after mentioned, cannot be effected without the Aid and Authority of Parliament: And whereas the present Road leading over the Hill in the Parish of Aston Rowant in the said County of Oxford, called Stokenchurch Hill, is inconvenient, and it will be more commodious to the Public if the Course of the said Road were altered and diverted at or near the Summit of the said Hill, through and over certain Woodlands and other Lands and Grounds in the said Parish of Aston Rowant, and again to join the present Course of the Road near to the Bottom of Pinnock's Hill, and the Lewknor and Aston Rowant Cross Roads in the said Parish of Aston Rowant: And whereas the present Road leading through the Village of Tetsworth is narrow, confined, steep, and very inconvenient; and for the Purpose of altering, widening, and improving the same, it is necessary to excavate and lower the Hill there, and to take down and remove certain Messuages, Houses, and other Buildings, and to take into the said Road the Sites of the said Buildings, and several Yards, Gardens, and other inclosed Lands and Grounds in the said Parish of Tetsworth: And whereas it will be of great Convenience and Advantage to the Public, and the Proprietors and Occupiers of Estates adjoining the said Roads and the Neighbourhood, if the Road leading from the Stokenchurch and Oxford Branch of Road, near to Headington Quarry in the Parish of Headington, by Bayswater to the Islip and Enslow Branch of Road in the Parish of Stanton Saint John in the said County of Oxford, at or near the New Inn, were included in and repaired and maintained under the Provisions herein-after contained: And whereas an Act was passed in the Third Year of the*

3 G. 4. c. 126. *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 an Act was passed in the Fourth*

4 G. 4. c. 95. *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: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said several recited Acts passed in the Eighteenth and Twenty-ninth Years of the Reign of His said late Majesty King George the Third, shall be and the same are hereby declared to be repealed, and null and void to all Intents and Purposes whatsoever; and that this Act shall be put in Execution for and during the Term*

Recited Acts  
18 & 29 G. 3.  
repealed,  
and this Act  
to take  
effect. ○

herein.

herein-after mentioned; for the Purpose of repairing, amending, improving, and maintaining the Road from the Termination of the *Beaconsfield* and *Stokenchurch* Turnpike Road, near to a Place formerly a Smith's Shop, in the Parish of *Stokenchurch* in the County of *Oxford*, to *Wheatley Bridge*, and thence in its present Course to the Mileway at the North End of *Cheyney Lane* in the Parish of *Saint Clement* in the County of *Oxford*; and the Road from the Mileway leading by or from *Saint Giles* Church in the Parish of *Saint Giles*, near the City of *Oxford*, by *Begbroke* to *New Woodstock* in the said County; and also the Road leading out of the said first-mentioned Branch of Road, near to the Stone Pits in the Parish of *Holton*, through *Islip* to *Enslow Bridge* in the said County; and also for making, amending, repairing, and maintaining the Road leading out of the said first-mentioned Branch of Road near to *Headington Quarry* in the Parish of *Headington*, by *Bayswater*, to the said *Islip* and *Enslow* Branch of Road in the Parish of *Stanton Saint John* in the said County of *Oxford*, near to the House or Place called *The New Inn*.

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 of 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 respectively contained, (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 respectively been repeated and re-enacted in the Body of this Act.

Powers of the recited Acts of the 3 & 4 G. 4. extended to this Act.

III. Provided always, and be it further enacted, That this Act and the Term and Tolls hereby granted shall be and they are hereby made subject and liable to the Payment of all Monies which have been borrowed, or are now due and owing on the Credit of the Tolls authorized to be taken on the said Roads, by the said Two first recited Acts hereby repealed, or any former Act or Acts for the Repair of the said Roads, and of all Interest due and to grow due thereon respectively, as fully and effectually to all Intents and Purposes as if such Monies had been borrowed or become due and owing on the Credit or on account of this Act; and that all and every Person and Persons owing any Sum or Sums of Money to the respective Trustees for executing the said Two first recited Acts hereby repealed, or either of them, shall be liable to the Payment thereof to the Trustees for executing this Act.

Act made subject to former Debts, Contracts, &c.

IV. And be it further enacted, That all Bonds, Covenants, Agreements, Contracts, and Securities entered into by any Person or Persons,

Bonds, Agreements, &c. under

former Acts  
to remain  
good under  
this Act.

sons, to or with the respective Trustees for executing the said recited Acts hereby repealed, according to the Provisions and Directions thereof, shall remain in full Force and Effect, and shall be and continue available in all Courts of Law and Equity, until the same are fully satisfied and performed on account and for the Benefit of the Roads to be repaired under this Act; and all Leases of Tolls, Orders, Contracts, and Agreements duly made or entered into by the said Trustees for executing the said Acts hereby repealed, shall, so far as the same are not altered or avoided by this Act, remain in full Force and Effect, and be observed and kept by the Trustees under this Act, according to the Term and Stipulations thereof respectively.

