ANNO QUINQUAGESIMO QUINTO

GEORGII III. REGIS.

Cap. liii.

An Act to continue and amend an Act of His present Majesty, for opening and making a new Road from the Turnpike Road at *Craig Evan Leyson*, in the Parish of *Lanvabon*, to the Confines of the Parish of *Ystradyvoduck* near *Abernant*, in the County of *Glamorgan*. [12th *May* 1815.]

WHEREAS an Act was passed in the Thirty-third Year of His present Majesty's Reign, intituled *An Act for opening and making a new Road from the Turnpike Road at* Craig Evan Leyson *in the Parish of* Lanvabon, *to the Confines of the Parish of* Ystradyvoduck, *near* Abernant, *in the County of* Glamorgan: And whereas the Trustees acting in the Execution of the said Act have borrowed considerable Sums of Money on the Credit of the Tolls thereby granted, which still remain due and cannot be repaid, and the said Road effectually amended and kept in Repair, unless the Term of the said Act be continued, and some of the Powers thereof altered and enlarged, and the Tolls increased; And whereas it would be very advantageous and of great Convenience if Power was given to vary the Course of a Part of the said Road at or near the Village of *Aberdare*, to the Tram Road belonging to the *Aberdare* Canal Company, near a certain Public House called *Tavern Trap*: May it therefore please Your Majesty that it may be enacted; and 33 G. 3. c. 133.

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,

Recited Act continued.

That the ſaid recited Act paſſed in the Thirty-third Year of the Reign of His preſent Majeſty, and all and every the Powers, Proviſions, Directions, Penalties, Forfeitures, Clauſes, Matters, and Things therein contained, (except ſuch as are repealed, varied, or altered), ſhall be and continue in full Force and Effect, and be executed for and during the Term herein-after mentioned, not only for the Purpoſes of the ſaid Act but alſo for the Purpoſe of making, amending, widening, turning, altering, diverting, improving, and keeping in Repair the ſaid Variation of Road herein-before mentioned and deſcribed; and that all and every Powers, Proviſions, Directions, Penalties, Forfeitures, Clauſes, Matters, and Things (except as aforeſaid) which in the ſaid recited Act are contained, ſhall be conſtrued to extend to the ſaid Variation of Road, in the ſame Manner, and as fully and effectually to all Intents and Purpoſes, as if the ſaid Variation of Road had been originally included in the ſaid recited Act, and as if the ſame Clauſes, Powers, Proviſions, Matters, and Things were repeated and re-enacted in the Body of this Act, but ſubject nevertheleſs to the Amendments and Alterations herein contained; and this Act and the additional Term hereby granted ſhall be and are hereby declared to be ſubject and liable to the Payment of all the reſpective Sums of Money now due and owing on the Credit or on account of the ſaid recited Act, and alſo of ſuch other Sum or Sums of Money as may be borrowed for the Purpoſes of the ſaid recited Act and of this Act, and of all Intereſt now due and to grow due for the ſame reſpectively, in Manner herein-after mentioned.

Additional Truſtees.

