ANNO DECIMO NONO & VICESIMO

# VICTORIÆ REGINÆ.

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## *Cap.* lxxxix.

## An Act for more effectually repairing several Roads leading to and from the Town of *Monmouth*, and for making several Lines of Road to communicate therewith, in the Counties of *Monmouth*, *Gloucester*, and *Hereford*. [14th *July* 1856.]

WHEREAS an Act was passed in the Second Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for more effectually repairing and improving* 2 W. 4. c. xviii. *several Roads therein mentioned leading to, through, and from the Town of* Monmouth; *and for making several new Lines and Diversions of Road to communicate therewith, in the Counties of* Monmouth, Gloucester, *and* Hereford: And whereas the Trustees for executing the recited Act have proceeded in the Execution of the same, and considerable Sums of Money, amounting in the whole to the Sum of Twelve thousand seven hundred and ninety-three Pounds, are now due and owing upon the Credit of the Tolls thereby granted, of which Sums the Sum of One thousand two hundred Pounds or thereabouts is due to the Exchequer Loan Commissioners on the Security of the Tolls authorized to be taken on the Roads included in the recited Act, except the *Monmouth and Staunton* Road, and the Sum of Forty-

three Pounds or thereabouts on the *Monmouth and Staunton* Road: And whereas the constructing, widening, and improving the several Roads herein-after described, and placing the same under the Management of the Trustees for executing this Act, would be of great public Advantage: And whereas it is expedient that more effectual Powers should be granted for repairing and maintaining the several existing Lines of Road included in the recited Act, and for the Liquidation of the existing Debt of the Trust: And whereas such several Purposes may be more effectually attained if the recited Act is repealed, and further and other Powers granted instead thereof; but the same cannot be effected without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; (that is to say,)

Recited Act repealed.

I. Upon the Commencement of this Act the recited Act of the Second Year of the Reign of His late Majesty King *William* the Fourth is repealed, and this Act shall thereafter be put into execution during the Term and for the Purposes herein-after mentioned.

Short Title.

II. In citing this Act for any Purpose, it shall be sufficient to use the Expression "*Monmouth* Roads Act, 1856."

Interpretation of Terms.

III. In this Act the following Words and Expressions have the several Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction; (that is to say,)

The Word "Person" shall include "Corporation:"

The Expression "the Trustees" shall mean the Trustees for the Time being for executing this Act:

The Expression "the Roads" shall mean the existing Roads comprised in the recited Act, and the Roads in this Act authorized to be constructed, widened, maintained, and improved:

The Words "Toll Gates" or "Toll Gate" shall include Turnpikes, Bars, Chains, and Side Gates.

Monies and Property to vest in Trustees.

IV. All Rents, Arrears of Tolls, and other Monies due to, and all Monies, Property, Books, Accounts, Papers, Writings, or other Things, and all Choses in Action vested in or belonging to, the Trustees under the recited Act, shall, on the Commencement of this Act, be vested in the Trustees for executing this Act; and such last-mentioned Trustees may sue for and recover the same, and act in respect thereof as effectually as if the same had been vested in them under the recited Act, and they shall be liable to all the Debts and Engagements to which the

the Trustees under the recited Act were liable at the Repeal thereof, except such as are altered, reduced, or repealed by this Act.

Trustees.

V. All Her Majesty's Justices of the Peace for the Time being acting for the Counties of *Monmouth*, *Gloucester*, and *Hereford* respectively, together with *Crawshay Bailey*, *Thomas William Booker Blakemore*, *Thomas William Booker*, *Samuel Richard Bosanquet*, *Samuel Courthope Bosanquet*, *John Fortescue Brickdale*, *John Barnes Bourne* Clerk, *John Burdon* Clerk, *James Silvanus Fortunatus Brown Bromage*, *John Brown*, *William Brown*, *John Gwatkin Brown*, *Henry Box*, Sir *James Campbell* Baronet, *Henry Morgan Glifford*, *George Cave*, *William Crawley* Clerk, *James Lister Dighton* Clerk, *John Henry Dighton*, *Richard Davies* Clerk; *James Davies*, *Thomas Dyke*, *Henry Dyke*, *Jasper Farmar*, *Robert Fisher*, *Alexander Gibbon*, *Thomas Gratrex*, *James Gilbert*, *George Edward Johnson Gosling* Clerk, *Henry Gosling*, *John Harding* Clerk, Sir *John Dorney Harding*, *John Arthur Herbert*, *John Maurice Herbert*, *John Herbert* Clerk, *Kenyon Homfray* Clerk, *Charles Augustus Halson* Clerk, *John Jones* Doctor of Medicine, *Robert Jackson* Clerk, *John Joseph Kane*, *Charles Augustus Frederick Kupar* Clerk, *William Penry Lendon* Clerk, *William Lambert*, *Edward Machen*, *Edward Machen* Clerk, *George Vaughan Maddox*, *Charles Murray*, *John Ralph Norton Norton*, *Thomas Oakley*, *Thomas William Oakley*, *William Oakley* Clerk, Sir *Lionel Pilkington* Baronet, *John Partridge*, *William Partridge*, *Charles Archdale Palmer* Clerk, *William Powell* Clerk, *James Powles*, *John Endell Powles*, *Henry Charles Powles* Clerk, *John Probyn*, *William Charles Bolton Powell* Clerk, *John Powles*, Sir *Henry Willoughby Rooke*, *Willoughby Sandilands Rooke*, *John Etherington Welch Rolls*, *John Allen Rolls*, *Alexander Rolls*, *John Roberts*, *James Richards*, *John Lucy Scudamore*, *William Richard Baker Sellon*, *Samuel Spilsbury*, *Henry George Talbot* Clerk, *Charles Kemeys Kemeys Tynte*, *George Griffin Tyler*, *Edward James Tyler*, *Thomas Owen Tudor* Clerk, *John Francis Vaughan*, *Thomas Wakeman*, *Osmond Arthur Wyatt*, *Arthur Montagu Wyatt* Clerk, *William Addams Williams*, *William Charles Addams Williams*, *Philip Williams*, *John Dundas Watherston* Clerk, *Thomas Joseph Addams Williams*, *Robert Yarworth*, *William Vaughan Yarworth* Clerk, and their Successors, being qualified to act as Trustees of Turnpike Roads in *England*, shall be and they are hereby appointed Trustees for executing this Act.