Trustees.

V. And be it enacted, That all His Majesty's Justices of the Peace for the Time being, for the County of *Oxford*, together with the Honourable *George Spencer* commonly called *Marquis of Blandford*, the Honourable *Peregrine Bertie*, the Honourable *Frederick Bertie* Clerk, the Honourable *Thomas Parker*, the Honourable *Robert John Smith*, Sir *Henry Watkin Dashwood* Baronet, Sir *Henry Willoughby* Baronet, Sir *Alexander Croke*, Sir *Joseph Lock*, Sir *Francis Desanges*, Sir *Edward Hitchings*, Sir *William Elias Taunton*, *William Henry Ashurst*, *Thomas Henry Ashurst* Doctor of Laws, *Arthur Annesley*, *Arthur Annesley* the younger, *Thomas Edward Bridges* Doctor in Divinity, *James Burton* Doctor in Divinity, *John Blackall*, *Elisha Biscoe*, *John Brown*, *Henry Alexander Brown*, *James Blackstone* Doctor of Laws, *Frederick Barnes* Doctor in Divinity, *Charles Ballard* Clerk, *William Lewis Buckle* Clerk, *Isaac Bacon* Clerk, *Thomas Fox Bricknell*, *Edward Coplestone* Doctor in Divinity, *Septimus Collinson* Doctor in Divinity, *Thomas Cozens*, *William Cozens*, *George Croke*, *Theophilus Leigh Cooke* Clerk, *Richard Cox*, *Edward Christopher Dowdeswell* Doctor in Divinity, *John Dean* Doctor in Divinity, *George Dashwood*, *Richard Downes* Clerk, *Peter Elmsley* Doctor in Divinity, *John Eeles*, *Thomas Ellis* Clerk, *John Fane*, *Richard Finch*, *Henry Foulkes* Doctor in Divinity, *William Fletcher*, *Ashurst Turner Gilbert* Doctor in Divinity, *Anthony Grayson* Doctor in Divinity, *George William Hall* Doctor in Divinity, *Thomas Hay* Doctor in Divinity, *Joseph Henley*, *Joseph Warner Henley*, *William Hall*, *Edmund Hopkinson*, *Thomas Hedges*, *John Holland* Clerk, the very Reverend *John Ireland* Doctor in Divinity Dean of *Westminster*, *John Collier Jones* Doctor in Divinity, *Richard Jenkyns* Doctor in Divinity, *Richard Paul Jodrel*, *Edward Jodrel*, *William Juggins*, *Thomas Juggins*, *Whittington Landon* Doctor in Divinity, *Charles Lloyd* Doctor in Divinity, *Thomas Lee* Doctor in Divinity, *Cranley Lancelot Kerby* Clerk, *William Francis Lowndes*, *John Ingram Lockhart*, *Edward Latimer*, *Timothy Tripp Lee* Clerk, *Michael Marlow* Doctor in Divinity, *John David Macbride* Doctor of Laws, *William Mavor* Doctor in Divinity, *Baker Morrell*, *William Augustus Musgrave* Clerk, *Richard Musgrave* Clerk, *Matthews* Clerk, *Henry John North*, *Phineas Pett* Doctor in Divinity, *Charles Peers*, *Edward Payne* the younger, *James Parsons*, *Herbert Parsons*, *Thomas Prankard Phelps* Clerk, *Jonathan Peel*, *George Rowley* Doctor in Divinity, *Martin Joseph Routh* Doctor in Divinity, *Thomas Robinson*, *Robert Bertie Broughton Robinson* Clerk, *Samuel Smith*

*Smith* Doctor in Divinity, *Philip Nicholas Shuttleworth* Doctor in Divinity, *William Lowndes Stone*, *John Spencer*, *Thomas Schutz*, *William Slatter*, *Thomas Simmons*, *Thomas Stone*, *Frederick Charles Spencer* Clerk, *Edward Tatham* Doctor in Divinity, *William Tournay* Doctor in Divinity, *John Henry Tilson*, *Tyndale* Clerk, *Peter Vaughan* Doctor in Divinity, *Henry Woodcock* Doctor in Divinity, *John Weyland*, *John Weyland* the younger, *Edward Webb*, *Theophilus Wharton*, *Brian Wharton*, *Thomas Richard Walker*, *Thomas Henry Whorwood* Clerk, *Percival Walsh*, and *Richard Wootten*, and their Successors, being duly qualified according to the Directions of the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty, shall be and they are hereby appointed the Trustees for repairing, maintaining, and improving the aforesaid Roads, and for putting into Execution this Act, and such of the Powers and Provisions of the said recited Acts passed in the Third and Fourth Years of the Reign of His present Majesty as are not expressly varied, altered, or otherwise provided for by this Act.