II. And be it further enacted, That *John H. Allen*, *John Bruce Bruce*, *John Wyndham Bruce*, *Anthony Bacon* the younger, *Thomas Bacon*, *Richard Blakemore*, *Hugh Bold*, *Thomas Bold*, *William Crawſhay*, *William Crawſhay* junior, *George Crawſhay*, *Walter Coffin*, *William Currey*, *William Douglas*, *David Davies*, *David Davies*, *Griffith David*, *Morgan Thomas David*, *John Edwards*, *William Edwards*, *William Forman*, *Edward Forman*, *Richard Fothergill*, *Joſiah Gueſt*, *Richard Griffith*, *Evan Griffith*, *William Goodrich*, *John Hill*, *Anthony Hill*, *Samuel Homfray* the younger, *Watkin Homfray*, *Benjamin Hall*, *Benjamin Hall* the younger, *John Harford*, *David Jones*, *Thomas Jenkins*, *James Jacob*, *Nicholas John*, *John Jones*, Reverend *William Bruce Knight*, *James Lewis Knight*, *John Llewellin*, *John Lucas*, *John Hodder Moggridge*, *William Meyrick*, *William Morgan* of *Watford*, *Lewis Morgan* of *Watford*, *Edward Morgan* of *Aberthaw*, Reverend *Mathew Monkhouſe*, *William Morgan* of *Grawen*, *John Morgan*, *William Thomas* of *Kevanpennar*, *George Overton*, *Thomas Pierce*, *Rees Phillips*, *Wyndham Quin*, *John Richards*, *John Richards*, *Richard Fowler Rickards*, *Theophilus Richards*, *Samuel Rees*, *Thomas Rees*, *Leyſon Rees*, *Lewis Roberts*, *Thomas Reece*, *Richard Richards*, *Jenkin Rhys*, *George Scale*, *John Scale*, *Francis Tappenden*, *Jenkin E. Tappenden*, *Charles Kemeys Kemeys Tynte*, *Thomas Manſel Talbot*, *William Thompſon*, *Robert Thompſon*, *Morgan Popkin Traherne*, *Richard Tomlinſon*, *Thomas Thomas* of *Lanbradach*, *George Thomas*, *William Vaughan* of *Lantriſſent*, *John Parry Wilkins*, *Richard Wilkins*, *William Williams* of *Aberpergrom*, *Rees Williams* of *Aberpergrom*, *John Wood*, *John Wood* junior, *Nicholl Wood*, Reverend *Thomas Watkins*, *Edward Williams* of *Gadlys*, *David Williams*,

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Caun Wilkins, *James Walters*, and *Morgan Williams*, being qualified according to the Directions of the ſaid recited Act, ſhall be and they are hereby added to and joined with the Truſtees appointed in or by virtue of the ſaid recited Act; and that the Truſtees hereby appointed, together with the ſurviving or remaining Truſtees appointed in or by virtue of the ſaid recited Act, ſhall be and are hereby empowered to put the ſaid recited Act and this Act in Execution, as fully and effectually to all Intents and Purpoſes, as if they had been appointed in or by virtue of the ſaid recited Act.

Additional Number of Truſtees may be appointed.

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

Truſtees may erect Turnpikes.

IV. And be it further enacted, That the ſaid Truſtees ſhall and may cauſe to be erected ſuch Turnpikes or Toll Gates as they ſhall think proper, in, upon, or acroſs the ſaid Variation of Road, and to erect Toll Houſes and incloſe Garden Ground, not exceeding in Quantity One Eighth of an Acre, in like Manner and under the like Rules and Directions as in the ſaid recited Act are in that Reſpect mentioned; and it ſhall and may be lawful for the ſaid Truſtees, or ſuch Perſon or Perſons as they ſhall appoint for that Purpoſe, to demand, take, and receive at all ſuch Turnpikes ſo authorized to be erected and ſet up, the ſeveral Tolls and in the Manner and Proportions herein-after mentioned.

Tolls.

V. And be it further enacted, That from and after the paſſing of this Act, the ſeveral Tolls granted by the ſaid recited Act ſhall be and are hereby repealed; and that the following Tolls ſhall be demanded at each Turnpike or Toll Gate, Side Bar or Side Gate erected or to be erected by virtue of the ſaid recited Act and this Act or either of them, before any Horſe, Mare, Gelding, Mule, Aſs, Beaſt, or other Cattle, Coach, Waggon, Cart, or other Carriage whatſoever, be permitted to paſs through the ſame; that is to ſay,

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

For every Horſe, Mare, Gelding, or other Beaſt, drawing any Waggon, Wain, Cart, or other ſuch like Carriage, with Wheels of leſs Breadth than Six Inches, any Sum not exceeding Nine-pence; and with Wheels of Six Inches or upwards, any Sum not exceeding Sixpence:

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

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

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

Toll on Sundays.

VI. And be it further enacted, That it shall be lawful for the respective Toll-gatherers or Collectors on the said Roads, and they are hereby authorized and empowered on each and every *Sunday* (to be computed from Twelve of the Clock on *Saturday* Night to Twelve of the Clock on *Sunday* Night in each and every Year during the Continuance of this Act), to demand and take for and in respect of every Carriage, Horse, Beast, or other Cattle, passing through any Gate or Turnpike upon the said Roads, or any of them, Double the Tolls or Sums herein-before specified.

Tolls vested in the Trustees.

