ANNO QUADRAGESIMO QUINTO

GEORGII III. REGIS.

Cap. 73.

An Act for building a Bridge over that Part of the River *Rumney* which divides the Pariſh of *Rumney* in the County of *Monmouth*, and the Pariſh of *Roath* in the County of *Glamorgan*.

[27th *June* 1805.]

WHEREAS the Bridge over the River *Rumney*, which divides the Pariſh of *Rumney* in the County of *Monmouth*, and the Pariſh of *Roath* in the County of *Glamorgan*, is very narrow, incommodious, and is become very ruinous and greatly decayed, and is not fit for the Convenience and Accommodation of the Publick: And whereas the ſeveral Roads leading to the ſaid Bridge in the ſaid Counties of *Monmouth* and *Glamorgan* have by ſeveral Acts of Parliament been made Turnpike Roads, and ſuch Roads form Part of the main Road leading from *Milford* through the Counties of *Glamorgan* and *Monmouth*, and it would be of great Convenience to the Perſons travelling on the ſaid Road, and of publick Utility, if Powers were given for making and maintaining a large and more convenient Bridge over the ſaid River *Rumney*, on the North Side of the preſent Bridge; but as ſuch Purpoſes cannot be effected without the Aid and Authority of Parliament; May it therefore pleaſe Your

Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the Right Honourable *Herbert Windſor Stuart* commonly called *Lord Herbert Windſor Stuart*, the Right Honourable *James Evelyn Stuart* commonly called *Lord James Evelyn Stuart*, the Right Honourable *Henry Stuart* commonly called *Lord Henry Stuart*, the Right Honourable *William Stuart* commonly called *Lord William Stuart*, *William Barkley* of *Rumney*, *James Capper* of *Cathays*, *Anthony Deane* of , *Thomas Davies* of *Wenvoe* Clerk, *William Davies* of *Landaff* Clerk, *Powell Edwards* of *Landaff* Clerk, *Richard Griffiths* of *Cardiff*, *John Goodrich* of *Energlyn*, *William Goodrich* of the ſame, *Henry Hollier* of *Adamſdown*, *Samuel Homfray* of *Penydarran*, *Richard Hill* of *Cardiff*, *Robert Jenner* of *Wenvoe Caſtle*, *John Jacob* of *Roath*, *Edmund Jones* of *Caſtletown*, *John Key* of *Ely*, *Thomas Leyſhon* of *Baſaleg* Clerk, *Rowley Laſcelles* of *Cotteral*, *William Lewis* of *Corſham* Clerk, Sir *Charles Morgan* Baronet, *Charles Morgan* of *Rupera*, *John Morgan*, *Robinſon Morgan* of the ſame, *George Gould Morgan* of the ſame, *Richard Parris* of *Roath*, *Anthony Matthew* of *Witchurch*, *John Price* of *Landaff*, *John Richards* of *Landaff*, *John Richards* of the *Corner Houſe*, *Oliver Robotham* of *Maeſleach*, *John Richards* of *Barry*, *Robert Rous* of *Courtyralla*, Sir *Robert Saliſbury* Baronet, *Thomas Saliſbury* of , *David Samuel* of *Bonvilſtone*, *John Kemeys Tynte* of *Ceſnmably*, *Charles Kemeys Tynte* of the ſame, *William Thomas* of *Greenway*, *Benjamin Tate* of *Lanfihangel* Clerk, *Edward Thomas* of *Llwynarthen*, *John Williams* of *Landaff*, *Mark Wood* of *Rumney*, *Alexander Wood* of the ſame, *John Wood* of *Cardiff*, *John Wood* the younger, of the ſame, and their Succeſſors to be elected in Manner herein directed, ſhall be and they are hereby declared to be Truſtees for carrying this Act into Execution.

Truſtees.

No Act of the Truſtees valid unleſs at a Meeting.

II. And be it further enacted, That no Act of the ſaid Truſtees ſhall be or be deemed to be good, valid, or effectual, unleſs the ſame be 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 be preſent at any Meeting to be holden in purſuance of this Act, the Number of Truſtees preſent at every ſuch Meeting not being leſs than Five; 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 that 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 it ſhall and may be lawful to and for ſuch Chairman to give the deciſive or caſting Vote.

Majority empowered to act.

Chairman to have the caſting Vote.

Power to appoint new Truſtees.

III. And be it further enacted, That upon the Death, Refuſal, or Diſability of any of the ſaid Truſtees hereby appointed, or of their Succeſſors,

Succeſſors, to be elected in Manner herein mentioned, to act in Execution of this Act, then and in every ſuch Caſe it ſhall and may be lawful to and for the ſurviving or remaining Truſtees, from Time to Time, to elect and appoint one other Perſon to be a Truſtee in the Room of each Truſtee ſo dying, refuſing, or being incapable of acting; and Notice of the Time and Place of the Meeting for every ſuch Election ſhall be ſigned by the Clerk to the ſaid Truſtees for the Time being, and ſhall be affixed on the ſeveral Toll Gates that ſhall be erected by virtue of this Act Fifteen Days at leaſt before ſuch Meeting; and every Perſon ſo elected a new Truſtee as aforeſaid, ſhall be and he is hereby empowered to act in the Execution of this Act, to all Intents and Purpoſes, in as full and ample a Manner as the Truſtee in whoſe Room or Stead he ſhall have been ſo elected.

Qualification of Truſtees.

IV. Provided always, and be it enacted, That no Perſon ſhall be capable of acting as a Truſtee in the Execution of this Act, unleſs he ſhall be in his own Right, or in the Right of his Wife, in the actual Poſſeſſion or Receipt of the Rents and Profits of Lands, Tenements, and Hereditaments, of the clear Yearly Value of One hundred Pounds, or be poſſeſſed of or entitled to a perſonal Eſtate of the Value of One thouſand Pounds, or ſhall be Heir Apparent to ſome Perſon poſſeſſed of an Eſtate in Land of the clear Yearly Value of One hundred and fifty Pounds; and if any Perſon not being ſo qualified ſhall act as a Truſtee in the Execution of this Act, every ſuch Perſon ſhall for every ſuch Offence forfeit and pay the Sum of Fifty Pounds, to any Perſon or Perſons who ſhall ſue for the ſame in any of His Majeſty's Courts of Record at *Weſtminſter*, by Action of Debt or on the Caſe, or by Bill, Suit, or Information, wherein no Eſſoign Protection, or Wager of Law, or more than One Imparlance ſhall be allowed; and every ſuch Perſon ſo ſued or proſecuted ſhall prove that he is qualified as aforeſaid, or otherwiſe ſhall pay the ſaid Penalty without any other Proof on the Part of the Plaintiff or Proſecutor, than 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 the Execution of this Act, though not duly qualified as aforeſaid, previous to his or their being convicted of the ſaid Offence, ſhall notwithſtanding ſuch Conviction be as good, valid, and effectual, as if ſuch Perſon or Perſons had been duly qualified to act as a Truſtee according to the Directions of this Act.

Victuallers, &c. incapable of acting, &c.

V. Provided alſo, and be it enacted, That no Perſon or Perſons who ſhall keep a Victualling Houſe, Alehouſe, or other Houſe of publick Entertainment, or who ſhall ſell any Wine, Cyder, Beer, Ale, or Spirituous or other ſtrong Liquors by Retail, ſhall be capable of acting as a Truſtee, or of taking, holding, or enjoying any Place or Places of Truſt or Profit under the ſaid Truſtees, or of collecting the Tolls hereby granted and made payable, during ſuch Time as he, ſhe, or they ſhall keep ſuch Victualling Houſe, Alehouſe, or other Houſe of publick Entertainment, or ſhall ſell any Wine, Cyder, Beer, Ale, or Spirituous or other ſtrong Liquors by Retail; but no ſuch Perſon ſhall be

be precluded from farming such Tolls, provided he, she, or they do employ a Person or Persons to collect such Tolls who shall not be under such Incapacity.

Trustees may act as Justices, except where personally interested.

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

First Meeting of Trustees.

VII. And be it further enacted, That the said Trustees shall meet at the *Cardiff Arms Inn*, in the Town of *Cardiff*, on the First *Saturday* in the Month of *July*, next after the passing of this Act, between the Hours of Ten in the Forenoon and Two in the Afternoon, and proceed to carry this Act into Execution; and in case none of the said Trustees shall attend such Meeting, then such Meeting shall be and be deemed to be adjourned to the next Day (*Sunday*, *Good Friday*, *Christmas Day*, and any Day when Divine Service is ordered by Authority to be celebrated, only excepted, and then to the next Day) and so *toties quoties* until a sufficient Number of Trustees shall attend at such Meeting to act in the Execution of this Act, or until a Trustee or Trustees shall attend, so as to adjourn such Meeting; and the said Trustees shall and may at such Meeting, and at their several Meetings to be holden for the Purpose of carrying this Act into Execution, from Time to Time adjourn themselves, and appoint their next Meeting to be holden there, or at any other Place near to the said Bridge, as to the said Trustees shall seem convenient, and at such Time as to them shall seem proper; and if it shall so happen that there shall not appear at any such Meeting a sufficient Number of Trustees to act in the Execution of this Act, the Trustee or Trustees then present, or the Clerk to the said Trustees, shall from Time to Time as often as the Case shall happen, adjourn such Meeting to some other Day within Fifteen Days then following, to be holden at the same Place, and the said Clerk shall cause Notice thereof to be affixed on all and every the Toll Gates that shall be erected by virtue of this Act, at least Five Days before the Day to which such Meeting shall be so adjourned; and the said Trustees shall at their several Meetings defray their own Expences; and no Person shall be capable of acting as a Trustee in the Execution of this Act, during such Time as he shall hold any Place of Profit under this Act.

