ANNO QUINQUAGESIMO

GEORGII III. REGIS.

Cap. 58.

An Act for more effectually repairing and keeping in Repair several Roads leading to and from the Town of *Abergavenny* in the County of *Monmouth*.

[18th *April* 1810.]

WHEREAS an Act was passed in the Thirty-ninth and Fortieth Years of the Reign of His present Majesty, intituled, *An Act for more effectually repairing, widening and improving the Road from the Village of* Magor *to the Bridge Foot, in the Town of* Chepstow, *in the County of* Monmouth, *and several other Roads in the Counties of* Monmouth, Gloucester, Hereford *and* Brecon: And whereas the several Roads directed to be repaired, widened and improved by the said Act, were divided into Eight Districts or Divisions; and the Sixth District or Division was by the said Act directed to be called by the Name of the District of *Abergavenny*: And whereas the Trustees appointed to act for that Division of the said Roads, have proceeded in the Execution of the Powers and Authorities vested in them, and have for that Purpose borrowed considerable Sums of Money on the Credit of the Tolls authorized to be taken on the Roads within their said District, which still remain due and owing: And whereas the Money so due and owing cannot be paid off, nor can the several Roads within the said District be kept in Repair and properly improved, unless the Term of the said Act be further continued; and the Powers and Provisions thereof, so far as the same relate to the said Division of the said Roads called the Sixth District, or District of *Abergavenny*, having been found in many Respects defective and insufficient, it would be more convenient to the Trustees acting for the said District, and the several Roads hereinafter mentioned might be more effectually completed, diverted, widened, improved, repaired, and kept in Repair, if so much of the said Act as relates to and affects the said Division of the Roads called the Sixth District, or District of *Abergavenny*, was repealed, and further

39 & 40 G. 3. c. 15.

further and other Powers and Provisions granted instead thereof: And whereas the Roads leading from the Village of *Govilon*, in the Parish of *Llanwenarth ultra*, in the County of *Monmouth*, to the said Town of *Abergavenny*, and to *Llanellen* Bridge, leading through the Parishes of *Llanwenarth ultra*, *Llanfoist*, and *Llanellen*, in the said County of *Monmouth*, are in many Parts thereof very much out of Repair, narrow, circuitous, hilly, and incommodious, and cannot be effectually completed, diverted, widened, improved, repaired, and kept in Repair by the ordinary Course of Law; but if the same were included in the Powers and Provisions of this Act, it would be a great Convenience, Advantage, and Accommodation to the Neighbourhood, and of public Utility; but the several Purposes aforesaid 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

Recited Act repealed,

by the Authority of the same, That from and after the Second *Monday* in the Month next after the passing of this Act, the said Act passed in the Thirty-ninth and Fortieth Years of His present Majesty's Reign, shall be and the same is hereby repealed, so far as the same relates to and affects the said Division of the said Roads called the Sixth

and this Act executed instead thereof.

District, or District of *Abergavenny*, and that instead thereof this Act shall commence and take Effect, and be put in Execution for and during the Term hereinafter mentioned, for the Purpose of more effectually completing, diverting, widening, improving, repairing, and keeping in Repair the several Roads hereinafter described.

This Act made subject to the Payment of all Monies heretofore borrowed.

II. And be it further enacted, That this Act and the Term and Tolls hereby granted, shall be and are hereby made subject and liable to the Payment of all Monies which have been borrowed, or are now due and owing on the Credit or on Account of the Tolls of the said Sixth District, and of all Interest due and to grow due thereon respectively, as fully and effectually to all Intents and Purposes, as if such Monies had been borrowed or become due on the Credit or on Account of this Act; and that

Persons owing Money to continue liable, and all Bonds, Contracts, &c. to remain in Force.

all and every Persons and Person owing any Sum or Sums of Money to the Trustees for executing the said last recited Act for the said Sixth District, or any or either of them shall be liable to the Payment thereof, to the Trustees for executing this Act, and all Bonds, Covenants, Agreements, Contracts, and Securities entered into by any Person or Persons, to or with the Trustees for executing the said Act for the said Sixth District, shall remain in full Force and Effect, and be and continue available in all Courts of Law and in Equity, until the same be fully satisfied and performed on Account and for the Benefit of the Trust under this Act;

And all Lettings of Toll.

and all lettings of Tolls, Contracts, Agreements, or Notices made, entered into or given by the said Trustees, for executing the said Act for the said Sixth District, to or with any Person or Persons or for any Purpose, shall remain in full Force and Effect, and be observed and kept by the Trustees under this Act, according to the Terms and Stipulations thereof respectively, this Act or any Law or Statute to the contrary notwithstanding,

The Roads under this

III. And be it further enacted, That the Roads directed by this Act to be completed, diverted, widened, improved, repaired and kept in Repair, shall

shall be as follows, (that is to say), the High Road leading from the End of the Parish of *Mamhilad* next to *Pontypool*, in the Road from *Pontypool* to *Abergavenny*, by *Llanellen Bridge* through *Abergavenny* to *Llangua Bridge*, through the Parishes of *Mamhilad*, *Goytrey*, *Llanover*, *Llanellen*, the Hamlet of *Hardwick*, the Parishes of *Abergavenny*, *Llantillio Pertholey ultra*, *Llanvihangel Crucorney*, the Hamlet of *Penbiddel*, and the Parishes of *Grosmont* and *Llangua*, and the High Road from the End of the Parish of *Llanelly* to *Travellers Seat*, through the Parishes of *Llanwenarth ultra*, *Llanfoist*, *Abergavenny*, *Llantillio Pertholey citra*, *Llanthewy Skirrid*, *Llanvetherine*, *Llantillio Grossenny* and *Skenfreth*, and the High Road from the End of the Parish of *Llanwenarth citra*, where it joins *Breconshire*, through the said Parish, through the Hamlet of *Lloyndee*, and the Parishes of *Abergavenny*, *Llantillio Pertholey citra*, *Llanthewyr*, *Rytherch*, *Llanvapley*, and *Llantillio Grossenny* to the *Onnen*, in the said Parish of *Llantillio Grossenny*, where it meers or communicates with the *Monmouth* Turnpike Road, and from the *Beaufort Arms Inn* in the Village of *Ragland*, and from *Tregare* Parish Church, through the said Parishes of *Ragland*, *Tregare* and *Bringwin*, the Hamlet of *Clytha*, the Parishes of *Llanarth*, *Llansaintfraed*, *Llanvihangel juxta Usk*, *Llangattock juxta Usk*, and the Hamlet of *Hardwick* to the Town of *Abergavenny*, and the High Road from the said Town of *Abergavenny*, through the Parishes of *Abergavenny* of *Llantillio Pertholey citra*, *Llanthewy Rytherch*, to *Coedmorgan*, and the High Road from *Abergavenny* aforesaid, through the Parishes of *Llanfoist* and *Llanellen* to *Llanellen Bridge*, and from *Abergavenny* aforesaid, through the several Parishes of *Llanfoist*, *Llanellen*, *Llanover* and *Llanwenarth*, to *Blanenavon* Iron Works, and from *Abergavenny* aforesaid, through the Parishes of *Llanfoist*, *Llanwenarth ultra*, *Llanelly* and *Llangattock Crickhowell*, in the County of *Brecon*, unto the Coal Pits and Lime Kilns in the said Parishes, and also the Road leading from and out of the Turnpike Road between *Monmouth* and *Abergavenny*, in the Parish of *Llanvihangel juxta Usk*, to communicate with the Turnpike Road leading from *Abergavenny* to *Pontypool*, in the Parish of *Goytrey*, through the said Parish of *Llanvihangel juxta Usk*, over a Bridge across the River *Usk*, called *Llanvihangel juxta Usk Bridge*, and through the several Parishes of *Llanvair Kilgedin*, *Llanover* and *Goytrey*, in the said County of *Monmouth*, and also the Road leading from and out of the Turnpike Road between *Abergavenny* and *Ragland*, at or near a House known by the Name of the *White Swan*, in the Parish of *Llanarth*, in the County of *Monmouth* aforesaid, through the several Parishes of *Llanarth* and *Llantillio Grossenny*, to join another Turnpike Road leading from *Abergavenny* to *Monmouth*, at or near *Kellwch Farm*, in the said Parish of *Llantillio Grossenny*, commonly called the Fourteen Mile Road; and also the Road leading from the present Turnpike Road, at or near the Village of *Govilon*, in the Parish of *Llanwenarth ultra*, in the said County of *Monmouth*, to join and communicate with a Turnpike Road leading from *Merthyr Tidvill*, in the County of *Glamorgan*, towards the said Town of *Abergavenny*, through the Parishes of *Llanelly* and *Llangattock Crickhowell*, in the County of *Brecon*, and the several Parishes of *Llanwenarth ultra*, *Aberystruth* and *Bedwelty*, in the County of *Monmouth*; and also a Road leading from and out of the Road leading from the said Village of *Govilon*, to the said Town of *Abergavenny*, to join the Road leading from *Abergavenny* Bridge to the Village of *Llanellen*, through the Parish of *Llanfoist*, in the County of *Monmouth*.

Act described.

IV. And

The Roads opened or shut up under former Acts so to remain.

IV. And be it further enacted, That all Roads made, opened, widened, diverted, shut up or discontinued under or by virtue of the Powers and Provisions of the said Act, within the sixth District, any or either of them shall remain and continue open, widened, diverted, shut up and discontinued, in such and in the same Manner as at the Time of passing this Act, and that the Trustees under this Act shall be discharged from the Care and Management of all Roads except those hereinbefore specified and described.

Trustees.

V. And be it further enacted, That the Right Honorable *Henry Somerset*, commonly called the Marquis of *Worcester*, the Right Honorable *Ralph Neville*, commonly called Lord Viscount *Neville*, the Right Honorable *Arthur John Henry Somerset*, commonly called Lord *Arthur Somerset*, *Matthew Adean*, *John Allpress*, *Joseph Austin*, *Joseph Pomfray Austin*, *William Baghold*, *Lutley Barneby*, *William Fleetwood Berry*, *John Barnard Bosanquet*, *Francis Chambre*, *Christopher Chambre*, *Thomas Cooke* of *Goytrey*, *Charles Cracroft*, *Charles Watkins Cracroft*, *Robert Cracroft*, *William Curre*, *William Charles* Clerk, *Richard Davies* of *Court y Gollen* Clerk; Colonel *Richard Davies*, *George Augustus Davies*, *Christopher Davies*, *James Barnard Davies* Clerk, *Barnard Davies*, *Thomas Davies* of *Llanvetherine*, *David Davies* of *Llangattock Crickhowell*, *Thomas Frognell Dibdin* Clerk, *Roger Davies* Clerk, *Thomas Ellis*, *John Cornwell Ellis*, *Evan Evans* of *Llanelly*, Sir *Samuel Fludyer* Baronet, *Richard Fothergill*, *William Foreman*, *Edward Frere*, *Fredrick Fredricks*, *Baker Gabb*, *Baker Gabb* Junior, *John Gabb*, *James Ashe Gabb*, *James George*, *John George* Clerk, *Theophilus Gilbert*, *James Gilbert* of *Llancillow*, *William Greenly*, *William Grieve*, Sir *John Edward Harrington* Baronet, *Benjamin Hall* Barrister at Law, *Thomas Hill* of *Blaneavon*, *Thomas Hill* Junior, *Samuel Hopkins*, *George Hassell*, *Richard Somers Harford*, *John Harford*, *Samuel Homfray*, *Charles Herbert*, *John Harris* of *Govilon*, *John Harris* Junior, *Arthur Harris* of *Abergavenny*, *John Harris* of *Llanthevy Skirrid*. *Cornelius Harris*, *Edward Harris* of *Llantillio Grossenny*, *Edward Harris* Junior of the same Place, *Robert Hughes* of *Coedmorgan*, *William Hughes* of *Treadam*, *James Hughes* of *Grosmont*, *Thomas Hughes*, *John Jones* of *Llanarth Court*, *John Jones* Junior, *William Jones* of *Llanellen*, *Theophilus Jones* of *Llantillio Pertholey*, *John Theodosius Jones*, Clerk; *Theophilus Jones* of *Brecon*, *James Jones* of *Graig*, *Thomas Jones* Attorney at Law, *Thomas Jones* Farmer, *Edward Kendale*, *William Morgan Kinsey*, *John Leonard Knapp*, *Hugh Lawton*, *Joseph Latham*, *Capel Leigh*, *Richard Lee*, *Richard Lewis* of *Llantillio*, *Richard Lucas* Clerk, *Thomas Lewis* Surgeon, *Charles Lloyd* of *Llangattock Lingoed*, Sir *Charles Morgan* Baronet, *William Morgan* of *Mamhilad*, *Thomas Morgan* of *Hillhouse*, *David Morgan* of *Bryngwin*, *Matthew Monkhouse* Clerk, *William Morgan* Clerk, Rector of *Llanwenarth*, *William Morgan* of *Llanvihangel Crucorney* Clerk, *William Morgan* of *Pont Kemeys*, *Samuel Jones Morgan* of *Newport*, *Philip Morgan* of *the Hill*, *William Morgan* of *Clytha*, *John Morgan* of *Abergavenny* Currier, *John Owen*, *Lewis Osborne*, *Hugh Powell* of *Llanvihangel Court*, *Walter Powell* of *Brecon*, *John Powell* of *Llanellen*, *William Partridge*, *William Powell* Clerk, Vicar of *Abergavenny*, *Charles Powell* of *Whitehouse* Clerk, *Henry Thomas Payne* Clerk, Sir *Henry Prothero*, *John Powell*, *John Price* of *Abergavenny*, *Moses Price*, *William Roberts* Clerk, *Jeremiah Rosher*, *John Rolls*, *Thomas Swinnerton*, *John Sparrow*, *Frederick Samuel Secretan*, *Frederick Secretan*, *Richard Philip Scudamore*,

Scudamore, *John Walwyn Lucy Scudamore*, *John Sherborne*, Sir *Robert Saluſbury* Baronet, *Thelwall Saluſbury* Clerk, *Thomas Turner* Eſquire, *William Walwyn Trumper* of *Groſmont*, *John Hanbury Williams*, *Capel Hanbury Williams*, *George Hanbury Williams*, *William Ferdinand Hanbury Williams*, *Richard Williams*, *Benjamin Waddington*, *Walter Wilkins*, *John Williams* of *Staunton* Clerk, *Francis Woodcock* Clerk, *John Williams* of *Abergavenny*, *Lewis Williams* of the ſame, *John Williams* of *Treſaiſon*, *John Wilſon* of *Abergavenny*, *William Wiſcham*, *William Wiſcham* Junior, *John Wiſcham*, *William Williams* of *Mamhilad*, *William Williams* of *Abergavenny* Miller, *Oſborne Yeates*, *William Yarworth*, and their Succeſſors, to be elected in Manner hereinafter mentioned, ſhall be and they are hereby appointed Truſtees for completing, diverting, widening, improving, repairing and keeping in Repair the ſaid ſeveral Roads hereinbefore mentioned and deſcribed, and for otherwiſe putting this Act into Execution.

Power to chooſe new Truſtees.

VI. And be it further enacted, That in caſe any of the Truſtees named in or to be appointed by virtue of this Act, ſhall die, refuſe or decline to act for Three ſucceſſive Years, being reſident in one or other of the Pariſhes or Hamlets hereinafter mentioned, it ſhall be lawful for any Seven or more of the ſurviving or remaining Truſtees, by Writing under their Hands (at any Meeting, whereof at leaſt Seven Days Notice ſhall have been given upon all the Toll Gates erected or to be erected upon the ſaid Roads, ſpecifying that an Appointment of new Truſtees is intended to be made at ſuch Meeting,) to nominate and appoint ſome other Perſon to be a Truſtee in the Room of ſuch Truſtee ſo dying, or refuſing, or declining to act, being reſident as aforeſaid; and every Perſon ſo nominated and appointed (being qualified as by this Act is required) ſhall have the like Power and Authority to act as a Truſtee in the Execution of this Act, in as large, full and ample a Manner as the Truſtees hereby appointed.

Qualification.

