Anno tricesimo primo

Georgii II. Regis.

An Act for repairing the Road from the Village of *Magor*, to the Bridge-foot in the Town of *Chepstow*, in the County of *Monmouth*; and other Roads in the Counties of *Monmouth* and *Glouceſter*.

WHEREAS the Roads from the Village of Magor, to the Bridge-foot in the Town of Chepſtow, thence through Saint Arvans over the Devandon, through Raglan, through the Parish of Lanvihangel Juxta Uſk, by the Church of Langattock Juxta Uſk, through the Town of Abergavenny, by Lanwanerth Church, to the Four Mile Stone the End of the ſaid Parish, in the High Road to Brecon; and from the Bridge-foot in the Town of Chepſtow, in the County of Monmouth, through the Towns of Lidney, Blakeney, and Newnham, to a Place called Hawkin's Pill, in the County of Glouceſter, in the Road from Chepſtow to Glouceſter; and from a Parting in the ſame Road on the Top of Tutchill, otherwiſe called Touchet Hill, to a Place called the Old Paſſage Houſe, in the County of Glouceſter; and from a Place called the New Paſſage, in the County of Monmouth, Preamble.

Monmouth, to Crick, through Shire Newton, over Itton's Common, to the Devandon Green; and from a Place on the Devandon, where the Roads to Abergavenny and Monmouth part, to Lanishen's Cross; and from the New Passage to Saint Peer's Park Wall, thence through the Village of Caerwent and Town of Newport by Tredeager, through Castletown Saint Melons, to Romney Bridge, in the said County of Monmouth; and from the said Village of Caerwent, by Peny Cae Maur, through Lantrissent, Usk, Trostrey, through Clytha, to Tregare Church, through Lanarth, Llanthewy, Rytherch, through Abergavenny, Llanvetherine, to a Place called Traveller's Seat, in the Road to Skenfrith; and from Bedwas Bridge, in the County of Monmouth, to Bassalegg Bridge, through Newport, by Malpas and Llantarnam, to the Head of Llantarnam Lane, in the High Road that leads from Abergavenny to Ponty Pool; and from Risca through Newport to Saint Julians, to the Town of Caerleon; and from Christ Church through Caerleon, by a Place called the Red Lane, to Ponty Pool; and from a Place called the Cross Roads, at the Bottom of Mamhilod Hill, in the Road leading from Ponty Pool to Usk, over Llanellon Bridge, through the Town of Abergavenny, through the Parish of Llantilo Pertholey, through Llanvihangel Crucorney, to a Place called Llangne Bridge, in the Road leading to Hereford; and from Ponty Pool by Monk's Wood House Gate, through Usk, through the Parish of Gwernesney, to a Place called the Four Ashes, in the High Road to Monmouth; and from the End of the Parish of Llanelley, in the High Road to Brecon, through Llanfoist, through Abergavenny, by Llanvapley, to a Place called the Onnen, in the High Road to Monmouth; and from Abergavenny, by Llanfoist, to Llanelleu Bridge; and from Usk Bridge, in the County of Monmouth, by Llangibby, through Caerleon, thence by Kemeys Inferiour, to the Parish Church of Llantrissent; and from the Town of Usk, to that Part of the Village of Ragland, through which the High Road from Chepstow to Abergavenny passeth; are in so bad, ruinous, and founderous Condition, and in many Places so narrow, that it is very dangerous and difficult for Horses, Coaches, Carts, and Carriages to pass through the same; that the Inhabitants of the several Parishes through which the said Roads lead, are incapable by the ordinary Course directed by Law, effectually to repair, amend, and keep in Repair the same; and that the widening and making the said Roads safe and commodious, will be of great Service and Convenience to the Trade of the said Counties, and likewise of general

Utility; 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 several Roads herein before-mentioned and described, shall be divided into and deemed to consist of Seven several Districts or Divisions, to be respectively comprized within the several Limits herein after-mentioned, and for the several Purposes herein after declared; that is to say, Such Part of the said Roads as extends or leads from the Village of Magor, through Caldicot to Chepstow Bridge, and from thence over the Devandon to Raglan, and from the Devandon to Lanyssen's Cross, and from Chepstow to the Rock and Fountain, and from the Bridge-foot in the Town of Chepstow, through Lidney, through Blakeney, through Newnham, to a Place called Hawkin's Pill, in the Road from Chepstow to Gloucester, and from a Parting of the said Road on the Top of Tutchill, otherwise Touchet Hill, to the Old Passage House, shall be deemed to be comprized in, and constitute the First District or Division, and be called, known, and distinguished, by the Name or Denomination of the District of Chepstow; and that such Part of the said Roads as extends or leads from the Cross Lanes in Lantrissent Parish to Caerwent, and from the New Passage through Crick and Shire Newton, over Itton's Common to the Devandon Green, and from the New Passage to Saint Pierres Upper Park Gate, shall be deemed to be comprized in, and to constitute the Second District or Division, and be called, known, and distinguished, by the Name or Denomination of the District of the New Passage; and that such Part of the said Roads as extends or leads from the Rock and Fountain through Newport, by Tredegar, Castletown, and Saint Melons, to Romney Bridge, and from Bedwas Bridge to Basleg, through Newport to Saint Juhans and to Caerleon, and from Risca through Newport by Malpas and Lantarnam, to the Top of Lantarnam Lane, in the High Road from Caerleon to Abergavenny, shall be deemed to be comprized in, and constitute the Third District or Division, and be called, known, and distinguished, by the Name or Denomination of the District of Newport; and that such Part of the said Roads as extends or leads from Christ Church through Caerleon to Court Blethwyn, in the Road to Usk, and from Lantrissent Church, through the Parish of Kemeys Inferiour, and through Caerleon to the Head of Lantarnam Lane, in the Road to Ponty Pool, shall be deemed to be comprized in, and constitute the Fourth