Meetings on Emergencies.

VIII. 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 should 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 Five or more of the said Trustees, mentioning the Time and 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 Days in Manner before directed, and of the Time and Place which shall be mentioned in the Order of the said Trustees (such Time not being less than Five Days after such Notice); and all Proceedings of the said Trustees at such earlier Meeting shall be as good and valid as they

they would have been in caſe ſuch Truſtees had met in purſuance of any Adjournment.

No Order to be revoked unleſs at a Meeting for the Purpoſe, nor unleſs a Majority of the Truſtees concur.

IX. 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 holden for that expreſs Purpoſe, nor unleſs Notice, ſpecifying the Revocation or Alteration intended to be made, ſigned by the Clerk to the ſaid Truſtees, be affixed on the ſeveral Toll Gates that ſhall be erected by virtue of this Act, at leaſt Five Days before ſuch ſubſequent Meeting, nor unleſs a Majority of the Truſtees preſent at ſuch ſubſequent Meeting ſhall decide in favour of ſuch Revocation or Alteration, and a greater Number of Truſtees ſhall be preſent at ſuch ſubſequent Meeting than were preſent at the Meeting when ſuch Order, Appointment, or Proceeding was had or made.

Proceedings to be entered.

X. And be it further enacted, That the ſaid Truſtees 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 of the Names of all ſuch Truſtees as ſhall be preſent at their ſeveral Meetings; and all Entries in ſuch Book or Books being ſigned by the Chairman and Clerk then preſent ſhall be deemed Originals, and ſhall be allowed to be read as Evidence in all Cauſes, 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 of the ſaid Truſtees, and of the Creditors on the Tolls hereby granted and made payable; and that 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 or leſs Number of Words.

Truſtees to appoint Officers;

and remove them;

and allow them Salaries.

Truſtees to take Security from the Treaſurer, &c.

Officers to account.

XI. And be it further enacted, That the ſaid Truſtees may and they are hereby empowered, by Writing under their Hands, to appoint a Treaſurer or Treaſurers, Clerk or Clerks, and a Collector or Collectors of the Tolls, and a Surveyor or Surveyors of the ſaid Bridge and 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 they 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 they the ſaid Truſtees ſhall think reaſonable; and the ſaid Truſtees ſhall and they are hereby required to take ſufficient Security from every ſuch Treaſurer and other Officer for the due Execution of his Office as they ſhall think proper; and all ſuch Officers ſo to be appointed, ſhall, under their Hands, at ſuch Time or Times, and in ſuch Manner as the ſaid Truſtees ſhall direct, deliver to the 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 this Act; and alſo of all the Monies which ſhall have been by ſuch Officers reſpectively received, by virtue and for the Purpoſes of this Act, and how much thereof hath been expended and diſburſed, and for what Purpoſe, together with proper

Vouchers for ſuch Payments, 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 every ſuch Treaſurer ſhall on the firſt *Monday* in the Month of *July* yearly, or at the firſt Meeting of the ſaid Truſtees then next following (although not thereunto required by the ſaid Truſtees) lay his Accounts before the ſaid Truſtees, in order that the ſame may be audited, paſſed, and allowed by them if approved of, and all the ſaid Officers ſo accounting as aforeſaid, ſhall upon Oath (which Oath any One of the ſaid Truſtees is hereby empowered to adminiſter) verify their ſaid Accounts; and if any ſuch Officer 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 Ten Days 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, all Books, Papers, and Writings in his Cuſtody or Power relating to the Execution 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, City, or Place wherein ſuch Officer 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 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 raiſed by virtue of this Act ſhall remain due from ſuch Officer, ſuch Juſtice may and he is hereby authorized and required, upon Non-payment thereof, by Warrant under his Hand and Seal, to cauſe ſuch Money to be levied, by Diſtreſs and Sale of the Goods or Chattels of ſuch Officer, and if no Goods or Chattels of ſuch Officer 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 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 this Act, ſhall be in the Cuſtody or Power of ſuch Officer, 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, City, 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 ſhall be detained or kept in ſuch Common Goal or Houſe of Correction for want of ſufficient Diſtreſs by virtue of this Act, for any longer Space of Time than Six Calendar Months.

On Death of a Gatekeeper Truſtees may nominate another until the next Meeting.

XII. And be it further enacted, That it ſhall and may be lawful to and for any Five or more of the ſaid Truſtees, upon the Death, Neglect, Refuſal, or Incapacity to act of any Collector of the Tolls hereby granted, by Writing under their Hands, to nominate and appoint ſome other fit Perſon in his or her Place until the next Meeting of the ſaid 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; and 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 they enjoyed in Right of his or her Appointment to that Office, within Fourteen 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 Poſſeſſion of the Premiſes by any Means whatſoever, ſhall refuſe to deliver up ſuch Houſe, Building, and Appurtenances, within Four 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 and may be lawful to and for any Juſtice of the Peace for the County, City, 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 Daytime, and to remove the Perſons who ſhall be found therein, together with their Goods and Chattels out of ſuch Toll Houſe and other Premiſes, and to put the new appointed Collector in Poſſeſſion.

If diſcharged Gatekeeper refuſes to deliver up Toll Houſes, &c.

Any Juſtice may cauſe him to be put out.

Truſtees enabled to make the Bridge.

XIII. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Truſtees, or any Five or more of them, and they are hereby fully authorized and empowered, by and out of the Monies to be raiſed by virtue of this Act, to build and erect, or cauſe to be built and erected, a good and ſubſtantial Bridge of Iron, Stone, and Mortar, for the Paſſage of Horſes, Cattle, and Carriages, of the Breadth of Eighteen Feet at the leaſt acroſs the ſaid River *Rumney* from the ſaid Pariſh of *Rumney*, in the ſaid County of *Monmouth*, to the ſaid Pariſh of *Roath* in the ſaid County of *Glamorgan*, at any Place within the ſaid reſpective Pariſhes, and as near the preſent Bridge as conveniently may be, not exceeding Two hundred Yards from the Scite of the preſent Bridge; and to build and erect or cauſe to be built and erected One or more Toll Houſe or Toll Houſes, with a Gate or Gates thereto, and other proper Conveniences thereto, in the ſaid Pariſhes of *Rumney* and *Roath*, or either of them, and alſo to make proper Roads, Ways, Avenues, and Approaches to the ſaid Bridge at each End thereof, fit for the Paſſage of Travellers, Carts, Cattle, and Carriages; and all ſuch Roads, Ways, Avenues, and

Truſtees empowered to erect Turnpike and Toll Houſes, and recover Tolls.

and Approaches to the ſaid Bridge at each End thereof, for the Space of One hundred Yards from the ſaid Bridge, ſhall be maintained and repaired by virtue of this Act; and the ſaid Truſtees are hereby fully authorized and empowered and required, by and out of the Monies ariſing out of this Act, to ſupport, maintain, and keep the ſaid Bridge, Toll Houſe or Toll Houſes, Conveniences and Aſcents or Approaches to the ſaid Bridge, for ever in good and ſufficient Repair, and for the Purpoſes aforeſaid, the ſaid Truſtees ſhall have full Power and Authority to remove or cauſe to be removed any Shelves or other Obſtructions in the ſaid River, and alſo to dig up, take and carry away all Beds of Gravel, Sand, Mud, or other Impediments, and to deepen and widen the ſaid River between the ſaid Pariſhes of *Rumney* and *Roath* at the Place at which ſuch Bridge ſhall be about to be erected, if it ſhall be thought neceſſary ſo to do, and alſo to dig and cut the Banks of the ſaid River in ſuch Manner as ſhall be neceſſary and proper for building the ſaid Bridge, and preſerving the ſame, and the Navigation of the ſaid River near and under the ſaid Bridge free and open, and to turn, widen, and alter, any Highway, or make any new Road, Way, Avenue, or Approach leading to the ſaid intended Bridge, and from Time to Time and at all Times hereafter to do all other Acts, Matters, and Things, as the ſaid Truſtees ſhall think requiſite and neceſſary, uſeful and convenient, for building, erecting, maintaining, or ſupporting the ſaid Bridge, Toll Houſe and Toll Houſes, and other Works and Conveniences thereto, or the Approaches thereto, or to take and purchaſe any Lands or Grounds as ſhall be neceſſary for ſuch Purpoſes, and to lay on each Side of the ſaid River *Rumney*, within the Diſtance of One hundred Yards of the Scite or intended Scite of the ſaid Bridge, all Materials and other Things to be uſed in or about the ſaid Bridge, Roads, Ways, Avenues, and Approaches, and there to work and uſe the ſame, they the ſaid Truſtees making Satisfaction in Manner herein mentioned to the reſpective Owners and Occupiers of all the Lands and Grounds, Tenements, and Hereditaments, as ſhall be taken or made Uſe of for the ſaid Purpoſes, or any of them.

