



ANNO QUARTO & QUINTO

# GULIELMI IV. REGIS.

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## *Cap. xciv.*

An Act for making, improving, and keeping in repair the Roads leading from *Barrington* to *Campsfield* and *Enslow Bridge* in the County of *Oxford*.  
[30th July 1834.]

**W**HEREAS by an Act passed in the Twenty-fourth Year of the Reign of His late Majesty King *George* the Second, intituled *An Act for repairing the Road from the Top of Crickley Hill in the County of Gloucester to Frogg Mill, through the Towns of Northleach, Burford, and Witney, and Parishes of Hamborough and Bladen, to Campsfield in the Parish of Kidlington in the County of Oxford, and also the Road from Witney, through Ensham, Cumner, and Botley, to the City of Oxford, being (as described in the said Act) Part of the Great Road for Coaches, Waggons, and other Carriages from divers Parts of South Wales, and from the Cities of Hereford and Gloucester, and various Parts of the Counties of Hereford, Gloucester, and Oxford, to the City of Oxford, and so on to the City of London, certain Powers were given to the Trustees therein named for repairing the said Roads for and during the Term therein mentioned, and several Tolls were granted for that Purpose, and for carrying the said Act into execution; and by an Act passed in the Eighth Year of the Reign of His late Majesty King *George* the Third the Powers of the said recited Act, except as related to the Road from *Witney* through *Ensham* to *Oxford*, were enlarged and continued for the further Term of Twenty-one Years, and were, with the Provisions of the now-reciting Act, extended to a new and additional Road described to*

24G. 2. c. 28.

[Local.]



be the Road from *Campsfield* to the Turnpike Road at or near *Enslow Bridge* in the said County of *Oxford*: And whereas the said Roads so authorized to be repaired were, by the Trustees acting under the said Acts, and by virtue thereof, divided into Two Districts or Divisions, namely, the *Gloucestershire* and *Oxfordshire* Districts, the last-mentioned or *Oxfordshire* District comprising the Line of the said Roads from the Liberty or Parish of *Barrington*, being within and forming the Boundary of the County of *Gloucester*, thence along the said County of *Oxford* to the said Turnpike Road at *Enslow Bridge*; and it is by the said last-mentioned Act directed that the said additional Road from *Campsfield* shall be under the Care and Management of the Trustees for the *Oxfordshire* District: And whereas Two other Acts have been since passed in the Thirty-eighth Year of the Reign of His said late Majesty King *George* the Third, and in the Second Year of the Reign of His late Majesty King *George* the Fourth, for continuing the Term and altering and enlarging the Powers of the said first-recited Acts, so far as relates to the said Roads from the Top of *Crickley Hill*, to and through *Northbleach*, *Burford*, and *Witney*, to *Campsfield* and the Turnpike Road at or near *Enslow Bridge*: And whereas an Act was passed in the Third Year of the Reign of His said 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*; and another Act was passed in the Fourth Year of His said late Majesty, intituled *An Act to explain and amend an Act* (the last-recited Act) *passed in the Third Year of the Reign of His present Majesty, to amend the General Laws now in being for regulating Turnpike Roads in that Part of Great Britain called England*; and another Act of the Seventh and Eighth Years of His said late Majesty King *George* the Fourth has since passed, intituled *An Act to amend the Acts for regulating Turnpike Roads in England*; and a further Act has been passed in the Ninth Year of the Reign of His said late Majesty, intituled *An Act to amend the Acts for regulating Turnpike Roads*: And whereas the Trustees for the said *Oxfordshire* District have proceeded under the said several Acts to carry the same into execution, and for effectuating the Purposes thereof have borrowed considerable Sums of Money upon Security of the Tolls arising within the said District, and by the said Acts authorized to be collected; which Monies yet remain due and owing, and the same and the Interest accruing thereupon cannot be paid off, and the Roads effectually amended, improved, and kept in good and sufficient Repair, and safe and commodious for Travellers, unless the Terms and Powers of the said Local Acts, so far as relates to the *Oxfordshire* District of the said Roads therein comprised, are confirmed to the said Trustees acting in and for the said District, and further continued and enlarged, or unless the said Terms and Powers be repealed, and further Powers granted in lieu thereof: And whereas a certain other Act was passed in the Third Year of the Reign of His present Majesty King *William* the Fourth, intituled *An Act for repairing the Road from the Town of Great Faringdon in the County of Berks to Burford in the County of Oxford*: And whereas One Line of the said Great Road from *South Wales*, *Hereford*, and *Gloucester* to *Oxford* and *London*, Parcel of the Road comprised in the said *Oxfordshire* District, leads from *Upton Hill* in the Parish of *Burford*, through the Centre of that Town, to *White Hill* in the said Parish, and is called the Lower Road; and a more material and much frequented Line or Course of the Great Road aforesaid, and situate within the Township and Parish of *Burford*,



