ANNO QUADRAGESIMO OCTAVO

GEORGII III. REGIS.

Cap. 139.

An Act for repairing the Roads from *Tavernſpite* to the Towns of *Pembroke* and *Tenby*, and to *Hubberſton Haking*, and from *Loveſton Mountain* to *Canaſton Bridge*, in the County of *Pembroke*.

[23d *June* 1808.]

WHEREAS an Act was paſſed in the Eleventh Year of His preſent Majeſty's Reign, intituled, *An Act for repairing, widening, and keeping in Repair ſeveral Roads leading from* Tavernſpite *to the Towns of* Pembroke *and* Tenby, *and to* Hubberſton Haking *in the County of* Pembroke: And whereas another Act was paſſed in the Thirtieth Year of His preſent Majeſty's Reign, intituled, *An Act for enlarging the Term of an Act of the Eleventh Year of His preſent Majeſty, for repairing, widening, and keeping in Repair ſeveral Roads leading from* Tavernſpite *to the Towns of* Pembroke *and* Tenby, *and to* Hubberſton Haking, *in the County of* Pembroke: And whereas a conſiderable Sum of Money hath been borrowed, and is now due and owing, upon the Credit of the Tolls granted by the ſaid Acts, which Money cannot be repaid, and the ſaid Roads kept in good Repair, unleſs the ſaid Acts are further continued, and it would tend to the more eaſy and effectual Reparation of the ſaid Roads if the ſaid Acts were repealed, and further and other Powers granted inſtead thereof: And whereas it would be of great Convenience to the Neighbourhood, and of great public Utility, if the Road leading from the *Pembroke* Turnpike Road on *Loveſton Mountain* through *Canaſton Wood* to *Canaſton Bridge*, in the ſaid County of *Pembroke*, was effectually amended and repaired, and put under the Care of the Truſtees

11 G. 3. c. 116.

30 G. 3. c. 91.

for repairing the ſaid Roads; May it therefore pleaſe your Majeſty, That it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid recited Acts of the Eleventh and Thirtieth Years of the Reign of His preſent Majeſty ſhall, on the Eighteenth Day of *June* One thouſand eight hundred and eight, be, and the ſame are hereby declared to be repealed, and that inſtead thereof this Act ſhall commence and take effect, and be put in Execution for and during the Term herein-after mentioned, for repairing, widening, and improving the Road leading from *Tavernſpite*, in the Pariſh of *Kiffig*, on the Borders of the County of *Carmarthen*, to a certain Place called *Narberth Mountain*, and to and through the Town of *Narberth* to *Canaſton Bridge*, and from thence to *Cartlade Bridge*, near the Town and County of *Haverfordweſt*; and alſo the high Road leading from *Morlin's* otherwiſe *Maudlin's Bridge*, in the Pariſh of *Saint Iſſels Haroldſtone*, to and through *Fowler's Lane*, in the Hamlets of the Pariſh of *St. Thomas*, and by *Teer's Croſs*, in the Pariſh of *Stainton*, and through the Pariſh of *Robeſton Weſt*, to *Hubberſton Haking*, in the Pariſh of *Hubberſton*, near the Harbour of *Milford*; and alſo the high Roads from *Narberth Mountain* aforeſaid to and through the Village of *Templeton*, and over *Templeton Mountain* and *Biſhop's Bridge*, to and through the Village of *Creſſelly*, to *Carew Bridge*, and from thence to the Town of *Pembroke*; and alſo the high Road from the Village of *Templeton* aforeſaid to *Bigelly*, over *King's Moor Common*, to a Place called *Hill*, in the ſaid Pariſh of *Saint Iſſels*, over a Place called *Stoney Bridge*, and to and through the Out-Liberties of *Tenby* to the Town of *Tenby*, in the ſaid County; and alſo the Road leading from the *Pembroke* Turnpike Road on *Loveſton Mountain* through *Canaſton Wood* to *Canaſton Bridge*, in the ſaid County of *Pembroke*; and that this Act, and all the Tolls which ſhall be collected upon the ſaid Roads, ſhall be and are hereby made ſubject and liable to the Payment of all Sums of Money now due and owing upon the Credit or on the Account of the ſaid recited Acts, and to the Payment of all Money which ſhall or may hereafter be borrowed and become due on the Credit of this Act, and of all Intereſt due and to grow due for the ſame reſpectively.

For diſcharging the Truſtees of the Care of Part of the Road.

II. And whereas it might be advantageous to the Public that ſo much of the ſaid Road as extends from the *Merlin's Bridge* to the Junction of the *Hubberſton Road* with the *Milford Road*, being a Diſtance of One hundred and fifty Yards, or thereabouts, ſhould no longer be repaired by the Truſtees for putting into Execution the ſaid recited Acts and this Act, in caſe a new Branch of Road from near *Merlin's Bridge* to *Cartlet Bridge*, in the County of *Pembroke*, ſhould be made; be it therefore enacted, That when and ſo ſoon as the ſaid new Branch of Road ſhall be made, the Truſtees for executing the ſaid firſt recited Act, and this Act, ſhall be and they are hereby diſcharged from the Care and Management of the ſaid Piece of Road herein-before mentioned and deſcribed.

Truſtees.

III. And be it further enacted, That the Right Honourable *Richard* Lord *Milford*, the Right Honourable *William* Lord *Kenſington*, the Right Honourable *Charles Francis Greville*, Sir *Hugh Owen* Baronet, *John Henſleigh Allen*, *Lancelot Baugh Allen*, *John Philipps Adams*, *Joſeph Adams*, *Alexander Adams*, *Dudley Ackland* Senior, *Dudley Ackland* Junior, *James Ackland*,

Ackland, *David Bird Allen* Clerk, *Thomas Allen*, *John Allen*, *William Ayleway*, *Hugh Barlow*, *Joseph Foster Barham*, *Hugh Webb Bowen*, *William Brigstock*, Senior, *William Brigstock* Junior, *John Bateman*, *Thomas Bateman* Clerk, *John Beynon* of *Trewern*, the Honourable *John Campbell*, the Honourable *George Pryse Campbell*, *John Powell Cuny* Clerk, *James Child*, *John Colby*, *Lewis Child*, *Henry Davis*, *William Davies*, the Honourable *Edward Henry Edwardes*, *Francis Edwardes*, *William Edwardes* Clerk, *William Evans* Clerk, *William Evans* of *Haverfordwest*, *John Evans*, *Roger Eaton*, *Thomas Eaton*, *John Herbert Foley*, *Richard Fenton*, *William Fortune*, the Honourable *Robert Fulke Greville*, *John Higgon*, *James Higgon*, *Samel Harris*, *John Hardinge Harris*, *George Harris* Doctor of Physic, *William Harris*, *John Hill Harries*, *George Harries* *George Harries* of *Tregwint*, *John Holcombe* Clerk, *John Harding* *John Humphreys* Clerk, *Edward Warren Jones*, *John Jones* Clerk, *John James*, *Thomas Lloyd* of *Bronwydd*, *John Lloyd* of *Dale Castle*, *John Philipps Laugharne*, *John Laugharne*, *Abraham Leach*, *John Leach*, *David Lewis*, *William Lloyd*, *Henry Leach*, *Thomas Lewis*, *Henry Mathias*, *John Mathias* of *Llangwarren*, *John Mathias* of *Haverfordwest*, *John Francis Meyrick*, *Thomas Meyrick*, *John Cozens*, *John Tasker Nash* Clerk, Doctor in Divinity, *John Philipps* Clerk, Doctor in Divinity, *George Parry*, *John Phelps* of *Withybush*, *Thomas Phelps* Clerk, *Thomas Picton*, *Nathaniel Phillips*, *Owen Philipps*, *John Lort Phillips*, *Robert Bateman Prust*, *David Runwa Paynter*, *Charles Pigot Pritchett* Clerk, *George Phillips* Clerk, *George Roch* of *Clarestion*, *Benjamin Rotch*, *George Roch* of *Butterhill*, *James Rees* Clerk, *Henry Rees*, *Nicholas Roch*, *Nicholas Roch* Clerk, *William Henry Scourfield*, *Francis Skyrme*, *John Rees Stokes*, *James Summers* Clerk, *Anthony Innis Stokes*, *Thomas Tucker* of *Haverfordwest*, *William Edwardes Tucker*, *Thomas Edwardes Tucker*, *James Thomas* Clerk, *William Thomas* Doctor of Physic, *Gwynn Gill Vaughan*, *Thomas Williams*, *Thomas Wright*, *John Willy*, and *George Wyke*, and their Successors, to be elected in Manner hereinafter mentioned, shall be and they are hereby appointed Trustees for making, maintaining, altering, repairing, and improving the said Roads, and that they or any Five or more of them, at such Meeting or Meetings as hererein-after directed, unless where otherwise herein-after specified, shall and may and are hereby authorized and empowered, to carry this Act, and all the Matters and Things herein contained or directed to be done by the said Trustees, into Execution and Effect.

Election of new Trustees.

IV. And be it further enacted, That upon the Death, Refusal, or Disability of any of the said Trustees hereby appointed, or their Successors (to be elected in Manner herein mentioned) to act in the Execution of this Act, then and in every such Case it shall and may be lawful to and for the surviving or remaining Trustees from Time to Time to elect and appoint one other Person to be a Trustee in the Room of each Trustee so dying or refusing or being incapable of acting, and Notice of the Time and Place of Meeting for every such Election shall, by the Clerk to the said Trustees for the Time being, be inserted in some Newspaper or Newspapers published or circulated in the said County of *Pembroke*, and shall be affixed on all and every the Turnpike Gates that shall be standing on the said Roads, at least Ten Days before such Meeting; and every Person so elected a new Trustee as aforesaid, being qualified as herein-after mentioned, shall be and he is hereby empowered to act in the Execution of this Act to all Intents and Purposes

Purpoſes in as full and ample Manner as the Truſtee in whoſe Room or Stead he ſhall have been ſo elected.

Qualification of Truſtees.

V. Provided always, and be it enacted, That no Perſon ſhall be capable of acting as a Truſtee in the Execution of this Act, unleſs he ſhall be in his own Right or the Right of his Wife in the actual Poſſeſſion or Receipt of the Rents and Profits of Lands, Tenements, or Hereditaments of the clear yearly Value of One hundred Pounds, or be poſſeſſed of or entitled to a Perſonal Eſtate alone, or Real and Perſonal together, of the Value of Two thouſand Pounds, or ſhall be Heir Apparent of ſome Perſon poſſeſſed of an Eſtate in Land of the clear yearly Value of Two hundred Pounds; nor ſhall any ſuch Perſon be capable of acting in the Execution of this Act, ſave and exept in adminiſtering the Oath following to the other Truſtees, until he (not being ſuch Heir Apparent as aforeſaid) ſhall have taken and ſubſcribed the Oath following before any Two or more of the ſaid Truſtees, who are hereby authorized and required to adminiſter the ſame; (that is to ſay)

'I do ſwear, That I truly and *bonâ fide* am in my own Right '[*or*, in Right of my Wife, *as the Caſe may be*] in the actual Poſſeſſion 'or Enjoyment of Lands, Tenements, or Hereditaments of the clear yearly 'Value of One hundred Pounds, or poſſeſſed of or entitled to a Perſonal 'Eſtate alone, or Real and Perſonal together, of the Amount or Value 'of Two thouſand Pounds.

'So help me GOD.'

