ANNO PRIMO

VICTORIÆ REGINÆ.

****

Cap. xxxviii.

An Act for making, repairing, and maintaining certain Roads in Her Majesty's Forest of *Dean*, and the Waste Lands belonging to the said Forest, and in several Parishes adjoining thereto, in the County of *Gloucester*. [11th *June* 1838.]

WHEREAS an Act was passed in the Thirty-sixth Year of the Reign of His Majesty King *George* the Third, intituled *An Act for amending, widening, improving, and keeping* 36G.3.c.121.
in repair several Roads in and through His Majesty's Forest of Dean, *and the Waste Lands thereto belonging, in the County of* Gloucester, *and for turning, altering, and changing the Course of the said Roads, and for making several new Roads in the said Forest to lead to certain Places in and near the same; and also for amending, widening, and keeping in repair certain Roads leading from the said Forest to and through several Parts of the Parish of* Newland *adjoining the said Forest, and also leading from the Bottom of a Place called the* Viney Hill, *in the said Forest, to and through certain Parts of the Parishes of* Lidney *and* Awre *adjoining the said Forest, in the said County of* Gloucester: And whereas another Act was passed in the Fifty-seventh Year of the Reign of His said Majesty King *George* the Third, intituled *An Act to amend an Act* 57G.3.c.66.
of the Thirty-sixth Year of His present Majesty, for improving certain Roads in and through the Forest of Dean *in the County of* Gloucester, *and several other Roads therein mentioned*: And whereas an Act was passed in the Seventh and Eighth Year of the Reign of

7 & 8 G. 4. c. 12. His late Majesty King *George* the Fourth, intituled *An Act for more effectually repairing several Roads in and through His Majesty's Forest of* Dean, *and the Waste Lands thereto belonging, in the County of* Gloucester, *and in the Parishes of* Newland, Awre, *and* Lidney, *in the said County; and for making and maintaining several new Roads in and adjoining the said Forest:* And whereas another Act was passed in the First and Second Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to continue and amend an Act for more effectually repairing several Roads in and through His Majesty's Forest of* Dean *in the County of* Gloucester; *and to convert certain Highways in the Parish of* Staunton *and* Newland *in the said County into Turnpike Roads:* And whereas the Lords Commissioners of the Treasury advanced and paid the Sum of Ten thousand six hundred and forty-five Pounds to the Trustees acting under the said recited Acts, out of the Produce of the Land Revenues of the Crown, for the Purpose of amending, widening, altering, and putting into effectual Repair such of the Roads as were Part of the Soil and Waste Lands of the said Forest, and also a certain Road leading from the Bottom of the *Viney Hill*, through the Tithing of *Etloe* and the Duchy of *Etloe* in the Parish of *Awre*, and to and through a Place called *Gatcomb*, in the said Parish of *Awre*, and to and through the Tithing of *Pyrton* in the Parish of *Lidney* near the River *Severn* (the same having been usually repaired at the Charge of the Crown), upon Condition that, after the said Roads should have been completely amended and repaired, and the Costs, Charges, and Expences of keeping the same in constant and effectual Repair should have been fully paid and defrayed, and all Sums of Money which might thereafter happen to be borrowed on the Security of the Tolls payable under and by virtue of the said recited Act of the Thirty-sixth Year of the Reign of His Majesty King *George* the Third, with the Interest on all such Sums respectively, should have been fully paid and discharged, and all Costs, Charges, and Expences whatsoever incident or in anywise relating to the Execution of the said Act of the Thirty-sixth Year of the Reign of His Majesty King *George* the Third, and the several Powers and Authorities thereby given and granted, should have been fully paid and discharged, and the full Sum of Five hundred Pounds retained by the Trustees as a Fund to answer such Exigencies as might arise or happen in the Execution of the said last-mentioned Act, or any Matter or Thing relating thereto, the Overplus of the Tolls directed to be taken by the same Act should from Time to Time be paid to such Person or Persons as the said Lords Commissioners of the Treasury should direct, towards repaying the said Sum advanced by His said Majesty for the Purposes aforesaid, until the same should be fully reimbursed; and upon Condition also that, from and after Payment of the said Sum of Ten thousand six hundred and forty-five Pounds, His said Majesty, His Heirs and Successors, should be exonerated from the future Repair of the said Roads in the said Forest, and from all Charges and Demands whatsoever relating to the same, during the Continuance of the said last-mentioned Act, or any enlarged Term thereof: And whereas by the said recited Acts it is provided that it should not be lawful for the said Trustees to lessen or reduce the Tolls granted by the said recited Acts or any of them, or any Part thereof,

1 & 2 W. 4. c. 42.

thereof, or to mortgage or assign the same or any Part thereof to any Person whomsoever, without the Approbation and Consent of the Lord High Treasurer or Commissioners of the Treasury, or any Three or more of them, for the Time being, in Writing under his or their Hand or Hands, first had and obtained, save and except as in the said recited Acts is mentioned: And whereas an Act was passed in the Tenth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act to consolidate and amend the Laws relating to the Management and Improvement of His Majesty's Woods, Forests, Parks, and Chases of the Land Revenue of the Crown in* England, *and of the Land Revenue of the Crown in* Ireland; *and for extending certain Provisions relating to the same to the Isles of* Man *and* Alderney; and another Act was passed in the Second Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for uniting the Office of the Surveyor General of His Majesty's Works and Public Buildings with the Office of the Commissioners of His Majesty's Woods, Forests, and Land Revenues; and for other Purposes relating to the Land Revenues:* And whereas the said Trustees have not borrowed any Money under the Powers of the said recited Acts or either of them, except as thereby authorized, and have expended the whole of the said Sum of Ten thousand six hundred and forty-five Pounds, and all the Money arising from the Tolls authorized to be taken under the said recited Acts, for the several Purposes for which the same are by the said recited Acts directed to be applied previous to their being required to set apart the said Sum of Five hundred Pounds, so that they have not been able to raise any Part of the said Sum of Five hundred Pounds, or to discharge any Portion of the said Sum of Ten thousand six hundred and forty-five Pounds: And whereas several Highways in the said Forest of *Dean*, being Part of the Soil and Waste Lands of the said Forest, are the Property of Her Majesty in right of Her Crown, and several other Highways adjoining to the said Forest, all communicating with the aforesaid *Dean* Forest Turnpike Roads, are in a very bad and insufficient State of Repair, and it is therefore expedient that Powers should be obtained for placing such Highways, and other Roads to be formed within and adjoining the said Forest, under the Care and Management of the said Trustees, and which proposed Turnpike Roads are herein-after mentioned and described: And whereas the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, with the Approbation of the Lords Commissioners of Her Majesty's Treasury, have consented to the said new Lines of Road being made and maintained, and also to the said Highways being widened, altered, and repaired, and placed under the Care and Management of the said Trustees, and to the Money to be borrowed for those Purposes, and the Interest thereof, being secured on the Tolls authorized to be taken under this Act, and repaid previous to the raising of the said Sums of Five hundred Pounds and Ten thousand six hundred and forty-five Pounds, or either of them, upon Condition that from and after the passing of this Act Her Majesty, Her Heirs and Successors, should be exonerated from the future Repair of the said Roads, and from all Charges and Demands relative to the same, during the Continuance of this Act or any enlarged Term thereof:

10 G. 4. c. 50.

2 & 3 W. 4. c. 1.