XIV. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Truſtees, and they are hereby empowered to demand and take or cauſe to be demanded and taken, at the ſeveral Turnpikes or Toll Gates to be erected by virtue of this Act, the Tolls following, before any Carriage, Horſe, or other Beaſt or Cattle, ſhall be permitted to paſs through the ſame; that is to ſay,

Tolls. For every Horſe or other Beaſt of Draught, drawing any Coach, Sociable, Berlin, Landau, Chariot, Vis-a-vis, Chaiſe, Calaſh, Chaiſe Marine, Curricle, Chair, Gig, Whiſky, Caravan, Hearſe, or Litter, the Sum of Four-pence Halfpenny:

For every Horſe or other Beaſt of Draught, drawing any Waggon, Wain, Cart, Dray, or other Carriage of the like Kind or Deſcription, the Sum of Three-pence:

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

For every Drove of Oxen, Cows, or Neat Cattle, the Sum of Seven-pence Halfpenny *per* Score, and ſo in Proportion for any greater or leſs Number: And,

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

XV. And

Sunday Toll.

XV. And be it further enacted, That it shall and may be lawful to and for the respective Toll Gatherers or Collectors appointed by virtue of this Act, and they are hereby authorized and empowered, on each and every *Sunday* (to be computed from Twelve of the Clock on *Saturday* Night to Twelve of the Clock on *Sunday* Night) in each and every Year, to demand and take for and in respect of each and every Horse or other Cattle passing through any Gate or Turnpike erected by virtue of this Act, Double the Toll or Sum which may be demanded and taken for the same respectively on any other Day by virtue of this Act, before such Horse, Beast, or other Cattle, shall be permitted to pass through any such Gate or Gates, Turnpike or Turnpikes.

Tolls vested in Trustees.

XVI. And be it further enacted, That the said Tolls shall be and they are hereby vested in the said Trustees, and a Table thereof shall be put up and continued at each and every Turnpike or Toll Gate erected on the said Bridge, or the Avenues thereof; and it shall and may be lawful to and for the several Persons who shall by virtue of this Act be appointed Collectors of the said Tolls, to demand, collect, and receive the said Tolls; and if any Person or Persons subject to the Payment of any of the said Tolls shall, after Demand made thereof by any Collector of the said Tolls, to be appointed as aforesaid, neglect or refuse to pay the same, or any Part thereof, it shall and may be lawful to and for such Collector to seize and distrain or cause to be seized and distrained any Horse or Horses, or other Beast or Cattle, chargeable with the said Tolls, or any of them, or the Bridles, Saddles, Harness, or Accoutrements of such Horse or Horses, or other Beast or Beasts, or any Part or Parts thereof; and if such Tolls, or any Part or Parts thereof, and the reasonable Charges of such Seizure and Distress, and of obtaining and keeping the same, shall not be paid within Five Days next after such Seizure and Distress made, the Collector so seizing or distraining shall and may sell or cause to be sold the Horse or Horses, Beast or Beasts, or other Cattle, and their Bridles, Saddles, Harness, and Accoutrements so seized and distrained, or any Part or Parts thereof, at or near to the Turnpike or Toll Gate where the said Tolls ought to have been paid, rendering the Overplus (if any) upon Demand, to the Owner or Owners thereof, after such Tolls and all reasonable Costs and Charges for distraining, keeping, and selling the same, shall be deducted and paid.

For Recovery of Tolls.

Disputes respecting Tolls to be settled by a Justice.

XVII. And be it further enacted, That if any Dispute shall arise about the Quantity of Tolls due, or the Costs and Charges of distraining, keeping, or selling any Distress, it shall and may be lawful to and for the Collector or Person so distraining to detain the Distress, or the Money arising from the Sale thereof, until the Quantity of the Tolls, or the Charges of distraining, keeping, and selling the Distress, as the Case may be, shall be ascertained by some Justice of the Peace, for the County, City, or Place wherein such Dispute shall arise, who, upon Application made to him for that Purpose, shall examine the said Matter upon Oath or Oaths of the Parties, or other Witness or Witnesses, and shall determine the Quantity of Tolls due, and shall also assess the Charges of such Distress and Sale, and all other reasonable Costs, all which Sum or Sums so determined or assessed shall be paid to the Collector before he shall be obliged to return the said Distress, or the Overplus after the Sale thereof, or any Part thereof.

Bridge and Turnpikes veſted in the Truſtees.

XVIII. And be it further enacted, That the Right and Property of the Bridge, Turnpikes, and Toll Houſes, and other Buildings to be erected by virtue of this Act, with the Ground, Fences, and Appurtenances thereto reſpectively, and of all Gates, Poſts, Rails, Bars, Watch Boxes, Mile Stones, Tables of Tolls, Lamps, Lamp Poſts, Lamp Irons, and Poſts to be erected, and alſo of all Materials, Tools, and Implements, which are or ſhall be provided for making and repairing the ſaid Bridge, Roads, Ways, Avenue, and Approaches, or any of them, by virtue of this Act, ſhall be veſted in the Truſtees hereby appointed; and they are hereby empowered to cauſe any Action or Actions to be brought, and any Bill or Bills of Indictment to be preferred againſt any Perſon who ſhall ſteal, break down, take away, injure, or ſpoil the ſaid Bridge, or any ſuch Turnpike, Toll Houſe, or other Building, Watch Box, Fence, Mile Stone, Table of Tolls, Lamps, Lamp Poſt, Lamp Iron, or Poſt, or any of ſuch Materials, Tools, or Implements as aforeſaid, or any of them, or any Part or Parts thereof; and in all ſuch Actions and Bills of Indictment reſpectively, it ſhall be and be deemed to be ſufficient to ſtate generally, that the Article or Articles, Thing or Things, for which ſuch Action or Actions ſhall be brought, or Bill or Bills of Indictment preferred, is or are the Property of the Truſtees, for building a Bridge over the River *Rumney*, without particularly mentioning or ſpecifying the Name or Names of any of the ſaid Truſtees.

Tolls to be paid Once only for paſſing and repaſſing the ſame Day.

XIX. Provided always, and be it enacted, That nothing herein contained ſhall extend or be conſtrued to extend to enable any Collector of the ſaid Tolls to demand or take any more than one Toll from any Perſon or Perſons whomſoever, for or in reſpect of the ſame Horſe, Beaſt, or other Cattle, paſſing once and repaſſing once in the ſame Day (ſuch Day to be computed from Twelve of the Clock at Night to Twelve of the Clock in the ſucceeding Night) through the ſame or another Toll Gate or Toll Gates, Turnpike or Turnpikes on the ſaid Bridge, or the Avenues or Roads leading thereto, all and every ſuch Perſon and Perſons producing a Ticket denoting that ſuch Toll hath been paid on that Day for or in reſpect of ſuch Carriage, Horſe, Beaſt, or other Cattle, on the ſaid Bridge, or the Avenues or Roads leading thereto, which Ticket the ſaid Collector is hereby required to deliver *gratis* on Payment of ſuch Toll.

Collectors of Tolls to be competent Witneſſes.

XX. And be it further enacted, That in caſe any Diſpute, Suit, or Litigation ſhall ariſe touching or in anywiſe relating to the ſaid Tolls, or any of them, the Perſon or Perſons appointed to collect the ſame, or any other Perſon or Perſons acting by or under the Authority of the ſaid Truſtees, ſhall not be diſqualified from giving Evidence in any ſuch Diſpute, Suit, or Litigation, by reaſon of his, her, or their Appointment to collect ſuch Tolls.

Penalty on evading Tolls.

XXI. And, for preventing the evading of Payment of the ſaid Tolls, be it further enacted, That if any Perſon or Perſons ſhall give, offer, or diſpoſe of to, or receive from any other Perſon or Perſons any ſuch Ticket as aforeſaid, or ſhall counterfeit or knowingly make uſe of any counterfeited Ticket in order to avoid Payment of the ſaid Tolls, or any Part thereof, or ſhall take off or cauſe to be taken off any Horſe or other Beaſt from any Carriage, whereby the Payment of any

of

of the ſaid Tolls, or any Part thereof, is or ſhall be avoided, every ſuch Perſon ſo offending in any of the Caſes aforeſaid, ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Five Pounds, One Moiety whereof ſhall go to the Informer, and the other Moiety ſhall be applied to the Purpoſes of this Act.

General Exemption.

XXII. And be it further enacted, That no Toll ſhall be demanded or taken for any Horſe, Beaſt, Cattle or Carriage, of whatever Deſcription, employed or to be employed in conveying the Mails of Letters and Expreſſes under the Authority of His Majeſty's Poſtmaſter General, either when employed in conveying, fetching, or guarding ſuch Mails or Expreſſes, or in returning back from conveying the ſame; or for any Horſe, Beaſt, Cattle, or Carriage attending any Soldiers upon their March or on Duty, or attending them with their Arms or Baggage, or for any Horſe, Mare, or Gelding furniſhed for or by any Perſon belonging to any Corps of Yeomanry or Volunteer Cavalry, and rode by them in going to or returning from the Place appointed for and on the Days of Exerciſe, provided that ſuch Perſons are in the Uniform of their reſpective Corps, and have their Arms, Furniture, and Accoutrements, according to the Regulations provided for ſuch Corps reſpectively at the Time of claiming ſuch Exemption as aforeſaid; or for any Horſe, Cattle, Beaſt, or Carriage employed in the Conveyance of Vagrants ſent by legal Paſſes, or returning therefrom; or for any Horſe, Cattle, Beaſt, or Carriage carrying or conveying any Perſon or Perſons going to or returning from any Election of a Knight or Knights of the Shire to ſerve in Parliament for the ſaid Counties of *Monmouth* or *Glamorgan* on the Day or Days of ſuch Election, or on the Day before or Da after ſuch Election ſhall begin or be concluded; and if any Perſon or Perſons ſhall in any fraudulent or colluſive Manner whatſoever claim and take the Benefit of any of the Exemptions by this Act granted, not being entitled to the ſame, every ſuch Perſon ſhall forfeit and pay for every ſuch Offence, any Sum not exceeding Five Pounds, One Moiety whereof ſhall go to the Informer, and the other Moiety ſhall be applied to the Purpoſes of this Act.