And if any Perſon not being ſo qualified ſhall act as a Truſtee in the Execution of this Act, every ſuch Perſon ſhall for every ſuch Offence forfeit and pay the Sum of Fifty Pounds to any Perſon or Perſons who ſhall ſue for the ſame, to be recovered in any of His Majeſty's Courts of Record 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 every ſuch Perſon ſo ſued or proſecuted ſhall prove that he is qualified as aforeſaid, or otherwiſe ſhall pay the ſaid Penalty, without any other Proof on the Part of the Plaintiff or Proſecutor than that ſuch Perſon hath acted as a Truſtee in the Execution of this Act:

All Acts of Truſtees not qualified, if done before Conviction valid.

Provided nevertheleſs, that all Acts and Proceedings of any Perſon or Perſons acting as a Truſtee or Truſtees in the Execution of this Act, though not duly qualified as aforeſaid, previous to his or their being convicted of the ſaid Offence, ſhall, notwithſtanding ſuch Conviction, be as good, valid, and effectual as if ſuch Perſon or Perſons had been qualified according to the Directions of this Act.

Victuallers, &c. incapable of acting.

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, Cyder, 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 and to be collected on the ſaid Roads during ſuch Time as he, ſhe, or they ſhall keep ſuch Victualling Houſe, Alehouſe, or other Houſe of public Entertainment, or ſhall ſell any Wine, Cyder, Beer, Ale, Spirituous or other

Strong

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.

Trustees may act as Justices, except where interested.

VII. And be it further enacted, That such of the said Trustees as are or shall be Justices of the Peace, shall and may in their respective Jurisdictions, and they are hereby empowered to act as Justices of the Peace in the Execution of this Act, notwithstanding their being Trustees, except only in such Cases where they shall be personally interested.

Time of Meeting.

VIII. And be it further enacted, That the said Trustees or any Five or more of them shall, and they are hereby authorized and empowered to meet together at the *Castle Inn* in *Haverfordwest*, the Eighteenth Day of *June* One thousand eight hundred and eight, at Twelve of the Clock in the Forenoon, and proceed to the Execution of this Act, and shall then adjourn themselves, and from Time to Time afterwards meet at and again adjourn to such Place near to the said Roads, as they the said Trustees, or any Two or more of them, shall think proper; and the said Trustees at all their Meetings shall defray their own Expences.

Trustees to defray their own Expences.

Orders of one Meeting not to be revoked by another, except in certain Cases.

IX. And it is hereby enacted and declared, That all Orders and Determinations made at any Meeting of the said Trustees shall be made by a Majority of the Trustees then present; and no Order or Determination shall be revoked or altered at any subsequent Meeting unless Nine Trustees shall be present, and Seven of them shall decide in Favour of such Revocation or Alteration, and unless the Person or Persons applying to revoke or alter any such Order, shall give Notice thereof in Writing to the Clerk or Clerks or to the Person or Persons acting as Treasurer or Treasurers to the said Trustees, to be by him or them affixed and inserted in Manner hereinbefore directed with respect to Notices for the Election of New Trustees, at least Ten Days previous to any Meeting.

Meetings on Emergencies.

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

Trustees to appoint Officers.

XI. And be it further enacted, That the said Trustees shall and may at their first or any subsequent Meeting, by Writing under their Hands, continue or elect and appoint a Clerk or Clerks, Treasurer or Treasurers, Receiver or Receivers, Collector or Collectors of the Tolls by this Act granted, and shall take such Security from such Treasurer or Treasurers, Receiver or Receivers, Collector or Collectors, for the due and faithful Execution of his or their Office or Offices, as the said Trustees shall think fit,

and ſhall alſo elect and appoint a Surveyor or Surveyors, and ſuch other Officers as the ſaid Truſtees ſhall think proper, and alſo may from Time to Time remove ſuch Clerks, Treaſurers, Collectors, Receivers, Surveyors, and other Officers, or any of them, as the ſaid Truſtees ſhall ſee Occaſion, and appoint others in the Room of ſuch of them as ſhall be ſo removed, or ſhall die, reſign, or refuſe or neglect to perform, or become incapable of performing their Duty; and the ſaid Truſtees ſhall and may, out of the Money to be raiſed and received by virtue of this Act, give ſuch Salaries or make ſuch Allowance to the Clerks, Treaſurers, Receivers, Collectors, Surveyors, or other Officers ſo appointed, for and in Conſideration of the Care and Pains reſpectively taken in the Execution of their reſpective Offices, and to ſuch other Perſons who ſhall be aſſiſting in and about the Execution of this Act, as to them the ſaid Truſtees ſhall ſeem proper; and all ſuch Officers and other Perſons ſhall upon their reſpective Oaths if thereunto required by the ſaid Truſtees (which Oaths the ſaid Truſtees or any one or more of them is and are hereby empowered to adminiſter) from Time to Time and as often as they ſhall be called upon for that Purpoſe, produce and give up to ſuch Truſtees, full, true, and perfect Accounts in Writing under their reſpective Hands, of all Monies which ſhall have been by them reſpectively had, received or collected, and how, to whom, and for what Purpoſes ſuch Monies and every Part thereof ſhall have been paid, diſpoſed of, or applied, together with proper Receipts and Vouchers for ſuch Payments, and ſhall and are hereby reſpectively required to pay all ſuch Monies as ſhall appear to be in their reſpective Hands, to the ſaid Truſtees, or to ſuch Perſon or Perſons, or for ſuch Uſes and Purpoſes as they ſhall direct and appoint; and if ſuch Officer or Perſon (being required ſo to do) ſhall refuſe or neglect to render and give up or verify upon Oath ſuch Account or Accounts as aforeſaid, or to produce and deliver up to the ſaid Truſtees the Receipts and Vouchers relating to the ſame, or to pay as aforeſaid any Sum or Sums of Money which ſhall appear to remain in his or their Hands, or ſhall not deliver to the ſaid Truſtees, within Seven Days after being thereunto required by them, all the Books, Papers, and Writings in his or their Cuſtody or Power, relating to the Execution of this Act, then and in any of the ſaid Caſes, any One or more of the Juſtices of the Peace for the Riding, Town or Place wherein ſuch Officer or Perſon ſhall be and reſide, ſhall, upon Complaint of the ſaid Truſtees or of any One or more of them, or by ſuch Perſon or Perſons as they or any One or more of them ſhall appoint for that Purpoſe, iſſue a Summons under his or their Hand or Hands for ſuch Officer or Perſon to appear before him or them, and upon his appearing, or having been ſummoned and not appearing, or not being to be found, ſhall make Enquiry concerning ſuch Default, and hear and determine the Matter in a ſummary Way, and if upon the Confeſſion of the Party, or by the Teſtimony of One or more credible Witneſs or Witneſſes upon Oath (which Oath ſuch Juſtice or Juſtices, is and are hereby empowered and required to adminiſter without Fee or Reward) it ſhall appear to ſuch Juſtice or Juſtices that any of the Monies which ſhall have been raiſed or collected under this Act, ſhall remain due from ſuch Officer or Perſon, ſuch Juſtice or Juſtices may and he and they is and are hereby authorized and required, upon Non-payment thereof, by Warrant under his or their Hand and Seal or Hands and Seals, to cauſe ſuch Money to be levied by Diſtreſs and Sale of the Goods and Chattels of ſuch Officer or Perſon; and if no Goods or Chattels of ſuch Officer or Perſon can be found ſufficient to ſatisfy the ſaid Money and the Charges of diſtraining

Officers to account.

Proceedings againſt Officers refuſing to account or deliver Books, &c.

and

and selling the said Goods and Chattels, or if any such Officer or Person shall be convicted of any other of the Offences aforesaid, such Justice or Justices shall and may commit such Officer or Person to the Common Gaol for the said County, there to remain without Bail or Mainprize until such Officer or Person shall give and make a true and perfect Account, and verify the same as aforesaid, and make such Payment as aforesaid, or until he shall have compounded with the said Trustees for the same, and shall have paid such Composition Money to the said Trustees or their Treasurer or Treasurers (which Composition the said Trustees are hereby empowered to make and accept) or until such Officer or Person shall have delivered up such Books, Papers and Writings as aforesaid, or given Satisfaction in respect thereof to the said Trustees: Provided always, that no such Officer or other Person so committed as aforesaid shall be confined or detained in Prison by virtue of this Act for any longer Space of Time than Three Calendar Months.

Abstract Accounts of Payments to be delivered to any Trustee or Creditor.

XII. And be it further enacted, That the said Trustees shall on the First Day of *April* annually make up an Account of the Receipts and Payments of the preceding Year, and cause an Abstract of the same to be printed and delivered to any Trustee or Creditor requiring the same.

Trustees may remove Collectors and appoint temporary ones.

XIII. And be it further enacted, That when and as often as any Collector or Receiver of the Tolls shall die, neglect, or refuse to perform or become incapable of performing his Duty, or shall abscond or absent himself, it shall be lawful for any Two or more of the said Trustees, although not assembled at a Meeting of the said Trustees to be appointed by virtue of this Act, to discharge such Collector or Receiver so neglecting or refusing to perform or incapable of performing his Duty, or absconding or absenting himself, and nominate and appoint a proper Person to be a Collector or Receiver of the said Tolls (to continue until the then next Meeting of the said Trustees) in the Stead of such Collector or Receiver as shall so die or be discharged; and such Person so nominated and appointed shall have the like Power and Authority, and be answerable and accountable in the same Manner, in all Respects, as the Person who shall so die or be discharged would have had or been subject to; and that if any Collector or Receiver of the said Tolls, who shall be discharged from his Office by virtue of this Act, or the Wife or Widow, or any of the Children, Family, or other Representatives of any Collector or Receiver who shall die or be discharged, or any other Person or Persons, shall refuse to deliver up the Possession of any Toll House or Building to be erected or set up on the said Roads 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 (although not assembled at a Meeting), 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 said County, by Warrant under his or their Hand and Seal or Hands and Seals, to order any Constable or other Peace Officer for the said County, with such Assistance as may 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 such new-appointed Collector or Receiver, into the Possession thereof.

Collectors refusing to deliver up Toll Houses.

Justices empowered to grant Warrant, and Constable to enter and remove such Collectors.

XIV. And

Truſtees may erect Toll Houſes, &c.

XIV. And be it further enacted, That the ſaid Truſtees ſhall and may, from Time to Time, cauſe to be continued or erected and ſet up ſuch and ſo many Turnpikes or Toll Gates, in, upon, or acroſs, or on the Side or Sides of any Part or Parts of the ſaid Roads and acroſs any Lane or Way leading into, from, or out of the ſame, and alſo ſuch Toll Houſe or Houſes, Weighing Engine or Engines to each Gate or Turnpike, or otherwiſe, as they ſhall think neceſſary, with ſuitable Out-buildings thereto, and alſo may incloſe from the ſaid Roads convenient Garden Spots to the ſaid Toll Houſes, as they may judge proper, and may cauſe any ſuch Turnpikes, Toll Gates, Toll Houſes, Weighing Engines, or other Buildings from Time to Time to be diſcontinued, taken down, removed, or altered, as they ſhall judge proper, which ſaid Turnpikes, Toll Houſes, Weighing Engines, and Buildings and all Materials for making or repairing the ſame, are hereby veſted in the ſaid Truſtees; and that the following Sums of Money ſhall and may be demanded and taken as Tolls before any Horſe, Cattle or Carriage ſhall be permitted to paſs through any ſuch Turnpikes or Toll Gates reſpectively; (that is to ſay)

Tolls.

