ANNO QUINQUAGESIMO TERTIO

# GEORGII III. REGIS.

## *Cap.* 186.

An Act for repairing and improving feveral Roads in the Counties of *Montgomery*, *Merioneth*, and *Salop*, and other Roads therein mentioned.

[2d *July* 1813.]

WHEREAS an Act was paſſed in the Ninth Year of the Reign of His preſent Majeſty, intituled *An Act for repairing and widening ſeveral Roads in the Counties of* Montgomery, Merioneth, *and* Salop: And whereas another Act was paſſed in the Thirteenth Year of His ſaid Majeſty's Reign, intituled *An Act for continuing and enlarging the Terms and Powers of Two Acts made in the Thirty-firſt Year of His late Majeſty, and Ninth Year of His preſent Majeſty's Reign, for repairing ſeveral Roads in the Counties of* Montgomery, Merioneth, *and* Salop, *and for repairing ſeveral other Roads therein mentioned:* And whereas the Truſtees appointed under or by virtue of the ſaid recited Acts have, in purſuance of the Power thereby given to them, borrowed conſiderable Sums of Money on the Credit of the Tolls thereby granted, and a great Part thereof is ſtill due and owing, and unpaid: And whereas the Tolls and Duties granted and made payable in and by the ſaid recited Acts, and the Powers and Authorities thereby given, are inſufficient for the Purpoſes thereby intended, and the ſaid Roads, which are much out of Repair, cannot be effectually amended, widened, diverted, and kept in good Repair, nor the Money ſo borrowed by the ſaid Truſtees as aforeſaid be repaid, unleſs the ſaid recited Acts are repealed, and further and more ample 9 & 13 G. 3.

ample Powers and Authorities given in lieu thereof: And whereas the Road leading from or out of the Turnpike Road from *Machynlleth* to the River *Llyfnant*, at or near *Bryntyrnol*, to the Extent of the County of *Montgomery* at or near *Glasprll*, and the Road leading from or out of the Turnpike Road from *Malkwyd*, through *Aberangell* and *Llanwryn*, over *Dovey* Bridge to *Machynlleth*, at or near *Glangwynedd*, which lies between *Llanwryn* and *Dovey* Bridge, to the Extent of the County of *Montgomery*, at or near *Corys* Bridge, are very much out of Repair, and in many Parts narrow, steep, uneven, and incommodious to the Public, 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: And whereas that Part of the present Turnpike Road leading from *Trefeglwys* to the Town of *Llanidloes*, commencing at or near the River *Ceryst*, and also that Part of the present Road leading from *Pool* aforesaid through *Llanfair*, and from thence to *Machynlleth*, commencing at or near *Middle Sylvan*, between *Pool* and *Dolarddyn*, are in many Parts thereof uneven, very steep, and incommodious to all Persons passing along the same, and it would be of great Convenience to the Public if that Part of the said Road commencing at the River *Ceryst* aforesaid was also diverted and turned from or near the said River by the *Two Hirieths*, *Brynygyfir* and *Tan-yr-allt*, to or near the Direction Post by *Pant-yr-Ongel* to join the Road leading from *Machynlleth* to *Llaindloes* aforesaid; and if the said last-mentioned Roads to be diverted as aforesaid were put under the Care and Management of the Trustees of the First District of Roads intended to be hereby repaired; and also if that Part of the present Road commencing at or near *Middle Sylvaen* aforesaid, between *Pool* and *Dolarddyn*, was diverted and turned on the Northern Side thereof, to join the Turnpike Road from *Berriew* to *Llanfair* aforesaid, at or near *Dolarddyn* Orchard; and if such new Diversion were put under the Care and Management of the Trustees of the Second District of Roads hereby intended to be repaired: But as the several Purposes aforesaid cannot be effected and carried into Execution 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 passing of this Act, the said recited Acts passed in the Ninth and Thirteenth Years of the Reign of His 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 hereafter mentioned, for the Purpose of more effectually repairing, widening, altering, making, improving, and keeping in Repair the several and respective Roads to be herein-after described.

Former Acts repealed.

Act made subject to the Payment of all Monies borrowed on the Credit of former Acts.

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 of all Monies which have been borrowed, and are now due and owing on the Credit of the respective Tolls authorized to be taken by the said recited Acts 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 Security of the Tolls granted by this Act; and that all and every Person and Persons owing any Sum or Sums of Money to the Trustees for executing the said recited Acts, or either of them, shall be liable to the Payment thereof to the Trustees for executing this Act; and all Bonds, Covenants and Agreements, Contracts and Securities entered into by any Person or Persons to or with the Trustees for executing the said Acts of the Ninth and Thirteenth 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, or Agreements duly 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.

All Bonds, Contracts, &c. to remain in force.

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, 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 herein-after specified and described.

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

IV. And be it further enacted, That *Edward Baxter* of *Brampton*, Reverend *George Baxter*, *George Baxter* of *Hoarstone*, *William Baxter*, *Robert Bramind* of *Aldrass*, *John Rice Bishop*, *Evan Bowen* of *Penygelli*, *James Bowen* of *Tyddyn*, *John Bowen* of *Jamesford*, *Thomas Bowen* of *Pool*, *Matthew Brickdale*, Reverend *William Brown* Vicar of *Myfod*, *Joseph Buckley* of *Coedywug*, *Mellington Buckley*, *Richard Buckley* of *Weston*, Sir *Jervis Clifton* Baronet, *William Chambers*, *William Chambers* the younger, *John Cheese*, Reverend *William Cleaver* of *Newtown*, *John Clough* of *Newhall*, Reverend *Shirley Coates*, *Charles Cole* of *Llanidloes*, *Richard Colley*, *William Coupland*, *Thomas Cowdall*, *Thomas Cowdall* the younger, *John Davies* of *Brompton*, *John Davies* of *Marington*, Reverend *John Davies* of *Tregynnon*, Reverend *John Davies* of *Llanidloes*, *John Davies* of *Aberbiga*, Reverend *Llewlyn Davies*, *Pryce Davies* of *Maesmawr*, *Edward Davies* of the same, Reverend *Richard John Davies* of *Guildsfield*, *Robert Davies*, *Thomas Davies* of *Leighton*, *Thomas Davies* of *Cadnant*, *Thomas Davies* of *Wallcot*, *William Dunn Davies* of *Broadway*, *Walter Davies* Rector of *Manafon*, *William Davies* of *Forden*, *Price Devereux* of *The Mount*, *John Dickin*, *Thomas Lloyd Dickin*, Reverend *Joseph Dixon*, *William Downes* of *Churchstocke*, *Thomas Drew* of *Newtown*, *John Edwards* of *Greenfields*, *Evan Ellis*, *Richard Ellis*, *Wynne Ellis* of *Newtown*, *David Evans* of *Henfron*, *Evan Evans* of *Neuadd*, *Richard Evans* of *Llanwnog*, *William Evans* junior of *Rookley*, *Reverend G. A. Evers* of *Newtown Hall*, *Thomas Eyton* of *The Mount*, *Richard Farmer* of *Bacheldre*, *Robert Flint*, *Henry Foulkes* of *Pool*, *Thomas Foulkes* of the same, *George Gould* of *Golva*, Reverend *Thomas Gough*, *William Grove*

Trustees for the First District.

*Grove* of *Shelver*, *Athelustan Hamer*, *Richard Hamer* of *Glanhafren*, *George Arthur Herbert* of *Glanhafren*, *John Owen Herbert* of *Dolforgan*, *Edward Heyward* of *Cross Wood*, *John Hill* of *Kerry*, Reverend *Maurice Hughes* of *Llanwddelan*, *John Hunter*, Reverend *John Jenkins* of *Kerry*, *Robert Ingram* of *Glanhafren*, *Arthur David Jones* of *The Court*, *Edward Jones* Doctor of Physic, Reverend *Edward Jones*, Reverend *Evan Jones* of *Aberhavesp*, *Humphry Rowland Jones* of *Garthmill*, *Thelwall Jones* of the same, Reverend *John Jones* of *Brithdir*, *John Jones* of *Blackhall*, *John Lloyd Jones* of *Maesmawr*, *John Jones* of the same, *John Jones* of *Montgomery*, *Matthew Jones* of *Pool*, *Matthew Jones* of , *Maurice Jones* of *Broadway*, *Pryce Jones* of *Cofronydd*, *Thomas Browne Jones* of the same, *John Pryce Jones* of the same, *Richard Jones* of *Maesmawr*, *Thomas Jones* of *Garthmill*, *William Jones* of the same, *Robert Owen Jones* of the same, *Thomas Jones* of *Penbryn*, *Thomas Jones* the younger of the same, *William Jones* of *The Verlon*, *Wythen Jones* of *Llanidloes*, *Robert Ireland*, *Eusebius Bacchus Kitchen*, Sir *Robert Leighton* Baronet, Sir *Edward Pryce Lloyd* Baronet, Reverend *Evan Lewis* Clerk, *Edward Mostyn Lloyd* of *Bodfach*, *Thomas Pryce Lloyd* of the same, *David Lloyd* of *Rhiwhiriarth*, *Edward Lloyd* of *Trefnant*, Reverend *John Lloyd* of *Llanerfil*, *John Lloyd* of *The Wood*, *John Lloyd* of *Glanbiogan*, Reverend *Maurice Edward Lloyd* of *Montgomery*, *Thomas Lloyd* of *Trowscoed*, *John Lloyd* of the same, *William Lloyd*, *Joseph Hayes Lyon*, *Thomas Hayes Lyon*, *William John Lyon*, *John Winder Lyon*, *Edmund Henry Lyon*, *William Lloyd*, *John Lyon* of *Dolarddyn*, *Thomas Marsh* of *Llainidloes*, *William Howell Marsh* of the same, *Thomas Edmund Marsh* of the same, *Edmund Marsh* the younger of the same, *Edward Matthews* of *Park*, *Edward Matthews* the younger, *George Meares* of *Dolyllys*, *George Montford* of *Pentrehwlan*, *John Morris* of *Pentrenant*, *John Morris* of *Caerbilion*, *John Morris* of *Neuaddwen*, *William Morris* of *The Hurst*, *Devereux Mytton* Doctor of Physic, Reverend *Devereux Mytton* of *Llandyssil*, *John Mytton* of *Penylan*, *John Mytton* the younger of the same, *Pryce Glynne Mytton* of the same, *Richard Mytton* of *Garth*, *Richard Herbert Mytton* of the same, *Devereux Jones Nicholls* of *Bryncamisir*, *Robert Devereux Nicholls* of the same, *William Devereux Nicholls* of the same, *Robert Nicholls* of , *Arthur Davies Owen* of *Glansevern*, Reverend *Hugh Owen*, *John Owen* of *Penrhos*, *John Owen* of *Tymawr*, *Owen Owen* of *Glangwynedd*, *Owen Owen* of *Glanrhiew*, *Richard Owen* of *Newtown*, *Thomas Owen* of *Dyffryn*, *William Owen* of *Penniarth*, *William Owen* of *Pool* Surgeon, Reverend *Edward Parry* of *Bettws*, *Thomas Parry* of *Gaer*, *William Parry* of *Llanerchydol*, *Edward Pemberton*, *Jeremiah Powell* of *Hopton*, *William Powell* of *Nanteos*, *Nathaniel Powell* of *Clockfaenissaf*, *Thomas Powell* of *Pennant*, *Edward Pryce*, *Edward Pryce* of *Llangerrig*, Reverend *John Pryce* of *The Hall*, *John Pryce* junior of the same, *Matthew Pryce*, *Richard Pryce* of *Gunley*, *Richard Prycee* the younger of the same, *Rice Pryce* of *Manafon*, *Thomas Pryce* of *Henllys*, *Thomas Price* of *Llanidloes*, *Thomas Price* of the *Red House*, *John Probert* of *Copthorn*, *David Pugh* of *Llanerchydol*, *Richard Pugh*, *William Pugh* of *Caerhowell*, *William Pugh* the younger of the same, *Bagot Read*, *Thomas Richards*, *Thomas Roberts* of *Wilmington*, *John Rubbotham* of *Stallo*, *William Ruffe*, *Thomas Rutledge*, *John Savage* of *Brynydderwen*, *John Swaine*, *Thomas Smith* of *Pentre*, *Thomas Staunter*, *Evan Stephens* of *Newtown*, Reverend *John Stephens*, *Thomas Sturky* of *Highgate*, *Richard Swaine*, *Richard Swancott* of *Llanwnog*, *William Tilsley* of *Severn Side*,

Reverend

Reverend *John Tilsley* of *Llandinam*, *Charles Hanbury Tracey* of *Creginog*, *William Turner* of *Bronhaulog*, *Lewis Vaughan* of *Penmaen*, *John Vaughan* of the same, *Lazarus Venables* of *Oerffrwyd*, Sir *Watkin Williams Wynn* Baronet, *Charles Watkin Williams Wynn*, *Martin Williams*, Reverend *Daniel Williams* of *Frongoch*, Reverend *Henry Jones Williames* Vicar of *Pool*, *John Williames* of the same, *John Williames* of *Pennant*, *John Williams* of *Brynelen*, *Richard Williams* of *Crow Wood*, *John Winder* of *Vaynor Park*, Reverend *Charles Wingfield*, *Bowen Woosnam* of *Llanidloes*, *Evan Woosman* of *Bodaiach*, *John Whittington*, *Thomas Watkin Youde* of *Plasmaddock*, and the Survivors of them, and their Successors to be elected in Manner hereinafter mentioned, shall be and they are hereby nominated and appointed Trustees for amending, widening, altering, improving, and keeping in Repair the said Road leading from the Vicarage House in *Pool*, through the River *Rhiw* and the Village of *Berriew* to *Brynderwen Bridge*, and from thence on both Sides the River *Severn* to *Newtown*, through *Penstrowed* and *Llandynam* by *Berthdu*, to the Town of *Llanidloes*, and from thence through *Llangerrig* to *Steddfagerrig*; and from *Newtown* through *Aberhavesp* to *Machynlleth*; and from *Newtown*, through *Kerry* to the *Bishop's Moat*, near *Bishop's Castle*; and the Roads leading from *Llanfair*, through *Newtown* to the Confines of the County of *Montgomery*, near the *New Pound*; from the Turnpike Road near *Abermule*, through *Kerry* to the Confines of the said County near *Rhydyrhiw Brook*; from *Tregynnon* by *Berriew* to *Montgomery*; from *Tregynnon* aforesaid, by *Trefnant* to the West End of the New Road at *Stockton's House* adjoining to *Powis Castle Park*; from *Llanfair* to *Llanlligan*; from *Llanidloes*, by *Felindre Bridge* to the Confines of the County of *Montgomery* near *Steddfagerrig*; from *Llanidloes* aforesaid to the Confines of the said County near *Tylwch*; from *Nant-y-cledur* over *Waun-gelly-felen*, to join the Road from *Tylwch* to *Llanidloes*; from the Turnpike Road on *Forden's Heath*, through *Leighton* and *Buttington*, by the Quay, to join the Road from *Pool* to *Oswestry*; from *Pool* over the River *Severn*, to join the Road from *Forden's Heath* to *Buttington*; from *Buttington Cross* to *Guildsfield*; from *Pool* to the Tenth Mile Stone from the *Welsh Gate*, in the Town of *Shrewsbury*; and the Road to be diverted and turned, from or near the River *Ceryst*, by the Two *Hirieths*, *Brynygyfr*, and *Tanyrallt*, to or near the Direction Post by *Pantyrongel* as aforesaid; and for putting all the Powers of this Act in Execution, in relation to the said Roads last above described, which shall be and is herein-after called *The First District* of the Roads hereby intended to be repaired: And that *Thomas Amler*, *Evan Anwyl* of *Llugwy*, *Jonathan Bunce Anwyl*, *Thomas Anwyl* of *Caethle*, Reverend *William Brown*, *Thomas Bowen* of *Pool*, *John Clough* of *New Hall*, *Edward Corbet* of *Ynysymaengwyn*, *Vincent Corbet* of the same, *William Coupland*, *Thomas Cowdall*, *Thomas Cowdall* the younger, *Charles Dallas*, *Pryce Davies* of *Maesmaur*, *Edward Davies* of the same, *David Davies* of *Crofft*, D.D., *Edward Davies* of *Machynlleth*, *John Davies* Rector of *Cemmes*, *John Davies* of *Aberllyfenni*, Reverend *John Davies* of *Tregynnon*, *Hugh Davies*, *Joseph Davies* of *Galltyllan*, *Robert Davies* Rector of *Mallwyd*, *Thomas Davies* of *The Moors*, *Walter Davies* Rector of *Manafon*, *Pryce Devereux*, *John Dickin*, *Thomas Lloyd Dickin*, Reverend *Joseph Dixon*, *Richard Edmunds* of *Edderton*, *George Edmunds*, *Edward Edwards* of *Towyn*, *John Edwards* of *Greenfields*, *James Edwards* of *Talgarth*, *David Evans* of *Henniarth*, *David Pughe Evans* of *Vronfelin*, *Griffith Evans* of *Bryndreinio*, *Henry Evans* of *Aberhenfelin*, *Morgan Evans* of *Gwaynynog*, *Richard Evans* of *Pool*, *Richard Evans* of *Glascoed*, *Richard Evans* of *Llanfair*, *Wythen Evans*,

Roads to comprise the First District.

Trustees for the Second District.