Truſtees may reduce Tolls with Conſent of Creditors.

XXIII. Provided always, and be it further enacted, That it ſhall and may be lawful to and for the ſaid Truſtees, and they are hereby empowered at any Meeting to be holden for that Purpoſe, to which Meeting Twenty Days Notice, ſigned by the Clerk to the ſaid Truſtees, ſhall be affixed on all and every the Toll Gates and Turnpikes that ſhall be erected by virtue of this Act, from Time to Time to leſſen or reduce all or any Part or Parts of the Tolls granted by this Act, or wholly to diſcontinue taking any Toll or Tolls by virtue of this Act, for and during ſuch Time as they the ſaid Truſtees ſhall think proper; and afterwards at any Meeting to be holden as aforeſaid, from Time to Time, if they ſhall ſee Occaſion, to advance all or any of the Tolls ſo leſſened or reduced to any Sum or Sums of Money not exceeding the ſeveral Rates granted by this Act, in caſe the ſaid Truſtees ſhall have diſcontinued taking ſuch Toll or Tolls, again to commence taking ſuch Tolls: Provided nevertheleſs, that when the Whole Money charged and borrowed on the Credit of this Act ſhall not have been paid or diſcharged, the Tolls hereby granted ſhall not be leſſened or reduced without the Conſent of the Perſon or Perſons entitled to Five-ſixth Parts of the Money remaining due upon the Credit of this Act; nor ſhall the ſaid

Truſtees

Truſtees wholly diſcontinue taking ſuch Toll or Tolls, whilſt any Sum or Sums of Money ſhall be due or owing upon the Credit of this Act.

Toll's may be let.

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

Leſſees or Perſons appointed by them may collect the Tolls.

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

Truſtees may compound for Tolls.

XXVI. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Truſtees, from Time to Time to compound with any Perſon or Perſons, for any Period of Time not exceeding Three Years, for any Horſes, Beaſts, or Cattle paſſing over the ſaid Bridge, for all or any of the Tolls to be paid in reſpect of ſuch Horſes, Beaſts, or other Cattle, and all ſuch Compoſition Money ſhall be paid in advance Quarterly or otherwiſe, as the ſaid Truſtees ſhall appoint; and in Default thereof, every ſuch Compoſition ſhall be null and void to all Intents and Purpoſes whatſoever.

Truſtees may borrow Money.

XXVII. And, for the more ſpeedy raiſing ſuch Money as may be neceſſary for the Purpoſes of this Act, be it further enacted, That it ſhall and may be lawful to and for the ſaid Truſtees, and they are hereby empowered, from Time to Time, to borrow and take up at Intereſt ſuch Sum and Sums of Money, not exceeding the Sum of Two thouſand five hundred Pounds in the Whole, as they ſhall

judge necessary for the Purposes of this Act, and by Writing under their Hands and Seals to assign over or mortgage the Tolls hereby granted, or any Part thereof, and the several Toll Gates, Turnpikes, and Toll Houses erected or to be erected by virtue of this Act (the Charges of such Assignments and Mortgages to be paid out of the said Tolls) as a Security for the Repayment 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:

'BY virtue of an Act made in the Forty-fifth Year of the Reign of King *George* the Third, [*set forth the Title of this Act*] We whose Names are hereunto subscribed and Seals affixed (being Trustees acting in Execution of the said Act), in Consideration of the Sum of to the Treasurer of the said Bridge in Hand paid by *A. B.* do hereby grant, bargain, sell, and demise unto the said *A. B.* Executors, Administrators, and Assigns, such Proportions of the Tolls arising by virtue of the said Act, and also of the Toll Gates, Turnpikes, and Toll Houses for collecting the same, as the said Sum of doth or shall bear to the Whole Sum charged and 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 until the said Sum of with Interest after the Rate of *per Centum per Annum*, shall be repaid and satisfied. Given under our Hands and Seals, this Day of in the Year of our Lord

'

Copies of Mortgages to be entered.

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 seasonable Times be perused and inspected without Fee or Reward; and all Mortgages or Assignments which shall be made in the Manner and Form aforesaid, shall be good, valid, and effectual, to all Intents and Purposes whatsoever; and all Persons to whom any such Mortgages or Assignments shall be made as aforesaid, or who shall be entitled to the Money thereby respectively secured, may from Time to Time assign and transfer the same Security or Securities, and all Benefit and Advantage thereof, 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:

'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 Execution of an Act, made in the Forty-fifth Year of the Reign of King *George* the Third, intituled, [*set forth the Title of this Act*] upon the Credit of the said Act, do hereby

"hereby transfer all my Right and Title in and to the ſame, and all the "Principal and Intereſt Money now due and owing thereon, unto *C. D.* "Executors, Adminiſtrators, and Aſſigns. "Dated this Day of in the Year of our "Lord

And every ſuch Transfer ſhall be produced and notified to the Clerk to the ſaid Truſtees, within Six Calendar Months next after the Date thereof, and ſuch Clerk ſhall cauſe an Entry or Memorial to be made thereof, containing the Names of the Parties, and 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 Five Shillings and no more; and after ſuch Entry made, every ſuch Transfer ſhall entitle the Perſon 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, ſhall be, in Proportion to the Sums therein reſpectively mentioned, Creditors on ſuch Tolls, Toll Gates, 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, Fourteen Days Notice at the leaſt ſhall be given of the Intention of borrowing ſuch Money, in ſome Newſpaper uſually circulated in the ſaid Counties of *Monmouth* and *Glamorgan*.

Truſtees to give Fourteen Days Notice previous to borrowing Money.

Truſtees may turn or alter the Courſe of any Part of the Roads,

XXVIII. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Truſtees, and they are hereby fully empowered, from Time to Time as they ſhall think proper, to divert, widen, turn, ſhorten, vary, or alter the Courſe or Path of any Part or Parts of the Roads, Ways, Avenues, and Approaches to the ſaid Bridge, ſo that no ſuch Road, Way, Avenue, or Approach, ſhall exceed Sixty Feet in Width through any Commons or Waſte Grounds, without making any Satisfaction for the ſame, and through any inclоſed Lands, Grounds, or Hereditaments, firſt making Satisfaction to the Owners thereof and Perſons intereſted therein, for the Damage they may ſuſtain thereby; and for that Purpoſe, and for the Purpoſe of erecting ſuch Bridge, Toll Houſes, Toll Gates, and other Works and Conveniencies neceſſary thereto, it ſhall and may be lawful to and for the ſaid Truſtees, or for their Clerk, or any other Perſon or Perſons by them duly authorized and deputed for that Purpoſe, by Order of a Meeting of the ſaid Truſtees, to treat, contract, and agree with the Owners of, and Perſons intereſted in any Lands, Tenements, or Hereditaments, for the Purchaſe thereof, or for the Loſs or Damage ſuch Owners or Perſons intereſted may ſuſtain by carrying the ſeveral Purpoſes of this Act into Execution; and the ſaid Lands, Tenements, and Hereditaments ſo purchaſed

and may contract for the Purchaſe of Lands for that Purpoſe.

for ſuch Roads, or any Part thereof, ſhall and may, by Order and Direction of the ſaid Truſtees, be laid into and made Part of the ſaid Roads, in ſuch Manner as the ſaid Truſtees ſhall think convenient, and ſhall by ſuch Perſon or Perſons as they ſhall order and appoint, be ſufficiently drained, ditched, and fenced out for that Purpoſe; and after the ſaid Lands or Grounds ſhall be ſo drained, ditched, and fenced out, the ſame ſhall, to all Intents and Purpoſes whatſoever, become and be, and be deemed and taken to be a publick and common Highway, and to be Part of the Roads to be amended, widened, and kept in Repair by virtue of this Act, and ſhall be repaired and kept in Repair by ſuch Ways and Means, and in ſuch Manner as the old Road was and ought to have been kept in Repair; and after any ſuch Lands ſhall be made Part of the ſaid Roads as aforeſaid, the Lands and Grounds comprized in or conſtituting the former Road, in lieu whereof ſuch Lands or Grounds ſhall be purchaſed as aforeſaid, ſhall be ſold by the ſaid Truſtees to ſuch Perſon or Perſons as ſhall be willing to become a Purchaſer or Purchaſers thereof, for the beſt Price that can be reaſonably had or gotten for the ſame; and the Conveyance thereof being executed by the ſaid Truſtees, and enrolled with the Clerk of the Peace, for the ſaid County of *Monmouth* or *Glamorgan*, according to the Juriſdiction in which ſuch Lands or Grounds ſhall lie, ſhall be good, valid, and effectual, to all Intents and Purpoſes whatſoever.

Corporations, &c. empowered to treat.