VI. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered, at any Meeting to be holden for that Purpose (and of which Meeting and the Purpose thereof, Ten Days Notice shall be given in the Manner directed by the said recited Act of the Third Year of the Reign of His present Majesty), to elect any Number of Persons duly qualified according to the Provisions and Directions of the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty, not exceeding Five in the Whole, to be Trustees for the Purposes of this and the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty, in addition to the Trustees hereby appointed; and such Trustees so elected, and being duly qualified, shall be and are hereby invested with the same Powers and Authorities for executing this Act, and the said Acts passed in the Third and Fourth Years of the Reign of His present Majesty, as if they had been herein named and appointed.

Power to  
appoint ad-  
ditional  
Trustees.

VII. And be it further enacted, That the said Trustees shall meet at the House known by the Sign of *The Crown* in *Wheatley* in the said County of *Oxford*, or some other convenient Place near the said Road, on the Third *Wednesday* next after the passing of this Act, and proceed to put the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty, and this Act, into Execution.

First Meet-  
ing of Trus-  
tees.

VIII. And be it further enacted, That each and every Clerk, Receiver, Collector, Surveyor, and other Officer, save and except the Treasurer appointed under and by virtue of the said recited Acts 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 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

Old Officers,  
except the  
Treasurer,  
to continue  
until new  
ones elected.

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.

Offices of Clerk and Treasurer not to be held by the same Person.

IX. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees to continue or appoint the Person who hath been or may be appointed to act as their Clerk in the Execution of this Act, or the Partner of any such Clerk, or the Clerk or any Person in the Service or Employ of any such Clerk, to be the Treasurer for the Purposes of this Act, or to continue or appoint the Person who hath been or who may be appointed Treasurer, or the Partner of any such Treasurer, to be the Clerk to the said Trustees; and if any Person shall act in both the Capacities of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of any such Clerk, or the Clerk or any Person in the Service or Employ of any such Clerk, shall act as Treasurer, or being the Partner of any such Treasurer shall act as Clerk in the Execution of this Act, or if any such Treasurer shall hold any Place or Office of Profit or Trust under the said Trustees, other than that of Treasurer, 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, Plaint, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance, shall be allowed.

Officers under former Acts to account to Trustees for executing this Act.

X. And be it further enacted, That every Person who shall have been employed to receive, or who shall have received any Tolls or other Monies under or by virtue or on account of the Acts hereby repealed, or shall have in his or her Custody or Possession any Vouchers, Books, Accounts, Papers, Writings, or other Things relating to the said Roads, to be repaired and maintained under or by virtue of this Act, or any of them, shall, when required so to do, account for and deliver the same to the said Trustees, or any Person or Persons appointed by them for that Purpose, in like Manner and under the like Penalties as are directed with respect to any Officer or Person appointed under or by virtue of this Act.

Books under former Acts to be Evidence.

XI. And be it further enacted, That all and every Book and Books containing the Accounts and Proceedings of the Trustees for executing the said Two first recited Acts, or containing any Orders or Agreements made or entered into by them, and made Evidence thereby, shall and may be given in Evidence in all Cases of Appeal, and in all Prosecutions, Suits, and Actions whatsoever, in such and the same Manner as if the said Two first recited Acts had not been repealed.

For continuing the present Toll Gates, and

XII. And be it further enacted, That the said Trustees shall and may, and they are hereby authorized and empowered to continue or remove all or any of the Toll Gates, Turnpikes, Bars, and Weighing Machines now standing in, upon, or across the said Roads, or on the Sides

Sides thereof; and also to erect or cause to be erected any other Turnpike or Turnpikes, Toll Gate or Toll Gates, Bar or Bars, Weighing Machine or Weighing Machines, in, upon, or across any Part or Parts of the said Roads, or in, upon, or across any Line of Deviation of the said Roads, to be made under the Powers of this Act or the said recited Acts of the Third and Fourth Years of His present Majesty's Reign (except as herein-after is mentioned), and also upon the Side of the said Roads across any Lane or Way leading into or out of the same (such Lane or Way not being a Turnpike Road), and also to continue, erect, or provide a Toll House or Toll Houses, with suitable Outbuildings and Conveniences at or near each Toll Gate, Bar, or Weighing Machine; and the said Trustees shall and may from Time to Time afterwards remove, alter, or discontinue such Turnpikes, Toll Gates, Bars, Weighing Machines, or Toll Houses, or any of them, in such Manner as they the said Trustees shall think expedient, and also shall and may take in and inclose, from the Sides of the said Roads, convenient Garden Spots for the Toll Houses respectively, not exceeding One-eighth Part of a Statute Acre to each Toll House.

erecting  
other Toll  
Gates, &c.

