ANNO QUINQUAGESIMO SECUNDO

GEORGII III. REGIS.

Cap. 139.

An Act for more effectually repairing the Road from the *Old Furnace* to *Newbridge* and *Merthyr Tydvil*, in the County of *Glamorgan*, and from *Merthyr Tydvil* to the Bridge over the River *Taff*, which divides the Counties of *Glamorgan* and *Brecon*.

[9th *June* 1812.]

WHEREAS an Act was passed in the Eleventh Year of the Reign of His present Majesty, King *George* the Third, intituled, *An Act for repairing and widening several Roads leading to the Town of* Llantrissent, *and also the Road leading from* Newbridge *to a Place called the* Old Furnace, *all in the County of* Glamorgan: And whereas an Act was passed in the Nineteenth Year of the Reign of His present Majesty, intituled, *An Act for enlarging the Term and Powers of an Act made in the Eleventh Year of the Reign of His present Majesty, intituled An Act for repairing and widening several Roads leading to the Town of* Llantrissent, *and also the Road leading from* Newbridge *to a Place called the* Old Furnace, *all in the County of* Glamorgan: And whereas by the said last recited Act the several Roads therein particularly mentioned and described, were directed to be divided into Two Districts, one of which was thereby declared to be the *Llantrissent* Division, and the other the *Merthyr Tydvil* Division; and the Trustees appointed in and by the said Act did, according to the Directions of the same Act, separate themselves and act respectively for each respective Division, and have made, widened, and repaired the said Roads; and for that Purpose have borrowed a considerable Sum of Money upon the Credit

11 G. 3. c. 77.

19 G. 3. c. 110.

Credit of the Tolls by the ſaid Act granted, which Money is ſtill due and owing, and cannot be paid off, nor can the Roads compriſing the ſaid *Merthyr Tydvil* Diviſion be effectually amended, widened, turned, altered, diverted, improved and kept in Repair unleſs the Term granted and continued by the ſaid Acts be further continued; and the Powers and Proviſions of the ſaid recited Acts having been found in many reſpects defective and inſufficient, it would be more convenient to the Truſtees of the ſaid *Merthyr Tydvil* Diviſion or Diſtrict, and the ſeveral Roads compriſed in ſuch Diviſion, and hereinafter mentioned and deſcribed, might be more effectually amended, widened, turned, altered, diverted, improved, repaired and kept in Repair, if the ſaid Acts were repealed ſo far as the ſame reſpect the *Merthyr Tydvil* Diſtrict, and further and other Powers and Proviſions granted inſtead thereof; may it therefore pleaſe Your Majeſty, that it may be enacted, and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That as ſoon as any Five or more of the Truſtees appointed by this Act, ſhall be aſſembled at their Firſt Meeting, purſuant to the Directions herein-after contained, and ſhall have proceeded to put this Act in Execution, the ſeveral Acts herein-before mentioned, ſhall be and the ſame are hereby declared to be repealed, ſo far as the ſame reſpectively relate in any Manner to the *Merthyr Tydvil* Diviſion; and that inſtead thereof this Act ſhall commence, and take Effect, and be put in Execution for and during the Term herein-after mentioned, for the Purpoſe of more effectually repairing, widening, altering, making, improving and keeping in Repair the ſeveral and reſpective Roads within the ſaid *Merthyr Tydvil* Diſtrict or Diviſion, and herein-after deſcribed.

Acts repealed ſo far as relates to Merthyr Tydvil Diſtrict.

Roads deſcribed.

II. And be it further enacted, That the Road leading from the *Old Furnace* to the Eaſt End of the Bridge over the River *Taff*, called *Newbridge*, and from the ſaid Bridge called *Newbridge*, along the Road leading from thence to the Iron Bridge above the Town of *Merthyr Tydvil*, over the ſame River *Taff*, and from the ſaid Town of *Merthyr Tydvil* over *Morlais* Bridge to the Bridge over the River *Taff* which divides the Counties of *Glamorgan* and *Brecon*, near a Village called *Coedycymar*, in the ſaid County of *Brecon*, ſhall, together with ſuch Alterations and Deviations as are authorized to be made, or ſhall or may be made by virtue of or under this Act, be deemed to be comprized in, and ſhall be called and known by the Name of the *Merthyr Tydvil Turnpike Truſt*; and ſhall be deemed the Roads to be repaired and maintained by virtue of the ſeveral Powers of this Act.

Truſtees.

III And be it further enacted, That *John Allen*, *Anthony Bacon*, *Thomas Bacon*, *Joſeph Bailey*, *Crawſhay Bailey*, *Francis William Bowſer*, *John Bruce Bruce*, *Richard Blakemore*, *William Bryant*, *Thomas Burnell*, *William Crawſhay*, *Richard Crawſhay*, *William Crawſhay* the Younger, *George Crawſhay*, *Thomas Cooke*, *Walter Coffin* the Younger, *William Davies* of *Mardy*, *Rees Davies* of *Mardy*, *David Davies* of *Garth*, *Edward Davies* of *Garth*, *Morgan Davies* of *Llanwonno*, *William Milbourne Davies*, *David Davies* Surgeon, *Richard Davies*, *Daniel Davies* of *Cwm*, *Lewis Edwards* of *Bedlinog*, *Lewis Edwards* of *Yſgwiddgwyn*, *Thomas Edwards* of *Bedlinog*, *David Edwards* of *Gyrnos*, *Edward Edwards*

wards of *Gyrnos*, *John Edwards* of *Rheola*, *Thomas Franklen*, *Richard Franklen*, *William Forman*, *Henry Forman*, *Thomas Seaton Forman*, *William Henry Forman*, *Edward Forman*, *Richard Griffiths*, *Josiah John Gueſt*, *Thomas Revel Gueſt*, *George George* of *Brithdir*, *Watkin George*, *John Goodrich*, *William Goodrich*, *Bartlett Goodrich*, *Brocket Grover*, *Sir Jeremiah Homfray*, *Thomas Homfray*, *Samuel Homfray*, *Jeremiah Homfray* the Younger, *John Homfray* of *Penydarran*, *Samuel Homfray* the Younger, *Watkin Homfray*, *Richard Hill*, *John Hill*, *Anthony Hill*, *Thomas Harding*, *Benjamin Hall*, *Benjamin Hall* the Younger, *Richard Hoare Jenkins*, *Richard Jenkins* of *Abervan*, *David Jenkins* of *Abervan*, *William Jones* of *Merthyr*, *William James* of *Merthyr*, *Chriſtopher James* of *Merthyr*, *Robert Jones* of *Foumon Caſtle*, *Oliver Jones*, *Thomas Jones* Clerk, *Evan Jones* of *Maeſyvaynor*, *Jehoſaphat Jones* of *Maeſyvaynor*, *Alexander Kirkwood*, *William Bruce Knight* Clerk, *James Lewis Knight*, *William Lewis* of *Dowlais Works*, *Henry Lewis* of *Liſvane*, *Wyndham Lewis* of *Laniſhen*, *William Lewis* Clerk, *Wyndham Lewis* of *Cardiff*, *Morgan Lewis* of *Merthyr*, *Sir Charles Morgan* Baronet, *Charles Morgan* of *Rhuperra*, *George Gould Morgan*, *George Martin Maber* Clerk, *William Morgan* of *Grawen*, *William Morgan* the Younger, *Evan Morgan* of *Hafod*, *William Morgan* of *Watford*, *Lewis Morgan* of *Watford*, *John Morgan* of *Graig*, *William Meyrick*, *David Williams Meyrick*, *John Nathaniel Miers*, *George Overton*, *Lionel Oliver*, *John Price* of *Landough Caſtle*, *William Price* of *Ivy Houſe*, *John Perrott* of *Gellygare*, *William Perrott* of *Gellygare*, *Thomas Pierce*, *Thomas Pritchard* of *Cwm y Foreſt*, *Theophilus Richards* of *Aberdare*, *John Richards* of *Cardiff*, *John Richards* of *Landaff Court*, *Lewis Roberts* of *Aberdare*, *Samuel Rees* of the *Court*, *Thomas Rees* of the *Court*, *Thomas Reece* of *Navigation-Houſe*, *George Scale*, *John Scale*, *Robert Sheddon*, *William Taitt*, *Francis Tappenden*, *Jenkin E. Tappenden*, *Thomas Thomas* of *Lanbradach*, *George Thomas* of *Lanbradach*, *Charles Kemmeys Kemmeys Tynte*, *Thomas Williams* of *Merthyr*, *David Williams* of *Merthyr*, *William Williams* of *Merthyr*, *John Williams* of *Merthyr*, *Rees Williams* of *Aberpergwm*, *William Williams* of *Aberpergwm*, *Rees Williams* the Younger, *William Williams* of *Llanwonno*, *William Williams* the Younger of *Llanwonno*, *Daniel Williams* of *Perthygleiſion*, *Rowland Williams* of *Hendredenny*, *George Williams* of *Hendredenny*, *Cann Wilkins*, *John Wood* of *Cardiff*, *John Wood* the Younger, *Nicholl Wood*, *Henry Williams*, and their Succeſſors, to be elected in Manner hereinafter mentioned, ſhall be, and they are hereby appointed Truſtees for repairing, widening, altering, diverting, improving, and keeping in Repair the ſaid Roads hereinbefore mentioned and deſcribed, and for otherwiſe putting this Act in Execution.