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May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen'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 Commencement of this Act the said recited Acts of the Seventh and Eighth Year of the Reign of His late Majesty King *George* the Fourth, and of the First and Second Year of the Reign of His late Majesty King *William* the Fourth, shall be and the same are hereby declared to be repealed.

Recited Acts repealed.

II. And be it further enacted, That this Act shall be put into execution, for and during the Term herein-after mentioned, for the Purpose of repairing, maintaining, and improving the present Turnpike Roads leading from *Mitcheldean* to a Place called *Coldford's Lane End*, otherwise called *Dark Stile Lane End*, towards the Town of *Colford*, and from a Place called *Saint White's*, near *Littledean*, to *Coldford's Lane End*, otherwise called *Poolway Lane End*, towards the said Town of *Colford*; and from a Place called the *Bottom of the Viney Hill*, within the said Forest, to a Place called *Coalway Lane End*, near to the Town of *Colford*; and from a Place called *Perry Grove* to *Clewerwall*; and from a Place called the *Top of the Bearse* to the *Bearse Farm House*; and from a Place called the *Road's Lane End*, leading from the Village of *Bream* to the said *Bearse Farm House*; and from a Place called *Bream's Cross Farm* to or near the Village of *Bream*; and from a Place called *Gun's Mills* to a Place called *Littledean's Lane End*; and from a Place called the *Camp* to a Place called the *Plough*; and from a certain Place called the *Foot of Miery Stock Hill* to a Place called *Lydbrook*; and also a certain Road over a Place called the *Fence*, in the said Forest; and a certain Road leading from the said Place called *Colford's Lane End*, otherwise called *Dark Stile Lane End*, in the said Forest, to and through the Town of *Colford*, to a Place called *High Meadow*, in the Parish of *Newland*, adjoining the said Forest; and from the said Place called *Colford's Lane End*, otherwise called *Poolway Lane End*, in the said Forest, to the said Town of *Colford*; and from the said Place called *Coalway Lane End*, in the said Forest, to the Town of *Colford* aforesaid; and from a certain Place called *White Clift*, in the said Parish of *Newland*, through the said Parish of *Newland*, to a Place called the *Cherry Orchard*, in the said Parish of *Newland*; and from the said Place called *Little Dean's Lane End* to the Street of *Little Dean*; and also certain Roads leading from the Bottom of *Viney Hill*, in Her Majesty's Forest of *Dean* aforesaid, through the Tithing of *Etloe* and the Duchy of *Etloe* in the Parish of *Awre*, and to and through a Place called *Gatcomb*, in the Parish of *Awre*, and to and through the Tithing of *Pyrton* in the Parish of *Lidney*, near the River *Severn*, to a Place called *Gershill*, in the said Tithing of *Pyrton* and Parish of *Lidney* in the said County of *Gloucester*; and the Roads leading from the Turnpike Road at or about Three hundred Yards Westward of *Park End Bridge* in the said Forest to the Boundary of the said Forest at or near the Village of *Bream*; from a Place in the Turnpike Road leading from *Colford* to *Mitcheldean*, called the *White Oak*, in the said Forest, to a Part of the Turnpike Road leading from *Miery Stock* to *Lydbrook*, near the *Upper*

This Act to be put in execution for the Purposes herein mentioned.

Upper Forge Pool at *Lydbrook*; from the said Place called the *White Oak* to the Boundary of the said Forest at or near to *East Bachlane End*; from a Place in the *Morse Lane* in the Parish of *Ruardean* at or near the Dwelling House of *James Thomas* to a Place in the Turnpike Road leading from *Colford* to *Newnham* at or near the Bottom of a Road called the *Roughet*, in the Parish of *Littledean*; from a Place in the said Forest called *Drybrook*, in the Turnpike Road leading from *Colford* to *Mitcheldean*, along a Lane leading to *Hopemansel* in the County of *Hereford*, to the Boundary of the said Forest; from the Extremity of the present *Dean* Forest Turnpike Road, at or near *Lydbrook*, through the Parishes of *English Bicknor* and *Ruardean*, to a Place called *Bishop's Wood*, in the Parish of *Ruardean*; from a Place called the *Top of the Bearse*, in the said Forest, to the Turnpike Gate at *Scatterford*; from a Place called *Trow Green* to *Bream's Cross*, both in the Parish of *Newland*; from the said *Trow Green* to a Place called the *Whirlpool* otherwise the *Orepool* in the said Parish of *Newland*; from *Berry Hill* in the said Forest at the Termination of the Parish of *Newland* to a Meer Stone under *Symond's Rock* which parts the Counties of *Gloucester* and *Hereford*; and from a Part of the said last-mentioned Road at or near *Christchurch* in the said Forest to a Place called *Shortstanding*, adjoining the Parish of *English Bicknor*, and the Road from the *Crossways* in the Parish of *Newland* to a certain Lane called *Smith's Lane*, in the Parish of *Staunton*; and also the Road in the said Parish of *Newland* from the Termination of the Turnpike Road at *Berry Hill* aforesaid to the said Town of *Colford*; and also for making the several proposed new Lines of Road, and for making Turnpike, and repairing, amending, widening, and keeping in repair, the several Parish Roads or Highways hereinbefore referred to and herein-after specified; (that is to say,) a new Line of Road from a Place called *Longstone*, in the Parish of *Staunton*, through the Parish of *Newland* and Her Majesty's Forest of *Dean*, to a Place called the *Barton Hill Turn* in the Parish of *Abinghall*, and there to communicate with the Turnpike Road leading from the Town of *Mitcheldean* in the County of *Gloucester* to the City of *Gloucester*; a certain new Line of Road from a Place called *Nailbridge*, in the said Forest, to or near to a Place called *Bishop's Wood*, in the Parish of *Ruardean*; a certain new Line of Road from and out of the present Turnpike Road at or near *Parkend*, through the said Forest, and through the Tithing of *Blakeney* in the Parish of *Awre*, to or near to the Village of *Blakeney*; and also to make Turnpike Road, and to widen, maintain, and improve, a certain Parish Road called the *Mill End Lane*, extending from the said Village of *Blakeney* through the Tithing of *Etloe* in the said Parish of *Awre* towards and into the present Turnpike Road leading from the *Viney Hill* and the said Forest to *Gatcomb* and *Purton* at *Etloe* Toll Gate; a certain Line of Road from a Place called *Bream*, in the said Forest, to a Place called *Yorkley*, in the Turnpike Road leading from *Parkend* to *Gatcomb*; a certain Line of Road from a Place called the *Hawthorns*, in the said Forest, to a Place called the *Lane End*, on the *Lea Bailey* in the same Forest; and for making Turnpike Road, and to widen, maintain, and improve, the present Highway at the Termination of the present

New Roads.

present Turnpike Road at the Bottom of a Place called the *Roughet*, near the Dwelling House of Mister *Joseph Bennett* in the Parish of *Littledean*, and extending from thence to *Littledean Cross* in the same Parish.

Toll Gates already erected to be continued, &c.