*Evans*, *Richard Farmer* of *Guildsfield*, *Thomas Foulkes* of *Trelydan*, *Henry Foulkes* of *Pool*, *Thomas Foulkes* the younger of the ſame, *John Gammon* of *Manafon*, *George Gould*, *Robert Gould*, *Robert Griffiths* of *Pool*, *John Owen Herbert*, *George Arthur Herbert*, *Edward Heyward*, *John Hughes* of *Gogarth*, *William Hughes* of the ſame, *Maurice Hughes* Rector of *Llanwyddelan*, *John Hugh* of *Penllyn*, *John Humphrey*, *Charles Jones* of *Machynlleth*, *Humphrey Rowland Jones* of *Garthmill*, *Thelwall Jones* of the ſame, *David Jones* of *Trwſtrewelin*, *Humphrey Jones* of *Machynlleth*, *Evan Jones* Rector of *Aberhaveſp*, *Wythen Jones* of the ſame, *Jenkin Lloyd Jones* Rector of *Llanwrin*, *John Lloyd Jones* of *Maeſmawr*, *John Jones* of the ſame, *John Jones* of *Blackhall*, *Micah Jones* of *Tymawr*, *Henry Jones* of *Tyrgawen* in the Pariſh of *Llanegryn*, *Pryce Jones* of *Cofronydd*, *Thomas Brown Jones* of the ſame, *John Pryce Jones* of the ſame, *Thomas Jones* of *Garthmill*, *Matthew Jones* of *Pool*, *Thomas Jones* of *Eſkirevan*, *William Jones* of *Dolfonddu*, *William Jones* of *Penygraig*, *Thomas Jones* of *Pool*, *Griffith Jones* of *Towyn*, *William Jones* of the ſame, Sir *John Daſhwood King* Baronet, *John Kenrick* of *Bronyclydwr*, *Hugh Owen Kenrick* of the ſame, Sir *Edward Pryce Lloyd* Baronet, *Edward Moſtyn Lloyd* of *Bodfach*, *Evan Lewis* Vicar of *Llanfair*, *Morris Lewis* of *Garthgynnion*, *David Lloyd* of *Rhiwhiriaeth*, *Edward Lloyd* of *Trefnant*, *Hugh Lloyd* of *Machynlleth*, Reverend *John Lloyd* of *Llanerfyl*, *Thomas Lloyd* of *Trawſcoed*, *John Lloyd* of the ſame, *John Lyon* of *Dolarddyn*, *Joſeph Hayes Lyon*, *Richard Matthews* of *Eſkir-llyfirin*, *Rees Maurice* of *Machynlleth*, *George Meares* of *Dôl-llys*, *Thomas Morgan* of *Llwynderw*, *Devereux Mytton* M. D., *Devereux Mytton* Rector of *Llandyſſil*, *John Mytton* of *Peylan*, *John Mytton* the younger, *Pryce Glynne Mytton*, *Richard Mytton* of *Garth*, *Richard Herbert Mytton* of the ſame, *Devereux Jones Nicholls*, *Robert Devereux Nicholls*, *William Devereux Nicholls*, *Arthur Davies Owen*, *Evan Owen* of *Llawr-Penegoes*, *Hugh Owen* of *Bodilan*, *John Owen* of *Penrhos*, *Thomas Owen* of *Dyffryn*, *William Owen* of *Penniarth*, *William Owen* of *Pool* Surgeon, *William Powell* of *Nanteos*, *Edward Parry* of *Leighton Hall*, *William Parry* of *Tyny Llwyn*, Reverend *John Price* of *The Hall*, *John Price* the younger, *Richard Pryce* of *Gunley*, *Richard Pryce* the younger, *Rice Price* of *Manafon*, *John Probert* of *Copthorn*, Reverend *Richard Pugh*, *Richard Pugh* junior, *David Pugh* of *Llanerchydol*, *Edward Pugh* of *Pool*, *John Pugh* of *Llwynygronfa*, *William Pugh* of *Caer-howell*, *William Pugh* the younger, *Abednego Price* of *Gwyddelfynnydd*, *Rowland Price*, *Peter Peters* of *Towyn*, Reverend *Thomas Richards* Vicar of *Darowen*, Reverend *Lewis Rowlands*, *John Savage* of *Brynderwen*, *Edward Scott* of *Bodtalog*, *John Smith* of *Heldre*, *John Sparrow* of *Dolycorſlwyn*, *Evan Stephens* of *Newtown*, *Charles Hanbury Tracey*, *Thomas Tudor* of *Garth*, Reverend *Hugh Thomas* Rector of *Penegoes*, *Daniel Thomas* of *Eſguan*, *Humphrey Thomas* of *Towyn*, *Lewis Vaughan* of *Penmaen*, *John Vaughan* of the ſame, Reverend *George Venables* Rector of *Machynlleth*, *Lazarus Venables* of *Oerffrwyd*, Sir *Watkin Williams Wynn* Baronet, *Charles Watkin Williams Wynn*, *David Williams* of *Penylan*, Reverend *Daniel Williams* of *Frongoch*, *Edward Williams*, Reverend *Henry Jones Williames* Vicar of *Pool*, *Henry Williams* of *Rorror*, *John Williams* of *Penniarth-uchaf*, *Humphrey Williams* of *Glandulas*, *John Williames* of *Pennant*, *John Williames* of *Pool*, *John Wiliiams* of *Brynelen*, *Martin Williams*, *Robert Wilding*, *Thomas Worthington* of *Buttington Hall*, *Richard Owen Wynne* of *Morbyn*, *William Wynne* of *Penniarth*, and the Survivors of them, and their Succeſſors to be elected in Manner herein-after mentioned, ſhall be and they are hereby nominated

nominated and appointed Truſtees for amending, widening, altering, improving, and keeping in Repair the ſaid Road from *Pool* aforeſaid through *Llanfair*, and *Llanerfyl* to *Cann Office* otherwiſe *Cannon's Office*, over *Bwlchyfedwen*, through *Mallwyd*, *Cemmes* and *Machynlleth* aforeſaid to the River *Llyfnant*; and from *Mallwyd*, through *Aberangell* and *Llanwryn*, over *Dovey* Bridge to *Machynlleth* aforeſaid, and from thence to the ſaid Town of *Llanidloes*; and alſo the Road leading from *Guildsfield* aforeſaid, by or near *Cefndu*, to join the Turnpike Road from *Pool* to *Llanfair*; from the End of the Town of *Pool*, by *Ceunant*, to join the Turnpike Road from *Pool* to *Guildsfield*; from the Turnpike Road between *Machynlleth* and *Newtown*, by *Cefnococh*, over *Berrwidd* and *Rhosfawr*, to join the Turnpike Road from *Llanfair* to *Pool*; from *Llanidloes* through *Trefeglwys*, to join the Turnpike Road from *Newtown* to *Machynlleth*; from the Turnpike Gate at the Weſt End of *Dovey* Bridge to *Towyn*; from the Turnpike Road leading from *Machynlleth* to the River *Llyfnant* aforeſaid, at or near *Bryntyrnol*, to the Extent of the County of *Montgomery* at or near *Glaſpwll*; from the Turnpike Road from *Mallwyd* aforeſaid through *Aberangell* and *Llanwryn*, over *Dovey* Bridge to *Machynlleth*, at or near *Glangwynedd*, which lies between *Llanwryn* and *Dovey* Bridge, to the Extent of the County of *Montgomery*, at or near *Cory*'s Bridge; and the Road to be diverted and turned from or near *Middle Sylvaen* aforeſaid, on the Northern Side of the preſent Turnpike Road, to join the Turnpike Road from *Berriew* to *Llanfair* aforeſaid at or near *Dolarddyn* Orchard; and for putting all the Powers of this Act in Execution in relation to the ſaid Roads laſtly above deſcribed, which ſhall be and is herein-after called *The Second Diſtrict* of the Roads hereby intended to be repaired: And that the Reverend *John Barnard*, *John Bill* of *Llandrinio Hall*, *David Birds*, *John Bonnor* of *Brynygwalie*, *Bonnor* of the ſame, the Reverend *Edmund Bourke*, *Thomas Bowen*, *William Brown* Vicar of *Myford*, *Richard Michael Chadwick*, *John Palmer Chicheſter*, *Edward Corbet* of *Ynyſymaengwyn*, *Vincent Corbet* of the ſame, *William Aldridge Cotton*, *Thomas Cowdall* the elder, *Thomas Cowdall* the younger, *John Croxon*, *Richard Croxon*, *Edward Croxon*, *Charles Dallas*, *Arthur Davies*, the Reverend *Thomas John Davies*, *Walter Davies* Rector of *Manafon*, *Pryce Devereux*, Reverend *Joſeph Dixon*, Reverend *James Donne*, *Humphrey Parry Dorſett*, *Edward Dymocke* of *Penley*, *Edward Edmunds* of *Oſweſtry*, *Edward Edwards* of *Oſweſtry*, *David Evans* of *Fownog*, *David Evans* the younger, *David Evans* of *Henniarth*, *Edward Evans* of the *Lower Houſe*, Reverend *Evan Evans* of *Elleſmere*, Reverend *Stephen Evans*, *John Evans* of *Pengwern*, *Thomas Evans* of *Glanfrogan*, *Edward Evans* of the ſame, *Henry Foulkes* of *Peny Park*, *James Gill* of *Bryngwyn*, *Richard Griffithes* of *Llanfyllin*, *Ezekiel Hamer* Vicar of *Pennant*, *Bulkeley Hatchett*, *Edward Heyward*, *Maurice Hughes* Rector of *Llandwddilan*, *Thomas Hurlſton*, *John Hurlſton*, *John Humffreys* of *Llwyn*, *John Humffreys* the younger, *William Humffreys*, *Moſtyn Humffreys*, *Thomas Humffreys*, *Edward Humffreys*, *John Humphreys* of *Nantymeichied*, Sir *Tyrwhitt Jones* Baronet, *Richard Jebb*, Reverend *Allen Jones*, *Humphrey Rowland Jones*, *John Jones* of *Gwaynyndu*, *John Jones* of *Llanfyllin*, *John Jones* of *Oſweſtry*, *John Lloyd Jones* of *Maeſmawr*, *John Jones* of the ſame, *John Jones* of *Llys*, *Lewis Jones* of *Cwmwr*, *Matthew Jones* of *Pool*, *Pryce Jones* of *Cofronydd*, *Thomas Browne Jones*, *John Pryce Jones*, *Richard Jones* of *Rhiwlas*, Reverend *Robert Jones* Vicar of *Llanrhaiadr*, *Thomas Longueville Jones*, *Charles Jones*; the Honourable *Thomas Kenyon*, *Lloyd Kenyon*, Reverend *John Kyffin*, *Kynaſton* of *Elleſmere*, Reverend *Edward*

Roads to comprize the Second Diſtrict.

Truſtees for the Third Diſtrict.

*Edward Kynaſton*, Sir *Robert Leighton* Baronet, Sir *Edward Pryce Lloyd* Baronet, *Edward Moſtyn Lloyd*, *Thomas Pryce Lloyd*, *Edward Leighton*, *Samuel Leach*, Reverend *Evan Lewis* Vicar of *Llanfair*, *Evan Lewis* the younger, *Bell Lloyd* of *Crogen*, *Bell Lloyd* the younger, *Francis Lloyd* of *Domgay*, *David Lloyd* of *Rhiwiriaeth*, *John Lloyd* Rector of *Llanfihangel*, Reverend *John Lloyd* of *Llanlligan*, *Thomas Lloyd* of *Trawſcoed*, *John Lloyd* of the ſame, *William Lloyd* of *Aſton*, *William Lloyd* the younger, *John Lyon* of *Dolarddyn*, *Joſeph Hayes Lyon*, *Richard Lyſter* of *Rowton*, *Andrew Maddocks Mainwairing* of *Otely Park*, *John Mytton* of *Halſton*, *John Mytton* of *Penylan*, *John Mytton* the younger, *Pryce Glynne Mytton*, Reverend *Devereux Mytton* Rector of *Llandyſſil*, *Richard Mytton* of *Garth*, *Richard Herbert Mytton* of the ſame, *Abednego Matthew* of *Okeley Park*, *John Thomas Manſell*, *Devereux Jones Nicholls*, *Robert Devereux Nicholls*, *William Devereux Nicholls*, *Arthur Davies Owen*, *John Owen* of *Penrhos*, *Hugh Bulkeley Owen* of *Tedeſmere Hall*, Reverend *Owen Owens* Rector of *Llangyniew*, *Thomas Owen* of *Dyffryn*, *William Owen* of *Woodhouſe*, *William Moſtyn Owen* the younger, *Thomas Moſtyn Owen*, *William Owen* of *Penniarth*, *John Humffreys Parry*, *Lawton Parry*, *Thomas Netherton Parker* of *Sweeney*, *Robert Perrott* of *Bronhyddon*, *John Kynaſton Powell*, Reverend *James Price* Rector of *Llanfechan*, Reverend *Morgan Pryſe*, *John Bill Pryſe*, *Rice Price* of *Manafon*, *Robert Price* of *Llanfyllin*, *Richard Richards* of *Caſtellmoch*, *Richard Richards* the younger, *William Parry Richards*, *Hugh Roberts* of *Llanfyllin* Surgeon, *James Roberts* of *Brongain*, Reverend *Lewis Rowlands* of *Caſtle Caerinion*, Reverend *Nathaniel Roberts*, Reverend *William Roberts* of *Trefedrid*, *Owen Roberts* of *Nantymeiched*, *John Savage* of *Brynderwen*, *Samuel Perrot Simcocks*, *William Sparling* of *Petton*, Sir *Robert Williames Vaughan* Baronet, *Lazarus Venables* of *Oerffrwyd*, *Lewis Vaughan* of *Penmaen*, *John Vaughan* of the ſame, *Chriſtopher Temple* of *Gwernygo*, *John Thomas* of *Garthgylynenfawr*, *Thomas Thomas* of *Llechweddgarth*, Reverend *William Thornes* Vicar of *Alberbury*, Reverend *Thomas Trevor Trevor*, Sir *Watkin Williams Wynn* Baronet, *Charles Watkin Williams Wynn*, *Henry Watkin Williams Wynn*, *Richard Walford*, Reverend *Daniel Williams* of *Frongoch*, Reverend *David Williams* of *Llangyniew*, Reverend *Henry Jones Williames* Vicar of *Pool*, *John Williams* of *Brynelen*, *Martin Williams*, *William Williams* Rector of *Llanfyllin*, Reverend *Rowland Wingfield*, and the Survivors of them, and their Succeſſors, to be elected in Manner herein-after mentioned, ſhall be and they are hereby nominated and appointed Truſtees for amending, widening, altering, improving, and keeping in Repair the ſaid Road leading from the ſaid Town of *Llanfyllin*, over *Coedoerle* Common, by *Tycoch*, over *Llanſaintſtraid* Bridge, and to the new Bridge on the Turnpike Road leading from *Pool* to *Oſweſtry*; and alſo the Road leading from the ſaid Turnpike Road in the Townſhip of *Garth*, through *Croeſlwyd Brook* to *Pontyſcowrhyd* Bridge, over *Bwlchykibbe*, through *Llanfyllin* aforeſaid, by *Penygarnedd*, through *Llangynog* to *Milltirgerrig*; and alſo the Road from the Turnpike Road at *Mardu*, leading from *Pool* to *Oſweſtry*, through *Llandrinio*, over a Bridge built over the River *Severn*, through the Townſhips of *Criggion*, *Bauſeley* and *Alberbury*, to the Turnpike Road leading from *Shrewſbury* to *Pool* aforeſaid; and alſo the Road leading from *Llanfair*, through *Llangyngew*, *Myfod*, *Llanſaintffraid*, over *Rhyd Meredith* Bridge to *Porthywaen*, and over *Llanyblodwel* Bridge to *Brynygroes*, in the Pariſh of *Llanyblodwel* aforeſaid; and alſo the Road from the Turnpike Road near *Mardu* to *Ponteſcowrhyd*; from the *Goddar* to

Roads to comprize the Third Diſtrict.

the

the Road from *Mardu* to *Pontescowrhyd*; from *Pontescowrhyd* to the Turnpike Road near *Sarnycrynwyr* Bridge; from *New Chapel* by *Llansaintffraid*, to join the Road from *Llanrhaiadr* to *Knockin*, at or near *Penybont*; from *Morton* Bridge, by *West Felton* to *Ellesmere*; from *Tycoch* in *Llanfechan*, to the Confines of the County of *Montgomery* at *Llanerchymris* Bridge; from *Llanymynech*, to join the Road from *Llanfair* to *Porthywaen* at the *Groe*; from the Turnpike Road on or near *Crew Green* to *Westbury*; from the said Road on *Crew Green* to *Buttington*; from the House formerly in the Occupation of *Morris Oliver*, in the Town of *Llanfyllin*, by *Pont Saint David*, the Parish Workhouse, and *Pontyllogel*, to join the Turnpike Road from *Llanfair* to *Machynlleth*; from *Llanfyllin*, to join the Road from *Llanfair* to *Porth y waen*, near *Myfod*; from *Llanrhaiadr* to *Llanwddyn*; from *Bryncoch* to *Pistill Rhaiadr*; from *Caedelyn* over *Castellmoch* Bridge to *Park*; from *Rhydy Croesau*, by *Llangedwyn*, to join the Turnpike Road from *Llansaintffraid* to *Llanfyllin*, and from *Pentre Shannel*, through *Llanrhaiadr*, to the Confines of the County of *Montgomery*, near *Milltirgerrig*; and for putting all the Powers of this Act in Execution, in relation to the said Roads lastly above described, which shall be and is herein-after called *The Third District* of the Roads hereby intended to be repaired.

Electing Trustees.

V. And, for the continuing a sufficient Number of fit and able Persons to be Trustees for putting this Act in Execution in the said respective Districts, be it further enacted, That upon any Inadequacy of the Description, or on the Death or Removal, or Refusal to act of any of the said Trustees in the Execution of this Act, it shall and may be lawful to and for the surviving or remaining Trustees for such Districts respectively, or any Five or more of them, from Time to Time, and at any Meeting to be held in pursuance of this Act, by Writing under their Hands, or by any Order entered in the Minute Book of their Meetings, to elect, nominate and appoint so many more fit and able Persons residing in the several Counties of *Montgomery*, *Merioneth*, *Denbigh*, and *Salop*, or in either of them, to be a Trustee or Trustees to act in the said respective Districts, of and for the Purposes of this Act, in the Room and Stead of such Trustee or Trustees so from Time to Time dying, removing, or refusing to act, or being so erroneously or inadequately described; but Notice of the Time and Place of Meeting for every such Election shall be given by the Clerk to the said Trustees in their respective Districts for the Time being, by affixing such Notice in Writing at or upon all and every the Turnpikes now erected or to be erected in pursuance of this Act, Ten Days at least before such Meeting; and all and every Person and Persons so elected a new or additional Trustee as aforesaid, shall be and is and are hereby authorized and empowered to act in the Execution of this Act, in as full, large, and ample a Manner, to all Intents and Purposes, as the said Trustees herein-before nominated and appointed, are by this Act empowered to do.

For appointing Ten additional Trustees for each District.

VI. And be it further enacted, That it shall be lawful for the Trustees of the said First, Second, and Third Districts of Road respectively, or any Five or more of them, at a Meeting to be held for that Purpose (of which Meeting; and of the Purpose thereof, Ten Days Notice shall be given in the Manner herein-before directed respecting the Appointment of new Trustees on Vacancies), to elect, nominate, and appoint for each of the

said Districts of Roods, Ten fit and proper Persons, qualified in the Manner directed by this Act, to be Trustees for the Purposes of this Act, in addition to the Trustees hereby nominated and appointed for each respective District of Roads.

Qualification of Trustees.

VII. Provided always, 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 in his own Right, or in the Right of his Wife, in the actual Possession or Receipt of the Rents and Profits of Lands, Tenements, or Hereditaments, of the clear Yearly Value of Eighty Pounds, or shall be Heir Apparent of a Person possessed of an Estate in Land of the clear Yearly Value of One hundred and sixty Pounds, or be possessed of a Personal Estate to the Amount of One thousand six hundred Pounds, nor (except in administering the Oath herein-after mentioned), until he shall have taken and subscribed, before any One or more of the said Trustees, an Oath in the Words or to the Effect following; (that is to say),

Oath.

'I *A. B.* do swear, That I truly and *bonâ fide* am, in my own Right, 'I [*or*, in the Right of my Wife] in the actual Possession and Enjoy-'ment [*or*, Receipt] of the Rents and Profits of Lands, Tenements or 'Hereditaments of the clear Yearly Value of Eighty Pounds above Re-'prizes (*or*, am Heir Apparent of *A. B.* who, to the best of my Know-'ledge and Belief, is seised of such an Estate of the clear Yearly Value 'of One hundred and sixty Pounds], or am possessed of a Personal 'Estate of the Amount of One thousand six hundred Pounds, after all my 'Debts are paid. So help me GOD.'

Penalty on Persons acting, not being qualified.

And if any Person, not being so qualified, shall presume to act as a Trustee in the Execution of this Act, every such Person shall for every such Offence, forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall sue for the same, to be recovered in any of His Majesty's Courts of Record, by Action of Debt, or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection or Wager of Law, or more than One Imparlance shall be allowed; and every such Person so sued or prosecuted shall prove that he is qualified as aforesaid, or otherwise shall pay the said Sum of Fifty Pounds without any other Proof or Evidence on the Part of the Plaintiff or Prosecutor, than that such Person hath acted as a Trustee in the Execution of this Act: Provided nevertheless, that all Acts and Proceedings of any Person or Persons acting as a Trustee or Trustees in Execution of this Act, though not duly qualified as aforesaid previous to his or their being convicted of the said Offence, shall, notwithstanding such Conviction, be as valid and effectual as if such Person or Persons had been qualified according to the Directions of this Act.

