ANNO QUADRAGESIMO NONO

GEORGII III. REGIS.

Cap. 14.

An Act for more effectually repairing, improving and keeping in Repair, several Roads in the Counties of *Brecon*, *Radnor*, and *Glamorgan*, and for making and maintaining two new Branches of Road to communicate therewith. [30th *March* 1809.]

WHEREAS an Act was passed in the Seventh Year of the Reign of His present Majesty, King *George* the Third intituled, *An Act for repairing and widening several Roads in the County of* Brecon: And whereas an Act was passed in the Twenty-seventh Year of His said present Majesty, intituled, *An Act for enlarging the Term and Powers of an Act, passed in the seventh Year of the Reign of His said present Majesty King* George *the Third, intituled, 'An Act for repairing and 'widening several Roads in the County of* Brecon, *and for amending certain 'other Roads in the said County:'* And whereas an Act was passed in the Twenty-second Year of His said present Majesty, intituled, *An Act for repairing and widening the Road from the Town of* Brecon, *through the Town of* Hay, *in the County of* Brecon; *and also the Road through* Marish Lane *to the* Builth *and* Hay *Turnpike Road near the Village of* Llŷswen *in the same County:* And whereas an Act was passed in the Forty-fourth Year of His said present Majesty, intituled, *An Act for continuing the Term, and altering and enlarging the Powers of an Act passed for repairing the Road from the Town of* Brecon *through the Town of* Hay, *to the* Builth *and* Hay *Turnpike Road near* Llŷswen *in the County of* Brecon; *and for more effectually repairing the Road leading from the* Furnace *Turnpike Gate, to*

7 G. 3. c. 60.

27 G. 3. c. 75.

22 G. 3. c. 113.

44 G. 3. c. 38.

the Gate leading to Garthbrengy *Common, in the ſaid County:* And whereas the reſpective Truſtees appointed in or by virtue of the ſaid recited Acts have proceeded in the Execution of the Powers and Authorities veſted in them reſpectively, and have for that Purpoſe borrowed ſeveral conſiderable Sums of Money on the Credit of the reſpective Tolls authorized to be taken on the ſaid reſpective Roads, which ſtill remain due and owing: And whereas the Money ſo due and owing cannot be paid off, nor can the ſeveral and reſpective Roads compriſed in the ſaid recited Acts be kept in Repair and properly improved, unleſs the Terms of the ſaid Acts be further continued; and the Powers and Proviſions of the ſaid recited Acts having been found in many Reſpects defective and inſufficient, it would be more convenient to the ſaid reſpective Truſtees, and the ſeveral and reſpective Roads herein-after mentioned might be more effectually amended, widened, improved, and kept in Repair, if the ſaid Acts were repealed, the ſeveral Powers and Proviſions thereof conſolidated and made One joint Truſt, and further and other Powers and Proviſions granted inſtead thereof in One Act of Parliament: And whereas the Road leading from the *Brecon* and *Merthyr* Road, at or near a Place called *Nant-yr-Eira* in the Pariſh of *Cantreff*, in the ſaid County of *Brecon*, to the *Merthyr* and *Neath* Road on *Hirwain* Common in the Pariſh of *Yſtradyvoduck*, in the County of *Glamorgan*, and which ſaid Road doth paſs from through and into the ſeveral Pariſhes of *Cantreff*, and *Penderin* in the ſaid County of *Brecon*, and the Pariſh of *Yſtradyvoduck* in the ſaid County of *Glamorgan*; and alſo the Road leading from or near *Crickhowel* Bridge in the Pariſh of *Llangattock*, in the ſaid County of *Brecon*, to join the Turnpike Road leading from the Town of *Abergavenny* to *Rhyd-y-blew* in the County of *Monmouth*, at or near a Place called *Pentwyn Clydach*, in the Pariſh of *Llanelly* in the ſaid County of *Brecon*, which ſaid laſt-mentioned Road doth paſs from through and into the ſeveral Pariſhes of *Llangattock* and *Llanelly* aforeſaid in the ſaid County of *Brecon*, are Roads of great public Utility, and are in many parts thereof very much out of Repair, narrow, circuitous, and incommodious, and cannot be effectually amended, widened, improved and kept in Repair by the ordinary courſe of Law; but if the ſame were made Turnpike, and included in the Powers and Proviſions of this Act, it would be a great Convenience, Advantage and Accommodation to the Neighbourhood, and of Public Utility: but the ſeveral Purpoſes aforeſaid cannot be effected without the Aid and Authority of Parliament; may it therefore pleaſe Your Majeſty, That it may be enacted, and be it enacted by the 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 from and after the Second *Wedneſday* in the Month next after the paſſing of this Act, the ſaid Acts paſſed in the Seventh, Twenty-ſeventh, Twenty-ſecond, and Forty-fourth Years of the Reign of His ſaid preſent Majeſty, ſhall be and the ſame are hereby declared to be repealed, and null and void to all Intents and Purpoſes whatſoever; and that inſtead thereof this Act ſhall commence and take effect, and be put in Execution for and during the Term herein-after mentioned, for the Purpoſe of more effectually repairing, widening, altering, making, improving and keeping in repair, the ſeveral and reſpective Roads herein-after deſcribed.

New Roads.

The ſaid ſeveral Acts repealed,

and this Act executed inſtead thereof.

This Act made ſubject to the Pay-

II. And be it further enacted, That this Act, and the Term and Tolls hereby granted, ſhall be and are hereby made ſubject and liable to the Payment

ment of all Monies borrowed on the Credit of former Acts.

ment of all Monies which have been borrowed or are now due and owing on the Credit of the respective Tolls authorized to be taken by the said recited Acts or any or either of them, and of all Interest due and to grow due thereon respectively, as fully and effectually to all Intents and Purposes, as if such Monies had been borrowed or become due and owing on the Credit or on account of this Act; and that all and every Persons and Person owing any Sum or Sums of Money to the Trustees for executing the said recited Acts, or any or either of them, shall be liable to the Payment thereof to the Trustees for executing this Act; and all Bonds, Covenants, Agreements, Contracts and Securities entered into by any Person or Persons to or with the Trustees for executing the said Acts of the Seventh, Twenty-seventh, Twenty-second, and Forty-fourth Years of His said Majesty respectively, or any Five or more of them, shall remain in full Force and Effect, and be and continue available in all Courts of Law and Equity, until the same are fully satisfied and performed on account and for the Benefit of the Trust under this Act; and all Lettings of Tolls, Contracts and Agreements made or entered into by the said Trustees for executing the said Acts hereby repealed respectively, or any Five or more of them, to or with any Person or Persons, shall remain in full Force and Effect, and be observed and kept by the Trustees under this Act according to the Terms and Stipulations thereof respectively, such Repeal or any Law to the contrary notwithstanding.

Persons owing Money to continue liable, and all Bonds, Contracts, &c. to remain in force;

and all Lettings of Toll.

The Roads opened or shut up under former Acts so to remain.

III. And be it further enacted, That all Roads made, opened, widened, diverted, shut up, or discontinued under or by virtue of the Powers and Provisions of the said Acts hereby repealed, any or either of them, shall remain and continue open, widened, diverted, shut up, and discontinued in such and the same Manner as at the Time of passing this Act; and that the Trustees under this Act shall be discharged from the Care and Management of all Roads except those hereinafter specified and described.

The Roads under this Act described.

IV. And be it further enacted, That the Roads directed by this Act to be made, amended, improved, repaired, and kept in Repair, shall be as follows (that is to say), the High Road leading from the Confines of the County of *Carmarthen*, in the Way from *Llandovery* through *Cwm-y-dwr*, and by *Llywell* Village to *Trecastle*, thence over *Rhyd-y-brû* Bridge to the Town of *Brecon*, thence by *Llansaintfraed* Church to the Confines of the County of *Monmouth* in the Road to *Abergavenny*; from *Trecastle* to a Bridge called *Pontnewydd* in the Road to *Talysarn*; and also the Road from *Pontneath Fechan* by *Ystradvelltey*, to the Road leading from *Brecon* to *Merthyr Tydvil*, at a Place called *Tay Rhôs*; from the Road leading to *Pontneath Fechan* to *Rhyd-y-brû* Bridge; also the Road from *Brecon* to the *Mountain Gate* called *Clwyd-y-fedw*, in the Parish of *Cantreff*, Part of the Highway by *Pontsticcill*, to the Confines of the County of *Glamorgan*; the Road from *Brecon*, by *Cappel Dyffryn Honddû*, to *Builth*; from *Cappel Dyffryn Honddû* over *New Bridge* on *Irvon*, to the Confines of the County of *Cardigan*; and also the Road from the Town of *Brecon*, by *Battle* and *Pontfaen* to *Merthyr* Church; and from *Nant y feen*, through *Talgarth*, by the *Three Cocks* to *Builth*, thence to the Confines of the County of *Carmarthen*, at *Ludlow Fach*, and from a certain Place called *Ty-Coch-Vach*, into that Road; from *Talgarth*, through *Broynllys* to *Llyswen*; from *Talgarth*, by the *White Hart* at the *Bwlch*, over *New Bridge* by *Llangunnider* to *Rhyd-y-Blew*; the Road from *Crickhowell*, through *Llan-*

gunnider, to *Derwen-y-Groes* in the Parish of *Llanvigan*; and from the Town of *Brecon* through the *Watton*, the Parish of *Llanfrynach*, over *New Bridge* to *Derwen-y-Groes*; Three Miles from *Brynich*, through *Llanfihangel Tal-y-llyn*, towards *Llangorse*; also the Road from the *Watton* by *Penkerrig Cochon*, to the *Hay* Road; Three Miles towards *Trallwng* and from the Two-mile Stone on the Road from *Brecon* to *Builth*, to *Sarney Common*, all within the County of *Brecon*; the Road leading from the Town of *Brecon*, through *Glyn Tarrelth*, to the Confines of the County of *Glamorgan* in the Road from *Merthyr Tydvil*, through the several Parishes of *Saint David's*, *Llanspythyd*, *Devynnock*, *Cantreff*, *Penderryn*, and *Llanthetty*, in the County of *Brecon*; the Road from the Village of *Llanfihangel Tal-y-llyn*, over *Hemley Common* to join the Turnpike Road leading from *Llangorse* towards *Talgarth*, through the Parishes of *Llanfihangel Tal-y-llyn*, and *Llangorse*; the Road leading from the *Hay* Turnpike Road near *Pont-y-bat* by *Treguntur*, to join the Road leading from *Trevecka* towards *Talgarth*, through the several Parishes of *Llandevalley*, *Llanvillo*, and *Talgarth*; and also the Road leading from the *Hay* Turnpike Road by the *Tilly*, *Llanthomas*, *Tregoid*, *Velindre*, and *Gwernevet*, to join the Turnpike Road leading from *Talgarth* towards the *Three Cocks*, through the several Parishes of *Hay*, *Llanigon*, *Glazbury*, *Broynllys*, and *Talgarth*; the Road leading from the Town of *Brecon* to the Turnpike Gates called the *Black Lion Gate* and the *Whitney Gate*, in the Town of *Hay*, in the said County of *Brecon*; and the Road leading from the Turnpike Gate called the *Furnace Turnpike Gate*, on the Left-hand Side of the said Turnpike, through the Village of *Llanddew*, to the Gate leading to *Garthbrengy Common*; the said Road leading from the *Brecon* and *Merthyr* Road, at or near a place called *Nant yr Eira*, in the Parish of *Cantreff*, in the said County of *Brecon*, to the *Merthyr* and *Neath* Road on *Hirwain Common*, in the Parish of *Ystradyvoduck*, in the County of *Glamorgan*, which said last-mentioned Road doth pass from through and into the several Parishes of *Cantreff*, and *Penderin*, in the said County of *Brecon*, and the Parish of *Ystradyvoduck*, in the said County of *Glamorgan*, and also the Road leading from or near *Crickhowell Bridge*, in the Parish of *Llangattock*, in the said County of *Brecon*, to join the Turnpike Road leading from the Town of *Abergavenny* to *Rhyd-y-blew*, in the County of *Monmouth*, at or near a Place called *Pentwyn Clydach* in the Parish of *Llanelly*, in the said County of *Brecon*, and which said last-mentioned Road doth pass from, through, and into the several Parishes of *Llangattock* and *Llanelly* aforesaid, in the said County of *Brecon*.

Trustees.

V. And be it further enacted, That the Right Honourable *Henry Somerset*, commonly called the Marquis of *Worcester*, the Right Honourable *Grenville Somerset*, commonly called Lord *Grenville Somerset*, the Right Honourable *Edward Henry Somerset*, commonly called Lord *Edward Henry Somerset*, the Honourable *George Ashburnham*, *Henry Allen* Esquire, *Henry Allen* the younger, *John Hensleigh Allen* Esquire, *Williams Allen* Clerk, *Edward Allen* Gentleman, *Hugh Bold* the elder, *Hugh Bold* the younger Esquires, *Richard Bevan* Doctor of Physic, *Richard Bevan* Esquire Barrister at Law, *John Roderick Prytherch Bevan* Esquire, *Henry Beynon* Clerk, *Thomas Bold*, *John Brown*, *Thomas Bridgwater*, *Richard Branthwaite*, *Michael Bridgwater*, *James Beavan*, *Thomas Bowen* Gentlemen, *Richard Crawshay*, *Thomas Cooke*, *Charles Cracroft*, *Charles Watkins Cracroft* Esquires, *Robert Curry*, *Thomas Coke* Clerks, *John Church*, *Samuel Church* Gentlemen, *Richard Davies* Clerk, Archdeacon of