XXIX. And be it further enacted, That it ſhall and may be lawful to and for all Bodies Politick, Corporate, or Collegiate, Corporations aggregate or ſole, Tenants for Life, or in Fee Tail General or Special, or for Years determinable on any Life or Lives, and all Feoffees in Truſt, Executors, Adminiſtrators, Guardians, Committees of Idiots and Lunaticks, and Huſbands, and all other Truſtees whomſoever, for and on Behalf of any Infants, Femes Covert, or Ceſtuique Truſts, Idiots, Lunaticks, or other Perſons under any Diſability of acting for themſelves, and for all and every Perſon or Perſons who are or ſhall be ſeiſed, poſſeſſed of, or intereſted in any Lands, Tenements, or Hereditaments, to treat and agree with the ſaid Truſtees for the abſolute Sale thereof, or of any Part thereof, or for their Intereſt therein, and to convey the ſame to the ſaid Truſtees for the Purpoſes of erecting the ſaid Bridge, and the ſeveral Toll Houſes, Toll Gates, Works, and Conveniencies thereto, and of making the ſeveral Roads, Ways, Avenues, and Approaches to the ſaid Bridge; and all Contracts, Agreements, Sales, and Conveyances, which ſhall be ſo made, ſhall be good, valid and effectual to all Intents and Purpoſes whatſoever, any Law, Uſage, or other Matter or Thing to the contrary thereof in anywiſe notwithſtanding; and all ſuch Tenants for Life, or in Fee Tail General or Special, or for Years determinable on any Life or Lives, Feoffees in Truſt, Executors, Adminiſtrators, Guardians, Committees, Huſbands, and Truſtees, Bodies Politick, Corporate, or Collegiate, Corporations aggregrate or ſole, and other Perſons, are and ſhall be indemnified for what they ſhall do by virtue and in purſuance of this Act.

XXX. And

In case of Persons refusing to treat or not agreeing, a Jury to settle the Recompence.

XXX. And be it further enacted, That if 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 any of the Purposes of this Act, or which shall be injured or damaged by the said Trustees, or by any Person or Persons acting by or under the Authority of the said Trustees in carrying this Act into Execution, or any such Body Politick, 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 Politick, 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 Twenty-one 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 and may be lawful to and 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 said County of *Monmouth* or of the County of *Glamorgan*, according to the Jurisdiction in which the Premises in question shall be situate (which Oaths the said Trustees, or any Two or more of them, are hereby empowered to administer) what Damages will be sustained by, and what Recompence and Satisfaction shall be made to such Owner, Proprietor, Occupier, or other Person or Persons interested for or on Account of the taking or using of such Lands, Tenements, or Hereditaments, for the Purposes of this Act; and in order thereto the said Trustees, or any Two or more of them, are hereby empowered and required, from Time to Time, to summon and call before them all and every Person and Persons who shall be thought necessary and 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 Trustees, or any Two or more of them, are hereby empowered and required to administer); and they shall order and cause the said Jury to view the Place in question, and 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 so ascertained and settled such Damages and Recompence, they the said Trustees shall thereupon order, adjudge, and determine the Sum or Sums of Money so 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 Judgement, Order, or Determination, so had and made, shall be final, binding, 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 anyways 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; and upon Payment of the Money so assessed,

aſſeſſed, to the reſpective Perſons entitled thereto, or their Agents, or (in caſe of Refuſal to accept ſuch Money) upon paying the ſame into the Bank of *England* in Manner by this Act directed, it ſhall and may be lawful to and for the ſaid Truſtees, to cauſe the Premiſes in reſpect whereof ſuch Money ſhall be aſſeſſed, to be diſpoſed of, and ſuch Acts to be done thereto as if the Purchaſe thereof had been agreed upon and completed, and the ſaid reſpective Premiſes were untenanted, and the Purchaſe or Conſideration Money had been received by the Perſon or Perſons entitled thereto; and for ſummoning and returning any ſuch Jury, the ſaid Truſtees are hereby empowered to iſſue out their Warrant or Warrants, ſigned by any Two or more of them, to the Sheriff of the ſaid County of *Monmouth*, or of the ſaid County of *Glamorgan*, in their reſpective Juriſdictions, thereby commanding and requiring ſuch Sheriff to impannel, ſummon, and return, an indifferent Jury of Twenty-four Perſons, to appear before the ſaid Truſtees, at ſuch Time and Place as in ſuch Warrant ſhall be appointed; and ſuch Sheriffs reſpectively, or their reſpective Deputies, is and are 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 Truſtees 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 reſpective Sheriffs, or their Deputies reſpectively 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 Truſtees are hereby empowered to impoſe any reaſonable Fine or Fines on ſuch reſpective Sheriffs or their Deputies, reſpectively 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, or after having appeared ſhall refuſe to be ſworn on the ſaid Jury, or 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 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, or refuſe to be ſworn or be examined, or give Evidence touching the ſame; but no ſuch Fine ſhall exceed Ten Pounds upon any one Perſon for one Offence.

Juries may be challenged.

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

XXXI. Provided always, and be it enacted, That wherever the Courſe of any Road ſhall be altered by this Act, and a new Road opened and made in and upon the adjoining Land, the Offer of the Purchaſe of ſuch old Road ſhall be firſt made to the Owner of ſuch adjoining Land, which ſhall be cut and uſed for the Purpoſe of making ſuch new Road; and in caſe ſuch Owner ſhall be deſirous of becoming the Purchaſer of ſuch old Road, and cannot agree with the ſaid Truſtees for the Price to be paid for the Purchaſe of the ſame, and ſuch Owner ſhall ſtill be deſirous of becoming the Purchaſer thereof,

Owners of Land uſed in making a new Road to have the firſt Offer of the old Road.

of, then and in such Case the Value thereof shall be settled and ascertained by a Jury, in such and the like Manner as the Price for any Land to be taken in pursuance of this Act is directed to be settled and ascertained in and by this Act, and such Owner shall be deemed the Purchaser thereof, at the Sum to be ascertained by a Jury to be the Value thereof; and in case such Owner shall refuse to pay such Money upon Demand made thereof by the Treasurer or Clerk to the said Trustees, and Tender of the Conveyance of such old Road, the same shall and may be recovered by the said Trustees by Action of Debt, in any of His Majesty's Courts of Record; and in case any such Owner shall not agree, or shall refuse to purchase any such old Road, it shall and may be lawful to and for any Person or Persons (not interested in the Premises) to make an Affidavit to be sworn before a Master Extraordinary of the High Court of Chancery, or before One of His Majesty's Justices of the Peace for the County or Place where such old Road shall lie, stating that such Offer has been made by or on Behalf of the said Trustees, and that such Owner has not agreed, or has refused to purchase such old Road, as the Case may be; and such Affidavit shall in all Courts whatsoever be sufficient Evidence and Proof that such Offer was made and not agreed to, or refused by such Owner: Provided nevertheless, that if the Lands of Two or more Persons shall be taken for any such new Road as aforesaid, each and every such Owner shall be entitled to the first Offer of so much of the old Road as is lying immediately adjoining to his, her, or their Land respectively, in Manner aforesaid: Provided also, that if such Owner or Owners respectively shall be willing and consent to take such old Road in exchange for such new Road, it shall and may be lawful to and for the said Trustees, and they are hereby required to assure the same to such Person or Persons, by entering the same in their Books, and delivering to him or them a Copy of the Entry thereof, signed by any Five or more of the said Trustees, which Copy shall be a good and valid Title to the same, and be available in any Suit in Law or Equity.

By whom the Expences of the Jury to be paid.

XXXII. And be it further enacted, That in case any such Jury shall give in or deliver a Verdict or Assessment for more Money than shall, by or on Behalf of the said Trustees, have been offered before the summoning and returning such Jury, as a Recompence or Satisfaction for any such Right, Interest, or Property, or Damage as aforesaid, or for less Money than shall have been offered, to be accepted or taken by or on Behalf of the said Trustees, as the Purchase Money for any such old Road as aforesaid, then and in every such Case the Costs and Charges of summoning and returning the Jury and Witnesses shall be borne and paid by the said Trustees, out of the Money arising by virtue of this Act; but if any Jury shall give and deliver a Verdict or Assessment for no more or for less Money than shall, by or on Behalf of the said Trustees, have been offered before the summoning and returning such Jury, as a Recompence or Satisfaction for any such Right, Interest, or Property, or Damage as aforesaid, or for the same or any more Money than shall have been offered to be accepted or taken as the Purchase Money for any such old Road as aforesaid, then and in every such Case the Costs and Charges of summoning and returning the said Jury and Witnesses, shall be borne and paid by

the Perſon or Perſons with whom the ſaid Truſtees ſhall have ſuch Controverſy or Diſpute, which ſaid Coſts and Expences ſhall be aſcertained and ſettled by ſome Juſtice of the Peace, not intereſted in the Matter in Queſtion, and within whoſe Juriſdiction ſuch Controverſy or Diſpute ſhall ariſe (who is hereby authorized and required to examine and ſettle the ſame) and ſhall and may be deducted out of the Money ſo aſſeſſed and adjudged, as ſo much Money advanced to and for the Uſe of ſuch Perſon or Perſons, and the Payment or Tender of the Remainder of ſuch Monies ſhall be deemed and taken, to all Intents and Purpoſes whatſoever, 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 Clerk to the ſaid Truſtees, by ſuch Ways and Means as are herein provided for the Recovery of Penalties and Forfeitures incurred by this Act.

Truſtees to pay Expences when Perſons from Abſence are prevented from treating.

XXXIII. Provided always, that in all Caſes where any Perſon or Perſons ſhall, by reaſon of Abſence, have been prevented from treating with the ſaid Truſtees, ſuch Coſts and Expences ſhall be borne and paid by the ſaid Truſtees in Manner aforeſaid.