III. And be it further enacted, That it shall be lawful for the Trustees hereby appointed to continue the present Turnpikes, Toll Gates, Side Bars or Chains, and Toll Houses and Weighing Machines, already erected and now being upon or on the Sides of the said Turnpike Roads, or some Parts thereof, and to erect any other Turnpikes, Toll Gates, Side Bars or Chains, Toll Houses and Weighing Machines, upon or by the Side of the same Roads, and of any of the Roads hereby authorized to be made, repaired, and maintained, and to demand and take thereat respectively daily the Tolls herein-after mentioned; and such Tolls shall and may be taken and collected at the present Turnpikes, Toll Gates, Side Bars, and Chains, and also at such other Turnpikes, Toll Gates, Side Bars and Chains as shall or may be hereafter erected upon or on the Side of the said Turnpike Roads or any Part thereof, or at or upon the said new Lines of Road or any of them.

Trustees' Names.

IV. And be it further enacted, That all Her Majesty's Justices of the Peace for the Time being acting for the County of *Gloucester*, the Commissioners for the Time being of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, the Verderers, the Deputy Surveyor, the Steward and Registrar of Swannimote and Attachment Courts of the Forest of *Dean* for the Time being, the Recorder of the Castle and Hundred of *Saint Briavel's* for the Time being respectively, together with *Joseph Abel*, *William Allaway*, *William Ambrose*, *Thomas Ambrose*, *Charles Bathurst*, *William Hiley Bathurst*, Clerk, *Thomas Bennett*, *Henry Berkin* Clerk, *William Boughton*, Sir *Thomas Crawley Boevey* Baronet, *Martin Hyde Crawley Boevey*, *Thomas Hyde Crawley Boevey*, *John Fortesque Brickdale*, *Robert Coke*, *Maynard Colchester*, *Charles Crawley* Clerk, *Charles Yonge Crawley* Clerk, *George John Lloyd Crawley*, *William Crawley* Clerk, *John Lloyd Crawley* Clerk, *William Crawshay*, *Henry Crawshay*, *James Davies* Clerk, *Richard Davies* Clerk, Lieutenant General *John Dighton*, *Philip John Ducarel*, *Henry Davies*, *James Davies* (Son of the said *Henry Davies*), *Thomas Dowell* Clerk, *John Edmonds*, *Kingsmill Evans*, *Edward Feild* Clerk, *Henry Hooper Fryer* the younger, *Thomas Rock Garnsey* Clerk, *Alexander Gibbon*, Sir *John Wright Guise* Baronet, *William Vernon Guise*, *Henry John Guise*, *Francis Edward Guise*, *Vernon George Guise*, *John Josiah Guest*, *John Pauncefoot Hawkins*, *John Herbert* Clerk, *Kedgwin Hoskins*, *John James* (of *Highfield*), *Henry James*, *John James* (of *Newnham*), *John James* the younger (of *Newnham*), *Thomas James*, Sir *James Jelf*, *George Jelf*, *Edward Jones* Clerk, *Edward Owen Jones*, *William Wynn Jones*, *Richard Jones*, *George Jones*, *Henry Prowse Jones* Clerk, *Philip Jones*, *Joseph Lloyd*, *Joseph Lloyd* the younger, *Henry Lloyd*, *George Lloyd*, *Nathaniel Lloyd*, *Thomas Lloyd*, *Samuel Lloyd* Clerk, *John Lucas*, *William Lucas*, *Thomas Lucas*, *Edward Machen*, *Edward Machen* the younger, *Charles Vaughan Machen*, *Joseph Henry*

Henry Malpas Clerk, *Charles Matthias*, *William Montague*, *Hugh Hanmore Morgan* Clerk, *John Morse* Clerk, *Richard Morse*, *David Mushet*, *William Mushet* the younger, *James Mushet*, *Robert Mushet*, *Thomas Nicholson*, the Honourable *William Middleton Noel*, *James Parsons* Clerk, *John Partridge*, *William Partridge*, *Edward Otto Partridge*, *Frederick John Partridge*, *John Pearce*, *William Henry Peel*, *Charles Tayloe Philips*, *Charles Frederick Philips*, *Thomas Pick*, *Henry Poole* Clerk, *John Probyn* Clerk, Archdeacon of the Diocese of *Llandaff*, *John Probyn* the younger, *Edmund Probyn*, *Henry Probyn*, *Edward Protheroe*, *Edward Protheroe* the younger, *Joseph Pyrke*, *Duncomb Pyrke*, *George Pyrke* Clerk, *John Burton Phillips*, *Robert Napier Raikes* Clerk, *George Ridout* Clerk, *George Roberts* Clerk, *William Roberts*, *George Rooke*, *Henry Rosser*, *Charles Rosser*, *Thomas Sargeaunt*, *Joseph Swain*, *John Swayne Taylor*, *Thomas Sydney Thomson*, *Thomas Tovey*, *John Biby Tovey*, *Thomas Leach Tovey* Clerk, *John Vaughan*, *John Wait*, *John Wade Wait*, *William Wade Wait*, *Richard Wetherell* Clerk, *Daniel White*, and their Successors, being duly qualified according to the Provisions and Directions contained in the several Acts for maintaining Turnpike Roads in *England*, shall be and they are hereby appointed the Trustees for carrying this Act into execution.

Power to appoint additional Trustees.

V. And be it further enacted, That it shall be lawful for the said Trustees and they are hereby authorized and empowered, at any Meeting from Time to Time to be held for that Purpose, of which Meeting and of the Purpose thereof Fourteen Days Notice shall be given, to elect and appoint any Number of Persons, not exceeding Three in the whole, to be Trustees for executing this Act in addition to the Trustees herein named and appointed; and such additional Trustees so elected and appointed, being duly qualified as aforesaid, shall be and they are hereby invested with the same Powers and Authorities for executing this Act as if they had been herein named.

First Meeting of Trustees.

VI. And be it further enacted, That the Trustees acting in execution of this Act shall meet together at the *Angel* Inn in the Town of *Colford* in the County of *Gloucester*, or at some other convenient Place upon or near to the said Roads, on the last *Wednesday* in the Month succeeding the passing of this Act, or as soon after as conveniently may be, between the Hours of Eleven of the Clock in the Forenoon and Two of the Clock in the Afternoon, and shall and may then and from Time to Time adjourn to and meet at such Times and Places upon or near to the said Roads as they shall think proper.

Power to make proposed new Lines of Road.

VII. And be it further enacted, That it shall be lawful for the Trustees acting in execution of this Act, and they are hereby authorized and empowered, to make, execute, and complete the said new Lines of Road herein-before described in, upon, over, or through any Lands or Grounds described in the Map or Plan and Book of Reference herein-after mentioned, and to make the said new Lines of Road of such Width as they shall think proper, not exceeding Sixty

Sixty Feet, exclusive of the Ditches and Fences on each Side thereof, together with such Footpaths, Causeways, Bridges, Culverts, Fences, Ditches, and Drains as they shall think necessary or expedient.

Authenticated Copy of amended Map to be deposited with the Clerk of the Peace.