For every Horſe or other Beaſt of Draught drawing any Coach, Chariot, Landau, Berlin, Curricle, Chaiſe, Calaſh, or other ſuch like Carriage, or Hearſe, the Sum of Sixpence:

For every Horſe or other Beaſt drawing any Waggon, Wain, Cart, or other ſuch like Carriage, the Sum of Three-pence; for every Horſe, Mare, Gelding, Mule, or Aſs, laden or unladen, and not drawing, the Sum of One Penny; for every Drove of Oxen, Cows, or Neat Cattle, per Score, (and ſo in Proportion for any greater or leſs Quantity), the Sum of One Shilling and Eight-pence; and for every Drove of Calves, Hogs, Sheep, or Lambs, per Score), and ſo in Proportion for any greater or leſs Quantity), the Sum of Ten-pence.

Which ſaid reſpective Tolls ſhall be and are hereby veſted in the ſaid Truſtees; and if any Perſon or Perſons ſubject to the Payment of any of the ſaid Tolls, ſhall, after Demand thereof made by any Collector or Collectors to be continued or appointed as aforeſaid, neglect or refuſe to pay the ſame or any Part thereof, it ſhall be lawful for the ſaid reſpective Collectors of the Tolls, or other Perſon or Perſons whom they or any them ſhall take to their Aſſiſtance therein, to ſeize and diſtrain any Horſe, Beaſt, or other Cattle upon which any ſuch Tolls are by this Act impoſed, belonging to any Perſon or Perſons ſo neglecting or refuſing or liable to pay the Tolls as aforeſaid (except the Bridle or Reins of any ſuch Horſe or other Beaſt, ſeparate from ſuch Horſe or other Beaſt); and if ſuch Tolls, and the reaſonable Charges of ſuch Seizure and Diſtreſs, and of detaining and keeping the ſame, ſhall not be paid within the Space of Two Days next after ſuch Seizure and Diſtreſs made, the Perſon or Perſons ſo ſeizing and diſtraining ſhall and may ſell the Horſe or other Beaſt or Cattle ſo ſeized and diſtrained, rendering the Overplus (if any) on Demand to the Owner thereof, after ſuch Tolls and all reaſonable Charges ſhall be deducted.

Right of erecting Turnpikes.

XV. Provided always, and be it further enacted, That no Turnpike or Toll Gate ſhall be erected nearer the Town of *Haverfordweſt*, on the Road called the *Carmarthen* Road, than the Eaſt End of *Cartlet* Bridge, nor on the Road called the *Hubberſton* Road than One hundred Yards of the Junction of the *Hubberſton* Road with the *Milford* Road.

XVI. And

No more than One Toll to be taken in One Day.

XVI. And it is hereby further enacted and declared, That no Perſon ſhall be liable to pay more than once for paſſing or repaſſing at any Time or Times in any One Day (to be computed from Twelve of the Clock at Night to Twelve of the Clock in the ſucceeding Night) with the ſame Horſes, Cattle, or Carriages reſpectively through any of the Turnpikes to be continued or erected by virtue of this Act, but that any Perſon after having paid Toll once, and producing a Note or Ticket denoting ſuch Payment ſhall afterwards be permitted to paſs with every ſuch Horſe, Cattle, or Carriage, Toll free, during ſuch Day, through any of the ſaid Turnpikes for which ſuch Perſon or Perſons ſhall have ſo paid Toll once during ſuch Day, which Note or Ticket the Collectors of the Tolls are hereby required to deliver *gratis* on Receipt of the Toll.

Regulating the Payment of Tolls between certain Places.

XVII. And be it further enacted, That no Perſon ſhall be ſubject to the Payment of the Tolls hereby granted for any Horſe, Cattle, or Carriage, at more than one Gate or Turnpike on the Road between *Hubberſton* and the Termination of the Road at or near the South Side of *Merlin's*, otherwiſe *Maudlin's Bridge*, or at more than Three Gates or Turnpikes on the Road between the Eaſt Side of *Cartlet Bridge* and *Tavernſpite*, or at more than Two Gates or Turnpikes between the Town of *Pembroke* and *Tavernſpite*, or at more than one Gate or Turnpike between the Village of *Templeton* and the Town of *Tenby*, or at more than One Gate or Turnpike between *Loveſton Mountain* and *Canaſton Bridge*.

No Perſon having paid Toll to be exempted from Payment thereof in certain Places.

XVIII. And be it further enacted, That no Perſon ſhall be exempted from the Payment of the Tolls hereby granted for any Horſe, Cattle, or Carriage, at any Gate or Turnpike which ſhall be erected between the Village of *Templeton* and the Town of *Tenby*, or between *Loveſton Mountain* and *Canaſton Bridge*, through *Canaſton Wood*, for or by reaſon of having paid Toll at any other Gate or Turnpike continued or erected by virtue of this Act.

Truſtees may reduce the Tolls,

and afterwards advance them again to any Sum not exceeding the Rates before granted; provided no Reduction be made without the Conſent of Creditors.

XIX. Provided always, and be it further enacted, That it ſhall and may be lawful to and for the ſaid Truſtees, and they are hereby empowered at a Meeting to be holden for that Purpoſe, of which Meeting Ten Days Notice ſhall be given in ſuch Newſpaper or Newſpapers as aforeſaid, and ſhall be affixed on all and every the Turnpike Gates that ſhall be ſtanding on the ſaid Roads from Time to Time, to leſſen or reduce all or any of the ſaid Tolls, and alſo any additional Tolls, payable by any Act or Acts of Parliament now in Force for Overweight, in ſuch Manner as to them ſhall ſeem fit and convenient, for and during ſuch Time as they the ſaid Truſtees ſhall think proper; and afterwards at any Meeting to be holden as aforeſaid, from Time to Time, if they ſhall ſee Occaſion, to advance all or any of the Tolls ſo leſſened or reduced, to any Sum or Sums of Money not exceeding the ſeveral Rates granted by this Act, or now made payable by any Act or Acts of Parliament now in force and effect with reſpect to Overweight: Provided nevertheleſs, that when the whole Money borrowed on the Credit of the ſaid Tolls ſhall not have been paid and diſcharged, ſuch Tolls ſhall not be leſſened or reduced without the Conſent of the Perſon or Perſons entitled to Five Sixths of the Money remaining due upon the Credit of the ſaid Tolls.

Tolls may be let.

XX. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Truſtees, and they are hereby empowered at any Meeting, upon Twenty Days Notice being given in ſuch Newſpaper or Newſpapers as aforeſaid, and affixed on all and every the Turnpike Gates that ſhall be ſtanding on the ſaid Roads, to let or farm the ſaid Tolls to be collected by virtue of this Act or any Part or Parts thereof, to any Perſon or Perſons at and for the largeſt Yearly Sum that can be reaſonably got for the ſame, provided that the Leaſes, Contracts, or Agreements of or for the ſame be in Writing, and be duly executed by the Perſon or Perſons taking or farming ſuch Tolls, and alſo by the ſaid Truſtees, but the ſame ſhall not be let for more than Three Years at any One Time; and the Rent which ſhall be agreed to be paid for the ſaid Tolls ſhall be made payable and ſhall be paid to the Treaſurer to the ſaid Truſtees, ſo that One Quarterly Payment of ſuch Rent ſhall always be in advance, or ſufficient Security given for the Payment of ſuch Rent to the Satisfaction of the ſaid Truſtees, or in Default thereof every ſuch Leaſe, Contract, or Agreement ſhall be null and void to all Intents and Purpoſes whatſoever.

Leſſees of Tolls may appoint Perſons to receive the ſame.

XXI. And be it further enacted, That during ſuch Time as the ſaid Tolls or any Part or Parts thereof ſhall be leaſed, demiſed, or in farm to any Perſon or Perſons whomſoever, it ſhall and may be lawful to and for the Leſſee or Leſſees, Farmer or Farmers thereof, or ſuch other Perſons as he or they ſhall by Writing or Writings under his or their Hand or Hands authorize or appoint, to demand and take the ſaid Tolls ſo leaſed, demiſed, or farmed, with the like Powers for the Recovery thereof to all Intents and Purpoſes as any Collector of the ſaid Tolls appointed by the ſaid Truſtees, is hereby authorized and empowered to demand, take, and recover the ſame; and ſuch Leſſee or Leſſees, Farmer or Farmers, or other Perſon or Perſons as aforeſaid, ſo demanding and taking the ſaid Tolls, ſhall be ſubject to the like Pains, Penalties, and Forfeitures, and ſhall be liable to the like Actions and Proſecutions as any Collector of the ſaid Tolls appointed by the ſaid Truſtees is ſubject or liable to.

For ſettling Diſputes concerning Tolls.

XXII. And be it further enacted, That if any Diſpute ſhall happen about the Amount of the Tolls, or the Charges of making, keeping, or ſelling any Diſtreſs, it ſhall be lawful for the Collector or Perſons ſo diſtraining, to retain ſuch Diſtreſs, or the Money ariſing from the Sale thereof (as the Caſe may happen) till the Amount of the Tolls due and the Charges of the Diſtreſs and Sale and of keeping the Diſtreſs be aſcertained by ſome Juſtice of the Peace for the ſaid County, who, upon 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 alſo aſſeſs the Charges of ſuch Diſtreſs and keeping or Sale of the ſame, and of the Collector's Attendance for that Purpoſe upon the ſaid Juſtice; all which Sums ſo determined or aſſeſſed ſhall be paid to the ſaid Collector before he ſhall be obliged to return the ſaid Diſtreſs or the Overplus, after Sale thereof, or any Part thereof.

Toll Bar Keepers competent Witneſſes.

XXIII. 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 be incompetent to give Evidence in any ſuch Diſpute, Suit, or Litigation, by reaſon

reaſon of his, her, or their being ſo appointed, or being paid to collect the Tolls, or acting or being paid to act under the Authority of the ſaid Truſtees.

Penalty on permitting private Paſſages, or evading Tolls.

XXIV. And be it further enacted, That if any Perſon or Perſons ſhall with any Horſe, Cattle, Beaſt, or Carriage, paſs through any Lands, Grounds, or Hereditaments, lying near any Turnpike or Toll Gate which ſhall be continued or erected by virtue of this Act (the ſame not being a public Highway); or if any Owner or Occupier of ſuch Lands, Grounds, or Hereditaments ſhall knowingly permit or ſuffer any Perſon or Perſons, with any Horſe, Cattle, Beaſt, or Carriage whatſoever, to paſs through the ſame; or if any Perſon or Perſons ſhall give to or receive from any Perſon or Perſons, or forge or counterfeit any Note or Ticket, Notes or Tickets, by this Act directed to be given, with Intention to evade, or whereby the Payment of any of the ſaid Tolls, or any Part thereof, may and ſhall be evaded; or if any Perſon or Perſons ſhall fraudulently paſs through any ſuch Turnpike or Toll Gate with any Horſe, Beaſt, or other Cattle, without Payment of Toll; or ſhall take off or cauſe to be taken off any Horſe, Beaſt, or other Cattle, from any Carriage; or having paſſed through any Turnpike or Toll Gate to be continued or erected by virtue of this Act, ſhall afterwards add or put an additional Horſe or Horſes, Beaſt or Beaſts, to ſuch Carriage, with Intent to evade the Payment of the ſaid Tolls; or ſhall leave or cauſe to be left upon or near any Part of the ſaid Roads any Carriage, Horſe, Cattle, or other Beaſts, with Intent to evade the Payment of any of the ſaid Tolls, or any Part thereof; or ſhall, with ſuch Intent, unload any Goods from or out of any Carriage, or in any other Manner whatſoever evade or attempt to evade the Payment of any of the Tolls hereby authorized to be taken; every Perſon ſo offending ſhall for every ſuch Offence forfeit any Sum not exceeding Forty Shillings.