of *Brecon*, *Richard Davies* of Courtygollen Clerk, *Henry Davies*, *George Auguſtus Davies*, Colonel *Richard Davies*, *William Davys* of Dôlycoed, *Richard Davies*, *Jonathan Dixon* Eſquires, *Reynold Davies*, *William Davies* Clerks, *John Downes*, *Williami Davies* of Bronllŷs Caſtle, *James Davies*, *Edward Davies* of Llangattock, *David Davies* Gentlemen, *Edmund Eſtcourt*, *Triſtram Evereſt*, *John Evereſt* Eſquires, *James Evans* Clerk, *Evan Evans* of Llanelly, *Evan Evans* of Cŵmdulas Gentlemen, *Fredrick Fredricks*, *Edward Frere* Eſquires, *Thynne Howe Gwynne*, *Thynne Howe Gwynne* the younger, *Sackville Gwynne*, *Marmaduke Howell Thomas Gwynne*, *Matthew Gwyn*, *William Greenly* Eſquires, *Fleming Gough*, *David Griffith*, *Charles Griffith* Clerks, *William Gwyn*, *David Gwillim* of Cefn-brân, *John Gwillim*, *John Griffiths* of Brecon, *William Gilbert*, *Evan Gwillim* of Gaer Gentleman, the Honourable *John Harley* Clerk, *Benjamin Hall*, *John Joſiah Holford*, *Samuel Homfray*, *John Hotchkis*; *Richard Hill* Eſquires, *John Hughes* Clerk, *Edward Hughes*, *Thomas Howell* Doctor of Phyſic, *Benjamin Howell* Clerk, *Thomas Howells* of Hay, *John Herbert* Gentlemen, *Walter Jeffreys*, *Edward Jones*, *Edward Jones* the younger, *James Jones* of Llanthomas, *David Jones* of Llwynderw, *William Jones* of Ty-mawr, *Theophilus Jones*, *Frederick Jones*, *John Jones* of Skethrog, *William James* of Trebinſhan Eſquires, *Thomas James*, *John Jones* of Brecon, *Hugh Jones* of Talgarth, *David Jones* of Pont-arfrân, *Evan Jones* of Ynys-fawr Clerks, *Evan Jones* of Maes-y-Faynor, *Jehoſaphat Jones*, *Thomas Jones*, *John Jones*, *Thomas Joſeph* Gentlemen, *Edward Kendall* of Danypark Eſquire, *John Lloyd* of Aberannell, *John Lloyd* of Brecon, *Capel Leigh*, *John Llewellin*, *Edward Price Lloyd*, *Robert St. John Lucas*, *David Lloyd* of Brecon, *David Lloyd* of Wain-y-mynich, *Aythan Lewes*, *Joſeph Latham* Eſquires, *Uri Delakay Lewis*, *Thomas Longfellow*, *John Longfellow*, *Lewis Lewis*, *Charles Lawrence*, *Thomas Lloyd* of Hay, *Watkin Lloyd*, *Daniel Lloyd* Gentlemen, *Robert Lucas*, *Jeffrey Llewellin* Clerks, Sir *Charles Morgan* Baronet, *Charles Morgan*, *William Morgan* Clerk, *Edward Morgan*, *John Macnamara*, *Arthur Macnamara*, *John Macnamara* the younger, *Thomas Meredith* Eſquires, *John Meredith*, *Thomas Maybery*, *Launcelot Morgan*, *William Morgan* of Garawen Eſquire, *William Morgan* the younger, *Thomas Morgan* of Bolgoed, *Philip Morgan*, *Thomas Morgan* Clerk, *David Morgan* of Blaenſenny, *John Morgan* of Glaſbury, *John Maund*, *Howell Morgan* of Llanſaes, *Morgan Morgan* of Porth Gentlemen, *Craddock Nowell* Clerk, *George North* Gentleman, *George Overton* Eſquire, *Thomas Harcourt Powell* Eſquire, *Thomas Powell* Clerk, *Gabriel Powell*, *Thomas Price* of Builth, *Samuel Evans Price*, *Hugh Price* of Caſtlemadock, *Samuel Pryce* of Brecon, *David Price* of Brecon, *John Powell* of Llangeney, *Walter Price* of Glynllech Eſquires, *Robert Penny* Doctor in Divinity, *Henry Thomas Payne*, *John Price*, *Thomas Proſſer* Clerks, *Walter Powell* of Brecon, *John Powell* of Brecon, *John Powell* of Maeſpoth, *Penry Price* of Maes-yr-onn, *Charles Prichard*, *William Parry* of Tretower, *William Parry* the younger, *Thomas Price* of Hay, *David Prichard* of Dôl-gaer, *William Powell* of Llanddew'r cwm, *John Price* of Cwmwhefry, *Thomas Prothero*, *Thomas Price* Tanner, *Howell Jones Price*, *Howell Powel* of Glynllech, *Llewellin Powell*, *David Price* of Park, *Lewis Powell* of Maeſcarnog, *David Walter Powell*, *John Peirce*, *Llewellin Proſſer* of Llangunider Gentlemen, *John Rumſey* Eſquire, Sir *Robert Saluſbury* Baronet, *Henry Scourfield*, *William Henry Scourfield*, *Thomas Stephens*, *Richard Iſaac Starke*, *Frederick Samuel Secretan* Eſquires, *James Spencer* Gentleman, Sir *John Thomas* Baronet,

Henry Thomas, *Evan Thomas*, *David Thomas*, *David Thomas* the younger, *William Taitt*, *Lewis Thomas* Esquires, *John Godfrey Thomas*, *John Thomas* Clerks, *Charles Vaughan* Clerk, *Thomas Vaughan* of Cathedine, *William Gwynne Vaughan* of Llanvillo, *Walter Wilkins* of Maesllough, *Walter Wilkins* the younger, *Thomas Wood* of Gwernevett, *Thomas Wood*, *Penry Williams* of Penpont, *Thomas Wilkins*, *Jeffreys Wilkins*, *William Wilkins*, *John Wilkins*, *John Parry Wilkins*, *Jeffreys Wilkins* the younger, *George Pryse Watkins*, *Robert Williams* of Brecon, *Robert Williams* of Aberbraen, *James Williams* of Hay, *Edward Williams*, *Richard Henry Wellington*, *John Williams* of Velinnewydd, *John Williams* of Brecon, *William Williams* of Wheat-street, *William Williams* the younger, *William Williams* of the Struet, *Rees Williams* of Aberpergwm, *Robert Williams* of Crickhowell, *Henry Rumsey Williams*, *George Griffies Williams*, *Walter Watkins* of Llydyadyway Esquires, *John Williams* Clerk, Archdeacon of Cardigan, *John Williams* Clerk, Canon of Saint David's, *David Williams*, *John Wilkins*, *Thomas Watkins*, *Walter Wilkins*, *Thomas Williams* of Llanfrynach, *Thomas Williams* of Devynock, *Thomas Williams* of Brecon Clerks, *John Wood*, *Peter Wood*, *Lewis Williams* of Troescoed, *Benjamin Williams* of Brecon, *Walter Williams* of Brecon, *Charles Lewis Williams*, *Richard Wilkins*, *Edward Wilkins*, *George Williams*, *Watkin Watkins* of Devynnock, *Thomas Watkins* of Castlemadock, *Thomas Watkins* of Bronllis, *William Williams* of Manneft, *Walter Williams* of Baylie, *Thomas Wheeler*, Gentlemen, and *Osborne Yeats* Esquire, and their Successors to be elected in Manner hereinafter mentioned, shall be and they are hereby appointed Trustees for making, repairing, widening, improving, and keeping in Repair the said several Roads hereinbefore mentioned and described, and for otherwise putting this Act in Execution.

Power to choose new Trustees.

VI. And be it further enacted, That in case any of the Trustees named in or to be appointed by virtue of this Act shall die or refuse to act, it shall be lawful for any Five or more of the surviving or remaining Trustees, by Writing under their Hands (at any Meeting whereof at least Seven Days Notice shall have been given upon all the Toll Gates erected or to be erected upon the said Roads, and to be inserted in some Newspaper circulated in the said County of *Brecon*, specifying that an Appointment of new Trustees is intended to be made at such Meeting), to nominate and appoint some other Person to be a Trustee in the Room of such Trustee so dying or refusing to act as aforesaid; and every Person so nominated and appointed (being qualified as by this Act is required) shall have the like Power and Authority to act as a Trustee in the Execution of this Act, as the Person had in whose Stead he shall be appointed.

Qualification of Trustees.

VII. And be it further enacted, That no Person shall be capable of acting as a Trustee in the Execution of this Act unless he shall be possessed of an Estate in Lands, Tenements, and Hereditaments, in the said County of *Brecon*, of the clear yearly Value of Eighty Pounds above Reprizes, or possessed of or entitled to a Personal Estate to the Amount or Value of Two thousand Pounds, over and above Payment of his Debts, or unless such Person shall be Heir Apparent to a Person possessed of an Estate in Lands, Tenements, or Hereditaments of the clear yearly Value of One hundred and Sixty Pounds, in the County of *Brecon*, and unless such Person so qualified as aforesaid shall take an Oath in the Words or to the Effect following (that is to say);

'I *A. B.* do ſwear, That I truly and *bonâ fide* am in my own Right [*or*, in the Right of my Wife] in the actual Poſſeſſion and Enjoyment [*or* Receipt] of the Rents and Profits of Lands, Tenements, and Hereditaments of the clear yearly Value of Eighty Pounds, in the County of *Brecon* [*or*, that I am Heir Apparent to a Perſon poſſeſſed of an Eſtate in Lands, Tenements, or Hereditaments, of the clear yearly Value of One hundred and Sixty Pounds above Reprizes, in the County of *Brecon*,] [*or*, that I am poſſeſſed of or entitled to a Perſonal Eſtate alone of the Value of Two thouſand Pounds over and above Payment of my Debts.'] 'So help me GOD.' Oath.

And if any Perſon hereby deemed incapable to act ſhall preſume to act in the Execution of this Act, every ſuch Perſon ſhall for every ſuch Offence forfeit and pay the Sum of Fifty Pounds to any Perſon or Perſons who ſhall inform or ſue for the ſame, to be recovered in any of His Majeſty's Courts of Record at *Weſtminſter* or elſewhere by Action of Debt or on the Caſe, wherein no Eſſoign, Protection, or Wager of Law, or more than One Imparlance ſhall be allowed; and the Perſon ſo proſecuted ſhall prove that he is qualified, or otherwiſe ſhall pay the ſaid Penalty, without any other Proof or Evidence on the Part of the Proſecutor than that ſuch Perſon hath acted as a Truſtee in the Execution of this Act; and no Truſtee ſhall be capable of acting in the Execution of any of the Powers hereby granted, during the Time in which he ſhall hold any Place of Profit under this Act, or in any Caſe where he ſhall be perſonally intereſted; nor ſhall any Victualler or Retailer of Ale, Beer, or Spirituous Liquors, or any menial Servant of any Truſtee, be capable of holding any Place of Profit under this Act.

Penalty on acting if not qualified.

No intereſted Truſtee to act, nor any Victualler or menial Servant of a Truſtee to hold a Place of Profit.

VIII. Provided always, and be it further enacted, That all Acts which ſhall have been done by any ſuch Perſon touching the Execution of this Act, previous to his being convicted of the Offence before mentioned, ſhall, notwithſtanding ſuch Conviction, be as valid and effectual as if ſuch Perſon had been qualified to act according to the Directions of this Act.

Acts of unqualified Truſtees before Conviction to remain valid.

IX. And be it further enacted, That the ſaid Truſtees may ſue and be ſued for or concerning any Thing to be done by virtue or in purſuance of this Act in the Name of their Treaſurer or Clerk for the Time being; and that no Action or Suit to be brought or commenced by the Direction of or againſt the ſaid Truſtees by virtue of this Act, in the Name of their Treaſurer or Clerk, ſhall abate or be diſcontinued by the Death or Removal of any ſuch Treaſurer or Clerk, nor by the Act of ſuch Treaſurer or Clerk, without the Conſent of the ſaid Truſtees, or any Five or more of them, at a Meeting held in purſuance of this Act, but that the Treaſurer or Clerk for the Time being to the ſaid Truſtees ſhall be deemed to be the Plaintiff or Defendant (as the Caſe may be) in every ſuch Action or Suit: Provided always, That every ſuch Treaſurer or Clerk in whoſe Name any Action or Suit ſhall be commenced, proſecuted, or defended in purſuance of this Act, ſhall be fully indemnified, reimburſed and paid out of the Monies to ariſe by virtue of this Act, all ſuch Coſts, Damages, and Expences as by the Event or in conſequence of any ſuch Action or Proceedings he ſhall pay, bear, expend, or be put unto or

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

Treaſurer or Clerk to be reimburſed the Expences.

or become chargeable with by reaſon of his being ſo made Plaintiff or Defendant as aforeſaid.

First Meeting of Truſtees.

X. And be it further enacted, That the ſaid Truſtees, or any Five or more of them, ſhall meet at the Shire Hall in the Town of *Brecknock*, or ſome convenient Houſe or Place in the ſaid Town, on the Second *Wedneſday* in the Month next after the paſſing of this Act, or as ſoon after as conveniently may be, between the Hours of Eleven of the Clock in the Forenoon, and Two of the Clock in the Afternoon; and ſhall then and there proceed to the Execution of this Act, and adjourn themſelves from Time to Time, and afterwards meet there or at any other Place on or near the ſaid Roads, as the ſaid Truſtees or any Five or more of them ſhall think proper and appoint, as often as it ſhall be neceſſary for putting this Act in Execution: Provided always, that Two Truſtees ſhall be ſufficient for the Purpoſe of Adjournment only; and that in caſe a competent Number of Truſtees ſhall not appear at the Time and Place appointed for a Meeting of the Truſtees for putting this Act in Execution, either to act or to adjourn to any other Time; or in caſe the Truſtees at any Time aſſembled ſhall omit or neglect to adjourn themſelves, then and in either of the ſaid Caſes it ſhall be lawful for the Clerk or Treaſurer to the ſaid Truſtees for the Time being, by a Notice in Writing to be affixed on all the Turnpikes or Toll Gates erected upon the ſaid Roads, and inſerted in ſome Newſpaper circulated in the ſaid Counties, at leaſt Seven Days before the next Meeting, to appoint them to meet at the ſame Place where the laſt Meeting was held, or was appointed to have been held, on ſuch future Day as ſhall be ſpecified in ſuch Notice, not exceeding Four Weeks after the Day on which ſuch laſt Meeting was held or was to have been held as aforeſaid; and in caſe ſuch Clerk or Treaſurer reſpectively ſhall refuſe or neglect to give Notice, or ſhall by any Means be prevented from giving Notice as aforeſaid, it ſhall be lawful for any Three of the ſaid Truſtees, although not aſſembled at a Meeting, at any Time or Times after ſuch Refuſal, Neglect, or Prevention reſpectively as aforeſaid, by Notice in writing under their Hands, to be affixed and inſerted in manner aforeſaid, to appoint the Truſtees to meet at the ſaid Shire Hall, or at ſome convenient Houſe on or near to the ſaid Roads, upon ſome convenient Day within Four Weeks next after the Date of ſuch laſt-mentioned Notice.

Power to adjourn.

The Majority of Truſtees aſſembled to concur in all Orders.

Truſtees being Juſtices of the Peace may act as ſuch.

XI. And be it further enacted, That all the Orders and Determinations of the ſaid Truſtees ſhall be made at Meetings to be held in purſuance of this Act, and not otherwiſe (except as herein mentioned) and no Order or Determination ſhall be made unleſs the major Part of the Truſtees preſent at any Meeting ſhall concur therein; and all ſuch Truſtees as are or may be Juſtices of the Peace may act as Juſtices in the Execution of this Act notwithſtanding their being Truſtees, except only in ſuch Caſes where they ſhall be perſonally intereſted.

How Orders of Truſtees to be revoked or altered.

XII. Provided always, and be it further enacted, That no Order which ſhall be made by any Five or more of the ſaid Truſtees under the Powers of this Act ſhall be revoked or altered, unleſs the Number of Truſtees revoking or altering the ſame ſhall exceed the Number of Truſtees by whom ſuch Order was made, and unleſs the Perſon or Perſons applying or intending to move to have ſuch Order revoked or altered ſhall, One Calendar Month at leaſt before ſuch Application or Motion, give Notice thereof in Writing to the

the Clerk to the ſaid Truſtees, who within One Week after Receipt of ſuch Notice ſhall cauſe true Copies thereof to be fixed on the front Wall of the Shire Hall in the Town of *Brecknock*, and upon all the Toll Gates then erected upon the ſaid Roads.

Proceedings to be entered in a Book and ſigned.

XIII. And be it further enacted, That all Orders and Proceedings of the ſaid Truſtees ſhall be entered in a Book or Books to be kept for that Purpoſe, and ſuch Orders and Proceedings ſo entered ſhall be ſigned by the Truſtees making the ſame, or the major Part of them, which ſaid Book or Books, and alſo the Books herein-after directed to be kept for regiſtering Mortgages and Aſſignments of the Tolls, or Tranſcripts thereof ſo ſigned by the ſaid Truſtees, ſhall and may be read in Evidence in Caſes of Appeal, and in all Suits or Actions touching any thing done or to be done by virtue or in purſuance of this Act.

Old Officers to continue till others appointed.

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

Truſtees may appoint Officers;

XV. And be it further enacted, That the ſaid Truſtees, or any Five or more of them, at their firſt or any ſubſequent Meeting, as occaſion ſhall require, may by Writing under their Hands elect and appoint a Clerk or Clerks, and a Treaſurer or Treaſurers, Receiver or Receivers, Collector or Collectors of ſuch Money as ſhall ariſe or may be due and payable by virtue of this Act, and alſo a Surveyor or Surveyors, and all ſuch other Officers as they the ſaid Truſtees or any Five or more of them ſhall think neceſſary and proper to be employed in the Execution of the Powers of this Act; and alſo may remove from Time to Time all ſuch Clerks, Treaſurers, Collectors, Receivers, Surveyors, and other Officers, or any of them, as they the ſaid Truſtees or any Five or more of them ſhall ſee Occaſion, and the ſaid Truſtees or any Five or more of them ſhall and may, out of the Money to be raiſed or received by virtue of this Act, make ſuch Allowance unto the Clerks, Treaſurers, Receivers, Collectors, Surveyors, or other Officers ſo appointed, and to ſuch other Perſons as ſhall be aſſiſting in and about the Execution of this Act, as to them the ſaid Truſtees, or any Five or more of them, ſhall ſeem proper; and every Officer and Perſon who ſhall be appointed as aforeſaid ſhall from Time to Time, when thereunto required by the ſaid Truſtees or any Five or more of them, by Writing under their Hands, make out and deliver to ſuch Truſtees or to ſuch Perſon or Perſons as they or any Five or more of them ſhall for that Purpoſe appoint, a true and perfect Account in Writing under his or her Hand of all Monies which ſhall have been by him or her had, collected, or received, and how, and to whom, and for what Purpoſe, the ſame and every Part thereof hath been diſpoſed of, together with the Vouchers and Receipts for ſuch Payments, and ſhall verify ſuch Account upon Oath, if

and remove them.