XIII. And be it further enacted, That it shall be lawful for the said Trustees, or any Person or Persons continued or to be appointed Collector or Collectors as aforesaid, to demand and take at each and every Turnpike or Toll Gate, Bar, or Side Gate, continued or to be erected by virtue of this Act, in, upon, across, or on the Side of the said Roads, from the Owner or Owners of, or Person or Persons using, leading, driving, or attending any Horse, Beast, Cattle, or Carriage, before any such Horse, Beast, Cattle, or Carriage shall be permitted to pass through the same (subject to the Provisions, Restrictions, and Exceptions herein-after and in the said recited Acts passed in the Third and Fourth Years of the Reign of His present Majesty contained), the following Sums or Tolls, or such Sums or Sum not exceeding the following Sums or Tolls respectively, as the said Trustees at any of their Meetings shall from Time to Time appoint and order; that is to say,

Power to  
take Tolls.

For every Horse, Mule, or other Beast of Draught, drawing any Carriage, the Sum of Five-pence :

Tolls.

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

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

For every Drove of Sheep, Lambs, Hogs, or other Cattle whatsoever, Five-pence *per* Score, and so in proportion for any greater or less Number :

Which said Tolls shall be and are hereby vested in the said Trustees, and shall be paid, levied, applied, disposed of, and assigned in manner directed by the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty and this Act.

XIV. Provided always, and be it further enacted, That no more than Four full Tolls shall be demanded and taken (except in the Cases herein-

Tolls to be  
paid but Once  
a Day.

herein-after mentioned) for passing on the same Day throughout the whole of the said Roads; and the several Branches thereof; and that no Person or Persons shall be subject to or charged with the Payment of any of the Tolls by this Act granted and made payable, more than Once in the same Day (to be computed from Twelve of the Clock at Night to Twelve of the Clock in the next succeeding Night) for passing or repassing with the same Horse, Beast, or Cattle through all or any of the Turnpikes, Toll Gates, Bars, or Side Gates continued or to be erected by virtue of this Act within each respective Division or District of the said Roads herein-after mentioned; (that is to say), between the Commencement of the Road at *Stokenchurch* and the North End of *Swerford Lane* in the Parish or Township of *Chilworth* in the said County of *Oxford*; between the said North End of *Swerford Lane* and the North End of *Cheyney Lane* in the Parish of *Saint Clement* aforesaid; between the *Mileway* leading by or from *Saint Giles' Church* and the Termination of the Road at *New Woodstock* aforesaid; between the Commencement of the *Islip and Enslow Branch* of Road in the Parish of *Holton* aforesaid, and the Termination of the same Branch of Road at *Enslow Bridge*; and lastly, between the Termination of the said new Branch of Road near to the *New Inn* aforesaid and the North End of *Cheyney Lane* in the said Parish of *Saint Clement*; and all and every Person and Persons having paid Toll once, upon producing a Note or Ticket of the Day denoting such Payment, shall (except in the Case herein-after mentioned) be permitted to pass and repass through the same or any other Turnpike, Toll Gate, Bar, or Side Gate continued or erected by virtue of this Act within the same Division or District of the said Roads wherein such Payment shall have been made, at any Time or Times during the same Day, to be computed as aforesaid, with the same Horse, Beast, or Cattle, without paying any further or other Toll in respect thereof, (except as herein-after mentioned.)

Stage  
Coaches, &c.  
to pay every  
Time of  
passing.

XV. Provided always, and be it further enacted, That the said Tolls hereby made payable, shall be paid for or in respect of all Horses or other Beasts drawing any Stage Coach, Van, Caravan, Waggon, Cart, or other Stage Carriage carrying Passengers or Goods for Payment, Hire, or Reward, for every Time of passing and repassing on the same Day, (to be computed as aforesaid); and the Tolls hereby made payable shall be paid for or in respect of all Horses or other Beasts travelling for Hire, drawing any Post Chaise or other Carriage, for every Time of passing and repassing along the said Road on the same Day, (to be computed as aforesaid), whenever a new Hiring shall take place.

Exemption  
from Tolls  
for Sheep and  
Lambs.

XVI. Provided also, and be it further enacted, That no Toll shall be demanded or taken for any Sheep or Lambs going to or from any Brook, Dike, Water, or other Place used for washing of Sheep, or to or from any Place used for the clipping or shearing of Sheep, or to or from any Place for suckling of Lambs, or folding or foddering of Sheep, within One Mile of the said Roads.