VII. And be it further enacted, That no Perſon whatever ſhall be capable of acting as a Truſtee in the Execution of this Act, unleſs he ſhall be poſſeſſed of an Eſtate in Lands, Tenements and Hereditaments in the Pariſhes or Hamlets of *Abergavenny*, *Llantillio Pertholey citra*, *Llantillio Pertholey ultra*, *Llanthewy Rytherch*, *Llanvapley*, *Llantillio Groſſenny*, *Penroſe*, *Hardwick*, *Llangattock juxta Uſk*, *Llanvihangel juxta Uſk*, *Llanſaintfraed*, *Llanarth*, Hamlet of *Clytha*, *Bryngwin*, *Tregare*, *Ragland*, *Llanellen*, *Llanover*, *Goytrey*, *Mamhilad*, *Llanvair Kilgeain*, *Llanfoiſt*, *Llanwenarth ultra*, *Aberyſtruth*, *Bedwelty*, *Llanwenarth citra*, *Lloyndee*, *Llanvihangel Crucorney*, *Penbiddel*, *Groſmont*, *Llangua*, *Llanthewy Skirrid*, *Llanvetherine*, *Llanelly* and *Llangattock Crickhowell*, or one of them, of the clear yearly Value of Eighty Pounds above Repriſes, or poſſeſſed of an Eſtate in Lands, Tenements and Hereditaments, in the Counties of *Monmouth* and *Brecon*, or either of them, of the clear yearly Value of Eighty Pounds above Repriſes, provided a Part or Portion of ſuch Eſtate of the clear yearly Value of Forty Pounds above Repriſes, be ſituate, lying and being in the Pariſhes and Hamlets before mentioned, or one of them, or poſſeſſed of or entitled to a perſonal Eſtate to the Amount or Value of One thouſand ſix hundred Pounds over and above Payment of his Debts, provided ſuch Perſon claiming to act under the two laſt-mentioned Qualifications be reſident within one or other of the

Parishes or Hamlets before-mentioned, or unless such Person shall be Heir apparent to a Person possessed of an Estate in Lands, Tenements or Hereditaments of the clear yearly Value of One hundred and sixty Pounds above Reprises, in the Parishes aforesaid, or one of them; and unless such Person so qualified as aforesaid shall take an Oath in the Words, or to the Effect following; that is to say,

Oath.

'I A. B. do swear, that I truly and *bonâ fide* am in my own Right [*or in the Right of my Wife*] in the actual Possession and Enjoyment [*or Receipt*] of the Rents and Profits of Lands, Tenements and Hereditaments of the clear yearly Value of Eighty Pounds, in the Parishes of (*here insert the before-mentioned Parishes*) or one of them; or that I am in my own Right [*or in Right of my Wife*] in the actual Possession or Enjoyment [*or Receipt*] of the Rents and Profits of Lands, Tenements and Hereditaments of the clear yearly Value of Eighty Pounds, in the Counties of *Monmouth* and *Brecon*, or one of them, a Portion of Part of which said Lands, Tenements and Hereditaments, of the clear yearly Value of Forty Pounds, is situate, lying and being in the Parishes and Hamlets aforesaid, or one of them, and that I am resident in the Parish of [*one of the Parishes before-mentioned*] or that I am Heir apparent to a Person possessed of an Estate in Lands, Tenements or Hereditaments of the clear yearly Value of One hundred and sixty Pounds above Reprises, in the Parishes of (*same Parishes*) or one of them, or that I am possessed of or entitled to a personal Estate alone of the Value of One thousand six hundred Pounds, over and above Payment of my Debts, and that I am resident in the Parish of [*one of the Parishes before-mentioned*] So help me GOD!'

Penalty on acting if not qualified.

And if any Person hereby deemed incapable to act, shall presume to act in the Execution of this Act, every such Person shall for every such Offence forfeit and pay the Sum of Fifty Pounds, to any Person or Persons who shall inform or sue for the same, to be recovered in any of His Majesty's Courts of Record at *Westminster*, or elsewhere, by Action of Debt or on the Case, wherein no Essoign, Protection or Wager of Law, or more than one Imparlance, shall be allowed; and the Person so prosecuted shall prove that he is qualified, or otherwise shall pay the said Penalty, without any other Proof or Evidence on the Part of the Prosecutor, than that such Person hath acted as a Trustee in the Execution of this Act; and no Trustee shall be capable of acting in the Execution of any of the Powers hereby granted, during the Time in which he shall hold any Place of Profit under this Act, or in any case where he shall be personally interested, nor shall any Victualler or Retailer of Ale, Beer, or Spirituous Liquors, or any menial Servant of any Trustee, be capable of acting as a Trustee, or of holding any Place of Profit under this Act.

No interested Trustee or Victualler to act, or any menial Servant of a Trustee to hold a Place of Profit.

Act of unqualified Trustees before Conviction to remain valid.

VIII. Provided always, and be it further enacted, That all Acts which shall have been done by any such Person touching the Execution of this Act, previous to his being convicted of the Offence before mentioned, shall notwithstanding such Conviction be as valid and effectual as if such Person had been qualified to act according to the Directions of this Act.

IX. And

Trustees may sue and be sued in the Name of their Treasurer or Clerk.

IX. And be it further enacted, That the said Trustees may sue and be sued for or concerning any Thing to be done by virtue or in pursuance of this Act, in the Name of their Treasurer or Clerk for the Time being; and that no Action, Suit or Indictment, to be brought, preferred, prosecuted or commenced by the Direction of or against the said Trustees by virtue of this Act, in the Name of their Treasurer or Clerk, shall abate or be discontinued by the Death or Removal of any such Treasurer or Clerk, nor by the Act of such Treasurer or Clerk, without the Consent of the said Trustees, or any Five or more of them at a Meeting to be held in pursuance of this Act, but that the Treasurer or Clerk for the Time being, to the said Trustees, shall be deemed to be the Plaintiff, Prosecutor or Defendant (as the Case may be) in every such Action, Suit or Indictment: Provided always, That every such Treasurer or Clerk, in whose Name any Action, Suit or Indictment shall be commenced, prosecuted or defended in pursuance of this Act, shall be fully indemnified, re-imbursed and paid out of the first Monies to arise by virtue of this Act, all such Costs, Damages and Expences as by the Event, or in consequence of any such Action or Proceedings, he shall pay, bear, expend or be put unto, or become chargeable with, by reason of his being so made Plaintiff, Prosecutor or Defendant as aforesaid.

Treasurer or Clerk to be reimbursed all Expences.

First Meeting of Trustees.

X. And be it further enacted, That the said Trustees, or any Five or more of them, shall meet at the *King's Head Inn*, in the Town of *Abergavenny*, or at some other convenient House or Place in the said Town on the Second *Monday* in the Month next after 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 then and there proceed to the Execution of this Act, and shall from Time to Time, by Entry in Writing in the Book of Proceedings, adjourn their Meetings to be held between the said Hours of Eleven and Two, at the same or such other Place within one or other of the Parishes or Hamlets aforesaid, and on such Days as shall be named in such Entry of Adjournment: Provided always, That in case there shall not appear at the Time and Place, and within the Hours appointed for a Meeting of the Trustees for putting this Act into Execution, a sufficient Number of Trustees to proceed to Business, it shall be lawful for the Trustee or Trustees present to adjourn the Meeting, or in case no Trustee shall be present, then and in either of the said Cases it shall be lawful for the Clerk or Treasurer to the said Trustees for the Time being, by a Notice in Writing to be affixed on all the Turnpikes or Tolls Gates erected upon the said Roads, and inserted in some Newspaper circulated in the County of *Monmouth*, at least Seven Days before the next Meeting, to appoint them to meet at the same Place where the last Meeting was held, or was appointed to have been held, on such future Day as shall be specified in such Notice, not exceeding Four Weeks after the Day on which such last Meeting was held or was to have been held as aforesaid; and in case such Clerk or Treasurer respectively shall refuse or neglect to give Notice, or shall by any Means be prevented from giving Notice as aforesaid, it shall be lawful for any Three of the said Trustees, although not assembled at a Meeting, at any Time or Times after such Refusal, Neglect or Prevention respectively as aforesaid, by Notice in Writing under their Hands to be

Power to adjourn.

be affixed and inserted in Manner aforesaid, to appoint the Trustees to meet at the said *King's Head Inn*, or at some other convenient House on or near to the said Roads, upon some convenient Day within Four Weeks next after the Date of such last-mentioned Notice.

Meetings on Emergencies.

XI. And be it further enacted, That if, after any Adjournment of any Meeting of the said Trustees, it shall be thought necessary that an earlier Day of Meeting should be appointed than the Day appointed by such Adjournment, in that Case the Clerk or Clerks to the said Trustees, upon an Order in Writing, signed by Three or more of the acting Trustees, mentioning the Time, Place and Purpose of such Meeting, shall forthwith give Notice thereof in the Manner before directed, and of the Time and Place which shall be mentioned in the Order of the said Trustees (such Time not being less than Nine Days after such Notice); and such earlier Meeting shall and may be held accordingly, and all the Proceedings of the Trustees at all such Meetings shall be as valid and effectual as they would have been in case such Meetings had been held in pursuance of Adjournment.

The Majority of Trustees assembled to concur in all Orders.

Trustees being Justices of the Peace may act as such.

XII. And be it further enacted, That all the Orders and Determinations of the said Trustees shall be made at Meetings to be held in pursuance of this Act and not otherwise (except as herein mentioned), and no Order or Determination shall be made, unless the major Part of the Trustees present at any Meeting shall concur therein: and all such Trustees as are or may be Justices of the Peace may act as Justices in the Execution of this Act, notwithstanding their being Trustees, except only in such Cases where they shall be personally interested.

How Orders of Trustees to be revoked or altered.

XIII. Provided always, and be it further enacted, That no Order which shall be made by any Five or more of the said Trustees under the Powers of this Act shall be revoked or altered, unless the Number of the Trustees revoking or altering the same shall consist of Eleven at least, and unless the Person or Persons applying, or intending to move, to have such Order revoked or altered shall, One Calendar Month at least, before such Application or Motion, give Notice thereof in Writing to the Clerk to the said Trustees, who, within One Week after the Receipt of such Notice, shall cause true Copies thereof to be delivered to each of the Trustees who made the said Order, and to be affixed on the Front Wall of the Market Place in the Town of *Abergavenny*, and upon all the Toll Gates then erected upon the said Roads.

Proceedings to be entered in a Book and signed.

XIV. And be it further enacted, That all Orders and Proceedings of the said Trustees shall be entered in a Book or Books to be kept for that Purpose, and such Orders and Proceedings so entered shall be signed by the Trustees making the same, or the major Part of them; which said Book or Books, and also the Books hereinafter directed to be kept for registering Mortgages and Assignments of the Tolls, or Transcripts thereof so signed by the said Trustees, shall and may be read in Evidence in Cases of Appeal, and in all Suits or Actions touching any Thing done or to be done by virtue or in pursuance of this Act.

Old Officers to continue

XV. And be it further enacted, That each and every Treasurer, Clerk, Collector of the Tolls, Surveyor, or other Officer or Officers nominated and

and appointed under or by virtue of the said Act, for the said Sixth Dis- till others are
trict, or any or either of them, shall hold and enjoy their several and appointed.
respective Offices and Employments until he or they shall be removed therefrom respectively by the said Trustees; and each and every such Treasurer, Clerk, Collector, or other Officer and Officers, shall have the like Powers and Authorities for carrying this Act into Execution, and shall be subject and liable to the like Pains and Penalties, and to the like Powers of Removal, and to the like Rules and Regulations in all respects whatsoever, as if he and they had been nominated and appointed under or by virtue of this Act.

XVI. And be it further enacted, That the said Trustees, or any Seven Trustees may
or more of them, at their First or any subsequent Meeting as Occasion appoint Of-
shall require, may by Writing under their Hands elect and appoint a ficers,
Clerk or Clerks, and a Treasurer or Treasurers, Receiver or Receivers, Collector or Collectors of such Money as shall arise or may be due and payable by virtue of this Act, and also a Surveyor or Surveyors, and all such other Officers as they the said Trustees, or any Seven or more of them, shall think necessary and proper to be employed in the Execution of the Powers of this Act; and also may remove from Time to Time all such and remove
Clerks, Treasurers, Collectors, Receivers, Surveyors or other Officers, them.
or any of them, as they the said Trustees, or any Seven or more of them, shall see occasion, and the said Trustees, or any Seven or more of them, shall and may, out of the Money to be raised or received by virtue of this Act, make such Allowance unto the Clerks, Treasurers, Receivers, Collectors, Surveyors, or other Officers so appointed, and to such other Persons as shall be assisting in and about the Execution of this Act, as to them the said Trustees, or any Seven or more of them, shall seem proper; and every Officer and Person who shall be appointed as afore- Officers to
said, shall from Time to Time, when thereunto required by the said account,
Trustees, or any Seven or more of them, by Writing under their Hands, make out and deliver to such Trustees, or to such Person or Persons as they, or any Seven or more of them, shall for that Purpose appoint, a true and perfect Account in Writing under his or her Hand, of all Monies which shall have been by him or her had, collected or received, and how, and to whom, and for what Purpose the same and every Part thereof hath been disposed of, together with the Vouchers and Receipts for such Payments, and shall verify such Accounts upon Oath, if thereunto required by the said Trustees, or any Seven or more of them, (which Oath the said Trustees, or any One of them, are or is hereby empowered to administer,) and every such Officer or Person shall and is hereby required to pay all such Monies as upon the Balance of such Account shall appear to be owing from him or her to such Person or Persons as the said Trustees, or any Seven or more of them, shall appoint to receive the same; and if any such Of- or be
ficer or Person shall refuse or neglect to render and deliver such Ac- punished
count as aforesaid, or to produce and deliver up the Vouchers and Receipts relating to the same, or to verify the Articles thereof upon Oath, or to pay the Balance thereof when thereto required in Manner aforesaid, or shall refuse or neglect to deliver up to the said Trustees, or any Seven or more of them, or to such Person or Persons as they or any Seven or more of them shall appoint, within Seven Days after being

thereunto required by the said Trustees, or any Seven or more of them, or by such other Person or Persons, all Books, Papers, and Writings in his or her Custody or Power, relating to the Execution of this Act, then and in every such Case, Complaint being made thereof by the said Trustees, or any Seven or more of them, or by any Person or Persons on their Behalf, of any such Neglect or Refusal, to any Justice of the Peace for the County or Place where the Officer or Person so neglecting or refusing shall live or reside, such Justice may and he is hereby authorized and required, by Warrant under his Hand and Seal, to cause such Officer or Person to be brought before him, and upon his or her appearing, or not being to be found, to hear and determine the Matter of such Complaint in a summary Way, and to settle the said Account, if produced in such Manner as the said Trustees, or any Seven or more of them, might have done; and if upon the Confession of the Officer or Person against whom such Complaint shall be made, or by the Oath or Oaths of any credible Witness or Witnesses, it shall appear to such Justice, that any of the Monies which shall have been collected or received shall be in the Hands of or owing from such Officer or Person, such Justice may and he is hereby authorized and empowered, upon Non-payment thereof, by Warrant under his Hand and Seal, to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Officer or Person respectively; and if no Goods or Chattels can be found sufficient to answer and satisfy the said Monies, and the Charges of taking and making such Distress, and of selling the same, or if such Officer or Person shall not appear before the said Justice at the Time and Place appointed for that Purpose, or if appearing shall refuse or neglect to make out and deliver to the said Justice such Account in Writing as aforesaid, or to verify the same on Oath as aforesaid, (if so required by the said Justice,) or to produce, and deliver up to the said Justice the several Vouchers and Receipts relating to such Account, or to deliver up as aforesaid all such Books, Papers, and Writings as aforesaid, then and in any of the Cases aforesaid the said Justice may and he is hereby authorized and required, by Warrant under his Hand and Seal, to commit such Officer or Person to the Common Gaol or House of Correction of the County or Place where he or she shall live or reside, there to remain without Bail or Mainprize until he or she shall have delivered in and settled such Account, and have verified the same upon Oath as aforesaid, and shall have delivered up the Vouchers and Receipts relating thereto, and shall have paid all the Money which shall appear to be in the Hands of or owing from him or her, and the reasonable Charges of such Distress and Sale, if any, as shall in that respect have been made, or until he or she shall have compounded with the said Trustees, or any Seven or more of them, for such Money and Charges, and paid the Composition Money to the said Trustees, or any Seven or more of them, or to such Person or Persons as they shall appoint to receive the same, and which Composition the said Trustees, or any Seven or more of them, are hereby empowered to make, and shall have delivered up as aforesaid all such Books, Papers and Writings as aforesaid, or have given Satisfaction in respect thereof to the said Trustees, or any Seven or more of them: Provided always, that no Person who shall be committed for want of sufficient Distress, shall be detained in Prison for any longer Space of Time than Six Calendar Months.