Power to appoint additional Trustees.

VI. The Trustees may from Time to Time at any Meeting elect any Number of Persons duly qualified to act as Trustees of Turnpike Roads in *England*, not exceeding Six in the whole, to be Trustees for executing this Act in addition to the Trustees hereby appointed, and such

such Trustees so elected shall have the same Powers and Authorities for executing this Act as if they had been hereby appointed.

Meetings of Trustees.

VII. The Trustees shall hold their First Meeting at the Jury Room in the Town of *Monmouth*, or at some other convenient Place in the Neighbourhood of the Roads, on the Day of the Commencement of this Act, or as soon after as conveniently may be, between the Hours of Eleven of the Clock in the Forenoon and Two of the Clock in the Afternoon, and proceed to the Execution of this Act; and the Trustees may from Time to Time adjourn to and meet at such Times and at such Places in the Neighbourhood of the Roads as they shall think proper.

Power to appoint Committees.

VIII. The Trustees may from Time to Time appoint Committees out of their own Number to take the Care and Management of any particular Part of the Roads, or to execute any of the Purposes of this Act according to such Instructions and Regulations as shall be laid down by the Trustees, and such Committees may act according to such Appointment, but in conformity with the Instructions and Regulations so to be made.

Roads to which this Act is applicable.

IX. The Trustees shall effectually maintain and keep in repair the Road leading from a Stone situate One hundred Yards or thereabouts from *Wye Bridge* by the Side of the Road from *Monmouth* to *Redbrook*, describing the Commencement of *Monmouth and High Meadow Paddock* Road to *High Meadow Paddock* in the Parish of *Staunton* in the said County of *Gloucester*, and such Road shall be called *Monmouth and High Meadow Paddock* Road; the Road leading from the Top of *Monnow Street* in *Monmouth* to the further End of the Parish of *Ganarew* in the said County of *Hereford*, and such Road shall be called *Monmouth and Ganarew* Road; the Road leading from the Toll Gate called *Monk* Gate at the Extremity of the Town of *Monmouth* to the Smith's Shop at the Bottom of *Llanllowdy Hill* in the County of *Hereford*, and such Road shall be called *Monmouth and Llanllowdy* Road; the Road leading from the Toll Gate called *Dry Bridge* Gate, at the Extremity of the Town of *Monmouth*, to the Village of *Rockfield*, and from thence to a Place nearly opposite a Dwelling House now or heretofore in the Possession of *Edward Harris*, in the Parish of *Llantillio Cressenny*, where the *Monmouth* and *Abergavenny* Districts of Roads unite, and such Road shall be called *Monmouth* and *Llantillio* Road; the Road leading from the Pound in *Rockfield* aforesaid by a Place called *Nantygyrne* to a Place called the *Boot*, and from thence to the *Travellers Seat* in one Direction, and to the *Lower Crossway* in another Direction, in the said County of *Monmouth*, and such Road shall be called *Rockfield and*