Officers to account,

thereunto required by the ſaid Truſtees, or any Five or more of them (which Oath the ſaid Truſtees or any one of them are or is hereby empowered to adminiſter); and every ſuch Officer or Perſon ſhall and is hereby required to pay all ſuch Monies as upon the Balance of ſuch Account ſhall appear to be owing from him or her to ſuch Perſon or Perſons as the ſaid Truſtees or any Five or more of them ſhall appoint to receive the ſame; and if any ſuch Officer or Perſon ſhall refuſe or neglect to render and deliver ſuch Account as aforeſaid, or to produce and deliver up the Vouchers and Receipts relating to the ſame, or to verify the Articles thereof upon Oath, or to pay the Balance thereof when thereunto required in Manner aforeſaid, or ſhall refuſe or neglect to deliver up to the ſaid Truſtees, or any Five or more of them, or to ſuch Perſon or Perſons as they or any Five or more of them ſhall appoint, within Seven Days after being thereunto required by the ſaid Truſtees or any Five or more of them, or by ſuch other Perſon or Perſons, all Books, Papers, and Writings in his or her Cuſtody or Power, relating to the Execution of this Act, then and in every ſuch Caſe, Complaint being made thereof by the ſaid Truſtees, or any Five or more of them, or by any Perſon or Perſons on their Behalf, of any ſuch Neglect or Refuſal, to any Juſtice of the Peace for the County or Place where the Officer or Perſon ſo neglecting or refuſing ſhall live or reſide, ſuch Juſtice may and he is hereby authorized and required, by Warrant under his Hand and Seal, to cauſe ſuch Officer or Perſon to be brought before him, and upon his or her appearing, or not being to be found, to hear and determine the Matter of ſuch Complaint in a ſummary Way, and to ſettle the ſaid Account, if produced, in ſuch Manner as the ſaid Truſtees or any Five or more of them might have done; and if upon the Confeſſion of the Officer or Perſon againſt whom ſuch Complaint ſhall be made, or by the Oath or Oaths of any credible Witneſs or Witneſſes, it ſhall appear to ſuch Juſtice that any of the Monies which ſhall have been collected or received ſhall be in the Hands of or owing from ſuch Officer or Perſon, ſuch Juſtice may and he is hereby authorized and empowered, upon Non-payment thereof, by Warrant under his Hand and Seal to cauſe ſuch Money to be levied by Diſtreſs and Sale of the Goods and Chattles of ſuch Officer or Perſon reſpectively, and if no Goods or Chattels can be found ſufficient to anſwer and ſatisfy the ſaid Monies, and the Charges of taking and making ſuch Diſtreſs, and of ſelling the ſame, or if ſuch Officer or Perſon ſhall not appear before the ſaid Juſtice at the Time and Place appointed for that Purpoſe, or if appearing ſhall refuſe or neglect to make out and deliver to the ſaid Juſtice ſuch Account in Writing as aforeſaid, or to verify the ſame on Oath as aforeſaid (if ſo required by the ſaid Juſtice), or to produce and deliver up to the ſaid Juſtice the ſeveral Vouchers and Receipts relating to ſuch Account, or to deliver up as aforeſaid, all ſuch Books, Papers and Writings as aforeſaid, then and in any of the Caſes aforeſaid the ſaid Juſtice may and he is hereby authorized and required, by Warrant under his Hand and Seal, to commit ſuch Officer or Perſon to the common Goal or Houſe of Correction of the County or Place where he or ſhe ſhall live or reſide, there to remain without Bail or Mainprize until he or ſhe ſhall have delivered in and ſettled ſuch Account, and have verified the ſame upon Oath as aforeſaid, and ſhall have delivered up the Vouchers and Receipts relating thereto, and ſhall have paid all the Money which ſhall appear to be in the Hands of or owing from him or her, and the reaſonable Charges of ſuch Diſtreſs and Sale (if any) as ſhall in that reſpect have been made, or until he or ſhe ſhall have compounded with the ſaid Truſtees or any Five or more

or be puniſhed.

of them for ſuch Money and Charges, and paid the Compoſition Money to the ſaid Truſtees or any Five or more of them or to ſuch Perſon or Perſons as they ſhall appoint to receive the ſame, (and which Compoſition the ſaid Truſtees or any Five or more of them are hereby empowered to make), and ſhall have delivered up as aforeſaid, all ſuch Books, Papers, and Writings as aforeſaid, or have given Satisfaction in reſpect thereof to the ſaid Truſtees or any Five or more of them: Provided always, that no Perſon who ſhall be committed for want of ſufficient Diſtreſs ſhall be detained in Priſon for any longer ſpace of Time than Six Calendar Months.

Treaſurer to give Security.

XVI. And be it further enacted, That the ſaid Truſtees, or any Five or more of them, ſhall and they are hereby authorized, directed, and required to take ſuch Security from the Treaſurer or Treaſurers to be appointed for the Purpoſes of this Act, for the due Execution of his and their ſaid Office and Offices, as to the ſaid Truſtees or any Five or more of them ſhall ſeem meet.

Truſtees may appoint temporary Collectors.

XVII. And be it further enacted, That when and as often as any Collector or Receiver of the Tolls by this Act granted ſhall neglect to perform or be incapable of performing his Duty, or ſhall abſcond or abſent himſelf, any Two or more of the ſaid Truſtees (though not aſſembled at a Meeting of the ſaid Truſtees appointed by virtue of this Act) may diſcharge ſuch Collector or Receiver ſo neglecting or being incapable of performing his Duty, or abſconding or abſenting himſelf; and in ſuch Caſe, and alſo in caſe any ſuch Collector or Receiver of the Tolls ſhall die, the ſaid Truſtees or any Two or more of them ſhall and may nominate and appoint a proper Perſon to be a Collector or Receiver of the ſaid Tolls, to continue until the next Meeting of the ſaid Truſtees, in the ſtead of ſuch Collector or Receiver who ſhall ſo die or be diſcharged; and ſuch Perſon ſo nominated and appointed ſhall have the like Power and Authority, and be anſwerable and accountable in the ſame Manner in all reſpects, as the Perſon who ſhall ſo die or be diſcharged would have had or would have been ſubject to; and if any Collector or Receiver of the ſaid Tolls, who ſhall be diſcharged from his Office by virtue of this Act, or the Wife or Widow, or any of the Children, Family, or other Repreſentative or Repreſentatives of any Collector or Receiver who ſhall die or be diſcharged, or any other Perſon, ſhall refuſe to deliver up the Poſſeſſion of any Toll Gate or Toll Houſe, or any of the Appurtenances thereof, for the ſpace of Seven Days next 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 any Meeting), or by their Clerk or Treaſurer for the Time being, then and in any of the ſaid Caſes it ſhall be lawful for any Juſtice or Juſtices of the Peace for the County in which the ſame ſhall be ſituate, by Warrant under his or their Hand and Seal, or Hands and Seals, to order any Conſtable or other Peace Officer, with ſuch Aſſiſtance as ſhall be neceſſary, to enter ſuch Houſe and Appurtenances in the Day-time, and to remove the Perſon or Perſons who ſhall be found therein, or in Poſſeſſion of the ſaid Gate, together with his, her, or their Goods, out of and from the ſame, and to put the ſaid Truſtees, or any one of them, or ſuch new appointed Collector or Receiver, into the Poſſeſſion of ſuch Toll Gate, Toll Houſe and Appurtenances.

XVIII. And

Power to continue and erect Toll Gates, &c.

XVIII. And be it further enacted, That the ſaid Truſtees, or any Five or more of them, ſhall and may, as they ſhall think proper, continue or remove all or any of the Toll Gates, Bars or Chains erected by virtue of the ſaid recited Acts, and may erect and ſet up or cauſe to be erected and ſet up any other Toll Gate or Gates, Bar or Bars, Chain or Chains, in, upon, or acroſs any Part or Parts of the ſaid Roads, and upon the Sides thereof, and alſo acroſs any Lane or Way leading into or out of the ſame; and may alſo continue, erect, or provide a Toll Houſe with ſuitable Out-buildings and Conveniences at or near each Toll Gate; and may from Time to Time afterwards remove, alter or diſcontinue ſuch Toll Gates, Bars, Chains, or Toll Houſes, or any of them, as they the ſaid Truſtees or any Five or more of them ſhall think expedient; and alſo may take in and incloſe from the Side of the ſaid Roads convenient Garden Spots for the Toll Houſes reſpectively, not exceeding One-eighth Part of an Acre to each Toll Houſe: Provided always, That no Toll ſhall be taken at any Gate or Turnpike under this Act within the Diſtance of Seven Miles of any other Gate or Turnpike under the ſame Act, Toll having been on the ſame Day paid at ſuch other Gate or Turnpike, and a Ticket thereof produced, except as herein-after mentioned to the contrary.

To prevent evading Payment of Tolls on Commons.

XIX. And whereas ſome Parts of the Roads included in this Act lead over open Waſtes and Commons, and the Tolls at Gates in ſuch Situations are liable to be evaded; be it therefore further enacted, That the ſaid Truſtees ſhall and may cauſe Fences and Ditches to be made over ſuch Parts of ſuch Waſtes and Commons as they ſhall think neceſſary, in order to prevent Payment of Toll being evaded; and if any Perſon or Perſons ſhall pull down or in any wiſe diſplace, deſtroy, or carry away any ſuch Fence, or any Part thereof, or ſhall fill up or injure any ſuch Ditch, every ſuch Perſon ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Five Pounds: Provided always, that no ancient Road or Highway running acroſs the ſaid Roads ſhall be ſtopped up or obſtructed, and that no ſuch Fence or Ditch to be made as aforeſaid, ſhall extend more than Half a Mile from any Turnpike Gate erected or to be erected under or by virtue of this Act.

Power to take Tolls.

XX. And be it further enacted, That the reſpective Sums of Money following ſhall be demanded and taken at each and every of ſuch Toll Gates, Chains, and Bars (except as herein-after mentioned), from the Owner or Owners of, or Perſon or Perſons uſing or attending any Horſe, Beaſt, Cattle, or Carriage, by ſuch Perſon or Perſons as the ſaid Truſtees or any Five or more of them ſhall from Time to Time authorize or appoint for that Purpoſe, before any ſuch Horſe, Beaſt, Cattle, or Carriage ſhall be permitted to paſs through the ſame, that is to ſay;

Tolls.

For every Horſe, Mare, Gelding, Mule, or other Beaſt of Burthen, laden or unladen, and not drawing, the Sum of Three Halfpence, except Horſes, Mares, Geldings, Mules, or Aſſes, going for or returning laden only with Lime, carried and not drawn, and for each ſuch Horſe, Mare, Gelding, Mule, or Aſs, the Sum of One Penny:

For every Horſe, Mare, Gelding, or other Beaſt drawing any Waggon, Wain, Cart, or other ſuch like Carriage, the Sum of Four Pence, except only thoſe going for or returning laden with Lime, and nothing elſe:

For

For every Horſe, Mare, Gelding, or other Beaſt drawing any Waggon, Wain, Cart, or other Carriage going for or returning laden with Lime, and nothing elſe, with the Wheels of ſuch Waggon, Wain, Cart, or other Carriage of leſs Breadth than Six Inches, the Sum of Three Pence, and with the Wheels of Six Inches or upwards, the Sum of Three Halfpence:

For every Horſe, Mare, Gelding, Mule, or other Beaſt drawing any Coach, Chariot, Chaiſe, Landau, Phæton, Curricle, Gig, Carr of Pleaſure, or for travelling, or any other ſuch like Carriage, the Sum of Six Pence:

For every Horſe, Mare, Gelding, Mule, or other Beaſt drawing any ſmall Sledge, the Sum of Three Halfpence:

For every Score of Oxen or other Neat Cattle, the Sum of One Shilling and Three Pence; and for every Score of Calves, Swine, Goats, Sheep, or Lambs, the Sum of Seven Pence Halfpenny; and ſo in proportion for any greater or leſs Number of Oxen, or other Neat Cattle, Calves, Swine, Goats, Sheep or Lambs.

When commencing.

The ſaid ſeveral Tolls to commence and take Effect reſpectively as follows (that is to ſay); the Tolls at all Gates, Bars, and Chains on and by the Side of the ſaid Road from *Brecon*, through the Town of *Hay*, immediately from and after the paſſing of this Act, and the Tolls at all other Gates, Bars, and Chains, under this Truſt, from and after the Twenty-ninth Day of *September* next; and that in the mean Time the ſame and the like Tolls ſhall be taken and continued at the ſaid laſt-mentioned Gates, Bars, and Chains, as ſhall be taken at the Time of paſſing this Act.

In the mean Time the preſent Tolls to be taken.

Double Tolls on Sundays.

XXI. And be it further enacted, That it ſhall be lawful for the reſpective Toll Gatherers or Collectors on the ſaid Roads, and they are hereby authorized and empowered, on each and every *Sunday* (to be computed from Twelve of the Clock on *Saturday* Night to Twelve of the Clock on *Sunday* Night) in each and every Year during the Continuance of this Act, to demand and take for and in reſpect of each and every Carriage, Horſe, Beaſt, or other Cattle paſſing through any Gate or Turnpike upon the ſaid Roads, or any of them, double the Toll or Sum which may for the Time being be demanded and taken by virtue of this Act for the ſame reſpectively on any other Day of the Week, before ſuch Carriage, Horſe, Beaſt, or other Cattle ſhall be permitted to paſs through any ſuch Gate or Gates, Turnpike or Turnpikes; which ſaid reſpective Sums of Money hereby authorized to be taken as aforeſaid ſhall be demanded and taken in the Name of or as Tolls, and ſhall be and are hereby veſted in the ſaid Truſtees, and ſhall be applied as herein-after is directed; and if any Perſon ſubject or liable to the Payment of any of the ſaid Tolls ſhall, after Demand thereof made, neglect or refuſe to pay the ſame, or any Part or Parts thereof, it ſhall be lawful for the Perſon or Perſons authorized and appointed as aforeſaid to collect ſuch Tolls by himſelf or themſelves, or taking ſuch Aſſiſtance as he or they ſhall think neceſſary, to ſeize and diſtrain any Cattle or other Thing upon or in reſpect of which ſuch Toll is hereby impoſed, together with their reſpective Bridles, Saddles, Gears, Harneſs or Accoutrements, or any Carriage, in reſpect of the Horſes or Cattle drawing the Carriage on which ſuch Toll is impoſed, or any of the Goods or Chattels of the Perſon or Perſons ſo neglecting or refuſing to pay; and if the Toll, or any Part thereof ſo neglected or refuſed to be paid, and the reaſonable

Tolls veſted in the Truſtees.

Charges of ſuch Seizure and Diſtreſs, ſhall not be paid within the ſpace of Five Days next after ſuch Seizure and Diſtreſs made, the Perſon or Perſons ſo ſeizing and diſtraining may ſell the Cattle, Carriage, or Things ſo ſeized and diſtrained, or a ſufficient Part thereof, returning the Overplus of the Money to ariſe by ſuch Sale (if any) and what ſhall remain unſold, upon Demand to the Owner thereof, after ſuch Tolls, and the reaſonable Charges occaſioned by ſuch Seizure, Diſtreſs and Sale, ſhall be deducted.