XVII. And

XVII. And be it further enacted, That the said Truſtees, or any Five or more of them, ſhall, and they are hereby authorized, directed and required to take ſuch Security from the Treaſurer or Treaſurers to be appointed for the Purpoſes of this Act, for the due Execution of his and their Office and Offices, as to the ſaid Truſtees, or any Five or more of them, ſhall ſeem meet. Treaſurer to give Security.

XVIII. And be it further enacted, That when and as often as any Collector or Receiver of the Tolls by this Act granted, ſhall neglect to perform, or be incapable of performing his Duty, or ſhall abſcond or abſent himſelf, any Two or more of the ſaid Truſtees, though not aſſembled at a Meeting of the ſaid Truſtees appointed by virtue of this Act, may diſcharge ſuch Collector or Receiver ſo neglecting or being incapable of performing his Duty, or abſconding or abſenting himſelf; and in ſuch Caſe, and alſo in Caſe any ſuch Collector or Receiver of the Tolls ſhall die, the ſaid Truſtees, or any Two or more of them, ſhall and may nominate and appoint a proper Perſon to be a Collector or Receiver of the ſaid Tolls, to continue until the next Meeting of the ſaid Truſtees, in the Stead of ſuch Collector or Receiver who ſhall ſo die or be diſcharged; and ſuch Perſon ſo nominated and appointed ſhall have the like Power and Authority, and be anſwerable and accountable in the ſame Manner in all reſpects, as the Perſon who ſhall ſo die or be diſcharged would have had, or would have been ſubject to; and if any Collector or Receiver of the ſaid Tolls, who ſhall be diſcharged from his Office by virtue of this Act, or the Wife or Widow, or any of the Children, Family, or other Repreſentative or Repreſentatives of any Collector or Receiver who ſhall die or be diſcharged, or any other Perſon, ſhall refuſe to deliver up the Poſſeſſion of any Toll-Gate or Toll Houſe, or any of the Appurtenances thereof, for the Space of Seven Days next after Demand thereof made, and Notice in Writing given for that Purpoſe, by any Two or more of the ſaid Truſtees, (although not aſſembled at any Meeting,) or by their Clerk or Treaſurer for the Time being, then and in any of the ſaid Caſes it ſhall be lawful for any Juſtice or Juſtices of the Peace for the County in which the ſame ſhall be ſituate, by Warrant under his or their Hand and Seal, or Hands and Seals, to order any Conſtable or other Peace Officer, with ſuch Aſſiſtance as ſhall be neceſſary, to enter ſuch Houſe and Appurtenances in the Day-time, and to remove the Perſon or Perſons who ſhall be found therein, or in Poſſeſſion of the ſaid Gate, together with his, her or their Goods, out of and from the ſame, and to put the ſaid Truſtees, or any One of them, or ſuch new appointed Collector or Receiver, into the Poſſeſſion of ſuch Toll Gate, Toll Houſe, and Appurtenances. Truſtees may appoint temporary Collectors.

XIX. And be it further enacted, That the ſaid Truſtees, or any Five or more of them, ſhall and may, as they ſhall think proper, continue or remove all or any of the Toll Gates, Bars, or Chains erected by virtue of the ſaid recited Act within the ſaid Sixth Diſtrict, and may erect and ſet up, or cauſe to be erected and ſet up, any other Toll Gate or Gates, Bar or Bars, Chain or Chains, in, upon or acroſs any Part or Parts of the Roads to be made, amended or repaired by virtue of this Act, and upon the Sides thereof, and alſo acroſs any Lane or Way leading into or out of the ſame, and may alſo continue to erect or provide a Toll Houſe, with ſuitable Outbuildings and Conveniencies, at or near each Toll Gate; and from Time to Time afterwards remove, alter Power to continue and erect Toll Gates, &c.

or

and to remove, discontinue or alter them; and inclose Gardens.

or discontinue such Toll Gates, Bars, Chains, or Toll Houses, or any of them, as they the said Trustees, or any Five or more of them, shall think expedient; and also may take in and inclose from the Side of the said Roads convenient Garden Spots for the Toll Houses respectively, not exceeding One-eighth Part of an Acre to each Toll-House: Provided always, that in case the said Roads near to such Toll-Houses shall be so narrow as not to admit of such One-eighth Part of an Acre to be taken in and inclosed therefrom, that then and in such Case it shall be lawful for the said Trustees, or any Five or more of them, to take in and inclose such One-eighth Part of an Acre from the Lands immediately adjoining such Toll Houses; or in case there shall be by the Sides of such Roads, and near unto such Toll Houses, a less Quantity of Land than One-eighth Part of an Acre, that then and in that Case it shall be lawful for the said Trustees, or any Five or more of them, to take in and inclose from the Lands immediately adjoining such small Quantity of Land so much thereof as, with the Land by the Side of such Road, shall make One-eighth Part of an Acre; and it shall be lawful for the said Trustees, or any Five or more of them, to contract and agree with the Owners of and Persons interested in the Lands from which such One-eighth Part of an Acre, or so much thereof as shall be wanting to make up such One-eighth Part of an Acre, shall be taken in and inclosed, for the Purchase thereof, in such and the same Manner and Form, and under the same Powers, Rules, and Regulations as hereinafter is mentioned with respect to the Purchase of Lands for making, widening, diverting, turning, shortening, varying and altering the Course or Path of any Part of the said Roads.

To prevent evading Payment of Tolls on Commons.

XX. And whereas some Part of the Roads included in this Act lead over Open Wastes and Commons, and the Tolls at Gates in such Situations are liable to be evaded; be it therefore further enacted, That the said Trustees, or any Five or more of them, shall and may cause Fences and Ditches to be made over such Parts of such Wastes and Commons as they shall think necessary in order to prevent Payment of Toll being evaded; and if any Person or Persons shall pull down, or in any wise displace, destroy or carry away any such Fence, or any Part thereof, or shall fill up or injure any such Ditch, or shall pass over or through the same, for the Purpose of evading the Payment of such Tolls, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds: Provided always, that no ancient Road or Highway running across the said Roads shall be stopped up or obstructed; and that no such Fence or Ditch to be made as aforesaid shall extend more than Half a Mile from any Turnpike Gate erected or to be erected under or by virtue of this Act.

Power to take Tolls.

XXI. And be it further enacted, That any Sums of Money not exceeding the following Sums respectively shall be demanded and taken at each and every such Toll Gates, Chains and Bars, from the Owner or Owners of, or Person or Persons riding, driving, using or attending any Horse, Beast, Cattle or Carriage, by such Person or Persons as the said Trustees, or any Five or more of them, shall from Time to Time authorize or appoint for that Purpose, before any such Horse, Beast, Cattle or Carriage, shall be permitted to pass through the same; that is to say,

For

For every Horse, Mare, Gelding, Mule, or other Beast of Burden, laden or unladen, and not drawing, any Sum not exceeding Two-pence, except Horses, Mares, Geldings, Mules or Asses, going for or returning laden only with Lime carried and not drawn, and for each such Horse, Mare, Gelding, Mule or Ass, any Sum not exceeding One Penny: Tolls.

For every Horse, Mare, Gelding, or other Beast drawing any Waggon, Wain, Cart or other such like Carriage, with Wheels of less Breadth than Six Inches, any Sum not exceeding Six-pence; and with Wheels of Six Inches or upwards, any Sum not exceeding Four-pence, except only those going for or returning laden with Lime only:

For every Horse, Mare, Gelding, or other Beast, drawing any Waggon, Wain, Cart, or other such like Carriage going for or returning laden with Lime only, with Wheels of less Breadth than Six Inches, any Sum not exceeding Four-pence Halfpenny; and with Wheels of Six Inches or upwards, any Sum not exceeding Three-pence:

For every Horse, Mare, Gelding, or other Beast drawing any Waggon, Wain, Cart, or any other such like Carriage loaded with Timber, or between the First Day of *November* and the First Day of *March* in every Year, with Wheels of less Breadth than Six Inches, any Sum not exceeding One Shilling; and with Wheels of Six Inches or upwards, any Sum not exceeding Nine-pence:

For every Horse, Mare, Gelding, Mule, or other Beast drawing any Coach, Chariot, Chaise, Landau, Phaeton, Curricle, Gig, Car of Pleasure, or for travelling, or any such like Carriage, any Sum not exceeding Six-pence:

For every Horse, Mare, Gelding, Mule, or other Beast, drawing any small Sledge made entirely of Wood, without any Iron or other Metal, any Sum not exceeding Two-pence:

For every Score of Oxen, or other Neat Cattle, any Sum not exceeding One Shilling and Eight-pence, and for every Score of Calves, Swine, Goats, Sheep or Lambs, any Sum not exceeding Ten-pence; and so in Proportion for any greater or less Number of Oxen or other Neat Cattle, Calves, Swine, Goats, Sheep, or Lambs.

Two Oxen to be considered as one Horse.

Provided always, That in computing the Tolls or Duties to be paid for the passing of any Waggon, Wain, or any other such like Carriage through any of the Gates, Chains, or Poll Bars now erected or to be erected on the said Roads, or any of them, or any Part thereof, Two Oxen drawing any Waggon, Wain, or any other such like Carriage, shall be considered equal to and shall pay only such and the like Sum or Sums of Money as is hereinbefore directed to be taken or received for one Horse so drawing as aforesaid, any Thing herein contained to the contrary notwithstanding: And it shall also be lawful for the said Trustees, or any Seven or more of them at any Meeting to be holden for that Purpose, (whereof One Calendar Month's Notice at the least shall be given in Writing, to be affixed on all the Toll Gates erected on the said Roads, and in some Newspaper circulated in the County of *Monmouth*,) to lessen and reduce, and again to raise and advance the several Tolls hereby authorised to be taken, or any of them, and to order the same to be taken in such Manner, Parts and Proportions as they shall think fit, so that the respective Tolls so raised and advanced never exceed the Rate of Tolls by this Act authorised

Tolls may be reduced.

rised to be taken; and such Tolls so varied, and every of them, shall be collected, recovered, paid and applied in the same Manner as the Tolls hereby authorised to be taken are directed to be collected, recovered, paid and applied; the said several Tolls to commence and take Effect from and after the Twelfth Day of *April* One thousand eight hundred and ten, or from the Second *Monday* in the following Month next after the passing of this Act; and that in the meantime the same and the like Tolls shall be taken and continued at the last-mentioned Gates, Bars and Chains, as shall be taken at the Time of passing this Act.

When commencing

Tolls to be taken but once a Day.

XXII. And be it further enacted, That if any Person shall have paid the Toll by this Act granted for the passing of any Horse, Beast or Cattle, through any Gate or Turnpike erected or to be erected on the said Roads, such Person upon producing a Note or Ticket denoting the Payment of such Toll, shall be permitted to pass through the same Gate or Turnpike, or through any other Gate or Turnpike situated within the Distance of Seven Miles from the Gate or Turnpike where he so paid with the same Horses, Beasts or Cattle, 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 succeeding Night, which Note or Ticket the Collector of the Toll is hereby required to deliver gratis on Receipt of such Toll.

Double Tolls on Sundays.

XXIII. And be it further enacted, That it shall be lawful for the respective Toll Gatherers or Collectors on the said Roads, and they are hereby authorized and empowered on each and every *Sunday*, to be computed from Twelve of the Clock on *Saturday* Night, to Twelve of the Clock on *Sunday* night, in each and every Year during the Continuance of this Act, to demand and take for and in respect of each and every Carriage, Horse, Beast or other Cattle passing through any Gate or Turnpike upon the said Roads or any of them, double the Toll or Sum which may for the Time being be demanded and taken by virtue of this Act, for the same respectively, on any other Day of the Week, before such Carriage, Horse, Beast or other Cattle shall be permitted to pass through any such Gate or Gates, Turnpike or Turnpikes; which said respective Sums of Money hereby authorized to be taken as aforesaid, shall be demanded and taken in the Name of or as Tolls, and shall be and are hereby vested in the said Trustees, and shall be applied as hereinafter is directed; and if any Person subject or liable to the Payment of any of the said Tolls, shall after Demand thereof made, neglect, or refuse to pay the same or any Part or Parts thereof, it shall be lawful for the Person or Persons authorized and appointed as aforesaid, to collect such Tolls by himself or themselves, or taking such Assistance as he or they shall think necessary, to seize and distrain any Horse, Cattle or Carriage, upon or in respect of which such Toll is hereby imposed, together with their respective Bridles, Saddles, Geers, Harness or Accoutrements; and if the Toll or any Part thereof so neglected or refused to be paid, and the reasonable Charges of such Seizure or Distress shall not be paid within the Space of Five Days next after such Seizure or Distress made, the Person or Persons so seizing and distraining, may sell the Horse, Cattle or Carriage so seized and distrained, or a sufficient Part thereof, returning the Overplus of the Money to arise by such Sale, if any, and what shall remain unsold

Tolls vested in Trustees, and Manner of Recovery in case of Nonpayment,

upon

upon Demand, to the Owner thereof, after ſuch Tolls and the reaſonable Charges occaſioned by ſuch Seizure, Diſtreſs and Sale, ſhall be deducted.

Diſputes concerning Tolls how to be ſettled.

XXIV. And be it further enacted, That if any Diſpute ſhall happen about the Amount of Toll due, or the Charges of keeping any Diſtreſs, it ſhall be lawful for the Collector or Perſon diſtraining, to retain the ſame or the Money ariſing from the Sale thereof (as the Caſe may happen) until the Amount of Toll due and the Charges of ſeizing, diſtraining, keeping and ſelling (as the Caſe ſhall happen) ſhall be aſcertained by one or more Juſtice or Juſtices of the Peace, for the County or Place wherein ſuch Diſpute ſhall ariſe, who upon Application made to him or them for that Purpoſe, ſhall examine the ſaid Matter on Oath of the Parties, or other Witneſs or Witneſſes, and determine the Amount of the Toll due, and alſo aſſeſs the Charges of ſuch Seizure, Diſtreſs, Keeping and Sale; and alſo of the Collector's Attendance for that Purpoſe on the ſaid Juſtice or Juſtices; all which Sums ſo determined or aſſeſſed, ſhall be paid to the ſaid Collector or other Perſon, before he ſhall be obliged to return the Diſtreſs or the Overplus after the Sale thereof, or of any Part thereof.

Collectors of Tolls competent Witneſſes.

XXV. And be it further enacted, That in caſe any Diſpute, Suit or Litigation ſhall ariſe touching or in any wiſe relating to the ſaid Tolls, the Perſon or Perſons appointed to collect the ſame, or any other Perſon or Perſons acting by or under the Authority of the ſaid Truſtees, ſhall not be incompetent to give Evidence in any ſuch Diſpute, Suit or Litigation, by reaſon of his, her or their being appointed to collect ſuch Tolls, or by reaſon of his, her or their acting under the Authority of the ſaid Truſtees.

Truſtees may let the Tolls.

XXVI. And be it further enacted, That it ſhall be lawful for the ſaid Truſtees or any Five or more of them (at any Meeting whereof One Calendar Month's Notice ſhall have been given in Writing to be affixed upon all the Toll Gates then erected on the ſaid Roads, and inſerted in ſome Newſpaper circulated in the Neighbourhood of the ſaid Roads), from Time to Time by Writing under their Hands, to demiſe or let to Farm, or agree to demiſe or let to Farm, all or any of the Tolls ariſing by virtue of this Act, for any Term not exceeding Three Years, upon publick Bidding to the higheſt Bidder, and for the beſt Price that can be gotten for the ſame, payable at ſuch Times, to ſuch Perſon or Perſons under ſuch Conditions and Agreements, and with ſuch Sureties for the Payment thereof as the ſaid Truſtees or any Five or more of them ſhall think fit, and the Money ariſing thereby ſhall be applied in ſuch Manner as the Tolls under this Act are directed to be applied, any Thing in any Law or Statute to the contrary thereof notwithſtanding.

Enabling Truſtees to take Poſſeſſion of Toll Houſes, &c. when let to Farm.

