



ANNO TERTIO

# GULIELMI IV. REGIS.

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## Cap. lv.

An Act for more effectually repairing the Roads leading from the City of *Gloucester* towards the City of *Hereford*, and also towards *Newent* and *Newnham* in the County of *Gloucester*, *Ledbury* in the County of *Hereford*, and *Upton-upon-Severn* in the County of *Worcester*. [17th May 1833.]

**W**HEREAS an Act was passed in the Twelfth Year of the Reign of King George the First, intituled *An Act for repairing and widening the Roads from the City of Gloucester to the City of Hereford*: And whereas an Act was passed in the Twentieth Year of the Reign of King George the Second, intituled *An Act for continuing the Term and enlarging the Powers granted by an Act passed in the Twelfth Year of His late Majesty's Reign, intituled 'An Act for repairing and widening the Roads from the City of Gloucester to the City of Hereford;'* and for repairing other Roads in the County of Gloucester: And whereas another Act was passed in the Thirty-third Year of the Reign of King George the Second, intituled *An Act for making more effectual, and continuing the Term, and enlarging and altering the Powers of an Act made in the Twentieth Year of His present Majesty's Reign, for repairing and widening the Road leading from the City of Gloucester towards the City of Hereford, and for repairing other Roads in the County of Gloucester in the said Act mentioned*: And whereas an Act was passed in the Ninth Year of the Reign of King George the Third, intituled *An Act to enlarge the Term and Powers of an Act made in the Thirty-third Year of King George the*

12 G. 1. c. 3.  
20 G. 2. c. 31.  
33 G. 2. c. 34.  
9G. 3. c. 50.

[Local.]                      14 S                      Second,



52 G. 3. c. 150.

Recited Acts,  
so far as they  
relate to the  
Roads  
hereby inten-  
ted to be  
amended, re-  
pealed, and  
this Act to  
take effect.

*Second, for repairing and widening the Road from Gloucester towards Hereford, and other Roads therein mentioned, and for amending several other Roads near or adjoining to some of the said Roads: And whereas another Act was passed in the Fifty-second Year of the Reign of King George the Third, intituled An Act for enlarging the Term and Powers of an Act of King George the First, Two Acts of King George the Second, and an Act of His present Majesty, for repairing the Roads from Gloucester towards Hereford, and other Roads therein mentioned, all in the County of Gloucester: And whereas several Sums of Money have been borrowed on the Credit of the Tolls arising on a District of the Roads included in the said Acts and called "The Over District," herein-after particularly described: And whereas several Sums of Money have been also borrowed on the Credit of the Tolls arising on another District of the Roads included in the said Acts and called "The Maisemore District," herein-after particularly described: And whereas the said several Sums of Money are still due and owing on the said respective Districts of Road, and the said Monies cannot be repaid, nor the said Districts of Road maintained and repaired, unless the Term of the said Acts is further continued, and the Tolls altered, varied, and increased: And whereas it is expedient that so much of the said Acts as relate to the said Two Districts of Road should be repealed, and that further and additional Powers should be granted in lieu thereof: 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 upon and from and after the Thirtieth Day of July One thousand eight hundred and thirty-three the said recited Acts of the Twelfth Year of the Reign of King George the First, and of the Twentieth and Thirty-third Years of the Reign of King George the Second, and of the Ninth and Fifty-second Years of the Reign of His said Majesty King George the Third, so far as the same relate to the Roads by this Act intended to be amended and repaired, shall be and the same are hereby repealed, and this Act shall from thenceforth commence and take effect and be put in execution, for and during the Term herein-after mentioned, for the Purpose of amending and keeping in repair the several Roads herein-after described; that is to say, the Road leading from the City of Gloucester towards Hereford, and extending from the Boundary Stone of the said City of Gloucester to within One hundred Yards of Over Bridge, and from One hundred Yards of the West Side of the said Bridge to Highnam Pool in the Parish of Churcham in the County of Gloucester, and through the said Parish of Churcham to the Commencement of the Common in the Parish of Huntley in the said County of Gloucester; the Road leading from the said City of Gloucester towards Newent, commencing at Highnam Pool aforesaid, and extending from thence, through the Parishes of Churcham, Rudford, and Highleadon, to the Parish of Newent near to a Turnpike Gate called Laney's Gate; and the Road leading from the said City of Gloucester towards Newnham, commencing at or near a Place called Highnam Lodge, and extending from thence through the several Parishes of Churcham and Minsterworth to a Place called the Flat, in the Parish of Westbury-upon-Severn in the said County of Gloucester, at or near where the Six*