VII. And be it further enacted, That the said respective Tolls shall be and they are hereby vested in the said Trustees, and shall be collected, levied, and recovered in like Manner as the Tolls granted by the said recited Act.

Tolls, how often to be paid.

VIII. And be it further enacted, That the Tolls herein-before mentioned shall be paid Twice and no more, between the Village of *Aberdare* and the Extremity of the Road at *Craig Evan Leyson*.

Toll not payable on passing again through the same Gate.

IX. Provided always, and be it further enacted, That no Person shall be subject to the Payment of any of the Tolls by this Act granted, more than once in any One Day (to be computed from Twelve of the Clock at Night to Twelve of the Clock in the succeeding Night), for repassing any Time or Times with the same Carriage, Horse, or other Beast or Cattle, through any of the Turnpikes erected by virtue of the said recited Act or this Act, at which such Person shall have paid Toll, such Person producing a Ticket to the Collectors of the Tolls, denoting such Payment, which Ticket shall name and specify the Name of the Gate paid or cleared thereby, and which the Collectors of the Tolls are hereby required to give *gratis* on the Receipt of such Tolls.

Settling Disputes concerning Tolls.

X. And be it further enacted, That if any Dispute shall happen about the Amount of the Tolls due, or the Charges of making, keeping, or selling any Distress, it shall be lawful for the Collector or Person distraining to retain such Distress or the Money arising from the Sale thereof, (as the Case may happen) until the Amount of the Tolls due, and of the Charges of the Distress and Sale, and of keeping the Distress (as the Case shall happen) shall be ascertained by some Justice of the Peace for the County, Liberty or Place where such Dispute shall arise, who on Application made to him for that Purpose, shall examine the Matter on the Oath of the Parties or other Witness or Witnesses, and shall determine the Amount of the Tolls due, and shall award such Costs and Charges to either Party as to the said Justices shall appear right and proper; all which Costs and Charges shall and may be levied and recovered in case of Non-payment thereof forthwith, by Warrant under the Hand and Seal of such Justice, rendering the Overplus (if any) on Demand, after deducting the Costs and Charges of making such Distress and Sale to the Person or Persons whose Goods and Chattels shall be so distrained and sold.

XI. And

Toll Collectors to put up their Names, &c.

XI. And be it further enacted, That all and every Toll Collector appointed either by the said Trustees, or any Five or more of them, or by any Lessee or Lessees under them, to collect the Tolls payable at any Turnpike or Tollgate erected by virtue of the said Act or this Act, shall and he is hereby required to place his Christian and Surname, painted on a Board in legible Characters, in the Front or on some other conspicuous Part of the Toll House or Toll Gate immediately upon his coming on Duty, and shall continue the same so placed during the whole Time he shall be upon such Duty; and if any Collector of the said Tolls shall not place such Board as aforesaid, and keep the same there during the Time aforesaid, or shall demand or take a greater or less Toll from any Person or Persons than he shall be authorized to do by virtue of the Powers of this Act, or shall demand and take a Toll from any Person or Persons who shall be exempt from the Payment thereof, and claim such Exemption, or shall refuse to permit or suffer, or shall in anywise hinder any Person or Persons from reading such Christian or Surname, or shall refuse to tell his Christian or Surname to any Person or Persons who shall demand the same on having paid the said Tolls, or any of them, or shall give a false Name or Names on such Demand, or shall refuse or neglect to give a Ticket to denote the Payment of the Toll when demanded, or shall make use of any scurrilous or blasphemous Language to any Person or Persons travelling upon the said Road, or shall without sufficient Cause detain or delay any Person or Persons travelling thereon, then and in every such Case every such Collector shall forfeit and pay any Sum not exceeding Five Pounds for every such Offence as the Justice or Justices before whom the Information shall be laid shall adjudge; and such Penalty shall be recovered and applied as other Penalties are by this Act directed to be recovered and applied.

Exemptions from Toll.