Vacating Leaſes.

XXV. And be it further enacted, That from and after the Eighteenth Day of *June* One thouſand eight hundred and eight, all Demiſes, Leaſes, and Agreements for Leaſes of the Tolls heretofore granted ſhall ceaſe and be void; and the ſaid Truſtees or any Five or more of them ſhall and may, and they are hereby required to make a fair and juſt Compenſation and Satisfaction to the preſent Leſſee or Leſſees of the ſaid Tolls for the Loſs or Damage which he, ſhe, or they ſhall ſuſtain thereby; and ſuch Compenſation and Satisfaction ſhall and may be recovered by ſuch Leſſee or Leſſees from the ſaid Truſtees, in caſe of Refuſal to make the ſame on Demand made to their Clerk or Treaſurer, by Action of Debt or on the Caſe, in any of His Majeſty's Courts of Record at *Weſtminſter*.

Exemptions from Toll.

XXVI. And be it further enacted, That no Toll ſhall be demanded or taken for any Carriage, Horſe, or other Cattle, going unladen for or being laden with or returning after having gone laden only with any Materials for repairing the ſaid Roads, or any other Highway or Road; or for any Carriage or Cattle carrying any Hay, Straw, or Corn in the Straw, not ſold or diſpoſed of, but paſſing to be laid up in the Houſes, Out-houſes, Barns, Yards, or Cloſes of the Owner or Owners thereof, or returning empty therefrom; or for any Horſes, Cattle, or Carriages going with or for any Ploughs, Harrows, or other Implements of Huſbandry belonging to any of the Inhabitants of the Pariſhes, Hamlets, or Places wherein any Part of the ſaid Roads lie: or for any Cattle going to or from Plough or Harrow; or for any Carriage or Cattle carrying any Marl, Dung, Mould, or Compoſt

poſt of any Kind whatſoever, except Lime, to be employed in Huſbandry, or for manuring or ſtocking of Land, but for no other Purpoſe; or for any Horſes or other Cattle or Carriages employed in the conveying of any Perſon or Perſons going to or returning from an Election of a Knight of the Shire or Member to ſerve in Parliament for the ſaid County of *Pembroke*, or Town of *Pembroke*, or Town and County of *Haverfordweſt*, on the Day of ſuch Election, or on the Day before or Day after ſuch Election ſhall begin or be concluded; or going to or returning on *Sundays* or any other Days on which Divine Worſhip is ordered by Authority to be celebrated, from any Church, Chapel, or other Place of Religious Worſhip, which ſhall be ſituate within the ſame Pariſh in which any Turnpike or Toll Gate ſhall be erected; or who ſhall attend the Funeral of any Perſon or Perſons who ſhall die and be buried in any of the Pariſhes, Townſhips, Hamlets, or Places in which the ſaid Roads hereby directed to be made lie; or from any Clergyman going to perform or returning from his Duty at any Church or Chapel, or to or from viſiting his ſick Pariſhioners; or for any Carriages or Horſes employed in conveying the Mails of Letters and Expreſſes under the Authority of His Majeſty's Poſtmaſter General, either when employed in conveying or guarding ſuch Mails or Expreſſes, or in returning from conveying or guarding the ſame; or for any Horſe, Ox, Cow, Sheep, or other Cattle, going to or returning from any Paſture or Watering Place, or from being ſhod or farried; or for any Horſes belonging to Officers or Soldiers upon their March or upon Duty, or for any Horſes, Cattle, or Carriages employed in carrying or conveying the Arms or Baggage of any ſuch Officers or Soldiers, or any ſick, wounded, or diſabled Officers or Soldiers; or for any Horſes, Carts, or Waggons travelling with Vagrants ſent by legal Paſſes; 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 ſhall by any fraudulent or colluſive Manner whatſoever claim and take the Benefit of any of the Exemptions aforeſaid, not being entitled to the ſame, ſuch Perſon ſhall forfeit and pay for every ſuch Offence any Sum not exceeding Forty Shillings, One Moiety whereof ſhall go to the Informer, and the other Moiety ſhall be applied to the Purpoſes of this Act.

No Tolls for croſſing the Road only.

XXVII. And be it further enacted, That no Toll ſhall be demanded or taken at any Toll Gate or Turnpike to be continued or erected by virtue of this Act, on the Side or Sides of any Part of the ſaid Roads, for any Horſe, Cattle, or Carriage which ſhall only croſs the ſaid Roads, or ſhall not paſs above One hundred Yards thereon, unleſs ſuch croſſing ſhall be with Intent to evade the Payment of Toll at any of the ſaid Turnpikes or Toll Gates, and the Payment of ſuch Toll would be thereby evaded.

Power to borrow Money.

XXVIII. And be it further enacted, That it ſhall be lawful for the ſaid Truſtees or any Five or more of them, from Time to Time to borrow and take up at Intereſt ſuch further Sum or Sums of Money as they ſhall think fit, upon the Credit of the Tolls ariſing by virtue of this Act or any Part or Parts thereof, and by Writing under their Hands and Seals to aſſign

over the ſaid Tolls or any Part or Parts thereof, and the Turnpike Gates and Toll Houſes for collecting the ſame (the Charges of ſuch Mortgages or Aſſignments to be paid out of the ſaid Tolls) to any Perſon or Perſons for any Term during the Continuance of this Act, as a Security or Securities for the Repayment of the ſeveral Sums which ſhall be borrowed, with the Intereſt thereof; which Aſſignment ſhall be in the Words or to the Effect following:

Form of Aſſignment.

'BY virtue of an Act of Parliament made in the Forty-eighth Year of the Reign of King *George* the Third, intituled, An Act [*here ſet forth the Title of this Act*] We of the Truſtees acting in the Execution of the ſaid Act, in Conſideration of the Sum of to the Treaſurer of the ſaid Roads in Hand paid by do hereby grant, bargain, ſell, and demiſe unto the ſaid Executors, Adminiſtrators, and Aſſigns, ſuch Proportion of the Tolls ariſing by virtue of the ſaid Act, as the ſaid Sum of doth or ſhall bear to the whole Sum advanced or to be advanced on the Credit of the ſaid Tolls, to be had and holden from the Day of for and during the Continuance of the ſaid Act, unleſs the ſaid Sum of with lawful Intereſt for the ſame, ſhall be ſooner repaid and ſatisfied. Given under our Hands and Seals this Day of , in the Year of our Lord .

And Copies of all ſuch Mortgages and Aſſignments ſhall be entered in a Book to be kept for that Purpoſe by the Clerk to the ſaid Truſtees, but no Money ſhall be borrowed unleſs Notice be for that Purpoſe given in ſome Newſpaper publiſhed or circulated within the ſaid County of *Pembroke* as aforeſaid, and alſo upon the Turnpikes or Toll Gates which ſhall be then ſtanding upon the ſaid Roads, at leaſt Twenty Days before the borrowing thereof; and all Mortgages or Aſſignments which ſhall be made in the Manner and Form aforeſaid, ſhall be good, valid, and effectual to all Intents and Purpoſes; and all Perſons to whom any ſuch Mortgages or Aſſignments ſhall be made as aforeſaid, or who ſhall be poſſeſſed of any Mortgage made by virtue of this Act or of the ſaid former Acts, or who ſhall be entitled to the Money thereby ſecured, may from Time to Time, by Writing under their reſpective Hands and Seals, transfer their Right, Title, Intereſt, or Benefit in and to the ſaid Security, and the Principal and Intereſt thereby ſecured, to any Perſon or Perſons whomſoever, by Indorſement on the Back of ſuch Security in the Preſence of One credible Witneſs; which Transfer ſhall be in the Words or to the Effect following:

Form of Transfer.

'I do transfer the within Mortgage and all the Principal and Intereſt now due thereon, unto Executors, Adminiſtrators, and Aſſigns. Witneſs my Hand and Seal this Day of

All which Transfers ſhall be produced and notified to the ſaid Clerk, who ſhall cauſe an Entry or Memorial to be made thereof, containing the Dates, Names of the Parties, and Sums of Money, in a Book to be kept for that Purpoſe, for which the ſaid Clerk ſhall be paid the Sum of Three

Shillings and no more; and after such Entry made every such Transfer shall entitle the respective Assignees or Persons to whom the same shall be made, their Executors, Administrators, and Assigns, to the Benefit thereof, and Payment thereon, and every such Assignee shall and may in like Manner assign and transfer again, and so *toties quoties*, and it shall not be in the Power of any Person making such Assignment or Transfer afterwards to make void, release, or discharge the same Security, or any Monies thereon due, or any Part thereof; and all Persons to whom such Mortgages, Assignments, or Transfers shall be made as aforesaid, shall be in proportion to the Sums therein respectively mentioned, Creditors on such Tolls, Turnpikes, and Toll Houses, in equal Degree one with another, and shall have no Preference in respect to the Priority of advancing any such Monies, or the Dates of such Mortgages or Assignments.

Old Mortgages may be cancelled and new ones granted.

XXIX. And be it further enacted, That the said Trustees shall and may, if thereunto required, receive in and cancel all or any of the Mortgages now standing out that were made by virtue of the said former Acts or either of them, and give and execute another Mortgage or other Mortgages in stead and in lieu thereof respectively, in Manner as herein-before is directed.

Roads to be divided into Districts.

XXX. And be it further enacted, That the said Roads shall be divided into Two Districts, the First of which Districts shall comprize the Roads mentioned and described in the said first recited Act, and the Second of the said Districts shall comprize the said Road leading from the *Pembroke* Turnpike Road on *Loveston Mountain* through *Canaston Wood* to *Canaston Bridge*; and that the Tolls to arise and be collected within each of the said Districts, and the Money to be borrowed on the Credit thereof, shall be applied and disposed of for the Service of and in carrying into Execution this Act within such District only; and that all Costs, Charges, and Expences of obtaining and passing this Act, shall be paid by the said Trustees out of the Monies now remaining in the Hands of their Treasurer, or out of the first Monies that shall come to his Hands by virtue of this Act.

Proceedings to be entered in Books.

XXXI. And be it further enacted, That all Orders and Proceedings of the said Trustees, at their several Meetings, shall be entered in a Book or Books to be kept for that Purpose, and such Orders and Proceedings so entered and signed by a competent Number of the Trustees (as the Case shall require) or by their Clerk by their Order, shall be deemed to be Originals, and which said Book or Books, and also the Book or Books to be kept for registering the aforesaid Mortgages, shall be admitted as Evidence in all Courts whatsoever.

Trustees to make and divert the Roads.