*and Travellers Seat* Road; the Road leading from the said Toll Gate called *Dry Bridge* Gate to *Tregare Church* in the said County of *Monmouth*, and such Road shall be called *Monmouth and Tregare* Road; the Road leading from a Place called the *Cinder Hill* at the Extremity of the Town of *Monmouth* by *Trothy Bridge* in the Parish of *Mitchel Troy* to the Village of *Raglan* in the said County of *Monmouth*, and the Cross Road connecting such Road with *Monmouth and Tregare* Road at or near the Stone Bridge, and such Roads shall be called *Monmouth and Raglan* Road; the Road leading out of the said last before-mentioned Road at or from the Toll Gate called *Croft-y-Lloy* Gate in the Parish of *Cwmcarvon* in the said County of *Monmouth* into the *Monmouth and Tregare* Road at or near *Dingestow Church*, and such Road shall be called *Croft-y-Lloy and Dingestow* Road; the Road leading out of the *Monmouth and Raglan* Road at or near *Croft-y-Lloy* Gate aforesaid to a Place called the *Four Ashes* in the said County of *Monmouth*, and such Road shall be called *Monmouth and Four Ashes* Road; the Road leading from *Trothy Bridge* aforesaid to *Trelleck* in the said County of *Monmouth*, and such Road shall be called *Trothy Bridge and Trelleck* Road; and the Road leading from the *Monmouth and High Meadow Paddock* Road in the Parish of *Dixton* aforesaid to *Smith's Lane* in the Parish of *Staunton* aforesaid, and such Road shall be called *Monmouth and Staunton* Road.

New Roads to be made according to deposited Plans.

X. And whereas Plans and Sections of certain Roads herein-after particularly described and proposed to be constructed, widened, and improved, and afterwards maintained by the Trustees, showing the Lines and Levels thereof, with a Book of Reference to those Plans containing the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and the Occupiers of the Land through which such Roads will pass, have been deposited with the Clerks of the Peace for the Counties of *Monmouth* and *Gloucester*: Therefore the Trustees may construct, widen, maintain, and improve such of the Roads shown upon the said Plans and Sections as are respectively herein-after described, in the Lines and in and through the Land delineated on such Plans and described in such Book of Reference, and according to the Levels shown upon such Sections, together with all such Foot-paths, Bridges, Embankments, Ditches, Drains, Fences, and other necessary Works upon or near thereto respectively as they may think requisite; and for those Purposes they may take possession of the Land described on such Plans of the Roads herein-after described and in the Book of Reference thereto respectively, making Satisfaction to the Owners thereof and other Persons interested therein for all Damage which such Owners or other Person may respectively sustain thereby; and the Trustees and their Surveyor and Workmen may, from Time to Time, enter upon such Land, and mark and stake out the

the same for the Purposes of this Act, at such Times and in such Manner as they shall think necessary or expedient.

Fences to be made through Lands belonging to Her Majesty.

XI. Provided always, That the Trustees shall cause such Fences to be made, and from Time to Time maintained, by the Sides of so much of the *Monmouth and Staunton* Road as is by this Act authorized to be constructed as shall pass through Land belonging to Her Majesty in right of Her Crown, as shall be from Time to Time approved of by the Commissioners for the Time being of Her Majesty's Woods, Forests, and Land Revenues, or One of them.

Provision as to the Rights of the Crown.

XII. Nothing whatsoever contained in this Act or in the Public General Acts herein referred to shall extend to authorize the Trustees to purchase, take, use, or otherwise interfere with any Land, or any Rights in respect thereof, belonging to Her Majesty in right of Her Crown, or to interfere with, prejudice, or in any Manner affect any Forestal or other Rights belonging to Her Majesty, without the Consent in Writing of the Commissioners for the Time being of Her Majesty's Woods, Forests, and Land Revenues, or One of them, first had and obtained for that Purpose, and which such Commissioners or Commissioner are and is hereby authorized and empowered to give, or to divest, prejudice, diminish, alter, or take away any of the Estates, Rights, Privileges, Powers, or Authorities which now are or hereafter may be vested in or enjoyed by Her Majesty, Her Heirs or Successors.

Description of new Roads.

XIII. The Roads by this Act expressly authorized to be so constructed, widened, and improved, and afterwards maintained, are as follows; (that is to say,) a Road from and out of the present *Monmouth and Staunton* Turnpike Road into the present Turnpike Road leading from *Monmouth* by *Redbrook* to *High Meadow Paddock*, commencing at or near *Staunton* Village in the Parish of *Staunton* in the County of *Gloucester*, and terminating at or near a Place called the *Cherry Orchard* in the same Parish, and for such Purpose to use and make Turnpike a Portion of an existing Highway leading from *Staunton* Village aforesaid into the said Turnpike Road from *Monmouth* to *High Meadow Paddock* aforesaid, and such Road, when constructed, shall form Part of the *Monmouth and Staunton* Road; a Road commencing at or near *Monk* Gate in the Parish of *Monmouth*, passing from thence into the Parish of *Dixton*, and terminating at or near *Lower Langunville* Farmhouse in the said last-mentioned Parish, and for such Purpose to use and make Turnpike a Portion of an existing Highway leading from the Town of *Monmouth* to a Bridge over the River *Monnow*, called *Tregate Bridge*, in the Counties of *Monmouth* and *Hereford*, or One of them, and such Road shall be called *Monmouth and Langunville* Road; the existing Road from the Entrance

