ANNO QUADRAGESIMO NONO

GEORGII III. REGIS.

Cap. 87.

An Act for making and maintaining a Road from a Place called *Nantgaredig*, adjoining the Turnpike Road leading from the Town of *Llandilofawr* to the Town of *Carmarthen*, through the Village of *Brechfa*, to the River *Tivy*, near *Llanllooney* Church; and alſo a Road from *Brechfa* aforeſaid to the Village of *Lianſawell*, all in the County of *Carmarthen*. [20th *May* 1809.]

WHEREAS the Road leading from or near to a certain Place called *Nantgaredig*, adjoining the Turnpike Road leading from the Town of *Llandilofawr*, in the County of *Carmarthen*, to the Town of *Carmarthen*, through the Village of *Brechfa*, to a certain River called *Tivy* River, at, by, or near to *Llanllooney* Church in the ſaid County; and alſo the Road leading from the ſaid Village of *Brechfa* to the Village of *Llanſawell*, in the ſaid County, in, by, through, or near to a certain Village called *Abergorlech* Village in the ſaid County (which ſaid ſeveral Roads, ſome or one of them, lead or run through the ſeveral Pariſhes of *Abergwilly*, *Llanegwad*, *Brechfa*, *Llanfihangelyeroth*, *Llanllooney*, *Llanfihangelrhoſeycorn*, *Llanybyther*, *Llanfinith*, *Llanſawel*, *Llanllawthog*, and *Pencarreg*, in the ſaid County of *Carmarthen*), are much out of Repair, narrow, and incommodious, and cannot be effectually formed and kept in Repair by the ordinary Courſe of Law; and if the ſaid Roads were properly made, widened, amended, and repaired, it would be of great public Utility and Advantage: May it therefore pleaſe Your Majeſty that

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 the Right Honourable *Robert Seymour* commonly called Lord *Robert Seymour*, Sir *William Paxton* Knight, *John Williams Hughes*, *John Jones*, *George Morgan*, *Jenkin Davies*, *William Hughes* Captain in the Royal Navy, *David Heron Pugh*, *John Hughes*, *John Williams Gwynne Hughes*, *James Hughes*, *Jenkin Bowen Davies*, *David Lloyd*, *Thomas Morris*, Reverend *Daniel Bowen* Clerk, *William Morris*, *Rees Prytherch*, *Daniel Williams*, *Edward Williams*, *John Williams*, *David Williams*, *Thomas David Williams*, *David Jones*, *William Jones*, *Richard Jones*, *Rees Jones*, *David Hughes*, *David Daniel*, *David Griffiths*, *John Jones*, *Thomas Jones* of *Cwmgwin*, *Henry Williams*, *Daniel Evans*, *William Rees*, *George Thomas*, *David Griffiths* Clerk, *David Prythero* Clerk, *John Jones*, *Henry Lewis*, *Samuel Thomas*, *George Thomas*, *Thomas Jones*, *Walter Bowen*, *William Phillips*, *John Daniel*, *John Jenkins*, *Thomas Woods*, *John Brown*, *David Lewis*, *David Morris*, *Henry Charles Williams*, *Daniel Williams* junior, *Edward Williams*, *Owen Jones*, *Thomas Humphreys*, *David Davies*, *George Davies*, *Richard Middleton*, *Benjamin Adams*, *David Lloyd*, *Herbert Evans*, *James Hanlyn Williams*, *Jones Grangrannell*, and their Successors to be elected in Manner herein-after mentioned, shall be and they are hereby appointed Trustees for making, amending, turning, altering, widening, improving, and keeping in Repair the several Roads herein-before mentioned and described, and for otherwise putting this Act in Execution.

Trustees Names.

II. And be it further enacted, That when and as often as any of the said Trustees hereby appointed, or to be elected in Manner herein-after mentioned, shall die, or by Writing under his or their Hand or Hands, refuse to act in the Execution of this Act, it shall be lawful for the surviving or remaining Trustees, from Time to Time, to elect and appoint One other fit Person residing or having an Estate in the said County of *Carmarthen*, to be a Trustee in the room of each Trustee dying or refusing to act as aforesaid; provided that Seven Days public Notice of the Meeting for every such Election be given, by affixing the same on all the Turnpikes which shall be then standing upon the said Roads; and every Person who shall be so elected and appointed a Trustee is hereby vested with the same Powers and Authorities for putting this Act in Execution, in all Respects, as if such Person had been particularly named and appointed a Trustee in and by this Act.

Choosing Trustees on Death, &c.

III. And be it further enacted, That all Acts and Proceedings relative to the Execution of this Act, may be done and executed by any Five or more of the Trustees hereby appointed, and to be elected and appointed as aforesaid, except only in the Cases herein-after particularly mentioned as requiring a greater or less Number of them.

All Acts may be done by Five Trustees, unless otherwise directed.

IV. Provided always, and be it further enacted, That no Person shall be qualified or capable of acting as a Trustee in any Case, in the Execution of this Act, except in administering the Oath herein-after mentioned in the first Instance (which Oath any Two or more of the Trustees are hereby empowered to administer), unless at the Time of his acting he shall be, in his own Right, or in the Right of his Wife, in the actual Possession

Qualification of Trustees.

and Enjoyment or Receipt, of the Rents and Profits of Lands, Tenements, or Hereditaments, of the clear Yearly Value of Forty Pounds above Repriſes, or ſhall be Heir Apparent to ſome Perſon or Perſons having an Eſtate in Lands, Tenements, or Hereditaments, of the clear Yearly Value of Two hundred Pounds, or ſhall be poſſeſſed of or entitled to a Perſonal Eſtate alone, or Real and Perſonal Eſtate together, to the Amount or Value of One thouſand Pounds, and until ſuch Perſon (not being Heir Apparent as aforeſaid) ſhall have taken and ſubſcribed an Oath in the Form following; (that is to ſay),

Oath.

'I *A. B.* do ſwear, That I truly am in my own Right [*or*, in the Right of my Wife] in the actual Poſſeſſion and Enjoyment [*or*, Receipt] of the Rents and Profits of Lands, Tenements, or Hereditaments of the clear Yearly Value of Forty Pounds above Repriſes, or poſſeſſed of or entitled to a Perſonal Eſtate alone, or Real or Perſonal Eſtate together, to the Amount or Value of One thouſand Pounds. So help me GOD.'

Penalty on Perſons acting, not being qualified.

And if any Perſon not being qualified as aforeſaid ſhall nevertheleſs preſume to act as a Truſtee in the Execution of this Act, every ſuch Perſon ſhall for every ſuch Offence forfeit and pay the Sum of One hundred 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*, by Action of Debt, or on the Caſe, or by Bill, Suit, or Information, 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 as aforeſaid, or otherwiſe ſhall pay the ſaid Penalty without any further or other Proof on Behalf of the Proſecutor, than that ſuch Perſon hath acted as a Truſtee in the Execution of this Act: Provided always, that any Mortgagee or Aſſignee of any Mortgage or other Security, or any Lender of Money upon the Credit of any of the Tolls granted by this Act, or receiving Intereſt thereout for the ſame, ſhall not on that Account be deemed unqualified to act as a Truſtee in the Execution of this Act: Provided alſo, that ſuch of the ſaid Truſtees as are or ſhall be in the Commiſſion of the Peace for the ſaid County of *Carmarthen*, may nevertheleſs act as Juſtices of the Peace in the Execution of this Act, except only in ſuch Caſes where they ſhall be perſonally intereſted; but no Perſon ſhall be capable of acting as a Truſtee in the Execution of this Act during the Time he ſhall hold any Place of Profit under this Act.

Mortgagees may act.

Truſtees not to act where intereſted.

First Meeting of Truſtees.

V. And be it further enacted, That the ſaid Truſtees ſhall meet at the Dwelling-houſe of *William Rees*, known by the Sign of the *Foreſt Arms*, ſituate in the Village of *Brechfa* aforeſaid, on the Third *Tueſday* after this Act ſhall receive the Royal Aſſent, and proceed to the Execution of this Act, and ſhall adjourn themſelves from Time to Time to ſuch Times and Places near the ſaid Roads as the ſaid Truſtees ſhall think proper, as often as it ſhall be neceſſary, for putting this Act in Execution; and if it ſhall happen that there ſhall not appear at any ſuch Meeting a ſufficient Number of Truſtees to act or adjourn to any other Time and Place, (Two Truſtees being always to be deemed ſufficient for the Purpoſe of Adjournment only,) then the Clerk to the Truſtees ſhall adjourn the ſaid Meeting to, and appoint the Truſtees to meet at, the Place where the laſt Meeting was appointed to be held, on that Day Fortnight next after the Day on which ſuch laſt Meeting was appointed to be held, and ſhall cauſe Notice thereof to be affixed on all the Gates or Turnpikes then erected by virtue of

For want of a ſufficient Number of Truſtees, the Clerk to adjourn the Meeting.

of this Act, at leaſt Seven Days before ſuch Meeting; and no Buſineſs ſhall be begun or proceeded upon at any Meeting of the ſaid Truſtees before Eleven of the Clock in the Forenoon, nor ſhall any Adjournment be made to any later Hour than Four of the Clock in the Afternoon; and the ſaid Truſtees ſhall at their Meetings defray their own Expences.

Truſtees to defray their own Expences.

Victuallers not to be Officers.

VI. Provided always, and be it enacted, That no Perſon or Perſons who ſhall keep any Victualling-houſe, or other Houſe of public Entertainment, or who ſhall ſell any Wine, Cider, Beer, Ale, ſpirituous or other ſtrong Liquors by Retail, ſhall be capable of acting as a Truſtee, or of taking, holding, or enjoying, any Place or Places of Truſt or Profit under the ſaid Truſtees, or of collecting the Tolls hereby granted and made payable, during ſuch Time as he, ſhe, or they, ſhall keep ſuch Victualling-houſe, Ale-houſe, or other Houſe of public Entertainment, or ſhall ſell any Wine, Cider, Beer, Ale, ſpirituous or other ſtrong Liquors, by Retail; but no ſuch Perſon ſhall be precluded from farming ſuch Tolls, provided he, ſhe, or they employ a Perſon or Perſons to collect ſuch Tolls, who ſhall not be under any ſuch Incapacity.

Meetings on Emergencies.

VII. Provided always, and be it further enacted, That if after ſuch Adjournment it ſhall on any Emergency be thought neceſſary that an earlier Day of Meeting ſhould be appointed than the Day to which ſuch Meeting ſhall have been adjourned, the Clerk or Clerks, by an Order in Writing ſigned by Two or more of the acting Truſtees (although not aſſembled at a Meeting), mentioning the Time, Place, and Purpoſe of ſuch Meeting, ſhall forthwith give Notice of ſuch earlier Meeting in the Manner herein-before directed, ſuch Time not being leſs than Seven Days after ſuch Notice; and all Proceedings of the Truſtees at ſuch Meetings ſhall be as valid as they would have been in caſe the Truſtees had met in purſuance of an Adjournment.

No Act, &c. to be valid unleſs done at Meetings.