XXXII. And be it further enacted, That it shall be lawful for the said Trustees, or any Nine or more of them, and they are hereby fully authorized and empowered to make and repair, and from Time to Time widen, divert, shorten, vary, and alter the Course or Path of any Part or Parts of the said Roads through any Waste Grounds, Commons, or uncultivated Lands, without making Satisfaction for the same, and also through any private Grounds or Hereditaments, first making Satisfaction to the Owners thereof and Persons interested therein for the Damages they shall sustain thereby, and for that Purpose it shall be lawful for the said Trustees to treat, contract, and agree with the Owners of and Persons interested in any Lands or Hereditaments, which the said Trustees shall judge neces-

sary

ſary for the Purpoſes aforeſaid, for the Purchaſe thereof, or for the Loſs or Damage ſuch Owners or Perſons may ſuſtain by the making, widening, diverting, turning, or altering the Courſe or Path of any Part or Parts of the ſaid Roads through ſuch Lands or Hereditaments; and it ſhall be lawful for all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Tenants for Life or in Fee Tail General or Special, or for Years determinable on any Life or Lives, Huſbands, Guardians, Truſtees, or Feoffees in Truſt, Committees, Executors, Adminiſtrators, and all other Truſtees whatſoever, not only for and on Behalf of themſelves, their Heirs and Succeſſors, but alſo for and on Behalf of their *Ceſtuique* Truſts, whether Femes Covert, Infants, or Iſſue unborn, Lunatics, Idiots, or other Perſon or Perſons whomſoever, and to and for all Femes Covert who are or ſhall be ſeiſed of or intereſted in their own Right, and to and for all and every Perſon and Perſons whomſoever who are or ſhall be ſeiſed, 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 ſuch Lands or Hereditaments, or any Part thereof, for the Purpoſes aforeſaid; and all Contracts, Sales, and Conveyances which ſhall be ſo made ſhall be valid, to all Intents and Purpoſes, any Law, Statute, Uſage, or other Matter to the contrary notwithſtanding; and all ſuch Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Tenants for Life or in Fee Tail General or Special, or for Years determinable on any Life or Lives, Huſbands, Guardians, Truſtees, Feoffees, Committees, Executors, Adminiſtrators, and all other Perſons, ſhall be and are hereby indemnified for what they or any of them ſhall lawfully do by virtue or in purſuance of this Act.

For reſtraining the Truſtees from deviating beyond certain Diſtances of the Line deſcribed in the Plan, &c.

XXXIII. And whereas a Map or Plan deſcribing the Line of the ſaid Road leading from the Turnpike Road on *Loveſton Mountain*, through *Canaſton Wood* to *Canaſton Bridge*, and the Lands through which the ſame leads, together with a Book of Reference containing a Liſt of the Names of the Owners and Occupiers of ſuch Lands, have been depoſited at the Office of the Clerk of the Peace for the County of *Pembroke*; 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 all ſeaſonable 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 the ſaid Road ſhall not deviate more than One Hundred Yards, of Three Feet each, from the Line deſcribed in the ſaid Map or Plan, without the Conſent and Approbation in Writing of the Perſon or Perſons, Body Politic, Corporate, or Collegiate, through whoſe Lands or Grounds ſuch Deviation ſhall be made.

Truſtees may make Road through Grounds although the Owners Names are not in the

XXXIV. Provided alſo, and be it further enacted, That it ſhall and may be lawful to and for the ſaid Truſtees to make the ſaid new Piece of Road into, through, acroſs, or over the ſeveral Lands or Grounds of any Perſon or Perſons who is or are or may be Owner or Owners of Lands over which the ſame is ſet out and deſcribed as aforeſaid, although the Name or Names of ſuch Perſon or Perſons may happen to be omitted in the ſaid Book of Reference,

Book of Reference.

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.

Where Perſons intereſted neglect or refuſe to treat.

XXXV. And be it further enacted, That if any Bodies Politic, Corporate or Collegiate, Corporations Aggregate or Sole, Tenants for Life or in Fee Tail General or Special, or for Years determinable on any Life or Lives, Huſbands, Guardians, Truſtees, Feoffees, Committees, Executors, or any other Perſon or Perſons intereſted in any ſuch Lands or Hereditaments, upon Notice to him, her, or them given, or left in Writing at the Dwelling-houſe or Dwelling-houſes, Place or Places of Abode of ſuch Perſon or Perſons, or of the principal Officer or Officers of any ſuch Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, or at the Houſe of the Tenant in Poſſeſſion of Lands or Hereditaments through which any Part of the ſaid Roads is intended to be made, widened, diverted, turned, or altered, ſhall for the Space of Six Days next after ſuch Notice given or left as aforeſaid, 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, Value, or Recompenſe to be inquired into and aſcertained by a Jury of Twelve indifferent Men of the ſaid County, from the Neighbourhood of the Place where ſuch Lands and Hereditaments do lie, and in order thereto the ſaid Truſtees are hereby empowered and required, from Time to Time, as Occaſion ſhall require, to ſummon and call before ſuch Jury and examine upon Oath all and every Perſon and Perſons whomſoever who ſhall be thought neceſſary and proper to be examined concerning the Premiſes (which Oath any One or more of the ſaid Truſtees is and are hereby empowered to adminiſter); and ſuch Truſtees ſhall, by ordering a View or otherwiſe, uſe all lawful Ways and Means, as well for their own as for the ſaid Jury's Information in the Premiſes; and after the ſaid Jury ſhall have enquired of and aſſeſſed ſuch Damage and Recompence, they the ſaid Truſtees ſhall thereupon order, adjuge, and determine the Sum or Sums of Money ſo aſſeſſed by the ſaid Jury to be paid to the ſaid Owners or other Perſons intereſted in the ſaid Lands or Hereditaments, according to the Verdict or Inquiſition of ſuch Jury; and ſuch Verdict or Inquiſition, Order, and Determination thereon, ſhall be final, binding, and concluſive, to all Intents and Purpoſes, againſt all Parties and Perſons whomſoever, claiming or to claim any Eſtate in Poſſeſſion, Reverſion, or Remainder in Fee, or in Fee Tail General or Special, or for Life or Lives, or for Years determinable on any Life or Lives, or otherwiſe, their Heirs and Succeſſors, as well abſent as preſent, Infants, Femes Coverts, Lunatics, Idiots, and Perſons under any other Diſability whatſoever, Bodies Politic, Corporate, and Collegiate, Corporations Aggregate or Sole, as well as all and every other Perſon and Perſons whomſoever; and for ſummoning and returning ſuch Juries, the ſaid Truſtees are hereby empowered to iſſue their Warrant or Warrants to the Sheriff of the County of *Pembroke*, requiring him to impannel, ſummon, and return an indifferent Jury of Twenty-four Perſons from the Neighbourhood of the Place where ſuch Lands and Hereditaments lie, qualified to ſerve upon Juries, to appear before the ſaid Truſtees, or any Two or more of them, at ſuch Time and Place as in ſuch Warrant or Warrants ſhall be appointed; and ſuch Sheriff, or his Deputy or Deputies, is and are hereby required to impannel, ſummon, and return ſuch Number of Perſons accordingly, and

Truſtees to iſſue Warrant to the Sheriff to impannel a Jury.

out of the Perſons ſo impannelled, ſummoned, and returned, or out of ſuch of them as ſhall appear upon ſuch Summons, the ſaid Truſtees ſhall and are hereby empowered and required 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, the ſaid Sheriff, or his Deputy or Deputies, ſhall return other honeſt and indifferent Men of the Standers-by, or that can ſpeedily be procured to attend that Service, to the Number of Twelve, and all Perſons concerned ſhall have their lawful Challenges againſt the ſaid Jurymen when they come to be ſworn; and the ſaid Truſtees acting in the Premiſes ſhall have Power, from Time to Time, to impoſe any reaſonable Fine or Fines upon ſuch Sheriff, his Deputy or Deputies, Bailiff or Bailiffs, Agent or Agents making Default in the Premiſes, and on any of the Perſons that ſhall be ſummoned and returned on ſuch Jury, and who ſhall not appear, or appearing ſhall refuſe to be ſworn on the ſaid Jury, or being ſworn ſhall refuſe to give or ſhall not give their Verdict, or 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, or ſhall otherwiſe wilfully miſconduct themſelves in giving their Evidence, ſo that no one Fine be more than Five Pounds on any one Perſon for one Offence.

Truſtees may impoſe Fines on Sheriff, Jurymen, or Witneſſes, making Default, &c.

XXXVI. And be it further enacted, That in caſe any Jury or Juries to be ſummoned and ſworn purſuant to the Directions or Authority of this Act, ſhall give in and deliver a Verdict or Aſſeſſment for more Money as a Recompenſe or Satisfaction for the Right, Intereſt, or Property of any Perſon or Perſons in any ſuch Lands or Hereditaments, or for any Loſs or Damage to be by him, her, or them ſuſtained, than what ſhall have been agreed to and offered by the ſaid Truſtees before the ſummoning and returning of the ſaid Jury or Juries; as a Recompenſe or Satisfaction for any ſuch Right, Intereſt, or Property, or for any Loſs or Damage as aforeſaid, then and in ſuch Caſe the Coſts and Expences of ſummoning and maintaining the ſaid Jury and Witneſſes, and all other Expences attending the hearing and determining of ſuch Difference, ſhall be borne and paid by the Treaſurer to the ſaid Truſtees out of any Money which ſhall then be in his Hands, or out of any Monies to be received by virtue of this Act; but if any Jury or Juries ſo ſummoned and ſworn as aforeſaid ſhall give in and deliver a Verdict or Aſſeſſment for no more or leſs Money than ſhall have been agreed to and offered by the ſaid Truſtees, before the ſummoning or returning of the ſaid Jury or Juries, as a Recompenſe and Satisfaction for any ſuch Right, Intereſt, or Property in any ſuch Lands or Hereditaments, or Loſſes or Damages as aforeſaid, then the Coſts and Expences of ſummoning and maintaining the ſaid Jury and Witneſſes, and all other Expences as aforeſaid, ſhall be borne or paid by the Perſon or Perſons with whom the ſaid Truſtees ſhall have ſuch Controverſy or Diſpute; which ſaid Coſts and Expences having been aſcertained and ſettled by ſome Juſtice of the Peace for the ſaid County, 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

Expences of the Jury and Witneſſes, how to be paid.

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 upon Demand, after being ſo aſcertained and ſettled as aforeſaid, may be recovered by the Clerk or Clerks to the ſaid Truſtees by the Ways and Means herein-after mentioned or provided for the Recovery of Penalties or Forfeitures: Provided always, that in all Caſes where any Perſon or Perſons ſhall, by reaſon of Abſence, have been prevented from treating about ſuch Recompence or Satisfaction as aforeſaid, ſuch Coſts and Expences ſhall be borne and paid by the ſaid Truſtees in Manner aforeſaid.

Money allowed for Lands, how to be charged or tendered.

XXXVII. 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 by this Act granted, or out of the Monies to be borrowed on the Credit thereof, to the Party or Parties reſpectively entitled thereto, or to their Agents; and upon Payment thereof, or in any 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 to the ſaid Truſtees, for the Uſe of ſuch Parties or Perſons reſpectively, to be thereafter diſpoſed of as herein-after directed; and after Twenty Days Notice thereof given to ſuch Parties or Perſons or to their Agents, or left at their reſpective uſual Places of Abode, or with the Tenant or Tenants in Poſſeſſion of ſuch Lands or Hereditaments, then ſuch Lands or Hereditaments ſhall be laid into and made Part of the ſaid Roads, in ſuch Manner as the ſaid Truſtees ſhall direct, and ſhall be by them or ſuch Perſon or Perſons as they ſhall appoint, ſufficiently drained, ditched, fenced, and ſet out for that Purpoſe, and ſhall to all Intents and Purpoſes whatſoever become and be deemed and taken to be a Common Highway, and be from thenceforth Part of the ſaid Roads for ever thereafter.

Truſtees not to take down Houſes, &c.

XXXVIII. Provided always, and be it further enacted, That no Power or Authority by this Act given to the ſaid Truſtees ſhall extend to the taking down or injuring any Dwelling-houſes or other Buildings, or to the taking in of any Garden, Orchard, Yard, Park, planted Walk or Avenue to a Houſe, or Plantation or Nurſery of Trees, or of any Part or Parts thereof, without the Conſent in Writing of the Owners or Proprietors thereof firſt had and obtained.

Truſtees empowered to ſell Ground not wanted for the Purpoſes of this Act.

Perſons whoſe Lands adjoin to have the Preference.