XVII. And



XVII. And be it further enacted, That all the Monies which before the Day of the Commencement of this Act shall have been raised and produced by virtue of the said Acts hereby repealed, for or in respect of the said Roads, and which shall be remaining undisposed of on the Day of the Commencement of this Act, and also all the Monies which shall arise and be produced by and from the Tolls by the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty and this Act granted and made payable, together with the Monies which shall be borrowed upon the Credit thereof, and all Monies which shall arise and be produced by virtue thereof, and not otherwise appropriated or directed to be applied, shall be vested in the said Trustees, and be applied to and for the several Uses, Intents, and Purposes, and in the Order and Manner following; (that is to say), in the first Place, and in preference to all other Payments whatsoever, in the Payment of all the Costs, Charges, and Expences, which shall have been incurred in preparing, applying for, obtaining, and passing this Act, and otherwise relating thereto respectively, together with lawful Interest for any Monies which may have been advanced for that Purpose, and in defraying the Expences of erecting and providing Toll Gates, Toll Bars, Toll Houses, and other Buildings, and keeping the same in repair, and in Payment of the Salaries and Compensation to be made to the Officers and other Persons employed or assisting in the Execution of this and the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty; and in the next Place, in Payment of the Interest of the Monies borrowed or due on the Credit of the said recited Acts hereby repealed, or which may be borrowed under the Powers, or on the Credit of this Act; and in the next Place in repairing, amending, widening, altering, improving, and maintaining the Roads by this Act directed to be kept in repair, altered, diverted, and maintained, and in erecting necessary and convenient Bridges and other Works upon the same, and in defraying all other the necessary Expences attending the Execution of this Act; and lastly, in reducing, paying off, and discharging the several Principal Monies borrowed, due, and owing on the Credit of the said recited Acts hereby repealed, or any former Acts, or which may be hereafter borrowed and secured by virtue of or on the Credit of this Act, and to or for no other Use or Purpose whatsoever.

Application  
of the Money.

XVIII. And be it further enacted, That for the Improvement of the said Roads, and rendering the same more convenient and commodious to the Public, it shall be lawful for the said Trustees, and they are hereby authorized and empowered to divert, vary, and alter the present Line of the said Roads in the Parish of *Aston Rowant* aforesaid, at or near to the Summit of *Stokenchurch Hill*, through and over the Common and Common Wood called *Cockshoot Wood*, an inclosed Wood called *The Warren Wood*, an Inclosure called *The Warren*, and Part of the Common Field and Waste Ground of *Aston Rowant*, to join and communicate with the said Roads near to the Bottom of *Pinnock's Hill*, and the *Lewknor*, and *Aston Rowant Cross Roads* in the said Parish of *Aston Rowant*; and also to widen, alter, and improve the present Road through the Village of *Tetsworth*

Power to  
divert the  
present Road  
over *Stoken-  
church Hill*  
and *Post-  
comb Hill*,  
and to widen  
the Road in  
*Tetsworth*.

[Local.]

26 I

aforesaid,

aforesaid, and to excavate and lower the Hill in the said Village; and for the Purpose of making and completing the said Deviation, Alterations, and Improvements in the said Roads, and for the making, improving, and completing the said Road from *Headington Quarry*, to the *Islip* and *Enslow* Branch of Road, in the said Parish of *Stanton Saint John*, it shall be lawful for the said Trustees, and they are hereby authorized and empowered to make such Parts of the said Roads, which they shall cause to be diverted, altered, and improved, and also the said new Branch of Road from *Headington Quarry* to the said *Islip* and *Enslow* Branch of Road, in, to, upon, through, and over the several Lands and Grounds, Roads, Commons, and Waste Grounds described in the Plans and Books of Reference herein-after mentioned, of such Width as they shall think proper, not exceeding One hundred Feet, between the *Royal Oak Inn* and the *Swan Inn*, in the said Village of *Tetsworth*, and not exceeding Sixty Feet in any other Parts of the said Roads, together with such Footpaths, Causeways, Bridges, Culverts, Fences, Ditches, and Drains as they shall think necessary; and also to pull down and remove, or to alter or rebuild all or any of the several Messuages, Houses, or other Buildings, and to make use of and take into the said Roads the Sites of such Messuages, Houses, and Buildings, and the several Gardens, Courts, Yards, Nursery, and Hereditaments mentioned and described in the Schedule to this Act annexed, making Satisfaction to the Owners thereof, and Persons interested in such Lands, Grounds, Messuages, Buildings, and Hereditaments, for the same, or for the Damage they may sustain by such Deviations, Alterations, or Improvements, and without making any Satisfaction for any Commons and Waste Grounds.

Surveyors may deposit Earth removed on private Lands adjoining the Road.