VIII. And be it further enacted, That all Acts, Orders, Reſolutions, Determinations, and Proceedings of the ſaid Truſtees or any of them, in the Execution of any of the Powers hereby granted, ſhall be entered in a Book or Books to be kept for that Purpoſe, and ſigned by the Truſtees making the ſame, at ſome Meeting or Meetings to be held in purſuance of this Act; and that no ſuch Act, Order, Reſolution, or Determination, ſhall be valid unleſs ſo made, entered, and ſigned at ſuch Meeting, and unleſs the Majority of the Truſtees preſent at ſuch Meeting ſhall concur therein; and that no Act, Order, Reſolution, Determination, or Proceeding of the ſaid Truſtees ſo made, entered, and ſigned as aforeſaid, ſhall afterwards be revoked, altered, or ſet aſide by any ſubſequent Order of the ſaid Truſtees, unleſs at ſome public Meeting to be held for that Purpoſe (of which Meeting public Notice ſhall be given, by affixing the ſame on all the Turnpike Gates which ſhall be then ſtanding upon the ſaid Roads Ten Days at leaſt before ſuch Meeting), nor unleſs Nine or more of the ſaid Truſtees ſhall concur therein; which Book or Books, and alſo the Book or Books herein-after directed to be kept for regiſtering Mortgages and Aſſignments, or Tranſcripts thereof, ſhall be admitted as Evidence in all Courts whatſoever.

Officers to be appointed.

IX. And be it further enacted, That the ſaid Truſtees, or any Five or more of them, ſhall and may, from Time to Time, by Writing under their

their Hands appoint One or more Clerk or Clerks, Treaſurer or Treaſurers, Collector or Collectors of the Tolls, and a Surveyor or Surveyors of the ſaid Roads, and ſuch Officers as they the ſaid Truſtees ſhall think neceſſary, and from Time to Time remove any ſuch Officer or Officers; and on the Death or Deaths, Removal or Removals of ſuch Officer or Officers, may appoint others in their Stead, but Ten Days Notice ſhall be given in Manner aforeſaid of every Meeting at which any ſuch Appointment after the Firſt Meeting of the ſaid Truſtees ſhall be made; and the ſaid Truſtees ſhall and may, and are hereby authorized and empowered, by and out of the Monies ariſing by virtue of this Act, to pay ſuch Salaries and make ſuch Allowances to ſuch Officers and other Perſons employed, for their Services in or about the making, repairing, and improving the ſaid Roads, or otherwiſe in putting this Act in Execution, as they the ſaid Truſtees ſhall think reaſonable.

Treaſurers to give Security.

X. And be it further enacted, That the ſaid Truſtees ſhall and they are hereby authorized and required to take ſuch Security from the Treaſurer or Treaſurers, Collectors and Receivers of the Tolls to be appointed in purſuance of this Act, for the due Execution of his or their Office or Offices, as to the ſaid Truſtees ſhall ſeem meet.

Officers to account on Oath.

XI. And be it further enacted, That all ſuch Officers, and all other Perſons, ſhall from Time to Time, when thereunto required by the ſaid Truſtees, deliver to ſuch Truſtees, or to ſuch Perſon or Perſons as they ſhall reſpectively for that Purpoſe appoint, a true and perfect Account in Writing under their reſpective Hands of all Monies which ſhall have been by them reſpectively had, collected, or received by virtue of this Act, and how and to whom, and for what Purpoſe, the ſame and every Part thereof hath been diſpoſed of, together with proper Vouchers and Receipts for ſuch Payments, and ſhall verify the Accounts upon Oath (which Oath any Two of the ſaid Truſtees are hereby empowered to adminiſter); and ſuch Officers and Perſons ſhall, and they are hereby reſpectively required to pay all ſuch Monies as upon the Balance of ſuch Account or Accounts ſhall appear to be in their or any of their Hands, to ſuch Perſon or Perſons as the ſaid Truſtees ſhall appoint to receive the ſame; and if any of the ſaid Officers or Perſons ſhall refuſe or neglect to render and give ſuch Accounts as aforeſaid, or to produce and deliver up the ſaid Vouchers and Receipts relating to the ſame, or to verify the Articles thereof on Oath, or to pay the Balance in their Hands when thereunto required in Manner aforeſaid; or if ſuch Officers or Perſons ſhall refuſe or neglect to deliver up to the ſaid Truſtees, or to ſuch Perſon or Perſons as they ſhall appoint, within Seven Days after being thereunto required by the ſaid Truſtees, all Books, Accounts, Papers, and Writings in their reſpective Cuſtody or Power, anywiſe relating to the Execution of this Act, or to the ſaid Roads, and Complaint ſhall be made of any ſuch Neglect or Refuſal to any Juſtice of the Peace for the County or Place where the Officer or Officers, Perſon or Perſons ſo neglecting or refuſing ſhall live and reſide, by the ſaid Truſtees, or by any Perſon or Perſons on their Behalf, ſuch Juſtice may and is hereby authorized and required to ſummon ſuch Officer or Officers, Perſon or Perſons, to appear before him, and upon his or their appearing, or not appearing, to hear and determine the Matter of ſuch Complaint in a ſummary Way, and to ſettle the ſaid Account or Accounts, if produced, in ſuch Manner as the ſaid Truſtees might have done; and if upon

the Confeſſion of the Officer or Officers, Perſon or Perſons, againſt whom any 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 ſo collected or received ſhall be in the Hands of ſuch Officer or Officers, Perſon or Perſons, ſuch Juſtice may, and he is hereby authorized and required, upon Non-payment thereof, by a Warrant or Warrants under his Hand and Seal, to cauſe ſuch Money to be levied by Diſtreſs of the Goods and Chattels of ſuch Officer or Officers, Perſon or Perſons reſpectively; and if no Goods or Chattels ſhall be found ſufficient to anſwer and ſatisfy the ſaid Money, and the Charges of levying the ſame, or if ſuch Officer or Officers, Perſon or Perſons, ſhall not appear before the ſaid Juſtice at the Time and Place by him appointed for that Purpoſe (except for ſome reaſonable Excuſe), or if appearing ſhall refuſe or neglect to give and deliver to the ſaid Juſtice an Account or Accounts of the Receipts and Payments as aforeſaid, or to verify the Truth of ſuch Accounts, or of the Articles thereof, upon Oath as aforeſaid, or to produce and deliver up to the ſaid Juſtice the ſeveral Vouchers and Receipts relating to ſuch Accounts reſpectively, or the Books, Accounts, Papers, and Writings in their Cuſtody or Power relating to the Execution of this Act, or to the ſaid Roads, then and in either of the ſaid Caſes the ſaid Juſtice may, and is hereby authorized and required, by Warrant or Warrants under his Hand and Seal, to commit ſuch Officer or Officers, Perſon or Perſons, to the Common Gaol of the County or Place where he or they ſhall live and reſide, there to remain without Bail or Mainprize until he or they ſhall have delivered in and ſettled his or their Accounts, and have verified the ſame on Oath, and ſhall have delivered up the Vouchers and Receipts relating thereto, and ſhall have paid the Money which ſhall appear to be in their reſpective Hands, and the reaſonable Charges of ſuch Diſtreſs as ſhall in that Reſpect have been made, or until he or they ſhall have compounded with the ſaid Truſtees for the ſame, and paid the Compoſition Money to the ſaid Truſtees, or ſuch Perſon or Perſons as they ſhall appoint to receive the ſame (and which Compoſition the ſaid Truſtees are hereby in ſuch Caſe empowered to make), or until he or they ſhall deliver up ſuch Books, Accounts, Papers, and Writings as aforeſaid, or have given Satisfaction in reſpect thereof to the ſaid Truſtees; but no ſuch Officer or other Perſon who ſhall be committed on Account of his not having ſufficient Goods and Chattels as aforeſaid, ſhall be detained in Priſon for any longer Time than Twelve Calendar Months.

Truſtees to appoint temporary Collectors.

XII. And be it further enacted, That when and as often as any Collector or Receiver of the Tolls ſhall neglect or be incapable of performing his Duty, or ſhall abſcond or abſent himſelf, the ſaid Truſtees, though not aſſembled at a Meeting of the Truſtees appointed by virtue of this Act, ſhall and may lawfully diſcharge ſuch Collector or Receiver; and in ſuch Caſe, and alſo if any ſuch Collector or Receiver ſhall die, ſuch Truſtees as aforeſaid ſhall and may nominate and appoint a proper Perſon to be a Collector or Receiver of the Tolls, to continue to the then next Meeting of the Truſtees, which 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 die or be diſcharged would have had or been ſubject to; and that if any Collector or Receiver of the ſaid Tolls who ſhall be diſcharged from his ſaid Office by

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virtue of this Act, or the Wife or Widow, or any of the Children, Family, or other 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 Houſe or Building to be erected or ſet up by virtue of this Act, for the Space of Three Days after Demand thereof made, and Notice in Writing given for that Purpoſe by any Two or more of the ſaid Truſtees, or by their Clerk or Clerks, Treaſurer or Treaſurers, then and in any of the ſaid Caſes it ſhall be lawful for any Juſtice or Juſtices of the Peace for the County or Place where ſuch Toll Houſe or Building ſhall be ſituated, by Warrant under his or their Hand and Seal, or Hands and Seals, to order any Conſtable or other Peace Officer for the ſame County or Place, with ſuch Aſſiſtance as ſhall be neceſſary; to enter ſuch Houſe or Building in the Day-time, and to remove the Perſon or Perſons who ſhall be found therein, together with his, her, or their Goods, out of the ſame, and to put the ſaid Truſtees, or any Two or more of them, or their new-appointed Officer, into the Poſſeſſion thereof.

Truſtees empowered to erect Turnpikes and take Tolls.

XIII. And be it further enacted, That the ſaid Truſtees, or any Two or more of them, may and are hereby authorized and empowered to cauſe to be erected ſuch and ſo many Toll Gates or Turnpikes in, upon, or acroſs the ſaid Roads or any Part or Parts thereof, and alſo upon the Sides thereof, or acroſs any Lane or Way leading into the ſame, as they ſhall think proper; and the ſaid Truſtees may and are hereby authorized and empowered to cauſe to be erected a Toll Houſe adjoining to or near each Turnpike, with Out-buildings ſuitable thereto, and to take in and incloſe ſufficient Ground, from any Common or Waſte, for Garden Spots for each Toll Houſe, as they the ſaid Truſtees ſhall think proper and direct; and the reſpective Tolls following ſhall be demanded and taken at each and every of the ſaid Toll Gates or Turnpikes, before any Horſe, Cattle, or Carriage ſhall be permitted to paſs through the ſame; (that is to ſay),

Tolls.