XXVII. And be it further enacted, That in caſe all or any of the Tolls ariſing by virtue of this Act ſhall be demiſed or let to Farm to any Perſon or Perſons in any Manner whatſoever; and the Leſſee or Leſſees, Farmer or Farmers thereof, ſhall neglect or refuſe to perform the Terms and Conditions on which the ſame ſhall be ſo demiſed or let, or in caſe the Rent or Rents agreed to be paid by ſuch Leſſee or Leſſees, Farmer or Farmers, ſhall be in Arrear by the Space of Fourteen Days next after any

any of the Days on which the same ought to be paid, pursuant to the Agreement for demising or letting thereof, then and in either of those Cases the said Trustees, or any Five or more of them, or their Clerk or Treasurer, or any other Person authorized by Writing under the Hands of any Five or more of them, shall be at liberty, and they are hereby authorized to enter upon and take Possession of any Toll House or Toll Houses, and the Buildings, Gates and Appurtenances thereto belonging, and to remove and put out such Lessee or Lessees, Farmer or Farmers of the Tolls arising thereat respectively, from the Possession thereof, and from the Collection of such Tolls, and that thereupon it shall be lawful for the said Trustees, or any Five or more of them (if they shall think fit) to vacate and determine the Contract or Agreement for demising or letting the said Tolls to such Lessee or Lessees, Farmer or Farmers, and the same shall be utterly void to all Intents and Purposes, (save as to the Obligations, Covenants or Agreements, for Payment of the Rent or Rents thereby reserved, or other unperformed or broken Obligations, Covenants or Agreements on the Lessees Part), as if such Demise or Agreement had never been made; and it shall be lawful for the said Trustees, or any Five or more of them, in every such Case to demise or let to Farm the said Tolls again to any other Person or Persons, or cause them to be collected in such and the same Manner as if no former Demise, Contract or Agreement had been made relative thereto.

Preventing Evasion of Tolls on a certain Part of the Road.

XXVIII. And whereas the Tolls hereby authorized to be taken, may be evaded by Persons passing over the Commons and Wastes in that Part of the Road leading from *Abergavenny* to *Rhyd-y-blew*, which lies between a certain Brook called *Cwm Nant Melin*, in the Parish of *Llanelly*, in the County of *Brecon*, and *Rhyd-y-blew* aforesaid: Be it therefore enacted, That the Tolls hereinbefore authorized to be taken, shall and may be demanded and taken once only at any Gate or Gates erected or to be erected on or across the said Part of the said Road, without reference or regard to the Distance of such Gate from any other Gate or Gates within the said District, so as the said Tolls be demanded and taken Once only, and no more, in any One Day, for or in respect of any Horse, Beast, Cattle or Carriage passing along the said Road between *Cwm Nant Melin* and *Rhyd-y-blew*, and Once between *Cwm Nant Melin* and *Abergavenny*.

General Exemption from Tolls.

Mails.

Soldiers.

XXIX. And be it further enacted, That none of the Tolls hereby authorized to be taken, shall be demanded, taken or received at any of the Toll Gates erected or to be erected or continued upon the said Roads, for any Horses, Cattle or Carriages of whatsoever Description, employed or to be employed in conveying the Mails of Letters and Expresses, under the Authority of His Majesty's Post Master General, either when employed in conveying, fetching or guarding such Mails or Expresses, or in returning therefrom; nor for the Horses belonging to any Officers or Soldiers on their March or on Duty; nor for any Horses, Cattle or Carriages employed in carrying or conveying the Arms or Baggage of any such Officers or Soldiers, or in carrying any sick, wounded or disabled Officers or Soldiers, nor for any Waggon, Wain, Cart or other Carriage whatsoever, or the Horse or Horses, or other Cattle drawing the same, which shall be employed in conveying any Ordnance, Barrack or Commissariat, or other public Stores of or belonging to His Majesty,

or

or for the Use of His Majesty's Forces; nor from any Rector, Vicar or Curate going to or returning from his own Parish Church, or other place of Divine Worship, or visiting his sick Parishioners; nor from any Person or Persons going to or returning from his or their Parochial Church, Chapel or other usual Place of Religious Worship on *Sundays*, or on any other Day on which Divine Worship is or shall be ordered by Authority to be celebrated; or attending the Funeral of any Person or Persons who shall die and be buried in any Parish, Hamlet or Place, through which any Part of the said Road lies; nor for any Horses, Beasts, Cattle or Carriages used or employed for the Purpose only of carrying and conveying Persons to or from any Election of a Knight or Knights of the Shire to serve in Parliament, for either of the Counties of *Monmouth* and *Brecon*; or for carrying or conveying Vagrants sent by legal Passes, or for carrying or conveying any Person or Persons committed to the County Gaols of *Monmouth* and *Brecon*, or either of them, for Felony, Larceny or any other Breach of the Peace, or for carrying or conveying Hay, Straw or Corn in the Straw, or hedging Stuff, for the Use of the Owner, and not for Sale or purchased; or for carrying and conveying any Dung, Mould, Manure or Compost, other than Lime to be used only for manuring of Land, or going or returning empty in that Employment; nor for any Horses, Beasts or Cattle employed in carrying or conveying or going to carry and convey, or returning from carrying or conveying, having been employed only in carrying or conveying any Plough, Harrow or other Implements of Husbandry, unless the Carriage bearing any such Plough, Harrow or other Implements of Husbandry, be also laden with any other Thing not hereby intended to be exempted from the Payment of Toll; nor for any Horse, Beast or Cattle passing to or repassing from Water or Pasture, not beyond the Distance of Two Miles, and for either of those Purposes going or passing only from one Parish into the next adjoining Parish, and not travelling more than Two Miles along the said Roads; nor for any Horse, Beast or other Cattle when going to or returning from being shoed or farried; nor for any Horse, Beast or Cattle used or employed for the Purpose only of carrying or conveying Materials for the making or repairing any Highway or public Road within any such Parish, Hamlet or Place as aforesaid; or for rebuilding, building or repairing any present or future Bridge or Bridges on the said Roads; nor for any Horse, Beast, Cattle or Carriage which shall cross the said Roads only, or shall not pass more than One hundred Yards thereon; nor for any Horse, Mare or Gelding furnished by or for any Person belonging to any Corps of Yeomanry or Volunteer Cavalry, and rode by him in going to or returning from any Place appointed for Exercise, Inspection or Review, provided that such Person shall be dressed in the Uniform of his Corps, and have his Arms, Furniture and Accoutrements, according to the Regulations appointed by such Corps at the Time of claiming the Exemption; and if any Person shall claim and take the Benefit of any Exemption in this Act contained or provided for, not being entitled to the same, every such Person shall for every such Offence, forfeit and pay any Sum not exceeding Five Pounds, and in all Cases the Proof of Exemption shall lie upon the Person claiming the same.

Rectors and Vicars, &c.

Parishioners attending Church, or usual Place of Worship.

Funerals.

Elections.

Vagrants.

Persons convicted of Felony, &c.

Hay, &c. the Property of the Grower.

Dung, &c. except Lime.

Horses, &c. employed in Husbandry.

Horses, &c. to or from Water or Pasture not beyond Two Miles.

Going to and returning from being shoed or farried.

Materials for repairing &c. Bridges under this Trust.

Not passing 100 Yards.

Volunteers.

Penalty on fraudulently taking Benefit of Exemption.

XXX. And be it further enacted, That no Person owning or driving, or causing to be driven, any Waggon, Wain, Cart, or other Carriage provided

Owners or Drivers of Waggons

conveying Military Stores not subject to Penalties for Overweight.

vided for the Service of His Majesty's Forces, or conveying any Ordnance, Barrack, or Commissariat, or other public Stores, of or belonging to His Majesty, or for the Use of His Majesty's Forces, and nothing else, shall be subject to any Penalty or Forfeiture for Overweight; nor shall any such Waggon, Wain, Cart, or other Carriage be stopped or detained by reason of any Weight in any such Waggon, Wain, Cart or other Carriage, or of being drawn by any Number of Horses or Oxen, but it shall be lawful for any Owner or Driver of any such Waggon, Wain, Cart, or other Carriage, to put any Number of Horses or Oxen to such Waggon, Wain, Cart or other Carriage; any Thing in any Act or Acts of Parliament relating to Highways or Turnpike Roads, or in this Act contained to the contrary notwithstanding.

Penalty on evading Tolls.

XXXI. And be it further enacted, That if any Person or Persons shall ride, drive, go, or pass with any Horse, Beast, Cattle, or Carriage, through, or over any Land, Ground, or Place lying by the Side of or near to any Part of the said Roads; or if any Person or Persons owning or occupying any Land, Ground, or Place situated as aforesaid (the same not being a publick Highway, or a Road to or from some Mill), shall knowingly or wilfully permit or suffer any other Person or Persons to go or pass with any Horse, Beast, Cattle, or Carriage through, or over such Land, Ground, or Place, in order or with Intent thereby to evade the Payment of the said Tolls or any Part thereof, or whereby or by Means whereof any such Evasion shall take Place or be effected; or if any Person or Persons shall forge, counterfeit, or alter, or shall deliver to or receive from any other Person any Note or Ticket, with Intent to avoid or evade the Payment of the said Tolls, or any Part thereof, or shall unload, or cause to be unloaded, any Goods or other Things, or shall take off, or cause to be taken off, any Horse or other Beast, from any Carriage either before or after having passed through any Toll Gate, or having passed through any Toll Gate, shall afterwards add or put any Horse or Beast to any Carriage for the Purpose of drawing the same upon any Part of the said Roads, with Intent to avoid or evade the Payment of any of the said Tolls; or if any Person or Persons shall do any other Act in order or with Intent to avoid or evade the Payment of the said Tolls, or any Part thereof, all and every such Person or Persons shall, for every such Offence, forfeit and pay any Sum not exceeding Five Pounds (over and besides such Damages and Punishments as he, she or they shall otherwise be liable to by Law), to be recovered in such Manner as is hereinafter provided for the Recovery of Penalties and Forfeitures, one Moiety whereof when raised, shall be paid to the Informer, and the other Moiety to the Treasurer of the said Trustees to be applied to the Purposes of this Act.

Penalty on Collectors, &c. of Tolls taking greater or less Tolls than allowed.

XXXII. And be it further enacted, That if any Farmer, Renter, or Collector of the said Tolls, shall demand and take, or cause to be demanded and taken, from any Person or Persons, any Toll not hereby authorised to be taken, or a greater or less Toll than so authorised, such Farmer or Renter shall, for every such Offence, forfeit and pay any Sum not exceeding Ten Pounds; and also his Contract for renting the Tolls shall be declared to be vacated, if the said Trustees, or any Five or more of them shall think fit to vacate the same; and every such Collector, not being the Farmer or Renter shall, for every such Offence, forfeit any Sum not exceeding Forty Shillings, such Forfeitures respectively

ſpectively to be recovered in Manner hereinafter mentioned: Provided always, that if the Juſtice by or before whom the Matter of Complaint ſhall be heard, ſhall be of Opinion that the Offender had probable Grounds for ſuch Demand and Taking, it ſhall be lawful for ſuch Juſtice either to mitigate the ſaid reſpective Penalties, or wholly to exonerate the Offender therefrom, as ſuch Juſtice ſhall think fit, any Law or Statute to the contrary notwithſtanding.

Power to provide Lamps, &c.

XXXIII. And be it further enacted, That it ſhall be lawful for the ſaid Truſtees, or any Five or more of them, at any of their Meetings to be held under or by virtue of this Act, to erect and ſet up, or cauſe to be erected and ſet up, at all or any of the Turnpike Gates now erected or hereafter to be erected upon the ſaid Roads, ſuch Number of Lamps as they ſhall think neceſſary, together with proper Lamp Poſts and Lamp Irons thereto, and to cauſe the ſaid Lamps to be lighted at ſuch Times and in ſuch Manner as the ſaid Truſtees, or any Five or more of them, ſhall from Time to Time direct and appoint; and all Expences attending the providing of ſuch Lamps, Lamp Poſts, Lamp Irons, and the Furniture thereof, ſhall be defrayed out of the ſaid Tolls, or out of any Money to be borrowed on the Credit thereof: And if any Perſon ſhall break, throw down, or damage all or any of the ſaid Lamps, or the Poſts, Irons, or other Furniture thereof, or ſhall wilfully and maliciouſly extinguiſh any ſuch Lamps, or do any other Damage thereto, ſuch Perſon ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Forty Shillings, over and above the Coſts and Expences of repairing and amending ſuch Lamps, Lamp Poſts, Irons and Furniture, ſo broken, thrown down, or damaged as aforeſaid.

Penalty for breaking or damaging.

Toll Gates, Houſes, &c. veſted in Truſtees,

XXXIV. And be it further enacted, That the Right and Property of all the Turnpikes, Toll Gates and Toll Houſes, and the ſeveral Conveniences and Appurtenances thereto belonging, which are already erected or made upon or on the Sides of the ſaid Roads, or which ſhall be erected or made by virtue of this Act, and all Materials for building and repairing the ſame, and for repairing the ſaid Roads, and all the Lamps, Lamp Poſts, Lamp Irons and Furniture thereof reſpectively, and all other Materials, Articles and Things which ſhall be purchaſed, collected, or provided for the Purpoſes of this Act, ſhall be veſted in the ſaid Truſtees; and they or any Five or more of them are hereby authorized and empowered to ſell or diſpoſe of the ſame as they ſhall think proper, and to bring or cauſe to be brought any Action or Actions, or to prefer or cauſe to be preferred and proſecuted any Bill or Bills of Indictment againſt any Perſon or Perſons, who ſhall without Right keep Poſſeſſion of any ſuch Houſe or Appurtenances, or ſhall ſteal, take away, break down, or damage any of ſuch Turnpikes, Toll Gates, Toll Houſes, Conveniences, Appurtenances, Materials, Articles or Things, or diſturb them or their Agents or Servants in the Poſſeſſion thereof.

who may diſpoſe of the ſame, and bring Actions, &c.

Power to borrow Money and to aſſign Tolls,

XXXV. And be it further enacted, That the ſaid Truſtees or any Seven or more of them, duly aſſembled at any Meeting to be holden at any Time or Times hereafter, may and they are hereby authorized and empowered, from Time to Time, to borrow and take up at Intereſt, on the Credit of the Tolls hereby granted, any Sum and Sums of Money as they

ſhall

ſhall think neceſſary, beyond the Amount of the Debts due on the Credit or on Account of the Tolls of the ſaid Sixth Diſtrict at the Commencement of this Act; and they are hereby alſo authorized and empowered, either at every ſuch Meeting or afterwards, by any Writing or Inſtrument under their Hands and Seals, to mortgage all or any Part of the Tolls hereby granted, (the Charges of mortgaging the ſame to be paid out of ſuch Tolls,) for any Term during the Continuance of this Act, as a Security or Securities for any Sum or Sums of Money ſo to be borrowed to ſuch Perſon or Perſons, or his, her, or their Truſtee or Truſtees, as ſhall advance and lend the ſame, (ſubject and without Prejudice to all prior Mortgages made under the ſaid Act hereby repealed, ſo far as relates to the ſaid Sixth Diſtrict,) on the Credit or on Account of the Tolls ariſing within the ſaid Sixth Diſtrict, which Mortgages ſhall be made in the following Form of Words, or in any other Form of Words to the like Effect; (that is to ſay,)

Form of Mortgage.

"BY virtue of an Act paſſed in the Fiftieth Year of the Reign of his Majeſty King George the Third, intituled, An Act; [*here inſert the Title of this Act,*] We, Seven of the Truſtees for putting the ſaid Act in Execution, in conſideration of the Sum of to the Treaſurer of the ſaid Truſtees in Hand paid, do grant, bargain, ſell and demiſe unto *A. B.* his [*or her*] Executors, Adminiſtrators, and Aſſigns, ſuch Proportion of the Tolls ariſing by virtue of the ſaid Act, and of the Toll Gates and Toll Houſes for collecting the ſame, as the ſaid Sum of doth or ſhall bear to the whole of the Monies owing and ſecured on the Credit thereof; to be had and holden from this Day of , in the Year of our Lord , for and during the Continuance of the ſaid Act, unleſs the ſaid Sum of with Intereſt at the Rate of *per Centum per Annum*, ſhould be ſooner paid and ſatisfied. Given under our Hands and Seals this Day of in the Year of our Lord ."