Mile Stone from *Gloucester* now stands; the Road leading from the said City of *Gloucester* towards the Town of *Upton-upon-Severn* in the County of *Worcester*, and extending from *Over Bridge* aforesaid, through the Parishes of *Saint Mary-le-Lode*, *Maisemore*, *Hartpury*, *Ashelworth*, *Corse*, and *Tirley* in the County of *Gloucester*, to the Parish of *Eldersfield* in the County of *Worcester*; and the Road leading from the City of *Gloucester* towards *Ledbury*, commencing at or near the Parsonage Barn and Buildings at *Corse*, and extending through the said Parish of *Corse* to the Parish of *Stanton* in the County of *Worcester*, at a Place called *Stanton Swan*.

II. And be it further enacted, That the said Roads herein-before described, leading from the said City of *Gloucester* towards *Hereford*, *Newent*, and *Newnham*, shall be called "The *Over District of Roads*;" and that the other Roads herein-before described, leading from the said City of *Gloucester* towards *Ledbury* and *Upton-upon-Severn*, shall be called "The *Maisemore District of Roads*."

Division of  
Roads into  
Districts.

III. And be it further enacted, That all His Majesty's Justices of the Peace for the County of *Gloucester*, together with *Whaley Armitage*, *William Ambrose*, *Oliver Ainsworth*, *Thomas Apperley*, *William Barnes*, *Sir Thomas Crawley Boevey* Baronet, *Joseph Bennett*, *William Bushell* Clerk, *Benjamin Bonnor*, *Anthony Burgum*, *Maynard Colchester*, *John Cadle*, *Joseph Cadle*, *Cornelius Cadle*, *Charles Crawley* Clerk, *William Crawley* Clerk, *James Commeline* Clerk, *James Commeline* the younger, Clerk, *Thomas Commeline* Clerk, *Robert Canning*, *Thomas Cadle*, *John Chadborn*, *Thomas Davis*, *Thomas Dowle*, *William Dew*, *Henry Barrow Evans* Clerk, *Kingsmill Evans*, *William Viner Ellis*, *John Ellis*, *John Elliott*, *Thomas Fulljames*, *Thomas Fulljames* the younger, *William Goodrich*, *William John Pitt Goodrich*, *James Goodrich*, *Octavius Goodrich*, *Sir Berkeley William Guise* Baronet, *John Green*, *Sir John Wright Guise*, *Richard Harward*, *Jeremiah Hawkins*, the Reverend *Edward Hawkins* Clerk, *Thomas Hawkins*, *William Hawkins*, *Joseph Hawkins*, *Thomas Hill* Clerk, *William Charles Holder*, *Joseph Hill*, *Joseph Hooper*, *John Christopher Capel Astman Hartland*, *John Hill*, *James Hill*, *Thomas Perkins Hill*, *Edward Howell*, *Edward Jones* Clerk, *Henry Prowse Jones* Clerk, *Samuel Jones*, *Samuel Jones* the younger, *Roynon Jones*, *John James*, *Arthur Hammond Jenkins*, *John James* the younger, *Robert Jakeman*, *Joseph Lloyd*, *Joseph Lloyd* the younger, *John Morse*, *John Morse* Clerk, *William Montague*, *Charles Herbert Martin* Clerk, *John Matthews*, *William Matthews*, *William Wilton Mutlow* Clerk, *Daniel John Niblett*, *Richard Francis Onslow* Clerk, *Richard Foley Onslow*, *John Probyn* Clerk, *John Probyn* the younger, *John Phillpotts*, *Thomas Phillpotts* Clerk, *Joseph Pyrke*, *Duncombe Pyrke*, *Osman Ricardo*, *William Reeve*, *Henry Rosser*, *Thomas Anthony Viscount Southwell*, *Thomas Sergeant*, *John Syms*, *Thomas Smith of Highnam*, *Thomas Smith of Over*, *Thomas Smith of Gloucester*, *John Stokes*, *Joseph Tooby*, *Thomas Turner*, *Thomas Tovey*, *James De Visme* Clerk, *John Vick*, *Charles Whatley* Clerk, *Thomas Wallis*, *Alexander Walker*, *David Mowbray Walker*, *John White*, *John Pleydell Wilton*, *Henry Hooper Wilton*, *Robert Wilton*, *James Wood*, *John Wintle*, *Henry Wintle* Clerk, *John Wood*, *Frederick Woodcock*, *Thomas Wakeman*, and their Successors, being duly qualified to act as Trustees of Turnpike Roads according

Appointment  
of Trustees.



according to the Laws for regulating Turnpike Roads in *England*, shall be and they and their Successors, to be duly elected according to the Laws respecting Turnpike Roads in *England*, are hereby appointed Trustees for carrying the several Acts respecting Turnpike Roads in *England* and this Act into execution.