No Toll into the Town of Brecon on Lime made at Canal Co's Kilns, near Dorlangoch.

XXII. Provided always, That no Toll ſhall be taken or demanded at any Gate, Bar, or Chain erected or to be erected between the Town of *Brecon* and the *Lime Kilns* of the *Brecknock* and *Abergavenny* Canal Company, near *Dorlangoch*, for or in reſpect of any Horſe, Mare, Gelding, Mule, Aſs, or other Beaſt, Waggon, Cart or other Carriage, going for or returning laden only with Lime made at ſuch Kilns, or at any other Kiln or Kilns hereafter to be erected within Two hundred Yards thereof.

Reſtraining Truſtees from erecting Gates or taking Tolls at certain Places, &c.

XXIII. And be it furthe enacted, That no Gate ſhall be erected, or Toll taken on the Road leading from or near the ſaid Bridge, called *Pontnewydd* in the Pariſh of *Llywell* aforeſaid, to the Confines of the County of *Carmarthen*, in the Road leading to *Tal y Sarn*, within One Mile of the Houſe formerly known by the Sign of *The White Hart Inn*, and now called or known by the Name of the Earl *Camden's Arms* in *Trecaſtle* aforeſaid; nor ſhall any Turnpike or Toll Gate be erected, or Toll taken between the Town of *Crickhowell*, and the County of *Monmouth*, nor between *Crickhowell Bridge*, and the Point where the ſaid Road leading therefrom to *Pentwyn Clydach* enters into the Grounds of *Edward Kendall*, Eſquire, called *Dany Park*, near *Wenllan Brook*, nor between the Bridge called *Hay Bridge*, and the Town of *Hay* aforeſaid; and every Perſon or Perſons having paſſed over the ſaid Bridge called *Hay Bridge*, and paid the Toll or Pontage payable there, and producing a Note or Ticket of the Payment thereof, and paſſing with the ſame Coach, Waggon, Cart, or other Carriage, Horſe, Mare, Gelding, or other ſort of Cattle, the ſame Day before Twelve of the Clock at Night, through the Road leading from the ſaid Town of *Hay*, to a Place called *Diſhpool Lane*, in the ſaid County of *Brecon*, or going with an empty Waggon or Cart for Lime, and returning with the ſame loaded with Lime through any of the ſaid Turnpikes, over the ſaid Bridge, the ſame Day, ſhall be free from Payment of any Toll in reſpect thereof; and every Perſon, or Perſons, coming through the ſaid Road from *Diſhpool Lane*, and having paid the Toll, or any Share thereof hereby granted, coming into the ſaid Town of *Hay*, and paſſing over the ſaid Bridge called *Hay Bridge*, with the ſame Coach, Waggon, Cart or other Carriage, Horſe, Mare, Gelding, or other ſort of Cattle, the ſame Day before Twelve of the Clock at Night, upon producing a Note or Ticket of ſuch Payments, the Collector or Collectors of the ſaid Toll or Pontage payable at the Bridge ſhall and may allow out of the ſaid Toll or Pontage ſuch Sum for which ſuch Note or Ticket ſhall be given, and ſhall thereupon be entitled to receive the ſame from the Collector or Collectors to be appointed under or by virtue of this Act, to whom ſuch Sum was paid, provided the ſame be demanded within Twenty Days next following, and ſuch Sum and Sums ſhall be aſcertained by producing ſuch Note or Ticket, Notes or Tickets, and alſo by the Oath of the Collector or Collectors of the ſaid Bridge

Toll

Toll or Pontage, of his having actually allowed such Sum or Sums before a Justice of the Peace for the County of *Brecon* aforesaid; and if any Dispute shall arise concerning any of the Matters aforesaid, such Justice may hear and determine the same in a summary Way.

Narrow-wheeled Waggons.

XXIV. And be it further enacted, That in case any Turnpike Gate, or Bar, shall be erected or placed between the present Turnpike Gate called *Glasbury* Gate, in the County of *Radnor*, and the Village of *Broynllis*, in the said County of *Brecon*, for the Purpose of taking Toll for narrow-wheeled Waggons, Carts, or other such Carriages, (on which Account alone such Turnpike Gate or Bar shall be permitted to be erected and placed,) a Ticket denoting the Payment of Toll at either of the Gates erected under and by virtue of the said recited Act of the Twenty-second Year of His present Majesty shall exempt every such Carriage from the Payment of Toll at such Gate or Bar so to be erected between *Glasbury* Gate and *Broynllis* aforesaid, any thing herein contained to the contrary notwithstanding.

Payment of Tolls on the Hay Road not to exempt the other Turnpikes, on the Reverse.

XXV. Provided always, and be it further enacted, That no Person or Persons paying the Tolls aforesaid, for or in respect of any Horse, Cattle, or other Beast, or Carriage, whatsoever, at any or either of the Gates now erected or hereafter to be erected on or by the Side of the said Road leading from the Town of *Brecon* to the Turnpike Gates called the *Black Lion Gate* and the *Whitney Gate*, in the Town of *Hay*, shall be exempt from Payment of Toll at any Gate, Bar, or Chain now erected or hereafter to be erected on or by the Side of any or either the said other Roads hereinbefore described and that no Person or Persons paying any such Tolls as aforesaid at any Gate, Bar or Chain, now erected or hereafter to be erected on or by the Side of the said other Roads, any or either of them, shall be exempt from Payment of Toll at any or either of the said Gates erected or to be erected on or by the Side of the said Road from *Brecon* to the said Gates in the Town of *Hay* (except as herein is otherwise mentioned), any thing herein contained to the contray notwithstanding.

The like Provision as to the new Roads.

XXVI. Provided also, and be it further enacted, That no Person or Persons paying any of the Tolls aforesaid for or in respect of any Horse, Cattle, or Carriage whatsoever, at any Gate, Bar, or Chain to be erected on or by the Side of the said Road from the *Brecon* and *Merthyr* Road, to the *Merthyr* and *Neath* Road, or on or by the Side of the Road from the said Point near *Wenllan Brook*, to the said Road leading from *Abergavenny* to *Rhydyblew* shall be exempt from Payment of Toll at any Gate, Bar, or Chain, now erected or hereafter to be erected on or by the Side of the said other Roads hereinbefore described, any or either of them; and that no Person or Persons paying any such Toll as aforesaid at any Gate, Bar, or Chain now erected or to be erected on or by the Side of the said other Roads, or any or either of them, shall be exempt from Payment of Toll at any Gate, Bar, or Chain to be erected on or by the Side of the said Road from the *Brecon* and *Merthyr* Road to the *Merthyr* and *Neath* Road, or on or by the Side of the said Road from the said Point near *Wenllan Brook*, to the said Road leading from *Abergavenny* to *Rhydyblew*, any thing herein contained to the contrary notwithstanding.

XXVII. And

Diſputes concerning Tolls how to be ſettled.

XXVII. And be it further enacted, That if any Diſpute ſhall happen about the Amount of Toll due, or the Charges of keeping any Diſtreſs, it ſhall be lawful for the Collector or Perſon diſtraining to retain the ſame, or the Money ariſing from the Sale thereof (as the Caſe may happen) until the Amount of Toll due, and the Charges of ſeizing, diſtraining, keeping and ſelling (as the Caſe ſhall happen), ſhall be aſcertained by One or more Juſtice or Juſtices of the Peace for the County or Place wherein ſuch Diſpute ſhall ariſe, who upon Application made to him or them for that Purpoſe ſhall examine the ſaid Matter on Oath of the Parties or other Witneſs or Witneſſes, and determine the Amount of the Toll due, and alſo aſſeſs the Charges of ſuch Seizure, Diſtreſs, Keeping, and Sale; and alſo of the Collector's Attendance for that Purpoſe on the ſaid Juſtice or Juſtices; all which Sums ſo determined or aſſeſſed ſhall be paid to the ſaid Collector or other Perſon before he ſhall be obliged to return the Diſtreſs, or the Overplus after the Sale thereof, or of any Part thereof.

Collectors of Tolls competent Witneſſes.

XXVIII. And be it further enacted, That in caſe any Diſpute, 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 of his, her, or their being appointed to collect ſuch Tolls, or by reaſon of his, her, or their acting under the Authority of the ſaid Truſtees.

Truſtees may let the Tolls.

XXIX. And be it further enacted, That it ſhall be lawful for the ſaid Truſtees, or any Five or more of them (at any Meeting whereof One Calendar Month's Notice ſhall have been given in Writing, to be affixed upon all the Toll Gates then erected on the ſaid Roads, and inſerted in ſome Newspaper circulated in the Neighbourhood of the ſaid Roads) from Time to Time, by Writing under their Hands, to demiſe or let to farm, or agree to demiſe or let to farm, all or any of the Tolls ariſing by virtue of this Act, for any Term not exceeding Three Years, upon public Bidding to the higheſt Bidder, and for the beſt Price that can be gotten for the ſame, payable at ſuch Times, to ſuch Perſon or Perſons, under ſuch Conditions and Agreements, and with ſuch Sureties for the Payment thereof, as the ſaid Truſtees or any Five or more of them ſhall think fit, and the Money ariſing thereby ſhall be applied in ſuch Manner as the Tolls under this Act are directed to be applied, any thing in any Law or Statute to the contrary thereof notwithſtanding.

Power to vary Tolls.

XXX. And be it further enacted, That it ſhall be lawful for the ſaid Truſtees, or any Seven or more of them, at any Meeting to be holden for that purpoſe (whereof One Calendar Month's Notice at the leaſt ſhall be given in Writing, to be affixed on all Toll Gates erected on the ſaid Roads, and in ſome Newspaper circulated in the County of *Brecon*) from Time to Time (in caſe it ſhall appear requiſite or expedient) to raiſe and advance the Tolls hereinbefore mentioned, or any of them, at all, any, or either of the Toll Gates, Bars, and Chains hereby authorized to be continued or erected (ſubject nevertheleſs to the ſeveral Exemptions herein declared) in Manner following, that is to ſay;

Higheſt Tolls.

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

For every Horſe, Mare, Gelding, or other Beaſt, drawing any Waggon, Wain, Cart, or other ſuch like Carriage, to any Sum not exceeding Sixpence:

For every Horſe, Mare, Gelding, Mule, or other Beaſt, drawing any Coach, Chariot, Chaiſe, Landau, Phæton, Curricle, Gig, Cart of Pleaſure, or for travelling, or any other ſuch like Carriage, to any Sum not exceeding Nine Pence:

For every Score of Oxen or other Neat Cattle, to any Sum not exceeding One Shilling and Eight Pence: and,

For every Score of Calves, Swine, Goats, Sheep, or Lambs, to any Sum not exceeding Ten Pence, and ſo in proportion for any greater or leſs Number of Oxen or other Neat Cattle, Calves, Swine, Goats, Sheep, or Lambs:

And it ſhall alſo be lawful for the ſaid Truſtees, or any Seven or more of them, at any Meeting to be holden in like Manner, and on like Notice as laſt mentioned, to leſſen and reduce, and again to raiſe and advance the ſeveral Tolls hereby authorized to be taken or any of them, and to order the ſame to be taken in ſuch Manner, Parts and Proportions as they ſhall think fit, ſo that the reſpective Tolls ſo raiſed or advanced never exceed the higheſt Rate of Tolls by this Act authorized to be taken, and ſo that the ſaid Tolls or any of them, be never leſſened or reduced below the loweſt Rates hereinbefore mentioned until the Money borrowed or ſecured on the Credit thereof, together with the Intereſt for the ſame, be repaid (except the Perſon or Perſons entitled to Four-fifth Parts of ſuch Money conſent to ſuch Reduction), and ſuch Tolls ſo varied, and every of them, ſhall be collected, recovered, paid, and applied in the ſame Manner as the Tolls hereby authorized to be taken are directed to be collected, recovered, paid and applied.

Tolls to be taken but once a Day.

XXXI. And be it further enacted, That if any Perſon ſhall have paid the Toll by this Act granted for the paſſing of any Horſe, Beaſt, or Cattle, through any Gate or Turnpike erected or to be erected on the ſaid Roads, ſuch Perſon upon producing a Note or Ticket denoting the Payment of ſuch Toll, ſhall be permitted to paſs through the ſame Gate or Turnpike with the ſame Horſes, Beaſts, or Cattle Toll-free, at any Time or Times during the ſame Day, to be computed from Twelve of the Clock in one Night, to Twelve of the Clock in the next ſucceeding Night, which Note or Ticket the Collector of the Toll is hereby required to deliver Gratis on Receipt of ſuch Toll.

Enabling the Truſtees to take Poſſeſſion of Toll Houſes, &c. when let to farm.

XXXII. And be it further enacted, That in caſe all or any of the Tolls ariſing by virtue of this Act ſhall be demiſed or let to farm to any Perſon or Perſons in any Manner whatſoever, and the Leſſee or Leſſees, Farmer or Farmers thereof, ſhall neglect or refuſe to perform the Terms and Conditions on which the ſame ſhall be ſo demiſed or let, or in caſe the Rent or Rents agreed to be paid by ſuch Leſſee or Leſſees, Farmer or Farmers, ſhall be in Arrear by the ſpace of Fourteen Days next after any of the Days on which the ſame ought to be paid purſuant to the Agreement for demiſing, or, letting thereof, then and in either of thoſe Caſes the ſaid Truſtees, or any Five or more of them, or their Clerk or Treaſurer, or any other Perſon authorized by Writing under the Hands of any Five or more of them, ſhall be at liberty and they are hereby

authorized to enter upon and take Poſſeſſion of any Toll Houſe or Toll Houſes, and the Buildings, Gates, and Appurtenances thereto belonging, and to remove and put out ſuch Leſſee or Leſſees, Farmer or Farmers, of the Tolls ariſing thereat reſpectively from the Poſſeſſion thereof, and from the Collection of ſuch Tolls, and that thereupon it ſhall be lawful for the ſaid Truſtees, or any Five or more of them, (if they ſhall think fit), to vacate and determine the Contract or Agreement for demiſing or letting the ſaid Tolls to ſuch Leſſee or Leſſees, Farmer or Farmers, and the ſame ſhall be utterly void to all Intents and Purpoſes (ſave as to the Obligations, Covenants, or Agreements for Payment of the Rent or Rents thereby reſerved, or other unperformed or broken Obligations, Covenants, or Agreements, on the Leſſees Part), as if ſuch Demiſe or Agreement had never been made; and it ſhall be lawful for the ſaid Truſtees, or any Five or more of them, in every ſuch Caſe to demiſe or let to farm the ſaid Tolls again to any other Perſon or Perſons, or cauſe them to be collected in ſuch and the ſame Manner as if no former Demiſe, Contract, or Agreement had been made relative thereto.

General Exemptions from Toll.