leads in the most direct and straight Line through the Country along another Road, being (with the Exception of about Three hundred and twenty Yards) an ancient common Highway and public Carriage Road, from the Top of *Upton Hill* aforesaid, along by an Inn called the *Bird-in-hand* Inn, through the Township of *Burford*, to the Top of *White Hill* aforesaid in the said Township, the same being about Two Miles and a Quarter, and called the Upper Road, avoiding Two very bad Hills, and several inconvenient and narrow Streets, and short and dangerous uneven Turnings and Corners, confined by Dwelling Houses and public Buildings irremovable by the Trustees, and existing in the Course of the Lower Road; and the said Upper Road being level, and by far the best and nearest Line of Communication to and fro', has of late Years been generally used and greatly preferred by Travellers along the said *Oxfordshire* District: And whereas, under the Powers of the said recited General and first-mentioned Local Acts, the Trustees for the Care of the said District have new formed and put that Part thereof along the said Upper Road into good and substantial Repair, without any additional Charge upon the Public, and have made the same, to the great Convenience of all Persons travelling thereon, a component Part of the said Turnpike Roads within their District: And whereas that Part of the said Upper Road, comprising about Three hundred and twenty Yards, forms Part of the original Turnpike Road from *Faringdon* to *Burford*, the Trustees of which Road about Thirty Years since put up, and from that Time to the present have continued, a Toll Gate thereon, and have collected and received, and do at present collect and receive, Toll thereat: And whereas it is expedient that the Trustees of the said *Faringdon* and *Burford* Road should relinquish the said Three hundred and twenty Yards forming Part of the said Upper Road as aforesaid, and that the whole of the said Upper Road should be put under the Care and Management of the Trustees for executing this Act, and that the said Turnpike or Toll Gate standing on the Piece of Road so to be relinquished should be removed, and that from and after the Twenty-ninth Day of *September* next after the passing of this Act no Toll should be collected or received on such Part of the said Upper Road as is herein-after provided; and inasmuch as by the Removal of the said Gate and the Relinquishment of the said Piece of Road by the Trustees of the *Faringdon* Road, the Security of the Creditors on the Tolls at present authorized to be taken thereon will be deteriorated, it has been agreed upon between the said last-named Trustees and the Trustees for executing this Act that such Compensation as herein-after is mentioned shall be granted to the Creditors on the said *Faringdon* and *Burford* Road: And whereas the Lower Road through *Burford*, both from *Upton Hill* and from *White Hill*, is the *Gloucester* and *London* Mail Coach Road, and so and otherwise is a great Accommodation to the Town and Neighbourhood of *Burford*, and forms a necessary Communication therewith, and with other Towns and Places North and East; and the said Upper and Lower Lines or Courses of Road running parallel for the Two Miles and a Quarter, and leading out of the Great Road at one Point, *Upton Hill*, and meeting or uniting at another Point, *White Hill*, combine and perfect One advantageous Course of Road to and fro': And whereas by means of the Provisions of this Act a great Saving will be effected to the Public, and it is desirable that the said Upper and Lower Roads should be kept up in conjunction with each other, and that the same shall be deemed One continuous Road to be repaired under this