Allowing the Truſtees to appoint an additional Number of Truſtees.

IV. Provided always, and be it further enacted, That it ſhall be lawful to and for the ſaid Truſtees or any Nine or more of them, and they are hereby empowered at any Time or Times to elect any Number of additional Truſtees not exceeding Ten, who ſhall have the ſame Power and Authority for executing this Act as if they had been hereby nominated and appointed.

Power to elect new Truſtees

V. And for continuing a ſufficient Number of Truſtees for putting this Act in Execution, be it further enacted, That when and as often as any Truſtee or Truſtees ſhall die, remove, or decline or refuſe to act, or ſhall not act for Three ſucceſſive Years, it ſhall be lawful for the ſurviving

Truſtees, or any Five or more of them, by any Writing or Writings under their Hands and Seals, from Time to Time, to nominate and appoint One or more fit Perſon or Perſons in the Room of ſuch Truſtee or Truſtees ſo dying, removing, declining, refuſing, or neglecting to act, Notice of the Time and Place of Meeting for the Election of all and every ſuch Truſtee or Truſtees being affixed in Writing upon all the Toll-gates or Turnpikes to be erected upon the ſaid Roads by virtue of this Act, at leaſt Ten Days before the Meeting for ſuch Election; and every Perſon and Perſons who ſhall from Time to Time be ſo choſen and appointed (being qualified as by this Act is required) is and are hereby empowered to act, to all Intents and Purpoſes, in as full and ample Manner as the Truſtees hereby nominated are empowered to act.

Qualification of Truſtees.

VI. And be it further enacted, That no Perſon ſhall be capable of acting as a Truſtee in the Execution of this Act, unleſs he ſhall be poſſeſſed in his own Right or in Right of his Wife, of an Eſtate in Lands, Tenements and Hereditaments, ſituate in the ſaid County of *Glamorgan* of the clear yearly Value of Fifty Pounds above Repriſes, or poſſeſſed of or entitled to a Perſonal Eſtate to the Amount or Value of One thouſand Pounds over and above Payment of his Debts, 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 Pounds in the County of *Glamorgan*, and unleſs ſuch Perſon ſhall, previous to his acting as a Truſtee, deliver or cauſe to be delivered in upon Oath a Declaration or Certificate in Writing, ſigned by him, expreſſing his Qualification, which Declaration or Certificate ſhall be kept and filed by the Clerk to the ſaid Truſtees, and an Entry made of their Names, and the Time when delivered; provided nevertheleſs, that no Perſon ſhall be capable of qualifying by virtue of a Perſonal Eſtate of One thouſand Pounds aforeſaid, or of acting as a Truſtee under ſuch Qualification, unleſs ſuch Perſon ſhall at the Time of his qualifying and acting as a Truſtee, reſide and dwell within the County of *Glamorgan*; and if any Perſon 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 in the Court of Great Seſſions to be held for the County of *Glamorgan*, 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 for which he ſhall receive any Salary or Allowance 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 be capable of holding any Place of Profit under this Act.

No intereſted Truſtee to act, nor any Victualler.

Acts of unqualified Truſtees before Convic-

VII. 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,

Act, previous to his being convicted of the Offence before-mentioned, shall notwithstanding such Conviction be as valid and effectual as if such Persons had been qualified to act according to the Directions of this Act. tion to remain valid.

VIII. 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 for the Time being; and that no Action or Suit to be brought or commenced by the Direction of or against the said Trustees by virtue of this Act, in the Name of their Treasurer, shall abate or be discontinued by the Death or Removal of any such Treasurer, nor by the Act of such Treasurer without the Consent of the said Trustees, or any Five or more of them at a Meeting held in pursuance of this Act, but that the Treasurer for the Time being to the said Trustees shall be deemed to be the Plaintiff or Defendant (as the Case may be) in every such Action or Suit; provided always, that every such Treasurer in whose Name any Action or Suit shall be commenced, prosecuted or defended in pursuance of this Act, shall be fully indemnified, reimbursed and paid out of the 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 or Defendant as aforesaid. Trustees may sue and be sued in the Name of their Treasurer. Treasurer to be reimbursed the Expences.

IX. And be it further enacted, That the said Trustees, or any Five or more of them, shall meet at the *Castle* Inn, in *Merthyr Tydvil*, on the Second *Friday*, from and after the passing of this Act, or as soon after as conveniently may be, between the Hours of Ten 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 adjourn themselves from Time to Time, and afterwards meet there, or at any other Place on or near the said Road, as the said Trustees, or any Five or more of them, shall think proper and appoint, as often as it shall be necessary for putting this Act into Execution; provided always, that Two Trustees shall be sufficient for the Purpose of Adjournment only, and in case a competent Number of Trustees shall not be present at the Time and Place appointed for a Meeting of the Trustees for putting this Act in Execution, either to act or to adjourn to any other Time, or in case the Trustees at any Time assembled shall omit or neglect to adjourn themselves, then, and in either of the said Cases, it shall be lawful for the Clerk or Treasurer to the Trustees for the Time being to adjourn to some future Day, not exceeding Four Weeks from the Day on which such Meeting ought to have been held, of which Notice in Writing shall be given by such Clerk or Treasurer, and affixed on all the Turnpikes or Toll-gates erected on the said Road, at least Ten Days before the Day so appointed, or to which such Adjournment shall be made; and in case such Clerk or Treasurer respectively shall refuse or neglect, 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 affixed in Manner aforesaid, to appoint the Trustees to meet at the usual Place of holding such First Meeting of Trustees.

Meetings as aforesaid, upon some convenient Day within Four Weeks next after the Date of such last-mentioned Notice.