Copies of Mortgages to be entered in a Book.

And Copies of all ſuch Mortgages ſhall be entered in a Book or Books to be kept for that Purpoſe by the Clerk or Treaſurer of the ſaid Truſtees; and all and every Perſon or Perſons to whom any ſuch Mortgage or Mortgages ſhall be made as aforeſaid, or who ſhall be entitled to the Money thereby ſecured, or to whom any Mortgage or Aſſignment of Tolls may have been made under the ſaid recited Act, on the Credit or on Account of the Tolls ariſing within the ſaid Sixth Diſtrict, may from Time to Time transfer his, her or their Right, Title, Intereſt or Benefit to the Principal and Intereſt thereby ſecured, or any Part thereof, to any Perſon or Perſons whomſoever, by ſigning before One credible Witneſs, an Inſtrument in the following Words, or Words to the like Effect; (that is to ſay),

Form of Transfer;

"I A. B. do transfer this Mortgage or Security [*or a certain Mortgage or Security, ſhortly ſtating it, as the Caſe may be*] with all my Right and Title to the Principal Money thereby ſecured, and all the Intereſt now due thereon, unto C. D. his [*or her*] Executors, Adminiſtrators, and

" and Assigns. Dated this Day of in the Year
" of our Lord

" *A. B.*

" Witness, *E. F.*"

Which Transfer shall be produced and notified to the Clerk or Treasurer to the said Trustees, who shall cause an Entry or Memorandum to be made thereof in the before-mentioned Book or Books, specifying the Date, Names of the Parties, and Amount of the Sum transferred, for which Entry the said Clerk or Treasurer shall be paid the Sum of Two Shillings and Six-pence, and no more; and such Transfer shall then entitle such Assignee, his, her or their Executors, Administrators and Assigns, to the Benefit thereof and Payment thereon, and such Assignee may in like Manner assign or transfer the same again, and so *toties quoties*; and it shall not be in the Power of any Person or Persons (except the Person or Persons to whom the same shall be last transferred,) to make void, release or discharge the original Security, or any Monies thereby due, or any Part thereof. which must be entered with the Clerk.

XXXVI. Provided always, and be it further enacted, That no Preference shall be given to any Person or Persons who shall advance any Sum or Sums of Money upon the Credit of this Act, in respect of the Priority of advancing or having advanced any such Sum or Sums of Money, but that all Persons to whom such Mortgages or Assignments shall be made as aforesaid, shall be in Proportion to the Sum or Sums of Money therein mentioned, Creditors in the same Tolls in equal Degree one with another. No Preference among Creditors for the Money raised under this Act.

XXXVII. And be it further enacted, That in case Four-fifths in Number and Value of the Persons who shall lend and advance Monies on the Credit of the said Tolls, or Four-fifths of the Possessors of the said Deeds Poll, and who shall continue Creditors thereto, shall be desirous to be repaid the Money due to them, and shall deliver a Notice in Writing signed by them, signifying such their Desire to the Clerk or Clerks to the said Trustees, at some General Meeting of the said Trustees, that then, and in such Case, unless the Principal and Interest Money then due or to grow due to them on the Security of the said Tolls, shall be fully paid or tendered to, and be refused by such Creditors so signing such Notice, within Six Months after the Delivery thereof as aforesaid, it shall and may be lawful to and for the said Creditors to receive and collect, or cause to be received and collected the Tolls by this Act granted, and to apply the same rateably and proportionably to the Payment of their Principal and Interest until the same shall be discharged. Four Fifths in Number and Value of the Creditors demanding their Money to be paid off, or put in Possession of the Receipt of the Tolls.

XXXVIII. And be it further enacted, That out of the Tolls or other Monies already received by virtue of the said recited Act for the said Sixth District, or out of the Tolls, and all other Monies which shall be raised and received by virtue of this Act, the said Trustees, or any Five or more of them, shall, in the first Place, pay and discharge all the Costs, Expences and Charges relating to the procuring and passing this Act; and the Remainder of all such Monies shall from Time to Time be applied in repaying the Money borrowed, or now owing by virtue of the said recited Act on the said Sixth District, or any or either of them, or Application of the Tolls, and Money to be borrowed.

to be borrowed in pursuance of this Act, and the Interest due and to grow due thereon respectively, and in completing, making, diverting, widening, altering, maintaining, or rendering more commodious the said Roads, or in otherwise putting this Act in Execution, and to or for no other Use or Purpose whatsoever.

Power to get Materials.

XXXIX. And be it further enacted, That it shall be lawful for the said Trustees, or their Surveyor, and all such Persons as they or he shall appoint, to search for, dig, gather, take and carry away any Materials for making or repairing the said Roads, or any Bridge or Bridges thereon, out of any River or Brook, or out of or from any Waste or Common in or near which any Part of the said Roads lie, without paying any Thing for such Materials, the said Trustees, or their Surveyor, or other Person or Persons filling up the Pits or Quarries, levelling the Grounds, or sloping down the Banks, wherefrom such Materials shall be taken, or railing or fencing off such Pits or Quarries, so that the same shall not be dangerous to any Persons or Cattle, and paying for the Damages done by going through and over any Lands or Grounds for or with such Materials, (such Damages to be ascertained as hereinafter mentioned); and also that it shall be lawful for the said Trustees, their Surveyor, and such Persons as they or he shall appoint, to search for, dig, gather, take, and carry away any such Materials in or out of the Land of any Person (not being a Garden, Orchard, Yard, Park, Paddock, Planted Walk, or Avenue to any House, or any Piece of Ground planted and set apart as a Nursery for Trees), making or tendering such Satisfaction for the Damages done to the Owners or Occupiers of the Land where and from whence the same shall be dug, gathered and carried away, or over which the same shall be carried, as the said Trustees, or any Seven or more of them shall adjudge reasonable; and in case of any Difference between the said Trustees or their Surveyor, or other Persons appointed or employed as aforesaid, and the Owners and Occupiers of such Land, or any of them, concerning such Payments and Damages as aforesaid, the Justices of the Peace, at their next General Quarter Session, or at the second General Quarter Session at the furthest, to be holden for the County or Town wherein the Place from whence such Materials shall have been taken, shall be situate, on Eight Days Notice thereof being given in Writing by either Party to the other, shall hear, settle and determine the Matters of such Payments and Damages; and the Judgment or Order of the said Justices therein shall be final and conclusive to and upon all Parties.

Notice to be given to the Occupiers of Lands before Materials are to be taken.

XL. Provided nevertheless, and be it further enacted, That no Surveyor or any other Person or Persons acting under the Authority of this Act, shall first begin to dig, gather or carry away any Materials for repairing the said Roads out of or from any inclosed Land, until Notice in Writing signed by the said Surveyor shall have been given to the Owner, or his known Agent, or to the Occupier of the Land from which such Materials are intended to be taken, or left at such Occupier's usual Place of Residence, to appear before the said Trustees, or any Seven or more of them, or any Two Justices of the Peace acting for the County or Place wherein such Land shall lie, to shew cause why such Materials shall not be had therefrom; and in case such Owner, Agent or Occupier shall attend pursuant to such Notice, the said Trustees, or any Seven or more

of

of them, or such Two Justices shall, if they think proper, authorize such Surveyor or other Persons to dig, gather, take and carry away such Materials at such Time or Times as to such Trustees, or to such Justices shall seem proper; and if such Owner or Occupier shall neglect or refuse to appear by himself or herself, or his or her Agent, the said Trustees, or any Seven or more of them, or such Justices, shall and may make such Order therein as they shall think fit, as fully and effectually to all Intents and Purposes, as if such Owner or Occupier, or his or her Agent had attended, and the Order of such Trustees or Justices respectively shall be final and conclusive to and upon all Parties.

Penalty on taking away Materials raised by Surveyors.

XLI. And be it further enacted, That if any Person whosoever shall take away any Materials which shall have been dug, gotten or gathered for the Repair or Use of the said Roads, or shall raise or carry away any Materials out of, or otherwise interfere with or obstruct the working of any Pit or Quarry, which shall have been made or opened for the Purpose of getting Materials for repairing the said Roads, before the said Trustees or their Surveyor, or their or his Workmen, shall have discontinued working therein for the Space of Twelve Calendar Months (except the Owner or Occupier of the Land in which such Pit or Quarry shall be made, as to Materials for his own private Use only, and not for Sale), every Person so offending shall for every such Offence forfeit and pay a Sum not exceeding Five Pounds.

Power to make Causeways and Drains.

XLII. And be it further enacted, That it shall be lawful for the said Trustees, or any Five or more of them, or the said Surveyor, or such Person or Persons as they or he shall appoint, to make or cause to be made Causeways or Footpaths along the Side or Sides of the said Roads, or any Part or Parts thereof, and to cut or divert any Watercourse in or through any Land adjoining or lying contiguous to any Part of the said Roads, in order to drain or wash the said Roads, or to prevent the same from being overflowed, and to erect Bridges and Culverts over such Drains or Watercourses if necessary; and also to make a Way over the Lands adjoining to the said Roads, (not being the Scite of, or Ground whereon any House or Houses stand, or planted Walk, Garden, Yard, Park, Paddock or Avenue to any House,) to be used as a public Highway, whilst the said Roads or any Bridges or Works thereon is repairing or erecting, making such reasonable Satisfaction to the Owners and Occupiers of such Land for the Damages thereby sustained, as to the said Trustees, or any Five or more of them, shall seem reasonable; and in case of any Difference concerning the same, between such Owners and Occupiers and the said Trustees, that then it shall be lawful for the Justices of the Peace, or the major Part of them assembled at the next General Quarter Sessions for the County in which such Roads shall be situate, or at their second Quarter Sessions at the furthest, to settle, adjudge and determine what Recompence shall be made to such Owners and Occupiers for the Damage they shall have sustained as aforesaid, which Determination shall be final and conclusive.

Surveyors may remove Annoyances.

XLIII. And be it further enacted, That it shall be lawful for the said Trustees or their Surveyor, and such Person or Persons as they or he shall appoint, to remove all Annoyances on or by the Side of any Part of the

the ſaid Roads, and to diſpoſe of the ſame for the Benefit of the ſaid Roads, and at proper Seaſons of the Year to cut down Trees or Buſhes growing thereon, or in the Hedges or Grounds adjacent thereto, and within Twenty Feet of the Centre of the ſaid Roads, (except Trees or Buſhes planted previous to the paſſing of this Act for Ornament or Shelter to the Houſe, Building, Court Yard, or Pleaſure Ground of the Owner thereof, which ſhall be ſuffered to remain if not within Fifteen Feet of the Centre of the ſaid Roads,) and to cut or plaſh ſuch Hedges, the Owners or Occupiers neglecting to cut down ſuch Trees or Buſhes, or to cut or plaſh ſuch Hedges, or to remove ſuch Annoyances for the Space of Ten Days after Notice given in Writing for that Purpoſe, under the Hand or Hands of the Truſtees or their Surveyor, the Charges whereof ſhall be reimburſed to the ſaid Truſtees or their Surveyor, by ſuch Owners or Occupiers neglecting to cut down ſuch Trees or Buſhes, or to cut or plaſh ſuch Hedges, or to remove ſuch Annoyances as aforeſaid; and in caſe ſuch Owners or Occupiers ſhall not upon demand pay and reimburſe to the ſaid Truſtees or their Surveyor ſuch Charges as aforeſaid, it ſhall be lawful for the ſaid Truſtees or their Surveyor, by Warrant under the Hand and Seal or Hands and Seals of one or more Juſtice or Juſtices of the Peace for the County in which ſuch Road ſhall be ſituate, from Time to Time to levy the ſaid Charges upon ſuch Owners or Occupiers by Diſtreſs and Sale of his, her or their Goods and Chattels, tendering the Overplus (if any be) to the Owners thereof upon Demand, after all Expences attending ſuch Diſtreſs and Sale ſhall be paid; and if after the Removal of any of the ſaid Annoyances, any Perſon or Perſons ſhall again offend in the like Manner, every ſuch Perſon ſo offending, and being thereof convicted upon Oath before any one Juſtice of the Peace for the County in which ſuch Offence ſhall be committed, ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Five Pounds.

Owners of Water Courſes neglecting to ſcour the ſame after Notice,

Truſtees or Surveyors may do ſo and charge them.

XLIV. And be it further enacted, That if any Perſon, who of right ought to ſcour and cleanſe any Ditch, Drain, or Watercourſe which ſhall adjoin to, or lead into or out of the ſaid Roads, ſhall not in a proper Manner ſcour and cleanſe, or cauſe the ſame to be ſcoured or cleanſed within the Space of Ten Days next after Notice in Writing ſhall for that Purpoſe be given to him or her reſpectively, or ſhall be left at his or her reſpective Place of Abode by the ſaid Truſtees or their Surveyor, then the ſaid Truſtees or their Surveyor ſhall and may cauſe ſuch Ditches, Drains and Water-courſes to be ſcoured and cleanſed, and pay for ſcouring and cleanſing the ſame; and if the ſaid Perſon ſhall not repay the Money ſo paid by ſuch Truſtees or their Surveyor, on Demand thereof upon him or her reſpectively made, either in Perſon or by Writing, to be left at his or her reſpective Place of Abode, the ſaid Money, upon Proof of the cleanſing and ſcouring the ſaid Ditches, Drains or Watercourſes, and Payment of the ſaid Money, and Demand thereof made, and Non-payment thereof as aforeſaid, by the Oath of one or more credible Witneſs or Witneſſes, before any one Juſtice of the Peace of the County or Place where ſuch Perſon ſhall live, ſhall or may by a Warrant under the Hand and Seal of ſuch Juſtice, be levied by Diſtreſs and Sale of the Goods and Chattels of ſuch Perſon, rendering the Overplus (if any be) to the Owner thereof, upon Demand, after all Charges are paid.

XLV. Pro-

What Carts shall be deemed of less Breadth than Six Inches.

XLV. Provided always, and be it enacted, That every Waggon and Cart, the Fellies of the Wheels of which, when placed on a flat hard Surface, shall, in any Part of the Breadth or the Bottom thereof be elevated one Inch from such Surface, shall be deemed and considered to be a Carriage with Wheels of less Breadth than Six Inches.

Regulation for Carriages going down Hill.

XLVI. And be it further enacted, That no Person shall chain or tie, or cause to be chained or tied the Wheel or Wheels of any Carriage whatsoever, for the Purpose of going down any Hill or Descent, where the Fall of the Ground shall be less than Three Inches in a Yard, or through any Part of the Town of *Abergavenny*, (except the Hill or Descent leading from *Castle Street* to *Cross Street* by the *Angel Inn*,) upon Pain of forfeiting for every Offence any Sum not exceeding Forty Shillings.

Waggons to have Rolls, &c.

XLVII. And be it further enacted, That from and after the First Day of *January* One thousand eight hundred and eleven, every Waggon or Cart travelling on the said Roads shall have and be provided with a proper Roller, and Chains affixed thereto, and that the Driver of every such Waggon or Cart shall place the same behind one of the Wheels thereof whenever such Waggon or Cart shall be ascending any Hill; and that every Waggon or Cart, having the Wheels thereof of less Breadth than Six Inches, shall also be provided with a Shoe or Patten, or Skid Iron, of at least Six Inches in Breadth, and Eighteen Inches in Length, placed in some proper or convenient Part of such Waggon or Cart; and that the Driver of every such Waggon or Cart shall affix the same on and under the Wheel of every such Waggon or Cart, which he shall chain or tie, or cause to be chained or tied, whenever such Waggon or Cart shall be going down any Hill or Descent where the Fall of Ground shall be Three Inches or upwards in a Yard; and if any such Waggon or Cart shall not be provided with any such Roller, or if any such Waggon or Cart as last mentioned, shall not also be provided with such Shoe or Patten, or Skid Iron, of the Breadth and Length aforesaid, it shall be lawful for the respective Toll-gatherers or Collectors on the said Roads, and they are hereby authorised and empowered to demand, and take for and in respect of any such Waggon or Cart passing through any Gate or Turnpike upon the said Roads, or any of them, double the Toll or Sum which may for the Time being be demanded and taken by virtue of this Act for the same, before any such Waggon or Cart shall be permitted to pass through any such Gate or Gates, Turnpike or Turnpikes; which said Sum of Money, hereby authorized to be taken as aforesaid, shall be demanded and taken in the Name of or as Tolls, and shall be and hereby is vested in the said Trustees, and shall be applied and recovered in such and the same Manner and Way as is hereinbefore directed with respect to the Application and Recovery of double Tolls on *Sundays*; and if the Driver of any such Waggon shall not place such Roller, or affix such Shoe or Patten, or Skid Iron, as before directed, he shall forfeit and pay any Sum not exceeding Ten Shillings: Provided always, that Six Months previous Notice shall be given by affixing a Copy of this Clause on every Toll House then standing on the said Roads.