Act;

Act; wherefore the duly effectuating the beneficial Purposes aforesaid, without any new or additional Toll, by confirming and continuing the said Upper Road in conjunction with the said Lower Road, under the Care of the Trustees for executing this Act and the said recited General Acts, will be of great Utility and an important Easement to the Public: And whereas it would facilitate the aforesaid Purposes if so much of the said recited *Faringdon* Road Act of the Third Year aforesaid as relates to the said Three hundred and twenty Yards now under the Care of the *Faringdon* Road Trust, or to any other Portion of Road nearer the Town of *Burford*, and so much of the said recited Local Acts concerning the *Crickley Hill* and *Campsfield* Roads as now relates to the *Oxfordshire* District of the same, but no further or otherwise, were repealed; and if further and more effectual Powers and Provisions were granted instead of the Powers and Provisions respecting the said District, and hereby repealed, as well for repairing, amending, and improving the *Oxfordshire* District of the Roads comprised in the said first-recited Local Acts, inclusive of the said Upper Road, and afore-mentioned Three hundred and twenty Yards of the *Faringdon* Road, as for transferring the said Three hundred and twenty Yards to the Care of the Trustees of the said *Oxfordshire* District, and for improving, widening, repairing, and maintaining the said Upper Road for the Term hereby granted; but the several Purposes before mentioned cannot be effected without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Twenty-ninth Day of *September* next (One thousand eight hundred and thirty-four) so much of the said recited Local Acts respectively passed in the Twenty-fourth Year of the Reign of His late Majesty King *George* the Second, in the Eighth and Thirty-eighth Years of His late Majesty King *George* the Third, and in the Second Year of the Reign of His late Majesty King *George* the Fourth, as relates to the *Oxfordshire* District of the said Roads, but no further or otherwise, and so much of the said Local *Faringdon* Road Act of the Third Year aforesaid as relates to or affects the said Upper Road or District, or the said Three hundred and twenty Yards thereof, and the Toll House and Gate erected thereon, or any Portion or Part of the said *Faringdon* Road nearer the Town of *Burford*, shall be and the same is hereby respectively repealed; and accordingly that from and after the said Twenty-ninth Day of *September* the *Faringdon* and *Burford* Turnpike Road shall terminate at its Junction with the said present Upper Road, and the Trustees of the said *Faringdon* Road shall be and they are from thenceforth discharged of and released from all Charge, Cost, and Expence in maintaining or keeping in repair the same or any Portion of Road nearer the Street or Town of *Burford*.

Certain Parts of the Acts of 24 G. 2.; of 8 and 38 G. 3.; of 2 G. 4.; and of 3 W. 4. repealed.

*Faringdon* and *Burford* Road.

This Act to be put into execution for improving certain Turnpike Roads.

II. And be it further enacted, That this Act, subject to the Rules, Orders, and Directions, and with and under the Powers and Authorities of the said recited General Acts, and of every or any other General Turnpike Road Act in that Behalf, and subject, as to the said Upper Road, to the Provisions herein-after contained, shall commence and take effect and shall be put in execution, for and during the Term herein-after mentioned, for the Purpose of more effectually amending, widening, repairing, diverting, and otherwise improving the present Turnpike Roads called the *Oxfordshire*



*Oxfordshire* District, including the said Upper and Lower Roads in the Parish of *Burford* aforesaid, and leading from the Parish of *Barrington* in the said County of *Gloucester*, through the several Parishes, Townships, and Places of *Upton* and *Signet*, *Burford*, *Widford*, *Swinbrook*, *Silton*, *Asthal*, *Minster-Lovel*, *Curbridge*, *Witney*, *Hailey*, *Northleigh*, *Ensham*, *Freeland*, *Handborough*, *Bladon*, *Hensington*, *Campsfield*, *Kidlington*, and *Shipton-upon-Cherwell*, to the Turnpike Road at or near *Enslow Bridge* aforesaid; and that this Act and the Term and Tolls hereby granted shall be and the same are hereby declared to be subject and liable to the Payment of all Monies due, and which shall have been or shall or may be borrowed, on the Credit of the Tolls arising or to arise within the said *Oxfordshire* District of the said Roads by virtue of this Act and the said recited Acts relating to the said District, or any of them, and all Interest due and to grow due thereon respectively.