The Majority of Trustees assembled to concur in all Orders. Trustees being Justices of the Peace may act as such.

X. 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, not being less than Four, 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.

XI. 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 Trustees revoking or altering the same shall amount to Nine at least, and shall exceed the Number of Trustees by whom such Order was made, 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 Receipt of such Notice, shall cause true Copies thereof to be fixed on all the Toll-gates then erected on the said Roads.

All Orders to be entered in a Book.

XII. And be it further enacted, That the said Trustees shall, during the Continuance of this Act, take care to have all Receipts, Payments, Debts, Orders or Contracts had, or made, or contracted, or entered into, for, upon, or on account of the making and amending, widening, diverting, or turning the said Roads, and all other the Proceedings of them the said Trustees, to be forthwith fairly written and entered in One or more Book or Books to be kept for that Purpose by the said Clerk or Clerks, Treasurer or Treasurers; which said Book or Books shall or may be seen and perused at all seasonable Times without Fee or Reward, by any Person or Persons whomsoever; and also that any of the said Trustees shall and may take Copies of all or of any Part thereof, paying for every Copy not exceeding Sixpence for every One hundred Words, and so proportionably for any greater or less Number of Words; and that all such Orders so entered shall be signed by the Trustees making the same, and countersigned by the Clerk; and such Orders shall be deemed and taken to be original Orders; which said Book or Books and also such Book or Books as shall or may be kept for registering or entering Certificates of Qualifications, Assignments, Transfers, and Compositions, shall and may be produced, admitted, and read in Evidence in all Cases of Appeal, Suits, or Actions touching any Thing done in pursuance and by the Authority of this Act.

Which shall be original Orders.

Entries of Proceedings under former Acts good Evidence.

XIII. Provided always, and be it further enacted, That all and every Book or Books in which any Entry or Entries of any Proceeding or Proceedings relating or in anywise appertaining to the said Roads, to be made, amended, widened, and repaired by virtue of this Act or any of them, or any of the Trustees or other Person or Persons acting by or under the Authority of the said recited Acts or either of them, (such Entry or Entries being made in such Book or Books according

cording to the Directions of, and made Evidence by the ſaid recited Acts or either of them) ſhall be and be deemed to be good and ſufficient Evidence of ſuch Proceedings in any Court whatſoever, any Thing herein contained to the contrary in anywiſe notwithſtanding.

Old Officers to continue till others appointed.

XIV. And be it further enacted, That each and every Treaſurer, Clerk, Collector of the Tolls, Surveyor, and other Officer and Officers nominated and appointed under and by virtue of the ſaid recited Acts, or either of them, ſhall hold and enjoy their ſeveral and 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, and other Officer and Officers, ſhall have the like Power and Authorities for carrying this Act into Execution and ſhall be ſubject and liable to ſuch Pains and Penalties, and to the like Powers of Removal, and to the like Rules and Regulations in all reſpects whatſoever, as if he or they had been nominated and appointed under or by virtue of this Act.

Truſtees may appoint Officers.

XV. And be it further enacted, That the ſaid Truſtees, or any Five or more of them, at their firſt or any ſubſequent Meeting as Occaſion ſhall require, may, by Writing under their Hands, elect and appoint a 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 Five 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 Clerks, Treaſurers, Collectors, Receivers, Surveyors and other Officers or any of them, as they the ſaid Truſtees or any Five or more of them ſhall ſee Occaſion; and the ſaid Truſtees or any Five 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 Clerk, Treaſurer, Receiver, Collector, Surveyor and other Officer 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 Five or more of them, ſhall ſeem proper; and every Officer and Perſon who ſhall be appointed as aforeſaid ſhall from Time to Time, when thereunto required by the ſaid Truſtees, or any Five or more of them by Writing under their Hands, make out and deliver unto ſuch Truſtees or to ſuch Perſon or Perſons as they or any Five 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, have been diſpoſed of, together with the Vouchers and Receipts for ſuch Payments, and ſhall verify ſuch Account upon Oath, if thereunto required by the ſaid Truſtees or any Five 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 Five or more of them ſhall appoint to receive the ſame; and if any ſuch Officer or Perſon ſhall refuſe or neglect to render and deliver ſuch Account as aforeſaid, or to produce or deliver up the

and remove them.

Officers to account.

Vouchers

Vouchers and Receipts relating to the ſame, or to verify the Articles thereof upon Oath, or to pay the Balance thereof when thereunto required in Manner aforeſaid, or ſhall refuſe or neglect to deliver up to the ſaid Truſtees, or any Five or more of them, or to ſuch Perſon or Perſons as they or any Five or more of them ſhall appoint, within Five Days after being thereunto required by the ſaid Truſtees, or any Five 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 Five 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 Five 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 or 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 unto 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 of *Glamorgan*, 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 Five or more of them, for ſuch Money and Charges, and paid the Compoſition-Money to the ſaid Truſtees, or any Five or more of them, or ſuch Perſon or Perſons as they ſhall appoint to receive the ſame, and which Compoſition the ſaid Truſtees, or any Five 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

any Five 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.

Treasurer to give Security.

XVI. And be it further enacted, That the said Trustees, or any Five or more of them, shall, and they are hereby authorized 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 said Office and Offices; as to the said Trustees or any Five or more of them shall seem fit.

Trustees may appoint temporary Collectors

XVII. 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 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 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 for the Space of Seven Days next after Demand thereof made, and Notice in Writing given for that Purpose by any Five 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 of *Glamorgan*, 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 House and 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.

Power to continue and erect Toll-Gates, &c.

XVIII. 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 Acts, within the said District of *Merthyr Tydvil*, and may erect and set up, or cause to be erected and set up, any other Toll-gate or

or Gates, Bar or Bars, Chain or Chains in, upon, or acroſs any Part or Parts of the ſaid Roads within the ſaid Diſtrict, and upon the Sides thereof, and alſo acroſs any Lane or Way leading into or out of the ſame; and may alſo continue, erect, or provide a Toll-houſe with ſuitable Out-buildings and Conveniences, at or near each Toll-gate; and may from Time to Time afterwards remove, alter, 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 Spots for Garden for the Toll-houſes reſpectively not exceeding One eighth Part of an Acre to each Toll-houſe.

To prevent evading Payment of Tolls on Commons.

XIX. And whereas ſome Parts 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 enacted, That the ſaid Truſtees 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 anywiſe diſplace, deſtroy, or carry away any ſuch Fence, or any Part thereof, or ſhall fill up or injure any ſuch Ditch, 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 under or by virtue of this Act.

Power to take Tolls.

XX. And be it further enacted, That the reſpective Sums of Money following, 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 uſing, or attending any Horſe, Beaſt, Cattle, or Carriage, by ſuch Perſon or Perſons as the ſaid Truſtees 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,

Tolls.

For every Horſe, Mare, Gelding, Mule, or other Beaſt of Burthen, laden or unladen, and not drawing, any Sum not exceeding Twopence

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 Ninepence; and with Wheels of Six Inches or upwards, any Sum not exceeding Sixpence:

For every Horſe, Mare, Gelding, or other Beaſt drawing any Waggon, Wain, Cart, or any other ſuch like Carriage, loaded with Timber, 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 Ninepence:

For every Horſe, Mare, Gelding, Mule, or other Beaſt drawing any Coach, Chariot, Chaiſe, Landau, Phaeton, Curricle, Gig, Cart for Travelling, or any other ſuch like Carriage, any Sum not exceeding Sixpence:

For every Score of Oxen, or other Neat Cattle, any Sum not exceeding One Shilling and Eightpence; and for every Score of Calves, Swine, Goats,

Goats, Sheep or Lambs, any Sum not exceeding Tenpence; and so in Proportion for any greater or leſs Number of Oxen, or other Neat Cattle, Calves, Swine, Goats, Sheep or Lambs.