Trustees not to hold any Place of Profit.

VIII. And be it further enacted, That no Person or Persons appointed or to be appointed a Trustee or Trustees for putting this Act in Execution, who shall have or accept of any Place of Profit arising out of or by reason of any Toll or Duty by this Act granted, shall be capable of acting as a Trustee or Trustees in the Execution of this Act, during the Time of his or their Enjoyment of such Place of Profit as aforesaid; nor 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.

IX. And be it further enacted, That ſuch of the ſaid Truſtees as are or ſhall be Juſtices of the Peace, may in their reſpective Juriſdictions, and they are hereby empowered to act as Juſtices of the Peace in the Execution of this Act, notwithſtanding their being Truſtees (except only in ſuch Caſes where they ſhall be individually intereſted); and that any Mortgagee or Aſſignee or Aſſignees of any Mortgage or other Security, or any Lender of Money upon the Credit of any of the Tolls granted by this Act, or receiving Intereſt for the ſame, ſhall not on that Account be deemed unqualified to act as a Truſtee. Truſtees may act as Juſtices, except when perſonally intereſted.

X. And be it further enacted, That the Truſtees for the ſaid Firſt Diſtrict, or any Five or more of them, ſhall meet at the Houſe of *Charles Saluſbury*, known by the Sign of the *Bear's Head*, in *Newtown*, on that Day Month next after the paſſing of this Act; and the Truſtees for the ſaid Second Diſtrict, or any Five or more of them, ſhall meet at the Houſe of *John Roberts*, known by the Name of *Cann Office*, on that Day Month next after the paſſing of this Act; and the Truſtees for the ſaid Third Diſtrict, or any Five or more of them, ſhall meet at the Houſe of *Joſeph Jones*, known by the Sign of the *Goat*, at *Llanfyllin*, on that Day Month next after the paſſing of this Act, and reſpectively proceed to the Execution of this Act, and ſhall then, and from Time to Time afterwards adjourn themſelves to meet at ſuch Place or Places, within or near ſuch reſpective Diſtrict, as they the ſaid reſpective Truſtees, or any Five or more of them, ſhall think moſt convenient for putting this Act in Execution; and if at any Meeting appointed to be held by virtue of this Act, there ſhall not appear a ſufficient Number of Truſtees to act at ſuch Meeting in the Execution of this Act, that then it ſhall and may be lawful to and for any Two or more of the Truſtees then preſent to adjourn to another Day; and if no Truſtee or only One Truſtee ſhall appear at any Meeting to be appointed as aforeſaid, then that the Truſtee then preſent, or the Clerk or Clerks to the ſaid reſpective Truſtees ſhall, from Time to Time, as often as ſhall ſo happen, adjourn ſuch Meeting, to be held at the ſame Place on the Fourteenth Day after the Day on which ſuch laſt Meeting was appointed to be held; and the ſaid Clerk ſhall cauſe public Notice thereof to be affixed upon all the Turnpike Gates already erected on the ſaid Roads, or to be erected or continued by virtue of this Act within the Diſtrict where ſuch Default ſhall be, Ten Days at leaſt before the Day to which ſuch Meeting ſhall be ſo adjourned: Provided always, that if no Truſtees ſhall appear at the ſaid Firſt Meeting appointed to be held in either of the ſaid Diſtricts, to put this Act in Execution, that then and in ſuch Caſe it ſhall and may be lawful to and for any Two or more of the Truſtees appointed for ſuch Diſtrict or Diſtricts where ſuch Default ſhall happen, (notwithſtanding they ſhall not previouſly have taken the Oath required by this Act) to appoint another Meeting to be held in ſuch Diſtrict or Diſtricts, on the Fourteenth Day after the Day on which ſuch Firſt Meeting was appointed to have been held, or as ſoon as conveniently may be within One Calendar Month afterwards, and ſhall cauſe public Notice thereof to be given in each of the *Shrewſbury* Newſpapers, or in ſome other Newſpaper uſually circulated in the ſaid Counties, and alſo to be affixed upon all the Turnpikes erected in the Diſtrict or Diſtricts in which ſuch Default ſhall have happened, for the Purpoſe of putting this Act into Execution. Firſt Meeting of Truſtees. Adjournment of Meetings.

XI. And

No Act valid except at a Meeting, &c.

XI. And be it further enacted, That no Act of the ſaid Truſtees hereby nominated and appointed, or to be elected by virtue of this Act, ſhall be or be deemed to be good, valid, or effectual, unleſs the ſame be made or done at ſome Meeting to be holden in purſuance of this Act (except as may be herein excepted); and that all the Powers and Authorities by this Act granted to the ſaid Truſtees ſhall and may be exerciſed from Time to Time by the major Part of them who ſhall attend at any Meeting to be holden in purſuance of this Act, the Number of Truſtees preſent at any Meeting not being leſs than Five (except for the Purpoſe of Adjournment as aforeſaid); and all the Orders and Proceedings of the major Part of the Truſtees preſent at ſuch their ſeveral Meetings ſhall have the ſame Force and Effect as if the ſame were made or done by all ſuch Truſtees for the Time being (ſave and except as may be herein excepted) and at every Meeting of the ſaid Truſtees a Chairman ſhall and may be appointed; and when and as often as it ſhall ſo happen, that there ſhall be an Equality of Votes at any ſuch Meeting upon any Queſtion (including the Vote of the Chairman) then and in every ſuch Caſe the Chairman ſhall have and give the deciſive or caſting Vote.

No Order to be revoked unleſs at a Meeting for the Purpoſe, of which Notice is to be given.

XII. And be it further enacted, That no Order, Appointment, or Proceeding made at any Meeting of the Truſtees holden in purſuance of this Act, ſhall be revoked or altered at any ſubſequent Meeting, unleſs at a Meeting to be held for that expreſs Purpoſe, nor unleſs a Notice, ſpecifying the Revocation or Alteration intended to be made, be affixed upon all and every the Turnpikes that ſhall be ſtanding on the ſaid Roads in the ſaid reſpective Diſtricts, and publiſhed in each of the *Shrewſbury* Newſpapers, or in ſome other Newſpaper uſually circulated in the ſaid Counties, at leaſt Fourteen Days before ſuch ſubſequent Meeting, nor unleſs a Majority of Three-fourths of the Truſtees preſent at ſuch ſubſequent Meeting, ſhall decide in favour of ſuch Revocation or Alteration.

Proceedings to be entered.

XIII. And be it further enacted, That the ſaid Truſtees in each of their reſpective Diſtricts ſhall cauſe to be provided and kept a proper Book or Books, and fair and regular Entries to be made therein of all their Acts, Orders, and Proceedings relative to the Execution of this Act, and all Entries in ſuch Book or Books, being ſigned by the Truſtees and Clerk then preſent, ſhall be deemed Originals, and ſhall be allowed to be read in Evidence in all Caſes, Suits, and Actions touching or concerning any Thing done in purſuance of this Act; and ſuch Book or Books ſhall at all the Meetings of the ſaid Truſtees be open and liable to the Inſpection of all and every the ſaid Truſtees, and of the Creditors on the Tolls hereby granted and made payable; and any of the ſaid Truſtees and Creditors ſhall and may have and take Copies thereof, paying for every Copy not exceeding One hundred Words, the Sum of Sixpence, and ſo in Proportion for any greater Number of Words.

Entries and Proceedings under former Acts good Evidence.

XIV. Provided always, and be it further enacted, That all and every Book or Books, with any Entry or Entries of any Proceedings of any of the Truſtees or other Perſon or Perſons acting by and under the Authority of the ſaid recited Acts or any of them (ſuch Entry or Entries being made in ſuch Book or Books according to the Direction of and made Evidence by the ſaid recited Acts reſpectively) ſhall be and be deemed to be good and ſufficient Evidence of ſuch Proceedings in any Court whatſoever, any

any Thing herein contained to the contrary thereof in anywise notwithstanding.

Meetings on Emergencies.

XV. And be it further enacted, That if after any Adjournment of any Meeting as aforesaid, it shall at any Time or Times be thought necessary that a Meeting of the Trustees shall be holden on an earlier Day than the Day to which such Meeting shall have been adjourned, then and in every such Case the Clerk to the said Trustees (an Order in Writing signed by Two or more of the said Trustees, mentioning the Time, Place, and Purpose of such earlier Meeting, being given to him, or left at his last or usual Place of Abode,) shall forthwith give Notice of such earlier Meeting in Manner before directed, and of the Time, Place, and Purpose which shall be mentioned in the Order of the said Trustees (such Time not being sooner than Ten Days after such Notice); and all Proceedings of the said Trustees at such earlier Meeting shall be as good and valid as they would have been in case such Trustees had met in pursuance of any Adjournment.

Trustees may appoint Officers.

XVI. And be it further enacted, That the said Trustees or any Five or more of them in their respective Districts, may and they are hereby empowered, by Writing under their Hands, or by any Order entered in the Minute Book of that Meeting, to appoint a Treasurer or Treasurers, Clerk or Clerks, and a Collector or Collectors of the Tolls and Duties hereby granted and made payable, and also a Surveyor or Surveyors of the said Roads, and also such other Officers and Persons for the Execution of this Act, as they the said Trustees shall think proper, and from Time to Time to remove such Officers and Persons respectively, as the said Trustees shall see Occasion; and out of the Monies to be received by virtue of this Act, to allow and pay such Salaries, Wages, and Allowances to the said Officers and other Persons, as the said Trustees shall think reasonable; and all such Officers so to be appointed, and also all and every Person and Persons appointed by virtue of or acting or who have acted in Execution of the said recited Acts hereby repealed, or any or either of them, shall under their Hands, at such Time or Times, and in such Manner as the said Trustees shall direct, deliver to the said Trustees, or to such Person or Persons as they shall appoint, true and perfect Accounts in Writing of all Matters and Things committed to their Charge, by virtue of the said recited Acts or of this Act, and also of all the Monies which shall have been by such Officers respectively received by virtue and for the Purposes of the said recited Acts or of this Act, and how much thereof hath been expended and disbursed, and for what Purpose, together with proper Vouchers for such Payment, and shall pay all such Monies as shall remain due from them respectively to the said Trustees, or to such Person or Persons as they shall appoint to receive the same; and all the said Officers or Persons so accounting as aforesaid, shall verify their said Accounts upon Oath, if required by the said Trustees (which Oath the said Trustees or any Five or more of them are hereby empowered to administer); and if such Officer or Person shall refuse or neglect to make and render, or to verify upon Oath any such Account, or to produce and deliver up the Vouchers relating to the same, or to make Payment as aforesaid, or shall refuse or wilfully neglect to deliver to the said Trustees, or to such Person or Persons as they shall appoint to receive the same, within Fourteen Days next after being thereunto required by the said Trustees, by Notice in Writing given to or left at the last or usual Place of Abode of such Officer or Person, all Books, Papers,

Papers, and Writings in his Custody or Power relating to the Execution of the said recited Acts or of this Act, or give Satisfaction to the said Trustees respecting the same, then and in every such Case, upon Complaint made by the said Trustees, or by such Person or Persons as they shall appoint for that Purpose, of any such Refusal or wilful Neglect as aforesaid, to any Justice of the Peace for the County or Place wherein such Officer or Person so refusing or wilfully neglecting shall be or reside, such Justice may and he is hereby authorized and required to issue a Warrant under his Hand and Seal, for the Officer or Person so refusing or neglecting to appear before him; and upon his appearing, or having been summoned and not appearing, or not being to be found, to hear and determine the Matter in a summary Way; and if upon the Confession of the Party, or by the Testimony of any credible Witness or Witnesses upon Oath (which Oath such Justice is hereby empowered to administer) it shall appear to such Justice, that any of the Monies that shall have been collected or received by virtue of this Act or the said recited Acts, or either of them, shall remain due from such Officer, such Justice may and he is hereby authorized and required, upon Nonpayment thereof, by Warrant under his Hand and Seal, to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Officer or Person; and if no Goods and Chattels of such Officer or Person can be found sufficient to answer and satisfy the said Money and the Charges of distraining and selling the said Goods and Chattels; or if it shall appear to such Justice that such Officer or Person shall have refused or wilfully neglected to render and give such Account, or to verify the same as aforesaid, or to produce the Vouchers relating thereto, or that any Books, Papers, or Writings relating to the Execution of the said recited Acts or of this Act shall be in the Custody or Power of such Officer or Person, and he shall have refused or wilfully neglected to deliver or give Satisfaction respecting the same as aforesaid; then and in each and every such Case such Justice shall commit such Offender to the Common Gaol or House of Correction for the County or Place where such Offender shall be or reside, there to remain without Bail or Mainprize, until he shall give and make a true and perfect Account and Payment as aforesaid, or until he shall compound with the said Trustees for such Money, and shall have paid such Composition in such Manner as they shall appoint, which Composition the said Trustees are hereby empowered to make and receive, and until he shall deliver up such Books, Papers, and Writings, or give Satisfaction in respect thereof to the said Trustees; but no such Officer who shall be committed on account of his not having sufficient Goods and Chattels as aforesaid, shall be detained in Prison for any longer Time than Three Calendar Months.

Officers to give Security.

XVII. Provided always, and be it further enacted, That the said Trustees shall and they are hereby required to take sufficient Security from every Treasurer or Receiver appointed or to be appointed for the Purposes of this Act, for the due and faithful Execution of his Office; and if they think fit, may also take such Security from any other Officer to be appointed under or by virtue of this Act.

On the Death of a Gate-keeper Trustees may nominate

XVIII. And be it further enacted, That it shall be lawful for any Two or more of the said Trustees, upon the Death, Neglect, Refusal, or Incapacity to act of any Collector of the Tolls by this Act granted, by Writing under their Hands to nominate and appoint some other fit Person to be Collector in

in his or her Place, until the next Meeting of the Truſtees, which Perſon ſo to be nominated and appointed, ſhall have the like Power and Authority, and be accountable in the ſame Manner, in all Reſpects, as the Perſon in whoſe Room or Stead he or ſhe ſhall be ſo appointed, any Thing hereinbefore contained to the contrary notwithſtanding; but ſuch Appointment ſhall continue in force no longer than until the Day of the next Meeting of the ſaid Truſtees, upon which another Appointment ſhall be made; and that if any Collector of the ſaid Tolls, who ſhall be diſcharged from his or her Office by the ſaid Truſtees, ſhall refuſe to deliver up the Poſſeſſion of the Toll Houſe, Buildings, and Appurtenances which he or ſhe enjoyed in right of his or her Appointment to that Office, within Two Days after Notice given to him or her, or left at ſuch Toll Houſe in Writing under the Hands of the ſaid Truſtees, or any Five or more of them; or if the Wife or Family of any ſuch Collector who ſhall die as aforeſaid, or any other Perſon who ſhall be in the Poſſeſſion of the Premiſes by any Means whatſoever, ſhall refuſe to deliver up ſuch Houſe, Buildings, and Appurtenances, within Two Days after Notice of ſuch new Appointment being made as aforeſaid ſhall have been given to him, her, or them, or left at ſuch Toll Houſe, ſigned by any Five or more of the ſaid Truſtees; then and in either of the ſaid Caſes it ſhall be lawful for any Juſtice of the Peace for the County or Place where ſuch Toll Houſe ſhall ſtand or be, by Warrant under his Hand and Seal, to order any Conſtable or other Peace Officer, with ſuch Aſſiſtance as ſhall be neceſſary, to enter ſuch Toll Houſe and Premiſes in the Day-time, and to remove the Perſons who ſhall be found therein, together with their Goods and Chattels, out of ſuch Toll Houſe and other the Premiſes, and to put the new appointed Collector in Poſſeſſion thereof.

another until the next Meeting.

XIX. And be it further enacted, That in all Actions, Cauſes, Suits, Bills, Plaints, Proſecutions, Trials or Proceedings at Law to be had, brought, proſecuted, or defended in purſuance of this Act, the ſaid Truſtees in their reſpective Diſtricts may ſue and be ſued; and prefer and appear to any Bill or Bills of Indictment in the Name or Names of their Treaſurer or Clerk, or in the Name or Names of any one or more of the ſaid Truſtees on Behalf of the ſaid Truſtees; and no ſuch Action or Proceeding ſhall abate or be diſcontinued by the Death or Removal of the Perſon in whoſe Name, or againſt whom the ſame ſhall be brought or defended; but no ſuch Treaſurer, Clerk, or Truſtee, or any or either of them, ſhall be ſubject to the Payment of any Coſts or Expences on Account thereof, but all ſuch Coſts and Expences ſhall be defrayed out of the Money ariſing by virtue of this Act, provided ſuch Proceedings be commenced or defended by Order of the Truſtees, or any Five or more of them, at ſome Meeting to be held by virtue of this Act.

Actions to be brought in the Name of the Treaſurer or Clerk, or One or more of the Truſtees;

but neither to be ſubject to the Payment of Coſts.

XX. And be it further enacted, That it ſhall be lawful for the ſaid Truſtees, if they ſhall think proper, to continue all and every the Turnpikes or Toll Gates and Toll Houſes now ſtanding and being in and upon or acroſs the ſaid Roads; and it ſhall alſo be lawful for the ſaid Truſtees to erect or cauſe to be erected ſuch and ſo many other Turnpikes or Toll Gates and Toll Houſes, upon or acroſs the ſaid Roads, and on or near the Sides thereof, or upon or acroſs any Lanes or Ways leading or that may hereafter lead out of the ſame; and may take in and incloſe ſuch and ſo much Land, not exceeding Half an Acre for each, as they the ſaid Truſtees

Truſtees empowered to continue the preſent Turnpikes, and to erect additional Turnpikes.

tees or any Five or more of them shall deem necessary, for the Site of such additional Toll Houses, and for the Yards, Gardens, and Accommodations necessary to the same.

Turnpikes may be removed.

XXI. And be it further enacted, That it shall be lawful for the said Trustees or any Five or more of them, and they are hereby empowered from Time to Time, when and as often as they shall think proper, by their Order, to be made at a Meeting to be held after Notice specially stating the Purpose of such Meeting, to cause any of the Turnpikes or Toll Gates, or any of the Weighing Engines now standing or being or which shall be erected in, upon, or across, or on the Sides of the said Roads, to be taken down and removed, and the same or any other Turnpike or Toll Gate and Weighing Engine, in lieu of every Turnpike or Toll Gate and Weighing Engine so taken down and removed, to be erected in, upon, or across any other Part or Parts of the said Roads, and from Time to Time, as often as they shall think fit, upon the like Notice and with the like Consent, again to take down and remove the same Turnpikes or Toll Gates and Weighing Engines, or any of them, and to cause the same or any of them to be erected in, upon, or across the Part or Parts of the said Roads whereon the same or any of them formerly stood, or in, upon, or across any other Part or Parts thereof: Provided always, that no Meeting shall be held for such Purpose as aforesaid, unless Fourteen Days previous Notice thereof at the least shall have been given in each of the *Shrewsbury* Papers, or in some other Newspaper usually circulated in the said Counties and also upon the several Turnpikes or Toll Gates which shall be then standing in, upon, or across the said Roads.

No Turnpike between Pool and Berriew.

XXII. Provided also, and be it enacted, That nothing herein contained shall extend to empower the Trustees for putting this Act into Execution, to erect any Turnpike or Toll House between the Town of *Pool* and the Junction of the *Berriew* Road with the Road leading to *Kilkewydd* Bridge.

Turnpikes, &c. vested in Trustees.