XXXIII. And be it further enacted, That none of the Tolls hereby authorized to be taken ſhall be demanded, taken, or received at any of the Toll Gates erected or to be erected, or continued upon the ſaid Roads, for any Horſes, Cattle or Carriages of whatſoever Deſcription employed or to be employed in conveying the Mails of Letters and Expreſſes under the Authority of His Majeſty's Poſt Maſter General either when employed in conveying, fetching, or guarding ſuch Mails or Expreſſes, or in returning therefrom nor for the Horſes belonging to any Officers or Soldiers on their March, or on Duty, nor for any Horſes, Cattle, or Carriages employed in carrying or conveying the Arms or Baggage of any ſuch Officers or Soldiers; or in carrying any ſick, wounded, or diſabled Officers or Soldiers; nor for any Waggon, Wain, Cart, or other Carriage whatſoever, or the Horſe or Horſes or other Cattle drawing the ſame, which ſhall be employed in conveying any Ordnance, Barrack or Commiſſarat, or other public Stores of or belonging to His Majeſty, or for the Uſe of His Majeſty's Forces; nor from any Rector, Vicar, or Curate going to or returning from his own Pariſh Church, or other Place of Divine Worſhip, or viſiting his ſick Pariſhioners; nor from any Perſon or Perſons going to or returning from his, her, or their Parochial Church, Chapel, or other uſual Place of Religious Worſhip on Sundays, or on any other Day on which Divine Worſhip is or ſhall be ordered by Authority to be celebrated; or attending the Funeral of any Perſon or Perſons who ſhall die and be buried in any Pariſh, Hamlet, or Place through which any Part of the ſaid Roads lies, or any other Pariſh, Hamlet, or Place in the ſaid County of *Brecon*; nor for any Horſes, Beaſts, Cattle or Carriages uſed or employed for the Purpoſe only of carrying or conveying Perſons to or from any Election of a Knight or Knights of the Shire to ſerve in Parliament for any or either of the Counties of *Brecon*, *Radnor*, or *Glamorgan*, or of carrying or conveying Vagrants ſent by legal Paſſes; or of carrying or conveying Hay, Straw, or Corn in the Straw, for the Uſe of the Owner and not for Sale, or purchaſed; or of carrying or conveying any Dung, Mould, Manure, or Compoſt (other than Lime) to be uſed only for manuring of Land, or going or returning empty in that Employment; nor for any Horſes, Beaſts or Cattle employed in carrying or conveying, or going to carry or convey, or returning from carrying or conveying, having been employed only in carrying or conveying any Plough, Harrow, or other Implement of

of Husbandry, unless the Carriage bearing any such Plough, Harrow, or other Implement of Husbandry be also laden with any other Thing not hereby intended to be exempted from Payment of Toll; nor for any Horse, Beast, or Carriage passing to or repassing from Water or Pasture, not beyond the Distance of Four Miles, and for either of those Purposes going or passing only from one Parish into the next adjoining Parish, and not travelling more than Four Miles along the said Roads; nor for any Horse, Beast, or other Cattle, when going to or returning from being shoed or farried, not beyond the said Distance of Four Miles; nor for any Horse, Beast, or Cattle used or employed for the Purpose only of carrying or conveying Materials for the making or repairing any Highway or public Road, within any such Parish, Hamlet, or Place as aforesaid, or for re-building, building, or repairing any present or future Bridge or Bridges on the said Roads under this Trust; nor for any Horse, Beast, Cattle, or Carriage which shall cross the said Roads only, or shall not pass more than One hundred Yards thereon; nor for any Horse, Mare or Gelding furnished by or for any Person belonging to any Corps of Yeomanry or Volunteer Cavalry, and rode by him in going to or returning from any Place appointed for Exercise, Inspection, or Review, provided that such Person is in the Uniform of his Corps, and has his Arms, Furniture, and Accoutrements, according to the Regulations appointed for such Corps at the Time of claiming the Exemption; and if any Person shall claim and take the Benefit of any Exemption in this Act contained or provided for, not being entitled to the same, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds; and in all Cases the Proof of Exemption shall lie upon the Person claiming the same.

Penalty on fraudulently taking Benefit of Exemptions.

Waggons conveying Military Stores, not subject to Penalties for Overweight.

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

Penalty on evading Tolls.

XXXV. And be it further enacted, That if any Person or Persons shall ride, drive, go, or pass with any Horse, Beast, Cattle, or Carriage, through or over any Land, Ground, or Place lying by the Side of or near to any Part of the said Roads, or if any Person or Persons owning or occupying any Land, Ground, or Place situated as aforesaid, (the same not being a public Highway, or a Road to or from some Mill) shall knowingly or wilfully permit or suffer any other Person or Persons to go or pass with any Horse, Beast, Cattle, or Carriage through or over such Land, Ground, or Place, in order or with Intent thereby to evade the Payment of the said Tolls or any Part thereof, or whereby or by Means whereof any such Evasion

sion shall take place or be effected, or if any Person or Persons shall forge, counterfeit, or alter, or shall deliver to or receive from any other Person any Note or Ticket with Intent to avoid or evade the Payment of the said Tolls or any Part thereof, or shall unload or cause to be unloaded any Goods, or other Things, or shall take off or cause to be taken off any Horse or other Beast from any Carriage, either before or after having passed through any Toll Gate, or having passed through any Toll Gate shall afterwards add or put any Horse or Beast to any Carriage for the Purpose of drawing the same upon any Part of the said Roads, with Intent to avoid or evade the Payment of any of the said Tolls, or if any Person or Persons shall do any other Act in order or with Intent to avoid or evade the Payment of the said Tolls, or any Part thereof, all and every such Person or Persons shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds (over and besides such Damages and Punishments as he, she, or they shall otherwise be liable to by Law,) to be recovered in such Manner as is hereinafter provided for the Recovery of Penalties and Forfeitures, one Moiety whereof, when raised, shall be paid to the Informer, and the other Moiety to the Treasurer of the said Trustees, to be applied to the Purposes of this Act.

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

XXXVI. And be it further enacted, That if any Farmer, Renter, or Collector of the said Tolls, shall demand and take or cause to be demanded and taken from any Person or Persons any Toll not hereby authorized to be taken, or a greater or less Toll than so authorized, such Farmer or Renter shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds, and also his Contract for renting the Tolls shall be declared to be vacated, if the said Trustees or any Five or more of them shall think fit to vacate the same; and every such Collector, not being the Farmer or Renter, shall for every such Offence forfeit any Sum not exceeding Forty Shillings; such Forfeitures respectively to be recovered in Manner hereinafter mentioned: Provided always, That if the Justice by or before whom the Matter of Complaint shall be heard shall be of Opinion that the Offender had probable Grounds for such Demand and taking, it shall be lawful for such Justice either to mitigate the said respective Penalties, or wholly to exonerate the Offender therefrom, as such Justice shall think fit, any Law or Statute to the contrary notwithstanding.

Power to provide Lamps, &c.

XXXVII. And be it further enacted, That it shall be lawful for the said Trustees, or any Five or more of them, at any of their Meetings to be held under or by virtue of this Act, to erect and set up, or cause to be erected and set up, at all or any of the Turnpike Gates now erected or hereafter to be erected upon the said Roads, such Number of Lamps as they shall think necessary, together with proper Lamp Posts and Lamp Irons thereto, and to cause the said Lamps to be lighted at such Times and in such Manner as the said Trustees or any Five or more of them shall from Time to Time direct and appoint; and all Expences attending the providing of such Lamps, Lamp Posts, Lamp Irons, and the Furniture thereof, shall be defrayed out of the said Tolls, or out of any Money to be borrowed on the Credit thereof; and if any Person shall break, throw down, or damage all or any of the said Lamps, or the Posts, Irons, or other Furniture thereof, or shall wilfully and maliciously extinguish any such Lamps, or do any other Damage thereto, such Person shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings, ever and above the Costs

Penalty for breaking or damaging.

and Expences of repairing and amending such Lamps, Lamp Posts, Irons, Furniture, or Work so broken, thrown down or damaged as aforesaid.

Toll Gates, Houses, &c. vested in Trustees;

XXXVIII. And be it further enacted, That the Right and Property of all the Turnpikes, Toll Gates, and Toll Houses, and the several Conveniencies and Appurtenances thereto belonging, which are already erected or made upon or on the Sides of the said Roads, or which shall be erected or made by virtue of this Act, and all Materials for building and repairing the same, and for repairing the said Roads, and all the Lamps, Lamp Posts, Lamp Irons, and the Furniture thereof respectively; and all other Materials, Articles, and Things which shall be purchased, collected, or provided for the Purposes of this Act, shall be vested in the said Trustees, and they or any Five or more of them are hereby authorized and empowered to sell or dispose of the same as they shall think proper, and to bring or cause to be brought any Action or Actions, or to prefer or cause to be preferred and prosecuted any Bill or Bills of Indictment against any Person or Persons who shall without Right keep Possession of any such House or Appurtenances, or shall steal, take away, break down, or damage any of such Turnpikes, Toll Gates, Toll Houses, Conveniences, Appurtenances, Materials, Articles, or Things, or disturb them or their Agents or Servants in the Possession thereof.

who may dispose of the same,

and bring Actions, &c.

Power to borrow not exceeding £11,000, and to assign Tolls.

XXXIX. And be it further enacted, That the said Trustees, or any Seven or more of them, duly assembled at any Meeting to be holden at any Time or Times hereafter, may and they are hereby authorized and empowered from Time to Time to borrow and take up at Interest, on the Credit of the Tolls hereby granted, any Sum and Sums of Money as they shall think necessary, not exceeding in the whole the Sum of Eleven thousand Pounds beyond the Amount of the Debts due on the Credit of the said Acts, at the Commencement of this Act; and they are hereby also authorized and empowered, either at every such Meeting, or afterwards, by any Writing or Instrument under their Hands and Seals, to mortgage all or any Part of the Tolls hereby granted (the Charges of Mortgaging the same to be paid out of such Tolls) for any Term during the Continuance of this Act, as a Security or Securities for any Sum or Sums of Money so to be borrowed, to such Person or Persons, or his, her, or their Trustee or Trustees, as shall advance and lend the same (subject and without Prejudice to all prior Mortgages made under the said Acts hereby repealed), which Mortgages shall be made in the following Form of Words, or in any other Form of Words to the like Effect (that is to say);

Form of Mortgage.

‘ BY Virtue of an Act, passed in the Forty-ninth Year of the Reign of
‘ His Majesty King *George* the Third, intituled, *An Act, &c.* [*here*
‘ *insert the Title of this Act*] We, Seven of the Trustees for putting the
‘ said Act in Execution, in Consideration of the Sum of
‘ to the Treasurer of the said Trustees in Hand paid, do grant, bargain, sell,
‘ and demise unto *A. B.* his [*or*, her] Executors, Administrators, and As-
‘ signs, such Proportion of the Tolls arising by virtue of the said Act, and
‘ of the Toll Gates and Toll Houses for collecting the same, as the said
‘ Sum of doth or shall bear to the whole of
‘ the Monies owing and secured on the Credit thereof, to be had and
‘ holden from this Day of
‘ in the Year of our Lord for
‘ and

'and during the Continuance of the said Act, unless the said Sum of with Interest at the Rate of Pounds *per* '*Centum*, *per Annum*, shou'd be sooner paid and satisfied. Given under 'our Hands and Seals this Day of in 'the Year of our Lord

Copies of Mortgages to be entered in a Book.

And Copies of all such Mortgages shall be entered in a Book or Books to be kept for that Purpose by the Clerk or Treasurer of the said Trustees; and all and every Person or Persons to whom any such Mortgage or Mortgages shall be made as aforesaid, or who shall be entitled to the Money thereby secured, or to whom any Mortgage or Assignment of Tolls may have been made under the said recited Acts, or any or either of them, may from Time to Time transfer his, her, or their Right, Title, Interest, or Benefit to the Principal and Interest thereby secured, or any Part thereof, to any Person or Persons whomsoever, by signing before One credible Witness an Instrument in the following Words, or Words to the like Effect, that is to say;

Form of Transfer,

'I, *A. B.* do transfer this Mortgage or Security [*or*, a certain Mortgage or Security, *shortly stating it, as the Case may be*], with all my Right 'and Title to the Principal Money thereby secured, and all the Interest 'now due thereon, unto *C. D.* his [*or*, her] Executors, Administrators, 'and Assigns. Dated this Day of 'in the Year of our Lord

'Witness, *E. F.* '*A. B.*'

which must be entered with the Clerk.

Which Transfer shall be produced, and notified to the Clerk or Treasurer to the said Trustees, who shall cause an Entry or Memorial to be made thereof in the before-mentioned Book or Books, specifying the Date, Names of the Parties, and Amount of the Sum transferred, for which Entry the said Clerk or Treasurer shall be paid the Sum of One Shilling and no more, and such Transfer shall then entitle such Assignee, his, her, or their Executors, Administrators, and Assigns, to the Benefit thereof and Payment thereon; and such Assignee may in like Manner assign or transfer the same again, and so *toties quoties*, and it shall not be in the Power of any Person or Persons (except the Person or Persons to whom the same shall be last transferred) to make void, release, or discharge the original Security, or any Monies thereby due, or any Part thereof.

No Preference among Creditors for the Money raised under this Act.

XL. Provided always, and be it further enacted, That no Preference shall be given to any Person or Persons who shall advance any Sum or Sums of Money upon the Credit of this Act, in respect of the Priority of advancing or of having advanced any such Sum or Sums of Money, but that all Persons to whom such Mortgages or Assignments shall be made as aforesaid shall be, in proportion to the Sum or Sums of Money therein mentioned, Creditors on the same Tolls in equal degree one with another.

Application of the Tolls and Money to be borrowed.

XLI. And be it further enacted, That out of the Tolls or other Monies already received by virtue of the said recited Acts, or out of the Tolls and all other Monies which shall be raised or received by virtue of this Act, the said Trustees or any Five or more of them shall in the first Place pay and discharge all the Costs and Expences relative to procuring and passing this Act, and the Remainder of all such Monies shall from Time to Time be applied

applied in repaying the Money borrowed, or now owing by virtue of the ſaid recited Acts, or any or either of them, or to be borrowed in purſuance of this Act, and the Intereſt due and to grow thereon reſpectively, and in making, repairing, improving and rendering commodious the ſaid Roads, and in otherwiſe putting this Act in Execution, and to or for no other Uſe or Purpoſe whatſoever.

Power to get Materials.

XLII. And be it further enacted, That it ſhall be lawful for the Surveyor or Surveyors to the ſaid Truſtees, and all ſuch Perſons as he or they ſhall appoint, to ſearch for, dig, gather, take and carry away any Materials for making or repairing the ſaid Roads, or building, rebuilding, or repairing any preſent or future Toll Houſe or Toll Houſes on or by the Side thereof, or any Bridge or Bridges thereon, out of any River or Brook, or out of or from any Waſte or Common in or near which any Part of the ſaid Roads lies, without paying any Thing for ſuch Materials, the ſaid Surveyor or Surveyors, or other Perſon or Perſons, filling up the Pits or Quarries, levelling the Grounds, or ſloping down the Banks wherefrom ſuch Materials ſhall be taken, or railing or fencing off ſuch Pits or Quarries, ſo that the ſame ſhall not be dangerous to any Perſons or Cattle, and paying for the Damages done by going through and over any Lands or Grounds for or with ſuch Materials (ſuch Damages to be aſcertained as hereinafter mentioned); and alſo that it ſhall be lawful for the ſaid Surveyor or Surveyors, and ſuch Perſons as he or they ſhall appoint, to ſearch for, dig, gather, take and carry away any ſuch Materials in or out of the Land of any Perſon (not being a Garden, Orchard, Yard, Park, Paddock, planted Walk, or Avenue to any Houſe, or any Piece of Ground planted and ſet apart as a Nurſery for Trees), making or tendering ſuch Satisfaction for the Damages done to the Owners or Occupiers of the Land where and from whence the ſame ſhall be dug, gathered, and carried away, or over which the ſame ſhall be carried, as the ſaid Truſtees or any Seven or more of them ſhall adjudge reaſonable; and in caſe of any Difference between the ſaid Truſtees, Surveyors, or other Perſons appointed and employed as aforeſaid, and the Owners and Occupiers of ſuch Land, or any of them, concerning ſuch Payments and Damages as aforeſaid, the Juſtices of the Peace at their next General Quarter Seſſion, or at the Second General Quarter Seſſion at the furtheſt, to be holden for the County or Town wherein the Place from whence ſuch Materials ſhall have been taken ſhall be ſituate, on Eight Days Notice thereof being given in Writing by either Party to the other, ſhall hear, ſettle, and determine the Matter of ſuch Payments and Damages, and the Judgment or Order of the ſaid Juſtices therein ſhall be final and concluſive to and upon all Parties.