Trustees may contract for Purchase of Lands.

XLVIII. And be it further enacted, That it shall be lawful for the said Trustees, or any Five or more of them, from Time to Time, as they shall think proper, to make, widen or divert, turn, shorten, vary or alter any

any Part or Parts of the Roads comprized in the said recited Act, and within the Distance hereinafter-mentioned, the Course or Path of any Part or Parts of the said Road leading from *Govilon* to the said Town of *Abergavenny*, and to *Llanellen* Bridge; and that such Variation of Road may be made through or over any Common or Waste Ground without making any Satisfaction for the same, and through or over any private Lands, Railways, Tramroads or Hereditaments, making Satisfaction to the Owners thereof, and Persons interested therein, for the Damage they may thereby sustain; and it shall be lawful for the said Trustees, or any Five or more of them, from Time to Time, to contract and agree with the Owners of and Persons interested in any Lands or Hereditaments, for the Purchase thereof, or for the Loss or Damage such Owners or Persons may sustain by so making, widening, diverting, turning, shortening, varying or altering the Course or Path of any Part or Parts of the said Roads, through or over such Lands or Hereditaments; and it shall be lawful for all Bodies Politic or Corporate, Ecclesiastical or Civil, Corporations Aggregate or Sole, Guardians, Feoffees, Trustees and Committees, not only for and on the Behalf of themselves, their Heirs and Successors, but also for and on the Behalf of their Infant Wards, *Cestuique* Trusts, Lunatics, Idiots, or Persons of unsound Memory and Understanding, and to and for all Femes Covert who are or shall be seised or interested in their own Right, and to and for all and every Persons and Person whomsoever, who are or shall be seised, or possessed of, or interested in any such Lands or Hereditaments, to contract with the said Trustees, or any Five or more of them, for the Satisfaction to be made for such Damages as aforesaid, or sell and convey unto them, or any Five or more of them, any such Lands or Hereditaments, or any Part thereof, for any of the Purposes aforesaid; and all Contracts, Sales, and Conveyances which shall be so made, shall be valid to all Intents and Purposes; any Law, Statute, Usage, or other Matter whatsoever, to the contrary notwithstanding; and all such Bodies Politic, Corporate, Ecclesiastical or Civil, Corporations Aggregate or Sole, Guardians, Feoffees, Trustees, Committees, and all other Persons, shall be and are hereby indemnified for what they shall do by virtue of this Act.

When Persons neglect or refuse to treat.

XLIX. And be it further enacted, That if such Bodies Politic, Corporate, Ecclesiastical or Civil, Corporations Aggregate or Sole, Guardians, Feoffees, Trustees, Committees, or any other Person or Persons interested in any such Lands or Hereditaments, upon Notice to him, her, or them given, or left in Writing at the Dwelling House or Houses, or other Place or Places of Abode of such Person or Persons, or of the Principal Officer or Officers of such Bodies Politic, Corporate, Ecclesiastical or Civil, or at the House of the Tenant in Possession of the Lands or Hereditaments, through which any Part of such Roads is to be diverted, turned or altered, shall for the Space of Ten Days next after such Notice given or left, neglect or refuse to treat or shall not agree in the Premises, or by reason of Absence shall be prevented from treating, then and in every such Case the said Trustees or any Five or more of them, shall cause such Damage or Recompence to be enquired into and ascertained, by a Jury of indifferent Men of the County in which

Damages to be settled by a Jury.

the same shall be situate; and in order thereto the said Trustees, or any Five or more of them, are hereby empowered and required from Time to Time as Occasion shall be or require, to summon and call before

before such Jury, and examine upon Oath, any Person or Persons whomsoever, (which Oath any one or more of the said Trustees is and are hereby empowered to administer), and such Trustees or any Five or more of them, shall by ordering a View or otherwise, use all lawful Ways and Means as well for their own as for the said Jury's Information in the Premises; and after the said Jury shall have enquired of and assessed such Damage and Recompence, they the said Trustees or any Five or more of them, shall thereupon order, adjudge, and determine the Sum or Sums of Money so assessed by the said Jury, to be paid to the said Owners and other Persons interested in such Lands or Hereditaments, according to the Verdict or Inquisition of such Jury, which said Verdict or Inquisition and Judgment, Order or Determination thereupon, shall be final, binding and conclusive to all Intents and Purposes, against all Parties and Persons whomsoever, claiming or to claim in Possession, Reversion, Remainder or otherwise, their Heirs and Successors, as well absent as present, Infants, Femes Covert, Lunatics, Idiots, and Persons under any Disability whatsoever, Bodies Politic, Corporate, Ecclesiastical or Civil, Corporation Aggregate or Sole, as well as all other Persons whomsoever; and for the summoning and returning such Jury, the said Trustees, or any Five or more of them, are hereby empowered to issue their Warrant or Warrants to the Sheriff of the County in which the said Roads shall be situate; requiring him to empannel, summon and return Twenty-four Persons qualified to serve on Juries, to appear before the said Trustees, or any Five or more of them, at such Time and Place as in such Warrant or Warrants shall be appointed; and such Sheriff or his Deputy or Deputies is and are hereby required to empannel, summon and return such Number of Persons accordingly; and out of the Persons so summoned, empannelled and returned, or out of such of them as shall appear upon such Summons, the said Trustees or any Five or more of them, shall and they are hereby empowered and required to draw by Ballot, and to swear or cause to be sworn Twelve Men, who shall be the Jury for the Purposes aforesaid; and in Default of a sufficient Number of Jurymen so returned, the said Sheriff or his Deputy or Deputies, or any Five or more of the said Trustees, shall return other honest and indifferent Men of the Standers-by, or that can speedily be procured to attend that Service, to make up the Number of Twelve, and all Persons concerned shall have their lawful Challenges against any of the said Jurymen when they come to be sworn; and the said Trustees or any Five or more of them, shall have Power from Time to Time to impose any reasonable Fine or Fines, upon such Sheriff, his Deputy or Deputies, Bailiffs or Agents making Default in the Premises, and on any of the Persons who shall be summoned and returned on such Jury, and who shall not appear, or appearing shall refuse to be sworn on the said Jury, or being sworn, shall refuse to give or shall not give a Verdict, or shall in any Manner wilfully neglect their Duty therein, contrary to the true Intent and Meaning of this Act, and on any of the Persons who being required to give Evidence before the said Jury, shall refuse or neglect to appear, or appearing shall refuse to be sworn or examined, or give Evidence, so that no such Fine be more than Ten Pounds on any one Person for one Offence.

How Expences of Jury shall be paid.

L. And be it further enacted, That in case any Jury shall give in and deliver a Verdict or Assessment for more Money, as a Recompence for the Right, Interest or Property of any Person or Persons in any Lands or Hereditaments,

Hereditaments, or for any Loſs or Damage to be by him, her or them ſuſtained, than what ſhall have been agreed to and offered by the ſaid Truſtees, or any Five or more of them, or their Treaſurer, Clerk, Surveyor or other known Agent, before the ſummoning and returning of the Jury, as a Recompence and Satisfaction for any ſuch Right, Intereſt, Property, Loſs or Damage as aforeſaid, that then and in ſuch Caſe the Coſts and Expences of ſummoning and maintaining the Jury and Witneſſes ſhall be borne and paid by the Treaſurer to the ſaid Truſtees, out of the Money to ariſe by virtue of this Act; but if ſuch Jury ſhall give in and deliver a Verdict or Aſſeſſment for no more or for leſs Money than ſhall have been agreed to and offered by the ſaid Truſtees or any Five or more of them, before the ſummoning and returning the ſaid Jury, as a Recompence or Satisfaction for any ſuch Right, Intereſt, Property, Loſs or Damage as aforeſaid, that then the full Coſts and Expences of ſummoning and maintaining the ſaid Jury and Witneſſes, and all other Expences attending the hearing and determining of ſuch Difference, ſhall be borne and paid by the Perſon or Perſons with whom the ſaid Truſtees ſhall have ſuch Controverſy or Diſpute, which ſaid Coſts and Expences having been aſcertained and ſettled by ſome Juſtice of the Peace for the County in which ſuch Lands or Hereditaments ſhall be ſituate, not intereſted in the Matter in Queſtion, (who is hereby required to examine and ſettle the ſame at any Time and Place to be by him appointed, after ſummoning the Parties intereſted therein to attend him for that Purpoſe), ſhall and may be deducted out of the Money ſo aſſeſſed and adjudged, as ſo much Money advanced to and for the Uſe of ſuch Perſon or Perſons, and the Payment or Tender of the Remainder of ſuch Money, ſhall be deemed and taken to all Intents and Purpoſes, to be a Payment and Tender of the Whole Sum or Sums ſo aſſeſſed and adjudged, or otherwiſe ſuch Coſts and Expences, in Caſe the ſame be not paid upon Demand, after being ſo aſcertained and ſettled as aforeſaid, ſhall and may be recovered by the Clerk to the ſaid Truſtees, by ſuch Ways and Means as are hereinafter provided for Recovery of Penalties and Forfeitures: Provided always, That in all Caſes where any Perſon ſhall by reaſon of Abſence have been prevented from treating, ſuch Coſts and Expences ſhall be borne and paid by the ſaid Truſtees, out of the Money to be raiſed and received under or by virtue of this Act.

Money agreed upon or aſſeſſed, how to be paid or tendered.

LI. And be it further enacted, That all and every ſuch Sums and Sum of Money, Conſideration, Recompence or Satisfaction to be agreed for, aſcertained or aſſeſſed as aforeſaid, ſhall be paid out of the Tolls or out of the Monies to be raiſed by virtue of this Act, either into the Bank of *England* as hereinafter mentioned, or (as the Caſe may require) to the Parties or Perſons reſpectively entitled to ſuch Monies or to their Agents; and that upon Payment or Tender thereof to ſuch Perſons or their Agents, or in Caſe of Refuſal to accept the ſame, then upon leaving the ſame in the Hands of the Treaſurer or Treaſurers to the ſaid Truſtees, for the Uſe of ſuch Parties or Perſons, and after Ten Days Notice thereof given to ſuch Parties or Perſons or their Agents, to receive ſuch Money, Conſideration, Recompence or Satisfaction, it ſhall be lawful for the ſaid Truſtees or any Five or more of them, their Surveyors, Workmen or Agents, to make, extend, widen, divert or turn ſuch Roads through or over ſuch Lands or Hereditaments, and to do all and every ſuch Act, Matter and Thing, with relation to ſuch Lands or Hereditaments,

as

as the said Trustees or any Five or more of them shall think fit, according to the Directions of this Act; and the said Trustees or any Five or more of them, shall cause such Parts of the said Roads as shall be made, widened, diverted or turned through any private Grounds to be ditched or otherwise fenced from the adjoining Land, in such Manner as the said Trustees or any Five or more of them shall direct; and all Lands and Hereditaments which shall be made a Part or Parts of any Road by virtue of this Act, shall to all Intents and Purposes be deemed a Common Highway, and shall be repaired and kept in Repair as such, and from thenceforth all Parties and Persons whomsoever, shall be divested of all Right and Title to such Lands and Hereditaments; and the Land constituting any former Road in Lieu whereof some new Road shall be made by virtue of this Act, unless leading over some Heath, Common, Moor or Waste Ground, or to some Village, Town, Hamlet or Place to which the respective new Roads do not lead, shall be vested in, and shall and may be sold and conveyed by the said Trustees or any Five or more of them, for the best Price that can be gotten for the same, and the Money arising by such Sale shall be applied to the Repair of the said Roads, by this Act directed to be repaired; and all Conveyances executed by the said Trustees or any Five or more of them, and enrolled with the Clerk of the Peace for the County in which the said Roads shall be situate, shall be good and effectual in the Law to all Intents and Purposes; but this Act shall not extend to the taking down of any Dwelling-house or other Building, or the taking in of any Land that is a Garden or Orchard adjoining to any Dwelling-house, or any Yard, Park, Paddock, planted Walk, inclosed Nursery for Trees, or Avenue to a House or any Part thereof, (save and except the Buildings, Gardens, Orchards and Yards particularized in the Schedule to this Act annexed), without the Consent of the Owner or Proprietor thereof respectively in Writing first had and obtained.

Former Roads, in lieu of which other Roads being made may be sold.

Act not to extend to the taking down Houses, &c. without Consent of Owners.

LII. And whereas by reason of the Purchases which the said Trustees are empowered and required to make by virtue of this Act, or by reason of the diverting of some Part or Parts of the said Roads, they may happen to be seized of some Piece or Pieces of Ground over and above what shall be necessary for effecting the Purposes of this Act; be it therefore further enacted, That it shall be lawful for the said Trustees to sell and dispose of such Pieces or Parcels of Ground, either together or in Parcels, as they shall find most convenient and advantageous, to such Person or Persons as shall be willing to contract for and purchase the same: Provided always, that the said Trustees, before they shall sell and dispose of any Piece or Pieces of Ground as aforesaid, shall offer the same to the Person or Persons from whom the same shall have been purchased, or where the same shall arise by reason of diverting any Part or Parts of the said Roads, then to the Person or Persons whose Lands shall adjoin thereto; and in case such Person or Persons respectively shall not then and thereupon agree (except with respect to and on account of the Price thereof as hereinafter mentioned), or shall refuse (except with respect to and on account of the Price thereof) to purchase or repurchase the same respectively, any Affidavit to be made and sworn before a Master or Master Extraordinary in the High Court of Chancery, or before one of His Majesty's Justices of the Peace for the County in which such Land or Ground shall be situate, (who are hereby empowered and required to take

Trustees empowered to sell overplus Grounds, and directing the first Offer to be made to the Person from whom the same was purchased.

take the same), by some Person or Persons no way interested in the said Piece or Pieces of Ground, stating that such Offer was made by or on the Behalf of the said Trustees, and that such Offer was not then and thereupon agreed to, or was refused by the Person or Persons to whom the same was so offered, shall, in all Courts whatsoever, be sufficient Evidence and Proof that such Offer was made, and was not agreed to, or was refused by the Person or Persons to whom such Offer was made (as the Case may be); and in case such Person or Persons shall be desirous of purchasing the same, and he, she, or they, and the said Trustees shall differ and not agree with respect to the Price thereof, then the Price or Prices thereof shall be ascertained by a Jury, in Manner in this Act directed with respect to disputed Value of Premises to be purchased by the said Trustees in pursuance of this Act; and the Expence of hearing and determining such Difference shall be borne and paid in like Manner as hereinbefore directed with respect to such Purchases made by the said Trustees *mutatis mutandis*, and the Money to arise by the Sale or Sales of such Piece or Parcel of Road or Ground as aforesaid, shall be applied to the Purposes of this Act, but the Purchaser or Purchasers thereof shall not be answerable or accountable for any Misapplication or Non-application of such Money.

Application of Compensation when exceeding 200l.

LIII. And be it further enacted, That the Principal Money to arise from the Sale of any Lands, Tenements, or Hereditaments, which shall be purchased for the Purposes of this Act, of any Body Corporate, Ecclesiastical or Civil, Corporate or Aggregate, or Sole, Feoffees in Trust, Guardians, Committees, or other Trustees, or from any Femes, or Feme Covert, or other incapacitated Person or Persons, shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant-General of the High Court of Chancery, to be placed to his Account there, *ex parte* the Trustees for executing this Act, or any Two or more of them, to the Intent that such Money shall be applied under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Person or Persons who would have been entitled to the Rents or Profits of the said Lands or Hereditaments in the Purchase of the Land-Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrances or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands or Hereditaments, or affecting other Lands or Hereditaments standing settled therewith to the same or the like Uses, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested under the like Direction and Approbation of the said Court in the Purchase of other Lands or Hereditaments, which shall be conveyed and settled to, for, and upon such and the same Uses, Trusts, Intents and Purposes, and in the same Manner as the Lands and Hereditaments which shall be so purchased, taken, or used as aforesaid, stood settled, or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing, undetermined, and capable of taking Effect; and in the mean Time, and until such Purchase shall be made, the said Money shall, by Order of the Court of Chancery, upon Application thereto, be invested by the said Accountant-General, in his Name, in the Purchase of Three Pounds *per Centum* Consolidated, or Three Pounds *per Centum* Reduced

duced Bank Annuities; and in the mean Time, and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of the said Consolidated or Reduced Bank Annuities, shall, from Time to Time, be paid by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands and Hereditaments so to be purchased, in case such Purchase or Settlement were made.