For every Coach, Berlin, Landau, Chariot, Calaſh, Chair, Caravan, Hearſe, or Litter, drawn by Six Horſes, Mares, Geldings, or Mules, the Sum of Three Shillings; and drawn by Four Horſes, Mares, Geldings, or Mules, the Sum of Two Shillings; and drawn by Two Horſes, Mares, Geldings, or Mules, the Sum of One Shilling; and drawn by One Horſe, Mare, Gelding, or Mule, the Sum of Sixpence:

For every Horſe, Mare, Gelding, Mule, Aſs, or other Beaſt, drawing any Waggon, Wain, Cart, or other Carriage (except as herein-after is excepted), the Sum of Three-pence:

For every Horſe, Mare, Gelding, Mule, or Aſs, laden or unladen, and not drawing (except as herein-after is excepted), the Sum of One Penny:

For every Drove of Oxen, Cows, or neat Cattle, the Sum of Ten-pence *per* Score; and ſo in Proportion for any leſs Number:

For every Drove of Calves, Hogs, Sheep, or Lambs, the Sum of Five-pence *per* Score; and ſo in Proportion for any leſs Number.

Penalty on refuſing to pay Tolls.

Which ſaid reſpective Sums of Money ſhall be demanded and taken in the Name of or as Toll, and ſhall be and are hereby veſted in the ſaid Truſtees, and ſhall be applied as herein-after is directed; and if any Perſon or Perſons ſubject to the Payment of any of the ſaid Tolls ſhall, after Demand thereof made, neglect or refuſe to pay the ſame, it ſhall be lawful for

for the Perſon or Perſons appointed to collect ſuch Tolls, by himſelf, herſelf, or themſelves, or taking ſuch Aſſiſtance as he, ſhe, or they ſhall think neceſſary, to ſeize and diſtrain any Horſes or other Cattle or Beaſts, together with their Bridles, Saddles, Gears, Harneſs, Accoutrements, or a ſufficient Part thereof; and if ſuch Tolls, and the reaſonable Charges of ſuch Seizure and Diſtreſs, ſhall not be paid within the Space of Four Days after ſuch Seizure and Diſtreſs made, the Perſon or Perſons ſo diſtraining ſhall and may ſell the Horſe or Horſes, Cattle, or other Things ſo diſtrained, or a ſufficient Part thereof, returning the Overplus (if any be), and what ſhall remain unſold, upon Demand to the Owner thereof, after ſuch Tolls and reaſonable Charges for making ſuch Seizure and Diſtreſs, and keeping and ſelling the ſame, ſhall be deducted and paid.

Diſputes concerning Tolls to be ſettled by a Juſtice.

XIV. Provided always, and be it further enacted, That if any Diſpute ſhall happen about the Quantity of Tolls 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 by Sale thereof, as the Caſe may happen, until the Quantity of the Tolls due, and Charges of making ſuch Diſtreſs, and of keeping and ſelling the ſame, ſhall be aſcertained by ſome Juſtice of the Peace of the County or Place, who upon Application made to him for that Purpoſe ſhall examine the ſaid Matter upon Oath of the Parties or other Witneſs or Witneſſes, and determine the Quantity of the Tolls due, and alſo aſſeſs the Charges of ſuch Diſtreſs, Keeping, and Sale, and alſo of the Collector's Attendance for that Purpoſe on the ſaid Juſtice; 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.

XV. And be it further enacted, That in caſe any Diſpute, Suit, or Litigation ſhall ariſe touching or in anywiſe 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 on that Account be deemed incompetent to give Evidence in any ſuch Diſpute, Suit, or Litigation.

Lime, Coal, and Turf, only Half Tolls during certain Months.

XVI. Provided always, and be it further enacted, That every Horſe or other Beaſt, Cart or other Carriage, laden with Lime, Coal, Turf, or Peat only, or returning unladen, having delivered ſuch Lime, Coal, Turf, or Peat, or going empty for Lime, Coal, Turf, or Peat, ſhall be liable to One Half of the reſpective Tolls hereby granted, and no more, for paſſing or repaſſing at any Time or Times with the ſame Horſe, Cattle, or Carriage through all or any of the ſaid Gates or Turnpikes to be erected upon the ſaid Roads, or on the Sides thereof, during the Months of *April*, *May*, *June*, *July*, *Auguſt*, and *September*, in every Year; and that no more than the ſaid Half ſhall be demanded or taken for any Horſe, Beaſt, or Carriage going for or returning after having delivered One and the ſame Load of Lime, Coal, or Turf, notwithſtanding ſuch Horſe, Beaſt, or Carriage ſhall not go and return the ſame Day.

No more than Two Tolls to be paid each Day.

XVII. And be it further enacted, That no Perſon ſhall be ſubject or liable to pay more than Two Tolls in any One Day, to be computed from Twelve of the Clock in One Night to Twelve of the Clock in the ſucceeding Night, for paſſing and repaſſing with the ſame Horſes, Cattle,

Beasts, or Carriages, through all or any Toll Gate or Toll Gates, Turnpike or Turnpikes to be erected by virtue of this Act; but that all and every Person and Persons having paid the said Two Tolls in the Whole, and such Person producing a Ticket or Tickets denoting that such Toll or Tolls hath or have been paid on that Day (which Ticket the Collectors of the Tolls are hereby required to deliver gratis) shall pass and repass the same Day with the same Horses, Cattle, Beast, and Carriages, Toll-free through all the Turnpikes or Toll Gates to be erected on the said Road by virtue of this Act.

Penalty on evading the Tolls.

XVIII. And be it further enacted, That if any Person or Persons shall with any Cattle or Carriage pass through any Land, Ground, or Place (not being a public Highway) adjoining to or lying near any of the said Roads, or if any Owner or Occupier of any such Land, Ground, or Place, shall knowingly or wilfully permit or suffer any Person or Persons with any Cattle or Carriage whatsoever to pass through the same, whereby the Payment of any of the said Tolls shall be evaded; or if any Person or Persons shall give to or receive from any Person or Persons, other than the Person or Persons appointed to collect the said Tolls, any Note or Ticket by this Act directed to be given by the Collectors of the said Tolls, or shall forge or counterfeit any such Note or Ticket, or make use of any such forged or counterfeited Note or Ticket, knowing the same to have been forged or counterfeited, whereby the Payment of the said Tolls or any Part thereof shall be evaded; or if any Person or Persons shall forcibly pass through any of the said Turnpikes with any Horse, Carriage, or other Cattle, without Payment of the Tolls for the same, or shall take off or cause to be taken off any Horse or other Cattle from any Carriage, or shall leave or cause to be left upon or near any Part of the said Roads any Carriage, Horse, or other Cattle, or any Goods, or shall do any other Act in order or with Intent to evade the Payment of the said Tolls or any Part thereof, every Person so offending in any of the Cases aforesaid shall for every such Offence forfeit the Sum of Forty Shillings, whereof One Moiety shall be paid to the Informer or Informers, and the other Moiety shall be applied towards the Purposes of this Act.

Exemptions from Tolls.

XIX. And be it further enacted, That no Tolls shall be demanded or taken for any Horse or Carriage passing through any of the Turnpike Bars erected or to be erected upon or on the Sides of the said Roads, carrying or conveying Stone, Bricks, Lime, Timber, Wood, Gravel, or other Materials to be used on or about the said Roads, or for the repairing any Highways in the Parishes, Townships, Districts, or Places which are liable to perform Statute Duty upon any Part of the said Roads, nor returning empty when so employed; nor carrying or conveying Hay, Corn in the Straw, or other Produce of the Lands lying within the said Parishes, Townships, Districts, or Places, to be laid up in the Houses, Outhouses, Barns, or Yards belonging to the Inhabitants of and situate within the said Parishes, Townships, Districts, or Places; nor any Ploughs, Harrows, or other Implements of Husbandry to be used in the Cultivation of Lands; nor any Mould, Dung, or Compost for the manuring of Lands, which shall be brought from the said Parishes, Townships, Districts, or Places, to be used or laid upon Lands within the same, nor returning empty when so employed; nor shall any Toll be paid by any Rector, Vicar, or Curate, going to or returning from any Church, Chapel, or

other Place of Religious Worſhip, or viſiting his Sick Pariſhioners, or any other his Parochial or Miniſterial Duty, nor by any other Perſon or Perſons reſiding in the ſaid Pariſhes, Townſhips, Diſtricts, or Places, who ſhall paſs through the ſaid Turnpike Bars to or from Church, Chapel, or other Place of Religious Worſhip, or who ſhall attend the Funeral of any Perſon or Perſons who ſhall die and be buried in any of the ſaid Pariſhes, Townſhips, Diſtricts, or Places; nor for any Horſes, Mares, Geldings, Mules, Aſſes, or Cattle which are kept within ſuch Pariſhes, Townſhips, Diſtricts, or Places, going to or returning from Work in cultivating Lands; nor for any Horſes, Mares, Geldings, Mules, Aſſes, Cattle, Sheep, Lambs, Goats, or Hogs which are to be kept within the ſaid Pariſhes, Townſhips, Diſtricts, or Places going to or returning from Paſture, the Commons, or other grazing Grounds, or Watering Places, or Blackſmiths Shops within the ſame, or in bringing Peats, Turf, or Heather from off the Moors belonging to the ſame for the Uſe of the Inhabitants thereof; nor for any Horſes 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 the ſame, or in returning back from conveying the ſame, or for the Horſes of Soldiers on the March or on Duty, or Carriages or Horſes, or other Beaſts employed in carrying the Arms or Baggage of ſuch Soldiers, or 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 the Place appointed for and on the Days of Exerciſe, provided ſuch Perſons are in the Uniform of their reſpective Corps, and have their Arms, Furniture, and Accoutrements, according to the Regulations provided for ſuch Corps reſpectively, at the Time of claiming ſuch Exemption; 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, Commiſſariat, or other public Stores of or belonging to His Majeſty, or for the Uſe of His Majeſty's Forces; or for any Carriage, Horſe, or other Beaſt employed in the Conveyance of Vagrants travelling with legal Paſſes, or travelling with Vagrants ſent by legal Paſſes; nor for any Horſe or Carriage going to or returning from any Election of a Knight or Knights of the Shire to ſerve in Parliament for the ſaid County of *Carmarthen* on the Day or Days of ſuch Election, or on the Day before or Day after ſuch Election ſhall begin or be concluded; and if any Perſon ſhall claim and take the Benefit of any of the Exemptions aforeſaid, not being entitled thereto, every ſuch Perſon ſhall for every ſuch Offence forfeit and pay a Sum not exceeding Five Pounds: Provided always, that no Tolls ſhall be demanded or taken for any Horſe, Cattle, or Carriage, which ſhall not go more than Two hundred Yards upon the ſaid Roads.

No Toll if not going more than 200 Yards.

Carriages employed in His Majeſty's Service not to be ſubject to Regulations for Overweight.

XX. 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 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

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.

Truſtees may compound for Tolls.

XXI. And be it further enacted, That it ſhall be lawful for the ſaid Truſtees from Time to Time, as often as they ſhall think fit, to compound with any Perſon or Perſons (except common Carriers) for paſſing through ſuch Toll Gates or Turnpikes with any Horſe, Cattle, or Carriage, for any Sum of Money for or in lieu of the Payment of the Tolls hereby granted; which Compoſition Money ſhall be always paid in Advance to the ſaid Truſtees, or to ſuch Perſon or Perſons as they ſhall appoint to receive the ſame, and ſhall be applied in the ſame Manner as the Tolls are in and by this Act directed to be applied.

May leſſen Tolls.