Power to  
appoint ad-  
ditional  
Trustees.

IV. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered, at any Meeting to be held for that Purpose, to elect and appoint any Number of Persons not exceeding Three in the whole to be Trustees for the Purposes of this Act, in addition to the Trustees hereby appointed; and such Trustees so elected and appointed, being duly qualified, shall be and they are hereby invested with the same Powers and Authorities for executing this Act as if they had been named and appointed in and by this Act.

First Meet-  
ing of  
Trustees.

V. And be it further enacted, That the said Trustees shall meet at the *Dog Inn at Over*, or at some other convenient Place, on the Thirtieth Day of *July* One thousand eight hundred and thirty-three, between the Hours of Eleven in the Forenoon and One in the Afternoon, or as soon after as conveniently may be, and proceed to carry this Act into execution.

Power to  
take Tolls.

VI. And be it further enacted, That the respective Tolls following shall be demanded and taken at each and every Turnpike, Toll Gate, and Side Gate, Chain or Chains, now set up and continued or which shall hereafter be set up across or by the Side of the said Road or any Part thereof, before any Horse, Mule, Ass, Beast, or other Cattle whatsoever, Coach, Chariot, Chaise, Waggon, Wain, or other Carriage, shall be permitted to pass through any such Turnpike, Toll Gate, Side Gate, Side Bar, or Chain; that is to say,

Tolls.

For every Horse, Mule, or other Beast drawing any Coach, Sociable, Chariot, Berlin, Landau, Vis-à-vis, Barouche, Phaeton, Curricle, Calash, Chaise, Chair, Gig, Wiskey, Caravan, Hearse, Litter, or other such Carriage, the Sum of Sixpence:

For every Horse, Mule, or other Beast drawing any Waggon, Wain, Cart, or other such Carriage having the Fellies of the Wheels thereof of the Breadth of Six Inches at the Bottom, the Sum of Four-pence; and if such Fellies shall be of the Breadth of Four Inches and a Half and less than Six Inches at the Bottom thereof, the Sum of Five-pence; and if the Fellies of the Wheels of any such Waggon, Wain, Cart, or other such Carriage shall be of less Breadth than Four Inches and a Half at the Bottom, the Sum of Sixpence:

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

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

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

And for every Carriage, of whatever Description, and for whatever Purpose,



Purpose, which shall be drawn or impelled or set or kept in motion by Steam or by any other Power or Agency than being drawn by any Horse or Horses or other Beast or Beasts of Draught, any Sum not exceeding Five Shillings.

VII. Provided always, and be it further enacted, That where the Tolls by this Act granted, or any of them, shall have been paid at any Toll Gate upon the said Roads, no further Toll shall be liable to be paid at any other Toll Gate upon the same Road within the Distance of Two Miles from the Toll Gate at which such Toll shall have been paid, for or in respect of the same Horse or Horses, Beast, Cattle, or Carriage, in any One Day, to be computed as herein directed, upon the Production of a Note or Ticket denoting such Payment, and which Note or Ticket the Collector or Collectors of the Tolls is and are hereby required to deliver *gratis* on Receipt of the Toll; and no more than Three Tolls in the whole shall be demanded or taken for or in respect of the same Horse or Horses, Beasts, Cattle, or Carriages, for passing or repassing through all the Toll Gates upon the same Road in One Day, to be computed from Twelve of the Clock at Night to Twelve of the Clock in the next succeeding Night, upon the Production of Notes or Tickets denoting such Payments, and which Notes or Tickets the respective Collectors of the Tolls are hereby required to deliver *gratis*, on Payment of the Toll.

Toll not to be paid Twice within Two Miles, and not more than Three Tolls to be paid in One Day.