Division of the Roads to be repaired into several Districts, *viz.*

The First, or *Chepstow* District;

Second, or *New Passage* District;

Third, or *Newport* District;

Fourth, or *Caerleon* District;

Fourth District or Division, and be called, known, and distinguished by the Name or Denomination of the District of Caerleon; and that such Part of the said Roads as extends or leads from the Head of Lantarnam Lane through Red Lane to Ponty Pool, and from thence to Monk's Woodhouse Gate, shall be deemed to be comprized in, and constitute the Fifth District or Division, and be called, known, and distinguished by the Name or Denomination of the District of Ponty Pool; and that such Part of the said Roads as extends or leads from the Cross Lanes, in the Road from Ponty Pool to Usk, by Lanellons Bridge through Abergavenny to Languel Bridge, and from the End of the Parish of Lanelly, through Lanfoist and Abergavenny to Travellers Seat, where it meets and communicates with the Monmouth Turnpike Road, and from the End of the Parish of Llanwenerth, by Llanwenerth Church, through Abergavenny, and by Lanvapley Church to the Onnen, where it meets or communicates with the said Turnpike Road, and from Ragland by the Church of Langattock Juxta Usk, through Abergavenny by Lanthewy Rytherch, and by Fregare Church to Clytha, in the Road from Chepstow to Abergavenny, and from Abergavenny through Lanfoist to Lanellen Bridge, shall be deemed to be comprized in and constitute the Sixth District or Division, and be called, known, and distinguished by the Name or Denomination of the District of Abergavenny, and that such Part of the said Road as extends or leads from Clytha, by Trostrey, through Usk, and through the Parish of Gwernesney, to the Four Ashes towards Monmouth, and from the Cross Lanes in the Parish of Lentrissent, through Usk by Landbaddock and Langebby, to Court Blethwyn; and from a Place called Monk's Wood House Gate, to and through the Town of Usk, to that Part of the High Road leading through Part of Ragland from Chepstow to Abergavenny, shall be deemed to be comprized in, and constitute the Seventh District or Division, and be called, known and distinguished by the Name or Denomination of the District of Usk.

Fifth, or *Ponty Pool* District;

Sixth, or *Abergavenny* District;

Seventh, or *Usk* District.

Trustees Names.

And it is hereby further enacted, That Atwood Clerk, Henry Andrew, William Andrew, Thomas Allen of Langattock Lingoed, Thomas Allen of Saint Briavals, Thomas Adams, John Arnold, Joseph Austen, William Arther, William Allen, John Ambrose, Mathew A Deane, James A Deane, Sir Walter Wagstaffe Bagot Baronet, Norborne Berkeley, Charles Barrow of Churcham, Samuel Blackwell, Thomas Bathurst, Robert Button, James Birtt, Peregrine Bath, Yate Bromwich, Thomas Crawley Bovey, Kenard Baghot, Thomas Baron of Coleard, Thomas Baron