XXII. And be it further enacted, That the ſaid Truſtees or any Nine or more of them ſhall and may, and they are hereby authorized and empowered from Time to Time, with the Conſent of the Perſon or Perſons entitled to Two Thirds of the Money which ſhall be then due upon the Credit of the ſaid Tolls, to leſſen or reduce, and to vary and alter the ſeveral Tolls hereby granted and made payable, and to raiſe the ſame again, or any Part thereof, and to order and direct the ſame to be collected, received, and taken in ſuch Manner, Parts, and Proportions as they ſhall think fit, ſo that the ſame ſhall never exceed the Tolls hereinbefore granted, any Thing herein contained to the contrary notwithſtanding.

Truſtees may let the Tolls.

XXIII. And be it further enacted, That the ſaid Truſtees, upon Six Days Notice to be given upon all the Turnpikes then erected on the ſaid Roads, may at any Time during the Continuance of this Act let to farm or demiſe all the Tolls hereby granted, or any Part thereof, to any Perſon or Perſons who ſhall be willing to take or farm the ſame from Year to Year, or for any Term of Years not exceeding Three Years at any One Letting, upon public Bidding to the higheſt Bidder, and for the beſt Price ſuch Truſtees can get for the ſame, payable at ſuch Times and in ſuch Manner, and under ſuch Covenants, and with ſuch Sureties for the Payment thereof as the ſaid Truſtees ſhall think reaſonable; which Money ſo to be paid ſhall be applied and diſpoſed of as the Tolls granted by this Act are directed to be applied and diſpoſed of.

Turnpikes to be veſted in Truſtees.

XXIV. And be it further enacted, That the Right and Property of all the Turnpike Gates, Bars, Rails and Fences, Toll Houſes, and Buildings, which ſhall be erected by virtue of this Act, with their Appurtenances, and of the Materials for building or repairing the ſame, and for completing and repairing the ſaid Roads, and all other Materials collected or made uſe of for the Purpoſes of this Act, ſhall be and are hereby veſted in the ſaid Truſtees, and they are hereby authorized and empowered to diſpoſe of the ſame as they ſhall think proper; and to bring or cauſe to be brought any Action or Actions in the Name or Names of any Five or more of them, or in the Name of their Treaſurer or Treaſurers, Clerk or Clerks, or Surveyor or Surveyors, or to prefer or cauſe to be preferred

ferred any Bill or Bills of Indictment against any Person who shall steal, take away, break, or damage the same or any Part or Parts thereof, or disturb them or their Agents or Servants in the Possession thereof.

For borrowing Money.

XXV. And be it further enacted, That it shall be lawful for the said Trustees, at their First or any subsequent Meeting, to borrow and take up at Interest, upon the Credit of the Tolls payable by virtue of this Act, for any Time not exceeding the Continuance of this Act, such Sum or Sums of Money as they shall think proper, and to mortgage and assign the said Tolls, or any Part or Parts thereof, and the Turnpike Gates and Toll Houses for collecting the same (the Costs and Charges of such Mortgages to be paid out of such Tolls respectively) to any Person or Persons, or their Trustees, who shall advance or lend their Monies thereon, for any Time or Term during the Continuance of this Act, as a Security or Securities for the several Sums of Money that shall be borrowed, and the Interest thereof as aforesaid, by the following Words, or by any other Words to the like Effect, under their Hands and Seals; (*videlicet*)

Form of Assignment.

'BY virtue of an Act passed in the Forty-ninth Year of the Reign of His Majesty King *George* the Third, intituled [*Here set forth the Title of this Act*] We of the Trustees for the said Roads, in consideration of the Sum of to the Treasurer or Treasurers of the said Roads in Hand paid, do grant, bargain, sell, and demise unto *A. B.* his Executors, Administrators, and Assigns, such Proportion of the Tolls arising from the said Roads, and of the Turnpike Gates and Toll Houses for collecting the same, as the said Sum of doth or shall bear to the whole Sum due and owing on the Credit thereof, or charged upon the Term of the said Act, to be had and holden from this Day of in the Year of our Lord and during the Continuance of the said Act, unless the said Sum of with Interest at the Rate of Five Pounds *per Centum per Annum*, shall be sooner paid and satisfied.'

And that Copies of all such Mortgages and Assignments shall be entered in a Book or Books to be kept for that Purpose by the Clerk or Clerks to the said Trustees.

Mortgagees may assign.

XXVI. And be it further enacted, That all and every Person and Persons to whom any such Mortgage or Mortgages, or Assignment or Assignments of the Tolls shall be made as aforesaid, or who shall be entitled to the same, is and are hereby empowered from Time to Time to assign over or transfer such Security or Securities, or any Share thereof, and all or any Part of the Monies due thereon, to any Person or Persons whomsoever, by signing an Instrument to be annexed to such Security, or by Indorsement on the same, in the following Words, or Words to the like Effect; (*videlicet*),

Form of Transfer.

'I *A. B.* do hereby transfer the within Mortgage [*if by Indorsement*; *or, if by a separate Instrument*, a certain Mortgage] bearing Date the Day of of the Tolls arising by virtue of an Act passed in the Forty-ninth Year of the Reign of King *George* the Third, intituled, [*Insert the Title of this Act*] and all my Right and

‘ Title to the Principal Sum of and Intereſt thereby ſecured,
‘ unto *C. D.* his Executors, Adminiſtrators, and Aſſigns. Dated this
‘ Day of *A. B.*’

All which Transfers ſhall be produced or notified to the Clerk or Clerks to the ſaid Truſtees within Thirty Days after the Date thereof, who ſhall cauſe an Entry or Memorial to be made thereof in the before-mentioned Book or Books, ſpecifying the Dates, and the Names, Additions, and Places of Abode of the ſeveral Parties, and the Sum or Sums of Money therein transferred, for which the ſaid Clerk or Clerks ſhall be paid the Sum of Two Shillings and no more, by the Perſon or Perſons to whom ſuch reſpective Transfers ſhall be made; which ſaid Book or Books ſhall and may be inſpected at all ſeaſonable Times by any Perſon or Perſons whomſoever, and the Sum of One Shilling, and no more, ſhall be paid to ſuch Clerk or Clerks for every ſuch Inſpection; and after ſuch Entry made, but not till then, every ſuch Transfer ſhall entitle ſuch Aſſignee, his, her, and their Executors, Adminiſtrators, and Aſſigns, to the Benefit thereof and Payment thereon, and ſuch Aſſignees may in like Manner aſſign again, and ſo *toties quoties*; and it ſhall not be in the Power of any Perſon who ſhall have made any ſuch Transfer to make void, releaſe, or diſcharge the original Mortgage or Aſſignment, or any Monies due thereon.

Application of the Monies,

XXVII. And be it further enacted, That all the Monies which ſhall ariſe and be produced by ſuch Subſcriptions as herein-after mentioned, and from the Tolls by this Act granted, together with the Monies which ſhall from Time to Time be borrowed in purſuance of this Act, and all other Monies which ſhall ariſe and be produced by virtue of this Act, and not herein otherwiſe appropriated or directed to be applied, ſhall be veſted in the ſaid Truſtees for the Time being, and ſhall be applied to and for the ſeveral Uſes, Intents, and Purpoſes, and in the Order and Manner following; that is to ſay, in the Firſt Place, in the Payment of the Coſts, Charges, and Expences of preparing and paſſing this Act; in the Second Place in paying the Intereſt accruing upon the ſeveral Principal Sums of Money which ſhall from Time to Time be due and owing on the ſeveral Mortgages or Securities made in purſuance of this Act; in the Third Place, in defraying the Expences of erecting and providing Turnpikes, Toll Houſes, and other Buildings, and of making, forming, repairing, widening, and altering the ſaid Road, and purchaſing Lands for thoſe Purpoſes, and of erecting and maintaining neceſſary and convenient Bridges upon the ſaid Roads, and of executing the ſeveral other Powers and Purpoſes of this Act; and laſtly, in reducing, paying off, and diſcharging the ſeveral Principal Sums for the Time being due on ſuch Mortgages or Securities as aforeſaid.

All Creditors to be deemed equal in Degree.

XXVIII. And be it further enacted, That no Preference ſhall be given to any Perſon or Perſons advancing any Sum or Sums of Money upon the Credit of this Act, his, her, or their Aſſignee or Aſſignees, in reſpect to Priority of the Mortgage or Aſſignment, or of advancing ſuch Sum or Sums of Money, but that all Perſons to whom any ſuch Mortgages or Aſſignments ſhall be made as aforeſaid, his, her, and their Aſſignee or Aſſignees, ſhall be (in proportion to the Sum or Sums therein mentioned) Creditors on the Tolls by this Act granted in equal Degree one with another.

For getting Materials to repair the Road.

XXIX. And be it further enacted, That it ſhall be lawful for the Surveyor or Surveyors of the ſaid Roads, and all ſuch other Perſons as he or they ſhall appoint, to ſearch for, dig, gather, and take away any Stones, Gravel, Sand, or other Materials for making, amending, altering, widening, improving, or repairing the ſaid Roads, out of any Waſte or Common, River or Brook, in any Pariſh, Hamlet, or Place, in, adjoining to, or lying near the ſaid Roads, or in any neighbouring Pariſh, Hamlet, or Place, without paying any Thing for the ſame, they the ſaid Surveyor or Surveyors, or other Perſon or Perſons filling up the Pits or Quarries, levelling the Ground, or ſloping the Banks where ſuch Materials ſhall be taken, or railing or fencing off ſuch Pits or Quarries, ſo that the ſame may not be dangerous to Paſſengers or Cattle; and if ſufficient Quantities of Materials cannot be had or found in or upon any ſuch Waſte or Common, River or Brooks, then and in ſuch Caſe the Surveyor or Surveyors, or other Perſons as aforeſaid, may by Order from the ſaid Truſtees ſearch for, dig, gather, and take away any ſuch Materials in and out of the Lands, Fields, or Grounds of any Perſon or Perſons where the ſame may be had or found, ſuch Lands, Fields, or Grounds not being a Garden, Orchard, Yard, Park, Paddock, Walk or Walks, or Avenue to a Houſe, or any Piece of Ground planted and ſet apart as a Nurſery for Trees, making or tendering ſuch Satisfaction for the Damages done to the Owners and Occupiers of ſuch Lands, Fields, or Grounds where and from whence the ſame ſhall be dug, gathered, and carried away, or over which the ſame or any other Materials for making, repairing, diverting, widening, and improving the ſaid Roads, ſhall be carried, as the ſaid Truſtees ſhall adjudge reaſonable; and in caſe of any Difference between the ſaid Truſtees, Surveyors, or other Perſons employed as aforeſaid, and the ſaid Owners or Occupiers, or any of them, concerning ſuch Payments and Damages, any One or more Juſtice or Juſtices of the Peace acting for the County of *Carmarthen*, wherein ſuch Fields, Lands, and Grounds ſhall lie, ſhall and may, on Seven Days Notice thereof being given in Writing by the ſaid Surveyor or Surveyors, Owner or Owners, Occupier or Occupiers, or by them to the ſaid Surveyor or Surveyors, or to be left at their reſpective Places of Abode, hear, ſettle, and determine the Matter of ſuch Payment and Damages; and the Judgement or Order of the ſaid Juſtices therein ſhall be final and concluſive to all Parties.