Houſes, &c. not to be injured.

XXXIV. Provided always, and be it further enacted, That nothing herein contained ſhall extend, or be conſtrued to extend, to enable the ſaid Truſtees to take, uſe, injure, or damage any Dwelling Houſe or other Building, or any Garden, Orchard, Yard, Park, Paddock, planted Walk or Avenue to a Houſe, without the Conſent of the Owner or Owners, or Proprietor or Proprietors thereof.

Application of Compenſation, if amounting to 200 l.

XXXV. And be it further enacted, That if any Money ſhall be paid, or agreed or awarded to be paid, for the Purchaſe of any Lands, Tenements, or Hereditaments, purchaſed, taken, or uſed by virtue of the Powers of this Act for the Purpoſes thereof, which ſhall belong to any Body Politick, Corporate, or Collegiate, or to any Feoffee in Truſt, Executor, Adminiſtrator, Huſband, Guardian, Committee, or other Truſtee, for or on Behalf of any Infant, Lunatick, Idiot, Feme Covert, or other Ceſtuique Truſt, or to any Perſon whoſe Lands, Tenements, or Hereditaments are limited in ſtrict or other Settlement, or to any Perſon under any other Diſability or Incapacity whatſoever, ſuch Money ſhall, in caſe the ſame ſhall amount to the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account there *ex parte* the Truſtees for executing this Act, to the Intent that ſuch Money ſhall be applied under the Direction and with the Approbation of the ſaid Court, to be ſignified by an Order made upon a Petition to be preferred in a ſummary Way, by the Perſon or Perſons who would have been entitled to the Rents and Profits of the ſaid Lands, Tenements, or Hereditaments, in the Purchaſe or Redemption of the Land Tax, or Diſcharge of any Debt or Debts, or ſuch other Incumbrance, or Part thereof, as the ſaid Court ſhall authorize to be paid, affecting the ſame Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments ſtanding ſettled therewith to the ſame or the like Uſes, Intents, or Purpoſes; or where ſuch Money ſhall not be ſo applied, then

then the ſame ſhall be laid out and inveſted, under the like Direction and Approbation of the ſaid Court, in the Purchaſe of other Lands, Tenements, or Hereditaments, which ſhall be conveyed and ſettled to, for, and upon ſuch and the like Uſes, Truſts, Intents, and Purpoſes, and in the ſame Manner as the Lands, Tenements, or Hereditaments which ſhall be ſo purchaſed, taken, or uſed as aforeſaid, ſtood ſettled or limited, or ſuch of them as at the Time of making ſuch Conveyance and Settlement ſhall be exiſting, undetermined, and capable of taking Effect; and in the mean Time and until ſuch Purchaſe ſhall be made, the ſaid Money ſhall, by Order of the ſaid Court upon Application thereto, be inveſted by the ſaid Accountant General, in his Name, in the Purchaſe of Three Pounds *per Centum* Conſolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the mean Time and until the ſaid Bank Annuities ſhall be ordered by the ſaid Court to be ſold for the Purpoſes aforeſaid, the Dividends and annual Produce of the ſaid Conſolidated or Reduced Bank Annuities ſhall from Time to Time be paid, by Order of the ſaid Court, to the Perſon or Perſons who would for the Time being have been entitled to the Rents and Profits of the ſaid Lands, Tenements, and Hereditaments ſo hereby directed to be purchaſed by virtue of this Act, in caſe ſuch Purchaſe or Settlement were made.

Application of Compenſation if leſs than 200*l.* and exceeding 20*l.*

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

Application of Compenſation if leſs than 20*l.*

XXXVII. Provided alſo, and be it 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 Purpoſe

poſe of this Act, in ſuch Manner as the ſaid Truſtees ſhall think fit; or in caſe of Infancy, Idiotcy, or Lunacy, then ſuch Money ſhall be paid to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Uſe and Benefit of ſuch Perſon or Perſons ſo entitled reſpectively.

In caſe of not making out Titles;

XXXVIII. 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 in caſe ſuch Perſon or Perſons to whom ſuch Sum or Sums of Money ſhall be ſo awarded as aforeſaid, cannot be found, or if the Perſon or Perſons entitled to ſuch Lands, Tenements, or Hereditaments, be not known or diſcovered; then and in every ſuch Caſe it ſhall and may be lawful to and for the ſaid Truſtees, or any Five or more of them, to order the ſaid Sum or Sums of Money ſo awarded as aforeſaid, to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to his Account to the Credit of the Parties intereſted in the ſaid Lands, Tenements, or Hereditaments [*deſcribing them*] ſubject to the Order, Controul, and Diſpoſition of the ſaid Court of Chancery; which ſaid Court of Chancery, on the Application of any Perſon or Perſons making Claim to ſuch Sum or Sums of Money, or any Part thereof, by Motion or Petition, ſhall be, and is hereby empowered, in a ſummary way of Proceeding or otherwiſe, as to the ſame Court ſhall ſeem meet, to order the ſame to be laid out and inveſted in the publick Funds, and to order Diſtribution thereof, or Payment of the Dividends thereof, according to the reſpective Eſtates, Title, or Intereſt, of the Perſon or Perſons making claim thereunto, and to make ſuch Order in the Premiſes as to the ſaid Court ſhall ſeem juſt and reaſonable; and the Caſhier or Caſhiers of the Bank of *England*, who ſhall receive ſuch Sum or Sums of Money, is and are hereby required to give a Receipt or Receipts for ſuch Sum or Sums of Money, (mentioning and ſpecifying for what and for whoſe Uſe the ſame is or are received), to ſuch Perſon or Perſons as ſhall pay any ſuch Sum or Sums of Money into the Bank as aforeſaid.

or if Perſons cannot be found, Purchaſe Money to be paid into the Bank;

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

Where any Queſtion ſhall ariſe touching the Title to Money to be paid, the Perſon who ſhall be in Poſſeſſion of the Land, &c. at the Time of ſuch Purchaſe, ſhall be deemed entitled thereto.

XXXIX. Provided always, and be it enacted, That where any Queſtion ſhall ariſe touching the Title of any Perſon to any Money to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Chancery, in purſuance of this Act, for the Purchaſe of any Lands, Tenements, or Hereditaments, or of any Eſtate, Right, or Intereſt in any Lands, Tenements, or Hereditaments to be purchaſed in purſuance 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,

ſons, ſhall be deemed and taken to have been lawfully entitled to ſuch Lands, Tenements, or Hereditaments, according to ſuch Poſſeſſion, until the contrary ſhall be ſhewn, to the Satisfaction of the ſaid Court of Chancery; and the Dividends and 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 Purchaſe to be paid by the Truſtees.

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

For getting Materials to repair Bridge and Roads.

XLI. And be it further enacted, That it ſhall and may be lawful to and for the Surveyor or Surveyors of the ſaid Bridge, and to and for all ſuch Perſons as he or they reſpectively ſhall appoint, to ſearch for, dig, get, gather, and take away any Stone, Furze, Heath, Beach, Stones, Gravel, Sand, or other Materials for making or repairing the ſaid Bridge, or the Roads, Ways, Avenues, or Approaches thereto, out of or from any Common or Waſte Ground, Sea Shore or Strand, River, or Brook, in any Pariſh, Townſhip, Hamlet, Diviſion, Diſtrict, or Place, in which any Part of the ſaid Bridge, Roads, Ways, Avenues, or Approaches thereto ſhall lie, or in any neighbouring Pariſh, Townſhip, Hamlet, Diviſion, Diſtrict, or Place, without paying any Thing for the ſame, the ſaid Surveyor or Surveyors, or other Perſon or Perſons acting by his or their Appointment, filling up the Pits or Quarries, levelling the Ground, or ſloping down the Banks where ſuch Materials ſhall be taken, or railing or fencing off ſuch Pits or Quarries, ſo that the ſame may not be dangerous to Paſſengers or Cattle; and alſo that ſuch Surveyor or other Perſons as aforeſaid, may, by Order of the ſaid Truſtees (ſuch Order to be made at ſome Meeting of the ſaid Truſtees to be holden in purſuance of this Act, and a Copy thereof to be given to ſuch Surveyor or Surveyors, atteſted and ſigned by the Clerk to the ſaid Truſtees) ſearch for, cut, dig, get, gather, and take away any ſuch Materials as aforeſaid in, of, from, and out of the private Lands, Fields, or Grounds of any Perſon or Perſons (where the ſame may be had or found) ſuch Lands, Fields, or Grounds, not being a Garden, Orchard, Yard, Park, Paddock, Walk or Avenue to a Houſe,

a Houſe, or any Piece of Ground planted and ſet apart as a Nurſery for Trees, making or tendering ſuch Satisfaction for the Damages done thereby, to the Owners and Occupiers of ſuch Grounds where and from whence the ſame ſhall be cut, dug, gotten, gathered, and carried away, or over which the ſame or any other Materials for making and repairing the ſaid Bridge, Roads, Ways, Avenues, or Approaches thereto, ſhall be carried according to their reſpective Rights and Intereſts in ſuch Grounds, as the ſaid Truſtees ſhall judge reaſonable; and in caſe of any Difference between the Truſtees, Surveyor or Surveyors, or other Perſon or Perſons employed as aforeſaid, and the ſaid Owners or Occupiers, or any of them, concerning ſuch Damages, it ſhall and may be lawful to and for any Two or more Juſtices of the Peace of the County or Place where ſuch Materials ſhall be ſo cut, dug, gotten, gathered, taken and carried away or over, on Fourteen Days Notice thereof in Writing being given by either Party to the other, or left at their reſpective Places of Abode, to hear, ſettle, and determine the Matters of ſuch Payment and Damages; and the Judgement or Order of the ſaid Juſtices ſhall be final and concluſive to all Parties.