Entrance of the Lane nearly opposite *Dixton* Church in the Parish of *Dixton* in the County of *Monmouth* to the Top of *Monnow Street* in the Town of *Monmouth*, by taking down the whole or some Portion of Two Houses situate at the Top of *Monnow Street* aforesaid, adjoining each other, and abutting on a Street in the said Town called *St. John's Street*, or the *Back Lane*; and a Road from and out of the present Road from *Dry Bridge* Gate, in or near the Town of *Monmouth*, through *Rockfield*, to the Parish of *Llantillio Cressenny* aforesaid, commencing at or near the *Box Bush* in the Parish of *Llangattock Vibon Avel* in the County of *Monmouth*, passing from thence through or into the several Parishes of *Wonastow* and *Dingestow* in the said County of *Monmouth*, and terminating at or near *Dingestow* Church in the said Parish of *Dingestow*, in the present Turnpike Road leading from *Monmouth* to *Tregare*, and for such Purpose to use and make Turnpike a Portion of an existing Highway leading from the *Box Bush* aforesaid to the last-mentioned Turnpike Road, and such Road shall be called *Box Bush and Dingestow* Road.

Power to deviate from Plans;

XIV. The Trustees may, in the Construction of the Works by this Act expressly authorized, deviate from the Lines thereof to the Extent delineated upon such Plans, but not to any greater Extent in passing through a Town or Lands continuously built upon than Ten Yards, and not to any greater Extent elsewhere than One hundred Yards, from such Lines, nor in any Case into any Land not described in the Plans or the Book of Reference without the Consent in Writing of the Owner and Occupier of such Land; and no Deviation shall be made from the Lines of the said Works where no Limits of Deviation are shown on such Plans: Provided always, that nothing in this Act shall authorize the Trustees to make any Deviation from the Lines of Road as laid down on such Plans in passing through any Lands belonging to Her Majesty in right of Her Crown without the Consent in Writing of the Commissioners for the Time being of Her Majesty's Woods, Forests, and Land Revenues, or One of them.

and from Levels on Sections.

XV. The Trustees may deviate from the Levels of the said Works, as marked on such Sections, to any Extent not exceeding Three Feet.

Land may be taken notwithstanding Errors in Book of Reference, &c.

XVI. The Works by this Act expressly authorized may be made in or through any Land delineated on such Plans, although such Land, or the Situation thereof, or the Names of the Owners, Lessees, or Occupiers thereof, may happen to be omitted, mis-stated, or erroneously described in such Plans or Book of Reference, in case it shall appear to any Two or more Justices of the Peace for the County in which the Matter in question shall arise in Petty Sessions assembled, and be certified by Writing under their Hands, that such Omission,

Mis-statement,

Mis-statement, or erroneous Description proceeded from Mistake, and the Certificate of such Justices shall be deposited with and remain in the Custody of the Clerk of the Peace of such County for the Time being.

Provisions of 8 & 9 Vict. c. 18. not to apply.

XVII. "The Lands Clauses Consolidation Act, 1845," does not apply to the Works by this Act authorized, nor is it incorporated with this Act.

As to Construction of certain Provisions of General Turnpike Acts.

XVIII. Nothing in the Public General Acts now in force relating to Turnpike Roads in *England*, or any of them, contained shall prevent the Trustees from taking or pulling down any Dwelling House or Building, or taking in or making use of any Garden, Yard, or Paddock, Park, planted Walk, or Avenue to a House, or any enclosed Ground planted as an Ornament or Shelter to a House, or planted and set apart as a Nursery for Trees, or any Part thereof respectively, which is delineated on the Plans of the Works expressly authorized by this Act, and described in the Book of Reference to such Plans, either with or without the Consent in Writing of the Owners, Proprietors, or other Persons interested therein.

Freehold, &c. of Land to remain in Owners of adjoining Land.

XIX. The Freehold and Inheritance in the Land so purchased shall not (notwithstanding any Provision in any of the Acts now in force for regulating Turnpike Roads in *England*), by means of any such Purchase or any Conveyance or Assurance made in pursuance thereof, be vested in the Trustees; but such Freehold and Inheritance shall, notwithstanding such Purchase and Conveyance or Assurance, remain and be vested in the Owners for the Time being of the adjoining Land from which the same shall have been taken, subject to a perpetual Right of Way in, over, or upon the Land so purchased.

Trustees to have Power of digging and using Land, &c.

XX. The Trustees shall have the same Rights and Powers of cutting, digging, and using the Land taken by them for the Purposes of the Works expressly authorized by this Act, and also of erecting any Toll Houses or other Buildings, or of building any Arch thereon, as they would have had in case they had purchased the Fee Simple or the whole Estate and Interest in such Land.

Powers for compulsory Purchases limited.

XXI. The Powers of the Trustees for the compulsory Purchase of Land for the Purposes of the Works by this Act expressly authorized, and shown on such Plans, shall not be exercised after the Expiration of Three Years from the Commencement of this Act.