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

XXX. Provided always, and be it further enacted, That it ſhall not be lawful for any Surveyor or Surveyors, or any other Perſon or Perſons, under the Authority of this Act, to dig, gather, get, take, or carry away any Materials for the Purpoſes of this Act, out of or from any incloſed Lands or Grounds, until Notice in Writing ſigned by the Surveyor ſhall have been given to the Land Owner or his Agent, or to the Occupier of the Premiſes from which ſuch Materials are intended to be taken, or left at the Houſe or laſt or uſual Place of Abode of ſuch Occupier, to appear before the ſaid Truſtees, or any One or more Juſtice or Juſtices of the Peace acting for the County or Place wherein ſuch Premiſes ſhall lie, to ſhew Cauſe why ſuch Materials ſhould not be had from ſuch Lands or Grounds; and in caſe ſuch Land Owner, Agent, or Occupier, ſhall attend purſuant to ſuch Notice, the ſaid Truſtees, or ſuch Juſtice or Juſtices ſhall, if they think proper, authorize ſuch Surveyors or other Perſons to dig, gather, get, take, and carry away ſuch Materials, at ſuch Time or Times as to ſuch Truſtees or to ſuch Juſtice or Juſtices ſhall

ſeem proper; and if ſuch Land Owner or Occupier ſhall (except for ſome reaſonable Excuſe) neglect or refuſe to appear by himſelf or herſelf, or Agent, the ſaid Truſtees or ſuch Juſtice or Juſtices ſhall and may make ſuch Order therein as they ſhall think fit, as fully and effectually to all Intents and Purpoſes as if ſuch Owner or Occupier, or his or her Agent, had attended.

Penalty on taking away Materials.

XXXI. And be it further enacted, That if any Perſon whomſoever ſhall take away any Materials which have been dug or gathered in any Lands, Fields, Grounds, Waſtes or Commons, Rivers or Brooks, for the Purpoſes of this Act, or ſhall get or take away any Materials out of any Pit or Quarry which ſhall have been made for the Purpoſe of getting Materials for the ſaid Roads, before the ſaid Surveyors or their Workmen ſhall have diſcontinued working therein, for the Space of Twenty-one Days (except the Owner or Occupier of any private Ground, and Perſons authorized by ſuch Owner or Occupier to get Materials therein for his own private Uſe only, and not for Sale), every Perſon ſo offending ſhall forfeit for every ſuch Offence any Sum not exceeding Forty Shillings.

For removing Annoyances.

XXXII. And be it further enacted, That it ſhall be lawful for the Surveyor or Surveyors, and ſuch Perſon or Perſons as he or they ſhall appoint, from Time to Time to remove all Annoyances made on any Part of the ſaid Roads by Timber, Stones, Carriages, Sawpits, Hovels, Filth, Dung, Aſhes, Rubbiſh, Straw, or otherwiſe, and to turn any Watercourſes, Sinks, or Drains running along, into, or out of the ſaid Roads, to the Prejudice thereof, and to open, ſcour, cleanſe, widen, and make deeper any Watercourſe or Ditches adjoining or near thereto, and make the ſame as deep and large as he or they ſhall think neceſſary; and to cut down, lop or top, at proper Seaſons of the Year, any Trees, Branches, Shrubs, or Buſhes growing in the ſaid Roads, or in the Hedges or Banks adjacent thereto; and to take and carry away the ſame reſpectively, and to cut and reduce all ſuch Hedges to the Height of Four Feet, in caſe the Perſons occaſioning ſuch Annoyances ſhall neglect to remove the ſame, or the Owner or Occupier of the Lands ſhall neglect to open, ſcour, cleanſe, widen, or deepen ſuch Watercourſes or Ditches, or lop or top and remove ſuch Boughs, Buſhes, or Lops, or reduce ſuch Hedges in ſuch Manner as the ſaid Surveyor or Surveyors ſhall order and direct, for the Space of Seven Days next after Notice in Writing given for thoſe reſpective Purpoſes, under the Hand of ſuch Surveyor or Surveyors, the Charges whereof (to be ſettled by the ſaid Truſtees) ſhall be reimburſed to ſuch Surveyor or Surveyors by ſuch Owners or Occupiers, the ſame to be recovered and applied in ſuch Manner as Penalties and Forfeitures are herein-after directed to be recovered and applied; and ſuch Owners or Occupiers ſo neglecting to open, deepen, and cleanſe ſuch Watercourſes or Ditches, or to cut and reduce ſuch Hedges within the Time aforeſaid, after ſuch Notice given, ſhall likewiſe forfeit for every Foot in Length any Sum not exceeding Twenty Shillings, over and beſides the Charges to be ſettled as aforeſaid; and if after Removal of any of the ſaid Annoyances any Perſon ſhall again offend in the like Manner, every ſuch Perſon ſhall for every ſuch ſubſequent Offence forfeit any Sum not exceeding Forty Shillings, nor leſs than Ten Shillings, over and above the Penalty and Charges above mentioned.

XXXIII. And

Againſt drawing Timber, except on Wheel-Carriages.

XXXIII. And be it further enacted, That if any Perſon or Perſons ſhall draw or cauſe to be drawn upon any Part of the ſaid Roads, any Tree or Piece of Timber, or any Stone, otherwiſe than upon Wheel-Carriages, or ſhall ſuffer any Part of any Tree, or Piece of Timber or Stone, which ſhall be conveyed on any Wheel-Carriage, to drag or trail upon any Part of the ſaid Roads, to the Prejudice thereof, every ſuch Perſon ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Five Pounds.

To make Cauſeways, &c. and build or repair Bridges.

XXXIV. And be it further enacted, That it ſhall be lawful for the ſaid Surveyor or Surveyors, or ſuch Perſon or Perſons as he or they ſhall appoint or employ (ſuch Surveyor or Surveyors having an Order for that Purpoſe from the ſaid Truſtees) to make or cauſe to be made Cauſeways, and alſo covered or open Drains and Ditches in and upon or on the Sides of the ſaid Roads, and alſo through any Grounds or Fields lying contiguous thereto, and to ſcour ſuch Ditches and Drains, ſo as effectually to carry off the Water from any Part of the ſaid Roads, and alſo to make or cauſe to be made a Road through the Grounds or Fields adjoining or lying near to any hollow Way, narrow or ruinous Part of the ſaid Roads (ſuch Ground reſpectively not being the Ground whereon any Houſe or other Building ſtands, or a Garden, Orchard, Yard, Park, Paddock, planted Walk, or Avenue to any Houſe, or any incloſed Ground planted and ſet apart as a Nurſery for Trees) to be made uſe of as a public Highway whilſt the old Road is repairing or widening, and until ſuch Time as it ſhall be convenient for Paſſengers and Carriages to paſs along the ſame, making ſuch Recompence to the Owners and Occupiers of the private Grounds reſpectively for the Damages they ſhall or may thereby ſuſtain, as ſhall be adjudged reaſonable by the ſaid Truſtees; but that no Satisfaction ſhall be made for doing or performing any of the Works aforeſaid upon or through any Common or Waſte Grounds; and alſo by Order of the ſaid Truſtees to build and erect any Bridge or Bridges, Arch or Arches upon any Part or Parts of the ſaid Roads, and acroſs any River, Stream, Brook, Water, Ditch, or Drain therein, or contiguous thereto, Notice of ſuch Intention to build, erect, or repair any Bridge being firſt given, by affixing the ſame on all the Turnpike Gates that ſhall be then erected by virtue of this Act, at leaſt Seven Days before any Meeting at which ſuch Order to build, erect, or repair any Bridge ſhall be made.

For puniſhing Perſons that obſtruct Surveyors in their Duty.

XXXV. And be it further enacted, That if any Perſon or Perſons ſhall interrupt or hinder, or cauſe to be interrupted or hindered, any Turnpike Surveyor, or any other Perſon or Perſons by him, or by the ſaid Truſtees employed in the Execution of this Act, and while doing or performing any Work authorized to be done or performed by virtue of this Act, every ſuch Perſon ſhall for every ſuch Offence forfeit any Sum not exceeding Forty Shillings.

XXXVI. And whereas ſeveral Parts of the Roads herein-before deſcribed are not of ſufficient Width, other Parts thereof are circuitous, and may be conſiderably ſhortened, and other Parts thereof paſs over Hills which may be avoided, for Remedy of which Inconveniences, and for enabling the ſaid Truſtees to make and complete the ſaid Roads, by opening new and convenient Carriage Roads through any private or incloſed Lands or Grounds lying in or near to the Line of the Road herein-before deſcribed;

described; be it further enacted, That the said Truſtees ſhall and may, and they are hereby empowered from Time to Time, as they ſhall think proper, to widen the ſaid Roads, and to divert, turn, ſhorten, vary, or alter, within the Diſtance herein-after mentioned, the Courſe or Direction of any Part or Parts thereof, and to make new and convenient Carriage Roads through or over any Common or Waſte Ground, without making any Satisfaction for the ſame, and through any private Grounds or other Hereditaments, except as is herein-after mentioned, firſt making Satisfaction to the Owners thereof and Perſons intereſted therein for the Damage they may thereby ſuſtain; and that it ſhall be lawful for the ſaid Truſtees from Time to Time to contract and agree with the Owners of and the Perſons intereſted in any ſuch 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 Direction of any Part or Parts of the ſaid Roads through ſuch Lands or Hereditaments; and that it ſhall be lawful for all Bodies Politic or Corporate, Eccleſiaſtical or Civil, Corporations Aggregate or Sole, Guardians, Feoffees and Committees, Executors or Adminiſtrators, not only for and on Behalf of themſelves, their Heirs and Succeſſors, but alſo for and on Behalf of their Infant Wards, *Ceſtuique* Truſts, Lunatics, or Perſons of unſound Memory and Underſtanding, and to and for all Femes Covert who are or ſhall be ſeiſed or poſſeſſed of or intereſted in any ſuch Lands or Hereditaments, to contract with the ſaid Truſtees for the Satisfaction to be made for ſuch Damages as aforeſaid, or to ſell and convey unto them all or any of ſuch Lands or Hereditaments, or any Part thereof, for any of the Purpoſes aforeſaid; and that all Contracts, Sales, and Conveyances which ſhall be 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; and if any ſuch Bodies, or other Perſon or Perſons as aforeſaid, intereſted in any ſuch Lands or Hereditaments, upon Notice to him, her, or them given, or left in Writing at the Dwelling-houſe or Houſes, or other Place or Places of Abode of ſuch Perſon or Perſons, or of the Principal Officer or Officers of any ſuch Bodies Politic, Corporate, Eccleſiaſtical or Civil, or at the Houſe of the Tenant in Poſſeſſion of the Lands or Hereditaments through which any Part of ſuch Road is to be made, widened, diverted, turned, or altered, ſhall for the Space of Fourteen 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 ſhall cauſe ſuch Damage and Recompence to be inquired into and aſcertained by a Jury of indifferent Men in the County or Place wherein the Premiſes lie, and in order thereto the ſaid Truſtees are hereby empowered and required from Time to Time as Occaſion ſhall be, to ſummon and call before the Jury and examine on Oath any Perſon or Perſons whomſoever (which Oath any Two or more of the ſaid Truſtees are hereby empowered to adminiſter), and ſuch Truſtees ſhall, by ordering a View or otherwiſe, uſe all Ways and Means as well for their own as the ſaid Jury's Information in the Premiſes; and after the ſaid Jury ſhall have inquired of and aſſeſſed ſuch Damages and Recompence, they the ſaid Truſtees ſhall thereupon order, adjudge, and determine

Truſtees may contract for Purchaſe of Lands to be taken into Road.