VIII. And whereas a Map or Plan describing the Houses, Buildings, Lands, and Hereditaments over or through which the said Diversions and new Lines of Road are intended to be carried, together with a Book of Reference containing the Names of the Owners, Lessees, and Occupiers of such Houses, Buildings, Lands, and Hereditaments, have been deposited with the Clerk of the Peace for the said County of *Gloucester:* And whereas since depositing the said Map or Plan a certain Alteration has been agreed to be made on the Line of Road herein-before described from *Longstone* in the Parish of *Staunton* to the *Barton Hill Turn* in the Parish of *Abinghall*, with the Consent of the Parties through whose Lands such Alteration is proposed to be made; be it therefore enacted, That the Map or Plan so amended or altered, authenticated by the Signature of the Right Honourable the Speaker of the House of Commons, together with a Book of Reference thereto, shall be deposited with the said Clerk of the Peace, to the end that all Persons may inspect and peruse the same at all seasonable Times, and take Copies thereof or Extracts therefrom, on Payment of One Shilling for every such Inspection, and at the Rate of Sixpence for every One hundred Words of such Copies or Extracts: Provided always, and it is hereby declared, that the said Trustees in making the said Diversions and new Lines of Road, or any Part or Parts thereof, shall not deviate more than One hundred Yards from the Line described in the said amended Map or Plan without the Consent in Writing of the Person or Persons, or Body or Bodies Politic, Corporate, or Collegiate, over or through whose Houses, Buildings, Lands, and Hereditaments such Deviation shall be proposed to be made.

Limiting Deviations from Plan.

Not to deviate from Plan in the Forest Inclosures, without Consent of Commissioners of Woods, &c.

IX. Provided always, and be it further enacted, That in making the proposed Roads through any Inclosure of Her Majesty appropriated for the Growth and Preservation of Timber it shall not be lawful for the said Trustees to deviate from the Line described in the said Map or Plan without the previous Consent of the Commissioners for the Time being of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, to be for that Purpose signified in Writing under the Hands and Seals of the said Commissioners or any Two of them.

Misnomers not to prevent the Execution of this Act.

X. Provided always, and be it further enacted, That if any of the Lands, Houses, Buildings, and other Hereditaments and Premises to be taken and used for the Purposes of this Act shall happen not to be described in the said Map or Plan and Book of Reference, or in the Schedule hereto annexed, or if any of the Owners or Occupiers of the same, or any of the Lands, Houses, Buildings, or other the Hereditaments and Premises described in the said Map or Plan and Book of Reference, or in the said Schedule, or any Part thereof, shall happen to be omitted, misnamed, misdescribed, or inaccurately described, such Omission, Misnomer, Misdescription, or

or inaccurate Description shall not prevent or retard the said new Lines of Road, or any or either of them, from being commenced and completed, or otherwise prevent or retard the Execution of this Act, but the said several Lands, Houses, Buildings, and other Hereditaments and Premises, and every Part thereof, shall and may be taken and used for the Purposes of this Act, as fully and effectually as if the same had been accurately described in the said Map or Plan and Book of Reference, and in the said Schedule, and as if the Owners and Occupiers of the same had not been omitted, or had been properly and accurately named or described, provided it shall be certified in Writing by any Two or more Justices of the Peace for the said County of *Gloucester*, under their respective Hands, that such Omission, Misnomer, Misdescription, or inaccurate Description appeared to their Satisfaction to have arisen or proceeded from Mistake, or that the real Owners or Occupiers of such Lands, Houses, Buildings, or other Hereditaments and Premises had Notice that the same or some Part thereof would be wanted for the Purposes of this Act: Provided always, that if any Omission, Misnomer, Misdescription, or inaccurate Description shall in any Manner affect any of the Inclosures of Her Majesty appropriated for the Growth and Preservation of Timber, it shall not be lawful for the said Trustees to enter upon, take, or use any Part thereof, or to proceed to form any Road in or within such Inclosures, without the previous Consent in Writing of the Commissioners for the Time being of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, to be for that Purpose signified in Writing under the Hands and Seals of the said Commissioners, or any Two of them.

Trustees restrained from pulling down Dwelling Houses, &c. without Consent.

XI. Provided also, and be it further enacted, That the Powers and Authorities given by this Act for making and completing the said new Lines of Road shall not extend nor be construed to extend to authorize or empower the said Trustees to take or pull down, injure or damage, any Dwelling House or Building, or to take in or make use of any Orchard, Garden, Yard, Park, Paddock, Lawn, Shrubbery, Plantation, planted Walk, or Avenue to a House, or any Part thereof respectively, save and except such as are specified in the said Schedule hereto annexed, without the Consent in Writing of the Owner or Owners thereof, or other Person or Persons interested therein, first had and obtained.

Limiting Period for completing new Line of Road and Improvements.

XII. Provided also, and be it further enacted, That if the said Trustees shall not within the Space of Seven Years after the passing of this Act make, set out, and complete the said intended new Lines of Road, and open the same for the Passage of Horses, Carts, and Carriages, then and from thenceforth the Powers by this Act granted to them for that Purpose shall cease, determine, and be utterly void, and have no effect as to such intended new Lines of Road as shall not be so made, set out, and completed within the Period aforesaid.

Freehold of Land purchased by the Trustees

XIII. And be it further enacted, That in case any Lands or Hereditaments shall be purchased, taken, or acquired by the said Trustees for the Purposes of this Act, the Freehold and Inheritance of and in

to remain in the Owner.

in the Lands so purchased, taken, or acquired, in case the same shall be of Freehold Tenure, and in case the same shall be of any other Tenure, then the Estate and Interest of what Nature or Kind soever therein, shall not, by means of any such Purchase, or any Conveyance or Assurance made in pursuance thereof, or by reason of the said Lands or Hereditaments having been appropriated for the Purposes of the said Roads by this Act authorized to be made, be vested in the said Trustees; but the Freehold and Inheritance of and in the Lands and Hereditaments so purchased, taken, or acquired, in case the same shall be of Freehold Tenure, and in case such Lands and Hereditaments shall be of any other Tenure, then the Estate and Interest as aforesaid in such Lands and Hereditaments, shall, notwithstanding such Purchase and Conveyance or Assurance or Appropriation, remain and be vested in Her Majesty, Her Heirs or Successors, or the Person or Persons in whom the same were vested immediately prior to such Purchase or Appropriation by the said Trustees, yet so nevertheless that by means of such Purchase and Conveyance, or Assurance or Appropriation, a perpetual Right of Way in, over, or upon the Lands so purchased, taken, or acquired by them shall vest in the said Trustees.

If such Lands should not be wanted, same to revert to former Owner.

XIV. Provided always, and be it further enacted, That if at any Time any Lands or Hereditaments purchased, taken, or acquired by the said Trustees for the Purposes of the Roads mentioned in this Act shall not be wanted for the same, whether they shall be Turnpike or Highway, then and in such Case the Right of Way in, over, or upon the said Lands or Hereditaments shall cease, determine, and be extinguished, and the said Lands and Hereditaments shall be and remain in Her Majesty, Her Heirs or Successors, or the Person or Persons then entitled to the same, according to Her, his, or their respective Estates or Interests therein, freed and discharged of and from such Right of Way.

Trustees to have full Power of using the Lands.

XV. Provided also, and be it 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, or 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 or the whole Estate and Interest in the said Lands and Hereditaments.

Trustees to erect proper Fences in Forest Inclosures.