of

of Little Dean, William Baron, Robert Bathorn, Robert Boy, John Barrow, John Beal, [illegible] Barrow of Gloucester, Thomas Bovey Crawley, William Bradshaw Clerk, John Bonner, William Baghot, William Bonner, Charles Boucher, Nathaniel Bedlas, William Beavan, James Birt, Hugh Bosvile, John Bosvile, Thomas Baghot, Robert Berkeley, William Beavan, Ashburnham Burgh, Awbry Barns, Awbry Barns junior, John Berrow, Morgan Bullock, Weynam Barnes, Edmund Blewit, John Butler, John Baker, William Brewer, Sheen Bonfield, Henry Braban, William Barber, Charles Bullock, Thomas Bullock, Henry Burgh Clerk, Samuel Butcher, Thomas Bryan, Thomas Bryan junior, John Blethin, Adam Barber, James Blower, [illegible] Blower, John Baldwin, John Chambre, John Chambre junior, William Crawley Clerk, John Clerk, Maynard Colchester, Pierrepont Cromp, Walwyn Cecil, John Cooke, [illegible] Charles, John Clark, George Catchmayd, William Cox, William Charles, Charles Fitzroy Scudamore, John Curre, John Curre junior, William Curre, Henry Chapman, Charles Cox, the Clerk of the Peace for the County of Monmouth for the time being, Robert Dinwoody, Edmund Davis, William Davies of Trevethin, William David, John Dinwoody, Richard Davis, John Dry, William Davies of Lantillio Pottholey Clerk, Robert Davies, William Davies Gentleman, John Davies, James Davies of Landenny, George Dumayne, Dent Davies Clerk, James Davies of Usk, Evans David, Edward Davies of Porteuet Clerk, Dent Davies Vicar of Chepstow, Francis Davies, James Davies of Chepstow, Edward Davies Apothecary, Henry Davies, James Davies of Bedwethy, Thomas Dumayne, Herbert Dew, James Davies of Saint Briavals Clerk, [illegible] Deal, John Dew, Evan Eustance, Walter Evans, William Edwards, Phillip Edmond, Thomas Evans of Lanvetherine, Thomas Evans, Henry Edmonds, Francis Evans, John Evans, William Evans, Andrew Edwards, Walter Evans, Samuel Evans, William Evans, Edwards Clerk, Henry Edmond, James Evans, Henry Edmonds of Gwaylody Lade, John Edmonds, Daniel Evers, Thomas Eady, Benjamin Floyer, Philip Fisher, Thomas Fletcher, John Franks, William Fortune, John Foord, Thomas Fettyplace, Robert Fettyplace, Charles Fettyplace, the Mayor, Aldermen, and Common Council of the City of Gloucester, for the time being; the Right Honourable William Hall Gage, Lord Viscount Gage, in the Kingdom of Ireland; Thomas Gabb, Paul Gamage, William Gregory, David Gunter, John Griffiths Clerk, Thomas Griffin, Thomas Griffin the younger, Devereaux George,

Charles Green, William Green, John Gardner, William George, James Glow, John Gore, George Gosling, Charles Griffiths, John Griffiths, Charles Griffiths, John Gratewick, John Gwin, Devereux George, John Guise, George Gough, William Gough, Sir Charles Hanbury Williams, Knight of the most honourable Order of the Bath, William Harris, Thomas Hopkins, William Humphreys, John Hughs, George Hanbury, Capell Hanbury, John Hanbury, John Harry, Thomas Harry, Henry Harris, John Hayes, Miles Harry, William Harris, John Harris, Robert Hughes, Hill Clerk, Nicholas Hopkins, Onyas Hopkins, Caleb Harris, Francis Hallings, John Hughes, Thomas Hipkis, Charles Halfpenny, Edward Harris, Roger Hughes, William Hughes, John Hughes of Manly, Thomas Humfreys, John Hicks, John Hopkins, Thomas Hitchins, Francis Herbert, John Hanbury of London, merchant, Henry Harding, Henry Hayward, John Biby Hawker, William Higford, Witham Hill, Henry Higford, John Hosking, Kedwyn Hoskins, James Hammonds, Henry Hooper, Williams Jenkins, John Jones Builder, James Andrew, John Jones Clerk, Lewis Jenkins, Jenkin Jones, William John, Lewis Jones, Richard Jones, Thomas Jenkins, Watkin John Jenkins, Edmund James, John James, Andrew James, William James, Edmund Jones, Watkin William James, Watkin Francis James, Watkin Francis James junior, William Jones of Llanvair Kilgin, John Jones, John Jones junior, Philip Jones of Lanarth, John Jones, Edward Jones, Walter Jones of Lanthewy Rythirch, Philip Jones of Lanvapley, Mathew Jones, John Jeffreys Clerk, Arthur Jones, Solomon Jones, Evan Jones, John Jones, Benjamin Jones, Thomas Jones, Roynon Jones, Anthony Jones, David Jones, Philip Jenkins, Nicholas Jenkins, Hercules Jenkins, William Jenkins, Edmund Jones, Thomas Jones, Roger Jones, Richard Jones of Usk, Jenkin Jones, Edward Jones, John Jones of Craigwhith, George Jones of Major, George Jones of Salisbury, Nathaniel Jenkins, Richard Jones of Dingestow, David Jones, Warren Jane, Warren Jane junior, Robert Jones, Hugh Jones, John Jones of Malpas, John Jones of Puy Coach, Edward Jorden, William Jones of Nash, Roynon Jones of Nash, Roynon Jones of Monmouth, William Jones of Gloucester, William Jones junior of Gloucester, Thomas James, Joseph James, Charles James, Clement Kaile, Robert Kinsey, George Kemeys, William Kemeys, Sir Robert Long Baronet, Francis Lewis, Thomas Lloyd, William Lloyd, James Lewis, Richard Lewis, John Lewis of Lanvoil, William Lewis, Richard