Where Perſons neglect or refuſe to treat,

Damage and Recompence to be ſettled by a Jury.

Witneſſes to be examined on Oath or Affirmation.

determine the Sum or Sums of Money so assessed by the said Jury to be paid to the said Owners and other Persons interested in the said Lands or Hereditaments, according to the Verdict or Inquisition of such Jury; which said Judgement or Inquisition, Order or Determination thereupon shall be final and conclusive to all Intents and Purposes against all Parties and Persons whomsoever claiming or to claim in Possession, Remainder, Reversion, or otherwise, their Heirs and Successors as well absent as present, Infants, Femes Covert, and Persons under any Disability whatsoever, Bodies Politic, Corporate, Ecclesiastical or Civil, Corporations Aggregate or Sole, as well as all other Persons whomsoever; and for summoning and returning such Jury, the said Trustees are hereby empowered to issue their Warrant or Warrants to the Sheriff of the County where such Lands or Hereditaments shall lie, requiring him to impannel, summon, and return Twenty-four Persons qualified to serve on Juries to appear before the said Trustees at such Time and Place as in such Warrant or Warrants shall be appointed, and such Sheriff or his Deputy or Deputies are hereby required to impannel, summon, and return such Number of Persons accordingly, and out of such Persons so summoned, impannelled, and returned, or out of such of them as shall appear upon such Summons, they the said Trustees shall and they are hereby empowered and required to draw by Ballot, and to swear or cause to be sworn, Twelve Men, who shall be a 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 the said Trustees, shall return some other honest and indifferent Men of the Standers-by, or that speedily can be procured to attend that Service, to make up the Number of Twelve; and all Persons concerned shall have their lawful Challenges against any of the said Jurymen when they come to be sworn; and the said Trustees acting in the Premises shall from Time to Time have Power to impose any reasonable Fine or Fines upon such Sheriff, his Deputy or Deputies, Bailiffs or Agents making Default in the Premises, and on any of the Persons who shall be summoned and returned on such Jury, and who shall not appear (except for some reasonable Excuse), or appearing shall refuse to be sworn on such 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 shall refuse, or neglect to appear, or appearing shall refuse to be sworn and examined or to give Evidence, so as no such Fine be more than Ten Pounds nor less than Five Pounds on any One Person for One Offence.

Verdict of Enquiry to be final.

For impannelling a Jury.

Jurors may be challenged.

How Expences of Jury, &c. shall be paid.

XXXVII. And be it further enacted, That in case any Jury shall give in and deliver a Verdict or Assessment for more Money, as a Recompence for the Right, Interest, or Property of any Person or Persons in any Lands or Hereditaments, or of 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 before the summoning or returning of the Jury, as a Recompence or Satisfaction for any such Right, Interest, or Property, or 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 or Treasurers to the said Trustees out of any Money arisen or 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

ſhall have been agreed to and offered by the ſaid Truſtees before the ſummoning and returning of ſuch Jury, as a Recompence or Satisfaction for any ſuch Right, Intereſt, or Property, or 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 Differences, 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 reſpective County or Place not intereſted in the Matter in queſtion (who is hereby required to examine and ſettle the ſame), 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 Monies ſhall be deemed and taken to all Intents and Purpoſes to be a Payment or Tender of the whole Sum or Sums ſo aſſeſſed and adjudged, or otherwiſe ſuch Coſts and Expences, in caſe the ſame be not paid on Demand, after being ſo aſcertained and ſettled as aforeſaid, may be recovered by the Clerk or Clerks to the ſaid Truſtees by ſuch Ways and Means as are herein-after provided for the Recovery of Penalties and Forfeitures; provided, that where by reaſon of Abſence any Perſon or Perſons ſhall have been prevented from treating with the ſaid Truſtees touching the Matters aforeſaid, the Whole of ſuch Fees and Expences ſhall be paid by the ſaid Truſtees.

Upon Payment of the Purchaſe Money, the Lands to be laid into the Road.

XXXVIII. And be it further enacted, That every Sum of Money or Recompence to be agreed for or aſſeſſed as aforeſaid, ſhall be paid out of the Tolls or other Money ariſing by virtue of this Act, according to the Directions herein-after contained, either into the Bank of *England*, or as the Caſe may be, to the Parties or Perſons reſpectively entitled thereto, or to his, her, or their Agent or Agents; and upon Payment thereof, or (in caſe of Refuſal to accept the ſame, or the Parties not being to be met with) upon leaving the ſame in the Hands of the Treaſurer or Treaſurers of the ſaid Roads, for the Uſe of ſuch Parties or Perſons; and after Fourteen Days Notice given to ſuch Parties or Perſons, or his, her, or their Agent or Agents, or left at his, her, or their Place or Places of Abode, or with the Tenant in Poſſeſſion of the Lands or Hereditaments, ſuch Lands or Hereditaments ſhall be laid into and made Part of the Roads, in ſuch Manner as the ſaid Truſtees ſhall direct, and ſhall be ſufficiently ditched, fenced, and ſet out for that Purpoſe, and ſhall, to all Intents and Purpoſes, become and be deemed a common Highway, and ſhall from thenceforth for ever be deemed as Part of the Roads by this Act directed to be amended and kept in Repair, and from thenceforth all Parties and Perſons whomſoever ſhall be diveſted of all Right and Title to ſuch Lands and Hereditaments, but no Part of the ſaid Road ſhall be made of any greater Width by virtue of this Act than Thirty-two Feet; and after ſuch new Road ſhall be completed, the Land compriſed in or conſtituting the old or former Road ſhall be veſted in the ſaid Truſtees, and ſhall or may be ſtopped up or left unrepaired, unleſs the ſame may be wanted for any public Uſe, or for the particular Convenience of the Occupancy of any Lands or Tenements to which the ſame may lead, or ſhall be by the ſaid Truſtees ſold for the beſt Price or Prices that can be gotten for the ſame, or exchanged for other Lands uſed for the Purpoſes of this Act, and the Money ariſing by ſuch Sale ſhall be applied to the Purpoſes

Former Roads may be ſold or ſtopped up.

of

of this Act; and the Conveyance to be made of such Lands being executed by any Five or more of the said Trustees, and inrolled with the Clerk of the Peace for the County or Place wherein such Lands lie, shall be good and effectual to all Intents and Purposes; but this Act shall not extend or give Power to the Trustees acting in the Execution thereof to the taking down of any Dwelling-house or other Building, or to take in any Land that is a Garden adjoining to any Dwelling-house, or any Orchard, Yard, Park, Plantation, or Avenue to a House or any Part thereof, without the Consent in Writing of the Owner or Owners of such Dwelling-house, or other Property last above described, his, her, or their Agent or Agents, under their respective Hands for that Purpose first had and obtained.

Lands to be, sold, to be first offered to the Owners of the adjoining Lands.

XXXIX. Provided always, and be it further enacted, That the said Trustees, before they shall sell and dispose of the said Piece or Pieces of Ground, constituting the old or former Road, shall first offer to resell the same to the Owner or Owners of the Lands adjoining, and in case such Person or Persons shall not then and thereupon agree, or shall refuse to re-purchase the same, an Affidavit to be made and sworn before a Master Extraordinary in the High Court of Chancery, or before One of His Majesty's Justices of the Peace for the County aforesaid, by some Person or Persons not interested, stating that such Offer was made by or on the Behalf of the said Trustees, and that such Offer was not then and thereupon agreed to, or was refused by the Person or Persons to whom the same was so offered, shall in all Courts whatsoever be sufficient Evidence and Proof that such Offer was made and was not agreed to, or was refused by the Person or Persons to whom it was made (as the Case may be); and in case such Person or Persons shall be desirous of purchasing the same, and he, she, or they and the said Trustees shall differ and not agree with respect to the Price thereof, in such Case the Price or Prices thereof shall be ascertained by a Jury in Manner herein-before directed respecting the disputed Value of Premises to be purchased by the said Trustees in pursuance of this Act; and the Expence of hearing and determining such Difference shall be borne and paid in like Manner as herein-before mentioned with respect to such Purchase made by the said Trustees *mutatis mutandis*; and the Money to arise by the Sale or Sales which may be made by the said Trustees as aforesaid, shall be applied for the Purposes of this Act, but the Purchaser or Purchasers thereof shall not be answerable or accountable for any Misapplication or Non-application of such Money.

Application of Compensation Money when exceeding £100l.

XL. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands or Hereditaments purchased, taken, or used by virtue of the Powers in this Act for the Purposes thereof, which shall belong to any Corporation, Feme Covert, Infant, Lunatic, or Person or Persons under any Disability or Incapacity, as in this Act particularly mentioned, such Money shall, in case the same shall amount to or exceed 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 *ex parte* the Trustees for executing 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 Petition to be

be presented in a summary Way, by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands or Hereditaments, in the Purchase of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrances or Part thereof as the said Court shall authorize to be paid, affecting the same Lands or Hereditaments, standing settled therewith to the same or the like Uses, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Lands or Hereditaments, which shall be conveyed or settled to, for, and upon such and the like Uses, Intents, Trusts, and Purposes, and in the same Manner as the Lands and Hereditaments which shall be so purchased, taken, or used as aforesaid, stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing, undetermined, and capable of taking Effect; and in the mean Time and until such Purchase shall be made, the said Money shall, by Order of the Court of Chancery, upon Application thereto, be invested by the said Accountant General in his Name, in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the mean Time, and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and Annual Produce of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would, for the Time being, have been entitled to the Rents and Profits of the Lands and Hereditaments, so hereby directed to be purchased, in case such Purchase or Settlements were made.

Application where the Money is less than 200 l. and more than 20 l.

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

Application where less than 20 l.

XLII. Provided also, and be it further enacted, That where such Money so agreed or awarded to be paid as next before mentioned, shall not exceed Twenty Pounds, then, and in all such Cases, the same shall be ap-

plied 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 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 into the Bank.

XLIII. And be it further enacted, That in caſe the Perſon or Perſons to whom any Sum or Sums of Money ſhall be awarded or aſſeſſed for 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 in caſe the Perſon or Perſons to whom ſuch Sum or Sums of Money ſhall be ſo awarded or aſſeſſed 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 be lawful for the ſaid Truſtees to order the Sum or Sums of Money ſo awarded or aſſeſſed as aforeſaid, to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to his Account to the Credit of the Parties intereſted in the ſaid Lands, Tenements, or Hereditaments, [*deſcribing them*], ſubject to the Order, Controul, and Diſpoſition of the ſaid Court of Chancery; which ſaid Court, on the Application of any Perſon or Perſons making Claim to ſuch Sum or Sums of Money, or any Part thereof, by Motion or Petition, ſhall be and is hereby empowered in a ſummary Way of Proceeding, or otherwiſe as to the ſame Court ſhall ſeem meet, to order the ſame to be laid out and inveſted in the Public Funds, 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 into the Bank as aforeſaid.