XVI. And be it enacted, That the said Trustees shall and they are hereby required, at their own proper Costs and Charges, within One Month next after Notice from the Commissioners for the Time being of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, to make, erect, and set up, and from Time to Time maintain and support in good Order and Repair, in all respects, such Fences, with such and so many Gates thereon, as the said Commissioners may deem necessary or requisite for the Protection of any Inclosures of Her Majesty appropriated for the Growth of Timber, through or near to which the said Roads hereby authorized to be made shall pass; and in case the said Trustees shall refuse or neglect

to

to make and construct such Fences and Gates, or having made and constructed the same shall refuse or neglect to repair and reinstate the same from Time to Time, it shall be lawful for the said Commissioners for the Time being to make, erect, or repair such Fences and Gates, as the Case may be; and the Costs and Charges thereof, having been first settled and allowed by any Two of Her Majesty's Justices of the Peace for the said County, shall be repaid by the said Trustees to the said Commissioners within Ten Days after the same shall have been so settled and allowed, and an Account and Demand in Writing shall have been delivered and made thereof, by or on behalf of the said Commissioners, to and from the said Trustees, by delivering of such Account to the Treasurer, Clerk, or other Officer of the said Trustees for the Time being; and in default of Payment of the said Costs and Charges within Ten Days from the Delivery of such Account and Demand, such Justices, or any Two Justices of the Peace, shall and they are hereby required, by Warrant under their Hands and Seals, to cause the same to be levied by Distress and Sale of any of the Goods and Chattels, Property and Effects of the Treasurer for the Time being of the said Trustees, for the Use of Her Majesty, Her Heirs and Successors, rendering to the said Trustees the Overplus, after deducting the reasonable Charges of making such Distress and Sale as aforesaid: Provided always, that nothing herein contained shall prevent Her Majesty from proceeding in Her Court of Exchequer, or from having recourse to any other Law which may exist for the Recovery of such Costs and Charges.

For stopping up unnecessary Roads by Order of the Trustees.

XVII. And whereas the making of the said new Lines of Road herein-before mentioned may render useless and unnecessary certain old Roads and Footways in the said Parishes or Places, or some of them; be it therefore enacted, That it shall be lawful for any Two Justices of the Peace for the County of *Gloucester*, upon the Application of the said Trustees, at any Meeting or Meetings to be held under this Act, and they are hereby authorized and empowered, at any Meeting or Meetings to be held under this Act, by Order under their Hands and Seals to stop up and discontinue and prevent the using for the future of any public Carriage Road, Bridle Road, Footway, or Occupation Road which by the making of the said new Lines of Road or any of them may be rendered useless and unnecessary; and it shall not be lawful for any Person or Persons whomsoever afterwards to use the said Roads or Footways so ordered to be stopped up and discontinued as aforesaid, but the same shall thenceforth cease to be common Highways to all Intents and Purposes whatsoever: Provided always, that no such Road, Footway, or Occupation Road shall be stopped up or discontinued until Notice in Writing of such Order having been made as aforesaid shall be affixed on some conspicuous Place by the Side of the Road or Footway so ordered to be stopped up and discontinued as aforesaid, and also upon the Church Door or Church Doors belonging to the Parish or Parishes, Place or Places, within which such Roads or Footways shall be situate, immediately before Divine Service upon Three successive *Sundays* next after the making of such Order, and shall also be once inserted in some public Newspaper usually circulated in the said County of *Gloucester*, for the Purpose of enabling any Person

Person or Persons who may be aggrieved by the said Order to make his, her, or their Appeal against the same as herein-after provided.

Allowing Appeal against the Order.

XVIII. And be it further enacted, That it shall be lawful for any Person or Persons who may be aggrieved by the making of any Order hereby authorized for stopping up and discontinuing the said Roads or Footways to appeal against the same at any General or Quarter Sessions of the Peace for the said County of *Gloucester* which shall be held within the Space of Four Calendar Months next after the making of the said Order, upon giving a Notice in Writing of such Appeal (to be duly signed by such Appellant or Appellants), or leaving the same at the usual Place of Residence of the Clerk to the said Trustees for the Time being, at least Twenty-eight clear Days next before such General or Quarter Sessions of the Peace; and the Justices assembled at such General or Quarter Sessions, upon Proof of such Notice of Appeal having been given as aforesaid, are hereby authorized and required to hear and determine the said Appeal, and upon the Quashing or Confirmation of the said Order to award and adjudge that the Party against whom such Appeal shall be determined shall pay such Costs as the said Justices shall appoint; and the said Appeal, having been so heard and determined, shall be final and conclusive to all Intents and Purposes whatsoever; and no Order against which any such Appeal made as aforesaid shall be quashed for Want of Form only.

If no Appeal, the Order to be conclusive.

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

Power to take Tolls.

XX. And be it further enacted, That the respective Tolls following may be demanded and taken at each and every Turnpike, Toll Gate, and Side Gate which is now or which shall hereafter be set up or continued upon, across, or by the Side of the Roads by this Act authorized to be made, improved, and kept in repair, by each and every Person who shall be appointed or continued by the said Trustees to receive the same, before any Horse, Mule, Ass, Beast, or other Cattle shall be permitted to pass through any such Turnpike, Toll Gate, or Side Gate; (that is to say,)

For every Horse, Mule, or other Beast of Draught, drawing any Coach, Berlin, Landau, Chariot, Curricle, Calash, Chaise, Chair, or other such Carriage, the Sum of Sixpence:

For every Horse, Mule, or other Beast of Draught, drawing any Waggon, Wain, Cart, or other such Carriage, the Sum of Six-pence; and if drawn by Oxen, Two Oxen to be paid for as One Horse only:

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

For every Drove of Oxen, Cows, or other Neat Cattle, the Sum of One Shilling and Eight-pence *per* Score, and so in proportion for any less Number:

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

XXI. And

Additional Toll on Timber, &c. Carriages.

XXI. And be it further enacted, That if any Waggon, Wain, Cart, or other Carriage whatsoever shall be used in the hauling or carrying of any Tree or Trees, Timber, Iron or Iron Ore, or Wood, Mill-stones, Grindstones, Stone Troughs, or Paving Stone, or any other Stone whatsoever, on the said Roads (Stone for the Use of the Highways only excepted), not having the Fellies and Tire upon the Fellies of the Wheels of such Carriages flat and rolling the Breadth of Six Inches on a flat Surface, the same shall be subject and liable to such further Toll, not exceeding Double the Amount of the respective Tolls authorized by this Act to be taken, for every Horse, Mule, other Beast employed in drawing any Waggon, Cart, or other Carriage, as the said Trustees shall direct.

Tolls to be paid but once a Day on the same Road.

XXII. And be it further enacted, That if any Person or Persons shall have paid the Tolls by this Act granted for the passing of any Cattle or Carriage (except when laden with Timber as herein mentioned) through any Toll Gate, Turnpike, Bar, or Chain to be erected, set up, or placed by virtue of this Act, the same Person or Persons, upon producing a Note or Ticket of the Day denoting such Payment, shall be permitted to pass and repass through the same and every other Toll Gate, Turnpike, Bar, or Chain to be erected, set up, or placed by virtue of this Act within the Distance of Five Miles from such Toll Gate, Turnpike, Bar, or Chain at which such Person or Persons shall have paid such Toll and received such Note or Ticket as aforesaid, with the same Cattle or Carriage, Toll-free, at any Time or Times during the same Day, to be computed from Twelve of the Clock in one Night to Twelve of the Clock in the next Night; which said Note or Ticket the Collectors or Receivers of the said Tolls are hereby required to give *gratis*, if demanded, on Payment of such Toll, except that the Horses or other Beasts of Draught drawing any Carriages loaded with or conveying any Timber shall be liable to the Tolls hereby granted every Time such Horses or Beasts of Draught shall pass through any Toll Gate, Turnpike, Bar, or Chain continued or erected by virtue of this Act, any thing herein contained to the contrary notwithstanding; the said Distance of Five Miles to be and be deemed to be along the Course of the Turnpike Road.