XII. And be it further enacted, That from and after the passing of this Act, the Exemptions granted by the said Act shall cease and determine, and that no Toll shall be demanded or taken for any Horse, Cattle, Beast, or Carriage employed in carrying or conveying, or going to carry or convey, or returning from carrying or conveying, having been employed only in carrying or conveying on the same Day, any Stones, Bricks, Timber, Wood, Gravel, or other Materials for repairing of the said Roads or any of the Roads in the Parishes or Hamlets in which any Part of such Roads lie, or Hay, Straw, or Corn in the Straw only, not sold or disposed of, or conveying to be sold, but passing to be laid up or placed in the Outhouses or on the Lands of the Owners; or for any Horse, Cattle, Beast, or Carriage employed in carrying or conveying, or going empty to carry or convey, or returning from carrying or conveying, having been employed only in carrying or conveying any Ploughs, Harrows, or Implements of Husbandry, or any Mould, Dung, Compost, or Manure (except Lime) employed in Husbandry for manuring or improving Lands, or for any other Thing employed in the Management of any Farm or Lands; or for any Horses or Cattle going to or returning from Pasture or Watering Places, or going to be, or returning from being shoed or farried; or from any Person going to or returning from his or her proper Parochial Church, Chapel, or other Place of Religious Worship tolerated by Law, on a *Sunday*, or upon any other Day on which Divine Service is ordered by Authority to be celebrated, or attending the Funeral of any Person that shall die and be buried in any of the said Parishes; or from any Clergyman going to or returning from visiting any sick Person, or upon

other his Parochial or Miniſterial Duty on a *Sunday*, or on any other Day on which Divine Service is ordered by Authority to be celebrated; or for any Horſe, Cattle, or Carriage of whatever Deſcription, employed or to be employed in conveying the Mails of Letters and Expreſſes under the Authority of His Majeſty's Poſtmaſter General, either when employed in conveying, fetching, or guarding ſuch Mails or Expreſſes, or in returning back from conveying the ſame; or for any Horſe, Cattle, or Beaſt attending any Soldiers upon their March or on Duty, or drawing any Carriage attending them with their Arms or Baggage; nor for any Waggon, Wain, Cart, or other Carriage whatſoever, or the Horſe or Horſes or other Cattle drawing the ſame, which ſhall be employed in conveying any Ordnance, Barrack, or Commiſſariat or other Public Stores, of or belonging to His Majeſty, or for the Uſe of His Majeſty's Forces; or for any Horſe, Cart, Carriage, or Beaſt employed in the Conveyance of Vagrants ſent by legal Paſſes, or returning therefrom; or for any Horſe, Cattle, or Beaſt carrying or conveying any Perſon or Perſons going to vote, or returning from voting at any Election of a Knight or Knights of the Shire, to ſerve in Parliament for the County of *Glamorgan*, on the Day or Days of ſuch Election, or on the Day before or Day after ſuch Election ſhall begin or be concluded; and that no Toll ſhall be demanded or taken for any Horſe, Mare, or Gelding furniſhed by or for any Perſons belonging to any Corps of Yeomanry or Volunteer Cavalry, and rode by them in going to or returning from the Place appointed, for and on the Days of Exerciſe, provided that ſuch Perſons ſhall be dreſſed 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 Exemptions as aforeſaid; and if any Perſon or Perſons ſhall in any fraudulent or colluſive Manner whatſoever, claim or take the Benefit of any of the Exemptions by this Act granted, not being entitled to the ſame, every ſuch Perſon ſhall forfeit and pay for every ſuch Offence any Sum not exceeding Five Pounds, One Moiety whereof ſhall go to the Informer, and the other Moiety ſhall be applied for the Purpoſes of this Act, and in all Caſes the Proof of Exemption ſhall lie upon the Perſon claiming the ſame.

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

XIII. And be it further enacted, That no Perſon owning or driving, or cauſing to be driven, any Waggon, Wain, Cart, or other Carriage provided for the Service of His Majeſty's Forces, or conveying any Ordnance, Barrack, or Commiſſariat or other Public Stores of or belonging to His Majeſty, or for the Uſe of His Majeſty's Forces, ſhall be ſubject to any Penalty or Forfeiture for Overweight; nor ſhall any ſuch Waggon, Wain, Cart, or other Carriage be ſtopped or detained by reaſon of any Weight in any ſuch Waggon, Wain, Cart, or other Carriage, or of being drawn by any Number of Horſes or Oxen; but it ſhall be lawful for any Owner or Driver of any ſuch Waggon, Wain, Cart, or other Carriage, to put any Number of Horſes or Oxen to ſuch Waggon, Wain, Cart, or other Carriage; any Thing in any Act or Acts of Parliament relating to Highways or Turnpike Roads, or in this or the ſaid recited Act contained to the contrary notwithſtanding.