III. And be it further enacted, That all and every His Majesty's Justices of the Peace acting for the said County of *Oxford*, together with Sir *John Reade* Baronet, *William Hervey*, *Charles Loder*, *Walter Strickland*, *Walter Strickland* the younger, *Edward Rowland Strickland*, Sir *William Elias Taunton*, *William Henry Assheton Smith*, the Honourable *Thomas Parker*, *James Hawkins* Clerk, *John Hyde* Clerk, *Thomas Symonds* Clerk, *Charles Gaisford* Clerk, *Thomas Burrow* Clerk, *John Pinnell*, *Thomas Pinnell*, *Thomas Bagnall*, *Robert Phillimore* Clerk, *Leonard Pickering*, *James Thorold* Clerk, *William Joseph Walker* Clerk, *William Mavor* LL. D., *George Richards* D. D., *John Jordan Ansell*, *Humphrey Tuckwell*, *Joseph Tyler*, *John Williams Clinch*, *Jonathan Arnatt*, *Charles Bateman*, *Henry Bateman*, *Edward Early*, *John Early* (of *Newland*), *Samuel Shuffrey*, *Daniel Rutter*, *Charles Greenaway*, *James Clinch*, *Charles Robert Henderson*, *Charles Leake*, *William Faulkner*, *Samuel James Goodenough* Clerk, *Robert Henry Pytt*, *James Williams Hoskins* D. D., *James Leake*, *Daniel Westell*, *Henry Gregory* Clerk, *Richard Raine*, *Thomas Robinson*, *Charles Jerram* Clerk, *Benjamin Whippy*, *John Derby Hyde*, *Charles Pole*, *Charles Pole* the younger, *William Dutton*, *Samuel Saunder*, *John Wright*, *John Raymond Barker*, the Right Honourable *William Keppel* Lord *Barrington*, *Thomas Belcher*, *Edward Leigh Bennett* Clerk, *William Bennett*, *John Bennett*, *Thomas Bennett*, *Edward Berens* Clerk, *Adam Blandy*, the Honourable *Jacob Pleydell Bouverie* commonly called Viscount *Folkestone*, the Honourable *Edward Pleydell Bouverie*, *Edward Bouverie* Clerk, *William Crowdy*, *Richard Wheeler Crowdy*, *Richard Frampton*, *Thomas Goodlake*, *Thomas Mills Goodlake*, *Pryce Lockhard Gordon*, *John Gwynne*, *William Mills* Clerk, *William Yarnton Mills* Clerk, *Thomas Myers*, *Thomas Neate* Clerk, *Arthur Neate* Clerk, *Richard Perrott*, *Pryse Pryse*, *Jasper Prince*, *Thomas Cheatle*, *James Scarlet Price*, *Robert Symonds* Clerk, *John Lodor Symonds*, Sir *Charles Throckmorton* Baronet, *Robert George Throckmorton*, *William Vizard*, *William Waller*, *Frederick Whitaker*, *James Shayler*, *John Hollis*, and *Augustine William Batt*, and their Successors, to be elected in manner directed by the said recited General Acts, and being duly qualified as by the said General Acts is provided, shall be and are hereby appointed the Trustees for putting this Act into execution to all Intents and Purposes whatsoever; and that it shall be lawful for the said Trustees, or any Seven or more of them, and they are hereby empowered, at any Time or Times and from Time to Time as Occasion may require, to elect any additional Number of Trustees not exceeding Ten, who shall have the

Appointing  
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same Power and Authority for executing the Powers and Provisions of this Act as if they had been hereby expressly named and appointed.