Period for Completion of Works.

XXII. The Works by this Act expressly authorized and shown on such Plans may be completed within Five Years from the Commencement of this Act, and on the Expiration of that Period the Powers by this Act given for executing the same shall cease to be exercised.

XXIII. The

Respecting Toll Gates.

XXIII. The several Toll Gates and Weighing Machines now standing or being upon the Roads, or any of them, or on and by the Sides thereof, shall be continued until removed by an Order of the Trustees, and the Trustees may order and cause to be set up in or across the Roads, and upon and by the Sides thereof, or any Part thereof respectively, any Toll Gate and any Weighing Machine, and from Time to Time may remove the present or any future Toll Gates or Weighing Machines, as they shall think proper: Provided always, that no Toll Gate which by this Act is authorized to be removed, maintained, or set up upon the Roads, or by the Sides thereof, shall be removed or set up upon or across the Roads, or the Sides thereof, except the same shall be ordered to be removed or set up at a Special Meeting of the Trustees holden for that Purpose, in conformity with and after such Notices as are required to be given by the Act of the Ninth *George* the Fourth, Chapter Seventy-seven.

Power to take Tolls.

XXIV. The Trustees, or any Person being a Lessee or Farmer, or appointed Collector of the Tolls, may continue to collect and receive the Tolls as taken upon the Roads previous to the Commencement of this Act until the Third Day of *November* next after such Commencement, and on and after such Third Day of *November* the Trustees may demand and take at the several and respective Toll Gates which now are or hereafter shall be upon or on the Sides of the Roads such Tolls as the Trustees shall direct, not exceeding the Sums following; (that is to say,)

For every Horse or other Beast drawing any Coach, Landau, Barouche, Chariot, Curricle, Berlin, Phaeton, Chaise, Chaise-marine, Calash, Car, Cabriolet, Chair, Gig, Whiskey, Hearse, Litter, or other such like Carriage, Eightpence:

For every Horse or other Beast (except an Ass) drawing any Waggon, Wain, Dray, Cart, or Caravan, or other such like Carriage, having the Bottoms of the Fellies of the Wheels of the Breadth of Six Inches or more, Fivepence; and in case the Bottoms of the Fellies of the Wheels thereof be of less Breadth than Six Inches, and not less than Four Inches and a Half, Sixpence; and in case the Bottoms of the Fellies of the Wheels thereof be of less Breadth than Four Inches and a Half, Sevenpence:

For every Ass drawing any Waggon, Wain, Dray, Cart, or Caravan, or other such like Carriage, Threepence:

For every Horse or other Beast drawing any Van, Caravan, or other such like Four-wheeled Carriage used for the Conveyance of Goods for Hire, Pay, or Reward, and built and constructed with Springs, One Shilling:

For every Horse, Mule, or Ass carrying Stone or Pit Coal, One Penny:

For every Horse, Mule, or Ass, laden or unladen, and not carrying Stone or Pit Coal, Twopence:

For every Drove of Oxen, Cows, or Neat Cattle, One Shilling and Eightpence *per* Score, and so in proportion for any less Number:

For every Drove of Calves, Sheep, Lambs, or Swine, Tenpence *per* Score, and so in proportion for any less Number:

For every Carriage not drawn by any Horse or Beast of Draught, but propelled or moved by Machinery, the Sum of One Shilling for each Wheel.

As to the Fraction of a Halfpenny in Tolls.

XXV. In all Cases in which there shall be a fractional Part of a Halfpenny in the Amount of the Tolls by this Act authorized to be collected, the Sum of One Halfpenny shall be payable in lieu of such fractional Part.

Persons having paid Tolls to return Toll-free.

XXVI. All Horses and Cattle (except as herein-after otherwise provided) in respect whereof the Tolls hereby authorized to be taken shall have been paid at any Toll Gate on the Roads, or on the Sides thereof, shall, upon a Ticket denoting such Payment being produced, be permitted in returning through the same Toll Gate, and in going and returning through such other Toll Gate (if any) as the Ticket for such Payment shall free, to pass Toll-free at all Times on the same Day.

Tolls on Horses, &c. drawing different Waggons.

XXVII. The Tolls by this Act made payable in respect of Horses, Beasts, or Animals drawing any Waggon, Wain, Cart, Van, Caravan, or such like Carriage shall be paid for every Time during the same Day that any such Horse, Beast, or Animal shall pass through any Toll Gate on the Roads drawing any laden Waggon, Wain, Cart, Van, Caravan, or other such like Carriage other than that which such Horse, Beast, or Animal shall have been employed in drawing at any former Time during the same Day when Toll shall have been paid in respect of such Horse, Beast, or Animal.

Postchaises, &c. to pay every fresh Hiring.