Horses drawing Timber for the Navy exempted from paying more than once for each Load.

XXIII. Provided always, and be it further enacted, That the Tolls hereby granted shall not be demanded or taken for the Horses or other Beasts drawing any Carriage employed in conveying Timber the Produce of the said Forest for the Use of Her Majesty's Navy more than once for each Carriage Load of such Timber, although such Horses or other Beasts may happen to pass more than One of the said Turnpikes or Side Bars contained or to be erected by virtue of this Act.

Horses, &c. drawing different Carriages to pay for each Time of passing.

XXIV. And be it further enacted, That no Horse or Horses or other Beast or Beasts of Draught for which Toll shall have been paid at any of the said Turnpikes, Toll Gates, or Side Gates, drawing another or different Waggon, Wain, Cart, or such other Carriage, shall be permitted to repass through the same Turnpikes, Toll Gates, or Side Gates the same Day, without again paying Toll,

any thing herein contained to the contrary thereof in anywise notwithstanding.

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

XXV. And be it further enacted, That for and in respect of all Horses or other Beasts of Draught drawing any Stage Coach, or any Stage Waggon, Van, Caravan, Cart, or other Stage Carriage carrying Passengers or Goods for Payment, Hire, or Reward, the Tolls hereby made payable shall be paid for every Time of passing and for every Time of repassing along the said Roads or any of them, in like Manner as if no Toll had been before paid thereat.

Post Chaises to pay each Time of a fresh Hiring.

XXVI. And be it further enacted, That the Tolls hereby made payable shall be paid for or in respect of all Horses or other Beasts of Draught travelling for Hire drawing any Post Chaise or other Carriage, for every Time of passing and for every Time of repassing along the said Roads or any of them on the same Day, as often as a fresh Hiring thereof shall take place.

Trustees may vary the Tolls.

XXVII. And be it further enacted, That the said Trustees shall be and they are hereby authorized and empowered from Time to Time, if they shall think proper, to lessen or reduce all or any of the said Tolls, and to raise the same again, so as not to exceed the respective Sums by this Act granted; and that such Tolls so lessened or reduced shall be collected and recovered in the same Manner as the Tolls herein-before granted are directed to be collected and recovered: Provided nevertheless, that no such Reduction as aforesaid shall be made unless the Person or Persons who shall be entitled to Five Sixth Parts at the least of the Money which shall have been borrowed and shall be then due on the Credit of the said Tolls shall consent thereto; and that no Alteration shall be made in any of the Tolls, unless Notice of the Intention to make such Alteration, and of the Meeting to be holden for that Purpose, be given in Writing to be affixed on all the Turnpikes which shall be then standing upon the said Roads, and be also advertised in some Newspaper or Newspapers published or circulated in the County of *Gloucester* at least Twenty-eight Days before such Meeting.

Fences to be made to prevent Evasion of Tolls.

XXVIII. And whereas by reason of the great Width and Extent of the said Forest of *Dean*, and the Waste Lands thereto belonging, the Payment of Tolls hereby granted may be evaded; be it therefore enacted, That the said Trustees may and they are hereby empowered (if they see Occasion) to cause to be erected and made on the Sides of the said Roads, or across any open Commons or Places adjoining or near the said Forest, such Walls, Hedges, Ditches, and Fences as they shall think necessary, to be set up and made in such Manner and Direction as they shall think proper, in order to prevent the Payment of Tolls from being avoided, so as the same do not hinder or prevent the cutting or felling any Timber or other Tree or Trees in the said Forest the Property of Her said Majesty, or in the converting, taking, and carrying away the same, and the Lops, Tops, and Bark thereof; and if any Person or Persons shall wilfully break down or in anywise displace or do damage to, take away, or destroy all or any Part of such Fences, or shall fill up or spoil

spoil any such Ditch, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds: Provided always, that no such Walls, Hedges, Ditches, or Fences shall be set up and made at a greater Distance than Half a Mile from some Turnpike, Toll Gate, or Side Gate by this Act authorized to be continued or erected, unless the Concurrence and Approbation in Writing of any Two or more of Her Majesty's Justices of the Peace for the County or Place in which the same shall be situate shall befirst had and obtained; and their Determination in the Premises shall be subject to Appeal in the Manner herein-before provided in the Case of stopping up and discontinuing useless and unnecessary Roads and Footways.

Tolls not to be lessened or mortgaged without the Consent of the Commissioners of Woods, &c.

XXIX. And be it further enacted, That it shall not be lawful for the said Trustees to lessen or reduce the said Tolls or any of them, or to mortgage or assign the same or any Part thereof to any Person or Persons whomsoever, without the Approbation and Consent of the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, or any Two of them, for the Time being, in Writing under their Hands first had and obtained, except for raising so much Money as shall be necessary for paying and defraying the Costs, Charges, and Expences incident to and attending the obtaining and passing of this Act, with lawful Interest for any Money which shall have been advanced for that Purpose, and for erecting Turnpikes and Toll Houses, and making, amending, widening, and repairing the said Roads, and all necessary Costs, Charges, and Expences attending the same, and the Execution of this Act, and the several Powers and Authorities hereby granted; any thing herein-before contained to the contrary notwithstanding.

Application of Money.

XXX. And be it further enacted, That out of the first Money arising by the Tolls which shall be collected by virtue of this Act, or out of the first Money which shall be received by virtue of this Act, the said Trustees shall in the first place pay and defray the Costs, Charges, and Expences incident to and attending the obtaining and passing of this Act, with lawful Interest for any Money which shall have been advanced for that Purpose; and after Payment thereof all the Money which shall arise or come to the Hands, Custody, or Power of the said Trustees or their Treasurer, by virtue of this Act, shall from Time to Time be applied in erecting, altering, and repairing Turnpikes, Toll Gates, Toll Bars, and Toll Houses, with suitable Outbuildings, and in making, amending, widening, altering, and repairing the said Roads, and in defraying all necessary Costs, Charges, and Expences attending the same and the Execution of this Act, and the several Powers and Authorities hereby granted; and after the said Roads shall have been completely made, amended, and repaired, and the Costs, Charges, and Expences attending the same, and also all Sums of Money which have been or may hereafter be borrowed for the Purposes of this Act, with the Interest of all such Sums respectively, shall have been fully paid and discharged, (which Sums of Money so to be borrowed the said Trustees are hereby required to pay off and discharge so soon as a sufficient Sum for that Purpose shall be in their Hands out of the Monies arising by virtue of

of this Act), the said Trustees shall in the next place retain, set apart, and reserve the Sum of Five hundred Pounds as a Fund to answer such Exigencies as may arise or happen in the Execution of this Act; and the Surplus and Residue of all such Monies arising as aforesaid shall from Time to Time be paid to the Commissioners for the Time being of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, to be applied and disposed of in the same Manner as the Produce of the Hereditary Land Revenues of the Crown under their Care and Management is by Law applicable; and the said Trustees are hereby required to pay or cause the same to be paid accordingly, upon Requisition to them made for that Purpose, or to their Treasurer for the Time being, by or by the Order of the said Commissioners, so often as the same shall amount to the Sum of One hundred Pounds, over and above the Sum of Five hundred Pounds directed to be set apart and retained as aforesaid: Provided always, that the said Trustees, or their Treasurer or Treasurers, shall and he and they is and are hereby required in every Year to discharge, out of the Monies that shall come into his or their Hands by virtue of this Act, the Interest that shall be then due upon all Mortgages made or secured by virtue of this Act, if the same shall be demanded, in preference to any other Payment whatsoever.