XXIII. And be it further enacted, That the Right and Property of the several Toll Houses and Turnpikes or Toll Gates, Weighing Engine or Weighing Engines, now standing or being upon the said Roads, and of the Toll Houses and Turnpikes, or Toll Gates, Weighing Engine and Weighing Engines, and other Erections and Buildings to be erected in the said respective Districts by virtue of this Act, and also the Materials, Grounds, Fences and Appurtenances, and of all Arches, Bridges, Walls and other Erections, Buildings, and Premises, and of all Milestones and Posts erected and to be erected, and also of all Materials, Tools, and Implements which are already provided, or which shall be provided for the Use of or for making and repairing the said Roads by virtue hereof, shall be and the same are and is hereby vested in the said Trustees of the said Districts respectively, and they or any Five or more of them are hereby empowered to cause any Action to be brought, and any Bill or Bills of Indictment to be preferred against any Person or Persons who shall steal, break down, take away, injure, spoil or deface any such Toll Houses, Turnpikes, or Toll Gates, Weighing Engine or Weighing Engines, or other Buildings or Erections, Fences, Milestones, Posts, or any of them, or any such Materials, Tools or Implements, in their said respective Districts as aforesaid.



XXIV. And

XXIV. And be it further enacted, That it ſhall be lawful for the ſaid Truſtees, or any Perſon or Perſons to be appointed by virtue of this Act Collector or Collectors as aforeſaid, to demand and take the ſeveral Tolls and Duties following, at each and every of the reſpective Toll Houſes, Turnpikes or Toll Gates, or Turnpike or Toll Gate, which is or ſhall be erected or continued in, upon, or acroſs the ſaid Roads by virtue of this Act, and on every Day, (ſuch Day to be computed from Twelve of the Clock at Night to Twelve of the Clock in the next ſucceeding Night), that is to ſay; Tolls.

For every Horſe, Mare, Gelding or Mule, drawing any Coach, Chariot, Landau, Berlin, Phaeton, Calaſh, Curricle, Vis-a-vis, Chaiſe, Diligence, Caravan, Chair, Hearſe or Litter, the Sum of Eight-pence:

For every Horſe, Mare, Gelding, Mule, or Yoke of Oxen, drawing any Waggon, Wain, Cart or other ſuch like Carriage, having the Sole or Bottom of the Fellies of the Wheels thereof of the Breadth of Six Inches with flat Surfaces, the Sum of Four-pence:

For every Horſe, Mare, Gelding, or Mule, or Yoke of Oxen, drawing any Waggon, Wain, Cart or other ſuch like Carriage, not having the Sole or Bottom of the Fellies of the Wheels thereof with flat Surfaces, or of a leſs Breadth than Six Inches, the Sum of Sixpence:

For every Horſe, Mare, Gelding, Mule, or Yoke of Oxen drawing any Timber or Plank on any Carriage, having the Sole or Bottom of the Fellies of the Wheels thereof of the Breadth of Six Inches with flat Surfaces, the Sum of Eight-pence:

For every Horſe, Mare, Gelding, Mule, or Yoke of Oxen, drawing Timber or Plank on any Carriage, not having the Sole or Bottom of the Fellies of the Wheels thereof with flat Surfaces, or of a leſs Breadth than Six Inches, the Sum of One Shilling:

For every Horſe, Mare, Gelding or Mule, laden or unladen, and not drawing, the Sum of One Penny Halfpenny:

For every Aſs drawing any Kind of Carriage whatſoever, the Sum of Two-pence:

For every Aſs not drawing, the Sum of One Penny:

For every Drove of Oxen, Cows or neat Cattle, the Sum of One Shilling and Eight-pence *per* Score; and ſo in Proportion after that Rate for any greater or leſs Number:

For every Drove of Calves, Hogs, Sheep or Lambs, the Sum of Ten-pence *per* Score; and ſo in Proportion after that Rate for any greater or leſs Number:

And the ſaid reſpective Tolls ſhall be demanded and taken before any Coach, Chariot, Landau, Berlin, Phaeton, Calaſh, Curricle, Vis-a-vis, Chaiſe, Diligence, Caravan, Chair, Hearſe or Litter, Waggon, Wain, Cart or other ſuch like Carriage, or any Horſe or Horſes, or other Beaſt or Cattle whatſoever, be permitted to paſs through any ſuch Turnpike or Toll Gate.

XXV. And be it further enacted, That all and every Perſon or Perſons whomſoever, who ſhall paſs through all or any of the ſaid Turnpike Gates, either on Horſeback or with any Wheel Carriage whatever on *Sundays* (except Carriages going for Lime, Coals, or Charcoal, after Four of the Clock in the Afternoon) or ſhall drive any Cattle, Sheep, or Pigs, ſuch Perſon ſhall be liable to pay Double the reſpective Tolls or Sums of Money herein-before mentioned reſpectively. Double Tolls on Sunday.

Exemption of Waggons loaded with Lime.

XXVI. Provided alſo, and be it further enacted, That any Waggon, Wain, Cart or Carriage, paſſing unloaded through any Gate or Gates, Turnpike or Turnpikes whatſoever, at or after Four of the Clock in the Evening, and paying Toll for the ſame at ſuch Gate or Gates, ſhall not be liable to pay any Toll on their Return the following Day at the ſame Gate or Gates, if the ſame Waggon, Wain, Cart or Carriage return loaded with Lime, Coals, Charks or Charcoal, before Twelve of the Clock at Night.

Powers of Diſtreſs for Tolls.

XXVII. And be it further enacted, That a Table of the ſaid Tolls ſhall be put up and continued at each and every Toll Houſe or Turnpike erected on the ſaid Roads; and if any Perſon or Perſons, ſubject to the Payment of any of the ſaid Tolls and Duties ſhall after Demand thereof made by any Collector to be appointed as aforeſaid, or any Perſon or Perſons to whom the ſaid Tolls or Duties or any of them ſhall be leaſed in Manner herein-after mentioned, neglect or refuſe to pay the ſame or any Part thereof, it ſhall be lawful for ſuch Collector, Leſſee or Leſſees, to ſeize and diſtrain, or cauſe to be ſeiſed and diſtrained any Carriage or Carriages, Horſe or Horſes, or other Beaſt or Cattle chargeable with the ſaid Tolls, together with their Bridles, Saddles, Harneſs or Accoutrements, or any Part or Parts thereof, except the Bridle or Reins of any Horſe or other Beaſt, apart from ſuch Horſe or other Beaſt; and if ſuch Tolls and the reaſonable Charges of ſuch Seizure and Diſtreſs, and of detaining and keeping the ſame, ſhall not be paid within Five Days next after ſuch Seizure and Diſtreſs made, the Collector ſo ſeizing and diſtraining may ſell or cauſe to be ſold the Carriage or Carriages, Horſe or Horſes, Beaſt or other Cattle, and their Bridles, Saddles, Harneſs, or Accoutrements ſo ſeized and diſtrained as aforeſaid, or any Part thereof, at or near the Turnpike where the ſaid Tolls and Duties ought to have been paid, rendering the Overplus (if any) upon Demand to the Owner or Owners thereof, after ſuch Tolls and all reaſonable Charges for diſtraining, keeping, and ſelling the ſame, ſhall be deducted and paid.

How often Toll ſhall be paid in each Diſtrict.

XXVIII. Provided always, and be it enacted, That no Perſon ſhall be ſubject to the Payment of any of the Tolls hereby made payable more than Three Times in any One Day (to be computed from Twelve of the Clock at Night to Twelve of the Clock in the ſucceeding Night) for paſſing and repaſſing Once with the ſame Beaſt, Cattle, and Carriage through all the Turnpikes erected or to be erected on ſuch Part of the Firſt Diſtrict of the Roads as lies between the Town of *Pool* and *Llanidloes* or *Steddfagerrig*; and Twice on ſuch Part of the Road as lies between *Newtown* and the *Biſhops' Moat* near *Biſhop's Caſtle*; and Twice on ſuch Part of the Road as lies between *Newtown* and *Machynlleth* in the ſame Diſtrict; nor more than Three Times in any One Day, to be computed as aforeſaid, for paſſing and repaſſing Once with the ſame Beaſt, Cattle, and Carriage through all the Turnpikes erected or to be erected on ſuch Part of the Second Diſtrict of Roads as lies between *Pool* and *Machynlleth*, or the River *Llyſnant*; and Twice on ſuch Part of the Road as lies between *Machynlleth* and *Llanidloes* in the ſame Diſtrict; nor more than Twice in One Day, to be computed as aforeſaid, for paſſing and repaſſing once with the ſame Beaſt, Cattle, and Carriage, through all the Turnpikes erected or to be erected on ſuch Part of the Third Diſtrict of Roads as lies between the Road leading from the Turnpike Road from *Shrewſbury*

to

to *Pool*, over the River *Severn*, to *Llanfyllin*; and Once from *Llanfyllin* to the Turnpike Road in the Townſhip of *Garth*; and Once from *Llanfyllin* to *Milltirgerrig*; and Twice between *Porthywaen* and *Llanfair*, and likewiſe Twice between *Brynygroes* and *Llanfair* in the ſame Diſtrict, ſuch Perſon producing a Note or Ticket denoting the Payment of the ſaid Toll, which Note or Ticket the reſpective Collectors of the Tolls are hereby required to give *gratis* on Receipt of ſuch Toll: Provided always, that from and after the paſſing of this Act, all and every Perſon and Perſons who ſhall have Occaſion to paſs a Third Time through any Gate or Turnpike erected or to be erected by virtue of this Act, in any One Day, ſhall be ſubject and liable to the Payment of another Toll, and ſhall receive a Note or Ticket denoting the Payment thereof, which ſhall entitle ſuch Perſon or Perſons with the ſame Horſe, Cattle, Beaſt, and Carriage, to return Toll-free through the ſame Gate or Turnpike, upon the ſame Day, and ſo *toties quoties* every Third Time ſuch Perſon or Perſons ſhall with the ſame Horſe, Cattle, Beaſt, and Carriage, paſs through ſuch Gate or Turnpike on the ſame Day as aforeſaid, any Thing herein contained to the contrary notwithſtanding.

Perſons paſſing through any of the Toll Gates a Third Time to pay, and ſo toties quoties.

XXIX. Provided always, and be it further enacted, That no Ticket or Tickets to be given to any Perſon or Perſons by the Collector or Collectors of the Tolls at any Turnpike or Turnpikes erected or to be erected on the original Roads in any of the ſaid Diſtricts, for or in reſpect of any Horſe, Mare, Gelding, or other Beaſt paſſing through the ſame, ſhall exempt any ſuch Perſon or Perſons paſſing through any Turnpike or Turnpikes erected or to be erected in the other Diſtricts, or either of them, or on any of the additional Roads hereby directed to be made, whereby the Tolls in either of the ſaid Diſtricts, or any particular Roads therein, or in either of them, upon which any Money has been or ſhall hereafter be borrowed upon the Credit of the Tolls thereof reſpectively, ſhall be in anywiſe affected, diminiſhed, or leſſened.

Gates in each Diſtrict not to free the Gates in either of the other Diſtricts.

XXX. And be it further enacted, That the ſaid reſpective Truſtees or any Five or more of them, from Time to Time as they ſhall ſee convenient, may compound and agree for any Term not exceeding Two Years at any One Time, with any Perſon or Perſons, for any Carriages, Horſes, Cattle, or Beaſts, travelling upon the ſaid reſpective Roads, or any Part thereof, for all or any of the Tolls to be paid for or in reſpect of ſuch Carriages, Horſes, Cattle, or Beaſts; and all ſuch Compoſition ſhall be paid quarterly in advance, and in Default thereof the Compoſition or Agreement with the Perſon or Perſons making ſuch Default, ſhall from thenceforth be void; and all ſuch Compoſition Money ſhall be applied in ſuch Manner as the Tolls, in reſpect whereof ſuch Compoſition is made, are directed to be applied.

Compounding of Tolls.

XXXI. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Truſtees, in their reſpective Diſtricts, or any Five or more of them (at any Meeting whereof Twenty-one Days Notice ſhall be given in Writing upon the ſeveral Toll Gates then erected on the ſaid Roads, in each of the ſaid reſpective Diſtricts, and inſerted in both the *Shrewſbury* Newſpapers, or ſome other Newſpaper uſually circulated in the ſaid Counties and in the Neighbourhood of the ſaid Roads) by Writing under their Hands, or under their Hands and Seals, to demiſe

Leaſing the Tolls.

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, 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 granted by this Act are directed to be applied.

To prevent evading the Tolls.

XXXII. And be it further enacted, That if any Perſon or Perſons ſhall with any Horſe, Cattle, Beaſt, or Carriage, paſs through any Land, Ground, or Hereditament, lying near any Turnpike which has been erected by virtue of the ſaid recited Acts, or which ſhall be erected by virtue of this Act (the ſame not being a public Highway); or if the Owner or Occupier of ſuch Land, Ground, or Hereditament, ſhall knowingly permit or ſuffer any Perſon or Perſons with any Horſe, Cattle, Beaſt, or Carriage whatſoever, to paſs through the ſame; or if any Perſon or Perſons ſhall give to or receive from any Perſon or Perſons, or forge or counterfeit any Ticket by this Act directed to be given, whereby the Payment of any of the ſaid Tolls or of any Part thereof ſhall be avoided; or if any Perſon or Perſons ſhall forcibly paſs through any ſuch Turnpike with any Horſe, or other Cattle or Beaſt, or ſhall take off any Horſe or other Cattle from any Carriage, every Perſon offending in any of the Caſes aforeſaid, ſhall for every ſuch Offence forfeit any Sum not exceeding Five Pounds, whereof One Moiety ſhall be paid to the Informer or Informers, and the other Moiety ſhall be applied in ſuch Manner as the Penalties and Forfeitures are herein-after directed to be applied.

Exemptions from Tolls.

XXXIII. Provided always, and be it further enacted, That no Toll ſhall be taken for any Carriage, or any Horſe, Cattle, or Beaſt, laden only with, or going unladen for, or returning unladen, having been laden only with on the ſame Day, Gravel, Stone, or other Materials for repairing any of the ſaid Roads, or any of the Roads in the Townſhips or Pariſhes in which ſuch Roads do lie, or any of the Bridges or Cauſeways within the ſame; or for hauling any Earth, Soil, or Sand, which ſhall have been collected or ſcraped off any of the ſaid Roads; or Corn in the Straw, or Hay, or Straw only, not ſold or diſpoſed of, but paſſing to be laid up in the Out-houſes or on the Lands of the Owners thereof; nor for any Cattle or Carriage carrying Corn to be ground in any Mill, or returning empty having delivered ſuch Loading, or going unladen to fetch ſuch Corn ground, or returning laden therewith, provided ſuch Corn be for the ſole Uſe and Conſumption of the Owner and not for Sale, and that the ſame ſhall not be carried or conveyed above the Diſtance of One Mile on any Part of the Roads herein deſcribed to or from any ſuch Mill; nor for any Ploughs, Harrows, or other Implements of Huſbandry; nor from any Perſon reſiding in any Pariſh or Townſhip in which either of the ſaid reſpective Roads doth lie, going to or from their proper Parochial Church, Chapel, or other Place of Religious Worſhip, on *Sundays*, or attending the Funeral of any Perſon that ſhall die and be buried, in any of the ſaid Pariſhes; nor for any Horſe or Carriage employed in conveying the Mails of Letters and Expreſſes under the Authority of His Majeſty's Poſtmaſter General, or his Deputies, either when employed in conveying ſuch Mails or Expreſſes, or returning back from conveying the ſame; nor

nor for any Carriage, Horſe, or Beaſt which ſhall only croſs the ſaid Roads, or ſhall not paſs above One hundred Yards thereon; nor for any Horſe, Beaſt, or Cattle going to or from Water or Paſture, or in order to be ſhoed or farried, provided ſuch Horſe, Beaſt, or Cattle ſhall not have travelled for either of the laſt mentioned Purpoſes above the Diſtance of One Mile on any of the ſaid Roads; nor for the Horſes of any Officers or Soldiers on their March, nor for the Horſes, Carts, Carriages, or Waggons employed in carrying or conveying their Arms or Baggage, or carrying any wounded, ſick, or diſabled Officers and Soldiers, or returning empty having been ſo employed, or which ſhall be employed in conveying any Ordnance, Barrack, or Commiſſariat or other public Stores of or belonging to His Majeſty, or for the Uſe of His Majeſty's Forces; nor for any Horſe, Mare, or Gelding, furniſhed by or for any Perſons belonging to any Corps of Yeomanry or Volunteer Cavalry reſpectively, and rode by them; nor for Carriages conveying Volunteer Infantry in going to or returning from the Place appointed for and on the Days of Exerciſe; provided that ſuch Perſon or Perſons be dreſſed in the Uniform of their reſpective Corps, and have their Arms, Furniture, and Accoutrements, according to the Regulations provided for ſuch Corps reſpectively, at the Time of claiming ſuch Exemptions as aforeſaid; nor for any Cattle or Carriage employed in the Conveyance of Vagrants ſent by legal Paſſes; nor for any Coach, Chariot, Landau, Berlin, Phaeton, Calaſh, Curricle, Vis-a-vis, Chaiſe, Diligence, Caravan, Chair, or Paſſenger on Horſeback, going to or returning from any Election of a Knight or Knights of the Shire to ſerve in Parliament for the Counties of *Salop*, *Montgomery*, *Merioneth*, or *Denbigh*, during the Time of ſuch Election, or on the Day before or Day after ſuch Election ſhall begin or be concluded; and if any Perſon ſhall claim and take the Benefit of any of the Exemptions aforeſaid, not being entitled to the ſame, ſuch Perſon ſhall for every ſuch Offence, forfeit the Sum of Forty Shillings.

Owners or Drivers of Waggons, in the Service of His Majeſty, 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, 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, or the Horſe or Horſes drawing the ſame, 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 the 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.

Limiting the Exemption upon the Carriage of Manure to certain Months.

XXXV. And whereas by the ſaid recited Act of the Thirteenth Year of His ſaid Majeſty's Reign, the Exemption from Toll for the Carriage of Mould, Dung, Compoſt or Manure, is limited to the Months of *May*, *June*, *July*, *Auguſt*, and *September*; and the Reſtriction has been found to be very beneficial, and to have contributed greatly to the Preſervation of the Roads mentioned in the ſaid recited Acts; be it therefore enacted, That

That no Perſon or Perſons ſhall by virtue of this Act be exempted from the Payment of Toll, for or in reſpect of any Carriage, or any Horſe, Cattle or Beaſt drawing the ſame, laden only with, or going unladen for, or returning unladen, having been laden only with any Mould, Dung, Compoſt or Manure, (Lime and Lime Stones excepted) carried or conveyed for manuring or improving of Land, unleſs ſuch Mould, Muck, Dung, Compoſt or Manure, be carried in the Months of *May*, *June*, *July*, *Auguſt*, or *September*, any Thing in this Act contained to the contrary in anywiſe notwithſtanding.

Collectors declared competent Witneſſes.

XXXVI. 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 Perſon or Perſons acting under the Authority of the ſaid reſpective Truſtees, ſhall not be incompetent, on account of his or her being appointed to collect ſuch Tolls, to give Evidence in any ſuch Diſpute, Suit or Litigation.

For ſettling Diſputes concerning Tolls.

XXXVII. And be it further enacted, That if any Diſpute ſhall happen concerning any Tolls due, or the Charges occaſioned by any ſuch Diſtreſs as aforeſaid, it ſhall be lawful for the Perſon or Perſons ſo diſtraining, to retain ſuch Diſtreſs or the Money ariſing from ſuch Sale thereof, until the Quantity of the Tolls and the Charges of ſuch Diſtreſs ſhall be aſcertained by ſome Juſtice of the Peace for the County, Diviſion or Diſtrict in which ſuch Diſtreſs ſhall be made, who upon Application made to him for that Purpoſe, ſhall examine the Matter by Oath of the Parties, or of a Witneſs or Witneſſes, and ſhall determine the Toll due, and aſſeſs the Charges of ſuch Diſtreſs, and of the Collector's Attendance upon the Juſtice for that Purpoſe, all which Sums ſo determined and aſſeſſed ſhall be paid to the ſaid Collector, before he or ſhe ſhall be obliged to return the Goods ſo diſtrained, or the ſaid Overplus or any Part thereof reſpectively.