Lewis, William Henry Lawrence, William Lewis, Moses Lowman, Richard Lucas, John Lewis of Lanvapley Clerk, David Loyd, William Lucas, William Lewis, Henry Lewis, Philip Lewis, John Lewis, Philip Lomax, Edward Leach, Allen Lord, George Lawrence, Morgan Lewis, Craven Lewis, Andrews Lloyd, Thomas Lewis, Edmund Lewis, Evan Lewelin, David Lewis, Benjamin Lewis, Leitch Clerk, William Leitch, William Lane, Barrow Lawrence, Sir John Morgan Baronet, Charles Morgan, George Milborne, Charles Milborne, Thomas Morgan Apothecary, Thomas Morgan Chandler, Theophilus Morgan, Jenkin Morgan, James Morgan Glover, Walter Morgan, John Morgan, William Morgan, Richard Morgan, Thomas Matthews, Francis Morgan, William Morgan of Mamhilad, William Morgan of Ditto, Henry Morgan, Samuel Morris, James Morgan, William Morgan of Lantilio Pertholey, Joshua Morgan, Thomas John Medlycot, Prichard Morgan, Thomas Middleton, Hugh Mason, Thomas Mason, Miles, Richard Maddox, Richard Morgan, John Meyrick, George Morgan, Philip Morgan, Herbert Mackworth, Valentine Morris, Thomas Matthews, Paul Morgan, Walter Morgan, Thomas Morgan Mercer, William Morgan, Thomas Morgan, Thomas Morgan junior, Charles Morgan, Henry Morgan, Anthony Montounier, James Martin, David Morgan, William Morgan, Walter Morgan, William Morgan, Jackman Morse, Probert Morgan, the Mayor, Recorder, and Town Clerk of Monmouth for the time being; William Nicholas, William Nicholls, Richard Vaughan, Norman, John Nicholas, Walter Nicholas, Henry Nash, the Recorder, Mayor, and Town Clerk of Newport for the time being; Adam Owen, William Owen, Thomas Price, Daniel Price, Richard Purnell, James Parry, John Parry, John Powell, Edward Phillip, Isaac Phillip, James Powell, Howell Powell, Onisephorus Paul, Jervas Powell, Peach, William Price, John Powell of Lanthewy Rytherch, John Powell of Lanvetherine, Parry Clerk, William Powell, Hugh Powell of Lanvihangell Crucorney, Anthony Powell, Hugh Powell of Lantilio Pertholey, Seth Powell, William Pritchard, David Pritchard, Purnell, John Pritchard, John Probyn, Thomas Pritchard, William Powell, Edmund Probyn, Thomas Parry, Herbert Phillips, John Palmer, James Powell, Thomas Phillpot, Thomas Probyn, William Probyn, William Price, John Prosser, John Pritchard, Philip Powell, Philip Powell junior, Edward Prytherch, William Parrott, William Phillips, Charles Phillips, Thomas Phillips, William Pritchard, Rowland Pytt, John Probyn junior of Trelleg.

Perkins, John Probyn of Mitchel Troy, Charles Powell, William Probyn, John Powell, William Rogers, Rowland Pitt, [illegible] Pettatt, Thomas Pettatt, William Probyn, William Presbury, [illegible] Powell, the Portreeve and Recorder of Usk for the time being, William Roberts, Richard Roberts, John Roberts, Israel Richards, John Richards, William Roger, Charles Rogers, John Rogers, William Rogers, William Rogers, Jenkin Richards, William Richards, George Richards, Jonathan Rathleigh, John Rosser, John Rice, William Rice, George Roberts, William Roberts, Philip Rees, Henry Rogers, Samuel Rosser, Michael Richards, [illegible] Robertson Clerk, William Reese, John Rowland, William Richards, Robert Richards, Thomas Rosser, James Rooke, James Rooke junior, John Rumsey, John Rumsey junior, John Roberts, James Rooke, James Rooke, junior, John Robinson, Thomas Roberts, John Sniffe, John Slead, William Sayer, Samuel Stonehouse, William Springett, William Shepard, John Symons, Richard Sayes, Warren Says, Thomas Stokes, William Sayes, Evan Sayes, John Sargeaunt, Edward Sargeaunt, George Selwin, James Selwin, Sir Charles Kemys Tynte Baronet, William Thomas, William Tayler, William Tanner, William Thomas, Edmund Thomas, John Thomas, Edward Thomas, Morgan James Tudor, Theophilus Thomas, William Turton, William Tanner, Charles Taylor, Henry Thomas, Lewis Thomas, Henry Thomas, John Thomas, John Ivory Talbot, James Tyler, Catchmayd Tyler, Daniel Treagose, John Thomas, Thomas Tugge, John Upton, Josiah Vaughan, James Vaughan, Thomas Vaughan, William Vaughan, Charles Van, Sir Leonard Williams Baronet, John Wilson, John Williams, John Watkins, John Williams, Philip Williams, Thomas Williams, Henry Watkin, William Wilhams, Christopher Watkins, Walter Williams, David Williams, Williams Webb, William Winsmore, Elly Williams, Thomas Williams, Morgan Worth, Warner Clerk, William Watkins, Samuel Watkins, William Watkins Clerk, John Watkins, Philip Watkins, James Watkins, William Williams, John Williams, Thomas Winstanley, William Williams, John Williams, Richard Winstone, John Woore, Evan Walter, James Woodward, William Watkins, William Addams Williams, Gibbon Williams, William Williams, John Williams, Reginald Williams, Thomas Walters, Edward Waters, Henry Wiser, John Williams, James Williams, William Williams, Edward Williams, William Williams, Thomas Williams, Thomas Williams, William Watkins, Peter Williams, Joseph Williams, Thomas Williams, Thomas Williams, Charles

Time and Place of Meeting.