XIX. And be it further enacted, That it shall be lawful for the Surveyors or Surveyor for the said Roads, or any Person or Persons acting under their or his Authority, by and with the Order of the said Trustees, to enter into and upon, and to lead, carry, and deposit any Stone, Sand, Soil, or Earth, which shall or may be removed in making and completing the several Deviations, Alterations, and Improvements aforesaid, in or upon any private Lands or Grounds adjoining the said Roads, (not being a Garden, Yard, Park, Paddock, planted Walk or Avenue to any House, or a Nursery for Trees), making such Satisfaction to the Owners and Occupiers of the said Lands or Grounds for the Damage done by depositing or carrying the said Stone, Sand, Soil, and Earth upon or over the same, as the said Trustees shall judge reasonable; and also to deposit such Stone, Sand, Soil, or Earth in or upon any Commons and Waste Lands, without making any Satisfaction for the same.

In case of Persons refusing to treat with Trustees, the Value to be ascertained in the Manner directed by 3 G.4. c. 126.

XX. And be it further enacted, That the Compensation and Satisfaction to be paid or made to the Owners or Proprietors or other Persons interested in any of the Messuages, Houses, Buildings, Lands, Tenements, Hereditaments, or Premises which the said Trustees shall take, pull down, use, or convert for the Purpose of making the Deviation, Alterations, or Improvements aforesaid, or sustaining any Damage thereby, in case such Owners, Proprietors, or other Persons interested

interested, and the said Trustees for executing this Act, cannot agree therein, or by reason of Absence shall be prevented from treating, shall be inquired into, ascertained, and settled in such or the like Manner as the Damage, Value, or Recompence to be made for any Lands, Tenements, Hereditaments, and Premises, taken or used for the Purpose of diverting, altering, or improving any Turnpike Road, is directed to be ascertained by the said recited Act of the Third Year of the Reign of His present Majesty, in case of Dispute; and all and every the Powers, Authorities, Provisions, Rules, and Regulations, Fines, and Forfeitures, in or by the said Act contained and imposed for the summoning, impannelling, returning, and swearing a Jury, shall extend and be construed to extend to all and every or such of the Messuages, Houses, Buildings, Lands, Tenements, and Hereditaments which shall or may be taken or used by virtue of the Power for that Purpose in this Act contained, and shall and may be applied and put in Execution as fully and effectually to all Intents and Purposes as if the same were re-enacted in this Act, and made Part thereof.

XXI. And whereas Maps or Plans respectively describing the Lines of the Deviation of the said Roads so intended to be made, and also the Line of the said new Branch of Road, and the Lands through which such Lines respectively are to be carried, together with Books of Reference, containing Lists of the Names of the Owners and Occupiers of such Lands, have been deposited with the Clerk of the Peace for the said County of *Oxford*; be it therefore enacted, That the said Maps or Plans, and Books of Reference, shall remain in the Custody of the Clerk of the Peace for the said County of *Oxford*, to the End that all Persons may at all reasonable Times have Liberty to inspect and peruse the same, and take Copies and Extracts therefrom at their Will and Pleasure, paying to such Clerk of the Peace the Sum of One Shilling for every such Inspection, and at the Rate of Sixpence for every Seventy-two Words of such Copies or Extracts; and the said Trustees, in making such Deviation of Road, shall not deviate more than One hundred Yards from the respective Lines described in the said Maps or Plans, without the Consent in Writing of the Person or Persons, Body Politic, Corporate, or Collegiate, through whose Lands, Grounds, or Premises such Deviation shall be made.

Maps, &c. deposited at the Office of the Clerk of the Peace, to remain there for Inspection.

XXII. Provided always, and be it further enacted, That it shall be lawful for the said Trustees to make the said Deviation or Alterations of Road, and also the said new Branch of Road into, through, across, or over the several Lands, Hereditaments, and Premises of any Person or Persons who is, or are, or may be the Owner or Owners, or Occupier or Occupiers of Lands, Grounds, or Premises over which the same Deviation or new Branch of Road, or either of them, or any Part thereof, is or are mentioned or described in this Act, or set forth or described in the said Maps or Plans or Lists as aforesaid, although such Lands or Premises, or the Name or Names of such Person or Persons, may happen to be erroneously described, omitted, or mistated in this Act, or in the said Maps, or Plans, or Lists, in case it shall appear to any Two or more Justices of the Peace for the said County of *Oxford*, and

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

be

be certified by Writing under their Hands, that such Error or Omission proceeded from Mistake, or was not wilful; and such Certificate shall be deposited with and remain in the Custody of the Clerk of the Peace for the said County of *Oxford*.

Trustees discharged from the Care of certain Roads.