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

XLIII. Provided nevertheleſs, and be it further enacted, That no Surveyor, or any other Perſon or Perſons acting under the Authority of this Act, ſhall firſt begin to dig, gather, or carry away any Materials for repairing the ſaid Roads out of or from any incloſed Land, until Notice in writing, ſigned by the ſaid Surveyor, ſhall have been given to the Owner or his known Agent, or to the Occupier of the Land from which ſuch Materials are intended to be taken, or left at ſuch Occupier's uſual Place of Reſidence, to appear before the ſaid Truſtees, or any Seven or more of them, or any Two Juſtices of the Peace acting for the County or Place wherein ſuch Land ſhall lie, to ſhew Cauſe why ſuch Materials ſhall not be had therefrom; and in caſe ſuch Owner, Agent, or Occupier ſhall attend

purſuant

purſuant to ſuch Notice, the ſaid Truſtees or any Seven or more of them, or ſuch two Juſtices, ſhall, if they ſhall think proper, authorize ſuch Surveyor or other Perſons to dig, gather, take, and carry away ſuch Materials, at ſuch Time or Times as to ſuch Truſtees or to ſuch Juſtices ſhall ſeem proper; and if ſuch Owner or Occupier ſhall neglect or refuſe to appear by himſelf or herſelf, or his or her Agent, the ſaid Truſtees or any Seven or more of them, or ſuch Juſtices, ſhall and may make ſuch Order therein as they ſhall think fit, as fully and effectually to all Intents and Purpoſes as if ſuch Owner or Occupier, or his or her Agent had attended; and the Order of ſuch Truſtees or Juſtices reſpectively ſhall be final and concluſive to and upon all Parties.

Penalty on taking away Materials raiſed by Surveyor.

XLV. And be it further enacted, That if any Perſon whomſoever ſhall take away any Materials which ſhall have been dug, gotten, or gathered for the Repair or Uſe of the ſaid Roads, or ſhall raiſe or carry away any Materials out of, or otherwiſe interfere with or obſtruct the Working of any Pit or Quarry which ſhall have been made or opened for the Purpoſe of getting Materials for repairing the ſaid Roads, before the ſaid Surveyors or their Workmen ſhall have diſcontinued working therein, for the Space of Three Calendar Months, (except the Owner or Occupier of the Land in which ſuch Pit or Quarry ſhall be made, as to Materials for his own private Uſe only and not for Sale), every Perſon ſo offending ſhall for every ſuch Offence forfeit and pay a Sum not exceeding Five Pounds.

Power to make Cauſeways and Drains.

XLV. And be it further enacted, That it ſhall be lawful for the ſaid Truſtees, or any Five or more of them, or the ſaid Surveyor or Surveyors, to make or cauſe to be made Cauſeways, or Footpaths along the Side or Sides of the ſaid Roads, or any Part or Parts thereof; and to cut or divert any Watercourſe in or through any Land adjoining or lying contiguous to any Part of the ſaid Roads, in order to drain or waſh the ſaid Roads, or prevent the ſame from being overflowed, and to erect Bridges or Culverts over ſuch Drains or Watercourſes if neceſſary, and alſo to make a Way over the Land adjoining to the ſaid Roads, (not being the Site of or Ground whereon any Houſe or Houſes ſtand, or planted Walk, Yard, Park, Paddock, or Avenue to any Houſe), to be uſed as a public Highway whilſt the ſaid Roads or any Bridges or Works thereon is repairing or erecting, making ſuch reaſonable Satisfaction to the Owners and Occupiers of ſuch Land for the Damages thereby ſuſtained, as to the ſaid Truſtees or any Five or more of them ſhall ſeem reaſonable; and in caſe of any Difference concerning the ſame between ſuch Owners and Occupiers and the ſaid Truſtees, that then it ſhall be lawful for the Juſtices of the Peace, or the major Part of them aſſembled at the next General Quarter Seſſions for the County in which ſuch Roads ſhall be ſituate, or at their Second Quarter Seſſions at the furtheſt, to ſettle, adjudge, and determine what Recompenſe ſhall be made to ſuch Owners and Occupiers for the Damage they ſhall have ſuſtained as aforeſaid, which Determination ſhall be final and concluſive.

Surveyors may remove Annoyances.

XLVI. And be it further enacted, That it ſhall be lawful for the ſaid Surveyor or Surveyors, and ſuch Perſon or Perſons as he or they ſhall appoint, to remove all Annoyances on or by the Side of any Part of the ſaid Roads, and to diſpoſe of the ſame for the Benefit of the ſaid Roads, and

at proper Seasons of the Year to cut down Trees or Bushes growing thereon, or in the Hedges or Grounds adjacent thereto, and within Twenty Feet of the Centre of the said Road (except Trees or Bushes planted for Ornament or Shelter to the House, Building, Court Yard, or Pleasure Ground of the Owner thereof), and to cut or plash such Hedges, the Owners or Occupiers neglecting to cut down such Trees or Bushes, or to cut or plash such Hedges, or to remove such Annoyances for the Space of Ten Days after Notice given in Writing for that Purpose, under the Hand or Hands of the said Surveyor or Surveyors, the Charges whereof shall be reimbursed to the said Surveyor or Surveyors, by such Owners or Occupiers neglecting to cut down such Trees or Bushes, or to cut or plash such Hedges, or to remove such Annoyances as aforesaid; and in case such Owners or Occupiers shall not upon Demand pay and reimburse to the said Surveyor or Surveyors such Charges as aforesaid, it shall be lawful for such Surveyor or Surveyors, by Warrant under the Hand and Seal, or Hands and Seals, of One or more Justice or Justices of the Peace for the County in which such Road shall be situate, from Time to Time to levy the said Charges upon such Owners or Occupiers, by Distress and Sale of his, her, or their Goods and Chattels, rendering the Overplus (if any be) to the Owners thereof upon Demand, after all Expences attending such Distress and Sale shall be paid; and if after the Removal of any of the said Annoyances any Person or Persons shall again offend in the like Manner, every such Person so offending, and being thereof convicted upon Oath, before any One Justice of the Peace for the County in which such Offence shall be committed, shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Owners of Watercourses neglecting to scour the same after Notice.

Surveyor may do so, and charge them, etc.

XLVII. And be it further enacted, That if any Person who of Right ought to scour and cleanse any Ditch, Drain, or Watercourse which shall adjoin to or lead into or out of the said Roads, shall not in a proper Manner scour and cleanse or cause the same to be scoured and cleansed, within the Space of Ten Days next after Notice in Writing shall for that Purpose be given to him or her respectively, or shall be left at his or her respective Place of Abode by the said Surveyor or Surveyors, then the said Surveyor or Surveyors shall and may cause such Ditches, Drains, and Watercourses to be scoured and cleansed, and pay for scouring and cleansing the same, and if the said Person shall not repay the Money so paid by such Surveyor or Surveyors, on Demand thereof, upon him or her respectively made either in Person or by Writing, to be left at his or her respective Place of Abode, the said Money, upon Proof of the cleansing and scouring the said Ditches, Drains or Watercourses, and Payment of the said Money, and Demand thereof made, and Nonpayment thereof as aforesaid, by the Oath of One or more credible Witness or Witnesses, before any One Justice of the Peace of the County or Place where such Person shall live, shall and may, by Warrant under the Hand and Seal of such Justice, be levied by Distress and Sale of the Goods and Chattels of such Person, rendering the Overplus (if any be) to the Owner thereof upon Demand, after all Charges are paid.

Trustees may contract for Purchase of Land.

XLVIII. And be it further enacted, That it shall be lawful for the said Trustees, or any Five or more of them, from Time to Time as they shall think proper, to make, widen, or divert, turn, shorten, vary, or alter within the Distance herein-after mentioned, the Course or Path of any

Part or Parts of the ſaid Roads, and that ſuch Variation of Road may be made through or over any Common or Waſte Ground without making any Satisfaction for the ſame, and through or over any private Lands, Railways, Tram-roads or Hereditaments, making Satisfaction to the Owners thereof, and Perſons intereſted therein, for the Damages they may thereby ſuſtain; and it ſhall be lawful for the ſaid Truſtees, or any Five or more of them, from Time to Time to contract and agree with the Owners of and Perſons intereſted in any Lands or Hereditaments for the Purchaſe thereof, or for the Loſs or Damage ſuch Owners or Perſons may ſuſtain by making, widening, diverting, turning, ſhortening, varying, or altering, the Courſe or Path of any Part or Parts of the ſaid Roads through or over ſuch Lands or Hereditaments; and it ſhall be lawful for all Bodies Politic or Corporate, Eccleſiaſtical or Civil, Corporations Aggregate or Sole, Guardians, Feoffees, Truſtees, and Committees, not only for and on the Behalf of themſelves, their Heirs and Succeſſors, but alſo for and on the Behalf of their Infant Wards, *Ceſtuique* Truſts, Lunatics, Idiots, or Perſons of unſound Memory and Underſtanding, and to and for all Femes Covert who are or ſhall be ſeiſed or intereſted in their own Right, and to and for all and every Perſons and Perſon whomſoever who are or ſhall be ſeized or poſſeſſed of or intereſted in any ſuch Lands or Hereditaments, to contract with the ſaid Truſtees, or any Five or more of them, for the Satisfaction to be made for ſuch Damages as aforeſaid, or ſell and convey unto them, or any Five or more of them, any ſuch Lands or Hereditaments, or any Part thereof, for any of the Purpoſes aforeſaid; and all Contracts, Sales and Conveyances which ſhall be ſo made ſhall be valid to all Intents and Purpoſes, any Law, Statute, Uſage or other Matter whatſoever to the contrary notwithſtanding; and all ſuch Bodies Politic, Corporate, Eccleſiaſtical or Civil, Corporations Aggregate or Sole, Guardians, Feoffees, Truſtees, Committees, and all other Perſons, ſhall be and are hereby indemnified for what they ſhall do by virtue of this Act.

When Perſons neglect or refuſe to treat.

XLIX. And be it further enacted, That if ſuch Bodies Politic, Corporate, Eccleſiaſtical or Civil, Corporations Aggregate or Sole, Guardians, Feoffees, Truſtees, Committees, 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 Houſes, or other Place or Places of Abode of ſuch Perſon or Perſons, or of the principal Officer or Officers of ſuch Bodies Politic, Corporate, Eccleſiaſtical or Civil, or at the Houſe of the Tenant in Poſſeſſion of the Lands or Hereditaments through which any Part of ſuch Roads is to be diverted, turned, or altered, ſhall, for the Space of Ten Days next after ſuch Notice given or left, neglect or refuſe to treat, or ſhall not agree in the Premiſes, or by reaſon of Abſence ſhall be prevented from treating, then and in every ſuch Caſe the ſaid Truſtees or any Five or more of them ſhall cauſe ſuch Damage or Recompence to be inquired into and aſcertained by a Jury of indifferent Men of the County in which the ſame ſhall be ſituate; and in order thereto the ſaid Truſtees or any Five or more of them are hereby empowered and required, from Time to Time as Occaſion ſhall be or require, to ſummon and call before ſuch Jury, and examine upon Oath, any Perſon or Perſons whomſoever (which Oath any One or more of the ſaid Truſtees is and are hereby empowered to adminiſter), and ſuch Truſtees, or any Five or more of them, ſhall, by ordering a View, or otherwiſe, uſe all lawful Ways and Means, as well for

Damages to be ſettled by a Jury.

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, or any Five or more of them, ſhall thereupon order, adjudge, and determine the Sum or Sums of Money ſo aſſeſſed by the ſaid Jury to be paid to the ſaid Owners and other Perſons intereſted in ſuch Lands or Hereditaments, according to the Verdict or Inquiſition of ſuch Jury, which ſaid Verdict or Inquiſition, and Judgement, Order or Determination thereupon, ſhall be final, binding and concluſive, to all Intents and Purpoſes, againſt all Parties and Perſons whomſoever claiming, or to claim in Poſſeſſion, Remainder, Reverſion, or otherwiſe, their Heirs and Succeſſors, as well abſent as preſent, Infants, Femes Covert, Lunatics, Idiots and Perſons under any Diſability whatſoever, Bodies Politic, Corporate, Eccleſiaſtical, or Civil, Corporations Aggregate or Sole, as well as all other Perſons whomſoever; and for the ſummoning and returning ſuch Jury, the ſaid Truſtees or any Five or more of them, are hereby empowered to iſſue their Warrant or Warrants to the Sheriff of the County in which the ſaid Roads ſhall be ſituate, requiring him to empannel, ſummon and return Twenty-four Perſons qualified to ſerve on Juries, to appear before the ſaid Truſtees, or any Five or more of them, at ſuch Time and Place as in ſuch Warrant or Warrants ſhall be appointed; and ſuch Sheriff, or his Deputy or Deputies, is and are hereby required to empannel, ſummon, and return ſuch Number of Perſons accordingly, and out of the Perſons ſo ſummoned, empannelled, and returned, or out of ſuch of them as ſhall appear upon ſuch Summons, the ſaid Truſtees, or any Five or more of them, ſhall and they are hereby empowered and required to draw by Ballot, and to ſwear, or cauſe to be ſworn Twelve Men, who ſhall be the Jury for the Purpoſes aforeſaid; and in default of a ſufficient Number of Jurymen ſo returned, the ſaid Sheriff, or his Deputy or Deputies, or any Five or more of the ſaid Truſtees, ſhall return other honeſt and indifferent Men of the Standers by, or that can ſpeedily be procured to attend that Service to make up the Number of Twelve; and all Perſons concerned ſhall have their lawful Challenges againſt any of the ſaid Jurymen when they come to be ſworn; and the ſaid Truſtees, or any Five or more of them, ſhall have Power from Time to Time to impoſe any reaſonable Fine or Fines upon ſuch Sheriff, his Deputy or Deputies, Bailiffs, or Agents, making Default in the Premiſes, and on any of the Perſons who ſhall be ſummoned and returned 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 a Verdict, or ſhall in any other Manner wilfully neglect their Duty therein contrary to the true Intent and Meaning of this Act, and on any of the Perſons who being required to give Evidence, before the ſaid Jury ſhall refuſe or neglect to appear, or appearing, ſhall refuſe to be ſworn or examined, or give Evidence, ſo that no ſuch Fine be more than Ten Pounds on any One Perſon for One Offence.

How Expences of Jury ſhall be paid.

L. And be it further enacted, That in caſe any Jury ſhall give in and deliver a Verdict or Aſſeſſment for more Money as a Recompenſe for the Right, Intereſt, or Property of any Perſon or Perſons in any Lands or Hereditaments, or for any Loſs or Damage to be by him, her or them ſuſtained, than what ſhall have been agreed to and offered by the ſaid Truſtees, or any Five or more of them, or their Treaſurer, Clerk, Surveyor, or other known Agent, before the ſummoning and returning

of

of the Jury, as a Recompence and Satisfaction for any such Right, Interest, Property, Loss, or Damage as aforesaid, that then and in such Case the Costs and Expences of summoning and maintaining the Jury and Witnesses shall be borne and paid by the Treasurer to the said Trustees out of the Money to arise by virtue of this Act; but if such Jury shall give in and deliver a Verdict or Assessment for no more or for less Money than shall have been agreed to and offered by the said Trustees, or any Five or more of them before the summoning and returning the said Jury as a Recompence or Satisfaction for any such Right, Interest, Property, Loss or Damage as aforesaid, that then the full Costs and Expences of summoning and maintaining the said Jury and Witnesses, and all other Expences attending the hearing and determining of such Difference, shall be borne and paid by the Person or Persons with whom the said Trustees shall have such Controversy or Dispute, which said Costs and Expences, having been ascertained and settled by some Justice of the Peace for the County in which such Lands or Hereditaments shall be situate not interested in the Matter in Question, (who is hereby required to examine and settle the same, at a Time and Place to be by him appointed, after summoning the Parties interested therein to attend him for that Purpose) shall and may be deducted out of the Money so assessed and adjudged, as so much Money advanced to and for the Use of such Person or Persons; and the Payment or Tender of the Remainder of such Money shall be deemed and taken to all Intents and Purposes to be a Payment and Tender of the whole Sum or Sums so assessed and adjudged, or otherwise such Costs and Expences, in case the same be not paid upon Demand, after being so ascertained and settled as aforesaid, shall and may be recovered by the Clerk to the said Trustees by such Ways and Means as are herein-after provided for Recovery of Penalties and Forfeitures: Provided always, that in all Cases where any Person shall by reason of Absence have been prevented from treating, such Costs and Expences shall be borne and paid by the said Trustees out of the Money to be raised or received under or by virtue of this Act.