Application when under 200l. and above 20l.

LIV. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands or Hereditaments purchased, taken or used for the Purposes aforesaid, and belonging to any Corporation, or to any Person or Persons under Disability or Incapacity as aforesaid, shall be less than the Sum of Two Hundred Pounds, and shall exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Lands or Hereditaments so purchased, taken or used, or of his, her or their Guardian or Guardians, Committee or Committees, in case of Infancy or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank in the Name and with the Privity of the said Accountant General of the High Court of Chancery, and be placed to his Account as aforesaid, in order to be applied in Manner hereinbefore directed, or otherwise the same shall be paid at the like Option to Two Trustees to be nominated by the Person or Persons making such Option, and approved of by the said Trustees, or any Five or more of them, (such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties,) in order that such Principal Money, and the Dividends arising thereon, may be applied in Manner hereinbefore directed, (so far as the Case may be applicable,) without obtaining or being required to obtain the Direction or Approbation of the Court of Chancery.

When under 20l.

LV. Provided also, and be it further enacted, That where such Money so agreed or awarded to be paid as next before mentioned, shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands and Hereditaments so purchased, taken or used as aforesaid, in such Manner as the said Trustees, or any Five or more of them, shall think fit; or in case of Infancy or Lunacy, then to his or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

In case of not making out Titles,

LVI. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be awarded for the Purchase of any Lands or Hereditaments to be purchased by virtue of this Act, shall refuse to accept the same, or shall not be able to make a good Title to the Premises to the Satisfaction of the said Trustees, or any Five or more of them, or in case such Person or Persons to whom such Sum or Sums of Money shall be so awarded as aforesaid, cannot be found, or if the Person or Persons entitled to such Lands or Hereditaments be not known or discovered, then and in every such Case it shall and may be lawful for the said Trustees, or any Five or more of them,

or if Persons cannot be found, Money to be

to

paid into the Bank

to order such Sum or Sums of Money so awarded as aforesaid, to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to his Account, to the Credit of the Parties interested in the said Lands or Hereditaments (describing them), subject to the Order, Controul and Disposition of the said Court of Chancery, which said Court, on the Application of any Person or Persons making Claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall be and is hereby empowered in a summary Way of Proceeding, or otherwise as to the same Court shall seem meet, to order the same to be laid out and invested in the Public Funds, or to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest of the Person or Persons making Claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England*, who shall receive such Sum or Sums of Money, is and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying for what and for whose Use the same is or are received, to such Person or Persons as shall pay any Sum or Sums of Money into the Bank as aforesaid.

subject to the Order of the Court of Chancery.

Where any Question shall arise touching the Title to whom the Money shall be paid, &c.

LVII. Provided always, and be it further enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into the Bank of *England* in the Name and with the Privity of the Accountant-General of the Court of Chancery, in pursuance of this Act, for the Purchase of any Lands or Hereditaments, or of any Estate, Right, or Interest in any Lands or Hereditaments to be purchased in pursuance thereof, or to any Bank Annuities to be purchased with any such Money, or to the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in Possession of such Lands or Hereditaments at the Time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands or Hereditaments according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court of Chancery; and the Dividends or Interests of the Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied, and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Lands or Hereditaments, or to some Estate or Interest therein.

The Court may order reasonable Expences to be paid by the Trustees.

LVIII. Provided always, and be it further enacted, That where, by reason of any Disability or Incapacity of the Person or Persons, or Corporation entitled to any Lands or Hereditaments to be purchased under the Authority of this Act, the Purchase-Money for the same shall be required to be paid into the Court of Chancery, and to be applied in the Purchase of other Lands or Hereditaments to be settled to the like Uses, in pursuance of this Act, it shall be lawful for the said Court to order the Expences of all Purchases, from Time to Time to be made in pursuance of this Act, or so much of such Expences as the said Court shall deem reasonable, together with the necessary Costs and Charges of obtaining such

such Order, to be paid by the said Trustees, or any Five or more of them, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

Restraining the Trustees from deviating beyond a certain distance from the Line described in Plans.

LIX. And whereas a Map or Plan describing the Line of the said new Branch of Road, and the Lands through which the same are to be carried, together with a Book of Reference containing Lists of the Names of the Owners and Occupiers of such Lands, have been deposited at the respective Offices of the Clerks of the Peace, for the said Counties of *Monmouth* and *Brecon*; be it therefore enacted, That the said Map or Plan, or Book of Reference, shall remain in the respective Custody of the Clerks of the Peace for the said Counties of *Monmouth* and *Brecon*, to the End that all Persons may at all seasonable Times have Liberty to peruse and inspect the same, and to take Copies or Extracts thereof at their Will and Pleasure, paying the Clerks of the Peace the Sum of One Shilling for every such Inspection, and at the Rate of Six-pence for every One Hundred Words of such Copies or Extracts of the said Map or Plan, and Book of Reference; and that the said Trustees, in making the said new Branch of Road, shall not deviate more than One Hundred Yards, of Three Feet each, from the Line described in the said Map or Plan, without the Consent and Approbation in Writing of the Person or Persons, Body Politic, Corporate or Collegiate, through or over whose Lands or Grounds such Deviation shall be made.

Trustees may make the Roads through Lands although the Names are not in the Book of Reference.

LX. Provided always, and be it further enacted, That it shall and may be lawful for the said Trustees to make the said new Branch of Road into, through, across or over the several Lands or Grounds of any Person or Persons who is, or are or may be Owner or Owners of Lands, over which the same is set out and described in the said Map or Plan as aforesaid, although the Name or Names of such Person or Persons may happen to be omitted in the said Book of Reference, in case it shall appear to any Two or more Justices of the Peace for the said Counties of *Monmouth* and *Brecon*, or either of them, and be certified by Writing under their Hands, that such Error or Omission proceeded from Mistake.

Trustees not restrained from diverting the Roads beyond 100 Yards, if Parties consent.

LXI. Provided also, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to prevent, hinder or restrain the said Trustees from widening, diverting, turning, shortening, varying or altering the Course or Path of any Part or Parts of the said Roads, beyond the Distance of One hundred Yards, through the Lands or Grounds of any Person or Persons whomsoever, in case such Person or Persons shall be consenting thereto, and shall signify his, her or their Consent in Writing to such Diversion or Alteration being made.

Trustees not to vary the Road by Clydach, &c. Furnaces.

LXII. Provided also, and be it further enacted, That nothing in this Act contained shall authorize or empower the said Trustees to alter the Situation of the Bridge whereby the Road leading from *Govilon* to join the Turnpike Road from *Merthyr Tidvil* towards *Abergavenny*, crosses the River *Clydach* between *Clydach* Furnaces and *Llanelly* Furnace, nor to vary, alter or divert the Course of the said Road in any Part within the Distance of One thousand Yards of either End of the said Bridge, nor in the carrying on and completing those Parts of the said Road which shall deviate from the present

Highways in anywiſe to impede or injure the Owners or Occupiers of any Mines or Seams of Coal, Iron Ore, and Iron Stone, lying under or contiguous to the ſaid Road, in the free Uſe, Working and Enjoyment thereof, without the Conſent in Writing of the Owners and Occupiers for the Time being, of the ſaid Furnaces, or of the ſaid Mines reſpectively.

Perſons and Diſtricts liable to repair the Roads to continue ſo.

LXIII. And be it further enacted, That all and every Perſon and Perſons, Hundreds, Towns, Pariſhes, Hamlets and Places, and the Inhabitants thereof, Bodies Politic and Corporate, who before the paſſing of this Act have or hath uſed, or of Right ought by reaſon of the Tenure of any Lands, Tenements or Hereditaments, or any other Account or Accounts, to repair any Part or Parts of the Roads, or any Bridge, Drain or Watercourſe in or upon the ſame, ſhall notwithſtanding this Act be ſubject and liable to ſuch Repairs in the ſame Manner as they and every of them have or hath heretofore uſually been, or would have been in caſe the ſaid Act or this Act had not been paſſed, and that nothing in this Act contained ſhall empower the ſaid Truſtees, or any of them to repair the Pavements of any Streets, or any Part of any Street in the Town of *Abergavenny*, but that the Repair of the ſaid Pavements or Streets, or any Part thereof ſhall be done and performed by ſuch Ways and Means, and in ſuch Manner as ought by Law to be done and performed in caſe this Act had not been made.

Occupiers of adjoining Lands to carry off the Scrapings on Notice, except in Harveſt Time.

LXIV. And be it further enacted, That all and every the Occupier and Occupiers of Lands or Grounds adjoining to the ſeveral Roads to be made and repaired under this Act, ſhall on Six Days Notice to be given to him or them reſpectively, by the ſaid Truſtees or their Surveyor, or any Perſon or Perſons which they or he ſhall appoint, from Time to Time haul, remove and carry away all ſuch Soil, Earth or other Matter as ſhall have been gathered, collected or ſcraped from off the ſaid Roads, or any of them, as far as the Lands or Grounds of ſuch Occupier and Occupiers ſhall reſpectively extend, but not further; and in caſe any ſuch Occupier or Occupiers ſhall neglect or refuſe to haul, carry off or remove ſuch Soil, Earth or other Matter as aforeſaid, after ſuch Notice as aforeſaid, then the ſaid Truſtees or their Surveyor ſhall and may cauſe ſuch Soil, Earth or other Matter to be hauled, removed and carried away, and pay for hauling, removing and carrying away the ſame; and if the ſaid Perſon ſhall not repay the Money ſo paid by ſuch Truſtees or their Surveyor, on Demand thereof made upon him or her reſpectively, either in Perſon or by Writing left at his or her reſpective Place of Abode, the ſaid Money upon Proof of the hauling, removing and carrying away the ſaid Soil, Earth or other Matter, and Payment of the ſaid Money, and Demand thereof made, and Non-payment thereof as aforeſaid, by the Oath of one or more credible Witneſs or Witneſſes before any Juſtice of the Peace of the County or Place where ſuch Perſon ſhall live, ſhall or may by a Warrant under the Hand and Seal of ſuch Juſtice, be levied by Diſtreſs and Sale of the Goods and Chattels of ſuch Perſon, rendering the Overplus (if any be) to the Owner thereof upon Demand, after all Charges are repaid: Provided always, That no Perſon ſhall be obliged to haul, remove or carry away, or to pay for the hauling, removing or carrying away any ſuch Soil, Earth or other Matter, during the Time of his or her Hay or Corn Harveſt.

LXV. And

Truſtees may contract for Repairs, or for any other Work.

LXV. And be it further enacted, That it ſhall be lawful for the ſaid Truſtees, or any Five or more of them from Time to Time to contract and agree with any Perſon or Perſons for the repairing of the ſaid Roads, or any Part or Parts thereof, or for doing any other Work in purſuance or Execution of this Act, in ſuch Manner and for ſuch Sum or Sums of Money annually, or for a Term of Years, or otherwiſe, as the ſaid Truſtees, or any Five or more of them, ſhall think proper.

Perſons, &c. liable to do Statute Duty to continue ſo.

LXVI. And be it further enacted, That all Perſons who by Law are or ſhall be obliged or liable to do Statute Work towards repairing and amending the Roads hereby intended to be repaired, ſhall ſtill remain ſubject and liable to the ſame Work, and ſhall and are hereby required to do and perform ſuch, and ſo many Days Work in ſuch Parts of the ſaid Roads within their reſpective Pariſhes, Hamlets or Places, at ſuch Times and in ſuch Manner as the ſaid Truſtees or the Surveyor or Surveyors by them authorized ſhall direct or appoint.

Statute Work.

LXVII. And be it further enacted, That it ſhall be lawful for any Two or more Juſtices of the Peace for the ſaid Counties of *Monmouth* and *Brecon*, and they are hereby required and empowered, upon Application made to them by the ſaid Truſtees, or by their Clerk or Surveyor, or by their Order, yearly to adjudge and determine what Part or Proportion of Statute Work ſhall every Year be done upon the ſaid Road by the Inhabitants of the reſpective Pariſhes or Places in which the ſaid Road doth lie; and alſo what Proportion of the Money received by the Surveyor or Surveyors of the Highways of every ſuch Pariſh or Place in lieu of or as a Compoſition for ſuch Statute Work as aforeſaid, ſhall be by him, her or them, paid to the ſaid Truſtees, or their Treaſurer or Treaſurers; and in order thereunto, it ſhall be lawful for ſuch Juſtices, from Time to Time, to ſummon the Surveyor or Surveyors of the Highways for every ſuch Pariſh or Place, to bring in Liſts before ſuch Juſtices, at ſome Place to be expreſſed in ſuch Summons, (within Fourteen Days after the ſerving of ſuch Summons); of the Names of the ſeveral Perſons, who within ſuch Pariſh or Place are by Law ſubject and liable to do Statute Work for that Year; or to the Payment of any Money in lieu of or as a Compoſition for ſuch Statute Work, diſtinguiſhing the Nature of the Work to be done, whether with Teams or Draughts, or otherwiſe; and alſo the Amount of the reſpective Sums to be paid, which Liſts of Names ſhall be made in ſuch Manner, and under ſuch Regulations and Reſtrictions, as are or may be directed by any Law or Statute in Force and Effect for the Repairs of the Public Highways; and out of ſuch Liſts the ſaid Juſtices ſhall and may allot, appoint, and order, ſuch and ſo many of the Perſons who ſhall appear to be ſubject and liable to Statute Work as aforeſaid, to do ſuch Number of Days Statute Work in every Year upon the ſaid Road, as the ſaid Juſtices ſhall think reaſonable; and the ſame ſhall be done on ſuch Days, and at ſuch Times (not being Hay-time or Harveſt), and in ſuch Parts of the ſaid Road as the ſaid Truſtees, or their Surveyor or Surveyors, ſhall, from Time to Time, order, direct, and appoint; and the ſaid Juſtices ſhall and may alſo order and direct the Perſons, who by ſuch Liſts ſhall appear to be ſubject and liable to the Payment of any Money in lieu of or as a Compoſition for Statute Work as aforeſaid, to pay ſuch Proportion thereof as the ſaid Juſtices

ſhall think proper, to the ſaid Truſtees or their Treaſurer, at ſuch Time or Times as they the ſaid Juſtices ſhall direct; and in Default of Payment thereof, the ſame ſhall and may be recovered by Diſtreſs and Sale of the Goods and Chattels of the reſpective Perſons liable to the Payment thereof, in like Manner as any Penalty is by the ſaid recited Act authorized or directed to be recovered; and each and every Perſon who ſhall neglect or refuſe to do ſuch Statute Work as aforeſaid, after Notice in Writing given to or left for him, her or them, at his, her or their uſual Place or Places of Abode, for that Purpoſe, by any Surveyor of the ſaid Truſtees, ſhall for every Day of his, her, or their Default, or the Default of any Labourer or Labourers, Team or Teams, Draught or Draughts, Horſe or Horſes, Beaſt or Beaſts, to be provided by him, her, or them, be ſubject and liable to ſuch Pains, Penalties, and Forfeitures, as ſuch Perſon or Perſons may be ſubject or liable to, by any Law or Statute in Force or Effect, for the Repair of the Public Highways; and if any Perſon who ſhall come to work as a Labourer, or ſhall be ſent with any Team or Draught to work on the ſaid Roads, ſhall be found idle or negligent by any Surveyor to the ſaid Truſtees, ſuch Surveyor is hereby empowered to remove and diſcharge the Perſon who ſhall be found idle or negligent as aforeſaid, and in that Caſe every ſuch Perſon ſhall be ſubject and liable to the reſpective Forfeitures and Payments aforeſaid, as if he had neglected or refuſed to come, or ſuch Team or Draught had not been ſent to work on any Part of the ſaid Roads, all which Forfeitures ſhall be paid to the Treaſurer to the ſaid Truſtees, and applied towards amending the ſaid Highways; and if any Surveyor of the Highways, for any of the ſaid Pariſhes or Places, ſhall refuſe or wilfully neglect to give in ſuch Liſts as aforeſaid, or ſhall knowingly and wilfully give in falſe or imperfect Liſts, every ſuch Surveyor ſo offending, ſhall, for every ſuch Offence, forfeit and pay any Sum not exceeding Forty Shillings.