XXIII. And be it further enacted, That all Roads made, opened, widened, diverted, shut up, or discontinued under or by virtue of the Powers and Provisions of the said Acts hereby repealed, or either of them, shall remain and continue open, widened, diverted, shut up, and discontinued in such and the same Manner as if the said recited Acts had not been repealed; and the Trustees for executing this Act shall be discharged from the Care and Management, as well of all the Roads so heretofore shut up or discontinued, as also of all such Parts of the present Road in lieu of which the said Deviation may be made under the Powers of this Act.

Trustees restrained from pulling down any Houses, &c. without Consent of the Owners.

XXIV. Provided always, and be it further enacted, That the Powers and Authorities hereby given shall not in any Case be construed to extend to empower or authorize the said Trustees to take or pull down any Dwelling House or other Building, or to take in or make use of any 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, without the Consent in Writing of the Owner or Proprietor thereof first had and obtained, other than and except such Messuages, Dwelling Houses, or other Buildings, Gardens, Yards, Paddocks, and Nursery for Trees, as are marked or described in the said Maps or Plans and Books of Reference, or in the Schedule to this Act annexed, or one of them.

Application of Compensation when exceeding 200l.

XXV. 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 Acts of the Third and Fourth Years of the Reign of His said present Majesty and this Act, for the Purposes thereof respectively, which shall belong to any Corporation, Feme Covert, Infant, Lunatic, Person or Persons under any other Disability or Incapacity, as in the said Acts particularly mentioned, such Money shall, in case the same shall amount to the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Exchequer, to be placed to his Account, *ex parte* the Trustees for executing this Act, pursuant to the Directions of an Act passed in the First Year of the Reign of His present Majesty King *George* the Fourth, 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 shall be applied under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Person or Persons who would have been entitled to

1 G. 4. c. 35.

to the Rents and Profits of the said Lands, Tenements, and Hereditaments, in the Purchase of the Land Tax, or 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, Intents, and Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Lands, Tenements, or Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Lands, Tenements, and Hereditaments which shall be so purchased, taken, or used as aforesaid stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined, and capable of taking Effect; and in the meantime and until such Purchase shall be made, the said Money shall, by Order of the 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 the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and Annual Produce of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, and Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made.

XXVI. 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 amount to or 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, and 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 of *England* in the Name and with the Privity of the said Accountant General of the 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 the said Trustees (such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties), in order that such Principal Money and the Dividends arising thereon may be applied in Manner herein-before

[Local.]

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directed,

Application  
of Compen-  
sation  
when less  
than 200l.  
and more  
than 20l.

directed, so far as the Case be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court.

Application where less than 20%.

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

In case of not making out Titles, the Money to be paid into the Bank.

XXVIII. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be awarded for the Purchase of any Lands, Tenements, or Hereditaments to be purchased by virtue of the said Acts and 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 and may be lawful to and for the said Trustees to order the said Sum or Sums of Money 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 Court of Exchequer, to be placed to his Account to the Credit of the Persons interested in the said Lands, Tenements, or Hereditaments (describing them), subject to the Order, Controul, and Disposition of the said Court; which said Court, on the Application of any Person or Persons making claim to such Sum and 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 same Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order the 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 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 who shall pay any such Sum or Sums of Money into the Bank as aforesaid.

Where any Question shall arise touching the Title to any Money.

XXIX. 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 Court of Exchequer in pursuance of the said Acts

and this Act, for the Purchase of any Lands, Tenements, or Hereditaments, or of any Estate, Right, or Interest in any Lands, Tenements, or Hereditaments to be purchased in pursuance of the said Acts and this Act, or to any Bank Annuities to be purchased with any such Money, or the Dividends or Interest of any Bank Annuities, the Person or Persons who shall have been in Possession of such Lands, Tenements, and Hereditaments, at the Time of such Purchase, and all Persons claiming under 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; and the Dividends or 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 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.

XXX. And be it further enacted, That where by reason of any Disability or Incapacity of the Person or Persons, or Corporations, entitled to any Lands, Tenements, Hereditaments, and Premises, to be purchased under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the Court of Exchequer, and to be applied in the Purchase of other Lands, Tenements, or Hereditaments, to be settled to the like Uses in pursuance of this Act, it shall be lawful for the said Court to order the Expences of such last-mentioned Purchases from Time to Time to be made in pursuance of this Act, or so much thereof as the said Court shall deem reasonable, to be paid by the said Trustees out of the Monies to be received by virtue of this Act, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