Reſpecting diſputed Titles.

XLIV. Provided always, and be it further enacted, That where any Queſtion ſhall ariſe touching the Title of any Perſon or Perſons 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 purchaſed in purſuance thereof, or to any Bank Annuities to be purchaſed with any ſuch Money, or to the Dividends or Intereſt of any ſuch Bank Annuities, the Perſon or Perſons who ſhall have been in Poſſeſſion of ſuch Lands, Tenements, and 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 be 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 Divi-

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dends or Intereſt of the Bank Annuities to be purchaſed with ſuch Money, and alſo the Capital of ſuch Bank Annuities, ſhall be paid, applied, and diſpoſed of accordingly, unleſs it ſhall be made appear to the ſaid Court that ſuch Poſſeſſion was a wrongful Poſſeſſion, and that ſome other Perſon or Perſons was or were lawfully entitled to ſuch Lands, Tenements, or Hereditaments, or to ſome Eſtate or Intereſt therein.

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

XLV. Provided alſo, and be it further enacted, That where by Reaſon of any Diſability or Incapacity of the Perſon or Perſons, or Corporation entitled to any Lands, 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 ſaid Court, and to be applied in the Purchaſe of other Lands or Hereditaments, to be ſettled to the like Uſes in purſuance of this Act, it ſhall be lawful for the ſaid Court to order the Expences of all Purchaſes from Time to Time to be made in purſuance of this Act, or ſo much of ſuch Expences as the Court ſhall deem reaſonable, together with the neceſſary Coſts and Charges of obtaining ſuch Order, to be paid by the ſaid Truſtees, who ſhall from Time to Time pay ſuch Sums of Money for ſuch Purpoſes as the ſaid Court ſhall direct.

Truſtees may enter Lands to make the Road.

XLVI. And be it further enacted, That it ſhall be lawful for the ſaid Truſtees, and for the Surveyor or Surveyors and Workmen, with or without Carriages and Cattle, from Time to Time to enter upon the Lands and Grounds through which or whereupon any Road ſhall be thought proper to be made, widened, altered, or turned, in purſuance of the Directions of this Act, and to ſtake out, alter, and turn the ſame, in ſuch Manner as the ſaid Truſtees ſhall think neceſſary or proper, without being liable or ſubject to be deemed a Treſpaſſer or Treſpaſſers, or to any Fine, Penalty, or Puniſhment for entering or continuing upon any Part or Parts of ſuch Lands or Grounds reſpectively, for any of the Purpoſes of this Act, making Satisfaction to the Occupiers of ſuch Lands or Grounds for the Damage that ſhall be done to the Land or Ground on the Side of any new Road whilſt the ſame ſhall be making, widening, altering, or turning, in caſe ſuch Damage ſhall exceed the Sum of Ten Shillings; and if any Perſon ſhall wilfully pull up or remove any of the Stakes or other Marks uſed in laying out, making, altering, or turning any ſuch Road, every Perſon ſo offending ſhall forfeit and pay for every ſuch Offence a Sum not exceeding Twenty Shillings.

Road to be made according to the Plan.

XLVII. And whereas a Map or Plan deſcribing the Line of the ſaid Roads, and the Lands through which the ſame are to be carried, together with a Book of Reference containing a Liſt of the Names of the Owners and Occupiers of ſuch Lands, have been depoſited with the Clerk of the Peace for the County of *Carmarthen*; be it therefore enacted, That the ſaid Map or Plan and Book of Reference ſhall remain in the Cuſtody of the Clerk of the Peace for the ſaid County, to the End that all Perſons may at any ſeaſonable Times have Liberty to inſpect and peruſe the ſame, and to take Copies or Extracts therefrom 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 Roads ſhall not deviate more than One hundred Yards, of Three Feet each, from the Line deſcribed

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in the ſaid Map or Plan, without the Conſent and Approbation in Writing of the Perſon or Perſons, Body Politic, Corporate, or Collegiate, through whoſe Lands or Grounds ſuch Deviation ſhall be made.

Notwithſtanding Miſnomers in the Plan.

XLVIII. Provided alſo, and be it further enacted, That it ſhall and may be lawful to and for the ſaid Truſtees to make the ſaid Diverſion and new Branch of Road into, through, acroſs, or over the ſeveral Lands or Grounds of any Perſon or Perſons who is, or are, or may be, Owner or Owners of Land 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, and be certified by Writing under their Hands, that ſuch Error or Omiſſion proceeded from Miſtake.

Truſtees to fence off new Road.

XLIX. And be it further enacted, That in all Places where the Courſe of any Part of the preſent Roads ſhall be diverted from the old Line of Road, or a new Road ſhall be made (except any Open Common Field Land or Common, or Waſte Ground, or where the old Road ſhall be widened (except as aforeſaid), the ſaid Truſtees ſhall, and they are hereby required, in all ſuch Caſes, to cauſe good and ſufficient Mounds, Rails, and Fences to be made and provided, and Quickſets to be planted, or ſufficient Stone Walls to be built, in an Huſband-like Manner on both Sides of ſuch Roads, where the ſame is neceſſary, and ſhall ſupport ſuch Mounds, Walls, Rails, and Fences for and during the Term of One Year from the firſt making thereof.

Truſtees may contract for repairing the Roads.

L. And be it further enacted, That the ſaid Truſtees or any Five or more of them ſhall and may, and they are hereby empowered from Time to Time to contract and agree with any Perſon or Perſons for the repairing, widening, altering, turning, or amending the ſaid Roads or any Part or Parts thereof, and for all or any other of the Works to be done and performed in the Execution of this Act, in ſuch Manner, and for ſuch Sum or Sums of Money as the ſaid Truſtees or any Five or more of them ſhall think proper; and that all Contracts and Agreements in Writing entered into purſuant to an Order made at any Meeting by ſuch Truſtees, or any Five or more of them, ſhall be binding to the ſaid Truſtees and all other Parties who ſhall ſign the ſame, his, her, or their Succeſſors, Executors, and Adminiſtrators reſpectively, and that Actions and Suits may be maintained thereon, and Damages and Coſts recovered againſt the Party or Parties failing in the Execution of ſuch Contracts or Agreements.

Perſons liable to repair the Roads to continue ſo.

LI. And be it further enacted, That where any particular Part or Parts of the ſaid Roads, or any Bridges, Arches, Drains, Sewers, or Watercourſes lying in and upon the ſame Roads, have been accuſtomed or ought to be repaired and maintained by any Perſon or Perſons, Bodies Politic or Corporate, by reaſon of the Tenure of any Lands, Tenements, or Hereditaments, or any Ward, Pariſh, or Townſhip, all and every ſuch Part and Parts of the ſaid Roads, and all ſuch Bridges, Arches, Drains, Sewers, and Watercourſes, ſhall from Time to Time be maintained and kept in Repair by ſuch Perſon or Perſons, Bodies Politic and Corporate, County Wards, Pariſhes, or Townſhips reſpectively, and in

ſuch Manner as the ſame ought to have been reſpectively maintained and kept in Repair in caſe this Act had not been made.

Statute Labour.

LII. 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 Roads compriſed in this Act, 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 ſaid County of *Carmarthen*, and they are hereby required and empowered, upon Application made to them by the ſaid Truſtees or by their Treaſurer, Clerk, or Surveyor, by their Order yearly to adjudge and determine what Part or Proportion of the 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 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 to 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 of 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 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 on ſuch Days and at ſuch Times (not being Hay Time or Harveſt) and on 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 this Act authorized or directed to be recovered; and each and every Perſon who ſhall neglect or refuſe to do ſuch Statute Work as aforeſaid, after Notice in Writing given to or left for him, her, or them, at his, her, or their uſual Place or Places of Abode, for that Purpoſe, by any Surveyor to 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 For-

feitures, 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 dismiss 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 Roads; and in case the said Surveyor or Surveyors of the Highways for any of the said Parishes or Places shall refuse or wilfully neglect to give in such Lists as aforesaid, or shall knowingly and wilfully give in false or imperfect Lists, every such Surveyor so offending shall, for every such Offence, forfeit and pay any Sum not exceeding Forty Shillings.

Statute and other Work may be compounded for.

LIII. And be it further enacted, That it shall be lawful for the said Trustees from Time to Time to compound and agree by the Year and otherwise with the Owners or Occupiers of any Lands, Tenements, or Hereditaments, or other Persons, Bodies Politic or Corporate, liable or chargeable with or towards the Repair of any Part or Parts of the said Roads, or any Bridges, Arches, Drains, Sewers, or Watercourses lying in and upon the same, or the Performance of Statute Work thereon, for the Payment of a Sum or Sums of Money in lieu of such Repairs and Statute Work respectively, and also for the respective Surveyors of the Highways of every of the said Parishes, Townships, and Districts through which the said Roads pass, to compound and agree by the Year or otherwise with the said Trustees for and in lieu of the Statute Work to be performed by the Inhabitants of such Parishes, Townships, and Districts upon any Part or Parts of the said Roads.

For recovering the Composition Monies.

LIV. And be it further enacted, That in case the Composition Money agreed to be paid for passing through any Turnpikes or Toll Gates, or in lieu of such Repairs or Statute Work as aforesaid, or any Part or Parts of such Composition Money respectively, shall not be paid within Five Days after the same shall become payable, it shall be lawful for any Justice or Justices of the Peace acting for the County of *Carmarthen*, upon Application made by any Five Trustees under their respective Hands and Seals, to empower the Person or Persons authorized to receive such Composition Money (Oath having been first made before such Justice or Justices that the same hath been demanded and remains due, which Oath they are hereby empowered to administer), to levy such Composition Money by Distress and Sale of the Goods and Chattels of the Surveyor or Surveyors of the Highways, or other Person or Persons having so compounded or agreed to pay such Composition Money as aforesaid, returning the Overplus (if any) after deducting such Composition Money, and the reasonable Charges of such Distress and Sale, to the Owner or Owners thereof.

How Surveyors of the Highways are to be reim-

LV. And be it further enacted, That the respective Surveyors of the Highways who shall pay any such Composition Money, or of whom the same shall be recovered as aforesaid, shall be repaid or reimbursed the Composition

Compoſition Money paid by or recovered of them reſpectively, with the Coſts and Charges attending ſuch Recovery, by the ſeveral Ways and Means, and in ſuch Manner, as by the Laws in being Surveyors of the Highways are to be repaid or reimburſed the Monies by them expended in buying Materials for repairing the Highways.

burſed, and Compoſition Money paid by them.