Trustees may hold vide Receivers.

Charles Wyndham, John Wyndham, William Worgan, John Walter, William Wear, Richard Williams, Kedgwin Webley, John Yate, Henry Yearsley, William Yarnold, James Yorath, shall be, and they are hereby nominated and appointed Trustees for the surveying, ordering, mending, and repairing the Roads lying and being within the said Seven Districts or Divisions herein before directed and declared to be called, known, and distinguished, by and under the several Names or Denominations of the Districts of Chepstow, the District of the New Passage, the District of Newport, the District of Caerleon, the District of Ponty Pool, the District of Abergavenny, and the District of Usk respectively, and for keeping the same in Repair; and for putting this Act, and all the Powers hereby given, in Execution, in Respect thereof.

Time and Place of Trustees Meeting.

And it is hereby further enacted, That a General Meeting shall and may be held by the Trustees hereby nominated and appointed for putting this Act in Execution, or by any One or more of them, at the Town House in the Town of Usk, in the County of Monmouth, upon the last Monday in April, in the Year One thousand seven hundred and fifty eight; and the said Trustees so assembled at such General Meeting, shall and may then and there, or at any other General Meeting or Meetings to be afterwards held by them, or any Five or more of them, either adjourn themselves to, and appoint any other Time or Times, Place or Places, for any subsequent General Meeting, or subdivide themselves, and adjourn to, and appoint such other Time or Times, Place or Places, in or near to the several Roads lying and being within the several Districts wherein they shall respectively inhabit and reside, in order to put this Act in Execution within the said several Districts respectively, as to the said Trustees assembled at any such General Meeting, or the major Part of them, shall seem requisite and expedient.

Trustees may subdivide themselves.

And it is hereby also enacted and declared, That after such Subdivision of the said Trustees shall be made and appointed at any such General Meeting as aforesaid, the several Trustees, who by the Tenor and true Meaning of this Act, shall be qualified, authorized, and impowered to act within the said several Districts respectively, or Five or more of them respectively, shall and may, at their First Meeting to be held within the said several Districts respectively, in pursuance of this Act, or at any other Meeting or Meetings within the same Districts, adjourn to, and appoint any other Time or Times, Place or Places, in or near to the several Roads lying and being within their several

Trustees in their Subdivisions may adjourn themselves from time to time.

Five to act.

several Districts respectively, in order to put this Act in Execution in the same Districts respectively, as to the said several Trustees so assembled respectively, or any Five or more of them, shall seem requisite and expedient; and, for the better and more effectual Execution of the Powers hereby given, granted, and provided, it is hereby enacted and declared, That the several Trustees for the several Districts herein before distinguished and described, shall consist of Persons qualified in the Manner and according to the true Intent and Meaning of this Act.

Trustees to be duly qualified.

Their Qualification.

And it is hereby provided, enacted, and declared, That no Person shall be qualified or capable to act as a Trustee, in any Case, in any of the said Districts, in the Execution and for the Purposes of this Act, unless he shall be in his own Right, or in Right of his Wife, in the actual Possession and Enjoyment, or Receipt of the Rents and Profits of Lands, Tenements, or Hereditaments, of the clear yearly Value of Fifty Pounds, situate, lying, and being, in that Part of the Counties of Monmouth and Gloucester, through which the Roads comprized in the District in which he shall be qualified to act as aforesaid, do respectively pass, or shall be Heir Apparent of some Person having an Estate of the yearly Value of One hundred Pounds, or be possessed of, or intitled to Personal Estate alone, or of Personal Estate and such Real Estate as aforesaid, amounting together to the Value of One thousand Pounds, and shall reside in that District in which he shall act; and unless the Person (not being such Heir Apparent) claiming to have Fifty Pounds a Year, or One thousand Pounds Personal Estate alone, or Real and Personal Estate together, of such Value as aforesaid, shall take and subscribe the Oath following, before any Five or more of the said Trustees acting for the said respective Districts (which said respective Trustees, or any Five or more them, are hereby authorized and required to administer the same) before he takes upon himself to act in the said Trusts and Authorities of this Act; which said Oath shall be in the Words, or to the Effect following; that is to say,

Trustees to take the Oath following, before they act.

The Oath.

I *A. B.* do swear (or being a *Quaker* do affirm) that I truly and *bona fide*, am in my own Right, or in the Right of my Wife, in the actual Possession, Enjoyment, and Receipt of the Rents and Profits of Lands, Tenements, or Hereditaments, lying and being within the Hundred or Hundreds of in the Counties of *Monmouth* and *Gloucester*, or One of them, of the clear yearly Value of Fifty Pounds, above Reprizes, or possessed of, or intitled

to

to Personal Estate alone, or of Personal Estate and Real Estate in the said Hundreds, which together amount to the Value of One thousand Pounds.

So help me GOD.

Penalty on acting, if not duly qualified.