XXXIX. And whereas by reaſon of the Purchaſes which the ſaid Truſtees are empowered and required to make by virtue of this Act, or by reaſon of the diverting of ſome Part or Parts of the ſaid Roads they may happen to be ſeiſed of ſome Piece or Pieces of Ground over and above what ſhall be neceſſary for effecting the Purpoſes of this Act; be it therefore further enacted, That it ſhall be lawful for the ſaid Truſtees to ſell and diſpoſe of ſuch Pieces or Parcels of Ground, either together or in Parcels as they ſhall find moſt conveient and advantageous, to ſuch Perſon or Perſons as ſhall be willing to contract for and purchaſe the ſame: Provided always, that the ſaid Truſtees, before they ſhall ſell and diſpoſe of any Piece or Pieces of Ground as aforeſaid, ſhall offer the ſame to the Perſon or Perſons from whom they ſhall have been purchaſed; or where the ſame ſhall ariſe by reaſon of diverting any Part or Parts of the ſaid Roads, then to the Perſon or Perſons whoſe Lands ſhall adjoin thereunto; and in caſe ſuch Perſon or

Perſons

Perſons reſpectively ſhall not then and thereupon agree (except with reſpect to and on account of the Price thereof as herein-after mentioned) or ſhall refuſe (except with reſpect to and on account of the Price thereof) to purchaſe or re-purchaſe the ſame reſpectively, any 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 ſaid County, (who are hereby reſpectively empowered to take the ſame) by ſome Perſon or Perſons no Way intereſted in the ſaid Piece or Pieces of Ground, ſtating that ſuch Offer was made by or on the behalf of the ſaid Truſtees, and that ſuch Offer was not then and thereupon agreed to, or was refuſed by the Perſon or Perſons to whom the ſame was ſo offered, ſhall in all Courts whatſoever be ſufficient Evidence and Proof that ſuch Offer was made and was not agreed to, or was refuſed by the Perſon or Perſons to whom ſuch Offer was made (as the Caſe may be); and in caſe ſuch Perſon or Perſons ſhall be deſirous of purchaſing or re-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 with reſpect to diſputed Value of Premiſes to be purchaſed by the ſaid Truſtees in purſuance of this Act, and the Expence of hearing and determining ſuch Difference ſhall be borne and paid in like Manner as herein-before directed with reſpect to ſuch Purchaſes 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 of ſuch Piece or Parcel of Road or Ground as aforeſaid, ſhall be applied to the Purpoſes of this Act, but the Purchaſer or Purchaſers thereof ſhall not be anſwerable or accountable for any Miſapplication or Non-application of ſuch Money.

Application of Compenſation Money if amounting to 200l.

XL. And be it further enacted, That if any Money ſhall be agreed or awarded to be paid for any Lands, Tenements, or Hereditaments purchaſed, taken, or uſed by virtue of the Powers of this Act, for the Purpoſes thereof, which ſhall belong to any Corporation, Feme Covert, Infant, Lunatic, or Perſon or Perſons under any Diſability or Incapacity, as in this Act particularly mentioned, ſuch Money ſhall, in caſe the ſame ſhall amount to or exceed the Sum of Two hundred Pounds, with all convenient ſpeed be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account there *ex parte* the Truſtees for executing this Act, 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, and Hereditaments, in the Purchaſe or Redemption of the Land Tax, or towards the Diſcharge of any Debt or Debts, or other Incumberance or Part thereof as the ſaid Court ſhall authorize to be paid, affecting the ſame Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments ſtanding ſettled therewith to the ſame or the like Uſes, Intents, or Purpoſes; or where ſuch Money ſhall not be ſo applied, then the ſame ſhall be laid out and inveſted, under the like Direction and Approbation of the ſaid Court, in the Purchaſe of other Lands, Tenements, or Hereditaments, which ſhall be conveyed and ſettled to, for, and upon ſuch and the like Uſes, Truſts, Intents, and Purpoſes, and in the ſame Manner as the Lands, Tenements, and Hereditaments which ſhall be ſo purchaſed, taken,

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 Purchaſes ſhall be made, the ſaid Money ſhall by Order of the ſaid Court of Chancery, upon Application thereto, be inveſted by the ſaid Accountant General in his Name, in the Purchaſe of Three Pounds *per Centum* Conſolidated, or Three Pounds *per Centum* Reduced Bank Annuities; and in the Mean-time and until the ſaid Bank Annuities ſhall be ordered by the ſaid Court to be ſold for the Purpoſes aforeſaid, the Dividends and Annual Produce of the ſaid Conſolidated or Reduced Bank Annuities ſhall from Time to Time be paid by Order of the ſaid Court to the Perſon or Perſons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, and Hereditaments ſo hereby directed to be purchaſed in caſe ſuch Purchaſe or Settlement were made.

Under 200l. and above 20l.

XLI. Provided always, and be it further enacted, That if any Money ſo agreed or awarded to be paid for any Lands, Tenements, or Hereditaments, purchaſed, taken, or uſed for the Purpoſes aforeſaid, and belonging to any Corporation, or to any Perſon or Perſons under Diſability or Incapacity as aforeſaid, ſhall be, leſs than the Sum of Two hundred Pounds, and ſhall amount to or 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, Tenements, or Hereditaments ſo purchaſed, taken, or uſed, or of his, her, or their Guardian or Guardians, Committee or Committees, in caſe of Infancy or Lunancy, to be ſignified in Writing under their reſpective Hands, be paid into the Bank in the Name and with the Privity of the ſaid Accountant General of the High Court of Chancery, and be placed to his Account as aforeſaid, in order to be applied in Manner 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 Five or more of the ſaid Truſtees for executing 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 be applicable, without obtaining or being required to obtain the Direction or Approbation of the ſaid Court of Chancery.

Application where leſs than 20l.

XLII. 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, and Hereditaments ſo purchaſed, taken, or uſed as aforeſaid, 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,

XLIII. And be it further enacted, That in caſe the Perſon or Perſons to whom any Sum or Sums of Money ſhall be ſo ordered to be paid as aforeſaid, ſhall not be able to make a good Title to the Premiſes to the Satisfaction

faction of the ſaid Truſtees, or ſhall refuſe to execute ſuch Conveyance or Conveyances, or in caſe ſuch Perſon or Perſons to whom ſuch Sum or Sums of Money ſhall be ſo ordered to be paid as aforeſaid, cannot be found, or if the Perſon or Perſons entitled to ſuch Lands, Tenements, or Hereditaments, be not known or diſcovered, then and in every ſuch Caſe it ſhall and may be lawful for the ſaid Truſtees to order the ſaid Sum or Sums of Money ſo awarded to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the ſaid 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, or to order Diſtribution thereof, or Payment of the Dividends thereof, according to the reſpective Eſtate or Eſtates, Title or Intereſt of the Perſon or Perſons making Claim thereunto, and to make ſuch other Order in the Premiſes as to the ſaid Court ſhall ſeem juſt and reaſonable; and the Caſhier or Caſhiers of the Bank of *England*, who ſhall receive ſuch Sum or Sums of Money, is and are hereby required to give a Receipt or Receipts for ſuch Sum or Sums of Money, mentioning and ſpecifying for what and for whoſe Uſe the ſame is or are received, to ſuch Perſon or Perſons as ſhall pay any ſuch Sum or Sums of Money into the Bank as aforeſaid.

or if Perſons cannot be found, Purchaſe Money to be paid into the Bank; ſubject to the Order of the Court of Chancery on Motion or Petition.

XLIV. Provided always, and be it further enacted, That where any Queſtion ſhall ariſe touching the Title of any Perſon to any Money to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Chancery in purſuance of this Act for the Purchaſe of any Lands, 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, or Hereditaments, at the Time of ſuch Purchaſe, and all Perſons claiming under ſuch Perſon or Perſons, or under the Poſſeſſion of ſuch Perſon or Perſons, ſhall be deemed and taken to have been lawfully entitled to ſuch Lands, Tenements, or Hereditaments, according to ſuch Poſſeſſion, until the contrary ſhall be ſhewn to the Satisfaction of the ſaid Court of Chancery; and the Dividends or 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.

Reſpecting diſputed Titles.

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, Tenements, or Hereditaments to be ſettled to the like Uſes in

The Court of Chancery may direct the Payment of Expences.

purſuance of this Act, and it ſhall be lawful for the ſaid Court to order the Expences of all Purchaſes from Time to Time to be made in purſuance of this Act, or ſo much of ſuch Expences as the ſaid Court ſhall deem reaſonable, together with the neceſſary Coſts and Charges of obtaining ſuch 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.

For getting Materials to repair the Roads.

XLVI. And be it further enacted, That it ſhall and may be lawful to and for the Surveyor or Surveyors of the ſaid Roads, and to and for all ſuch Perſons as he or they reſpectively ſhall appoint, to ſearch for, cut, dig, get, gather, and take away any Furze, Heath, Stones, Gravel, Sand, or other Materials for making and repairing the ſaid Roads, out of and from any Common or Waſte Ground, River, Brook, or Pit in any Pariſh, Townſhip, Hamlet, Diviſion, Diſtrict, or Place in which any Part of the Roads hereby directed to be made, amended, and repaired ſhall lie, or in any neighbouring Pariſh, Townſhip, Hamlet, Diviſion, Diſtrict, or Place, without paying any Thing for the ſame, the ſaid Surveyor or Surveyors, or other Perſon or Perſons acting by his or their Appointment, filling up the Pits or Quarries, levelling the Ground, or ſloping down 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 alſo that ſuch Surveyor or Surveyors or other Perſon or Perſons as aforeſaid, may (except as herein-after excepted) by Order of the ſaid Truſtees (ſuch Order to be made at ſome Meeting of the Truſtees to be holden in purſuance of this Act, and a Copy thereof to be given to ſuch Surveyor or Surveyors, atteſted and ſigned by the Clerk or Clerks to the ſaid Truſtees) ſearch for, cut, dig, gather, andta ke away any ſuch Materials as aforeſaid in, off, from, and out of the private 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 ſame and for any Damages done thereby, to the Owners and Occupiers of ſuch Grounds where and from whence the ſame ſhall be cut, dug, gotten, gathered, and carried away, or over with the ſame or any other Materials for making and repairing the ſaid Roads ſhall be carried, according to their reſpective Rights and Intereſts in ſuch Grounds, as the ſaid Truſtees ſhall adjudge reaſonable; and in caſe of any Difference between the ſaid Truſtees, Surveyor or Surveyors, or other Perſons employed as aforeſaid, and the ſaid Owners or Occupiers or any of them, concerning the Value of ſuch Materials and Damages, it ſhall and may be lawful to and for any Two or more Juſtices of the Peace of the County, where ſuch Materials ſhall be ſo cut, dug, gotten, gathered, taken, and carried away, on Four Days Notice thereof in Writing being given by either Party to the other, or left at their reſpective Places of Abode, to hear, ſettle, and determine the Matters of ſuch Payment and Damages, and the Judgment or Order of the ſaid Juſtices ſhall be final and concluſive to all Parties.

Notice to be given to Occupiers of Lands before Materials are taken for repairing Roads.