LVI. And be it further enacted, That the ſaid Truſtees ſhall cauſe the ſaid Roads to be meaſured, and Mile Stones or Poſts to be ſet up, and from Time to Time renewed on the Sides thereof reſpectively, with Inſcriptions thereon denoting the Number of Miles and Diſtance of Paces, and alſo proper Direction Poſts where any other Roads lead out of or into the ſaid Roads; and if any Perſon or Perſons ſhall wilfully break, pull down, deſtroy, or damage any of the Stones or Poſts which ſhall be ſo fixed or ſet up, or eraſe, obliterate, or deface any of the Inſcriptions or Letters which ſhall be engraven or made thereon, or any Part thereof, or cauſe or procure the ſame to be done, every Perſon ſo offending and being lawfully convicted thereof, ſhall forfeit and pay a Sum not exceeding Forty Shillings, at the Diſcretion of the Juſtice or Juſtices before whom ſuch Offender ſhall be convicted.

Mile Stones and Direction Poſts to be erected.

LVII. And be it further enacted, That all Penalties, Forfeitures, and Fines by this Act impoſed or authorized to be impoſed (the Manner of levying and recovering of which is not herein otherwiſe particularly directed) ſhall, upon Proof of the Offences, and Conviction of the Offenders reſpectively before One or more Juſtice or Juſtices of the Peace for the County or Place wherein ſuch Offences ſhall be committed, either by the Confeſſion of the Party or Parties offending, or by the Oath of One or more credible Witneſs or Witneſſes, be levied by Diſtreſs and Sale of the Goods and Chattels of the Party or Parties offending, by virtue of a Warrant or Warrants under the Hand and Seal or Hands and Seals of ſuch Juſtice or Juſtices (which Warrant or Warrants ſuch Juſtice or Juſtices is and are hereby authorized and required to grant, and to adminiſter ſuch Oath *gratis*), and the Overplus, after ſuch Penalties, Forfeitures, and Fines, and the Charges of ſuch Diſtreſs and Sale, are deducted, ſhall be returned on Demand to the Owner or Owners of ſuch Goods and Chattels, and all ſuch Penalties, Forfeitures, and Fines (if not otherwiſe directed by this Act) ſhall be paid to the ſaid Truſtees or their Treaſurer, and applied for the Purpoſes of this Act; and in caſe ſufficient Diſtreſs ſhall not be found, and ſuch Penalties, Forfeitures, and Fines ſhall not be forthwith paid, ſuch Juſtice or Juſtices is and are hereby authorized and required, by Warrant or Warrants under his or their Hand and Seal or Hands and Seals, to cauſe ſuch Offender or Offenders to be committed to the Common Gaol or the Houſe of Correction for ſuch County, there to remain without Bail or Mainprize for any Time not exceeding Twelve Calendar Months, unleſs ſuch Penalties, Forfeitures, and Fines, and all reaſonable Charges attending the Recovery thereof, ſhall be ſooner paid and ſatisfied.

How Penalties and Forfeitures are to be recovered and applied.

LVIII. And whereas Offences may be committed againſt this Act by Perſons unknown to the Collectors, Surveyors, or other Officers appointed to put this Act in Execution; be it therefore enacted, That it ſhall be lawful for any of the ſaid Collectors, Surveyors, or other Officers reſpectively, and ſuch other Perſon or Perſons as they or any of them ſhall call to their or any of their Aſſiſtance, without any Warrant or other Authority than this

For ſecuring tranſient Offenders.

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 such Justice of the Peace of the said County, and such Justice is hereby empowered and directed to proceed immediately to the hearing and determining of the Complaint, or to oblige such Person or Persons so offending to give Security for his, her, or their Appearance at the next General Quarter Sessions to be holden for the County of *Carmarthen* to answer the said Complaint; and the Justices present at such Session, or any Two or more of them, are hereby authorized and required to hear and determine the Matter of the said Complaint in a summary Way, and upon Conviction of the Offender or Offenders, either by the Justice before whom he, she, or they shall be first taken, or by the Justices of such Session as aforesaid, it shall be lawful for such Justice or Justices respectively to commit him, her, or them to the Common Gaol or House of Correction for such County, for any Time not exceeding Twelve Calendar Months, or until he, she, or they shall sooner pay the respective Penalties by him, her, or them incurred for such Offence or Offences, together with the Costs and Charges attending such Conviction and Commitment; and for the more easy and speedy Conviction of Offenders against this Act, that all and every the Justice or Justices of the Peace before whom any Person or Persons shall be convicted of any Offence against this Act, shall and may cause the Conviction to be drawn up in the following Form of Words, or in any other Form of Words to the same Effect, as the Case shall happen; (*videlicet*),

Form of Conviction.

'County of Carmarthen, to wit,' BE it remembered, That on [*Time of Conviction*] at [*Place of Conviction*] *A. B.* [*Name of Offender*] of [*Addition of Offender*] was duly convicted before me [*or*, us] [*Name and Style of convicting Justice or Justices*] for that the said *A. B.* [*Name of Offender*] on [*Time of committing Offence*] at [*Place of committing Offence*] did [*Here state the Offence against the Act, according to the Fact*] contrary to the Form of the Statute made in the Forty-ninth Year of the Reign of His Majesty King *George* the Third, intituled, [*Here set forth the Title of this Act*] and I [*or*, we] do therefore declare and adjudge that the said *A. B.* [*Name of Offender*] has forfeited for his said Offence the Sum of [*Fine*] or shall be committed to [*Place of Imprisonment*] for the Space of [*Time of Imprisonment*] Given under my Hand and Seal [*or*, our Hands and Seals] the Day and Year first above written.'

Appeal to Quarter Sessions.

LIX. And be it further enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any Matter or Thing done in pursuance of this Act, for which no particular Relief hath been herein-before provided, (save and except the Verdict of the Jury, and any Determination, Proceeding, Matter, or Thing herein-before directed to be final), such Person or Persons may, within Six Calendar Months after the Cause of Complaint shall arise, appeal to the Justices of the Peace at their General Quarter Sessions of the Peace to be holden for the County of *Carmarthen*, such Appellant or Appellants first giving or causing to be given Ten Days Notice in Writing of his, her, or their Intention to bring such Appeal, and of the Cause or Matter thereof, to the Clerk or Treasurer or Treasurers of the said Roads, and within Three Days after such Notice entering into Recognizance before some Justice of the Peace for the County aforesaid, with Two sufficient Sureties conditioned to try such

Appeal, and abide the Order of the Juſtices at ſuch Quarter Seſſions, and to pay ſuch Coſts as ſhall be awarded againſt him, her, or them by ſuch Juſtices; and the Juſtices at their Seſſions, on due Proof of ſuch Notice having been given as aforeſaid, and of the entering into ſuch Recognizance, ſhall proceed in, hear, and finally determine the Cauſes and Matters of ſuch Appeal in a ſummary Way, and award Coſts to the Party appealing or appealed againſt as they ſhall think proper, and their Determination ſhall be final, binding, and concluſive to all Intents and Purpoſes.

Proceedings not to be quaſhed for Want of Form.

LX. 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 removable by *Certiorari*, or by 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, or 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 done by the Party or Parties diſtraining, but the Perſon or Perſons aggrieved by ſuch Irregularity ſhall and may recover full Satisfaction for the ſpecial Damage (if any) in an Action upon the Caſe; but no Plaintiff or Plaintiffs ſhall recover in any Action for ſuch Irregularity as aforeſaid, if Tender of ſufficient Amends hath been made by or on Behalf of the Party diſtraining before ſuch Action brought.

Limitation of Actions.

LXI. And be it further enacted, That no Action or Suit ſhall be commenced againſt any Perſon or Perſons for any Thing done in purſuance of this Act, until Twenty Days Notice thereof 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 next after the Fact committed; and every ſuch Action ſhall be laid and tried in the County or Place where the Fact ſhall be committed, and not elſewhere; and the Defendant or Defendants in every ſuch Action or Suit ſhall and may, at his and their Election, plead ſpecially, or the General Iſſue, and give this Act and the ſpecial Matter in Evidence at any Trial to be had thereupon, and that the ſame was done in purſuance and by the Authority of this Act; and if the ſame ſhall appear to be ſo done, or that ſuch Action or Suit ſhall be brought before Twenty Days Notice thereof ſhall be given as aforeſaid, or after a ſufficient Satisfaction made or tendered as aforeſaid, or after the Time limited for bringing the ſame as aforeſaid, or ſhall be brought in any other County or Place, then the Jury ſhall find for the Defendant or Defendants, and upon ſuch Verdict, or if the Plaintiff or Plaintiffs ſhall be nonſuited, or diſcontinue his, her, or their Action or Actions after the Defendant or Defendants ſhall have appeared, or if upon Demurrer Judgement ſhall be given againſt the Plaintiffs, then the Defendant or Defendants ſhall or may recover Treble Coſts, and have ſuch Remedy for recovering the ſame as any Defendant or Defendants hath or have in any other Caſe by Law.

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

LXII. And be it further enacted, That the ſaid Truſtees may ſue and be ſued for or concerning any Thing that ſhall be done againſt or by virtue of this Act, in the Name of their Clerk or Treaſurer or Treaſurers for the Time being, and that no Action or Suit to be brought or commenced by the Directions of or againſt the ſaid Truſtees in the Name of their Clerk or Treaſurer or Treaſurers by virtue of this Act, ſhall abate or be diſcontinued by the Death or Removal of any ſuch Clerk or Treaſurer or Treaſurers, or by the Act of ſuch Clerk, or Treaſurer or Treaſurer, without the Conſent of the ſaid Truſtees, but that the Clerk or Treaſurer or Treaſurers for the Time being to the ſaid Truſtees ſhall be deemed to be Plaintiff or Plaintiffs, or Defendant or Defendants, as the Caſe may be, in every ſuch Action; and every ſuch Clerk or Treaſurer or Treaſurers in whoſe Name any Action or Suit ſhall be commenced, proſecuted, or defended in purſuance of this Act, ſhall be fully reimburſed and paid, out of the Monies to ariſe by virtue of this Act, all ſuch Coſts, Charges, and Expences as by the Event or in conſequence of any ſuch Action or Proceeding he or they ſhall pay, bear, expend, or be put unto or become chargeable with by reaſon of his being made Plaintiff or Plaintiffs, or Defendant or Defendants as aforeſaid.

To compel Subſcriptions.

LXIII. And be it further enacted, That the Perſon or Perſons who have ſubſcribed, or ſhall hereafter ſubſcribe any Sum or Sums of Money for or towards defraying the Expences of executing this Act, ſhall and they are hereby required to pay ſuch Money within ſuch Times and to ſuch Perſons as the ſaid Truſtees ſhall order and direct, and in default of ſuch Payment ſuch Money ſhall be recovered by Action of Debt or on the Caſe, to be brought by the ſaid Truſtees, or by their Clerk or Treaſurer or Treaſurers, in any of His Majeſty's Courts of Record at *Weſtminſter*, or in the Court of Great Seſſions in *Wales*.

Public Act.

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

Term of the Act.

LXV. And be it further enacted, That this Act ſhall commence upon the Day the ſame ſhall receive the Royal Aſſent, and ſhall continue in force for the Term of Twenty-one Years, and from thence to the End of the then next Seſſion of Parliament.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's moſt Excellent Majeſty. 1809.