And if any Person or Persons who shall be deemed unqualified, or made incapable to act, for the Causes afore-said, shall nevertheless presume to act, contrary to the true Intent and Meaning of this Act, every such Person and Persons shall, for every such Offence or Offences, forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall inform and sue for the same; to be recovered in any of his Majesty's Courts of Record at Westminster, by Action of Debt, or on the Case, Bill, Suit or Information, wherein no Essoin, Protection, or Wager of Law, or more than One Imparlance, shall be allowed.

Trustees to act only in the District in which they are qualified.

And it is hereby further enacted and declared, That no Person shall act as a Trustee within any of the said Districts, other than upon and to the Extent of the Roads hereby directed and intended to be repaired by the Tolls collected at any of the Turnpikes or Toll-gates, set up or placed in the Hundred or Hundreds in which he is qualified respectively.

Trustees may erect Turnpikes and Toll-houses, &c.

And it is hereby further enacted, That the several Trustees appointed and to be appointed to act for and within the said several Districts and Divisions respectively, by and in pursuance of this Act, by any Nine or more of them respectively, or such Person or Persons as they, or any Nine or more of them respectively, shall for that Purpose nominate and appoint shall and may, and they are hereby authorized and empowered to erect and set up, or cause to be erected and set up, One or more Gate or Gates, Turnpike or Turnpikes, Toll-house or Toll-houses, in, upon, across, or on the Side of any Part or Parts of the said Roads within their respective Districts, as to the said Trustees respectively or any Nine or more of them, shall seem requisite and proper; and to receive and take thereat respectively, and take the following Tolls thereat.

before any Coach, Berlin, Landau, Chariot, Calash, Chaise, Hearse, Litter, Waggon, Wain, Cart, or other Carriage, Horse, Mare, Mule, Ass, or any Sort of Cattle, shall be permitted to pass through the said Turnpike or Turnpikes, Toll-gate or Toll-gates respectively, the several Tolls and Duties following; that is to say,

The Tolls.

For every Horse, Mare, Gelding, Mule, or other Beast of Draught, drawing a Coach, Berlin, Landau, Chariot, Chaise, Calash, Chair, Caravan, Litter, Hearse, Waggon, Wain, Cart, or other Carriage (except as herein after is excepted) Three Pence.

For every Horse, Mare, Gelding, Mule, Ass, or other Beast of Draught, drawing any Carriage loaden with Lime, Dung, Manure, or other Compost, for the improving of Land, Two Pence.

For every Horse, Mare, Gelding, Mule, Ass, or other Beast of Burthen, laden or unladen, and not drawing (except as herein after is excepted) One Penny.

For every Horse, Mare, Gelding, Mule, Ass, or other Beast of Burthen, laden with Charcoal only, One Half Penny.

For every Drove of Oxen, or Neat Cattle, Ten Pence per Score; and so in Proportion for any greater or lesser Number.

For every Drove of Calves, Sheep, Lambs, or Swine, Five Pence per Score; and so in Proportion for any greater or lesser Number.

No Turnpike to be set up in the Lane leading from *Perton Passage* to the Forest of *Dean*;

Provided always, That nothing in this Act contained shall impower the Trustees hereby nominated, and their Successors, or any of them, to set up, or cause to be set up, any Turnpike or Toll-gate, at the Entrance into the Lane leading from a Place called Perton Passage, in the County of Gloucester, directly to the Forest of Dean, and which Lane crosseth the high Road from Lidney to Newnham; or at Hawkin's Pill, or on any Part of the Road leading from thence, to or through the Town of Newnham aforesaid, or within Three hundred Yards of the Church there, on the said Road to Chepstow.

or at *Hawkin's Pill*, &c.

Tolls to be paid but Once a Day, at any Turnpike set up within 8 Miles of an other.

Provided also, That nothing in this Act contained shall impower the said Trustees hereby nominated, or their Successors, to collect or take, or cause to be collected or taken, upon the same Day, any further or other Toll, or Tolls, at any Turnpike or Turnpikes, Gate or Gates, which shall be erected or set up within Eight Miles of any other Turnpike or Toll-gate, erected or set up, or to be erected or set up, in or upon the same Road, within the said several Districts, and whereat any of the said Toll or Tolls shall be collected and paid, or made payable.

Tolls to be paid but Once a Day, in each District.

Provided also, That no Person or Persons who shall have Occasion to pass through any of the Toll-gates or Turnpikes, erected in pursuance of this Act, with any Coach,

Coach, Landau, Berlin, Chariot, Calash, Chaise, Chair, Hearse, Waggon, Wain, Cart, Carriage, Horse, Mule, or other Cattle, having paid the Tolls and Duties appointed by this Act to be taken, and who shall return and pass through the same Turnpike or Toll-gate at which such Tolls or Duties were so paid on the same Day, upon or with the same Coach, Landau, Berlin, Chariot, Calash, Chaise, Chair, Waggon, Wain, Cart, Carriage, Horse, Mule, or other Cattle, shall be liable or compellable on the same Day to pay the Toll or Duty more than Once, at the same Gates or Turnpikes, or any of them.

Trustees may erect Weighing Engines, &c.

And it is hereby further enacted and declared, That the said Trustees, or any Seven or more of them, within their respective Districts, shall and may erect and set up, or cause to be erected and set up, such Engines or Machines for weighing Carriages and Goods, as by any Act of Parliament now in Force, for repairing the Publick Highways and Roads of this Kingdom, are directed, provided, and appointed.