For transferring the 320 Yards, forming Part of the *Faringdon* and *Burford* Road, on Payment of Part of Compensation Money.

IV. And be it further enacted, That at any Time before or upon the Twenty-ninth Day of *September* next after the passing of this Act the Trustees herein named shall pay to the Treasurer of the Trustees for the said *Faringdon* and *Burford* Road the Sum of Five hundred Pounds in Money, being Part of the Compensation agreed to be paid to them in Trust for the Creditors thereon as aforesaid; and that from the said Twenty-ninth Day of *September*, and upon Payment of the said Sum of Five hundred Pounds, that Part of the said Upper Road containing Three hundred and twenty Yards or thereabouts, and now forming Part of the *Faringdon* and *Burford* Road, shall be transferred to the Trustees acting in execution of this Act, and shall form Part of the Roads by this Act authorized to be repaired and maintained; and the said *Faringdon* and *Burford* Road shall from thenceforth to all Intents and Purposes terminate at its Junction with the said Upper Road; and the Trustees of the said *Faringdon* and *Burford* Road shall be and they are hereby from thenceforth discharged of and released from all Charge, Cost, and Expence relating to the said Upper Road, or to any Portion of Road nearer the Street or Town of *Burford*; and accordingly so much of the said Local Act of the Third Year aforesaid as relates to the said Three hundred and twenty Yards, or any Portion of Road between the said Junction and the Town of *Burford* at or near Mr. *Ansell's*, shall be and the same is hereby repealed.

For Payment of Compensation in full.

V. And be it further enacted, That in order further to compensate the Creditors on the Tolls authorized to be collected on the said *Faringdon* and *Burford* Road, the Trustees acting in execution of this Act shall and they hereby required, within the Period of Three Years from the passing of this Act, to pay to the Trustees acting in execution of the said Local Act of the Third Year aforesaid the Sum of One thousand Pounds (in addition to the Sum of Five hundred Pounds directed to be paid as herein-before is mentioned), together with Interest for the same in the meantime at the Rate of Five Pounds *per Centum per Annum*, by equal half-yearly Payments, on the Twenty-fifth Day of *March* and the Twenty-ninth Day of *September* in every Year, the first of such half-yearly Payments to be made on the Twenty-fifth Day of *March* which will be in the Year One thousand eight hundred and thirty-five.

For removing *Faringdon* Toll Gate.

VI. And be it further enacted, That the Trustees for executing this Act shall and they are hereby required, at their Expence, before the said Twenty-ninth Day of *September* next, or within Two Calendar Months from that Day, either to take down and remove to such Place or Spot on the *Faringdon* and *Burford* Road, between the Village of *Blackbourton* and the said Upper Road, as any Three or more of the Trustees for executing the said Local Act of the Third Year aforesaid, or as their Clerk, shall by Writing under his or their Hand or Hands respectively direct, the Toll Gate, Toll House, and Buildings now standing and being on the said Piece of Road so to be given up as aforesaid, with the Appurtenances thereto respectively belonging, or to erect, build, and set up on such Place or Spot as aforesaid a new Toll Gate, Toll House, and Buildings of the same Materials and Dimensions, and upon the same Plan, and of

not



not less Value than the present Toll Gate, Toll House, and Buildings so to be given up as aforesaid, and also to make and fence a Piece of Garden Ground thereto not less in Size than the Garden belonging to or occupied with the present Toll House and Buildings, so as the same shall not exceed One Eighth of a Statute Acre.