Truſtees may compound with Pariſhes, &c. for Statute Labour.

LXVIII. And be it further enacted, That it ſhall be lawful for the ſaid Truſtees or their Surveyor, being authorized or empowered ſo to do by the ſaid Truſtees, to compound and agree with the Inhabitants and Occupiers of Lands, Tenements and Hereditaments, of and in all or any of the Pariſhes, Tythings, Hamlets or Places, from, to or through which the ſaid Roads hereby intended to be repaired, or any Part or Parts thereof doth or do lie, (their Conſent being firſt ſignified in Writing at a Veſtry or other Public Meeting of ſuch Inhabitants ſummoned to aſſemble for that Purpoſe), or with any of the ſaid Inhabitants reſpectively, for a certain Sum of Money by the Year or otherwiſe, as the ſaid Truſtees ſhall think reaſonable, in Lieu of the Statute Work to be by them, or any of them done, provided ſuch Compoſition Money be paid yearly in advance by the Surveyor or Surveyors, or other Officer of the Pariſh, or reſpective Perſon ſo compounding, to the Treaſurer of the ſaid Truſtees, on or before the Fifth Day of *April* in each Year.

Roads to be meaſured and Mile Stones erected.

LXIX. And be it further enacted, That it ſhall be lawful for the ſaid Truſtees or any Five or more of them, from Time to Time, when and as often as they ſhall think neceſſary, to cauſe the ſaid Roads to be meaſured, and Stones or Poſts to be placed in or near the Sides of the ſaid Roads, with Inſcriptions thereon denoting the Number of Miles and Diſtance of Places, as they ſhall think proper; and if any Perſon or

Persons shall wilfully pull up or damage any Direction or Mile Post or Stone erected or fixed, or to be erected or fixed in or near the Side or Sides of the said Roads, or shall obliterate or deface any of the Letters, Figures or Marks inscribed thereon; or if any Person shall ride upon any Foot Path formed by the Trustees or their Surveyor, upon or on the Side of or adjoining to the said Roads, or shall drive any Horse, Beast or Swine, or any Carriage upon, or cause any Damage to be done to any such Foot Path, or if any Person shall cause to be hauled or drawn upon any Part of the said Roads any Timber, Stone or other Thing (otherwise than upon Wheeled Carriages), or shall suffer any Timber, Stone or other Thing which shall be carried upon Wheeled Carriages, to drag upon the said Roads to the Prejudice thereof; or if any Person driving any Pigs or Swine upon the said Roads, shall suffer the same to root up and damage the same, or the Fences on either Side thereof; or if any Person driving any Carriage upon the said Roads, and meeting another Carriage, shall not keep his or her Carriage on his or her left or near Side of the said Roads; or if any Person shall in any Manner wilfully prevent any Person or Persons from passing him or her, or any Carriage under his or her Care upon the said Roads; or if any Person shall make or assist in making any Fire or Fires, or shall set Fire to or let off or throw any Squib, Rocket, Serpent or Firework whatsoever, on any Part of the said Roads or on the Banks or Land adjacent, and lying open thereto; or if any Person shall leave any Carriage (except in Cases of Accident), upon or on the Side of the said Roads, longer than may be necessary to load or unload the same, either with or without any Horse or Beast of Draught harnessed or yoked thereto, or shall lay any Timber, Stone, Hay, Straw, Dung, Manure, Soil, Rubbish, or any other Matter or Thing whatsoever upon the said Roads, or on the Side or Sides thereof, to the Prejudice thereof, or to the Annoyance of Persons travelling thereon; or if any Person or Persons shall scrape off any Mud, Soil or other Matter or Thing which shall be or lie upon the said Roads, or any Part thereof, and shall not within the Space of Fourteen Days take or carry away the same, every Person so offending shall for every such Offence forfeit any Sum not exceeding Five Pounds.

Penalty for obstructing the Execution of this Act.

LXX. And be it further enacted, That if any Person or Persons shall assault, interrupt or hinder, or cause or procure to be assaulted, interrupted or hindered, any Collector of the Tolls, or any Surveyor or Surveyors, or any other Person or Persons by them or any of them, or by the said Trustees or any of them employed in the Execution of this Act, every such Person shall for every such Offence forfeit any Sum not exceeding Five Pounds.

For securing transient Offenders.

LXXI. And whereas Offences may be committed against this Act by Persons unknown to the Trustees, Collectors, Surveyors or other Officers appointed to put the same in Execution; be it therefore further enacted, That it shall be lawful for the said Trustees, Collectors, Surveyors or other Officers respectively, and such other Person or Persons as he or they shall call to his or their Assistance, without any Warrant or other Authority than this Act, to seize and detain any such unknown Person or Persons who shall commit any such Offence or Offences, and take him, her or them before any Justice of the Peace of the County or Place where the Offence or Offences shall be committed, and such Justice

tice is hereby empowered and directed to proceed immediately to the hearing and determining of the Complaint, or to oblige such Person or Persons so offending, to give Security for his, her or their Appearance at the next Petty Sessions to be holden within or for the County or Place in which such Offence or Offences shall have been committed, to answer the said Complaint; and the Justices present at such Petty Sessions, or any Two or more of them, are hereby authorized and required to hear and determine the Matter of the said Complaint in a summary Way, and upon Conviction of the Offender or Offenders, either by the Justice before whom he, she or they shall be first taken, or by the Justices at such Petty Sessions as aforesaid, it shall be lawful for such Justice or Justices respectively, to commit him, her or them to the Common Gaol or any House of Correction for the said County or Place, there to remain for any Time not exceeding Fourteen Days, unless he, she or they shall sooner pay the respective Penalties by him, her or them incurred (if any) for such Offence or Offences, together with the Costs and Charges attending the Conviction and Commitment.

Penalties and Forfeitures how to be recovered and applied.

LXXII. And be it further enacted, That all Penalties, Forfeitures and Fines hereby inflicted or authorized to be imposed, (if the Manner of levying and recovering thereof be not herein otherwise directed,) shall upon Proof of the Offences respectively, before any One Justice of the Peace for the County or Place wherein the Offence shall be committed, or wherein the Offender shall be and reside, either by Confession of the Party or Parties offending, or by the Oath of One or more credible Witness or Witnesses, be levied by Distress and Sale of the Goods and Chattels of the Party or Parties offending, by Warrant under the Hand and Seal of such Justice, (which Warrant such Justice is hereby empowered and required to grant for those Purposes,) and the Overplus, after such Penalties, Forfeitures and Fines, and the Charges of such Distress and Sale are recovered and deducted, shall be returned upon Demand unto the Owner or Owners of such Goods and Chattels; and the Penalties, Forfeitures and Fines, when paid and recovered, (if not otherwise directed to be applied by this Act,) shall be from Time to Time paid to the Treasurer to the said Trustees, and applied to the Purposes of this Act; and in case sufficient Distress shall not be found, and such Penalties, Forfeitures or Fines shall not be forthwith paid, it shall be lawful for any One Justice of the Peace as aforesaid, and he is hereby authorized and required, by Warrant or Warrants under his Hand and Seal, to cause such Offender or Offenders to be committed to the Common Gaol or House of Correction of such County or Place, there to remain without Bail or Mainprize, for any Time not exceeding Six Calendar Months, unless such Penalties, Forfeitures or Fines, and all reasonable Charges shall be sooner paid and satisfied.

Conviction of Offenders.

LXXIII. And for the more easy Conviction of Offenders against this Act, be it further enacted, That all and every the Justice and Justices of the Peace, before whom any Person or Persons shall be convicted of any Offence against this Act, shall and may cause the Conviction to be drawn up in the following Form of Words, (as the Case shall happen,) or in any other Form of Words to the same Effect:

"County

"County of } BE it remembered, that on the Day of in the Year Form of Conviction.
"to wit. }
"of His Majesty's Reign, and in the Year of our Lord
"*A. B.* is convicted before
"of His Majesty's Justices of the Peace for the said County, by
"virtue of an Act of the Fiftieth Year of the Reign of King George the
"Third, intituled, An Act, &c. [*here set forth the Title of this Act, and*
"*specify the Offence, and when and where committed.*] Given under
"our Hands and Seals [*or my Hand and Seal*] the Day and Year above
"written."

Persons aggrieved may appeal to the Quarter Sessions.

LXXIV. Provided always, and be it further enacted, That if any Person shall think himself or herself aggrieved by any Thing done in pursuance of this Act, such Person may appeal to the Justices of the Peace at the next General Quarter Sessions of the Peace, to be holden for the County in which such Cause of Appeal shall arise, such Appellant (if sufficient Time after the Cause of such Complaint shall have arisen) first giving, or causing to be given, Eight Days Notice at least in Writing of his or her Intention of bringing such Appeal, and of the Matter thereof, to the Clerk or Treasurer of the said Trustees, and within Four Days next after such Notice entering into a Recognizance before such Justice of the Peace for the said County, with Two sufficient Sureties, conditioned to try such Appeal, and abide the Order thereon, and to pay such Costs as shall be awarded by the Justices at such Quarter Sessions, and for want of sufficient Time for giving such Notice previous to the first Quarter Sessions after the Cause of such Complaint shall have happened, then such Appeal (after such Notice, and under such Recognizance), may be made at the second General Quarter Sessions of the Peace to be holden for the County in which such Cause of Appeal shall arise; and the Justices at such first and second Session, upon due Proof of such Notice being given as aforesaid, and of the entering into such Recognizance, shall hear and finally determine the Cause and Matter of such Appeal in a summary Way, and award such Costs to the Parties appealing or appealed against, as they the said Justices shall think proper; and the Determination of such Quarter Sessions shall be final, binding and conclusive to all Intents and Purposes; and the said Justices, at such Sessions, may also, by their Order or Warrant, levy such Costs so awarded by Distress and Sale of the Goods and Chattels of the Person or Persons who shall refuse or neglect to pay the same; and for want of sufficient Distress commit such Person or Persons to the Common Gaol or House of Correction of or for the County in which such Offence shall be committed, there to remain for any Time not exceeding Three Calendar Months, or until Payment of such Costs.

Proceedings not to be quashed for Want of Form.

LXXV. And be it further enacted, That no Order made touching or concerning any of the Matters in this Act contained, or any Proceedings to be had touching the Conviction of any Offender or Offenders against this Act, shall be quashed for want of Form, or be removed or removeable by *Certiorari* or any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster*; and that where any Distress shall be made for any Sum or Sums of Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making

making the ſame, be deemed a Treſpaſſer or Treſpaſſers on account of any Defect or want of Form in the Summons, Conviction, Warrant of Diſtreſs, or other Proceedings relating thereto; nor ſhall the Party or Parties diſtraining be deemed a Treſpaſſer or Treſpaſſers (*ab initio*) on account of any Irregularity which ſhall be afterwards committed by the Party or Parties diſtraining, but the Perſon or Perſons aggrieved by ſuch Irregularity, ſhall and may recover full Satisfaction for the ſpecial Damage (if any) in an Action upon the Caſe; but no Plaintiff or Plaintiffs ſhall recover in any Action for ſuch Irregularity as aforeſaid, if Tender or ſufficient Amends hath been made by or on Behalf of the Party diſtraining before ſuch Action brought.

Limitation of Actions.

LXXVI. And be it further enacted, That no Action or Suit ſhall be commenced againſt any Perſon or Perſons, for any Thing done in purſuance of this Act, until after Fifteen Days Notice thereof ſhall be given to the Clerk or Clerks to the ſaid Truſtees, nor after a ſufficient Satisfaction or Tender thereof hath been made to the Party or Parties aggrieved, nor after Six Calendar Months next after the Fact committed; and every ſuch Action ſhall be laid and tried in the County in which the ſame was committed, and not elſewhere; and the Defendant or Defendants in every ſuch Action or Suit ſhall and may plead the General Iſſue, and give this Act and the ſpecial Matter in Evidence at any Trial to be had thereupon, and that the ſame was done in purſuance and by Authority of this Act; and if it ſhall appear that the ſame was ſo done, or that ſuch Action or Suit was brought before Fifteen Days Notice thereof had been given as aforeſaid, or after a ſufficient Satisfaction had been made or tendered as aforeſaid, or after the Time limited for bringing the ſame as aforeſaid, or if ſuch Action ſhall be brought in any other County, then the Jury ſhall find for the Defendant or Defendants; and upon ſuch Verdict, or if the Plaintiff or Plaintiffs ſhall be nonſuited, or ſhall diſcontinue his, her or their Action or Actions, after the Defendant or Defendants ſhall have appeared, or if upon Demurrer Judgement ſhall be given againſt the Plaintiff or Plaintiffs, then the Defendant or Defendants ſhall and may recover Treble Coſts, and have ſuch Remedy for recovering the ſame as any Defendant or Defendants hath or have in any Caſe by Law.

Compelling Payment of Subſcriptions.

LXXVII. And be it further enacted, That if any Perſon or Perſons who hath or have already ſubſcribed any Money towards the Expence of obtaining and paſſing this Act, and carrying the ſame into Execution, or any other Perſon or Perſons who ſhall hereafter become or agree to become a Subſcriber or Subſcribers for the Purpoſes aforeſaid, ſhall after Twenty Days previous Notice in Writing, under the Hand of the Treaſurer or Clerk to the ſaid Truſtees for that Purpoſe to him, her, or them given or left at his, her or their Dwelling Houſe, or uſual Place of Abode, refuſe or neglect to make Payment of the reſpective Sums by him, her or them ſubſcribed, or agreed to be ſubſcribed, or ſuch Part or Parts thereof, as may be required in ſuch Notice, it ſhall be lawful for the ſaid Truſtees or any Five or more of them, to bring or cauſe to be brought in the Name of their Clerk, an Action of Debt, or on the Caſe, Bill, Plaint or Suit againſt ſuch Perſon or Perſons ſo neglecting or refuſing as aforeſaid, his, her or their Heirs, Executors or Adminiſtrators, in any of His Majeſty's Courts of Record at *Weſtminſter*, wherein no Eſſoign,

Protection

Protection, or Wager of Law, nor more than one Imparlance ſhall be allowed, and after Proof of ſuch Perſon or Perſons having ſubſcribed or agreed to ſubſcribe, and that ſuch Notice was given as aforeſaid, ſuch Perſon or Perſons, his, her or their Heirs, Executors or Adminiſtrators, ſhall be compelled to pay the Sum or Sums of Money ſo by him, her or them ſubſcribed or agreed to be ſubſcribed as aforeſaid, together with full Coſts of Suit.

Publick Act.

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

Continuance of the Act.

LXXIX. And be it further enacted, That this Act ſhall commence and take place from and upon the Second *Monday* in the Month next after the paſſing thereof, and ſhall continue and be in Force for and during the Term of Twenty-one Years, and from thence to the End of the then next Seſſion of Parliament.

The SCHEDULE to which this Act refers.

Names of Proprietors.	Names of Occupiers.	Description.
	Govilon and Rhyd-y-blew Road.	
His Grace the Duke of Beaufort	Edward Kendall - -	A Cottage.
	Jonathan Kendall - -	
	Joseph Latham - -	
	James Cockshutt - -	
Trevil Rail Road Company -	Trevil Rail Road Company -	A Rail Road.
His Grace the Duke of Beaufort	William Llewellyn - -	A Garden.
The same - - -	John Winston - -	A Garden.
John Williams and Thomas Williams - -	John Daniel - - -	A Garden.
The same - -	William Watkins - -	A Garden.
His Grace the Duke of Beaufort	William Watkins - -	A Garden.
Leonard Williams - -	Morgan Morgan - -	A Garden.
Charles Herbert - -	Thomas Phillips - -	A Garden.
The same - - -	Howell Jones - -	A Garden.
	Llanfoist Road.	
John Hanbury Williams -	Blaenavon Company - -	A Garden, Farm. Yard and Barn.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1810.