Collectors not incompetent Witneſſes.

XIV. And be it furtner enacted, That in caſe any Diſpute, Suit, or Litigation ſhall ariſe, touching or in anywiſe relating to the ſaid Tolls, the

the Perſon or Perſons appointed to collect the ſaid Tolls, or any other Perſon acting by or under the Authority of the ſaid Truſtees, ſhall not by reaſon thereof, be diſqualified from giving Evidence in any ſuch Diſpute, Suit, or Litigation.

Application of Tolls on Money borrowed.

XV. And be it further enacted, That out of the Tolls or other Monies already received by virtue of the ſaid recited Acts, or out of the Tolls, and all other Monies which ſhall be raiſed or received by virtue of this Act, the ſaid Truſtees, or any Five or more of them, ſhall in the firſt Place pay and diſcharge all the Coſts and Expences relative to procuring and paſſing this Act, and the Remainder of all ſuch Monies ſhall from Time to Time be applied in paying the Intereſt of the Money borrowed or now owing by virtue of the ſaid recited Act, and in making, repairing, improving, and rendering commodious the ſaid Roads and in otherwiſe putting this and the ſaid recited Act in Execution, and to or for no other Uſe or Purpoſe whatſoever.

Plan and Book of Reference.

XVI. And whereas a Map or Plan, deſcribing the Line of the Variation of the ſaid Road and the Lands through which the ſame are to be carried, together with a Book of Reference, containing Liſts of the Names of the Owners or reputed Owners or Occupiers of ſuch Lands, have been depoſited at the Office of the Clerk of the Peace for the County of *Glamorgan*, 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 reaſonable Times have Liberty to inſpect and peruſe the ſame, and to take Copies or Extracts thereof at their Will and Pleaſure, paying the Clerk of the Peace the Sum of One Shilling for every ſuch Inſpection, and at the Rate of Sixpence for every Seventy-two Words of ſuch Copies or Extracts of the ſaid Map or Plan and Book of Reference; and that the ſaid Truſtees, in making, widening, or repairing the ſaid Variation, ſhall not deviate more than One hundred Yards from the Line deſcribed in the ſaid Map or Plan, without the Conſent and Approbation in Writing of the Perſon or Perſons, Body Politic, Corporate, or Collegiate, through whoſe Lands or Grounds ſuch Deviation ſhall be made.

Not to pull down Houſes, &c.

XVII. Provided always, and be it further enacted, That nothing in the ſaid recited Act, or in this Act contained, ſhall extend to authorize the ſaid Truſtees to take any Houſe, Orchard, Garden, Yard, Park, Paddock, Planted Walk, or Avenue to any Houſe, or any incloſed Ground planted and ſet apart as a Nurſery for Trees, or any Part thereof reſpectively.

Miſnomers or wrong Deſcriptions not to prevent the Execution of this Act.

XVIII. Provided always, and be it further enacted, That if any of the Lands laid down or deſcribed in the ſaid Map or Plan, or any of the Perſons in whoſe Poſſeſſion or Occupation the ſame or any Part thereof are or is ſtated or deſcribed to be, ſhall happen to be miſnamed or inaccurately deſcribed, ſuch Miſnomer or inaccurate Deſcription ſhall not prevent or retard the Execution of this Act, but the ſeveral Premiſes and every Part thereof ſhall and may be purchaſed for the Purpoſes of this Act, as fully and effectually as if the ſame were more properly named; provided it ſhall appear to any One or more Juſtices of the Peace for the ſaid County,

and

and be certified in Writing under his or their Hands, that such Misnomer or inaccurate Description proceeded from Mistake.

Property of Turnpikes, &c. vested in Trustees.