VII. Provided always, and be it further enacted, That in case the said Sum of One thousand Pounds shall not be paid within the Period of Three Years from the passing of this Act as herein-before is mentioned, or in case the Interest thereof, or any Part of such Interest, shall be behind and unpaid for the Space of Twenty-one Days next after Demand thereof to be made of the Treasurer of the said Trustees for executing this Act on either of the half-yearly Days on which the same shall be due and ought to be paid as aforesaid, or in case the said Principal Money and Interest, or either of them, as the Case may be, shall not be paid or tendered to the said *Faringdon* and *Burford* Trustees or their Treasurer within the Time or Times aforesaid, then and in any and every or either of the said Cases it shall be lawful for the Trustees for putting in execution the said Local Act of the Third Year aforesaid, or any Person or Persons to be appointed by Writing under the Hands and Seals of any Three or more of them, from Time to Time to enter upon and take possession of all, every, or any Gate or Gates, Turnpike or Turnpikes, with the Outhouses and other Buildings and Appurtenances thereto belonging, (or a sufficient Part only of the same, so as to admit of the Trustees herein named, their Collector or Agent, checking the Receipt and Collection of Toll,) to be erected, set up, or continued in pursuance of this Act, and to receive and take, to and for the Use and Benefit of themselves and the existing Mortgagees thereof and of the Tolls collected thereat, *pari passu* and in equal Proportion, the Tolls or Dues hereby granted and to be at that Time payable, until thereby or therewith the said Sum of One thousand Pounds or the Interest thereof, as the Case may be, and all Arrears thereof, together with so much as shall become due during such Possession and collecting, to be calculated weekly, and all Expences of collecting not exceeding Twenty Shillings *per* Week, or after that Rate, shall be fully paid, satisfied, and discharged, but no longer.

For recovering Compensation if not duly paid.

VIII. Provided also, and be it further enacted, That in order to enable the making such Compensation as aforesaid it shall and may be lawful for the said Trustees acting under this Act, and they are hereby empowered, upon giving Notice of any and each Meeting to be for that Purpose holden in manner directed by the said recited General Acts, and of the Intent of such Meeting, from Time to Time to borrow and take up at legal or less Interest, upon Security of the Tolls by the said Local Acts granted or of the Tolls hereby granted, and the Turnpikes or Toll Gates and Toll Houses erected or to be erected for collecting the same upon or on the Sides of the Roads hereby to be repaired, but subject to Payment, in the first place, of the Principal Monies and Interest now due and to accrue due to the present Mortgagees thereof and of the existing Tolls arising within the said District, (and the said present Mortgagees, their Executors, Administrators, and Assigns respectively, having and continuing to be entitled to Priority of Payment in respect of their several Securities,) such a

Trustees empowered to borrow Money to pay the Compensation.

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Sum of Money in One Sum, or in Two or more Sums, as will be sufficient forthwith to pay and make good such Compensation.

No Gate to be erected so as to subject Passengers on one Trust to Toll on either of the Trusts.

IX. Provided always, and be it further enacted, That nothing herein or in the said recited General Acts contained shall extend or be construed to extend to empower the Trustees acting in the Execution of this Act to erect, set up, or continue any Toll Gate or Bar on that Part of the said Roads hereby authorized to be repaired between the Point where the said *Faringdon* and *Burford* Road runs into and joins the said Upper Road, and the said Inn called the *Bird-in-hand*, or within the Space of the aforesaid Three hundred and twenty Yards, or any Gate or Bar on the Side or Sides of the same; nor shall the Trustees for the Care of the said Road from *Faringdon* to *Burford*, nor the Trustees for the Care of a certain other Turnpike Road from the Market House in *Burford* to *Saint John's Bridge* near *Lechlade*, erect, set up, or continue any Gate, Turnpike, or Bar on the Side or Sides or at either End of the said Three hundred and twenty Yards of Road, or anywhere within One hundred Yards of the said *Bird-in-hand* Inn, or between that Inn and the Market House in *Burford* aforesaid, so as to subject Passengers on either Trust to Payment of Toll to either of the other Trusts.

Granting Tolls.