XLVII. Provided nevertheleſs, and be it enacted, That it ſhall not be lawful for any Surveyor or Surveyors, or other Perſon or Perſons acting under the Authority of this Act, to dig, gather, get, take, or carry away any Materials for repairing ſuch Roads out of or from any incloſed Lands or Grounds, until Notice in Writing ſigned by the Surveyor or Surveyors

ſhall

shall have been given to the Owner and Occupier of the Premises from which such Materials are intended to be taken, or left for such Owner and Occupier at their respective usual Places of Residence, to appear before the said Trustees or Two or more Justices of the Peace acting for the County, where such Premises shall be situate, to shew Cause why such Materials shall not be had from such Lands or Grounds; and in case such Owner or Occupier, or one of them, or their or his Agent, shall attend pursuant to such Notice, but shall not shew sufficient Cause to the contrary, then the said Trustees, or such Justices shall or may authorize such Surveyor or Surveyors, or other Person or Persons to dig, get, gather, and carry away such Materials at such Time or Times as to the said Trustees or such Justices shall seem proper; and if such Owner or Occupier shall neglect to refuse to appear by himself or his Agent, the said Trustees or such Justices shall and may make such Order therein as they respectively shall think fit, as fully and effectually to all Intents and Purposes as if such Owner or Occupier or his Agent had attended.

Penalty on taking away Materials got by Order of the Surveyor.

XLVIII. And be it further enacted, That if any Person or Persons whomsoever shall take away any Stone or Materials which shall have been dug or gathered by, or by the Order of the said Surveyor or Surveyors for the Purpose of making or amending the said Roads, or any Part or Parts thereof, or shall get or take away any Stone, Gravel, or Materials, out of any Pit or Quarry which shall have been made for the Purpose of getting such Materials for amending the said Roads or any Part or Parts thereof, before the said Surveyor or Surveyors, or his or their Workmen shall have discontinued working therein for the Space of Six Weeks (except the Owner or Occupier of any Private Ground wherein such Pit or Quarry shall have been so made, 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 and pay for every such Offence any Sum not exceeding Five Pounds.

Surveyors to make Drains, etc.

XLIX. And be it further enacted, That it shall and may be lawful to and for the said Surveyor or Surveyors, and to and for any Person or Persons whom he or they shall appoint by Order of the said Trustees, to cut and make any Causeways or Footpaths upon the Sides of the said Roads, or to cut Drains or Ditches through or into any Lands or Grounds adjoining or lying contiguous to any Part of the said Roads, or to erect Bridges over any Drains or Water-courses, in such Manner as such Surveyor or Surveyors shall deem and judge necessary and proper for amending or keeping in Repair any Part of the said Roads, and also to make a Way or Ways through the Lands and Grounds adjoining to any narrow or ruinous Part or Parts of the said Roads (not being a Garden, Orchard, Park, Yard, Paddock, planted Walk, or Avenue to any House, or any inclosed Ground planted or set apart as a Nursery for Trees) to be made use of as a public Highway whilst the narrow or ruinous Parts of the said Roads are widening or repairing, and until the same shall be convenient and safe for the Passage of Travellers and Carriages, making such reasonable Satisfaction to the Owners and Occupiers of such Lands respectively through and into which any such Drain shall be cut, or on or over which any such temporary Roads shall be made, for the Damages which such Owners or Occupiers respectively shall or may thereby sustain, as shall be adjudged reasonable by the said Trustees; and in case any Difference shall happen between such

making reasonable Satisfaction.

In case of any Difference,

Owners

Justices in Sessions to determine the same.

Owners or Occupiers and such Trustees touching such Damage, then and in such Case the Justices of the Peace at the First General or Quarter Sessions of the Peace to be holden for the said County of *Pembroke*, next after the Expiration of Ten Days from the Time of doing such Damage, shall and are hereby authorized and required to hear, settle, and determine the same, and their Determination therein shall be final and conclusive.

Surveyors may remove Annoyances.

L. And be it further enacted, That it shall and may be lawful to and for the said Surveyor or Surveyors, and such Person or Persons as he or they shall appoint (by Direction and under the Hands of any Two or more of the said Trustees) from Time to Time to remove and prevent all Annoyances on any Part or Parts of the said Roads, by Rails, Steps, Sign Posts, or other Nuisances, and to turn or stop any Water-courses, Sinks, or Drains, running into, along, or out of any Part of the said Roads, to the Prejudice thereof, and to make the same as large and deep as he or they shall think proper, and to cleanse any Ditch or Water-course next adjoining to any Part of the said Roads, and to cut down, lop, or top any Trees or Bushes growing in any Part of the said Roads, or in the Hedges or Banks adjoining thereto, in case the Person or Persons occasioning such Annoyance, or who ought to remove the same, or to cleanse such Ditch or Water-course, or to cut down, lop, or top such Trees or Bushes, shall refuse or neglect so to do for the Space of Ten Days next after Notice in Writing given for that Purpose, signed by Two or more of the said Trustees, or by their Surveyor or Surveyors, the reasonable Charges whereof shall be reimbursed to the said Surveyor or Surveyors by the Person or Persons refusing or neglecting as aforesaid; and in case any such Person shall not upon Demand pay and reimburse to such Surveyor or Surveyors such Charges as aforesaid, the same shall and may be recovered by Distress and Sale of the Goods and Chattels of such Person, in like Manner as is herein authorized or directed for the Recovery of any other Penalty inflicted by this Act; and if after the Removal of any of the said Annoyances any Person shall again offend in the like Manner, every such Person shall for every such Offence, over and above such Charges as aforesaid, forfeit and pay any Sum not exceeding Five Pounds, One Moiety whereof shall go to the Informer, and the other Moiety shall be applied to the Purposes of this Act.

Road to be measured and Mile Stones and Guide-posts erected.

LI. And be it further enacted, That the said Trustees shall and may cause the said Roads to be measured, and Mile Stones to be set up at or near the Sides thereof, at the Distance of One Mile from each other, with Inscriptions thereon denoting the Number of Miles and Distance of Places, as the said Trustees shall think fit, and also cause to be erected Guide Posts upon such Parts of the said Roads where the same are crossed or joined by other Roads, as they shall judge proper; and if any Person or Persons shall wilfully break, throw down, injure, destroy, obliterate, or deface any Table of Tolls, Mile Stone, or Post erected on any Part of the said Roads, or any of the Letters, Figures, or Marks inscribed thereon, or shall wilfully break, throw down, or injure any Stone or Stones, or Parapet Wall or Walls on the Side or Sides of any Bridge or Bridges, Arch or Arches on any Part or Parts of the said Roads, every such Person so offending shall forfeit and pay any Sum not exceeding Forty Shilling for each Table of Tolls, Stone, Post, Parapet Wall, and Arch, so broken, thrown down, injured, or destroyed, or on which any Letters, Figures, or Marks, shall be so obliterated or defaced, One Moiety whereof shall go to the Informer,

Penalty on damaging them.

mer, and the other Moiety ſhall be applied for the Purpoſes of this Act.

Penalty for riding on Footh-paths, etc.

LII. And be it further enacted, That if any Perſon or Perſons ſhall wilfully or negligently injure, deſtroy, break down, or otherwiſe damage, or ſhall ride on or drive or lead any Horſe, Beaſt, Cattle, or Carriage, over or upon any Footpath or Cauſeway made or to be made on the Side or Sides of any Part of the ſaid Roads; or if any Driver of any Waggon or other Carriage ſhall wilfully or careleſsly break or damage any of the Poſts or Stones which may be erected for the Security of the ſaid Footpaths or Cauſeways; or if any Perſon or Perſons ſhall plough over or drag any Plough upon any Part of the ſaid Roads, or in ploughing ſhall turn any Horſe or other Beaſt drawing any Plough upon any Part of the ſaid Roads, to the Prejudice thereof; or if any Perſon or Perſons ſhall ſcrape off any Mud, Soil, or other Matter or Thing which ſhall be or lie upon any Part of the ſaid Roads, with any Inſtrument, ſo as to damage the ſaid Roads, or any Part thereof; or if any Perſon ſhall hale or draw, or cauſed to be haled or drawn, upon any Part of the ſaid Roads any Tree or Piece of Timber, or any Stone, (otherwiſe than upon Wheeled Carriages), or ſhall ſuffer any Part of any Tree or Piece of Timber or Stone which ſhall be carried upon a Wheeled Carriage, to drag upon any Part of the ſaid Roads, to the Prejudice thereof; or if any Perſon driving any Pigs or Swine upon the ſaid Roads ſhall ſuffer the ſame to root up or damage the ſaid Roads, or any Part thereof, or the Fences, Hedges, Bankings, or Copſe on either Side thereof; or if any Perſon or Perſons ſhall leave or ſuffer any Cattle, Sheep, or Beaſt, to be and remain looſe on the ſaid Roads; or if any Perſon driving any Coach, Chaiſe, or Waggon, Cart, or other Carriage, upon the ſaid Roads, and meeting another Coach, Chaiſe, Waggon, Cart, or other Carriage, ſhall not keep his Carriage on the left or near Side of the ſaid Roads; or if any Perſon ſhall in any Manner wilfully prevent any other Perſon or Perſons from paſſing him, her, or them upon the ſaid Roads, or the Coach, Chaiſe, Waggon, Cart, or other Carriage under his, her, or their Care; or if any Perſon ſhall make or aſſiſt in making any Fire or Fires whatſoever, or ſhall ſet fire to, or let off, or throw any Squib, Rocket, Serpent, or Firework whatſoever, on any Part or Parts of the ſaid Roads; or if any Perſon or Perſons ſhall leave any Waggon, Wain, Cart, or other Carriage, or any Plough, Harrow, or other Implement of Huſbandry, (without ſome reaſonable Cauſe to be allowed by the Juſtice of the Peace before whom the Perſon ſo offending ſhall be ſummoned or conveyed in order to his or her Conviction, and ſave and except with regard to ſuch Waggon, Wain, Cart, or other Carriage, during ſuch reaſonable Time as the ſame ſhall be loading or unloading, and ſtanding as near to the Side of the ſaid Roads as conveniently may be), in, upon, or on the Side of the ſaid Roads, either with or without any Horſe or Beaſt of Draught harneſſed or yoked thereto; or if any Perſon ſhall lay any Piece of Timber, or any Stones, Bricks, Hay, Straw, Lime, Dung, Manure, Soil, Rubbiſh, or other Matter or Thing whatſoever, on any Part of the ſaid Roads, or on the Side or Sides thereof, to the Prejudice thereof, or of any Perſon or Perſons travelling thereon, every Perſon ſo offending ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Forty Shillings.

Penalty on obſtructing the Execution of this Act.

LIII. And be it further enacted, That if any Perſon or Perſons ſhall aſſault, interrupt or hinder, or cauſe to be aſſaulted, interrupted or hindered, any

any Collector of the Tolls, or any Surveyor or Surveyors, or any other Person or Persons, by them or any of them, or by the said Trustees employed in the Execution of this Act, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Townships to be liable to Repairs.

LIV. And be it further enacted, That all the Inhabitants of the several Parishes, Hamlets, Districts, or Places through which the said intended Roads shall pass, shall be liable to the Repair of such Parts of the said intended Roads as are within their respective Parishes, Hamlets, Districts, or Places, in such and the same Manner as they are liable to the Repair of any other Highway within the same.

Statute Work.