XIX. And be it further enacted, That the Right and Property of all the Turnpikes, Toll Houses, Toll Gates, Bars, Toll Boards, Direction Boards, Posts, Rails, Fences, Buildings, and Premises already erected or provided by virtue of the said recited Act, or hereafter to be erected and provided by virtue of this Act, and the Materials of which the same do or shall consist, and the Materials which have been or shall be provided for repairing the said Road, and also the Tolls and other Requisites already or hereafter to be provided for the Purposes of the said Act and of this Act, shall be and are hereby vested in the said Trustees, and they or any Five or more of them are hereby empowered to dispose thereof as they shall think proper, and to bring or cause to be brought any Action or Actions, or to prefer and prosecute, or order the preferring and prosecuting of Indictments against any Person or Persons who shall steal and carry away, break down, injure, or spoil the same or any Part thereof, or disturb the said Trustees, their Agents or Servants, in the Possession thereof, and lay the Property thereof in the Name of their Treasurer or Clerk.

Power to get Materials, under former Act repealed.

XX. And whereas it is by the said Act enacted, that it should be lawful for the Surveyor of the said Road to dig, take, and carry away Materials for repairing the said Road from any Common or Waste Ground, without making any Recompence for the same, and if a sufficient Quantity could not be found upon such Commons or Waste Grounds, then to dig, take, and carry away any Materials for such Purpose out of or from the Lands of any Person or Persons making Satisfaction for the same, and for the Damages thereby occasioned, in such Manner as is thereby directed: And whereas it is expedient that the said Provision should be repealed, and other Powers given in lieu thereof, be it therefore enacted, That the said Provision shall be and the same is hereby repealed.

Power to get Materials.

XXI. And be it further enacted, That it shall be lawful for the Surveyor or Surveyors to the said Trustees, and all such Persons as he or they shall appoint, to search for, dig, gather, take, and carry away any Materials for making and repairing the said Roads, out of any common River or Brook, or out of or from any Waste or Common in or near or convenient to which any Part of the said Road lies, without paying any Thing for such Materials, the said Surveyor or Surveyors or other Persons filling up the Pits or Quarries, levelling the Ground, or sloping down the Banks wherefrom such Materials shall be taken, or railing or fencing off such Pits or Quarries, so that the same shall not be dangerous to any Persons or Cattle, and paying for the Damages done by going through and over any inclosed Lands or Grounds, for or with such Materials (such Damages to be ascertained as herein-after mentioned); and also that it shall be lawful for the said Surveyor or Surveyors, and such Persons as he or they shall appoint, to search for, dig, gather, take, and carry away any such Materials in or out of the Land of any Person, (not being a Garden, Orchard, Yard, Park, Paddock, Planted Walk, or Avenue to any House or any Piece of Ground planted and set apart as a Nursery for Trees), making or tendering such Satisfaction for the Damages done to the Owners or Occupiers

cupiers of the Lands where and from whence the ſame ſhall be dug, gathered, and carried away, or over which the ſame ſhall be carried, as the ſaid Truſtees ſhall adjudge reaſonable; and in caſe of any Difference between the ſaid Truſtees, Surveyors, or other Perſons appointed and employed as aforeſaid, and the Owners and Occupiers of ſuch Lands, or any of them, concerning ſuch Payments and Damages as aforeſaid, any Two Juſtices of the Peace for the County wherein the Place from whence ſuch Materials ſhall have been taken ſhall be ſituate, on Ten Days Notice thereof being given in Writing by either Party to the other, ſhall hear, ſettle, and determine the Matter of ſuch Payments and Damages, and the Judgement or Order of the ſaid Juſtices therein ſhall be final and concluſive on all Parties.

Notice to be given to the Owners or Occupiers of Land before Materials are got.

XXII. Provided nevertheleſs, and be it further enacted, That no Surveyor or any other Perſon or Perſons acting under the Authority of the ſaid recited Act or this Act, ſhall begin to dig, gather, or carry away any Materials for making or repairing the ſaid Road, out of or from any incloſed Land, until Notice in Writing, ſigned by the ſaid Surveyor, ſhall have been given to the Owner or his known Agent, or to the Occupier of the Land from which ſuch Materials are intended to be taken, or left at ſuch Owner's or Occupier's uſual Place of Reſidence, to appear before any Two Juſtices of the Peace acting for the County or Place wherein ſuch Land ſhall lie, to ſhew Cauſe why ſuch Materials ſhould not be had therefrom, and in caſe any ſuch Owner, Agent, or Occupier ſhall attend purſuant to ſuch Notice, ſuch Two Juſtices ſhall if they think proper, authorize ſuch Surveyor or other Perſon to dig, take, and carry away ſuch Materials at ſuch Time or Times as to ſuch Juſtices ſhall ſeem proper; and if ſuch Owner or Occupier ſhall neglect or refuſe to appear by himſelf or herſelf, or his or her Agent, ſuch Juſtices ſhall and may make ſuch Order therein as they ſhall think fit, as fully and effectually to all Intents and Purpoſes as if ſuch Owner or Occupier or his or her Agent had attended, and the Order of ſuch Juſtices reſpectively ſhall be final and concluſive to and upon all Parties.