Sunday Tolls.

XXI. 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 every Carriage, Horſe, Beaſt, or other Cattle paſſing through any Gate or Turnpike upon the ſaid Roads, or any of them, double the Tolls or Sum hereinbefore ſpecified, 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; the ſaid ſeveral Tolls to commence and take Effect from and after the Second *Friday* after the paſſing of this Act.

Tolls veſted in the Truſtees.

XXII. And be it further enacted, That the ſaid reſpective Tolls ſhall be, and they are hereby veſted in the ſaid Truſtees, and ſhall be paid, applied, aſſigned, and diſpoſed of for the Uſe, Benefit, and Advantage of the ſaid Roads, and for the ſeveral Purpoſes of this Act.

Tolls may be levied by Diſtreſs:

XXIII. And be it further enacted, That if any Perſon or Perſons ſubject to the Payment of any ſuch Tolls ſhall, after Demand thereof made, refuſe or neglect to pay the ſame, or any Part thereof, it ſhall be lawful for the Perſon or Perſons appointed to collect the ſaid reſpective Tolls, by himſelf, herſelf, or themſelves, or taking ſuch Aſſiſtance as he, ſhe, or they ſhall think neceſſary, to ſeize and diſtrain any Horſe, Mare, Gelding, Mule, Aſs, or other Beaſt or Cattle, or of any Carriages upon which ſuch Tolls are by this Act impoſed, or any of the Bridles, Saddles, Harneſs, or Accoutrements upon any of the Horſe or Horſes or other Cattle, but no Bridle ſhall be taken ſeparate from the Horſe or other Beaſt; and to detain and keep the ſame until ſuch Tolls, together with the reaſonable Charges of diſtraining and keeping the ſame, ſhall be paid; and it ſhall be lawful for ſuch Perſon or Perſons, after the Space of Five Days next after ſuch Diſtreſs ſo taken, to ſell the Cattle, Carriage, Bridles, Saddles, Harneſs, or Accoutrements ſo diſtrained, returning the Overplus (if any ſhall be) upon Demand, to the Owner thereof, after ſuch Tolls and the reaſonable Charges of diſtraining and ſelling the ſame ſhall be deducted and paid.

when commencing.

Power to vary.

XXIV. And be it further enacted, That the ſaid Truſtees, or any Seven or more of them, at any Meeting to be holden for that Purpoſe, whereof Twenty-one Days Notice ſhall be inſerted in ſuch Newſpaper or Newſpapers as aforeſaid, and affixed on ſuch Gates or Turnpikes as aforeſaid, may, and they reſpectively are hereby empowered, from Time to Time, to lower or reduce all or any of the ſaid reſpective Tolls hereby granted, and alſo any additional Tolls payable by any Act or Acts of Parliament now in Force for Overweights, in ſuch Manner as to them ſhall ſeem fit and convenient, and to order ſuch reſpective Tolls ſo lowered or reduced

duced to be collected and received in such Manner, Parts, and Proportions as they shall think fit, so that such Reduction be no Prejudice to, and be with the Consent of Four-fifths in Value of the several Persons who shall have advanced any Money on the Credit of this Act and the said hereinbefore recited Acts, so far as such Acts or either of them relate to the said *Merthyr Tydvil Trust*, at the Time of such Reduction; and the said Trustees may, and they are hereby empowered to raise the said respective Tolls again, or any Part thereof, so that the same do not exceed the respective Tolls herein-before granted and made payable; and such respective Tolls so lowered or reduced, and raised again, shall be collected, recovered, paid, applied, or disposed of in such and the same Manner as the said respective Tolls hereinbefore granted, and now payable as aforesaid, are respectively directed to be collected, received, paid, and applied.

Tolls to be taken but once a Day.

XXV. Provided always, and be it further enacted, that no Person who shall have paid for passing through any Gate or Turnpike to be erected by virtue of this Act, shall be subject to any Toll for returning through such Gate or Turnpike on the same Day with the same Horse or Horses, Cattle, or Carriage, but shall return Toll-free, on delivering a Note or Ticket to the Collector of the Tolls of such respective Gates or Turnpikes; which Note or Ticket such Collector is hereby required to deliver *gratis* on Receipt of the Toll.

Toll to be paid only Four Times on whole Road in one Day.

XXVI. And be it further enacted, That if any Person shall have paid the Toll hereby authorized to be taken for the passing of any Horse, Cattle, Beast, or Carriage through any of the said Toll Gates or Turnpikes, such Person shall, upon producing a Note or Ticket denoting the Payment thereof on that Day, at the same Toll Gate, (which Note or Ticket the Collector or Collectors of the said Tolls is and are hereby required to deliver *gratis* on Demand to every Person who shall so pay such Toll) be permitted to pass and repass Toll-free with the same Horses, Cattle, Beasts, or Carriages through the same Toll Gate at any Time or Times during the same Day, to be computed from Twelve of the Clock on one Night to Twelve of the Clock on the succeeding Night; but if any Person with any Horse, Beast, Cattle, or Carriage having paid One whole Toll at any Turnpike or Toll Gate upon the said Road, shall pass through any other Turnpike or Toll-gate upon the said Road, with the same Horses, Beasts, Cattle, or Carriages, he shall be liable to the Payment of Toll at such other Turnpike or Toll Gate; provided always, that no more than Four Tolls in the whole shall be demanded or payable in any One Day to be computed as hereinbefore mentioned, from any Person for passing or repassing the whole Length of the said Road, and through all or any of the Toll Gates thereon with the same Horses, Beasts, Cattle, and Carriages, nor shall any Person who shall have paid the said Tolls be liable to pay the same again at any Turnpike which shall be erected within Five Statute Miles of any other at which Toll shall have been paid.

Disputes concerning Tolls, how to be settled.

XXVII. And be it 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 of *Glamorgan*, 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.

XXVIII. And be it further enacted, That in caſe any Diſpute 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.

XXIX. 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 Fourteen Days 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 public Bidding, 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; and the Renter or Renters of ſuch Tolls, and their Collectors, ſhall have the ſame Powers and Authorities as are veſted in the Collectors hereinbefore mentioned for all the Purpoſes of this Act; and ſuch Leſſee or Leſſees, Farmer or Farmers, ſhall have ſuch and the like Powers and Authorities of appointing any Collectors of the Tolls, and diſmiſſing them for Miſbehaviour or Neglect of Duty of recovering the Tolls received by ſuch Collector, and of obtaining Poſſeſſion of the Toll-gates and Houſes as are by this Act given to the ſaid Truſtees.

Leſſees and Perſons appointed by them may collect the Tolls.

XXX. And be it further enacted, That during ſuch Times as the ſaid Tolls, or any Part or Parts thereof, ſhall be leaſed, demiſed, or in farm to any Perſon or Perſons whomſoever, it ſhall and may be lawful to and for the Leſſee or Leſſees, Farmer or Farmers thereof, or ſuch other Perſon or Perſons as he or they ſhall by Writing or Writings under his or their Hand or Hands authorize or appoint to demand and take the ſaid Tolls ſo leaſed, demiſed, or farmed, with the like Powers for the Recovery thereof to all Intents and Purpoſes whatſoever as any Collector of the ſaid Tolls, appointed by the ſaid Truſtees, is hereby authorized and

and empowered to demand, take, and recover the ſame; and ſuch Leſſee or Leſſees, Farmer or Farmers, or other Perſon or Perſons as aforeſaid, ſhall be ſubject to the like Pains, Penalties, and Forfeitures, and ſhall be liable to the like Actions and Proſecutions as any Collector of the ſaid Tolls appointed by the ſaid Truſtees is ſubject or liable to.