XXVIII. The Tolls hereby made payable shall be paid for all Horses or other Beasts of Draught drawing any Postchaise or other Carriage travelling for Hire for every Time of passing and repassing along the Roads on the same Day, as often as any new Hiring shall have taken place, in the same Manner as if no previous Payment of Toll in respect of such Horses or Beasts had been made on the same Day.

Stage-coaches, &c. to pay each Time of passing.

XXIX. For and in respect of all Horses or other Beasts of Draught drawing any Stage Coach, Stage Waggon, Omnibus, Van, Caravan, Cart, or other Stage Carriage carrying Passengers or Goods for Payment,

ment, Hire, or Reward, the Tolls hereby made payable shall be paid for every Time of passing and repassing along the Roads: Provided always, that no further or additional Toll shall be payable in respect of the Horses or other Beasts drawing any Stage Coach, Stage Waggon, Omnibus, Van, Caravan, Cart, or other Stage Carriage on account only of the Horses or other Beasts drawing the same having been changed.

Exemptions from Tolls.

XXX. No Toll shall be demanded or taken of any Owner or Occupier, or the Agent, Bailiff, or Servant of any Owner or Occupier of any Farm or Lands in any Parish or Place contiguous to any or either of the Toll Gates when *bonâ fide* going with any Horse, Waggon, or other Carriage to the Farms or Lands of such Owner or Occupier, or returning therefrom for agricultural Purposes, and not going or travelling out of the Parish or Place where such Farms or Lands are situate.

Limiting the Number of Tolls to be taken.

XXXI. Except as in this Act is provided, not more than the Number of full Tolls herein-after mentioned shall be taken on the same Day for or in respect of the same Horses, Cattle, Beasts, or Carriages for once passing and repassing through all or any of the Toll Gates erected or to be erected across or upon the Sides of the Roads; (that is to say,)

On the *Monmouth and High Meadow Paddock* Road, One full Toll:
On the *Monmouth and Ganarew* Road, One full Toll:
On the *Monmouth and Llanllowdy* Road, Two full Tolls:
On the *Monmouth and Llantillio* Road, Two full Tolls:
On the *Rockfield and Travellers Seat* Road, One full Toll:
On the *Monmouth and Tregare* Road, Two full Tolls:
On the *Monmouth and Raglan* Road, Two full Tolls:
On the *Croft-y-Lloy and Dingestow* Road, One full Toll:
On the *Monmouth and Four Ashes* Road, Two full Tolls:
On the *Trothy Bridge and Trelleck* Road, One full Toll:
On the *Monmouth and Staunton* Road, One full Toll:
On the *Monmouth and Lower Langunville* Road, One full Toll:
On the *Box Bush and Dingestow* Road, One full Toll.

Power to borrow Money.

XXXII. The Trustees may borrow and take up at Interest on the Credit of the Tolls to be collected upon the Roads, not exceeding in the whole the Sum of Two thousand seven hundred and fifty Pounds.

Application of Money to be borrowed.

XXXIII. The Money which the Trustees may borrow and take up at Interest on the Credit of the Tolls to be collected on the Roads shall be applied,

First, In defraying the Charges and Expenses of or incident to the obtaining and passing of this Act; and,

Secondly,

Secondly, In paying any Interest that may be due on the Thirtieth Day of *June* One thousand eight hundred and fifty-six on the Principal Sum of Eleven thousand five hundred and fifty Pounds or thereabouts:

Thirdly, In constructing, widening, maintaining, and improving the several new Roads herein-before described (except the Expense of taking down the whole or some Portion of Two Houses situate at the Top of *Monnow Street* in the Town of *Monmouth* as in this Act mentioned, and in erecting and providing Toll Houses and Toll Gates with the necessary Appurtenances to the same on such Lines of Road.

Application of Tolls, &c. on the Roads, except on Monmouth and Staunton Road.

XXXIV. All Monies which on the Commencement of this Act shall be in the Hands of the Trustees in respect of the Roads, except the *Monmouth and Staunton* Road, and all Monies which shall be received by them by virtue of this Act in respect of the Roads, except as aforesaid, and (except any Principal Money which shall be borrowed on the Security of the Tolls by this Act granted) shall be applied as follows; (that is to say,)

First, In defraying the Expenses of erecting and providing, altering and repairing the Toll Gates and Toll Houses, the Salaries of Officers, and the necessary Expenses of and incidental to the Management of the Roads (except the *Monmouth and Staunton* Road), but the Amount so applied shall not exceed the Sum of One hundred and seventy Pounds *per Annum*, exclusive of the Salaries of Toll Collectors and Costs of prosecuting and defending Suits or Actions at Law, and Indictments and Proceedings before Justices of the Peace:

Secondly, In paying to the Exchequer Loan Commissioners Interest at the Rate of Four Pounds *per Centum per Annum* on the Principal Debt of One thousand two hundred Pounds, or on so much thereof as shall for the Time being be owing in respect of such Principal Debt, and an Instalment or annual Sum of Two hundred Pounds in Diminution of such Debt:

Thirdly, In paying Interest from the Thirtieth Day of *June* One thousand eight hundred and fifty-six after the Rate of Four Pounds *per Centum per Annum* upon the Principal Sum of Eleven thousand five hundred and fifty Pounds or thereabouts, or on so much thereof as shall for the Time being be owing on the Credit of the Tolls authorized to be taken on the Roads (except the *Monmouth and Staunton* Road):

Fourthly, In paying the Interest from Time to Time due, but at a Rate not exceeding the Sum of Four Pounds Ten Shillings *per Centum per Annum* on any Money borrowed and taken up at Interest, under the Authority of this Act, on the Credit of the Tolls to be collected on the Roads (except the *Monmouth and Staunton* Road):

Fifthly,

Fifthly, In setting apart and appropriating annually a Sum of Money equal to the Sum of Five Pounds *per Centum* on the Amount of any Money borrowed and taken up at Interest under the Authority of this Act on the Credit of the Tolls to be collected on the Roads (except the *Monmouth and Staunton* Road), until such Principal Money shall be fully paid off and discharged:

Sixthly, In setting apart and appropriating annually One Twentieth Part of the Principal Sum of Eleven thousand five hundred and fifty Pounds owing on the Credit of the Tolls authorized to be collected under the recited Act, in addition to the respective Sums owing to the Exchequer Loan Commissioners, until such Principal Sum is paid off:

Seventhly, In defraying the Expenses of amending, widening, diverting, improving, and repairing the Roads, except the *Monmouth and Staunton* Road.

Application of Tolls, &c. on Monmouth and Staunton Road.

XXXV. All Monies which on the Commencement of this Act shall be in the Hands of the Trustees in respect of the *Monmouth and Staunton* Road, and all Monies which shall be received by them by virtue of this Act in respect of such Road (except any Principal Money which shall be borrowed on the Security of the Tolls by this Act granted), shall be applied as follows; (that is to say,)

First, In defraying the Expenses of erecting and providing, altering and repairing the Toll Gates and Toll Houses, the Salaries of Officers, and the necessary Expenses of and incidental to the Management of the *Monmouth and Staunton* Road, but the Amount so applied shall not exceed the Sum of Thirty Pounds *per Annum*, exclusive of the Salaries of Toll Collectors, and Costs of prosecuting and defending Suits or Actions at Law, and Indictments and Proceedings before Justices of the Peace:

Secondly, In paying to the Exchequer Loan Commissioners the Sum of Forty-three Pounds or thereabouts, and any Interest that may be due in respect thereof:

Thirdly, In paying the Interest from Time to Time due, but at a Rate not exceeding the Sum of Four Pounds Ten Shillings *per Centum per Annum* on any Money borrowed and taken up at Interest under the Authority of this Act on the Credit of the Tolls to be collected on the *Monmouth and Staunton* Road:

Fourthly, In setting apart and appropriating annually a Sum of Money equal to the Sum of Ten Pounds *per Centum* on the Amount of any Money borrowed and taken up at Interest under the Authority of this Act on the Credit of the Tolls to be collected on the *Monmouth and Staunton* Road, until such Principal Money shall be fully paid off and discharged:

Fifthly, In defraying the Expenses of amending, widening, diverting, improving, and repairing the *Monmouth and Staunton* Road; and,

Lastly, Any Surplus that may remain shall be applied as the Monies which shall be received by the Trustees by virtue of this Act on the other Roads in the Act mentioned, except the *Monmouth and Staunton* Road, are directed to be applied.

No Money to be taken or laid out in certain Towns.

XXXVI. It shall not be lawful for the Trustees to lay out or expend any Money received by or vested in them by virtue of this Act in the Repair or Improvement of any of the Streets, Highways, or Pavements within the Town of *Monmouth* (except as is herein-after specially provided), or within the Limits of any Act of Parliament passed for the Improvement of any Town, nor shall any Toll be collected in any of the said Streets, Highways, or Pavements.

Trustees may accept and apply Money for taking down Houses in Monmouth.

XXXVII. The Trustees may accept from the *Monmouth* Paving Commissioners, or from any Person or Persons, any Sum of Money, to be by them applied in taking down the whole or some Portion of Two Houses situate at the Top of *Monnow Street* in *Monmouth*, and abutting on a Street called *St. John Street* or the *Back Lane*, and they may apply such Money accordingly.

Mortgagees not to enter into possession except for Arrears of Interest.