Varying the Tolls.

XXXVIII. And be it further enacted, That the ſaid Truſtees or any Five or more of them, ſhall if they ſhall think neceſſary, at their Firſt Meeting, and from Time to Time aſſembled at any ſubſequent Meeting or Meetings, to leſſen and reduce, within their reſpective Diſtricts, all or any of the Tolls by this Act granted, and for ſuch Time as they the ſaid reſpective Truſtees or any Five or more of them ſhall think proper; and may afterwards from Time to Time advance all or any of the Tolls ſo leſſened, to any Sum not exceeding the reſpective Rates herein-before mentioned; and the ſaid reſpective Truſtees, or any Five or more of them, may from Time to Time direct the Tolls hereby granted or ſo reduced as aforeſaid to be collected, in ſuch Parts and Proportions, at the Turnpikes in ſuch Diſtricts reſpectively as they the ſaid reſpective Truſtees or any Five or more of them ſhall think fit, and ſuch reduced Tolls, and alſo ſuch Parts and Proportions as aforeſaid ſhall and may be collected, levied and applied, in ſuch Manner as the ſaid reſpective Tolls are directed to be collected, levied and applied; but no ſuch Reduction ſhall be made of the ſaid Tolls at any Time after the ſaid Firſt Meeting for each reſpective Diſtrict, unleſs the Perſon or Perſons who ſhall be entitled to Two-thirds of the Money borrowed on the Credit of the Tolls intended to be reduced, ſhall be conſenting thereto; and that no ſuch ſubſequent Meeting ſhall be held for any of the Purpoſes aforeſaid, unleſs Twenty Days previous Notice ſhall be

given thereof in Writing, to be affixed upon all the Turnpikes within each of the ſaid reſpective Diſtricts, and publiſhed in each of the *Shrewſbury* Newſpapers, or in ſome Newſpaper uſually circulated in the ſaid Counties; provided that no ſuch Reduction to be made ſhall diminiſh or leſſen the Tolls now taken at the ſaid ſeveral Turnpike Gates in each Diſtrict, or any of them, under or by virtue of the ſaid repealed Acts, without the Conſent in Writing of the Perſon or Perſons who ſhall be entitled to Two-thirds of the Money borrowed and now due upon the Credit of the ſaid reſpective Tolls intended to be reduced, being firſt had and obtained; any Thing herein contained to the contrary notwithſtanding.

The preſent Tolls not to be reduced without the Conſent of Creditors.

XXXIX. And be it further enacted, That it ſhall be lawful for the ſaid Truſtees or any Five or more of them, and they are hereby empowered from Time to Time to borrow and take up at Intereſt ſuch Sum or Sums of Money as they ſhall judge neceſſary for the Purpoſes of this Act, and for the Re-payment of the Money already borrowed and owing on the Credit of the ſaid repealed Acts, or of either of them, and by Writing under their Hands and Seals to aſſign over or mortgage the Tolls hereby granted, or any Part thereof, and the ſeveral Turnpikes or Toll Houſes erected or to be erected on the ſaid Roads (the Charges of ſuch Aſſignments and Mortgages to be paid out of the ſaid Tolls) for any Term during the Continuance of this Act, as a Security for the Re-payment of ſuch Sum or Sums of Money with Intereſt for the ſame to the Perſon or Perſons who ſhall advance and lend ſuch Money, his, her, or their Executors, Adminiſtrators, and Aſſigns; ſuch Intereſt to be paid and payable by equal Half-yearly Payments, at the Dwelling Houſe of the Treaſurer to the ſaid Truſtees for the Time being; all which Mortgages or Aſſignments ſhall be in the Words, or to the Effect following;

Truſtees empowered to borrow Money on the Credit of the Tolls.

'BY virtue of an Act of Parliament, made in the Fifty-third Year of the Reign of King *George* the Third, intituled [*ſet forth the Title of this Act*] we whoſe Names are hereunto ſubſcribed and Seals affixed, being of the Truſtees acting in the Execution of the ſaid Act, for the Diſtrict of Roads, in Conſideration of the Sum of to the Treaſurer of the ſaid Roads in hand this Day paid by *A. B.* of do hereby grant, bargain, ſell, and demiſe unto the ſaid *A. B.* Executors, Adminiſtrators and Aſſigns, ſuch Proportion of the Tolls ariſing by virtue of the ſaid Act, and alſo of the Turnpikes and Toll Houſes for collecting the ſame, as the ſaid Sum of doth or ſhall bear to the whole Sum charged or advanced or to be charged or advanced on the Credit of the ſaid Act; to be had and holden from this Day of in the Year of our Lord for and during the Continuance of the ſaid Act, unleſs the ſaid Sum of with Intereſt, after the Rate of Five Pounds *per Centum per Annum*, ſhall be ſooner repaid and ſatisfied. Given under our Hands and Seals, this Day of in the Year of our Lord.'

Form of Mortgage.

And Copies of all ſuch Mortgages or Aſſignments ſhall be entered in a Book or Books to be kept for that Purpoſe by the Clerk or Clerks to the ſaid Truſtees, and ſuch Book or Books ſhall and may at all reaſonable Times be peruſed and inſpected without Fee or Reward; and all Mortgages or

Copies of Mortgages to be entered.

or Aſſignments which ſhall be made in the Manner and Form aforeſaid, and the Mortgages or Aſſignments which were made by virtue of the ſaid recited Acts, ſhall be good, valid and effectual to all Intents and Purpoſes whatſoever; and all Perſons to whom any ſuch Mortgages or Aſſignments reſpectively have been or ſhall be made as aforeſaid, or who are or ſhall be entitled to the Money thereby reſpectively ſecured, may from Time to Time aſſign and transfer the ſame Security or Securities reſpectively, and all Benefit and Advantage therefrom, and all their Right, Title and Intereſt to the Principal and Intereſt Money thereby reſpectively ſecured, or any Part thereof, to any Perſon or Perſons whomſoever, by Writing under their Hands and Seals in the Words or to the Effect following:

Form of Transfer.

'I *A. B.* being entitled to the Sum of
'ſecured to Executors, Adminiſtrators,
'and Aſſigns, by virtue of a Mortgage or Aſſignment, bearing Date the
'Day of under the Hands and Seals of
'of the Truſtees acting in the Execution of an Act of
'Parliament made in the Fifty-third Year of the Reign of King *George*
'the Third, intituled [*ſet forth the Title of the Act*] or made in the Ninth
'or Thirteenth Years of the Reign of His preſent Majeſty, [*ſet forth the*
'*Title of either of the ſaid Acts ſo repealed, as the Caſe may be*] upon the
'Credit of the ſaid Act, do hereby transfer and aſſign all my Right and
'Title in and to the ſame, and all Principal and Intereſt Money now due
'and owing unto *C. D.* Executors, Adminiſtrators,
'and Aſſigns. Dated this Day of in the
'Year of Our Lord

Notice of Transfers to be given the Clerk in Three Calendar Months.

And every ſuch Transfer ſhall be produced and notified to the ſaid Truſtees within Three Calendar Months next after the Date thereof, who ſhall cauſe an Entry or Memorial to be made thereof, containing the Date, Names of the Parties, and the Sum of Money therein mentioned to be transferred, in the ſaid Book or Books to be kept for entering the ſaid original Mortgages or Aſſignments to be made by virtue of this Act, and for which Entry the Clerk who ſhall enter the ſame ſhall be paid the Sum of Two Shillings and Sixpence, and no more; and after ſuch Entry made, but not otherwiſe, every ſuch Transfer ſhall entitle the Perſon or Perſons to whom the ſame ſhall be made, his, her, or their Executors, Adminiſtrators and Aſſigns, to the Benefit thereof and Payment thereon; and after ſuch Entry or Memorial made thereof as aforeſaid, it ſhall not be in the Power of any Perſon or Perſons making ſuch Transfer, to make void, releaſe or diſcharge the ſame, or the Monies thereby due, or any Part thereof; and all Perſons to whom ſuch Mortgages, Aſſignments or Transfers ſhall be made as aforeſaid (as well ſuch Mortgages, Aſſignments or Transfers made by virtue of either of the ſaid recited Acts, or of this preſent Act), ſhall be, in Proportion to the Sums therein reſpectively mentioned, Creditors on ſuch Tolls, Turnpikes and Toll Houſes, in equal Degree one with another, and ſhall have no Preference in reſpect of the Priority of advancing any ſuch Monies, or of the Dates of ſuch Mortgages or Aſſignments; provided nevertheleſs, that before any Sum or Sums of Money ſhall be taken up or borrowed, Notice ſhall be affixed in Writing upon all the Turnpikes within the Diſtrict for or on Account of which ſuch Money is ſo intended to be borrowed, Twenty Days before the borrowing thereof.

Truſtees to give Notice previous to their borrowing Money.

XL. Pro-

Old Securities to be made good.

XL. Provided always, and be it further enacted, That all Bonds or Securities made or granted by the Truſtees acting by and under the Authority of the ſaid recited Acts or either of them, ſhall be as good, valid, binding and effectual, to all Intents and Purpoſes whatſoever for and during the Continuance of this Act, as if the ſaid recited Acts had not been repealed, any Thing herein contained to the contrary thereof in anywiſe notwithſtanding.

Application of the Money in the First Diſtrict.

XLI. And be it further enacted, That all the Monies which before the Day of the Commencement of this Act, ſhall have been raiſed and produced upon the Roads included in the ſaid Acts or either of them, and compriſed in the Firſt Diſtrict, and which ſhall be undiſpoſed of on the Day of the Commencement of this Act, and alſo all the Monies which ſhall ariſe and be produced by or from the Tolls by this Act granted on the Roads within the ſaid Diſtrict, or made payable together with the Monies which ſhall be borrowed upon the Credit thereof, and all other Monies which ſhall ariſe and be produced by virtue of this Act, ſhall be veſted in the ſaid Truſtees for the Time being of the ſaid Firſt Diſtrict, and applied to and for the ſeveral Uſes, Intents and Purpoſes, and in Order and Manner following; (that is to ſay) in the Firſt Place, in Payment of the Proportion (to be aſcertained or aſſeſſed in Manner herein-after mentioned) of all the Coſts, Charges and Expences incident to or attending the obtaining and paſſing of this Act; and in the Second Place, in paying the Intereſt accruing upon the ſeveral Principal Sums which now are or ſhall be from Time to Time due and owing on Mortgage or Security of the Tolls granted by the ſaid Acts and this Act, and received or to ariſe and accrue and be received in the ſaid Firſt Diſtrict; in the Third Place, in defraying the Expences of erecting and providing Turnpikes, Toll Houſes and other Buildings, and repairing the ſame, and of altering, widening, turning, repairing and improving the Roads within the ſaid Diſtrict, and purchaſing Lands for thoſe Purpoſes, and executing the other Purpoſes of this Act; and laſtly, in reducing, paying off, and diſcharging ſuch ſeveral Principal Sums as aforeſaid.

Application of the Money on the Second and Third Diſtricts.

XLII. And be it further enacted, That the Tolls ariſing or to be collected on the Second and Third Diſtricts of Roads, or the Money to be borrowed thereon, ſhall be applied in Payment of the Proportion (to be aſcertained and aſſeſſed as aforeſaid) of the Charges and Expences incident to and attending the obtaining and paſſing of this Act, by each of the ſaid Diſtricts reſpectively; in the Second Place, in paying the Intereſt accruing upon the ſeveral Sums which now are or ſhall be from Time to Time due and owing upon Mortgage or Security of the Tolls granted by the ſaid Acts and this Act, and received or to ariſe and accrue, and be received in the ſame Diſtricts reſpectively; in the Third Place, in defraying the Expences of erecting and providing Turnpikes, Toll Houſes and other Buildings, and repairing the ſame; and of altering, widening, turning, repairing and improving the Roads within the ſaid laſt mentioned Diſtricts reſpectively, and purchaſing Lands for thoſe Purpoſes, and executing the other Purpoſes of this Act in either of the ſame Diſtricts; and laſtly, in reducing, paying off and diſcharging ſuch ſeveral Principal Sums in each of the ſame Diſtricts reſpectively as aforeſaid: Provided always, that none of the Tolls collected or to be collected at any Gate or Gates, Turnpike or Turnpikes erected or to be erected on the Roads, by the ſaid recited

Application of Tolls.

recited Acts or either of them directed to be repaired, or any Money borrowed or to be borrowed on the Credit thereof, shall in anywise be applicable or applied in the Repair of any of the additional Roads mentioned in this Act, but in the Repair of the original Roads in the said respective Districts only, nor shall any of the Tolls to be collected on any of the said additional Roads, or any Money to be borrowed on the Credit thereof, in anywise be applicable or applied to the Repair of any of the original Roads mentioned in the said recited Acts or either of them.

Charges of obtaining this Act.

XLIII. And be it further enacted, That the Charges and Expences of procuring and passing this Act, and all Costs, Charges and Expences incident thereto, as far as the same relate to the Roads mentioned and described in the said recited Acts or in either of them, shall in the First Place be paid and satisfied out of the Tolls and Duties arisen or to arise in the said Districts respectively, by virtue of the said recited Acts and of this present Act, or out of any Money borrowed or to be borrowed on the Credit of the said Acts, in such Parts, Shares and Proportions, as the Tolls received or the Rents accrued due from the respective Collectors, Lessees or Renters thereof in the said respective Districts, during the Three Years previous to the passing of this Act, shall upon an Average bear to the whole Expence of procuring and passing the same, in preference to all other Payments and Disbursements whatever; and that in like Manner the Costs, Charges and Expences of procuring and passing of this Act, and all Costs, Charges and Expences incident thereto, as far as the same relate to the additional Roads mentioned herein, shall be paid and satisfied out of the Tolls and Duties to arise or be received from the said additional Roads by virtue of this Act, or out of the Money borrowed or to be borrowed on the Credit of the said last mentioned Tolls.

Power to alter the Roads and enter Lands.

XLIV. And be it further enacted, That it shall be lawful for the said Trustees or any Five or more of them, and they are hereby authorized and empowered to widen, turn, alter and make the Course or Path of any Part or Parts of the said Roads, in Manner herein-after mentioned, through or over any Commons or Waste Grounds, without making any Satisfaction for the same, and also in, upon, through or over any Private Lands, Grounds, Tenements or Hereditaments, first making or tendering Satisfaction to the Owners thereof and Persons interested therein, for the Damage they may sustain thereby; and for that Purpose, it shall be lawful for the said Trustees, and for their Surveyors and Surveyor and Workmen with or without Carriages and Cattle, from Time to Time to enter upon the Lands and Premises through which or whereupon the said Roads or Alterations hereby authorized to be made is or are intended to pass, and also upon any adjoining Lands or Grounds, and to stake out the said Roads or Alterations, and also to cut and make any Drains or Ditches through or into any Lands or Grounds adjoining or lying contiguous to any Part of the said Roads, and also to make a temporary Way or Ways through or over any such adjoining Lands or Grounds, to be made use of as a Public Highway whilst the narrow or ruinous Parts of the Roads are widening or repairing, and until the said Roads shall be made safe and convenient for the Passage of Travellers and Carriages, in such Manner as the said Trustees shall think necessary or proper, without being deemed a Trespasser or Trespassers, and without being subject or liable to any Fine, Penalty or Punishment for entering or continuing upon any Part or Parts of such Lands or Grounds respectively, for any of the Purposes

Purpoſes of this Act, making or tendering Satisfaction to the Owners and Occupiers of ſuch Lands and Grounds for the Damages that ſhall be thereby occaſioned, ſuch Damages to be aſcertained and ſettled, in caſe of Diſpute concerning the ſame, in the ſame Manner as any diſputed Value of Lands to be purchaſed or uſed by virtue of this Act is herein-after directed to be aſcertained and ſettled; and if any Perſon ſhall pull up, remove or deſtroy any of the Stakes or other Marks uſed in laying out ſuch Roads or Alterations, every Perſon ſo offending ſhall forfeit and pay for every ſuch Offence a Sum not exceeding Forty Shillings.

Roads to be made according to the Map or Plan depoſited at the Office of the Clerk of the Peace.

XLV. And whereas a Plan deſcribing the Line of the ſaid Roads, and the Lands, Hereditaments, and Premiſes through which the propoſed Alterations are to be made or carried, together with a Liſt of the Names of the Owners and Occupiers of ſuch Lands and Premiſes, have been depoſited at the Office of the Clerk of the Peace for the ſaid County of *Montgomery*; be it therefore enacted, That the ſaid Plan ſhall remain in the Cuſtody of the Clerk of the Peace for the ſaid County, to the end that all Perſons may at all ſeaſonable Times have Liberty to inſpect and peruſe the ſame, and to take Copies or Extracts thereof at their Will and Pleaſure, paying the Clerk of the Peace a reaſonable Compenſation for making ſuch Copies or Extracts; and that the ſaid Truſtees in making the ſaid Roads ſhall not deviate more than One hundred Yards of Three Feet each, from the Line deſcribed in the ſaid Plan without the Conſent and Approbation in Writing of the Perſon or Perſons, Bodies Politic, Corporate, or Collegiate, through whoſe Lands or Premiſes ſuch Deviation ſhall be made.

Truſtees not reſtrained from diverting the Roads beyond One hundred Yards, if Parties conſent.

XLVI. Provided always, and be it further enacted, That notwithſtanding any Thing in this Act contained, it ſhall and may be lawful to and for the ſaid Truſtees for each of the ſaid Diſtricts, or any Five or more of them from Time to Time as they ſhall think proper, to widen, divert, turn, ſhorten, vary, or alter the Courſe or Path of any Part or Parts of the ſaid ſeveral 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.

Landsmarked in the Plan may be uſed notwithſtanding Errors.

XLVII. Provided always, and be it further enacted, That it ſhall be lawful for the ſaid Truſtees to make the ſaid propoſed Alterations of Road into, through, acroſs, or over the ſeveral Lands, Hereditaments, or Premiſes of any Perſon or Perſons who is or are or may be Owner or Owners of Land or Premiſes over which the ſame is or are ſet out and deſcribed in the ſaid Plan as aforeſaid, although ſuch Lands or Premiſes, or the Name or Names of ſuch Perſon or Perſons, may happen to be erroneouſly deſcribed, omitted, or miſtated in the ſaid Plan or Liſt, in caſe it ſhall appear to any Two or more Juſtices of the Peace for the County, and be certified by Writing under their Hands, that ſuch Error or Omiſſion proceeded from Miſtake.

Truſtees reſtrained from pulling down Dwelling Houſes, &c. without the

XLVIII. Provided always, and be it further enacted, That the Powers and Authorities hereby given ſhall not extend, or be conſtrued to extend, to empower or authorize the ſaid Truſtees to take or pull down any Dwelling Houſe or other Building, or to take in or make uſe of any Orchard,

Consent of the Owners.

Orchard, Garden, Yard, Park, Paddock, planted Walk or Avenue to a House, or any inclosed Ground planted and set apart as a Nursery for Trees, or any Part thereof respectively, without the Consent in Writing of the Owner or Proprietor thereof first had and obtained.

Power to purchase Lands.