General Exemption from Tolls.

XXXI. 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 Poſtmaſter-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 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 the ſaid Roads paſs, nor for any Horſes, Beaſts, Cattle, or Carriages, uſed or employed for the Purpoſe only of carrying or conveying Perſons to or from any Election of a Knight or Knights of the Shire, to ſerve in Parliament for the County of *Glamorgan*, or of carrying or conveying Vagrants ſent by Legal Paſſes, or of carrying or conveying Hay, Straw, or Corn in the Straw for the Uſe of the Owners, and not for Sale, nor having been purchaſed, or of carrying or 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 Employ, nor for any Horſes, Beaſts, or Cattle employed in carrying or conveying, or going to carry or convey, or returning from carrying or conveying, having been employed only in carrying or conveying any Plough, Harrow, or other Implement of Huſbandry, unleſs the Carriage bearing any ſuch Plough, Harrow, or other Implement of Huſbandry, be alſo laden with any other Thing not hereby intended to be exempted from Payment of Toll, nor for any Horſe, Beaſt, or Carriage 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 unto the next adjoining Pariſh, and not travelling more than Two Miles along the ſaid Roads, nor for any Horſe, Beaſt, or other Cattle going to or returning from being ſhod or farried, not beyond the ſaid Diſtance of Two Miles, 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 Highways or Public Roads within any ſuch Pariſh, Hamlet,

or

or Place as aforesaid, or for rebuilding, building, or repairing every present or future Bridge or Bridges, or the Roads hereby directed to be repaired, 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 is in the Uniform of his Corps, and has his Arms, Furniture, and Accoutrements, according to the Regulations appointed for 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, 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 Proofs of Exemptions shall lie upon the Person claiming the same.

Carriages conveying Military Stores, not to be subject to Penalties for Overweight, &c.

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

XXXIII. 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, or Ground, (not being the Owner or Owners, or Occupier or Occupiers thereof,) 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 Public Highway, or the Road to or from some Mill) shall knowingly or willfully permit or suffer any other Person or Persons to go or pass with any Horse, Beast, Cattle or Carriage, through or over any Part of such Land, Ground or Place, in order 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 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, in order to avoid or evade the Payment of any of the said Tolls, or if any Person or Persons shall do any other

other Act in order 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.

For preventing Perſons travelling along a certain Tram-Road, not being Proprietors of the ſame.

XXXIV. And whereas the Payment of the Tolls authorized to be taken by the ſaid recited Acts, have been evaded, and are likely to be evaded and leſſened by Perſons travelling along, and upon a certain Tram-Road, leading from *Merthyr Tydvil* to the *Glamorganſhire* Canal, near a certain Place called the *Navigation-Houſe* in the Pariſh of *Llanfabon*, running nearly parallel with the ſaid Road, and it would be beneficial to prevent ſuch Evaſions as much as poſſible: be it therefore enacted, That if any Perſon or Perſons ſhall ride, go, paſs or travel with any Horſe, Mare, Gelding or other Beaſt along the ſaid Tram-Road or any Part thereof, except for the Purpoſes of drawing Tram-Waggons thereon, ſuch Perſon or Perſons not being a Proprietor or Proprietors of ſuch Tram-Road, his or their known Agent or Servant, ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Forty Shillings.

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

XXXV. 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 authorized 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 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 thereof notwithſtanding.

Toll-gate Houſes, &c. veſted in Truſtees, who may diſpoſe of the ſame, and bring Actions.

XXXVI. And be it further enacted, That all 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 have been erected at any Time hertofore, by virtue of or under the Powers of the ſaid recited Acts, as or for the Purpoſe of Toll-houſes upon or on the Sides of the ſaid Roads, and which may be rendered or conſidered uſeleſs as Toll-houſes, in conſequence of the Removal of Toll-gates to other Situations, or which ſhall be erected or made by virtue of this Act, and all Materials for building and repairing the ſame, 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 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 ſuch Houſe or Appurtenants, or ſhall ſteal, take

take away, break down or damage any such Turnpikes, Toll-gates, Toll-houses, Conveniences, Appurtenances, Materials, Articles, or Things, or disturb them, or their Agent or Servant in the Possession thereof.

Application of the Tolls and Money to be borrowed.

XXXVII. And be it further enacted, That out of the Tolls or other Monies already received by virtue of the said recited Acts, or out of the Tolls and all other Monies which shall be raised or 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 and Expences relative to procuring and passing this Act, and the Remainder of all such Monies shall from Time to Time be applied in paying the Interest of the Money borrowed or now owing by virtue of the said recited Acts, or either of them, so far as the same are chargeable upon the said *Merthyr* Turnpike Trust or District, or either of them, and in making, repairing, improving, and rendering commodious the said Roads, and in otherwise putting this Act in Execution, and to or for no other Use or Purpose whatsoever.

Power to get Materials.

XXXVIII. And be it further enacted, That it shall be lawful for the Surveyor or Surveyors to the said Trustees, and all such Persons as he or they shall appoint, to search for, dig, gather, take, and carry away any Materials for making or repairing the said Roads, or building, rebuilding, or repairing any present or future Toll-house or Toll-houses on or by the Side thereof, or any Bridge or Bridges thereon, out of any common 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 Surveyor or Surveyors, 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 Surveyor or Surveyors, and such Persons as he or they shall appoint to search for, gather, dig, take, and carry away such Materials in or out of the Lands of any Person, not being a Garden, Orchard, Yard, Park, Paddock, Planted Walk, or Avenue to any House, or 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 Five or more of them, shall adjudge reasonable; and in case of any Difference between the said Trustees, Surveyors, or other Persons appointed and employed as aforesaid, and the Owners and Occupiers of such Lands, or any of them, concerning such Payments and Damages as aforesaid, the Justices of the Peace at their next General Quarter Sessions, or at the Second General Quarter Sessions at the furthest, to be holden for the County of *Glamorgan*, on Six Days Notice thereof being given in Writing by either Party to the other, shall hear, settle, and determine the Matter of such Payments and Damages; and the Judgment or Order of the said Justices 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.

XXXIX. 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 or repairing the ſaid Roads, nor of or from any incloſed Lands, until Notice in Writing, ſigned by the 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 Five or more of them, or any Juſtice of the Peace acting for the County or Place wherein ſuch Land ſhall lie, to ſhew Cauſe why 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 Five or more of them, or ſuch Juſtice, ſhall, if they ſhall think proper, authorize ſuch Surveyor or other Perſon to dig, gather, take, and carry away ſuch Materials at ſuch Time or Times as to ſuch Truſtees or to ſuch Juſtice ſhall ſeem proper; and if ſuch Owner or Occupier ſhall neglect or refuſe to appear by himſelf or herſelf, or his or her Agent, without ſome reaſonable Excuſe for not ſo appearing, the ſaid Truſtees, or any Five or more of them, or ſuch Juſtice, 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 Surveyor.

XL. And be it further enacted, That if any Perſon whomſoever 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 Surveyors or their Workmen ſhall have diſcontinued working therein for the Space of Three 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 over and above the Value of the Materials.