Money agreed upon or assessed, how to be paid or tendered.

LI. And be it further enacted, That all and every such Sums and Sum of Money, Consideration, Recompence or Satisfaction to be agreed for or ascertained, or assessed as aforesaid, shall be paid out of the Tolls, or out of the Monies to be raised by virtue of this Act, either into the Bank of *England* as herein-after mentioned, or (as the Case may require) to the Parties or Persons respectively entitled to such Monies, or to their Agents; and that upon Payment or Tender thereof to such Persons or their Agents, or in Case of refusal to accept the same, then upon leaving the same in the Hands of the Treasurer or Treasurers to the said Trustees for the Use of such Parties or Persons, and after Ten Days Notice thereof given to such Parties or Persons, or their Agents, to receive such Money, Consideration, Recompence, or Satisfaction, it shall be lawful for the said Trustees, or any Five or more of them, their Surveyors, Workmen, or Agents, to make, extend, widen, divert, or turn such Roads through or over such Lands or Hereditaments, and to do all and every such Act, Matter, and Thing with relation to such Lands or Hereditaments, as the said Trustees or any Five or more of them shall think fit, according to the Directions of this Act; and the said Trustees or any Five or more of them shall cause such Parts of the said Roads as shall be made, widened, diverted, or turned through any Private Grounds, to be ditched, or otherwise fenced from the adjoining

adjoining Land in ſuch Manner as the ſaid Truſtees or any Five or more of them ſhall direct; and all Lands and Hereditaments which ſhall be made a Part or Parts of any Road by virtue of this Act, ſhall to all Intents and Purpoſes be deemed a common Highway, and ſhall be repaired, and kept in Repair as ſuch; and from thenceforth all Parties and Perſons whomſoever ſhall be diveſted of all Right and Title to ſuch Lands and Hereditaments, and the Land conſtituting any former Road, in lieu whereof ſome new Road ſhall be made by virtue of this Act, unleſs leading over ſome Heath, Common, Moor, or waſte Ground, or to ſome Village, Town, Hamlet, or Place to which the reſpective new Roads do not lead, ſhall be veſted in, and ſhall and may be ſold and conveyed by the ſaid Truſtees, or any Five or more of them, for the beſt Price that can be gotten for the ſame, and the Money ariſing by ſuch Sale ſhall be applied to the Repair of the ſaid Roads by this Act directed to be repaired; and all Conveyances executed by the ſaid Truſtees, or any Five or more of them, and inrolled with the Clerk of the Peace for the County in which the ſaid Roads ſhall be ſituate, ſhall be good and effectual in the Law to all Intents and Purpoſes; but this Act ſhall not extend to the taking down of any Dwelling-houſe or other Building, or to the taking in of any Land that is a Garden or Orchard adjoining to any Dwelling-houſe, or any Yard, Park, Paddock, planted Walk, incloſed Nurſery for Trees, or Avenue to a Houſe or any Part thereof, (ſave and except the Buildings, Gardens, Orchards, and Yards particularized in the Schedule to this Act annexed) without the Conſent of the Owner or Proprietor thereof reſpectively in Writing firſt had and obtained.

Former Roads may be ſold, &c.

LII. 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 ſeized of ſome Piece or Pieces of Ground, over and above what ſhall be neceſſary for effecting the Purpoſes of this Act; be it therefore further enacted, That it ſhall be lawful for the ſaid Truſtees to ſell and diſpoſe of ſuch Pieces or Parcels of Ground, either together or in Parcels as they ſhall find moſt convenient and advantageous to ſuch Perſon or Perſons as ſhall be willing to contract for and purchaſe the ſame: Provided always, that the ſaid Truſtees, before they ſhall ſell and diſpoſe of any Piece or Pieces of Ground as aforeſaid, ſhall offer the ſame to the Perſon or Perſons from whom the ſame 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 thereto; and in caſe ſuch Perſon or Perſons reſpectively ſhall not then and thereupon agree (except with reſpect to and on account of the Price thereof as 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 or Maſter Extraordinary in the High Court of Chancery, or before One of His Majeſty's Juſtices of the Peace for the County in which ſuch Land or Ground ſhall be ſituate (who are hereby empowered and required to take the ſame) by ſome Perſon or Perſons no way intereſted in the ſaid Piece or Pieces of Ground, ſtating that ſuch Offer was made by or on the Behalf of the ſaid Truſtees, and that ſuch Offer was not then and thereupon agreed to, or was refuſed by the Perſon or Perſons to whom the ſame was ſo offered, ſhall in all Courts whatſoever be ſufficient Evidence and Proof that ſuch Offer was made and was not agreed to, or

Truſtees empowered to ſell Overplus Grounds, &c.

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 the ſame, and he, ſhe or they, and the ſaid Truſtees, ſhall differ and not agree with reſpect to the Price thereof, then the Price or Prices thereof ſhall be aſcertained by a Jury in Manner in this Act directed with reſpect to diſputed Value of Premiſes to be purchaſed by the ſaid Truſtees in purſuance of this Act, and the 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 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 when amounting to 200l.

LIII. And be it further enacted, That the Principal Money to ariſe from the Sale of any Lands, Tenements, or Hereditaments, which ſhall be purchaſed for the Purpoſes of this Act, of any Body Corporate, Eccleſiaſtical or Civil, Corporation Aggregate or Sole, Feoffees in Truſt, Guardians, Committees, or other Truſtees, or from any Femes or Feme Covert, or other incapacitated Perſon or Perſons, 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, or any Two or more of them, 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 or Profits of the ſaid Lands or Hereditaments, in the Purchaſe of the Land Tax, or towards the Diſcharge of any Debt or Debts or ſuch other Incumbrances, or Part thereof, as the ſaid Court ſhall authorize to be paid affecting the ſame Lands, or Hereditaments, or affecting other Lands, or Hereditaments ſtanding ſettled therewith to the ſame or the like Uſes, Intents, or Purpoſes; or where ſuch Money ſhall not be ſo applied, then the ſame ſhall be laid out and inveſted, under the like Direction and Approbation of the ſaid Court, in the Purchaſe of other Lands, or Hereditaments, which ſhall be conveyed and ſettled to, for, and upon ſuch and the like Uſes, Truſts, Intents, and Purpoſes, and in the ſame Manner, as the Lands, and Hereditaments which ſhall be ſo purchaſed, taken, or uſed as aforeſaid, ſtood ſettled or limited, or ſuch of them as at the Time of making ſuch Conveyance and Settlement ſhall be exiſting undetermined and capable of taking Effect; and in the Meantime and until ſuch Purchaſe ſhall be made, the ſaid Money ſhall, by Order of the Court of Chancery, upon Application thereto, be inveſted by the ſaid Accountant General in his Name in the Purchaſe of Three Pounds *per Centum* Conſolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the meantime and until the ſaid Bank Annuities ſhall be ordered by the ſaid Court to be ſold for the Purpoſes aforeſaid, the Dividends and Annual Produce of the ſaid Conſolidated or Reduced Bank Annuities ſhall from Time to Time be paid, by Order of the ſaid Court, to the Perſon or Perſons who would for the Time being have been entitled to the Rents and Profits of the Lands and Hereditaments ſo to be purchaſed, in caſe ſuch Purchaſe or Settlement were made.

LIV. Pro-

When less than 200l.

LIV. Provided always, and be it further enacted, That if any Money ſo agreed or awarded to be paid for any Lands, or Hereditaments, purchaſed, taken or uſed for the Purpoſes aforeſaid, and belonging to any Corporation, or to any Perſon or Perſons under Diſability or Incapacity as aforeſaid, ſhall be leſs than the Sum of Two hundred Pounds, and ſhall exceed the Sum of Twenty Pounds, then and in all ſuch Caſes the ſame ſhall, at the Option of the Perſon or Perſons for the Time being, entitled to the Rents and Profits of the Lands or Hereditaments ſo purchaſed, taken or uſed, or of his, her, or their Guardian or Guardians, Committee or Committees, in caſe of Infancy or Lunacy, to be ſignified in Writing under their reſpective Hands, 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 the ſaid Truſtees, or any Five or more of them, (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 Court of Chancery.

When less than 20l.

LV. 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 and Hereditaments ſo purchaſed, taken or uſed as aforeſaid, in ſuch Manner as the ſaid Truſtees or any Five or more of them 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.

LVI. And be it further enacted, That in caſe the Perſon or Perſons to whom any Sum or Sums of Money ſhall be awarded for the Purchaſe of any Lands or Hereditaments to be purchaſed by virtue of this Act ſhall refuſe to accept the ſame, or ſhall not be able to make a good Title to the Premiſes, to the Satisfaction of the ſaid Truſtees or any Five or more of them, or in caſe ſuch Perſon or Perſons to whom ſuch Sum or Sums of Money ſhall be ſo awarded as aforeſaid, cannot be found; or if the Perſon or Perſons entitled to ſuch Lands, or Hereditaments, be not known or diſcovered, then and in every ſuch Caſe it ſhall and may be lawful for the ſaid Truſtees, or any Five or more of them, to order the ſaid Sum or Sums of Money ſo awarded as aforeſaid, to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to his Account to the Credit of the Parties intereſted in the ſaid Lands, 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

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

same to be laid out and invested in the Public Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest of the Person or Persons making claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England* who shall receive such Sum or Sums of Money, is and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying for what and for whose Use the same is or are received, to such Person or Persons as shall pay any Sum or Sums into the Bank as aforesaid.

Respecting disputed Titles.

LVII. 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, or Hereditaments, or of any Estate, Right or Interest in any Lands, 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, 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, or Hereditaments, according to such Possession, until the contrary shall be shown 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, or Hereditaments, or to some Estate or Interest therein.

The Court of Chancery may direct the Payment of Expences.

LVIII. 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, or Hereditaments to be purchased under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the Court of Chancery, and to be applied in the Purchase of other Lands, or Hereditaments to be settled to the like Uses in pursuance of this Act, it shall be lawful for the said Court to order the Expences of all Purchases from Time to Time to be made in pursuance of this Act, or so much of such Expences as the said Court shall deem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Trustees or any Five or more of them, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

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

LIX. And whereas Maps or Plans describing the Lines of the said new Branches of Road, and the Lands through which the same are to be carried, together with Books of Reference containing Lists of the Names of the Owners and Occupiers of such Lands, have been deposited at the respective Offices of the Clerks of the Peace for the said several Counties of *Brecon* and *Glamorgan*; be it therefore enacted, That the said Maps or Plans

Plans and Books of Reference ſhall remain in the reſpective Cuſtody of the Clerks of the Peace for the ſaid ſeveral Counties of *Brecon* and *Glamorgan*, to the end that all Perſons may at all ſeaſonable Times have Liberty to peruſe and inſpect the ſame, and to take Copies or Extracts thereof at their Will and Pleaſure, paying the Clerks of the Peace the Sum of One Shilling for every ſuch Inſpection, and at the Rate of Sixpence for every One hundred Words of ſuch Copies or Extracts of the ſaid Maps or Plans and Books of Reference, and that the ſaid Truſtees in making the ſaid new Branches of Road, or either of them, ſhall not deviate more than One hundred Yards of Three Feet each from the Lines deſcribed in the ſaid Maps or Plans, without the Conſent and Approbation in Writing of the Perſon or Perſons, Body Politic, Corporate or Collegiate, through or over whoſe Lands or Grounds ſuch Deviation ſhall be made.

Truſtees may make Roads through Lands not in the Book of Reference.

LX. Provided alſo, and be it further enacted, That it ſhall and may be lawful for the ſaid Truſtees to make the ſaid new Branches of Road into, through, acroſs, or over the ſeveral Lands or Grounds of any Perſon or Perſons who is, are, or may be Owner or Owners of Lands over which the ſame is ſet out and deſcribed in the ſaid Maps or Plans as aforeſaid, although the Name or Names of ſuch Perſon or Perſons may happen to be omitted in the ſaid Books of Reference, in caſe it ſhall appear to any Two or more Juſtices of the Peace for the ſaid ſeveral Counties of *Brecon* and *Glamorgan* or either of them, and be certified by Writing under their Hands that ſuch Error or Omiſſion proceeded from Miſtake.

Truſtees may divert Roads beyond 100 Yards, if Parties conſent.

LXI. Provided always, and be it further enacted, That nothing in this Act contained ſhall extend or be conſtrued to extend to prevent, hinder, or reſtrain the ſaid Truſtees from widening, diverting, turning, ſhortening, varying, or altering the Courſe or Path of any Part or Parts of the ſaid Roads beyond the Diſtance of One hundred Yards through the Lands or Grounds of any Perſon or Perſons whomſoever, in caſe ſuch Perſon or Perſons ſhall be conſenting thereto, and ſhall ſignify his, her, or their Conſent in Writing to ſuch Diverſion or Alteration being made.

Diſtricts liable to repair the Roads to continue ſo.

LXII. And be it further enacted, That all and every Perſons and Perſon, Hundreds, Towns, Pariſhes, Hamlets, and Places, and the Inhabitants thereof, Bodies Politic and Corporate, who before the paſſing of the ſaid recited Acts or this Act have or hath uſed, or of Right ought by reaſon of the Tenure of any Lands, Tenements or Hereditaments, or any other Account or Accounts, to repair any Part or Parts of the ſaid Roads, or any Bridge, Drain, or Water-courſe, in or upon the ſame, ſhall notwithſtanding this Act be ſubject and liable to ſuch Repairs, in the ſame Manner as they and every of them have or hath heretofore uſually been, or would have been in caſe the ſaid Acts or this Act had not been paſſed.

Occupiers of adjoining Lands to carry off the Scrapings on Notice, except in Harveſt Time.

LXIII. And be it further enacted, That all and every the Occupier and Occupiers of Lands or Grounds adjoining to the ſeveral Roads to be made and repaired under this Act, ſhall on Six Days Notice to be given to him or them reſpectively by the Surveyor or Surveyors of the ſaid Roads, or any Perſon or Perſons which he or they ſhall appoint from Time to Time, haul, remove, and carry away all ſuch Soil, Earth, or other Matter as ſhall have been gathered, collected, or ſcraped from off the ſaid Roads,

or any of them, as far as the Lands or Grounds of such Occupier and Occupiers shall respectively extend, but not farther; and in case any such Occupier or Occupiers shall neglect or refuse to haul, carry off, or remove such Soil, Earth, or other Matter as aforesaid, after such Notice as aforesaid, each and every Person so neglecting or refusing shall for each and every such Offence forfeit and pay any Sum not exceeding Twenty Shillings, to be recovered and applied in such Manner and for such Uses and Purposes, as other Penalties are herein directed to be recovered and applied: Provided always, That no Person shall be liable to any such Penalty for neglecting or refusing to carry away any such Soil, Earth, or other Matter, during the Time of Hay or Corn Harvests.

Trustees may contract for Repairs or any other Work.

LXIV. And be it further enacted, That it shall be lawful for the said Trustees, or any Five or more of them, from Time to Time to contract and agree with any Person or Persons for the repairing of the said Roads or any Part or Parts thereof, or for doing any other Work in pursuance or execution of this Act in such Manner, and for such Sum or Sums of Money annually, or for a Term of Years, or otherwise, as the said Trustees or any Five or more of them shall think proper.

Road to be measured and Milestones erected.