Application of Compenſation Money exceeding 200l.

XXIII. And be it further enacted, That if any Money ſhall be paid or agreed or awarded to be paid for the Purchaſe of any Lands, Tenements, or Hereditaments purchaſed, taken, or uſed by virtue of the Powers of this or the ſaid recited Act, for the Purpoſes thereof, which ſhall belong to any Bodies Politic, Corporate, or Collegiate, or to any Feoffee in Truſt, Executor, Adminiſtrator, Huſband, Guardian, Committee, or other Truſtee, for or on Behalf of any Infant, Idiot, Lunatic, Feme Covert, or other Ceſtuique Truſt, or to any Perſon whoſe Lands, Tenements, or Hereditaments are limited in ſtrict or other Settlement, or to any Perſon under any other Diſability or Incapacity whatſoever, ſuch Money ſhall, in caſe the ſame ſhall amount to the Sum of Two hundred Pounds, with all convenient Speed, be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account there *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 a Petition to be preferred in a ſummary Way by the Perſon or Perſons who would have been entitled to the Rents and Profits of the

ſaid Lands, Tenements, or Hereditaments, in the Purchaſe or Redemption of the Land Tax, or Diſcharge of any Debt or Debts or ſuch other Incumbrance or Part thereof as the ſaid Court ſhall authorize to be paid, affecting the ſame Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments, ſtanding ſettled therewith, to the ſame or the like Uſes, Intents, or Purpoſes; or where ſuch Money ſhall not be ſo applied, then the ſame ſhall be laid out and inveſted under the like Direction and Approbation of the ſaid Court, in the Purchaſe of other Lands, Tenements, or Hereditaments, which ſhall be conveyed and ſettled to, for, and upon ſuch and the like Uſes, Truſts, Intents, and Purpoſes, in the ſame Manner as the Lands, Tenements, or 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 ſaid Court, 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 ſaid Lands, Tenements, or Hereditaments ſo directed to be purchaſed by virtue of this Act, in caſe ſuch Purchaſe or Settlement were made.

Application of Money if leſs than 200l.

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

XXV. Provided

Application of Compensation if less than 20*l.*

XXV. Provided also, and be it further enacted, That where such Money so agreed or awarded to be paid as next before mentioned shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken, or used for the Purposes of this or the said recited Act, in such Manner as the said Trustees shall think fit; or in case of Infancy, Idiotcy, or Lunacy, then such Money shall be paid 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 Refusal to accept, &c. Money to be paid into the Bank.

XXVI. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be awarded for the Purchase of any Lands, Tenements, or Hereditaments to be purchased by virtue of the said recited Act or 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 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, or any Five or more of them, to order the said Sum or Sums of Money so awarded as aforesaid, to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to his Account, to the Credit of the 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 of Chancery, on the Application of any Person or Persons making Claim to such Sum or Sums of Money or any Part thereof, by Motion or Petition, shall be and is hereby empowered in a summary Way of Proceeding, or otherwise as to the same Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interests of the Person or Persons making Claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England* who shall receive such Sum or Sums of Money, is and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying for what and for whose Use the same is or are received, to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank as aforesaid.

Where any Question shall arise touching the Title to Money to be paid, the Persons who may be in Possession shall be entitled thereto.

XXVII. Provided always, and be it further enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Chancery, in pursuance of this or the said recited 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 of this or the said recited Act, or to any Bank Annuities to be purchased with any such Money, or the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in Possession of such Lands, Tenements, or Hereditaments

taments at the Time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, or Hereditaments, according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court of Chancery; and the Dividends or 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.