Power to make Cauſeways and Drains.

XLI. 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 Surveyors, to make or cauſe to be made, Cauſeways or Foot-paths along the Side or Sides of the ſaid Roads, or any Part or Parts thereof, and to cut any Watercourſe in or through any Land adjoining or lying contiguous to any Part of the ſaid Roads in order to drain or divert any Water from the ſaid Roads, and to prevent the ſame from being overflowed, and to erect Bridges or Culverts over ſuch Drains or Water-courſes, if neceſſary; and alſo to make a Way over the Land adjoining to the ſaid Roads, (not being the Scite of or Ground whereon any Houſe or Houſes ſtand, or Planted Walk, 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 Lands for the Damages thereby ſuſtained, as to the ſaid Truſtees, or any Five or more of them, ſhall ſeem reaſonable; and

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 of the Peace for the County of *Glamorgan*, or at their Second Quarter-Sessions at the furthest, to settle, adjudge and determine what Recompense shall be made to such Owners and Occupiers for the Damage they shall have sustained as aforesaid, which Determination shall be final and conclusive.

Surveyor may remove Annoyances.

XLII. And be it further enacted, That it shall be lawful for the said Surveyor or Surveyors and such Person or Persons as he or they shall appoint, to remove all Annoyances and Nuisances on or by the Side of any Part of the said Roads, and to dispose of the same for the Benefit of the said Roads; and also to remove and take down any Pig-stye, Shed, or other Encroachment made within the last Five Years, within the Distance of Fifteen Feet from the Centre 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 Fifteen Feet of the Centre of the said Road, (except Trees or Bushes planted for Ornament or Shelter to the House, Building, Court-yard, or Pleasure-ground of the Owner thereof,) and to cut or plash such Hedges, the Owners or Occupiers thereof neglecting to cut down such Trees or Bushes, or to cut or plash such Hedges, or to remove such Annoyances and Encroachment for the Space of Ten Days after Notice given in Writing for that Purpose, under the Hand or Hands of the said Surveyor or Surveyors, the Charges thereof shall be reimbursed to the said Surveyor or Surveyors 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 and Encroachments as aforesaid; and in case such Owners or Occupiers shall not, upon Demand, pay and reimburse to the said Surveyor or Surveyors by Warrant under the Hand and Seal or Hands and Seals of One or more Justice or Justices of the Peace for the County of *Glamorgan*, from Time to Time, to levy the said Charges upon such Owners or Occupiers by Distress and Sale of his, her and their Goods and Chattels, rendering 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 Justice of the Peace for the said County of *Glamorgan*, shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Owners of Watercourses neglecting to scour them after Notice, Surveyor may do so, and charge them, &c.

XLIII. 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 and cleansed, within the Space of Ten Days next after Notice in Writing 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 Surveyor or Surveyors, then the said Surveyor or Surveyors shall and may cause such Ditches, Drains and Watercourses 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

such Surveyor or Surveyors 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 Oath of one or more credible Witness or Witnesses, before any One Justice of the Peace of the said County of *Glamorgan*, shall and may, by 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.

Trustees may contract for Purchase of Land.

XLIV. 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, divert, turn, shorten, vary or alter the Course or Path of any Part or Parts of the said Roads, according to the Map or Plan hereinafter referred to, 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 or Hereditaments, in Manner hereinbefore directed, making Satisfaction to the Owners thereof and Persons interested therein, for the Damages 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 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 Part and 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 seized or interested in their own Right, and to and for all and every Persons or Person whatsoever, who are or shall be seized 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 or 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, the Damage to

XLV. And be it further enacted, That if such Bodies Politic, Corporate, Ecclesiastical or Civil, Corporate, Aggregate or Sole, Guardians, Feoffees, Trustees, Committees or any other Person or Persons interested in any such Lands or Hereditaments, upon Notice to them, him or her given

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 the Poſſeſſion of the Lands and 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 ſaid County of *Glamorgan*, and 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 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 ſaid Premiſes; and after the 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 or 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 and Determination thereupon, ſhall be final, binding, and concluſive to all Intents and Purpoſes againſt all Parties and Perſons whatſoever claiming or to claim in Poſſeſſion, Reverſion or otherwiſe, their Heirs and Succeſſors, as well abſent as preſent, Infants, Femes Covert, Lunatics, Idiots and Perſons under any Diſability whatſoever, Bodies Politic or Corporate, Eccleſiaſtical or Civil, Corporations Aggregate or Sole, as well as all other Perſons whatſoever; 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 ſaid County of *Glamorgan*, requiring him to impannel, 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 impannel, ſummon and return ſuch Number of Perſons accordingly, and out of the Perſons ſo ſummoned, impannelled 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 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 honeſt and other indifferent Men of the Standers-by, or that can be ſpeedily 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 as ſuch Jury, and who ſhall not appear, without ſome reaſonable Excuſe, or, appearing, ſhall refuſe to be ſworn on the ſaid Jury, or, being ſworn, ſhall refuſe to give or not give a Verdict, or ſhall in any other 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, on having been paid or tendered a reaſonable Sum for their reſpective Coſts and Charges, ſhall refuſe or neglect to appear, without ſome reaſonable Excuſe, or appearing, ſhall refuſe to be ſworn or examined, or give Evidence, ſo that no ſuch Fine be more than Five Pounds on any One Perſon for One Offence.

How Expences of Jury ſhall be paid.

XLVI. And be it further enacted, That in caſe any Jury ſhall give in 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, 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 ſaid County of *Glamorgan*, not intereſted in the Matter in queſtion, who is hereby required to examine and ſettle the ſame, at a 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 or received under or by virtue of this Act.

Money agreed upon or aſſeſſed,

XLVII. And be it further enacted, That all and every ſuch Sum or Sums of Money, Compenſation, Recompence, or Satisfaction to be agreed for

or

or 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 to the Parties or Persons respectively entitled to such Monies as hereinafter directed, 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 Seven 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 and Hereditaments as the said Trustees or any Five or more of them shall think fit, according to the Direction 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, diverted, widened, or turned through any private Ground 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 Lands 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 Road 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 for 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 inrolled with the Clerk of the Peace for the County of *Glamorgan*, 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, to 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, without the Consent of the Owner or Proprietor thereof respectively in Writing first had and obtained.

how to be paid or tendered.

Former Roads may be sold, &c.

XLVIII. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands, Tenements, or Hereditaments, purchased, taken, or used, by virtue of the Powers of this Act, for the Purposes thereof, which shall belong to any Corporation, Feme Covert, Infant, Lunatic, or Person or Persons under any other Disability or Incapacity, as herein particularly mentioned, such Money shall, in case the same shall amount to the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name, and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account,

Application of Compensation where exceeding 200l.

count, *ex parte* the Truſtees for executing the ſaid recited Acts and this Act, 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 and Profits of the ſaid Lands, Tenements, or Hereditaments, in the Purchaſe of the Land Tax, or Diſcharge of any Debt or Debts, or ſuch other Incumbrances, or Part thereof, as the ſaid Court ſhall authorize to be paid, affecting the ſame Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments, ſtanding ſettled therewith, to the ſame or the like Uſes, Intents, 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, Tenements, or Hereditaments, which ſhall be conveyed and ſettled to, for, and upon ſuch and the like Uſes, Truſts, Intents, and Purpoſes, and in the ſame Manner as the Lands, Tenements, and Hereditaments which ſhall be ſo purchaſed, taken, or uſed as aforeſaid ſtood ſettled or limited, or ſuch of them as at the Time of making ſuch Conveyance and Settlement ſhall be exiſting, undetermined, and capable of taking Effect; and in the 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 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, Tenements, and Hereditaments, ſo hereby directed to be purchaſed, in caſe ſuch Purchaſe or Settlement were made.