Notice to be given to Occupiers of inclоſed Lands before Materials taken.

XLII. Provided nevertheleſs, and be it enacted, That it ſhall not be lawful for any Surveyor, or other Perſon or Perſons acting under the Authority of this Act, to dig, gather, get, take, or carry away any Materials for repairing ſuch Bridge, or the Roads, Ways, Avenues, or Approaches thereto, or any of them, out of or from any incloſed Lands or Grounds, until Notice in Writing, ſigned by the Surveyor, ſhall have been given to the Occupier of the Premiſes from which ſuch Materials are intended to be taken, or left for ſuch Occupier at his uſual Place of Reſidence, to appear before the ſaid Truſtees, or Two or more Juſtices of the Peace acting for the County, City, or Place where ſuch Premiſes ſhall lie, to ſhew cauſe why ſuch Materials ſhall not be had from ſuch Lands or Grounds; and in caſe ſuch Occupier or his Agent ſhall attend purſuant to ſuch Notice, but ſhall not ſhew ſufficient Cauſe to the contrary, then and in ſuch Caſe the ſaid Truſtees or ſuch Juſtices ſhall and may authorize ſuch Surveyor, or other Perſon or Perſons, to dig, get, gather, and carry away ſuch Materials, at ſuch Time or Times, as to the ſaid Truſtees or Juſtices ſhall ſeem proper; and if ſuch Occupier ſhall neglect or refuſe to appear by himſelf or his Agent purſuant to ſuch Notice, the ſaid Truſtees or Juſtices ſhall and may make ſuch Order therein as they reſpectively ſhall think fit, as fully and effectually, to all Intents and Purpoſes, as if ſuch Occupier or his Agent had attended.

Penalty on taking away Materials got by Surveyor.

XLIII. And be it further enacted, That if any Perſon or Perſons whomſoever ſhall remove or take away any Stones or Gravel, or any Materials laid upon the ſaid Bridge, or upon the Roads, Ways, Avenues, or Approaches thereto, or upon any Part thereof, for the making or Repair thereof, without the Order of the ſaid Truſtees, or of their Surveyor or Surveyors for that Purpoſe, or if any Perſon or Perſons whomſoever ſhall take away any Stones or Gravel, or Materials which ſhall have

have been dug or gathered by or by the Order of the ſaid Truſtees, or their Surveyor or Surveyors, in any Lands, Fields, Waſte or Grounds, River, or Brook, for the Purpoſe of amending the ſaid Bridge, Roads, Ways, Avenues, and Approaches thereto, or any Part or Parts thereof, or ſhall get or take away any Stones or 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 Bridge, Roads, Avenues, and Approaches thereto, 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 nor leſs than Twenty Shillings.

Penalty on Perſon injuring the Bridge.

XLIV. And be it further enacted, That if any Perſon or Perſons ſhall wilfully break, throw down, injure, deſtroy, obliterate, or deface any Mileſtone, Guide Poſt, Table of Tolls, or Poſt erected on the ſaid Bridge, or on any of the Roads, Ways, Avenues, or Approaches thereto, or any of the Letters, Figures, or Marks painted or inſcribed thereon, or ſhall wilfully break, damage, or injure the ſaid Bridge to be erected by virtue of this Act, or the Parapet Wall or Walls thereof, or any Pier or Piers, Arch or Arches thereof, or any Part or Parts thereof, or any other Article or Thing by this Act veſted in the ſaid Truſtees, or any of the Works made by them in purſuance of this Act, every ſuch Perſon ſo offending ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Five Pounds, One Moiety whereof ſhall go to the Informer, and the other Moiety ſhall be applied to the Purpoſes of this Act.

Penalty for drawing Timber or Stone on the Bridge otherwiſe than upon a Wheel Carriage.

XLV. And be it further enacted, That if any Perſon ſhall hale or draw, or cauſe to be haled or drawn upon any Part of the ſaid Bridge, Roads, Ways, Avenues, or Approaches thereto, any Tree or Piece of Timber, or any Stone, otherwiſe than upon a Wheel Carriage, or ſhall ſuffer any Part of any Tree or Piece of Timber which ſhall be conveyed upon any Wheel Carriage, to drag upon any Part of ſuch Bridge, Roads, or Ways, to the Prejudice thereof, every ſuch Perſon ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Five Pounds nor leſs than Forty Shillings.

For preventing Annoyances, &c.

XLVI. And be it further enacted, That if any Perſon or Perſons ſhall wilfully or negligently injure, deſtroy, or otherwiſe damage, or ſhall ride or drive or lead any Horſe, Beaſt, Cattle, or Carriage over or upon any Footpath or Cauſeway made or to be made on the Side or Sides of any Part of the ſaid Bridge, Roads, Ways, Avenues, or Approaches thereto; or if any Driver of any Waggon or other Carriage ſhall wilfully or careleſsly break or damage any of the Poſts or Stones which may be erected for the Security of the ſaid Footpaths or Cauſeways; or if any Perſon or Perſons ſhall ſcrape off any Mud, Soil, or other Matter or Thing which ſhall be or lie upon any Part

Part of the ſaid Bridge, Roads, Ways, Avenues, or Approaches thereto, with any Inſtrument, ſo as to damage the ſaid Bridge, Roads, Ways, Avenues, or Approaches thereto, or any Part thereof, or if any Perſon or Perſons ſhall leave any Waggon, Wain, Cart, or other Carriage, or any Plough, Harrow, or other Implement of Huſbandry (without ſome reaſonable Cauſe, to be allowed by the Juſtice before whom the Perſon ſo offending ſhall be ſummoned or conveyed, in order to his Conviction, or 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 the Side of the ſaid Roads, Ways, Avenues, or Approaches, as conveniently as may be) in, upon, or on the Sides of the ſaid Bridge, Roads, Ways, Avenues or Approaches thereto, either with or without any Horſe or Beaſt harneſſed or yoked thereto, or ſhall lay any Timber, Wood, or Buſhes, or any Stones, Bricks, Hay, Straw, Lime, Dung, Manure, Soil, Rubbiſh, or other Annoyance whatſoever, upon any Part of the ſaid Bridge, Roads, Ways, Avenues, or Approaches thereto, or on the Side or Sides thereof, to the Prejudice thereof, or Annoyance of any Perſon travelling thereon, every Perſon ſo offending ſhall for every ſuch Offence forfeit and pay any Sum not leſs than Ten Shillings nor more than Forty Shillings, One Moiety whereof ſhall go to the Informer, and the other Moiety ſhall be applied for the Purpoſes of this Act.

Old Bridge veſted in the Truſtees when the new one is built.

XLVII. And be it further enacted, That when and as ſoon as the ſaid Bridge to be built and erected by the ſaid Truſtees, and the ſaid Bridge and the ſeveral Roads, Ways, Avenues, and Approaches thereto, ſhall be made ſafe and convenient for the Paſſage of Horſes, Cattle, and Carriages, and any Toll ſhall be demanded or taken for paſſing over the ſaid Bridge by virtue of this Act, the ſaid old Bridge now built over the ſaid River *Rumney*, at or near to the *Caſtlefield*, in the ſaid Pariſh of *Rumney*, and all the Stones, Timber, Iron, and Materials of which the ſame is conſtructed or built, ſhall belong to and be the Property, and is and are veſted in the ſaid Truſtees; and it ſhall and may be lawful to and for the ſaid Truſtees to bring or cauſe to be brought any Action or Actions, or direct the preferring of any Bill or Bills of Indictment (as the Caſe may require) againſt any Perſon or Perſons who ſhall ſteal, take or carry away, ſpoil, injure, or deſtroy the ſaid Bridge, or the Stones, Timber, Iron, and other Materials thereof hereby veſted in them as aforeſaid, or any of them, or any Part or Parts thereof; and in all ſuch Actions and Bills of Indictment it ſhall be and be deemed and taken to be ſufficient to ſtate generally that the ſaid Bridge, Article or Articles, Thing or Things, for or on Account of which ſuch Action or Actions ſhall be brought, or Bill or Bills of Indictment, is or are the Property of "The Truſtees for building a Bridge over the River *Rumney*," without particularly ſtating or ſpecifying the Name or Names of all or any of the ſaid Truſtees; and when and as ſoon as ſuch new Bridge ſhall be built and erected as aforeſaid, and the ſaid Bridge and the ſeveral Roads, Ways, Avenues, and Approaches thereto ſhall be ſafe and convenient for the Paſſage of Horſes, Cattle, and Carriages, and any Toll ſhall be demanded or taken for Paſſage over the ſaid Bridge by virtue of this Act, the ſaid Truſtees ſhall, and they are hereby authorized, empowered, and required, to pull, take down, and remove the ſaid old

Bridge and the Piers thereof, and to ſell and diſpoſe of the Stones, Timber, Iron, and other Materials thereof, to ſuch Perſon or Perſons, and in ſuch Manner as they the ſaid Truſtees ſhall think proper; and the Money ariſing by ſuch Sale ſhall by the ſaid Truſtees be applied and diſpoſed of for the ſeveral Purpoſes of this Act.