X. And be it further enacted, That from and after the Twenty-ninth Day of *September* next after the passing of this Act the following Tolls shall be demanded and taken at each and every Gate and Gates now erected or which may hereafter be erected by virtue of the said recited General Acts and this Act, or either of them, of all and every the Person and Persons attending any Horses, Cattle, or Carriages herein-after mentioned, before any such Horse, Cattle, or Carriage shall be permitted to pass through the same; (that is to say,)

For every Horse, Ox, Mule, Ass, or other Beast drawing any Coach, Berlin, Landau, Chariot, Chaise, Chair, Calash, Waggon, Wain, Cart, Dray, or other Carriage, any Sum not exceeding Sixpence:

For every locomotive Steam Engine or Steam Carriage, of whatever Description, used on the said Roads, any Sum not exceeding Two Shillings:

For every Carriage propelled or drawn by any such Steam Engine or Steam Carriage, any Sum not exceeding One Shilling and Sixpence:

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

For every Drove of Oxen, Cows, or Neat Cattle, any Sum not exceeding One Shilling and Eight-pence *per* Score, and so in proportion for every less Number:

And for every Drove of Calves, Swine, Pigs, Sheep, or Lambs, any Sum not exceeding Ten-pence *per* Score, and so in proportion for every less Number:

Which said Tolls shall be and the same are hereby declared to be vested in the said Trustees acting under this Act, and shall be demanded and taken in the Name of or as a Toll at all and every the said Gate and Gates now erected or which may be erected and set up by Authority of the said recited General Acts or this Act on any Part of the said Roads hereby authorized to be repaired, or upon the Side or Sides of the same, subject to the Exemptions in the said General Acts mentioned and declared.



XI. Provided always nevertheless, and be it enacted, That no Person shall be subject to the Payment of any Toll by virtue of this Act more than once in any one Day, to be computed from Twelve of the Clock at Night to Twelve of the Clock in the succeeding Night, for passing with the same Horse, Beast, Cattle, and Carriage through all or any of the Turnpikes erected or which shall be erected on the said Roads, or on the Sides thereof, across any Lane or Byeway leading into the same, between the County of *Gloucester* and the Bridge over the River *Windrush* in the Town of *Witney* called *Witney Bridge*, nor more than once in any one Day, to be computed as aforesaid, for passing with the same Horse, Beast, Cattle, and Carriage through all or any of the Turnpikes erected or which shall be erected on the said Roads, or on the Sides thereof, across any Lane or Byeway leading into the same, between *Witney Bridge* and *Enslow Bridge* aforesaid, such Person producing a Ticket denoting the Payment of Toll on that Day, which Ticket the Collector of the Toll is hereby required to give *gratis* on Receipt of such Toll: Provided also, that no Ticket received at any Gate or Turnpike between *Enslow Bridge* and *Witney* shall entitle any Person to pass Toll-free at any Gate or Turnpike between *Witney Bridge* and the County of *Gloucester* aforesaid, nor shall any Ticket received at any Gate or Turnpike between *Witney Bridge* and the County of *Gloucester* entitle any Person to pass Toll-free at any Gate or Turnpike between *Witney Bridge* and *Enslow Bridge*.

Directing  
how the  
Tolls shall  
be taken.

XII. And be it further enacted, That out of any Monies already received by virtue of the said recited Local Acts hereby repealed, or out of the first Monies which shall be produced or received or borrowed by virtue of this Act, the said Trustes herein named shall, in the first place, pay and discharge all the Expences and Costs relative to the obtaining and passing this Act; and the Remainder of such Monies shall from Time to Time be applied in preserving or erecting such Toll Houses, Gates, and Weighing Machines as may be necessary, and in repaying first the Principal Monies by the said recited Local Acts, or by any former Act or Acts relating to the said District, borrowed or charged, and the Interest thereof; and afterwards, without prejudice to the said Sums, in Payment of the before-mentioned Sum of Five hundred Pounds and of the Interest to become due in respect of the before-mentioned Sum of One thousand Pounds, until the Payment thereof, and also of the said Principal Sum of One thousand Pounds; and then, without prejudice as aforesaid, in Payment of any Sum or Sums of Money under this Act to be borrowed, and the Interest to grow due thereupon, and subject thereto, in amending, widening, altering, and improving the said Roads hereby directed to be repaired, and in keeping the same in repair, and in defraying all the Costs and Expences of carrying this Act and the said recited General Acts into execution.