Application, where the Compenſation does not exceed 200l. nor leſs than 20l.

XLIX. Provided always, and be it further enacted, That if any Money ſo agreed or awarded to be paid for any Lands, Tenements or Hereditaments, purchaſed, taken or uſed for the Purpoſes aforeſaid, and belonging to any Corporation, or to any Perſon or Perſons under Diſability or Incapacity as aforeſaid, ſhall be leſs than the Sum of Two hundred Pounds, and ſhall amount to the Sum of Twenty Pounds, then, and in all ſuch Caſes, the ſame ſhall, at the Option of the Perſon or Perſons for the Time being, entitled to the Rents and Profits of the Lands, Tenements and Hereditaments ſo purchaſed, taken or uſed, or of his, her or their Guardian or Guardians, Committee or Committees, in caſe of Infancy or Lunacy, to be ſignified in Writing under their reſpective Hands, be paid into the Bank of *England*, in the Name and with the Privity of the ſaid Accountant-General of the 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 Five or more of the ſaid Truſtees, (ſuch Nomination and Approbation to be ſignified in Writing under the Hands of the nominating and approving Parties,) in order that ſuch Principal Money, and the Dividends ariſing thereon, may be applied in

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

Application, where the Money is less than 20*l.*

L. 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, Tenements or Hereditaments so purchased, taken or used for the Purposes of this Act, in such Manner as the said Trustees shall think fit, or in case of Infancy or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

In case of not making out, Titles,

or if Persons cannot be found, Purchase-Money to be paid in to the Bank.

LI. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be awarded, for the Purchase of any Lands, Tenements, or Hereditaments, to be purchased by virtue of 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, Tenements or Hereditaments, be not known or discovered, then, and in every such Case, it shall and may be lawful to and for the said Trustees, or any Five or more of them, to order the said Sum or Sums of Money so awarded as aforesaid, to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant-General of the Court of Chancery, to be placed to his Account, to the Credit of the Persons interested in the said Lands, Tenements or Hereditaments (describing them), subject to the Order, Controul, and Disposition of the said Court of Chancery, which said Court of Chancery, 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, and 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 such Sum or Sums of Money into the Bank as aforesaid.

subject to the Order of the Court of Chancery, on Motion or Petition.

Where any Question shall arise touching the Title to Money to be paid, the Person who shall

LII. Provided always, and be it 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, Tenements or Hereditaments, or of any Estate, Right, or Interest in any Lands, Tenements, or Hereditaments to

be in Poſſeſſion of the Lands at the Time of ſuch Purchaſe, ſhall be deemed entitled thereto.

to be purchaſed in purſuance of the ſaid recited Acts and this Act; or to any Bank Annuities to be purchaſed with any ſuch Money, or the Dividends or Intereſts of any ſuch Bank Annuities, the Perſon or Perſons who ſhall have been in Poſſeſſion of ſuch Lands, Tenements 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, Tenements 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 ſaid Bank Annuities to be purchaſed with ſuch Money, and alſo the Capital of ſuch Bank Annuities, ſhall be paid, applied, and diſpoſed of accordingly, unleſs it ſhall be made appear to the ſaid Court that ſuch Poſſeſſion was a wrongful Poſſeſſion, and that ſome other Perſon or Perſons was or were lawfully entitled to ſuch Lands, Tenements or Hereditaments, or to ſome Eſtate or Intereſt therein.

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

LIII. Provided alſo, and be it enacted, That where, by reaſon of any Diſability or Incapacity of the Perſon or Perſons, or Corporation entitled to any Lands, Tenements 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, Tenements, or Hereditaments, to be ſettled to the like Uſes, in purſuance of the ſaid recited Acts and this Act, it ſhall and may be lawful to and for the ſaid Court of Chancery 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 to be paid by the ſaid Truſtees, or any Five or more of them, out of the ſaid Monies to be received by virtue of this Act, who ſhall, from Time to Time, pay ſuch Sums of Money for ſuch Purpoſes as the ſaid Court ſhall direct.

Truſtees empowered to ſell overplus Grounds, &c.

LIV. And whereas by reaſon of the Purchaſes which the ſaid Truſtees are empowered and required to make by virtue of this Act, 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 Truſtees to ſell and diſpoſe of ſuch Piece 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, and before they ſhall ſell and diſpoſe of any Land conſtituting any former Road, in lieu whereof ſome new Road ſhall be made, and which ſhall be veſted in the ſaid Truſtees by virtue of this Act for the Purpoſes of Sale as aforeſaid, ſhall offer the ſame reſpectively to the Perſon or Perſons to whom the ſame originally belonged; or where the ſame ſhall ariſe by reaſon of diverting any Part or Parts of the ſaid Roads, then to the Perſon 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 and repurchaſe the ſame reſpectively, any Affidavit to be made and ſworn before

before a Maſter or Maſter Extra ordinary in the High Court of Chancery, or before one of His Majeſty's Juſtices of the Peace for the ſaid County of *Glamorgan*, who are hereby empowered and required to 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 a 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; 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 Expences 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.

Reſtraining the Truſtees from deviating beyond certain Diſtance from the Line deſcribed in the Maps or Plans.

LV. And whereas a Map or Plan decribing the particular Places and Parts of the ſaid Road propoſed to be widened, varied, diverted, altered, turned, and rendered more commodious, and the Lands through which the ſame are to be carried, together with Books of Reference, containing the Liſts of the Names of the Owners and Occupiers of ſuch Lands, have been depoſited at the Office of the Clerk of the Peace for the ſaid County of *Glamorgan*; be it therefore enacted, That the ſaid Map or Plan, and Book of Reference, ſhall remain in the Cuſtody of the ſaid Clerk of the Peace for the ſaid County of *Glamorgan*, to the End that the 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 Clerk of the Peace the Sum of One Shilling for every ſuch Inſpection, and at the Rate of Sixpence 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 Alterations and Diviſions, or either of them, ſhall not deviate from the Lines 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 Roads through Lands not in the Book of Reference.

LVI. Provided alſo, and be it further enacted, That it ſhall and may be lawful for the ſaid Truſtees to make the ſaid Alterations, Deviations and Diviſions into, through, acroſs, or over the ſeveral Lands or Grounds of any Perſon or Perſons, who is, 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 County

County of *Glamorgan*, and be certified by Writing under their Hands, that such Error or Omission proceeded from Mistake.

Trustees may divert Roads beyond 100 Yards if Parties consent.

LVII. Provided always, 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.

Power to work Mines without injuring the Road.

LVIII. Provided always, and be it further enacted, That nothing in this Act contained shall prejudice the Right of any Person to any Mines or Minerals within or under the said Roads, or shall in any wise prevent the working or scouring of the same or any other of the Mines, or carrying away the Minerals found therein, so that no Obstruction or Nuisance be thereby occasioned to the said Roads, or to the using of the same.

Power to lay Iron Rails upon the Road.

LIX. And be it further enacted, That it shall be lawful to and for the Proprietor or Proprietors of any Mines, Minerals, or Materials lying contiguous to the said Roads, to lay down on the said Roads, for the Purpose of crossing the same only, Iron Rails or Plates for continuing any Iron or Rail-Road, so that such Iron Rails or Plates be made and laid in such Manner as the said Trustees, or their Surveyor, shall approve, and so as to occasion as little Inconvenience and Injury to the said Roads as possible.