No Preference to Mortgagees.

XXXI. And be it further enacted, That no Preference shall be given to any Person or Persons who hath or have heretofore advanced any Sum or Sums of Money on the Credit of the Tolls granted by the said recited Acts hereby repealed, or any of them, or who shall hereafter advance any Sum or Sums of Money on the Credit of the Tolls granted by this Act, or to his, her, or their Assignee or Assignees, in respect to the Priority of the Mortgage or Assignment or Mortgages or Assignments, or other Security or Securities for the same, or of advancing such Sum or Sums of Money, but that as well all Persons to whom any such Mortgage or Assignment, Mortgages or Assignments, or other Security or Securities, shall hereafter be made or given, his, her, or their Assignee or Assignees, as also all and every Person or Persons to whom any such Mortgage or Assignment, Mortgages or Assignments, or other Security or Securities, hath or have heretofore been made or given, shall, in proportion to the Sum or Sums therein respectively mentioned, be Creditors under this Act in equal Degree one with another, without any Preference or Priority, save only as to the said Sum of Ten thousand six hundred and forty-five Pounds advanced out of the Land Revenues of the Crown, the Payment whereof is appointed to be postponed as aforesaid: Provided also, that it shall and may be lawful for any Person or Persons appointed by the Lord High Treasurer or Commissioners of the Treasury, or the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, for the Time being, at any Time or Times hereafter to inspect the Accounts of the Treasurer or Treasurers to be appointed by virtue of this Act, and to take Copies or Extracts thereof; and such Treasurer or Treasurers, or his or their Clerk, or the Clerk to the said Trustees, or other Person or Persons in whose Custody the same may happen to be, is and are hereby required to produce such Accounts to such Person or Persons, and to permit Copies or Extracts

Books, &c. to be inspected by Persons appointed by the Lord High Treasurer, &c.

tracts to be taken thereof, upon reasonable Application to him or them made for that Purpose.

No Lime-kiln or Brick-kiln to be set up within the Distance of One hundred Yards from the Roads.

XXXII. And be it further enacted, That no Person shall hereafter erect, set up, or use, or cause to be erected, set up, or used, any Lime-kiln or Brick-kiln, or any other Erection, Matter, or Thing for the Purpose of burning Lime, Bricks, or Clay, within the Distance of One hundred Yards from any Part of the said Roads hereby directed to be made or repaired, so as to be a Nuisance, under the Penalty of Twenty Shillings for each and every Day such Lime-kiln, Brick-kiln, or any other Erection, Matter, or Thing aforesaid shall continue.

Not to dig Pits or Quarries within Sixty Feet from the Middle of a Road.

XXXIII. Provided always, and be it further enacted, That no Pit or Level for digging, raising, or getting of Coals or Minerals, or Quarries for digging, raising, or getting of Stone, or Places for landing Coal, Minerals, or Stone, shall hereafter be dug, opened, or made in the said Forest within Sixty Feet from the Middle or Centre of any of the said Roads; nor shall any Waggon, Cart, or other Carriage, Horse, Mule, Ass, Beast, or Cattle, be permitted to load or unload any Coal, Minerals, or Stone, Timber, Wood, or Bark, within Thirty Feet of any of the said Roads, save and except as to Timber and other Trees growing in the said Forest within such Distance of the said Roads, which when cut shall be thrown so as not to fall on the said Roads, and the Tops, Lops, Branches, and Bark thereof removed to such Distance of Sixty Feet from the Middle or Centre of the said Roads within Seven Days from the cutting or felling such Tree or Trees; and if any Person shall dig, open, or make any Pit, Level, or Quarry for the Purpose of digging, raising, or getting any Coals, Minerals, or Stone in the said Forest, of any Sort or Kind whatsoever, within Sixty Feet from the Middle or Centre of either of the said Roads, or make or cause to be made any landing or loading Place for the Purpose of landing, loading, or unloading any Coal, Minerals, or Stone, Timber, Wood, or Bark, or shall load or unload any Waggon, Cart, or other Carriage, or any Horse, Mule, Ass, Beast, or Cattle, within the Distance of Thirty Feet of any of the said Roads, except as to Timber Trees to be fallen in the said Forest, and the Lops, Tops, Branches, and Bark thereof as aforesaid, each and every Person so offending in any or either of the Cases aforesaid shall for every such Offence forfeit any Sum not exceeding Five Pounds nor less than Forty Shillings: Provided always, that nothing herein contained shall extend or be construed to extend to authorize the said Trustees, or their Surveyor or Surveyors, or any Person or Persons whomsoever, to cut down, lop, or top any Timber Tree or Trees growing in or on the Sides of any Part of the said Roads within the said Forest, without the Consent of the Commissioners of Her Majesty's Woods, Forests, and Land Revenues for that Purpose first had and obtained.

To prevent cutting down Timber Trees.

Minerals reserved.

XXXIV. Provided also, and be it further enacted, That all Mines of Lead Ore, Coal, or other Minerals in, under, or upon any Part of the Lands to be purchased or used for the said Roads by virtue of this Act shall when discovered be the Property of and are hereby reserved to the Person or Persons, Bodies Politic, Corporate, or

Collegiate, his, her, and their Heirs and Successors, who before such Sale, Exchange, or Conveyance to such Trustees were entitled thereto, with Liberty for him, her, or them, and their Heirs and Successors as aforesaid, and their respective Agents, Servants, and Workmen, to prosecute, work, dig, mine, get, and take away such Lead Ore, Coal, and other Minerals, in such Manner as is usual in Works of the like Kind, in as full and ample Manner as if the said Land had not been sold, exchanged, conveyed, or used for the Purposes aforesaid by virtue of this Act, so as such Person or Persons, their Agents, Servants, or Workmen respectively, who shall work or search for the said Lead Ore, Coal, or other Minerals, do or cause no Obstruction, Damage, Hurt, or Inconvenience to the said Roads, and do and shall remove, or cause such Lead Ore, Coal, or other Minerals to be removed, so that no Impediment may arise or be occasioned in the making, widening, turning, altering, repairing, or amending the said Roads.

Tolls liable to the Payment of the 10,645*l.* to Her Majesty.

XXXV. 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 the said Sum of Ten thousand six hundred and forty-five Pounds to the Commissioners for the Time being of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, in such and the same Manner as the Tolls authorized by the said recited Acts of the Thirty-sixth and Fifty-seventh Years of the Reign of His late Majesty King *George* the Third to be taken or received were liable to the Payment of the said Sum to the Lord High Treasurer or the Commissioners of the Treasury for the Time being.

The Crown discharged from the Repair of Roads.

XXXVI. And be it enacted, That the Queen's most Excellent Majesty, Her Heirs and Successors, and the Hereditary Revenues of Her Majesty in right of Her Crown, shall be exonerated and discharged from the Repair, Maintenance, or Improvement of the Roads by this Act authorized to be made or improved, and of all other Roads under the Management of the Trustees for the Time being acting in execution of this Act or of any of the said recited Acts, and from all Charges and Demands relative thereto, during the Continuance of this Act or of any of the said recited Acts, or any enlarged Term thereof respectively.