XXXVIII. Whenever and as long as the Interest upon all existing Mortgages of the Tolls of the Roads upon which under the Provisions of this Act Interest is payable shall be duly paid at the Rates herein-before made payable thereon respectively within Three Months next after the same shall become due, no Holder of any such Mortgage shall be entitled to enter into possession of the Toll Gates, Toll Houses, or Buildings upon the Roads, or into the Receipt of the Tolls arising thereon, or of the Rent payable upon any letting of such Tolls; and every Mortgagee entering into possession of such Toll Gates, Toll Houses, or Buildings, or into the Receipt of such Tolls or Rent, shall pay the Interest from Time to Time becoming due upon all the said existing Mortgages at the Rates herein-before made payable thereon respectively without any Priority or Preference, and may also reimburse himself any Costs to which he may be entitled; and every such Mortgagee so being in possession or receipt as aforesaid shall within Twenty-eight Days next after each of the half-yearly Days whereon the Interest on such existing Mortgages shall be payable, render to the Clerk of the Trustees for the Time being a full and true Account of his Receipts and Expenditure while so in possession or receipt as aforesaid, with proper Vouchers for the same, and if it shall appear by any such Account that the Interest due on such Mortgages at the Rates made payable thereon respectively up to the last of such half-yearly Days, and all such Costs as aforesaid, have been fully paid and satisfied, then such Mortgagee shall, when thereunto required by Notice given by the Trustees through their Clerk, pay over to their Treasurer the Balance (if any) remaining in the Hands of such Mortgagee, and deliver up Possession of the said

said Toll Gates, Toll Houses, and Buildings, and the Receipt of the said Tolls, and of any Rent as aforesaid, to the Trustees, or any Person appointed by them to receive the same, anything in this Act, or in any Statute or Law in force relating to Turnpike Roads in *England*, to the contrary notwithstanding.

As to the Mode of discharging Debt.

XXXIX. When and so often as the Sum applicable to the Discharge of the Principal Monies for the Time being owing, according to the Provisions of this Act, on the Credit of the said Tolls shall amount to the Sum of One hundred Pounds, the Trustees shall, at any General, Annual, or other Meeting, apply such Sum in the Payment of a proportionate Part of the Principal Monies to the Discharge of which such Sums shall, according to the Provisions of this Act, be applicable to Persons entitled to those Principal Monies, and shall, Twenty-eight Days at least before such General, Annual, or other Meeting, cause Notice to be given of such Meeting and of the Purposes thereof, so far as the same relate to the Application of such Sum, either by Letter under the Hand of the Clerk to the Trustees for the Time being given to each of the Persons entitled to any Part of the Principal Monies, to the Discharge whereof such Sum may be applicable, and which may then remain unsatisfied, or left at his usual or last known Place of Abode, or sent by Post addressed to him thereat, or in some Newspaper published in the County of *Monmouth*, or if there shall be no Newspaper published therein, then in some Newspaper published in an adjoining County; and at such Meeting the Trustees shall apply such Sum or Portion thereof (as the Case may require) in or towards the Discharge of Monies owing on the Security of the said Tolls, and to the Discharge whereof such Sum shall be applicable, to the Creditor who shall, by Proposal in Writing transmitted to the Clerk to the Trustees before such Meeting, have offered to accept the lowest Composition in respect of such Monies, and after Payment to such Creditor as aforesaid shall apply the Surplus (if any) of such Sum or a Portion thereof (as the Case may require) in or towards the Discharge of other Monies owing on the Security of the said Tolls, and to the Discharge whereof such Sum shall be applicable, to the Creditor who by such Proposal as aforesaid shall have offered to accept the next lowest Composition in respect of the Principal Monies due to him, and so in like Manner until the Sum applicable to such Payments shall be exhausted; and if and whenever Two or more Creditors of the same Class, by such Proposals aforesaid, shall have offered to accept an equal Rate of Composition, the Trustees may determine by Lot the Preference between or amongst such Creditors, or pay such Composition rateably between or amongst such Creditors, as the Trustees shall think fit; and if there be no such Proposal as aforesaid, or if there be any Surplus of the Sum applicable to such Payments after applying the same

same so far as may be necessary in or towards the Discharge of the Monies to which any such Proposal relates, the Trustees may apply the Sum applicable to such Payments or the Surplus thereof (as the Case may be) rateably amongst the Creditors entitled to the Principal Monies to the Discharge whereof such Sum shall be applicable, or may pay the same to such of them as may be determined by Lot, as the Trustees think fit: Provided always, that the Trustees may from Time to Time, if they think fit, apply in manner aforesaid any Sum less than One hundred Pounds applicable as aforesaid, or, with the Consent of One of Her Majesty's Principal Secretaries of State in Writing under his Hand, postpone the Application of any Sum so applicable until the same amount to any Sum exceeding One hundred Pounds, which they with such Consent may determine.

Road not exempted from Provisions of General Acts.

XL. Nothing herein contained shall be deemed to exempt the Roads from the Provisions of any General Act relating to the Consolidation or other improved Arrangement of Turnpike Roads which may pass during the present or any future Session of Parliament.

Commencement and Term of Act.

XLI. This Act shall commence on the Fourth *Tuesday* next after the passing thereof, and shall continue in force for the Term of Twenty-one Years, and from thence to the End of the Session of Parliament which shall then next follow.

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