LV. Provided always and be it enacted, That all Persons who by Law are liable to do Statute Work on any Part of the Roads within the Parishes or Places through which the said Roads or any Part thereof passes, shall be liable to do the same on the said Roads, and it shall and may be lawful to and for any Two or more Justices of the Peace for the said County of *Pembroke*, and they are hereby required and empowered, upon Application made to them by the said Trustees, or by their 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 do lie, and also what Proportion of the Money received by the Surveyor or Surveyors of the Highways of every such Parish or Place, in lieu of or as a Composition for such Statute Work as aforesaid, shall be by him, her, or them paid to the said Trustees or their Treasurer or Treasurers; and in order thereunto it shall and may be lawful to and for such Justices from Time to Time to summon the Surveyor or Surveyors of the Highways for every such Parish or Place to bring in Lists before such Justices, at some Place to be expressed in such Summons (within Ten Days after the serving of such Summons) of the Names of the several Persons who within such Parish or Place are by Law subject and liable to do Statute Work for that Year, or to the Payment of any Money in lieu of or as a Composition for such Statute Work distinguishing the Nature of the Work to be done, whether with Teams or Draughts or otherwise, and also the Amount of the respective Sums to be so paid, which Lists of Names shall be made in Manner and under such Regulations and Restrictions as is or may be directed by any Law or Statute in force and effect for the Repairs of the public Highways; and out of such Lists the said Justices shall and may allot, appoint, and order, such and so many of the Persons who shall appear to be subject and liable to Statute Work as aforesaid, to do such Number of Days Statute Work in every Year upon the said Roads as the said Justices shall think reasonable, and the same shall be done 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,

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 laſt or 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 and 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 or Surveyors to the ſaid Truſtees, ſuch Surveyor or Surveyors is and are hereby empowered to remove and turn off the Perſon who ſhall be found idle or negligent as aforeſaid, and in that Caſe every ſuch Perſon ſending ſuch Labourer, Team, or Draught, ſhall be ſubject and liable to the reſpective Forfeitures and Payments aforeſaid, as if 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 or wilfully give in falſe or imperfect Liſts, every ſuch Surveyor or Surveyors ſo offending ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Forty Shillings.

Truſtees may compound for Statute Work.

LVI. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Truſtees to compound and agree with any Perſon or Perſons, Bodies Politic or Corporate, for the Repairs or Statute Work to be by them done on the ſaid Roads, or any Part thereof, and alſo with the Inhabitants and Occupiers of Lands, Tenements, or Hereditaments of and in all or any of the Pariſhes or Places in which the ſaid Roads ſhall lie and be ſituate, or with the Surveyor of the Highways for ſuch Pariſhes or Places, duly authorized for that Purpoſe at a public Veſtry, for a certain Sum of Money, by the Year or otherwiſe, as the ſaid Truſtees ſhall think reaſonable, in lieu of the Whole or any Part of the Statute or other Work to be by all or any of the ſaid Inhabitants and Occupiers done on the ſaid Roads, which Compoſition Money ſhall always be paid by the Surveyor or Surveyors of the Highways or other Officer of the Pariſh, or by the Perſon or Perſons ſo compounding, to the Treaſurer or Treaſurers of the ſaid Truſtees, in advance, on or before the Fifth Day of *April* in each and every Year, or otherwiſe the Inhabitants and Occupiers of ſuch Pariſh or Place ſhall not be permitted to compound for that Year.

For ſecuring tranſient Offenders.

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

Diſtrict

District near to the Place where the Offence or Offences shall be committed, or such Offender or Offenders seized and apprehended, 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 some Petty Sessions to be holden within and for the said County or District in which such Offence or Offences shall have been committed, to answer the said Complaint; and the Justices present at such Petty Sessions, or any Two or more of them, are hereby authorized and required to hear and determine the Matter of the said Complaint in a summary Way, and upon Conviction of the Offender or Offenders, either by the Justices before whom he, she, or they shall be first taken, or by the Justices at such Petty Sessions as aforesaid, it shall be lawful for such Justice or Justices respectively to commit him, her, or them to the Common Gaol or House of Correction of the same County or District, there to remain for any Time not exceeding Ten Days, unless 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 the Conviction and Commitment.

Actions to be brought in the Name of the Treasurer or Clerk, or of Trustees, who are not to be liable to the Payment of Costs.

LVIII. And be it further enacted, That the said Trustees may sue and be sued in the Name or Names of their Treasurer or Clerk, or in the Name of any one of the said Trustees on behalf of the said Trustees, and no such Action shall abate or be discontinued by the Death or Removal of the Person in whose Name or against whom the same shall be brought or commenced, nor by the Act of such Person or Persons, without the Consent of the said Trustees at a Meeting held in pursuance of this Act; but no such Treasurer, Clerk, or Trustee, or any or either of them, shall be subject to the Payment of any Costs or Expences on account thereof, but all such Costs and Expences shall be defrayed out of the Money arising by virtue of this Act, collected or received by the said Trustees.

Recovery and Application of Penalties.

LIX. And be it further enacted, That all Penalties and Forfeitures by virtue of this Act imposed (the Manner of levying and recovering whereof is not hereby otherwise particularly directed) shall be levied and recovered by Distress and Sale of the Goods and Chattels of the Offender, by Warrant under the Hand and Seal of any Justice of the Peace for the County or Place where the Offence shall be committed (which Warrant such Justice is hereby empowered to grant upon the Confession of the Party, or upon the Evidence of any credible Witness upon Oath, and which Oath such Justice is hereby empowered to administer), and the Overplus (if any) of the Money arising by such Distress and Sale shall be returned, upon Demand, to the Owner of such Goods and Chattels, after deducting the Costs and Charges of making, keeping, and selling the Distress; and such Penalties and Forfeitures when recovered (if not herein-before directed to be otherwise applied) shall be paid to the Treasurer to the said Trustees, to be applied towards the Purposes of this Act; and in case sufficient Distress shall not be found, or such Penalties and Forfeitures shall not be paid forthwith, it shall and may be lawful to and for such Justice, and he is hereby authorized and required, by Warrant under his Hand and Seal, to cause the Offender to be committed to the Common Gaol or House of Correction of such County or Place where the Offence shall have been committed, there to remain without Bail or Mainprize for any Time not exceeding Six Months nor less than Three Months, unless

unleſs ſuch Penalties and Forfeitures ſhall be ſooner fully paid and ſatisfied.

LX. And be it further enacted, That for the more ſpeedy Conviction of all Offenders againſt this Act, all and every the Juſtice and Juſtices of the Peace before whom any Perſon or Perſons ſhall be convicted of any Offence againſt this Act, ſhall and may cauſe the Conviction to be drawn up in the Form or to the Effect following: Directing the Form of Conviction.

To wit. } 'BE it remembered, That on the Day of in the Year of our Lord and in the Year of the Reign of His Majeſty, is convicted before me [*or*, us] of His Majeſty's Juſtices of the Peace for the by virtue of an Act of Parliament made and paſſed in the Forty-eighth Year of the Reign of His Majeſty King *George* the Third, intituled, [*here ſet forth the Title of this Act, and ſpecify the Offence, and the Time and Place when and where the ſame was committed.*] Given under my [*or*, our] Hand and Seal [*or* Hands and Seals] the Day and Year firſt above written.'

LXI. Provided always, and be it enacted, That if any Perſon or Perſons ſhall think himſelf, herſelf, or themſelves aggrieved by any Thing done in purſuance of this Act, ſuch Perſon or Perſons may appeal to the Juſtices of the Peace at the Firſt General or Quarter Seſſions of the Peace to be holden for the County of *Pembroke*, next after the Expiration of Fifteen Days from the Time ſuch Matter of Appeal ſhall have ariſen, the Perſon or Perſons appealing having firſt given Ten Days Notice at leaſt of his, her, or their Intention to bring ſuch Appeal, and of the Matter thereof, to the Treaſurer or Treaſurers or Clerk to the ſaid Truſtees, and within Four Days after ſuch Notice, entering into a Recognizance before ſome Juſtice of the Peace for ſuch County or Place, with Two ſufficient Sureties, conditioned to try ſuch Appeal, and abide the Order thereof, and to pay ſuch Coſts as ſhall be awarded by the Juſtices at ſuch Quarter Seſſions; and the ſaid Juſtices in ſuch Seſſions, upon due Proof of ſuch Notice and Recognizance having been given and entered into, are hereby authorized and required to hear and determine the Matter of ſuch Appeal in a ſummary Way, and to make ſuch Determination therein and to award ſuch Coſts to either of the Parties or otherwiſe as they ſhall judge proper; and the ſaid Juſtices may if they ſee Cauſe mitigate any Fine, Penalty, or Forfeiture, and may alſo order ſuch further Satisfaction to be made to the Party injured as they ſhall judge reaſonable; and all ſuch Determinations of the ſaid Juſtices ſhall be final, binding, and concluſive upon all Parties, to all Intents and Purpoſes whatſoever. Appeal.

LXII. And be it further enacted, That where any Diſtreſs ſhall be made for any Sum 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 Notice, Information, Summons, Conviction, Warrant of Diſtreſs, or other Proceedings relating thereto, nor ſhall the Party or Parties diſtrained be deemed a Treſpaſſer or Treſpaſſers *ab initio* on account of any Irregularity which ſhall be afterwards done by the Party or Parties ſo Diſtreſs not to be unlawful for want of Form.

so distraining, but the Person or Persons so aggrieved by such Irregularity shall and may recover full Satisfaction for the special Damage in an Action upon the Case.

Proceedings not to be quashed for want of Form.

LXIII. And be it further enacted, That no Order, Verdict, Assessment, Judgment, or other Proceedings made touching or concerning any of the Matters aforesaid, or touching or concerning the Conviction of any Offender or Offenders against this Act, shall be quashed or vacated for want of Form, or be removed or removeable by *Certiorari*, or by any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster*, any Law or Statute to the contrary thereof in anywise notwithstanding.

Notice of Action to be given.

LXIV. And be it further enacted, That no Plaintiff or Plaintiffs shall recover in any Action to be commenced against any Person or Persons for any Thing done in pursuance of this Act, unless Notice in Writing shall have been given to the Defendant or Defendants Fifteen Days before such Action shall be commenced, of such intended Action signed by the Attorney for the Plaintiff or Plaintiffs, specifying the Cause of such Action; nor shall the Plaintiff or Plaintiffs recover in any such Action if Tender of sufficient Amends hath been made to him, her, or them, or to his, her, or their Attorney, by or on Behalf of the Defendant or Defendants, before such Action brought; and in case no such Tender shall have been made, it shall and may be lawful to and for the Defendant or Defendants in any such Action, by Leave of the Court after such Action shall have been brought, at any Time before Issue joined, to pay into Court such Sum of Money as he, she, or they shall think fit, whereupon such Proceedings, Order, and Judgment shall be made and given in and by such Court, as in other Actions where the Defendant is allowed to pay Money into Court.

Limitation of Actions.

LXV. Provided always, and be it enacted, That no Action or Suit shall be commenced against any Person or Persons for any Thing done in pursuance of this Act after Three Calendar Months next after the Fact committed; and every such Action or Suit shall be brought and tried in the County of *Pembroke*, and not elsewhere; and the Defendant or Defendants in every such Action or Suit shall and may plead at his or their Election 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 lawfully done in pursance and by the Authority of this Act; and if the same shall appear to have been so done, or if any such Action or Suit shall be brought before Fifteen Days Notice shall have been given, 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 than as aforesaid, then and in every such Case the Jury shall find a Verdict 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 Suit after the Defendant or Defendants shall have appeared, or if upon Demurrer Judgment shall be given against the Plaintiff or Plaintiffs, then and in every such Case the Defendant or Defendants shall recover Treble Costs, and have such Remedy for recovering the same as any Defendant hath for Costs of Suit in other Cases by Law.

General Issue.

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

LXVII. And be it further enacted, That this Act ſhall commence and take place on the Eighteenth Day of *June* One thouſand eight hundred and eight, and ſhall be in force and have Continuance for and during the Term of Twenty-one Years, and from thence to the End of the then next Seſſion of Parliament. Commencement and Continuance of Act.

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