VIII. And be it further enacted, That in case the Toll hereby imposed for or in respect of any Horse, Mule, Ass, Beast, or Cattle shall have been paid on passing through any of the Turnpikes, Toll Gates, or Side Gates, Chain or Chains, now erected and continued, or hereafter to be erected, upon, across, or on the Sides of the Roads by this Act directed to be improved and kept in repair, no such Horse, Mule, Ass, Beast, or Cattle shall be subject or liable to any Toll for returning, passing, or repassing through the same Turnpike, Toll Gate, or Side Gate on the same Day before Twelve of the Clock at Night, but upon the Production of a Note or Ticket denoting the Payment of such Toll shall (except in the Cases herein-after mentioned) be permitted to pass through such Turnpike, Toll Gate, or Side Gate, Chain or Chains, Toll-free; which Note or Ticket (such Ticket to specify the Gate freed by such Payment) the Collectors of the Tolls are hereby respectively required to give *gratis* on the Receipt of the Toll.

Tolls to be paid but once a Day.

IX. Provided always, and be it further enacted, That no Horse, Mule, Ass, or Beast for which Toll shall have been paid at any of the said Turnpikes, Toll Gates, or Side Gates, returning the same Day through the same Turnpikes, Toll Gates, or Side Gates, or any of them, drawing any other or different Waggon, Wain, Cart, or Carriage, shall be permitted to repass Toll-free.

Horses drawing different Carriages to pay each Time of passing.

X. And be it further enacted, That for and in respect of all Horses and other Beasts of Draught drawing any Coach, Stage Waggon, Van, Caravan, Cart, or other Carriage carrying Passengers or Goods for Payment, Hire, and Reward, for which Tolls shall have been

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

[Local.]

14 T

paid



paid at any such Toll Gate, Turnpike, Side Gate, or Chain as aforesaid, and which shall return to the same on the same Day, the respective Tolls herein-before mentioned and made payable shall be paid for every Time both of passing and repassing through every such Toll Gate, Turnpike, Side Gate, and Chain, in like Manner as if no Toll had been before paid thereat: Provided always, that no further or additional Toll shall be payable for or in respect only of the Horses drawing such Carriage having been changed.

Post Chaises  
&c. to pay  
on every new  
Hiring.

XI. And be it further enacted, That the respective Tolls herein-before mentioned and made payable shall be paid for and in respect of all Horses and other Beasts of Draught travelling for Hire, and drawing any Post Chaise or other Carriage, for every Time of passing and repassing along the said Road, or any Part thereof, as often as a fresh Hiring of such Horses or other Beasts shall take place.

As to Tolls on  
the Branch  
Roads.

XII. And be it further enacted, That the said Trustees shall and they are hereby required to cause to be demanded and collected the several Tolls by this Act granted upon each and every Branch Road comprised in this Act; and it shall not be lawful for the said Trustees to lay out or expend, in any One Year, a larger Sum of Money than shall have been collected upon such Branch Road, in the repairing, amending, or improving the same, and in paying the Interest and Principal of any Money collected on the Tolls payable thereon.

Application  
of Tolls.

XIII. And be it further enacted, That this Act and the Tolls hereby granted shall be applied to and for and be subject to the several Uses, Intents, and Purposes, and in the Order and Manner following; that is to say, in the first place, in Payment of all Costs, Charges, and Expences which shall have been incurred in applying for, preparing, obtaining, and passing this Act, or otherwise relating thereto, and subject thereto to the Payment of all Monies which are now due and owing on the Credit of the Tolls authorized to be taken on the said Districts of Road respectively, and of all Interest due and to grow due thereon, as fully and effectually, to all Intents and Purposes, as if such Monies had been borrowed and become due on the Credit of this Act or of the Tolls hereby authorized to be collected, and then in Payment of the Expences of erecting and providing, altering and repairing, Turnpikes, Toll Houses, Side Gates, Side Bars, Chains, and Weighing Machines, with suitable Outbuildings, upon, across, and by the Sides of the said Roads by this Act authorized to be kept in repair, in repairing and maintaining the said Roads, and for Books, Advertisements, Salaries of Officers, and other Expences incidental to the Execution of this Act.

Public Act.

XIV. 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.

Term of Act.

XV. And be it further enacted, That this Act shall commence upon the Thirtieth Day of *July* One thousand eight hundred and thirty-

thirty-three, 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.

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LONDON: Printed by GEORGE EYRE and ANDREW SPOTTISWOODE,  
Printers to the King's most Excellent Majesty. 1833.