LXV. And be it further enacted, That it shall be lawful for the said Trustees, or any Five or more of them from Time to Time, when and as often as they shall think necessary, to cause the said Roads to be measured, and Stones or Posts to be placed in or near the Sides of the said Roads, with Inscriptions thereon denoting the Number of Miles and Distance of Places, as they shall think proper; and if any Person or Persons shall wilfully pull up or damage any Direction or Mile Post or Stone erected or fixed or to be erected or fixed, in or near the Side or Sides of the said Roads, or shall obliterate or deface any of the Letters, Figures, or Marks inscribed thereon, or if any Person shall ride upon any Footpath formed by the said Surveyor or Surveyors upon or on the Side of or adjoining to the said Roads, or shall drive any Horse, Beast, or Swine, or any Carriage upon or cause any Damage to be done to any such Footpath, or if any Person shall cause to be haled or drawn upon any Part of the said Roads any Timber, Stone, or other Thing, (otherwise than upon wheeled Carriages) or shall suffer any Timber, Stone, or other Thing which shall be carried upon wheeled Carriages to drag upon the said Roads to the Prejudice thereof, or if any Person driving any Pigs or Swine upon the said Roads shall suffer the same to root up and damage the same, or the Fences on either Side thereof, or if any Person driving any Carriage upon the said Roads, and meeting another Carriage shall not keep his or her Carriage on his or her left or near Side of the said Roads, or if any Person shall in any Manner wilfully prevent any other Person or Persons from passing him or her, or any Carriage under his or her Care, upon the said Roads, or if any Person shall make or assist in making any Fire or Fires, or shall set fire to, or let off or throw any Squib, Rocket, Serpent, or Firework whatsoever on any Part of the said Roads, or on the Banks or Land adjacent or lying open thereto, or if any Person shall leave any Carriage (except in Cases of Accident) upon or on the Side of the said Roads longer than may be necessary to load or unload the same, either with or without any Horse, or Beast of Draught harnessed or yoked thereto, or shall lay any Timber, Stone, Hay, Straw, Dung, Manure, Soil, Rubbish, or other Matter or Thing whatsoever upon the said Roads, or on the Side or Sides thereof to the Prejudice thereof, or to the Annoy-

ance

ance or Inconvenience of Perſons travelling thereon, or if any Perſon or Perſons ſhall ſcrape off any Mud, Soil, or other Matter or Thing which ſhall be or lie upon the ſaid Roads, or any Part thereof, and ſhall not within the Space of Fourteen Days take or carry the ſame away, every Perſon ſo offending ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Five Pounds.

Penalty for obſtructing the Execution of this Act.

LXVI. And be it further enacted, That if any Perſon or Perſons ſhall aſſault, interrupt, or hinder, or cauſe, or promote to be aſſaulted, interrupted, or hindered, any Collector of the Tolls, or any Surveyor or Surveyors, or any other Perſon or Perſons by them or any of them, or by the ſaid Truſtees, or any of them, employed in the Execution of this Act, every ſuch Perſon ſhall for every ſuch Offence forfeit any Sum not exceeding Five Pounds.

For ſecuring tranſient Offenders.

LXVII. And whereas Offences may be committed againſt this Act by Perſons unknown to the Truſtees, Collectors, Surveyors, or other Officers appointed to put the ſame in Execution; be it therefore further enacted, That it ſhall be lawful for the ſaid Truſtees, Collectors, Surveyors, or other Officers reſpectively, and ſuch other Perſon or Perſons as he or they ſhall call to his or their Aſſiſtance, without any Warrant or other Authority than this Act, to ſeize and detain any ſuch unknown Perſon or Perſons who ſhall commit any ſuch Offence or Offences, and take him, her, or them before any Juſtice of the Peace of the County or Place where the Offence or Offences ſhall be committed; and ſuch Juſtice is hereby empowered and directed to proceed immediately to the hearing and determining of the Complaint, or to oblige ſuch Perſon or Perſons ſo offending to give Security for his, her, or their Appearance at the next petty Seſſion to be holden within or for the County or Place in which ſuch Offence or Offences ſhall have been committed, to anſwer the ſaid Complaint; and the Juſtices preſent at ſuch Petty Seſſion, or any Two or more of them, are hereby authorized and required to hear and determine the Matter of the ſaid Complaint in a ſummary way, and upon Conviction of the Offender or Offenders, either by the Juſtice before whom he, ſhe, or they ſhall be firſt taken, or by the Juſtices at ſuch Petty Seſſion as aforeſaid, it ſhall be lawful for ſuch Juſtice or Juſtices reſpectively to commit him, her, or them to the Common Gaol, or any Houſe of Correction for the ſaid County or Place, there to remain for any Time not exceeding Fourteen Days, unleſs he, ſhe, or they ſhall ſooner pay the reſpective Penalties by him, her, or them incurred (if any) for ſuch Offence or Offences, together with the Coſts and Charges attending the Conviction and Commitment.

Penalties and Forfeitures how to be recovered and applied.

LXVIII. And be it further enacted, That all Penalties, Forfeitures, and Fines hereby inflicted or authorized to be impoſed (if the Manner of levying and recovering thereof be not herein otherwiſe directed) ſhall upon Proof of the Offences reſpectively before any One Juſtice of the Peace for the County or Place wherein the Offence ſhall be committed, or wherein the Offender ſhall be and reſide, either by Confeſſion of the Party or Parties offending, or by the Oath of One or more credible Witneſs or Witneſſes, be levied by Diſtreſs and Sale of the Goods and Chattels of the Party or Parties offending, by Warrant under the Hand and Seal of ſuch Juſtice (which Warrant ſuch Juſtice is hereby empowered and required to grant for thoſe Purpoſes) and the

Overplus, after ſuch Penalties, Forfeitures, and Fines, and the Charges of ſuch Diſtreſs and Sale, are recovered and deducted, ſhall be returned upon Demand unto the Owner or Owners of ſuch Goods and Chattels, and the Penalties, Forfeitures, and Fines, when paid and recovered (if not otherwiſe directed to be applied by this Act), ſhall be from Time to Time paid to the Treaſurer to the ſaid Truſtees, and applied to the Purpoſes of this Act; and in caſe ſufficient Diſtreſs ſhall not be found, and ſuch Penalties, Forfeitures, or Fines ſhall not be forthwith paid, it ſhall be lawful for any One Juſtice of the Peace as aforeſaid, and he is hereby authorized and required, by Warrant or Warrants under his Hand and Seal, to cauſe ſuch Offender or Offenders to be committed to the Common Gaol or Houſe of Correction of ſuch County or Place, there to remain without Bail or Mainprize for any Time not exceeding Six Calendar Months, unleſs ſuch Penalties, Forfeitures, or Fines, and all reaſonable Charges, ſhall be ſooner paid and ſatisfied.

LXIX. And for the more eaſy Conviction of Offenders againſt this Act, be it further enacted, That all and every the Juſtices and Juſtice of the Peace before whom any Perſon or Perſons ſhall be convicted of any Offence againſt this Act, ſhall and may cauſe the Conviction to be drawn up in the following Form of Words, (as the Caſe ſhall happen) or in any other Form of Words to the ſame Effect:

Form of Conviction.

County of to wit. } ‘ BE it remembered, That on the Day of in the Year of His Majeſty's ‘ Reign, and in the Year of our Lord *A. B.* is convicted ‘ before of His Majeſty's Juſtices of the ‘ Peace for the ſaid County, by virtue of an Act of the Forty-ninth Year ‘ of the Reign of King *George* the Third, intituled, an Act, &c. [*here* ‘ *ſet forth the Title of this Act and ſpecify the Offence and when and where* ‘ *committed*]. Given under our Hands and Seals [*or*, my Hand and Seal] ‘ the Day and Year firſt above written:”

Perſons aggrieved may appeal to the Quarter Seſſions.

LXX. Provided always, and be it further enacted, That if any Perſon ſhall think himſelf or herſelf aggrieved by any thing done in purſuance of this Act, ſuch Perſon may appeal to the Juſtices of the Peace at the next General Quarter Seſſion of the Peace to be holden for the County in which ſuch Cauſe of Appeal ſhall ariſe, ſuch Appellant (if ſufficient Time after the Cauſe of ſuch Complaint ſhall have ariſen firſt giving or cauſing to be given Eight Days Notice at leaſt in Writing of his or her Intention of bringing ſuch Appeal, and of the Matter thereof to the Clerk, or Treaſurer to the ſaid Truſtees, and within Four Days next after ſuch Notice entering into a Recognizance before ſome Juſtice of the Peace for the ſaid County, with Two ſufficient Sureties conditioned to try ſuch Appeal, and abide the Order thereon, and to pay ſuch Coſts as ſhall be awarded by the Juſtices at ſuch Quarter Seſſion; and for want of ſufficient Time for giving ſuch Notice previous to the firſt Quarter Seſſion after the Cauſe of ſuch Complaint ſhall have happened, then ſuch Appeal, after ſuch Notice, and under ſuch Recognizance may be made at the Second General Quarter Seſſion of the Peace to be holden for the County in which ſuch Cauſe of Appeal ſhall ariſe, and the Juſtices at ſuch Firſt or Second Seſſion, upon due Proof of ſuch Notice being given as aforeſaid, and of the entering into

ſuch

ſuch Recognizance, ſhall hear and finally determine the Cauſe and Matter of ſuch Appeal in a ſummary way, and award ſuch Coſts to the Parties appealing, or appealed againſt, as they the ſaid Juſtices ſhall think proper; and the Determination of ſuch Quarter Seſſion ſhall be final, binding, and concluſive to all Intents and Purpoſes; and the ſaid Juſtices at ſuch Seſſion may alſo by their Order or Warrant levy ſuch Coſts ſo awarded by Diſtreſs and Sale of the Goods and Chattels of the Perſon or Perſons who ſhall refuſe or neglect to pay the ſame, and for want of ſufficient Diſtreſs commit ſuch Perſon or Perſons to the common Gaol or Houſe of Correction of or for the County in which ſuch Offence ſhall be commited, there to remain for any Time not exceeding Three Calendar Months, or until Payment of ſuch Coſts.

Proceedings not to be quaſhed for want of Form.

LXXI. And be it further enacted, That no Order made touching or concerning any of the Matters in this Act contained, or any Proceedings to be had touching the Conviction of any Offender or Offenders againſt this Act, ſhall be quaſhed for want of Form, or be removed or removeable by *Certiorari* or any other Writ or Proceſs whatſoever, into any of His Majeſty's Courts of Record at *Weſtminſter*; and that where any Diſtreſs ſhall be made for any Sum or Sums of Money to be levied by virtue of this Act, the Diſtreſs itſelf ſhall not be deemed unlawful, nor the Party or Parties making the ſame be deemed a Treſpaſſer or Treſpaſſers on account of any Defect or want of Form in the Summons, Conviction, Warrant of Diſtreſs, or other Proceedings relating thereto, nor ſhall the Party or Parties diſtraining be deemed a Treſpaſſer or Treſpaſſers *ab initio*, on account of any Irregularity which ſhall be afterwards committed by the Party or Parties diſtraining, but the Perſon or Perſons aggrieved by ſuch Irregularity ſhall and may recover full Satisfaction for the ſpecial Damage (if any) in an Action upon the Caſe, but no Plaintiff or Plaintiffs ſhall recover in any Action for ſuch Irregularity as aforeſaid, if Tender of ſufficient Amends hath been made by or on behalf of the Party diſtraining before ſuch Action brought.

Limitation of Actions.

LXXII. And be it further enacted, That no Action or Suit ſhall be commenced againſt any Perſon or Perſons for any thing done or pretended to be done in purſuance of this Act, until after Fifteen Days Notice thereof ſhall be given to the Clerk or Clerks to the ſaid Truſtees, nor after a ſufficient Satisfaction, or a Tender thereof, hath been made to the Party or Parties aggrieved, nor after Six Calendar Months next after the Fact committed; and every ſuch Action ſhall be laid and tried in the County in which the ſame was committed, and not elſewhere; and the Defendant or Defendants in every ſuch Action or Suit ſhall and may plead the General Iſſue, and give this Act, and the ſpecial Matter in Evidence, at any Trial to be had thereupon, and that the ſame was done in purſuance and by the Authority of this Act; and if it ſhall appear that the ſame was ſo done, or that ſuch Action or Suit was brought before Fifteen Days Notice thereof had been given as aforeſaid, or after a ſufficient Satisfaction had been made or tendered as aforeſaid, or after the Time limited for bringing the ſame as aforeſaid, or if ſuch Action ſhall be brought in any other County, then the Jury ſhall find for the Defendant or Defendants, and upon ſuch Verdict, or if the Plaintiff or Plaintiffs ſhall be nonſuited, or ſhall diſcontinue his, her, or their Action or Actions after the Defendant or Defendants ſhall have appeared, or if upon Demurrer,

Judgement ſhall be given againſt the Plaintiff or Plaintiffs, then the Defendant or Defendants ſhall and may recover Treble Coſts, and have ſuch Remedy for recovering the ſame as any Defendant or Defendants hath or have in any Caſe by Law.

Compelling Payment of Subſcriptions.

LXXIII. And be it further enacted, That if any Perſon or Perſons who hath or have already ſubſcribed any Money towards the Expence of obtaining and paſſing this Act, and carrying the ſame into Execution, or any other Perſon or Perſons who ſhall hereafter become or agree to become a Subſcriber or Subſcribers for the Purpoſes aforeſaid, ſhall after Twenty Days previous Notice in Writing under the Hand of the Treaſurer or Clerk to the ſaid Truſtees for that Purpoſe to him, her, or them given, or left at his, her, or their Dwelling-houſe or uſual Place of Abode, refuſe or neglect to make Payment of the reſpective Sums by him, her, or them ſubſcribed, or agreed to be ſubſcribed, or ſuch Part or Parts thereof as may be required in ſuch Notice, it ſhall be lawful for the ſaid Truſtees or any Five or more of them, to bring or cauſe to be brought, in the Name of their Clerk, an Action of Debt, or on the Caſe, Bill, Plaint, or Suit againſt ſuch Perſon or Perſons ſo neglecting or refuſing as aforeſaid, his, her or their Heirs, Executors, or Adminiſtrators, in any of His Majeſty's Courts of Record at *Weſtminiſter*, wherein no Eſſoign, Protection, or Wager of Law, nor more than One Imparlance ſhall be allowed; and after Proof of ſuch Perſon or Perſons having ſubſcribed, or agreed to ſubcribe, and that ſuch Notice was given as aforeſaid, ſuch Perſon or Perſons, his, her, or their Heirs, Executors, or Adminiſtrators, ſhall be compelled to pay the Sum or Sums of Money ſo by him, her, or them ſubcribed, or agreed to be ſubſcribed as aforeſaid, together with full Coſts of Suit.

Public Act.

LXXIV. 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.

Term of the Act.

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

The SCHEDULE

Referred to by the foregoing Act.

No. on Plan.	Names of Proprietors of Land, &c.	Names of Occupiers, &c.	Remarks, &c.
	LLANELLY ROAD.		
1.	Thomas Jones - - -	David David - - -	A Garden.
9. 11.	Charles Craycroft, Esquire, and Mary Davies, Widow - -	William Davies, and William Adlam, Esquire -	Two Orchards and One Garden.
15.	Evan Evans, Gentleman -	William Morgan - -	A Garden.
16.	John Lewis - - -	William Davies - -	A Garden.
18.	Evan Evans, Gentleman -	Edmund Parry - - -	An Orchard.
20.	Proprietors of the Brecon and Abergavenny Canal Navigation - - - - -	Proprietors of the Brecon and Abergavenny Canal -	A Rail Road.
21.	Edmund Parry - - -	Edmund Parry - - -	A Garden, Orchard, and unfinished Pigscot.
22.	His Grace the Duke of Beaufort	John Freeman - - -	A Garden.
23.	Evan Evans, Gentleman -	Richard Pruett - - -	A Garden.
24.	Same - - - - -	Evan Evans, Gentleman -	A Lime Kiln.
	Richard Davies, Clerk -	David Jones and Anne Harrison - - -	A Garden.
	HIRWAIN ROAD.		
4a.	Aberdaer Canal Company -	Aberdaer Canal Company -	Rail Road, and a Lime Kiln.
5.	Watkin Philip and Philip Watkin - - -	Watkin Philip and Philip Watkin - - -	

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