Tolls vested in the Trustees.

And it is hereby further enacted and declared, That the said several and respective Sums of Money shall be demanded and taken in the Name of, and as a Toll or Duty, Tolls or Duties; and the several Sums of Money so to be raised and collected at the several Turnpikes or Toll-gates, within each of the said Districts respectively, shall be, and are hereby vested in the Trustees of the said Districts respectively; and the same, and every Part thereof respectively, shall be paid, applied to, and disposed of, or assigned in Manner following; that is to say, The Charges and Expences attending the obtaining and passing this Act, shall in the first Place be paid and defrayed out of the Money arising in the said several Districts, in equal Proportions; videlicet, By each of the said Districts, One Seventh Part of such Charges and Expences, and afterwards the Money arising and collected within the said Districts respectively, shall be issued, paid, and applied, for the making, amending, and keeping in Repair, the Roads hereby intended to be made and repaired, within the said Districts respectively, and to and for the several other Uses, Intents, and Purposes, and in such Manner, as is herein after declared and directed.

Application of the Tolls.

Pavements how to be kept in Repair.

Provided always, That nothing in this Act contained shall impower the Trustees hereby nominated, or their Successors, or any of them, to repair the Pavements of any Street, in any of the Towns through which the Roads hereby directed and intended to be repaired shall pass,

pass, but that the same Pavements respectively shall be made, amended, and kept in Repair, by such Ways and Means, and in such Manner, as they were or ought by Law to be made, amended, and kept in Repair, in case this Act had not been made.

Tolls to be levied by Distress and Sale.

And it is hereby further enacted, That the said Trustees within their several Districts, or any Five or more of them, are hereby impowered, by themselves, or by any Person or Persons authorized by them, or any Five or more of them, under their Hands and Seals, to levy the Tolls or Duties hereby required to be paid, upon any Person or Persons who shall (after Demand thereof made) refuse or neglect to pay the same, by Distress of any Horse, or other Cattle, or Goods, upon which such Toll or Duty is by this Act imposed, or upon any other of the Goods and Chattles of such Person or Persons so neglecting or refusing to pay the same; and the Cattle or Goods, so distrained, to detain, until such Tolls and Duties, with the reasonable Charges of such Distress, shall be paid: And such Person or Persons so distraining, after the Space of Five Days after such Distress made and taken, shall and may sell the Goods so distrained, returning the Overplus (if any there be) upon Demand, to the Owner thereof, after such Tolls, Duties, and reasonable Charges, for distraining, keeping, and selling the same, shall be deducted and paid.

Distress may be sold after 5 Days.

Penalty on Persons permitting, or going through, private Passage, &c.

And be it further enacted by the Authority aforesaid, That if any Person or Persons owning or occupying any Land near to any of the said Turnpikes, Toll-gates, or Side-bars, shall, during the Continuance of this Act, permit any Person or Persons to pass through such Land, with any Coach, Berlin, Landau, Chariot, Calash, Chaise, Chair, Hearse, or Litter, Waggon, Wain, Cart, Carriage, Horse, Ass, Mule, or any Sort of Cattle; or if any Person or Persons shall give to, or receive of, any other Person or Persons, except the Person or Persons appointed to collect and receive the Tolls hereby made payable, any Note or Ticket of the Day herein after directed by the Collectors or Receivers of such Tolls; and also every Person passing through such Land, in order to evade the Payment of the said Tolls; every Person so offending, and being thereof convicted in Manner herein after mentioned, shall, for the First Offence, forfeit and pay the Sum of Five Pounds; and for every subsequent Offence, the Sum of Ten Pounds, to the Informer or Informers of such Offence; to be levied and recovered in Manner herein after mentioned.

or giving or receiving Tickets, to avoid Payment of the Tolls.

And

And it is hereby further enacted, That if any Person or Persons shall, at any Time, unload, or cause to be unloaden, any Sort of Goods or Merchandize, or take off, or cause to be taken off, any Horse or Horses from any Coach, Chariot, Berlin, Landau, Chaise, Calash, Chair, Hearse, or Litter, or any Horse or Horses, Ox or Oxen, or other Beasts of Draught, from any Waggon, Wain, Cart, or other Carriage, at or before the same shall come to any of the Gates or Turnpikes erected by virtue of this Act, or shall put on any Horse or Horses, or Cattle, after the same shall have passed through such Gates or Turnpikes, with an Intent to avoid paying any of the Tolls or Duties hereby imposed; or shall conceal or secrete any Goods, or other Things, chargeable with any the Tolls aforesaid; or shall put or leave in any House, or Place, any Coach, Chariot, Berlin, Landau, Chaise, Chair, Waggon, Wain, Cart, or any other Carriage, Horse, Gelding, Mare, or any other Cattle, chargeable with, or liable to pay, the said Tolls or Duties, with such Intent as aforesaid; each and every Person and Persons so offending in any of the Cases aforesaid, and being thereof convicted, upon Oath, by the Testimony of One or more credible Witness or Witnesses, before the said Trustees, or any Five or more of them; which Oath the said Trustees, or any Five or more of them, are hereby impowered to administer, or before One or more Justice or Justices of the Peace for the County in which such Offence shall be committed; (which Oath the said Justice or Justices is and are hereby also impowered to administer) shall, for every such Offence respectively, forfeit and pay to the said Trustees hereby authorized to put this Act in Execution, or to their Treasurer for the time being, the Sum of Five Pounds; which Sum, in case the same be not forthwith paid, shall be levied by Distress and Sale of the Offender's Goods, by Warrant under the Hand and Seal, or Hands and Seals, of the said Trustees, or any Five or more of them, or of the said Justice or Justices, rendering the Overplus to the Owner, on Demand, after deducting the reasonable Charges of making such Distress and Sale, to be settled by the said Trustees, or any Five or more of them, or by the said Justice or Justices.