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

XXXI. And whereas by an Act made in the Eighteenth Year of the Reign of Queen *Elizabeth*, for the repairing and amending of the Bridges and Highways near unto the City of *Oxford*, and by another Act made in the Thirty-fifth Year of the Reign of the same Queen, for the Reviving, Continuance, Explanation, and Perfecting of divers Statutes (which said Acts are continued indefinitely by Two other Acts, One made in the Third and the other made in the Sixteenth Year of the Reign of King *Charles* the First), it is provided and enacted, that every Person having One Yard Land or more in his Possession, lying within Five Miles of the University and City of *Oxford*, or the Franchises of the same, shall for every Yard Land perform such personal Duty as in the said Act is mentioned, or in lieu thereof shall make certain annual Payments specified in the said Act, unto the Vice Chancellor and Mayor of the same University and City for the Time being, or their Deputy or Deputies, towards the amending of the Bridges and Highways lying and being within One Mile of the said City of *Oxford*: And whereas Two of such Highways or Mileways adjoin or communicate with the Roads to be repaired

Trustees to repair the Mileways adjoining the Road.

repaired and amended, by virtue of this Act, on the East and North Sides of the said City; (*videlicet*) the Mileway leading from the *Dorchester* Mileway near *Magdalen* College; and the Mileway leading by or from *Saint Giles'* Church towards *Woodstock*: And whereas the Provision made by the said Acts having been found insufficient for the Repair of the said Mileways, Part of the said first-mentioned Mileway, and the Whole of the said second mentioned Mileway, have been, under certain Provisions contained in the herein-before recited Act of the Eighteenth Year of the Reign of His said late Majesty King *George* the Third, repaired and maintained by the Trustees of the said Roads, and it will be most convenient that the same should be continued to be repaired and maintained by the Trustees for carrying this Act into Execution: Be it therefore enacted, That the said Trustees shall and may, during the Continuance of this Act, by and from the Tolls hereby granted, repair, amend, and maintain so much of the said Mileway as extends from the North End of *Cheyney Lane* in the said Parish of *Saint Clement*, to the North-west End of the said Mileway near *Saint Clement's* Church, and the said Mileway leading from or by *Saint Giles'* Church, towards *Woodstock* aforesaid.

Limiting  
Power of  
Trustees over  
the Mileways.

XXXII. Provided always, and be it further enacted, That nothing herein contained shall extend or be construed to extend to give the said Trustees, or any of them, any Power or Authority, other than and except the Power and Authority to repair herein-before provided for and enacted, over the said Mileways or the Lands adjoining to the same, other than and except such Power and Authority as the Vice Chancellor and Mayor of the said University and City, or their Deputy or Deputies, might or could have exercised by virtue of the said Acts of Parliament of the Eighteenth Year of the Reign of Queen *Elizabeth*, and the Third and Sixteenth Years of the Reign of King *Charles*, herein-before recited; any thing herein contained to the contrary thereof notwithstanding.

Mileways to  
be under  
Direction of  
3 & 4 G. 4.  
as to Nuis-  
ances, &c.

XXXIII. Provided always, and be it further enacted, That so much of the said Mileways as are herein-before directed to be repaired by the said Trustees shall, from and after the passing of this Act, be subject to the Regulations, Powers, and Provisions of the said herein-before recited Acts of the Third and Fourth Years of the Reign of His present Majesty, so far as respects Nuisances, Annoyances, and Trespasses; and the Justices of the Peace acting for the said County of *Oxford* are hereby authorized and empowered to enforce all Penalties for Nuisances, Annoyances, and Trespasses, on such Parts of the said Mileways as shall be repaired under the Power for that Purpose herein-before contained; provided also, that nothing in this Act contained shall extend or be deemed or construed to extend to take away, diminish, or impede the Exercise of any Privilege or Right whatsoever of the said University of *Oxford*, or of any of the Magistrates, Officers, Ministers, or Servants thereunto belonging, or of any Privilege or Right whatsoever of the said City of *Oxford*, or of any of the Magistrates, Officers, or Servants thereunto belonging.

XXXIV. And



XXXIV. And be it further enacted, That this Act shall be and be deemed 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.

XXXV. And be it further enacted, That this Act shall commence upon the passing thereof, and shall from thenceforth 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. Commence-  
ment and  
Continuance  
of this Act.

The SCHEDULE to which the foregoing Act refers.

No. on the Plan.	Description of Premises.	Names of Owners.	Names of Occupiers.
IN TETSWORTH.			
14.	A Farm House and Homestead, Granary, Stable, Two Cart-sheds and Yard	Charlotte Weston, Spinster	Richard Cornish.
15.	A Cottage and Buildings	Ditto	Thomas Spriggs.
16.	Another Cottage and Buildings	Ditto	James Ceatterer.
17.	Another Cottage and Buildings	Ditto	John Bailey and Benjamin Lindars, late Richard Honey.
18.	A Messuage, Shop, and Garden	Richard West	Thomas Ray.
19.	A Messuage, Yard, and Garden	Ditto	Late Mary Johnson, now unoccupied.
20.	Part of Two Gardens belonging to the Swan Inn	William Hall, Esquire	John Edmonds.

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