XLIX. And be it further enacted, That it shall be lawful for the said Trustees or any Person by them duly authorized, to treat, contract, and agree with the Owners of and Persons interested in any such Lands, Tenements, or Hereditaments, as may be necessary for the Purposes of this Act, for the Purchase thereof, or for the Loss or Damage the Person or Persons interested therein, or in such adjoining Lands as aforesaid, or any of them, shall or may anyways sustain by or by Means of such widening, turning, making, altering, or completing the Course or Path of any Part of the said Roads; and it shall be lawful for all Bodies Politic, Corporate or Collegiate, Corporations Aggregate or Sole, and all Feoffees in Trust, Executors, Administrators, Committees, Husbands, Guardians, or other Trustees, for or on Behalf of any Infants, Femes Covert, *Cestuique* Trusts, Idiots, Lunatics, or other Persons under Disability, and for all and every such Person and Persons who are or shall be seised or possessed of or interested in any such Lands or Premises, to contract and agree with the said Trustees for the Sale of such Lands, Tenements, or Hereditaments, or of their Interest therein, or for the Satisfaction to be made for such Damages as aforesaid, or to sell and convey to the said Trustees all or any Part of such Lands, Tenements, Hereditaments, or Premises, as Occasion shall be and require; and all Contracts, Sales, and Conveyances, which shall be so made, shall be valid and effectual in the Law to all Intents and Purposes, any Law, Statute, Usage, or any other Matter or Thing to the contrary notwithstanding; and all such Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, and Feoffees in Trust, Executors, Administrators, Guardians, Trustees, and all other Persons, are and shall be hereby indemnified for what they shall do by virtue or in pursuance of this Act.

In case of Difference a Jury to be summoned.

L. And be it further enacted, That in case any Owner, Proprietor, Occupier of or other Person or Persons interested in any Lands, Tenements, or Hereditaments, which the said Trustees shall judge necessary or proper to be purchased, taken, or used for the Purposes of this Act, or any such Body Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Feoffees, Guardians, Husbands, Committees, or other Trustees, upon Notice to him, her, or them given, or left in Writing at the Dwelling House or Place of Abode of such Person or Persons, or of the Clerk or Head Officer of any such Body Politic, Corporate, or Collegiate, or at the House of the Tenant in Possession of the Premises, signed by the Clerk to the said Trustees, shall for the Space of Fourteen Days next after such Notice given or left as aforesaid, neglect or refuse to treat, or shall not agree in the Premises, or by Reason of Absence or otherwise shall be prevented from treating; then and in every such Case it shall be lawful for the said Trustees to cause it to be enquired into, and ascertained by and upon the Oaths of a Jury of Twelve indifferent Men of the County in which such Lands shall lie (which Oaths any Two of His Majesty's Justices of the Peace (not interested in the Matter in Question) for the County in which such Lands do lie, are hereby empowered to administer), what Damages will be sustained by, and what Recompence

compence and Satisfaction ſhall be made to ſuch Owner, Proprietor, Occupier, or other Perſon or Perſons intereſted, for or upon Account of the taking or uſing of ſuch Lands, Tenements, or Hereditaments for the Purpoſes of this Act, or ſuch Damages as aforeſaid; and in order thereto, the ſaid Two Juſtices are hereby empowered and required, from Time to Time, to ſummon and call before them all and every Perſon or Perſons who ſhall be thought neceſſary or proper to be examined as a Witneſs or Witneſſes touching or concerning the Premiſes, and ſhall examine ſuch Witneſs or Witneſſes before the ſaid Jury upon Oath (which Oath the ſaid Two Juſtices are hereby empowered and required to adminiſter), and they ſhall or may order and cauſe the ſaid Jury to view the Place in Queſtion, and may uſe all other lawful Ways and Means, as well for their own as for the ſaid Jury's Information in the Premiſes; and after the ſaid Jury ſhall have aſcertained and ſettled ſuch Damages and Recompence, they the ſaid Two Juſtices ſhall thereupon order, adjudge, and determine the Sum or Sums of Money aſſeſſed by the ſaid Jury, to be paid to the Owners, Proprietors, or Occupiers of the ſaid Lands, Tenements, or Hereditaments, or other Perſons intereſted therein, according to the Verdict or Inquiſition of the ſaid Jury; which ſaid Verdict or Inquiſition and Judgment, Order or Determination ſo had and made, ſhall be final and concluſive, to all Intents and Purpoſes whatſoever, againſt all Parties and Perſons claiming in Poſſeſſion, Reverſion, Remainder, or otherwiſe; and all and every ſuch Owners, Proprietors, Occupiers, and Perſons anywiſe intereſted in ſuch Lands, Tenements, or Hereditaments, ſhall thereby be from thenceforth, to all Intents and Purpoſes, diveſted of all Right, Title, Claim, Intereſt, or Property, of, in, to, or out of the ſame Lands, Tenements, or Hereditaments; and for ſummoning and returning any ſuch Jury, the ſaid Juſtices are hereby empowered to iſſue their Warrant or Warrants, ſigned by any Two or more of them, to the Sheriff of either of the ſaid Counties in which the ſaid Lands do lie, thereby commanding and requiring ſuch Sheriff to impannel, ſummon, and return an indifferent Jury of Twenty-four Perſons to appear before the ſaid Juſtices at ſuch Time and Place as in ſuch Warrant ſhall be appointed; and ſuch Sheriff or his Deputy is hereby required thereupon to impannel, ſummon, and return ſuch Twenty-four Perſons accordingly, and out of the Perſons ſo impannelled, ſummoned, and returned, or out of ſuch of them as ſhall appear according to or upon ſuch Summons, the ſaid Juſtices ſhall ſwear or cauſe to be ſworn Twelve Perſons, who ſhall be the Jury for the Purpoſes aforeſaid; and in Default of a ſufficient Number of Jurymen, the ſaid Sheriff or his Deputy ſhall return other honeſt and indifferent Men of the Standers-by, or that can be ſpeedily procured or ſummoned to attend that Service, to the Number of Twelve: Provided always, that all Perſons concerned ſhall have their lawful Challenges againſt any of the Jurymen to be ſummoned in purſuance of this Act, in ſuch and the like Manner as any Party in any Action depending in any of His Majeſty's Courts of Record at *Weſtminſter*, is or ſhall be by Law entitled to; and the ſaid Juſtices are hereby empowered to impoſe any reaſonable Fine or Fines on ſuch Sheriff or his Deputy who ſhall make Default in the Premiſes, and alſo on any of the Perſons who ſhall be ſummoned and returned to ſerve on ſuch Jury, and ſhall not appear without ſome reaſonable Excuſe, or after having appeared ſhall refuſe to be ſworn on the ſaid Jury, or after having been ſworn, ſhall refuſe to give or ſhall not give his or their Verdict on the Matter in Queſtion, or ſhall in any other Manner

Jury may be challenged.

Sheriffs, &c. may be fined for Neglect of Duty.

Manner wilfully neglect his or their Duty therein, and on any of the Perſons who being ſummoned or required to give Evidence before the ſaid Jury touching the Premiſes ſhall neglect or refuſe to appear without ſome reaſonable Excuſe, or refuſe to be ſworn or examined, or give Evidence touching the ſame; but no ſuch Fine ſhall exceed Twenty Pounds upon any ſuch Sheriff or Deputy, nor more than Five Pounds upon any other Perſon for One Offence.

Expences of Jury how to be defrayed.

LI. And be it further enacted, That in caſe any Jury ſhall give in and deliver a Verdict or Aſſeſſment for more Money as a Recompence or Satisfaction for the Right, Intereſt, or Property of any Perſon or Perſons in any Lands, Tenements, or Hereditaments, or for any Loſs or Damage to be by him, her, or them ſuſtained, than ſhall have been agreed to and offered by or on the Behalf of the ſaid Truſtees, before the ſummoning and returning of the Jury, as a Recompence or Satisfaction for any ſuch Right, Intereſt, or Property, or Loſs or Damage as aforeſaid, then and in ſuch Caſe the Coſts and Expences of ſummoning and maintaining the ſaid Jury and Witneſſes, and all other Expences attending the hearing and determining of ſuch Difference, ſhall be borne and paid by the 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 leſs Money than ſhall have been agreed to and offered by or on Behalf of the ſaid Truſtees, before the ſummoning and returning of the ſaid Jury, as a Recompence and Satisfaction for any ſuch Right, Intereſt, or Property, or Loſs or Damage as aforeſaid, 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 paid and borne 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 the ſaid Juſtices of the Peace (who are hereby authorized and required to ſettle the ſame) ſhall be deducted out of the Money ſo aſſeſſed and adjudged, as ſo much Money advanced for the Uſe of ſuch Perſon or Perſons; and the Payment or Tender of the Remainder of ſuch Monies ſhall be deemed and taken to all Intents and Purpoſes to be a Payment 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 on Demand, after being ſo aſcertained and ſettled as aforeſaid, may be recovered by the ſaid Truſtees by ſuch Ways and Means as are herein-after provided for the Recovery of Penalties and Forfeitures: Provided always, that in caſe any Perſon ſhall by reaſon of unavoidable Abſence have been prevented from treating, ſuch Coſts and Expences ſhall be borne and paid by the ſaid Truſtees out of any Money to be raiſed or received under or by virtue of this Act.

On Payment of the Purchaſe Money, the Lands may be uſed.

LII. And be it further enacted, That all Sums of Money or Recompence to be agreed for or aſſeſſed as aforeſaid, ſhall be and the ſame are hereby charged upon the Monies which ſhall be collected or raiſed by virtue of this Act, and ſhall be paid thereout accordingly by the ſaid Truſtees, or by their Treaſurer or Treaſurers, to the Perſons reſpectively entitled thereto or to their Agents; and upon Payment thereof to ſuch Perſons or their Agents, or in caſe of Refuſal to accept the ſame after Tender thereof, on depoſiting the ſame in the Bank of *England* in Manner by this Act directed, as the Caſe may be, the ſaid Lands, Tenements,

Hereditaments, and Premiſes ſhall be by virtue of this Act veſted in the ſaid Truſtees; and it ſhall be lawful for the ſaid Truſtees, their Surveyors, Workmen, or Agents, to enter into the Poſſeſſion of ſuch Lands, Tenements, Hereditaments, and Premiſes, and to cauſe the ſame to be laid into and made Part of the ſaid Roads, and to be well and ſufficiently drained, ditched, and fenced; and the ſaid Lands and Premiſes ſhall from thenceforth, to all Intents and Purpoſes whatſoever, become and be deemed and taken to be a public and common Highway, and Part of the ſaid Roads for ever, and ſhall be fenced and repaired and kept in Repair by the ſaid Truſtees, and alſo by ſuch Ways, Means, and Methods as the ſaid Roads hereby directed to be widened, altered, or turned, was or ought to have been kept in Repair; and all Parties and Perſons ſhall for ever thereafter be diveſted of all Right and Title to ſuch Lands, Hereditaments, and Premiſes.

Truſtees may ſell Ground not wanted.

LIII. And be it further enacted, That after ſuch Road ſhall be completed, the Ground conſtituting the former Road (unleſs leading to ſome Village, Town, or Place, to which ſuch new Road doth not lead) ſhall be veſted in, and ſhall or may be ſold and conveyed by the ſaid Truſtees for the beſt Price that can be gotten for the ſame; and it ſhall be alſo lawful for the ſaid Truſtees to ſell and diſpoſe of any other Piece or Pieces of Ground of which they may become poſſeſſed by virtue of this Act, and which may not be wanted for the Purpoſes thereof, and the Money ariſing by ſuch Sale or Sales as aforeſaid reſpectively ſhall be applied for the Purpoſes of this Act; and the Conveyance to be made of ſuch old Road or Piece or Pieces of Ground, being executed by any Five or more of the ſaid Truſtees, ſhall be good and effectual in the Law to all Intents and Purpoſes; and the Lords of the reſpective Manors ſhall have the ſame Intereſt and Property in ſuch new Road, as they were poſſeſſed of or entitled to in the former Road, in lieu whereof ſuch new Road ſhall be made.

Firſt Offer to whom to be made.

LIV. Provided always, and be it further enacted, That in caſe the ſaid Truſtees ſhall think proper to ſell or diſpoſe of any Piece or Pieces of Ground, not wanted for the Purpoſes of this Act, they ſhall firſt offer the ſame for Sale to the Perſon or Perſons of whom the ſame ſhall have been purchaſed, or (in caſe ſuch Ground ſhall be a Piece or Pieces of old Road) to the Perſon or Perſons whoſe Land ſhall adjoin thereto, provided ſuch Perſon ſhall then have any Land adjoining to the ſaid old Road, but not otherwiſe; and if ſuch Perſon or Perſons reſpectively ſhall then and thereupon refuſe, or ſhall not agree (except with reſpect to or on account of the Price thereof) to purchaſe the ſame reſpectively, an 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 Piece or Pieces of Ground ſhall be ſituate (who are hereby reſpectively empowered to take ſuch Affidavit) by ſome Perſon or Perſons in no wiſe intereſted in the ſaid Piece or Pieces of Ground, ſtating that ſuch Offer was made by and on the Behalf of the ſaid Truſtees, and that ſuch Offer was then and thereupon refuſed, or was not agreed to by the Perſon or Perſons to whom the ſame was made, ſhall in all Courts whatſoever be ſufficient Evidence and Proof that ſuch Offer was made, and was refuſed or not agreed to 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

be desirous of purchasing such Piece or Pieces of Ground, and he, she, or they and the said Trustees shall differ or disagree with respect to the Price thereof, then the Price or Prices thereof shall be ascertained by a Jury, in Manner by 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 by this Act directed with respect to such Purchases made by the said Trustees, *mutatis mutandis*; and the Money to arise by such Sale or Sales which may be made by the said Trustees of such Piece or Pieces of Road or Ground as aforesaid, shall be applied for the Purposes of this Act; but the Purchaser or Purchasers thereof shall not be answerable or accountable for any Mis-application or Non-application of such Money.

Application of Compensation where exceeding 200*l.*

LVI. And be it further enacted, That if any Money shall be agreed or awarded to be paid, for any Lands, Tenements, or Hereditaments, purchased, taken, or used by virtue of the Powers of this Act, for the Purposes thereof, which shall belong to any Corporation, Feme Covert, Infant, Lunatic, or other Person or Persons under any other Disability or Incapacity, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed, be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account *ex parte* the said Trustees, to the Intent that such Money shall be applied under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way, by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments, in the Purchase 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, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments standing settled therewith, to the same or the like Uses, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under and with the like Direction and Approbation of the said Court, in the Purchase of other Lands, Tenements, or Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Lands, Tenements, and Hereditaments which shall be so purchased, taken, or used as aforesaid, stood settled or limited, or such of them as at the Time of making such Conveyance or Settlement shall be existing undetermined or capable of taking Effect; and in the mean Time and until such Purchase shall be made, the said Money shall by Order of the said High Court of Chancery, upon Application thereto, be invested by the said Accountant General, in his Name, in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities, and in the mean Time, and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Lands, Tenements, and Hereditaments,

Hereditaments, ſo to be purchaſed, under the Authority of this Act, in caſe ſuch Purchaſe or Settlement was made.

Application where leſs than 200l. and exceeding 20l.

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

Application where leſs than 20l.

LVII. Provided alſo, and be it further enacted, That where ſuch Money ſo agreed or awarded to be paid as next before mentioned, ſhall be leſs than Twenty Pounds, then and in all ſuch Caſes the ſame ſhall be applied to the Uſe of the Perſon or Perſons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments, ſo purchaſed, taken or uſed, for the Purpoſes of this Act, 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, &c.

LVIII. And be it further enacted, That in caſe the Perſon or Perſons to whom any Sum or Sums of Money ſhall be awarded, for the Purchaſe of any Lands, Tenements, or Hereditaments, to be purchaſed by virtue of 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 the Perſon or Perſons to whom ſuch Sum or Sums of Money ſhall be ſo awarded as aforeſaid cannot be found, or if the Perſon or Perſons entitled to ſuch Lands, Tenements, or Hereditaments be not known or diſcovered, then and in every ſuch Caſe it ſhall be lawful for the ſaid Truſtees, or any Five or more of them, to order the ſaid Sum or Sums of Money ſo awarded as aforeſaid to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account, to the Credit of the Parties intereſted in the ſaid Lands, Tenements, or Hereditaments (deſcribing them), ſubject to the Order, Controul, and Diſpoſition of the

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

Respecting disputed Titles.

LIX. 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 High Court of Chancery in pursuance of this Act, for the Purchase of any Lands, Tenements, or Hereditaments, or of any Estate, Right, Title, or Interest in any Lands, Tenements, or Hereditaments, to be purchased in pursuance of this Act, or to any Bank Annuities to be purchased with any such Money, or the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in Possession of such Lands, Tenements or Hereditaments, at the Time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, or Hereditaments, according to such Possession, until the contrary shall be shewn to the Satisfaction of the said High Court of Chancery; and the Dividends or Interest of the Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied, and disposed of accordingly, unless it shall be made appear to the said Court, that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

The Court of Chancery may order reasonable Expences of Purchases to be paid.

LX. Provided also, and be it further enacted, That where by reason of any Disability or Incapacity of the Person or Persons or Corporation entitled to any Lands, Tenements, or Hereditaments, to be purchased under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the said High Court of Chancery, and to be applied in the Purchase of other Lands, Tenements, or Hereditaments to be settled to the like Use in pursuance of this Act, it shall be lawful for the said High Court of Chancery 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, to be paid by the said Trustees out of the Monies to be raised by virtue of this Act, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

Surveyors may get Materials for Repair of Roads.

LXI. And be it further enacted, That if ſufficient Quantities of Furze, Heath, Stones, or other Materials proper and neceſſary for making and repairing the ſeveral Roads in this Act ſpecified, cannot be had or found in or upon the Common or Waſte Grounds or Common Rivers or Brooks, contiguous to that Part of the ſaid Roads intended therewith to be repaired, then and in ſuch Caſe the Surveyor or Surveyors and other Perſon and Perſons as ſhall be employed by ſuch Surveyor or Surveyors, or by the ſaid Truſtees or any Five or more of them, may by order of the ſaid Truſtees or any Five or more of them, dig, gather, take and carry away any ſuch Materials as aforeſaid, in, upon or out of, from and over the Lands of any Perſon or Perſons (not being a Yard, Garden, Park, Paddock, Planted Walk, or Avenue to any Houſe, or any incloſed Ground planted or ſet apart as a Nurſery for Trees, in any Pariſh, Townſhip or Place in which any Part of the ſaid Roads ſhall lie and be ſituate), paying or tendering Payment of ſuch Satisfaction for ſuch Materials, or for the Damage done to ſuch private Lands over which any Materials gotten in any Commons or Waſte Ground, Common River or Brook, or private Grounds ſhall be conveyed, as the ſaid Truſtees, or any Five or more of them, ſhall judge reaſonable; and in caſe of any Difference between the ſaid Truſtees, Surveyor or Surveyors, or other Perſon or Perſons appointed and employed as aforeſaid, and the ſaid Owners or Occupiers or any or either of them, concerning ſuch Satisfaction or Damages as aforeſaid, Two of His Majeſty's Juſtices of the Peace of and for either of the ſaid Counties in which ſuch Lands ſhall lie, on Ten Days Notice thereof to be given in Writing by the ſaid Surveyor or Surveyors to the ſaid Owner or Owners, Occupier or Occupiers, or by the ſaid Owner or Owners, Occupier or Occupiers to the ſaid Surveyor or Surveyors, or to be left at their reſpective Places of Abode, with ſome or One of their reſpective Families, ſhall on View of the Premiſes, hear, ſettle and determine the Matter of ſuch Satisfaction or Damages; and the Judgment or Order of the ſaid Juſtices therein ſhall be final and concluſive to all Parties.