For Repair of a certain Part of the Road.

LX. And whereas certain Works for the Manufacture of Iron called *Plymouth Works* have been erected near the said Road in the Parish of *Merthyr Tydvil*: And whereas the said Works have been found highly inconvenient to Persons travelling on the said Road, and the Proprietors of the said Works have in consequence, with the Consent of the said Trustees, diverted the Course of the said Road from a Point near the lower End of a certain Field called *Y Vorlan Vaur*, to a certain Brook called *Nant y bwch*, and from thence to a certain Field called *Pencal-bach* in the said Parish of *Merthyr Tydvil*, and have caused the old Road to be stopped up: And whereas it is reasonable that the Expence of protecting and securing the said new Piece of Road should be defrayed by the Proprietors of the said *Plymouth* Works; be it therefore enacted, That the said Piece of Road so diverted shall, from and after the passing of this Act, be deemed and taken to be a Publick Highway, and the old Road shall be and remain in the Possession of the Proprietors of the said *Plymouth* Works, and the Proprietors of the said *Plymouth* Works for the Time being shall and they are hereby required, during the Continuance of this Act, to cause the said new Road to be well and effectually secured by Banks and other Works from all Damage or Danger by Floods from the River *Taff*; and in case the said Proprietors shall at any Time neglect or refuse well and sufficiently to protect and secure the said Road as aforesaid, or to make the old Road as commodious and convenient for travelling as it was heretofore, it shall and may be lawful for the said Trustees or any Five or more of them to cause the said Road, and the Banks and other Works

erected

erected or to be erected, for the Security thereof, to be well and sufficiently repaired, or to restore the old Road and make the same as convenient for travelling as heretofore, at the Costs and Charges of the said Proprietors, and upon Non-payment thereof upon Demand, such Costs and Charges shall and may be levied and recovered by Distress and Sale from the said Proprietors, in such and the like Manner as any Penalties or Forfeitures are hereby directed to be levied and recovered.

Districts how liable to repair the Roads to continue so.

LXI. 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 the said recited Acts or this Act, have or hath used, or of Right ought, by reason of the Tenure of any Lands, Tenements, or Hereditaments, or on any other Account or Accounts, to repair any Part or Parts of the said Roads, or any Bridge, Drain, or Water-course 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 Acts or this Act had not been passed.

Statute Work.

LXII. And be it further enacted, That all Persons who by Law are or shall be liable to do Statute Work, or are or shall be chargeable towards repairing and amending the said Roads, or any Part thereof, shall still remain liable thereto, in like Manner as heretofore; and it shall be lawful for any Two or more Justices of the Peace for the County of *Glamorgan*, 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 Roads by the Inhabitants of the respective Parishes or Places in which the said Roads do 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 Ten 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 Roads, as the said Justices shall think reasonable, and the same shall be done at such Days, and at such Times, (not being Hay-Time or Harvest) and in such Parts of the said Roads, 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 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 Acts authoriſed 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 Ten Pounds.

Truſtees may contract for Repairs or any other Works.

LXIII. 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 making or repairing of the ſaid Roads, or any other 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.

Road to be meaſured and Mile Stones erected.

LXIV 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 in or near the Side or Sides of the ſaid Roads, or

ſhall obliterate or deface any of the Letters, Figures, or Marks deſcribed thereon; or if any Perſon ſhall ride upon any Footpath formed by the ſaid Surveyor or Surveyors 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 Footpath, 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 other 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, let off or throw any Squibs, Rocket, Serpent, or Firework whatſoever on any Part of the ſaid Roads, or on the Banks or Lands adjacent, or 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, Iron, Stone, Hay, Straw, Dung, Manure, Soil, Rubbiſh, or Aſhes, 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 permit or ſuffer any Pigs to wander and be at large in, upon, or along the ſaid Roads, or on the Sides thereof; 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 Seven Days, take or carry the ſame away; every Perſon ſo offending ſhall, for every ſuch Offence, forfeit and pay any Sum not exceeding Five Pounds.

Penalty for obſtructing the Execution of this Act.

LXV. And be it further enacted, That if any Perſon or Perſons ſhall aſſault, interrupt, or hinder, or cauſe or promote 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 Forty Shillings.

For ſecuring tranſient Offenders.

LXVI. 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 One or more Juſtice or Juſtices of the Peace of the County of *Glamorgan*.

LXVII. And

Penalties and Forfeitures, how to be recovered and applied.

LXVII. 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 ſaid County of *Glamorgan*, either by Confeſſion of the Party or Parties offending, or by the Oath of One or more credible Witneſs or Witneſſes, to 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.

LXVIII. And for the more eaſy Conviction of Offenders againſt this Act, be it further enacted, That all and every the Juſtices and Juſtice 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, or in any other Form of Words to the ſame Effect:

Form of Conviction.

'BE it remembered, That on the Day of in the Year of our Lord , is convicted before One of His Majeſty's Juſtices of the Peace for the ſaid County, by virtue of an Act of the Fifty-ſecond Year of the Reign of King *George* the Third, intituled, *An Act*

Given under my Hand and Seal, the Day and Year firſt above written.'

Perſons aggrieved may appeal to the Quarter Seſſions.

LXIX. 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 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 firſt giving or cauſing to be given Six 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 to the ſaid Truſtees, and within Three Days next after ſuch Notice, entering into a Recognizance before ſome Juſtice of the Peace for the ſaid County, with Two ſufficient Sureties, conditioned to try

ſuch

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 Session after such Cause of Complaint shall have happened, then such Appeal, after such Notice and under such Recognizance, may be made at the second General Quarter Session of the Peace to be holden for the County of *Glamorgan*; and the Justices at such first or second Session, upon due Proof of such Notice being given as aforesaid, and of the entering into such Recognizance, shall hear and determine the Cause and Matter of such Appeal in a summary Way, and award such Costs to the Party appealing or appealed against as they the said Justices shall think proper, and the Determination of such Quarter Session shall be final, binding and conclusive to all Intents and Purposes; and the said Justices at such Session 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 neglect or refuse 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 of *Glamorgan*, there to remain for any Time not exceeding Six Calendar Months, or until Payment of such Costs.

Proceedings not to be quashed for want of Form.

LXX. 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 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 in an Action upon the Case, but no Plaintiff or Plaintiffs shall recover in any Action for such Irregularity as aforesaid, if Tender of sufficient Amends hath been made by or on the Behalf of the Party distraining before such Action brought.

Limitation of Action.

LXXI. And be it further enacted, That no Action or Suit shall be commenced against any Person or Persons for any Thing done, or pretended to be done in pursuance of this Act, until after Twenty-one Days Notice shall be given to the Clerk or Clerks to the said Trustees, nor after a sufficient Satisfaction or a Tender thereof hath been made to the Party or Parties aggrieved, nor after Six Calendar Months after the Fact committed; and every such Action shall be laid and tried at the County of *Glamorgan*, and not elsewhere, and the Defendant or Defendants in every such Action or Suit shall or 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

done in pursuance and by the Authority of this Act, and if it shall appear that the same was so done, or that such Action or Suit was brought before Twenty-one 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, Judgment 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 Cause by Law.

Continuance of the Act.

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

Public Act.

LXXIII. And be it further enacted, That this Act shall commence upon the said Second *Friday* after the passing thereof, and shall continue and be in Force for Twenty-one Years, and from thence to the End of the then next Session of Parliament.

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