Saving of Rights of the Crown.

XXXVII. Provided always, and be it further enacted, That nothing in this Act contained shall be deemed, taken, or construed to impair, defeat, or lessen the Rights or Interests of Her Majesty, Her Heirs or Successors, save and except so far as such Rights or Interests are hereby expressly barred or affected, or intended so to be.

Public Act.

XXXVIII. 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.

Commencement and Continuance of this Act.

XXXIX. And be it further enacted, That this Act shall commence and take effect from the Second *Wednesday* after the passing thereof, and shall continue and be in force for and during the Term of Thirty-one Years, and from thence to the End of the then next Session of Parliament.

The

The SCHEDULE referred to by the foregoing Act.

Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.	Description of Property.

FROM LONGSTONE IN THE PARISH OF STAUNTON TO BARTON-HILL TURN IN THE PARISH OF ABINGHALL.

Staunton Parish.

The Crown	-	The Crown	Plantation.
Ditto	-	Ditto	Ditto.
Ditto	-	Ditto	Ditto.
Ditto	-	Ditto	Wood.

Newland Parish.

The Crown	-	The Crown	Wood.
Ditto	-	Ditto	Plantation.
Ditto	-	Ditto	Lane.
Ditto	-	Ditto	Plantation.
James Webb	-	In hand	Garden.
Lewis Lloyd	-	Ditto	Cottage and Garden.
William Blanch	-	Ditto	Garden.
Sarah Wintle	-	Ditto	Cottage and Garden.
Henry Whittington	-	Ditto	Ditto.
John Short	-	Ditto	Ditto.
John Lewis	-	Ditto	Building and Garden.
Ditto	-	Ditto	Garden.
Elizabeth Lewis	-	Ditto	Cottage and Garden.
Thomas Williams	-	Ditto	Ditto.
George Brown	-	Ditto	Ditto.
George Holder	-	Ditto	Ditto.
James Jones	-	Ditto	Ditto.
John Morgan	-	Ditto	Ditto.

Forest of Dean.

The Crown, or William Knight	-	In hand	Garden.
The Crown, or Thomas Tyler	-	Ditto	Ditto.
The Crown	-	The Crown	Forest.
Ditto	-	Ditto	Buckhold Inclosure.
Severn and Wye Railway and Canal Company.	-	Ditto	Tunnel.

Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.	Description of Property.
		Abinghall Parish.	
Joseph Cook	-	In hand	Orchard.
John Scudamore	-	Ditto	Ditto.
Ditto	-	Ditto	Garden.
John Probyn	-	Thomas Blewett	Ditto.
Maynard Colchester, Esquire	-	John Tudor	Garden and Pigscot.
		FROM NAILBRIDGE TO BISHOPS WOOD.	
		Forest of Dean.	
The Crown, or Moses Baldwin	-	In hand	Stable and Garden.
The Crown, or Robert Turner	-	Ditto	Garden.
		Ruardean Parish.	
Mr. Terrett	-	John Bennett	Meadow and Garden.
Mr. Terrett of Bicknor	-	Mr. Bennett	Orchard.
Mr. Bennett	-	Ditto	Ditto.
Mrs. Terrett	-	Mr. Terrett	Ditto.
John Patridge, Esquire	-	In hand	Wood.
		FROM PARK END TO ETLOE.	
The Crown	-	The Crown	Forest.
The Severn and Wye Railway and Canal Company.	-	Themselves	Branch Railway.
The Crown	-	The Crown	Meadow.
Ditto	-	Ditto	Forest.
The Severn and Wye Railway and Canal Company.	-	Themselves	Railway.
The Crown	-	The Crown	Forest.
Ditto	-	Ditto	Ditto.
Ditto	-	Ditto	Stapleage Inclosure.
Ditto	-	Ditto	Cockshoot Hill Inclosure.
Ditto	-	Ditto	Blakeney Hill Inclosure.
Ditto	-	Ditto	Forest.
The Crown, or William Adams	-	In hand	Inclosure and Quarry.
The Crown, or John James junior	-	Ditto	Orchard.
The Crown, or William Adams	-	Ditto	Orchard and Garden.
The Crown, or John Virgo	-	Ditto	Orchard and Woodland.
The Crown, or William Virgo	-	Ditto	Orchard.

Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.	Description of Property.
The Crown, or Thomas Cribber	-	In hand	Orchard.
The Crown, or John Marshall	-	Ditto	Ditto.
The Crown, or William Davis	-	Ditto	Pigscot and Garden.
The Crown, or James Davis senior.	-	Ditto	Garden.
The Crown, or Ditto	-	Ditto	Pigscot and Land.
The Crown, or James Davis junior	-	Ditto	Garden.
The Crown, or Daniel Wayman	-	Ditto	Orchard.
Ditto	-	Ditto	Ditto.
The Crown, or John James	-	Ditto	Ditto.
Ditto	-	Ditto	Ditto.
The Crown, or Williams Beddess	-	Ditto	Ditto.
The Crown, or James Tirley	-	Ditto	Ditto.
The Crown, or William Clark	-	Ditto	Ditto.
The Crown, or William Beddess	-	Ditto	Ditto.
The Crown, or John Davis	-	Mary Ann Jones	Garden.

Blakeney Tithing.

Richard James	-	James Hulin	Orchard.
Mr. Morse	-	Thomas Bodenham	Cottage and Garden.
John Herbert	-	Thomas Perris	Ditto.
James Chorley	-	James Thomas	Cordwainer's Shop.
Corporation of Gloucester	-	Thomas Penn	Garden.
Richard White	-	George White	Mill Pond.
Charles Morse	-	In hand	Orchard.
Charles Jennings	-	Ditto	Ditto.
Ditto	-	Ditto	Ditto.
Richard Rosser, Esquire	-	Henry Wigginton	Ditto.
Ditto	-	Ditto	Ditto.
Ditto	-	In hand	Nursery.

FROM YORKLEY TO BREAM.

The Crown	-	The Crown	Forest.
Ditto	-	Ditto	Inclosure.
Ditto	-	Ditto	Forest.
The Crown, or Thomas Hatton	-	In hand	Garden.
The Crown, or William Robins	-	Ditto	Orchard.
The Crown	-	The Crown	Forest.
The Crown, or Peter James	-	In hand	Garden.
The Crown, or James Price	-	Ditto	Orchard.
The Crown, or Enoch Kear	-	Ditto	Garden.
The Crown, or Alice Jones	-	Ditto	Ditto.
The Crown, or William Cook	-	Ditto	Orchard.
Severn and Wye Railway and Canal Company.	-	Themselves	Railway.
The Crown, or Thomas Morse	-	In hand	Garden.
The Crown, or Edward Hicks	-	Ditto	Ditto.

Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.	Description of Property.
The Crown, or William Baker	-	In hand	Garden.
The Crown, or Thomas Morse	-	Ditto	Orchard.
The Crown	-	The Crown	Forest.
Ditto	-	Ditto	Parkhill Inclosure.
The Crown, or Richard Phipp	-	In hand	Garden.
The Crown, or John Morse	-	Ditto	Ditto.
The Crown, or —— Kear	-	Ditto	Ditto.
FROM HAWTHORNS TO LANE END.			
The Crown -	-	The Crown	Plantation and Forest.

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