XXVIII. 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 the said recited Act or this Act, the Purchase Money for the same shall be required to be paid into the said Court of Chancery, and to be applied in the Purchase of other Lands, Tenements, or Hereditaments, to be settled to the like Uses in pursuance of this or the said recited Act, it shall and may be lawful to and for the said Court of Chancery to order the Expences of all Purchases from Time to Time to be made in pursuance of the said recited Act or this Act, or so much of the said Expences as the Court shall deem reasonable, to be paid by the said Trustees out of the Monies to be received by virtue of this Act, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

Statute Labour.

XXIX. And be it further enacted, That all Persons who by Law are or shall be liable to do Statute Work, or are or shall be chargeable towards repairing and amending the said Roads, or any Part thereof, shall still remain liable thereto; and it shall be lawful for any Two or more Justices of the Peace for the said County of *Glamorgan*, and they are hereby required and empowered upon Application made to them by the said Trustees, or by their Treasurer, Clerk, or Surveyor, or by their Order, yearly to adjudge and determine what Part or Portion of the Statute Work shall every Year be done upon the said Roads by the Inhabitants of the respective Parishes, Hamlets, or Places in which the same lie, and also what Proportion of the Money received by the Surveyor or Surveyors of the Highways of every such Parish, Hamlet, 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 for every such Parish, Hamlet, 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, Hamlet, 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 or Restrictions as are or may be directed by any Law or Statute in Force or Effect for the Repairs of the Public Highways;

Highways; and out of such Lists the said Justices shall and may allot, appoint, and order such and so many of the Persons who shall appear to be subject and liable to Statute Work as aforesaid, to do such Number of Days Statute Work in every Year upon the said Roads as the said Justices shall think reasonable, and the same shall be done on such Days and at such Times (not being Hay Time or Harvest) and in such Parts of the said Roads as the said Trustees or their Surveyor or Surveyors shall from Time to Time order, direct, and appoint; and the said Justices shall and may also order and direct the Persons who by such Lists shall appear to be subject and liable to the Payment of any Money in lieu of or as a Composition for Statute Work as aforesaid, to pay such Proportion thereof as the said Justices shall think proper, to the said Trustees or their Treasurer, at such Time or Times as they the said Justices shall direct; and in Default of Payment thereof the same shall and may be recovered by Distress and Sale of the Goods and Chattels of the respective Persons liable to the Payment thereof, in like Manner as any Penalty is by the said recited Act or 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 of the said Trustees, shall for every Day of his, her, or their Default, or the Default of any Labourer or Labourers, Team or Teams, Draught or Draughts, Horse or Horses, Beast or Beasts, to be provided by him, her, or them, be subject and liable to such Pains, Penalties, and Forfeitures as such Person or Persons may be subject or liable to by any Law or Statute in Force or Effect for the Repair of the Public Highways; and if any Person who shall come to work as a Labourer, or shall be sent with any Team or Draught to work on the said Roads, shall be found idle or negligent by any Surveyor to the said Trustees, such Surveyor is hereby empowered to remove and discharge the Person who shall be found idle or negligent as aforesaid, and in that Case every such Person shall be subject and liable to the respective Forfeitures and Payments aforesaid, as if he had neglected or refused to come, or such Team or Draught had not been sent to work on any Part of the said Roads; all which Forfeitures shall be paid to the Treasurer or Treasurers of the said Trustees, and applied towards amending the said Roads; and if any Surveyor of the Highways for any of the said Parishes, Hamlets, 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 Five Pounds.

For paying the Expences of the Act.

XXX. And be it further enacted, That the Costs, Charges, and Expences of obtaining and passing this Act, and preparatory thereto, shall be paid and discharged by the said Trustees out of any Money already collected or received, or out of the first Money which shall hereafter arise by virtue of the said recited Act or this Act.

Public Act.

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

Continuance of the Act.

XXXII. And be it further enacted, That this Act shall commence and take Effect upon the passing thereof, and that the said recited Act (subject to the Alterations and Amendments in this Act contained) shall continue in force and be executed for and during the Residue now to come and unexpired of the Term granted by the said recited Act, and from the Expiration thereof for and during the further Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament.

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