Overſeers of the Poor of the Pariſh of Rumney to pay Nine Pounds per Annum to the Truſtees for repairing the new Bridge.

XLVIII. And whereas the Inhabitants of the Pariſh of *Rumney* in the ſaid County of *Monmouth*, have repaired the ſaid Bridge now erected over the ſaid River *Rumney*, and have been accuſtomed to contribute towards the Coſts, Charges, and Expences of ſuch Repairs: And whereas ſuch Coſts, Charges, and Expences have for the laſt Thirty Years, on an Average, amounted annually to the Sum of Nine Pounds: And whereas the Inhabitants of the ſaid Pariſh are willing to contribute annually the ſaid Sum of Nine Pounds towards paying and defraying the Coſts, Charges, and Expences of maintaining and repairing the Bridge to be erected by virtue of this Act; be it therefore enacted, That the Churchwardens and Overſeers of the Poor of the ſaid Pariſh of *Rumney* ſhall, and they are required, out of the Money collected or to be collected for the Relief of the Poor of the ſaid Pariſh to pay or cauſe to be paid to the Treaſurer of the ſaid Truſtees, or to ſuch other Perſon as ſhall by the ſaid Truſtees be authorized to receive the ſame, the Sum of Nine Pounds, on the Twenty-ninth Day of *September* in each and every Year, or within the Space of Fifteen Days after Demand made thereof in Writing, ſigned by ſuch Treaſurer or other Perſon as aforeſaid, and given to the ſaid Churchwardens and Overſeers of the Poor, or any One of them, or left at his, her, or their laſt or uſual Place or Places of Abode; and the Receipt and Receipts of ſuch Treaſurer, or other Perſon ſo authorized by the ſaid Truſtees to receive ſuch Money, ſhall be a full and ſufficient Diſcharge to ſuch Churchwardens and Overſeers of the Poor for ſuch Money, and ſhall be allowed in the Accounts of ſuch Churchwardens and Overſeers as ſuch by the Juſtices of the Peace before whom ſuch Accounts ſhall be paſſed; and if ſuch Churchwardens and Overſeers of the Poor, or any of them, ſhall refuſe or neglect to pay ſuch Money, or any Part thereof, within the Space of Fourteen Days after Demand made thereof as aforeſaid, or in Manner herein directed, then and in every ſuch Caſe it ſhall and may be lawful to and for the ſaid Truſtees to raiſe and levy ſuch Sum of Money, or ſuch Part thereof as ſhall remain due and owing, and unpaid, by Diſtreſs and Sale of the Goods and Chattels of ſuch Churchwardens and Overſeers, or any or either of them, ſo refuſing or neglecting to pay the ſame or any Part thereof, by Warrant under the Hands and Seals of any Two or more Juſtices of the ſaid County of *Monmouth*, which Warrant ſuch Juſtices are hereby authorized and empowered and required to give, on Proof being made before them, on the Oath of any credible Witneſs or Witneſſes (which Oath ſuch Juſtices are hereby empowered to adminiſter) that ſuch Money, or any Part thereof, ſtill remains due and owing and unpaid, and that ſuch Demand hath been made in Manner aforeſaid, and the Overplus (if any) of the Money ariſing by ſuch Diſtreſs and Sale, after deducting the Money ſo remaining due and owing and unpaid, and the Coſts and Charges of ſuch Diſtreſs and Sale, ſhall be rendered to the Owner or Owners of ſuch Goods and Chattels.

XLIX. And

Application of Money.

XLIX. And be it further enacted, That all the Coſts, Charges, and Expences incident to and attending the obtaining and paſſing this Act, ſhall in the Firſt Place be paid and defrayed out of the Firſt Monies borrowed, received, or collected by virtue of or for the Purpoſes of this Act, and the Remainder thereof ſhall from Time to Time be applied in repaying the Monies to be borrowed on the Credit of this Act, and the Intereſt thereof; and in carrying this Act into Execution.

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

but neither of them liable to Coſts.

L. And be it further enacted, That whenever any Action ſhall be brought by the Order of the ſaid Truſtees, againſt any Perſon or Perſons by virtue or in purſuance of this Act, the ſame may be brought in the Name or Names of their Treaſurer or Clerk, or in the Name of any one of the ſaid Truſtees, on Behalf of the ſaid Truſtees; and no ſuch Action ſhall abate or be diſcontinued by the Death or Removal of the Perſon in whoſe Name the ſame ſhall be brought; 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.

Power to detain unknown Perſons guilty of Offences.

LI. And whereas Perſons guilty of Offences againſt this Act may be tranſient Perſons unknown to the Collectors, Surveyors, or other Officers under this Act; be it therefore enacted, That it ſhall and may be lawful to and for any of the ſaid Collectors, Surveyors, or other Officers reſpectively, to ſeize and detain any ſuch unknown Perſon or Perſons guilty of any Offence againſt this Act, and forthwith to convey him, her, or them, before One or more Juſtices of the Peace for the County or Place where any ſuch Offence or Offences ſhall be committed without any other Warrant or Authority than this Act for ſo doing.

Recovery and application of Penalties.

LII. And be it further enacted, That all Penalties or Forfeitures by virtue of this Act, or by virtue of the Powers thereof impoſed (the Manner of levying and recovering whereof is not hereby otherwiſe particularly directed) ſhall be levied and recovered by Diſtreſs and Sale of the Goods and Chattels of the Offender or Offenders, by Warrant under the Hand and Seal of any Juſtice of the Peace for the ſaid County of *Monmouth*, or County of *Glamorgan*, where the Offence ſhall be committed, (which Warrant ſuch Juſtice is hereby empowered to grant upon the Confeſſion of the Party, or upon the Evidence of any credible Witneſs upon Oath), and the Overplus, (if any) of the Money ariſing by ſuch Diſtreſs and Sale ſhall be returned upon Demand to the Owner of ſuch Goods and Chattels, after deducting the Coſts and Charges of making, keeping, and ſelling the Diſtreſs; and ſuch Penalties and Forfeitures when recovered (if not herein-before directed to be otherwiſe applied) ſhall be paid to the Treaſurer to the ſaid Truſtees, to be applied towards the Purpoſes of this Act; and in caſe ſufficient Diſtreſs ſhall not be found, or ſuch Penalties and Forfeitures ſhall not be paid forthwith, it ſhall and may be lawful to and for ſuch Juſtice, and he is hereby authorized and required, by Warrant under his Hand and Seal, to cauſe the

the Offender or Offenders to be committed to the Common Gaol or House of Correction of the County or Place where the Offence shall have been committed, there to remain without Bail or Mainprize for any Time not exceeding Three Calendar Months nor less than Ten Days, unless such Penalties and Forfeitures, and all reasonable Charges attending the Recovery thereof, shall be sooner fully paid and satisfied.

LIII. And be it further enacted, That in all Cases where any Conviction shall be had for any Offence or Offences committed against this Act, or against any Order of Sessions, or any Matter or Thing done in the Execution of this Act, the Form of Conviction shall be in the Words or to the Effect following; that is to say,

Form of Conviction.

'BE it remembered, That on this Day of in the Year of the Reign of A. B. is convicted before of His Majesty's Justices of the Peace for the of having [*as the Offence shall be*] and I [*or*, we] the said do adjudge him [her, *or* them] to forfeit and pay for the same, the Sum of Given under my Hand and Seal [*or*, our Hands and Seals] the Day and Year aforesaid.'

Appeal.

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

Distress not unlawful for want of Form.

LV. 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

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 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 Damage in an Action upon the Caſe.

Proceedings not to be quaſhed for want of Form, or be removable by Certiorari.

LVI. And be it further enacted, That no Order, Verdict, Aſſeſſment, Judgement, or other Proceedings made 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 removeable by *Certiorari*, or by any other Writ or Proceſs whatſoever, into any of His Majeſty's Courts of Record at *Weſtminſter*; any Law or Statute to the contrary thereof in anywiſe notwithſtanding.

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

LVII. And be it further enacted, That no Plaintiff or Plaintiffs ſhall recover in any Action to be commenced againſt any Perſon for any Thing done in purſuance of this Act, unleſs Notice in Writing ſhall have been given to the Defendant or Defendants Fourteen 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 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 and may be lawful to and for the Defendant or Defendants in any ſuch Action, by leave of the Court after ſuch Action ſhall have been brought, at any Time before Iſſue joined, to pay into Court ſuch Sum of Money as he, ſhe, or they ſhall think fit, whereupon ſuch Proceedings, Order, and Judgement ſhall be made and given in and by ſuch Court, as in other Actions where the Defendant is allowed to pay Money into Court.

Limitation for Actions.

LVIII. Provided always, and be it enacted, That no Action or Suit ſhall be commenced againſt any Perſon or Perſons for any Thing done in purſuance of this Act after the Expiration of Six Calendar Months next after the Fact committed; and every ſuch Action or Suit ſhall be brought and tried in the County where the Cauſe of Action ſhall ariſe 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 aforeſaid, or after the Time limited for bringing the ſame as aforeſaid, or ſhall be brought in any other County than as aforeſaid, then and in every ſuch Caſe the Jury ſhall find 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 Coſts, and ſhall have ſuch Remedy for

for recovering the ſame as any Defendant hath for Coſts of Suit in other Caſes by Law.

Publick Act.

LIX. 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.

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