Materials not to be taken from incloſed Grounds without an Order from Two Juſtices.

LXII. Provided always, nevertheleſs, and be it further enacted, That it ſhall not be lawful for any Perſon or Perſons under the Authority of this Act, to dig, gather, take, or carry away any ſuch Materials as aforeſaid, in or from any incloſed or private Lands, Grounds, or Quarries, until after Ten Days previous Notice in Writing, ſigned by the ſaid Surveyor or ſome other Officer of the ſaid Truſtees, ſhall have been given to the reſpective Owners or Occupiers of the Lands or Grounds from which ſuch Materials are intended to be taken, or left at their uſual Place of Reſidence reſpectively, requiring them to appear before Two Juſtices of the Peace acting for the County or Borough in which the Lands are ſituate, at a certain Time and Place to be ſpecified in each Notice, to ſhew Cauſe why ſuch Materials ſhould not be taken away; and ſuch Juſtices, after hearing the Parties concerned, ſhall if they think proper authorize ſuch Surveyor or other Officer, to dig, gather, take, and carry away ſuch Materials, at ſuch Time or Times and in ſuch Manner as to ſuch Juſtices ſhall ſeem proper or reaſonable; and if ſuch reſpective Owners or Occupiers ſhall not, by themſelves or their reſpective Agents, attend purſuant to ſuch Notice, ſuch Juſtices may make ſuch Order therein as they ſhall think fit, in the like Manner as if ſuch reſpective Owners or Occupiers had attended purſuant to ſuch Notice.

LXIII. And

Penalty on taking away Materials gotten by Order of the Surveyors.

LXIII. And be it further enacted, That if any Perſon or Perſons whomſoever ſhall take away any Gravel or Materials which ſhall have been dug or gathered by or by the Order of the ſaid Surveyor or Surveyors, in any Lands, Fields or Waſte Ground, River or Brook, for the Purpoſe of amending the ſaid Roads, or any Part or Parts thereof, or ſhall get and take away any Gravel or Materials out of any Pit or Quarry, which ſhall have been made for the Purpoſe of getting ſuch Materials for amending the ſaid Roads, or any Part or Parts thereof, before the ſaid Surveyor or Surveyors, or his or their Workmen ſhall have diſcontinued working therein for the Space of Six Weeks (except the Owner or Occupier of any private Ground and Perſons authorized by ſuch Owner or Occupier to get Materials therein for his or her own private Uſe only, and not for Sale), every Perſon ſo offending ſhall forfeit and pay for every ſuch Offence any Sum not exceeding Five Pounds.

Preventing Obſtructions on Roads.

LXIV. And be it further enacted, That no Dung, Aſhes, Compoſt, Manure or other Thing ſhall be unloaded or laid down upon the ſaid reſpective Roads, or upon any Moor, Common or Waſte Ground, nearer to the Centre of the ſaid Roads than the Diſtance of Thirty Feet, upon Pain that every Perſon ſo offending, and being lawfully convicted thereof, ſhall forfeit and pay a Sum not exceeding Ten Shillings; and if after the Removal of any ſuch Dung, Aſhes, Compoſt, Manure, or other Thing as aforeſaid, any Perſon ſhall offend again in like Manner, every Perſon ſo offending again, and being lawfully convicted thereof, ſhall forfeit and pay a Sum not exceeding Twenty Shillings.

Surveyors may remove Annoyances.

LXV. And be it further enacted, That it ſhall be lawful for the ſaid Surveyor, and ſuch Perſon or Perſons as he ſhall appoint, from Time to Time to remove and prevent all Nuiſances, Annoyances, Encroachments and Obſtructions, on any Part or Parts of the ſaid reſpective Roads, by Timber, Stone, Carriages, Sawpits, or other Pits, Aſhes, Dung, Filth, Rubbiſh or otherwiſe; and alſo to turn any Watercourſes, Gutters, Conduits, or Drains running into the ſame, to the Prejudice thereof, and to open, ſcour and cleanſe, deepen and enlarge any Gutter, Ditch, Conduit or Watercourſe adjoining or near to any Part of the ſaid reſpective Roads; and alſo to cut down, top or lop at proper Seaſons in the Year, by and under the Order and Direction of any Five or more of the ſaid Truſtees in Writing for that Purpoſe, any Trees, Branches or Buſhes growing in the ſaid Roads, or in the Hedges, Fences, Banks, or Grounds adjoining thereto, and to take and carry away the ſame, in caſe the reſpective Owners or Occupiers of the Lands or Grounds where ſuch Annoyances ſhall happen to be, ſhall neglect ſo to do for Ten Days after Notice in Writing given for that Purpoſe under the Hands of ſuch Surveyor, and the Charges thereof reſpectively (being ſettled by the ſaid Truſtees) ſhall be reimburſed to ſuch Surveyor by ſuch reſpective Owners or Occupiers ſo neglecting as aforeſaid; and in caſe ſuch Charges ſhall not be paid on Demand, the ſame ſhall be levied and recovered in like Manner as the Penalties, Forfeitures and Fines by this Act authorized to be impoſed, are herein-after directed to be levied and recovered; and if after the Removal of any ſuch Nuiſances, Annoyances, Encroachments, and Obſtructions as aforeſaid, any Perſon ſhall offend again in like Manner, every Perſon ſo offending again, and being lawfully convicted thereof, ſhall forfeit and pay a Sum not exceeding Twenty Shillings.

LXVI. Pro-

Preſerving Timber.

LXVI. Provided always, and it is hereby further enacted and declared, That nothing herein contained ſhall extend or be conſtrued to extend to empower the ſaid reſpective Truſtees, Surveyors or other Perſons, or any or either of them, on any Account to cut down any Maiden Oaks or Elms growing in the Hedges or Banks of or adjacent to any Part of the ſaid reſpective Roads, except only in ſuch Place or Places where the Roads ſhall be of leſs Breadth than Thirty Feet including the Ditches, and except at a proper Seaſon of the Year, and after Nine Months Notice.

Surveyors empowered to remove ſudden Obſtructions without Notice.

LXVII. And be it further enacted, That it ſhall be lawful for the ſaid reſpective Surveyor or Surveyors, and ſuch Perſon or Perſons as he or they ſhall appoint from Time to Time, without giving any previous Notice, to remove all ſuch Earth, Trees, Roots of Trees and other Things, as ſhall ſuddenly fall or be blown down from any Hedge, Bank or Land, into or upon any Part of the ſaid reſpective Roads by this Act authorized to be repaired, ſo as to narrow or obſtruct the Paſſage along the ſame, and to carry and place the ſame on any Waſte Ground near thereto, ſo as the ſame be no Annoyance to Travellers, and ſuch reſpective Surveyor or Surveyors ſhall forthwith give Notice thereof to the Owners or Occupiers of the Lands from whence ſuch Earth, Trees, Roots or other Things ſhall ſo ſlide or fall, or be blown down as aforeſaid; and the Charges of carrying away the ſame (to be ſettled by the ſaid reſpective Truſtees) ſhall be reimburſed and paid to ſuch Surveyor or Surveyors by ſuch Owners or Occupiers, and be recovered in ſuch Manner as the Penalties and Forfeitures for Offences againſt this Act are hereby directed to be recovered.

Penalty on leaving Obſtructions, or hauling Timber or Stones on the Road.

LXVIII. And be it further enacted, That if any Perſon or Perſons ſhall wilfully ſet, place, or leave any Timber, Stones, or other Things whatſoever, in or upon any Part or Parts of the ſaid reſpective Roads, ſo as to interrupt or hinder the free Paſſage along the ſaid Roads of any Carriage, or of any Perſon or Perſons, or ſhall haul or draw, or cauſe to be hauled or drawn upon any Part of the ſaid Roads (excepting only in croſſing the ſame) any Tree or Piece of Timber, or any Stone, otherwiſe than upon wheeled Carriages, or ſhall ſuffer any Part of any Tree or Piece of Timber which ſhall be conveyed upon wheeled Carriages to drag upon any Part of the ſaid reſpective Roads, to the Prejudice thereof, every Perſon ſo offending in any of the Caſes laſt mentioned, and being lawfully convicted thereof, ſhall forfeit and pay a Sum not exceeding Twenty Shillings for every ſuch Offence.

Penalty on damaging Footways, or cauſing Nuiſances or Obſtructions on the Roads.

LXIX. And be it further enacted, That the ſaid reſpective Truſtees may cauſe Footpaths not exceeding Eight Feet in Breadth, to be made along the Sides of the ſaid reſpective Roads, in ſuch Places as may conveniently admit of the ſame, and ſhall cauſe all Signs, Sign Poſts, Sign Irons, Penthouſes, Show Boards, Spouts, and Gutters, projecting into the ſaid Footpaths, and all Poſts, Rails, and other Obſtructions thereon, to be taken down and removed; and if any Perſon or Perſons ſhall ride upon any Footpath adjoining the ſaid Roads, or ſhall lead or drive any Horſe, Aſs, Cattle, Sheep, or Swine, or any Carriage on ſuch Footpath, or ſhall cauſe any Damage to be done thereto, or ſhall put or turn any Horſe, Aſs, Sheep, Swine, or other Beaſt or Cattle of any Kind into or upon the ſaid Roads or the Sides thereof; or if any Horſe, Aſs, Sheep, Swine,

Swine, Beaſt, or Cattle, ſhall be found looſe or treſpaſſing on the ſaid Road; or if any Perſon driving any Coach, Chaiſe, Waggon, Cart, or other Carriage, upon ſuch Roads, and meeting another Coach, Chaiſe, Waggon, Cart, or other Carriage, ſhall not keep his Carriage on the left or near Side of ſuch Road; or if any Perſon ſhall in any Manner wilfully prevent any other Perſon or Perſons from paſſing him upon any ſuch Road, or the Coach, Chaiſe, Waggon, Cart, or other Carriage under his Care; or if any Perſon ſhall make or aſſiſt in making any Fire or Fires commonly called Bonfires, or ſhall ſet fire to, or let off or throw any Squib, Rocket, Serpent, or other Firework, on any Part or Parts of ſuch Roads; or if any Perſon ſhall leave any Coach, Chaiſe, Waggon, Wain, Cart, or other Carriage, Plough or other Inſtrument of Huſbandry, in or upon the ſaid Roads, or the Sides thereof, either with or without any Horſe or Beaſt of Draught harneſſed or yoked thereto, without ſome reaſonable Cauſe to be allowed by the Juſtice of the Peace before whom the Perſon ſo offending ſhall be ſummoned or conveyed in order to his or her Conviction (ſave and except with regard to ſuch Waggon, Wain, Cart, or other Carriage, during ſuch reaſonable Time as the ſame ſhall be loading or unloading, and ſtanding as near to the Side of the Roads as conveniently may be), every Perſon ſo offending, or the Owner of ſuch Cattle ſo found treſpaſſing, ſhall forfeit and pay any Sum not exceeding Forty Shillings.

Surveyors may make Cauſeways, Drains, &c.

LXX. And be it further enacted, That it ſhall be lawful for the ſaid reſpective Surveyors, and every other Perſon or Perſons by Order of the ſaid reſpective Truſtees or any Five or more of them, to make Cauſeways, and to cut and make Ditches, Drains, and Watercourſes, in, upon, and on the Sides of the ſaid reſpective Roads, and alſo through any Grounds lying contiguous thereto, and to erect, rebuild, and keep in repair Bridges and Arches upon the ſaid Roads, and acroſs any ſuch Ditch, Drain, or Watercourſe as aforeſaid, and to make ſufficient Barriers and other Erections on any Part or Parts of the ſaid Roads, in order to prevent the ſame from being flooded or overflowed with Water; and alſo to make or cauſe to be made any temporary Road or Roads through, over, and along the Grounds adjoining to any narrow or ruinous Part or Parts of the ſaid Roads (except as herein-after is mentioned) to be made uſe of as a Road whilſt the old Road ſhall be repairing, and until the ſame ſhall be made ſafe and convenient for Travellers, making ſuch Satisfaction to the Owners and Occupiers of ſuch Ground ſo to be uſed, cut through, or built upon, for the Damages which they or any of them ſhall ſuſtain thereby, as the ſaid reſpective Truſtees ſhall judge reaſonable; and in caſe any Difference ſhall happen between ſuch Owners and Occupiers and the ſaid Truſtees, touching ſuch Damages, the ſame ſhall be ſettled by the Juſtices of the Peace for the County in which the Lands are ſituate, at their General or Quarter Seſſions of the Peace to be held for ſuch County next after ſuch Difference ſhall ariſe; and if any Owner or Occupier of any Watercourſe or Watercourſes, Ditch or Ditches adjoining to the ſaid reſpective Roads, ſhall refuſe or neglect to ſcour, deepen, and cleanſe the ſame Twice in every Year, in ſuch Manner as the ſaid reſpective Surveyors, or ſuch other Perſon or Perſons as aforeſaid ſhall order and direct, after Ten Days Notice ſhall be given for that Purpoſe by ſuch Surveyor or other Perſon or Perſons, then and in every ſuch Caſe it ſhall be lawful for ſuch Surveyor or other Perſon or Perſons, and he and they

Owners refuſing to ſcour Watercourſes, the Surveyor may ſet Men to cleanſe the ſame and levy the Charge.

is and are hereby authorized to employ any Perſon or Perſons to ſcour, deepen, and cleanſe the ſame, and by Warrant from the ſaid Truſtees to levy the Charges thereof upon the reſpective Owners or Occupiers of ſuch Watercourſe or Watercourſes, Ditch or Ditches, by Diſtreſs and Sale of his, her, or their Goods and Chattels, rendering the Overplus (if any) to him, her, or them, upon Demand.

Mile Stones and Direction Poſts to be erected.

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

Penalty on defacing them.

LXXII. And whereas it was enacted by the ſaid firſt recited Act of the Ninth Year of His preſent Majeſty's Reign, that ſuch Perſons who had voluntarily ſubſcribed, or ſhould ſubſcribe and pay the Sum of Ten Guineas each for and towards erecting a Bridge over the River *Severn*, at or near *Llandrinio* aforeſaid, ſhould be and they were thereby empowered to act as Truſtees in the Execution of the ſaid Act, with relation to ſuch Bridge; and that they the ſaid ſubſcribing Truſtees or the major Part of them aſſembled at any Meeting to be held by virtue of the ſaid Act, (of which and every ſubſequent Meeting, previous Notice is required to be given, in the Manner thereby directed) ſhould and might erect or cauſe to be erected upon or near the ſaid Bridge a Turnpike or Toll Houſe, and thereat demand and take, or cauſe to be demanded and taken the Tolls following, before any Carriage, Horſe, or Cattle, ſhall be permitted to paſs over the ſame; (that is to ſay) for every Carriage with Four Wheels, the Sum of Four-pence; for every Carriage with Two Wheels, Two-pence; for every Horſe, Mare, Gelding, Mule, or Aſs, laden or unladen, One Halfpenny; for every Ox, Cow, or Neat Cattle, One Farthing; for every Drove of Calves, Swine, Sheep, Lambs, or Goats, Three-pence *per* Score, and ſo in Proportion for any leſs Number; and that for the collecting and levying thereof, they ſhould have ſuch and the like Power and Authority, and be ſubject to ſuch Exemptions, Limitations, Rules, Matters, and Things, as are by the ſaid Act given and granted to the Truſtees therein-before named; and that the Money ariſing thereby ſhould be applied and diſpoſed of for and towards maintaining and keeping the ſaid Bridge in good and ſufficient Repair, and for ſuch other Purpoſes as are therein mentioned; and it was enacted by the ſaid recited Act of the Thirteenth Year of His ſaid preſent Majeſty's Reign, that the Truſtees by both the ſaid Acts appointed for the ſaid Third Diſtrict of Roads, and their Succeſſors, ſhould be and they were added to and joined with the ſaid ſubſcribing Truſtees, for the Purpoſe of finiſhing and completing the ſaid Bridge, and for other Purpoſes in the ſaid recited Clauſe expreſſed; and in order thereto, the ſaid ſubſcribing and laſt-mentioned Truſtees, or

any Five or more of them, were empowered at their ſeveral Meetings to do and perform all and every ſuch Acts, Matters, and Things as are by the ſaid recited Clauſe authorized to be done and performed by the ſaid ſubſcribing Truſtees; and that they ſhould and might from Time to Time borrow and take up at Intereſt ſuch Sum and Sums of Money as the ſaid Truſtees or any Five or more of them ſhall think neceſſary, upon the Credit of the Tolls or Pontage by the ſaid recited Clauſe allowed to be taken; and ſhould and might mortgage and aſſign the ſame for the Repayment of the Money borrowed, in ſuch and the ſame Manner as the Tolls granted by both the ſaid Acts were or might be mortgaged; and that all and every Mortgage or Aſſignment ſo made, ſhould and might from Time to Time be transferred accordingly by the Perſon or Perſons entitled thereto: And whereas the ſaid Bridge has been finiſhed, and the ſaid laſt named Truſtees have borrowed and taken up at Intereſt ſeveral Sums of Money, amounting to the Sum of Four hundred Pounds, upon the Credit of the ſaid Tolls or Pontage, to enable them to complete and finiſh the ſaid Bridge, which remain unpaid, and are now due and owing upon the Credit thereof; be it therefore enacted, That the Tolls or Pontage ſo appointed by the ſaid Act of the Ninth Year of His preſent Majeſty's Reign to be taken at the Turnpike or Toll Gate thereby directed to be erected upon or near the ſaid Bridge, ſhall be demanded and taken thereat during the Continuance of this Act; and that the Money ariſing thereby ſhall be applied and diſpoſed of, in the firſt Place, in paying the Intereſt accruing upon the ſeveral Principal Sums of Money which now are or ſhall from Time to Time be due and owing upon Mortgage or Security of the ſaid Tolls or Pontage; and in the next Place, in keeping the ſaid Bridge in good and ſufficient Repair, and keeping in Repair Three hundred Yards of the Road, at each End of the ſaid Bridge; and the Overplus (if any) which ſhall not be wanted for the Purpoſes aforeſaid, in reducing, paying off, and diſcharging the ſaid Principal Sums due upon the Credit of the ſaid Tolls.

Bridge Tolls under Act 9 G. 3. and the Application thereof continued.

Truſtees of the Third Diſtrict to be added to the Bridge Truſtees.

LXXIII. And be it further enacted, That the Truſtees appointed by this Act for the Third Diſtrict of Roads, ſhall be, and they and their Succeſſors are hereby added and joined with the ſaid ſubſcribing Truſtees, for the Purpoſe of ordering or doing any Act, Matter, or Thing in relation to the ſaid Bridge; and in order thereto, they or any Five or more of them are hereby empowered at any of the Meetings to be held under this Act, to do and perform ſuch Acts, Matters, and Things, for collecting, leaſing, and levying the ſaid Tolls, and for borrowing and taking up at Intereſt any further and other Sum and Sums of Money, as they the ſaid Truſtees or any Five or more of them ſhall think neceſſary upon the Credit of the ſaid Tolls or Pontage, and to mortgage and aſſign the ſame, in ſuch and the like Manner as the Tolls granted by this Act are or may be collected, leaſed, aſſigned, or mortgaged; and that all and every Mortgage or Aſſignment, already made or hereafter to be made of the ſaid Tolls or Pontage, ſhall and may from Time to Time be transferred accordingly by the Perſon or Perſons entitled thereto, in ſuch and the like Manner and Form as any Mortgage or Aſſignment of the Tolls granted by this Act, may be transferred by virtue of the Powers herein contained.