Application  
of Monies.

XIII. Provided always, and be it further enacted, That the Tolls hereby made payable shall be paid for and in respect of all Horses or Cattle drawing any Stage Coach, Diligence, Van, Caravan, Stage Waggon, or other Stage Carriage or Cart conveying Passengers or Goods for Pay or Reward, for every Time of passing or repassing along the said Roads; provided nevertheless, that no further or additional Toll shall be payable in respect of Stage Coaches on account only of the Horses or Cattle

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

[Local.]



drawing the same having been changed; and the Tolls hereby made payable shall be paid for and in respect of all Horses or other Beasts drawing any Post Chaise or other Carriage for Hire, and for every such Chaise or Carriage so used, every Time of passing or repassing along the said Roads, whenever a new Hiring or Using of such Post Chaise or other Carriage shall have taken place.

No Money to be expended in repairing any Street;

XIV. Provided always, and be it further enacted, That no Part of the Money arising or to be received by virtue of this Act shall be laid out in repairing, improving, or maintaining any Street, Highway, or Place in any Part of the Towns of *Burford* and *Witney*, or either of them, or any Town through which the said Roads may pass, nor shall any Toll be collected there, any thing herein contained to the contrary notwithstanding.

nor in repairing or altering any Bridge.

XV. Provided always, and be it further enacted, That no Part of the said Tolls, or any Money borrowed or to be raised by virtue or in pursuance of this Act, shall be applied in the Repair or Alteration of any Bridge standing upon or across the said Roads which hath hitherto been or by Law ought to be repaired, enlarged, or altered at the Expence of the Inhabitants of the Hundred, County, or Parish in which such Bridge shall be.

Indemnity to Trustees.

XVI. And whereas it may admit of Doubt whether the Repairs so done upon the said Upper Road are an Expenditure of Money for repairing a Road not comprehended within the said Local Acts hereby repealed, or for any thing thereby or by the said General Acts not authorized to be done; be it therefore further enacted, That all and every the Trustee and Trustees appointed by or acting under or in virtue of the said last-mentioned Acts respectively, their Servants and Officers, and all Persons acting under their or his Authority, shall be and he and they is and are hereby indemnified, freed, and discharged from, against, and in respect of the Repairs heretofore done by them to the said Upper Road hereby directed to be repaired, or any Part thereof, and for or by reason of any Monies disbursed or paid by them, any or either of them, or which may hereafter be paid or disbursed, for amending, improving, or repairing the said Upper Road or any Part thereof, under or by virtue of any Contract or Agreement made or entered into respecting the same, or any Part or Parcel thereof, or otherwise howsoever, and from and against all Penalties, Forfeitures, Incapacities, and Disabilities incurred or to be incurred for or by reason of any and every such Act, Matter, or Thing, or otherwise relative thereto.

In case of any Action, &c. this Act may be pleaded.

XVII. And be it further enacted, That in case any Action, Suit, Bill of Indictment, or Information shall, from and after the passing of this Act, be brought, carried on, or prosecuted against the said Trustees, or any or either of them, their Servants or Officers, or any other Person or Persons hereby meant or intended to be indemnified and discharged, for or on account of any Forfeiture, Penalty, Incapacity, or Disability whatsoever incurred or to be incurred by such Repairs, or any Act, Matter, or Thing as aforesaid, or for or on account of any Monies paid or disbursed, or agreed or contracted for, or to be paid or disbursed as herein-before is mentioned, such Person and Persons respectively may plead



plead the General Issue, and upon his and their Defence give this Act and the special Matter in Evidence upon any Trial or Trials to be had thereupon.

XVIII. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others, without being specially pleaded. Public Act.

XIX. And be it further enacted, That this Act shall commence and take effect from and after the Twenty-ninth Day of *September* next, and shall continue and be in force and be executed for and during the Term of Thirty-one Years, and from thence to the End of the then next Session of Parliament. Term of Act.

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