LXXIV. Provided

LXXIV. Provided always, and be it further enacted, That all Perſons who by Law are or ſhall be liable to do Statute Work, or are or ſhall be chargeable towards repairing and amending the ſaid Roads or any Part thereof, ſhall ſtill remain liable thereto in like Manner as heretofore; and it ſhall be lawful for any Two or more Juſtices of the Peace for either of the ſaid Counties in which the ſaid Roads ſhall reſpectively be, and they are hereby empowered and required (upon Application made to them for that Purpoſe by the ſaid Truſtees, or by their Clerk or Surveyor by their Order) yearly to adjudge and determine what Part or Proportion of the Statute Work ſhall every Year be done upon the ſaid Roads by the Inhabitants of the reſpective Pariſhes or Places in which the ſaid Roads lie, and alſo what Proportion of the Money received by the Surveyor or Surveyors of the Highways of every ſuch Pariſh or Place, in lieu of or as a Compoſition for ſuch Statute Work, ſhall be by him or them paid to the ſaid Truſtees or to their Surveyor; and in order thereunto, it ſhall be lawful for ſuch Juſtices from Time to Time to ſummon the Surveyor or Surveyors of the Highways for every ſuch Pariſh or Place, to bring in Liſts before ſuch Juſtices, at ſome Place to be expreſſed in ſuch Summons (within Ten Days after the Service of ſuch Summons), of the Names of the ſeveral Perſons who within ſuch Pariſh or Place are by Law ſubject and liable to do Statute Work for that Year, or to the Payment of any Money in lieu of or as a Compoſition for ſuch Statute Work, diſtinguiſhing the Nature of the Work to be done, whether with Teams or Draughts or otherwiſe, and alſo the Amount of the reſpective Sums to be paid; which Liſts of Names ſhall be made in ſuch Manner, and under ſuch Regulations and Reſtrictions as is, are, or may be directed by any Law or Statute in force and effect for the Repair of the Public Highways; and out of ſuch Liſts ſuch Juſtices ſhall and may allot, appoint, and order ſuch and ſo many of the Perſons who ſhall appear to be ſubject and liable to do Statute Work as aforeſaid, to do ſuch Number of Days Statute Work in every Year upon the ſaid Roads, as the ſaid Juſtices ſhall think reaſonable, and the ſame ſhall be done on ſuch Days and at ſuch Times (not being Hay Time or Harveſt) and on ſuch Parts of the ſaid Roads as the ſaid Truſtees or their Surveyor or Surveyors ſhall from Time to Time order, direct, and appoint; and the ſaid Juſtices may alſo order and direct the Perſons who by ſuch Liſts ſhall appear to be ſubject or liable to the Payment of any Money in lieu of or as a Compoſition for Statute Work as aforeſaid, to pay ſuch Proportion thereof as the ſaid Juſtices ſhall think proper, to the ſaid Truſtees or their Treaſurer, at ſuch Time or Times as the ſaid Juſtices ſhall direct, and in Default of Payment thereof, the ſame ſhall or may be recovered by Diſtreſs and Sale of the Goods and Chattels of the reſpective Perſons liable to the Payment thereof, in like Manner as any Penalty is by this Act authorized to be recovered; and each and every Perſon who ſhall neglect or refuſe to do ſuch Statute Work as aforeſaid (after Notice in Writing given to or left for him, her, or them, at his, her, or their laſt or uſual Place or Places of Abode for that Purpoſe, ſigned by the Surveyor or Surveyors to the ſaid Truſtees) ſhall, for every Day of his, her, or their Default, or the Default of any Labourer or Labourers, Team or Teams, Draught or Draughts, Horſe or Horſes, Beaſt or Beaſts, to be provided by him, her, or them, be ſubject and liable to ſuch Pains, Penalties and Forfeitures, as ſuch Perſon or Perſons may be ſubject or liable to by any Law or Statute in force and effect for the Repair of the Public Highways; and if any Perſon who ſhall come to

Statute Labour.

work as a Labourer, or who ſhall be ſent with any Team or Draught to work on the ſaid Roads, ſhall be found idle or negligent by any Surveyor to the ſaid Truſtees, ſuch Surveyor is hereby empowered to remove and turn off the Perſon who ſhall be found idle or negligent as aforeſaid, and in that Caſe every ſuch Perſon ſhall be ſubject and liable to the reſpective Forfeitures and Payments aforeſaid, as if he had neglected or refuſed to come, or ſuch Team or Draught had not been ſent to work on any Part of the ſaid Roads; all which Forfeitures ſhall be paid to the Treaſurer to the ſaid Truſtees, and applied towards amending the ſaid Roads; and in caſe the ſaid Surveyor or Surveyors of the Highways for any of the ſaid Pariſhes or Places, ſhall refuſe or wilfully neglect to give in ſuch Liſts as aforeſaid, or ſhall knowingly or wilfully give in falſe or imperfect Liſts, every ſuch Surveyor ſo offending ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Forty Shillings.

Truſtees may compound for Statute Work.

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

Power to recover the Compoſition Money for Tolls, Statute and other Work.

LXXVI. And be it further enacted, That in caſe the Compoſition Money in lieu of any Repairs or Statute Work as aforeſaid, or any Part or Parts of ſuch Compoſition Money reſpectively, ſhall not be paid within Fifteen Days after the ſame ſhall become payable, it ſhall be lawful for any Two or more of the Juſtices of the Peace for either of the Counties in which the ſaid Roads reſpectively lie, by Writing under their reſpective Hands and Seals to empower the Perſon or Perſons authorized to receive ſuch Compoſition Money (Oath having been firſt made before ſuch Juſtices, that the ſame hath been demanded, and remains due, which Oath they are hereby reſpectively empowered and required to adminiſter) to levy ſuch Compoſition Money by Diſtreſs and Sale of the Goods and Chattels of the Surveyor or Surveyors of the Highways, or other Perſon or Perſons ſo having compounded or agreed to pay ſuch Compoſition Money as aforeſaid, returning the Overplus (if any) after deducting ſuch Compoſition Money, and the reaſonable Charges of ſuch Diſtreſs and Sale, upon Demand, to the Owner or Owners thereof.

How Surveyors of the Highways are to be reimburſed the Compoſition Money.

LXXVII. And be it further enacted, That the reſpective Surveyors of the Highways, who ſhall pay any ſuch Compoſition Money, or of whom the ſame ſhall be recovered as aforeſaid, ſhall be repaid or reimburſed the Compoſition Money paid by or recovered of them reſpectively, with the Coſts

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

Truſtees may contract for Work.

LXXVIII. And be it further enacted, That the ſaid reſpective Truſtees, or ſuch Perſon or Perſons as they ſhall for that Purpoſe appoint, are hereby authorized and empowered to contract with any Perſon or Perſons for making, altering, raiſing, widening, improving, or repairing the ſaid Roads, or any of them, or any Part or Parts thereof reſpectively, or any Arches or Bridges upon the ſame; and for doing any other Work by this Act authorized to be done, in ſuch Manner and for ſuch Sum or Sums of Money as the ſaid Truſtees ſhall think proper.

Lands liable to Repair of Roads to continue ſo.

LXXIX. Provided, and it is hereby further enacted and declared, That if it ſhall appear to the ſaid Truſtees, or any Five or more of them, that any Lands, Tenements, or Hereditaments, or any Rents or Profits iſſuing out of any Lands, Tenements, or Hereditaments, which now are, or hereafter ſhall be liable and chargeable towards the amending and repairing of the ſaid Roads by this Act intended to be repaired, or any Bridge or Bridges thereupon, ſuch Lands, Tenements, and Hereditaments ſhall ſtill remain liable and chargeable, and the Poſſeſſors and Occupiers of ſuch Lands, Tenements, and Hereditaments, are hereby required and directed to pay ſuch Rents and Profits to any Perſon or Perſons as the ſaid Truſtees, or any Five or more of them, ſhall appoint to receive the Tolls and Duties granted by this Act; and upon Default of Payment thereof, it ſhall and may be lawful to and for the ſaid Truſtees, or any Five or more of them, by Warrant under their Hands and Seals to levy the ſame by Diſtreſs and Sale of the Goods and Chattels of the Party neglecting or refuſing to pay the ſame, in ſuch Manner as is herein-before mentioned; which Rents and Profits, when recovered, ſhall be applied from Time to Time in repairing the ſaid Roads and Bridges, and to no other Uſe or Purpoſe whatever.

Penalty for riding on Cauſeways.

LXXX. And be it further enacted, That if any Perſon or Perſons ſhall ride on Horſeback, or drive any Horſe or other Cattle, or any Carriage, over any Cauſeway or Footpath of any of the Roads which by virtue of this Act are or hereafter ſhall be under the Direction and Care of the ſaid Truſtees, every Perſon ſo offending ſhall for every ſuch Offence forfeit and pay a Sum not exceeding Twenty Shillings, to be levied and recovered as herein-after is mentioned, and to be paid to the Treaſurer or Surveyor for the Time being of the ſaid Truſtees, to go and be applied in amending and repairing the ſaid Roads.

Gravel Pits adjoining the Roads to be fenced.

LXXXI. And be it further enacted, That no Gravel Pit or other Pit, already dug, ſunk, or made within Twenty Feet of the Centre of any of the ſaid Roads, ſhall be dug, ſunk, or made any nearer to the adjoining Road than the ſame now is, and that no Gravel Pit or other Pit whatſoever already begun to be dug, ſunk, or made, not at preſent within Thirty Feet of the Centre of any of the ſaid Roads, nor any which ſhall at any Time or Times hereafter be dug, ſunk, or made within leſs Diſtance than Thirty Feet from the Centre of the adjoining Road, ſuch Diſtance to be aſcertained by Admeaſurement on the Surface at right Angles from the Edge

Edge of the ſaid Roads reſpectively; and that all and every the Owners and Occupiers of any ſuch Gravel Pit or other Pit which is now dug, ſunk, or made, or which ſhall hereafter be dug, ſunk, or made in Manner aforeſaid, ſhall well and ſufficiently fence the ſame, ſo as to prevent Accidents happening to Travellers, Horſes, Cattle, or other Beaſt paſſing by ſuch Gravel Pit or other Pits; and if any Owner or Occupier or Owners or Occupiers of any ſuch Gravel Pit or other Pits ſhall neglect or refuſe to fence about the ſame, or to keep the Fence thereof in Repair, after Twenty-one Days Notice in Writing given to him, her, or them for that Purpoſe, under the Hand of the Surveyor of the Road adjoining, or near to any ſuch Gravel Pit or other Pit, that then and in every ſuch Caſe, and at any and at all Times after ſuch Notice ſhall have been ſo given for either of the Purpoſes aforeſaid, it ſhall be lawful for every ſuch Surveyor and he is hereby authorized to employ any Perſon or Perſons to fence about any ſuch Pit or Pits, or to repair the Fences thereof; and in caſe the Owner or Occupier of any ſuch Gravel Pit or other Pits, ſhall neglect or refuſe to pay to the Surveyor the Coſts, Charges, and Expences he ſhall have been put unto in making or repairing any ſuch Fence, upon Demand made to him, her, or them by the ſaid Surveyor as aforeſaid, ſuch Charges and Expences ſhall be recovered by Diſtreſs and Sale of the Goods and Chattels of the reſpective Owners or Occupiers of any ſuch Gravel Pit or other Pit, who ſhall refuſe or neglect to make or repair ſuch Fence, in ſuch and the like Manner as the Penalties and Forfeitures impoſed and incurred by this Act are hereafter directed to be levied and recovered.

Penalty for digging Pits within a certain Diſtance of the Roads.

LXXXII. Provided always, and be it enacted, That in caſe any Gravel Pit or other Pit ſhall at any Time hereafter be dug, ſunk, or made at a leſs Diſtance from the Centre of any of the ſaid Roads than as aforeſaid, or ſhall be excavated or undermined within ſuch Diſtance, then and in every ſuch Caſe all and every the Owners and Occupiers of every ſuch Gravel Pit or other Pit ſhall forfeit and pay for every ſuch Offence any Sum not exceeding Ten Pounds.

Penalties how to be levied and applied.

LXXXIII. And be it further enacted, That all Penalties and Forfeitures by this Act impoſed and incurred (the Manner of levying and recovering whereof is not hereby otherwiſe particularly directed) ſhall be levied and recovered by Diſtreſs and Sale of the Offender's Goods and Chattels, by Warrant or Warrants under the Hand and Seal of any One of His Majeſty's Juſtices of the Peace for the County in which the ſaid Penalty may occur; which Warrant or Warrants ſuch Juſtice is hereby empowered and required to grant upon the Confeſſion of the Party or Parties, or upon the Information of any credible Witneſs upon Oath (which Oath ſuch Juſtice is hereby required and empowered to adminiſter); and the Overplus (if any) of the Money ariſing by ſuch Diſtreſs and Sale, ſhall be returned, upon Demand, to the Owner of ſuch Goods and Chattels, after deducting the Coſts and Charges of making, keeping, and ſelling the Diſtreſs; and ſuch Penalties and Forfeitures when recovered (if not herein directed to be otherwiſe applied) ſhall be paid to the Treaſurer to the ſaid Truſtees, to be applied towards the Purpoſes of this Act; and in caſe ſufficient Diſtreſs ſhall not be found, or ſuch Penalties and Forfeitures ſhall not be paid forthwith, it ſhall be lawful for ſuch Juſtice, and he is hereby authorized and required, by Warrant under his Hand and Seal, to cauſe the

Offender or Offenders to be committed to the Common Gaol or Houſe of Correction of the County where the Offence ſhall have been committed, there to remain without Bail or Mainprize for any Time not exceeding Three Calendar Months, unleſs ſuch Penalties, and all reaſonable Charges attending the Recovery thereof, ſhall be ſooner paid and ſatisfied.

Tranſient Offenders may be apprehended.

LXXXIV. And whereas Offences may be committed againſt this Act by Perſons unknown to the Truſtees, Collectors, Surveyors, or other Officers or Perſons employed in the Execution hereof; be it therefore enacted, That it ſhall and may be lawful for the ſaid reſpective Truſtees, Collectors, Surveyors, Officers, or other Perſons reſpectively, and ſuch other Perſon and 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 to convey him, her, or them before any Juſtice of the Peace for the County where the Offence or Offences ſhall be committed, in order to his, her, or their Conviction thereof.

Penalty on obſtructing the Execution of this Act.

LXXXV. And be it further enacted, That if any Perſon or Perſons ſhall aſſault, interrupt, or hinder, or cauſe to be aſſaulted, interrupted, or hindered, any 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 reſpective Truſtees employed in the Execution of this Act, every ſuch Perſon ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Forty Shillings.

Form of Conviction.

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

'BE it remembered, That on the Day of in the Year of our Lord *A. B.* is convicted before me [*or*, us] of His Majeſty's Juſtices of the Peace for [or, *as the Caſe may be*; *ſpecifying the Offence, and the Time and Place when and where the ſame was committed, or as the Caſe may be.*] Given under my Hand and Seal [*or*, our Hands and Seals] the Day and Year firſt above written.'

Diſtreſs not unlawful for Want of Form.

LXXXVII. And be it further enacted, That where any Diſtreſs ſhall be made for any Sum of Money, to be levied by virtue of this Act, the Diſtreſs itſelf ſhall not be deemed unlawful, nor the Party or Parties making the ſame be deemed a Treſpaſſer or Treſpaſſers, on account of any Defect or Want of Form in the Information, Summons, Conviction, Warrant of Diſtreſs, or other Proceedings relating thereto; nor ſhall the Party or Parties ſo diſtraining be deemed a Treſpaſſer or Treſpaſſers *ab initio*, on account of any Irregularity which ſhall be afterwards done by the Party or Parties ſo diſtraining; but the Perſon or Perſons aggrieved by ſuch Irregularity, ſhall and may recover full Satisfaction for the Special Damages in an Action upon the Caſe.

Proceedings not to be quashed for Want of Form, nor removeable by Certiorari.

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

Appeal.

LXXXIX. And be it further enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any Matter or Thing done in pursuance of this Act, for which no particular Relief hath herein-before been provided (save and except the Verdict of the Jury, and any Determination, Proceeding, Matter, or Thing herein-before directed to be final) such Person or Persons may, within Six Calendar Months after the Cause of Complaint shall arise, appeal to the Justices of the Peace at their General Quarter Sessions of the Peace to be holden for the County wherein the Cause of Appeal shall arise; such Appellant or Appellants first giving or causing to be given Ten Days Notice in Writing of his, her, or their Intention to bring such Appeal, and of the Causes or Matters thereof, to the Clerk or Clerks, Treasurer or Treasurers of the said Roads, and within Four Days next after such Notice, entering into a Recognizance before some Justice of the Peace for the same County with Two sufficient Sureties conditioned to try such Appeal, and abide the Order of the Justices at such General Quarter Sessions, and to pay such Costs as shall be awarded against him, her, or them, by such Justices; and such Justices at their said Sessions, on due Proof of such Notice having been given as aforesaid, and of the entering into such Recognizance, shall proceed to hear and finally determine the Causes and Matters of such Appeal in a summary Way, and award Costs to the Party appealing or appealed against, as they shall think proper, and their Determination shall be final, binding, and conclusive, to all Intents and Purposes whatsoever.

Limitation of Actions.

XC. Provided always, and be it further enacted, That no Action or Suit shall be commenced against any Person or Persons for any Thing done in pursuance of this Act, after Six Calendar Months next after the Fact committed; and every such Action and Suit shall be brought and tried in the County in which the Action shall happen, and not elsewhere; and if any such Action or Suit shall be brought before Twenty-one Days Notice shall have been given, or after a sufficient Satisfaction made or tendered as herein-after mentioned, or after the Time limited for bringing the same as herein-before mentioned, or shall be brought in any other County than as aforesaid, then and in every such Case the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall be nonsuited, or discontinue his, her, or their Action or Suit, after the Defendant or Defendants shall have appeared, or if, upon Demurrer, Judgement shall be given against the Plaintiff or Plaintiffs, then and in every such Case the Defendant or Defendants shall recover Treble Costs, and have such Remedy for recovering the same, as any Defendant hath for Costs of Suit in other Cases by Law.

XCI. And

Plaintiff not to recover without Notice, or after Tender of Amends.

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

Compelling Payment of Subſcriptions.

XCII. And be it further enacted, That if any Perſon or Perſons who hath or have already ſubſcribed any Money towards the Expences of obtaining and paſſing this Act, and carrying the ſame into Execution, or any other Perſon or Perſons who hath or have agreed to be a Subſcriber or Subſcribers, or 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 of the Diſtrict in which the Roads do lie (to the making whereof he, ſhe, or they ſhall have reſpectively ſubſcribed or agreed to ſubſcribe 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 in their reſpective Diſtricts, 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 Executors or Adminiſtrators, in any of His Majeſty's Courts of Record at *Weſtminſter*, or in the Courts of Great Seſſion for the ſaid Counties of *Montgomery*, *Denbigh*, or *Merioneth*, wherein the Perſon or Perſons ſo refuſing to pay his, her, or their ſaid Subſcription or Subſcriptions, ſhall reſpectively reſide or dwell, 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 ſubſcribe, 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 by him, her, or them ſubſcribed or agreed to be ſubſcribed as aforeſaid, together with full Coſts of Suit.

Publick Act.

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

Commencement and Continuance of this Act.

XCIV. And be it further enacted, That this Act shall commence and take place on the Day of the passing this Act, and shall be in force and have Continuance for and during the Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament.

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LONDON: Printed by George Eyre and Andrew Strahan, Printers to the King's most Excellent Majesty. 1813.