Penalty on Persons unloading Goods, or taking off Horses, &c.

Penalty to be levied by Distress and Sale.

And be it further enacted by the Authority aforesaid, That the said several Trustees within their respective Districts, or any Nine or more of them, present at their First or any succeeding Meeting, within such their respective Districts, by any Writing under their Hands

Trustees to appoint Officers;

and Seals, shall and may choose and appoint One or more fit Person or Persons to be Clerk or Clerks, Treasurer or Treasurers, Receiver or Receivers, Collector or Collectors, of the Tolls and Duties aforesaid; and they are hereby required to take such Security from every such Treasurer, Receiver, and Collector, as to the said Trustees respectively, or any Nine or more of them, shall seem meet; and the said Trustees, or any Nine or more of them, shall and may, in like manner, choose and appoint One or more fit Person or Persons to be Surveyor or Surveyors, to view the Condition of the said Roads, and to see that the same are repaired, and also that the Money by this Act granted be duly applied; and also shall and may, from time to time, remove such Clerks, Treasurers, Collectors, Receivers, and Surveyors, or any of them, as they shall see Occasion, and appoint new Ones, in case of Death, or such Removal: And such Person or Persons as is and are hereby made liable to pay the said Tolls or Duties, shall pay the same after the Rates aforesaid, to such Treasurer or Treasurers, Receiver or Receivers, Collector or Collectors, as shall, from time to time, be appointed for that Purpose: And that the Person or Persons so appointed to collect and receive the said Tolls or Duties, and all such Surveyor and Surveyors so appointed as aforesaid, shall, upon Oath, or, being of the People called Quakers, upon their solemn Affirmation, if thereunto required by the said Trustees within their respective Districts, or any Five or more of them respectively, or before One or more Justice or Justices of the Peace residing near to the said Road, which Oath or Affirmation the said Trustees, or any Five or more of them, or the said Justice or Justices, is and are hereby impowered and required to administer, on the First Monday in every Month, or oftener, if required, during the Continuance of this Act, give in a true, exact, and perfect Account in Writing, under their respective Hands, of all Monies which he and they, and every or any of them, shall, to such Time, have received, paid, and disbursed, by virtue of this Act, or by reason of their respective Offices, and for which Oath no Fee or Reward shall be taken, and the same may be taken in Writing without any Stamp thereupon: And in case any Money so received shall remain in their or any of their Hands, the same shall be paid to the Trustees of the said several Districts respectively, or any Five or more of them, or to such Person or Persons as they, or any Five or more of them, shall, by any Writing or Writings under their

and remove them, and appoint others.

Officers to account upon Oath.

Hands,

Hands, authorize and impower to receive the same; and shall be disbursed and laid out in amending the said Roads, according to the true Meaning of this Act, and not otherwise: And the said Trustees respectively, or any Five or more of them, shall and may, out of the Money arising by the said Tolls and Duties within the said Districts respectively, make such Allowance to the Clerk or Clerks, Treasurer or Treasurers, Receiver or Receivers, Collector or Collectors, and the Surveyor or Surveyors, and other Officers by them respectively appointed as aforesaid, for and in Consideration of his and their Care and Pains respectively taken in the Execution of his and their respective Office or Offices, and to such other Person or Persons as have been, or shall be, assisting in and about procuring the said Road to be amended and repaired, as to the Trustees of the said several Districts respectively, or any Five or more of them, shall seem meet: And in case the said Receiver or Receivers, Collector or Collectors, of the aforesaid Tolls or Duties so to be paid as aforesaid, or the Surveyor or Surveyors, or any of them, shall not give and make such Account or Payment as the said Trustees within their several Districts respectively, or any Five or more of them, shall order and direct; then any Two or more Justices of the Peace, at any special Sessions or monthly Meetings of them, to be holden for the County where such Receiver, Collector, or Surveyor, shall inhabit and dwell, shall, upon Application to them made by the said Trustees, or any Five or more of them, in that Behalf, make Enquiry of or concerning such Default, as well by Confession of the Parties themselves, as by the Testimony of One or more credible Witness or Witnesses, upon Oath; which Oath the said Justices are hereby impowered and required to administer, without Fee or Reward; and if any Person or Persons shall be thereof convicted by such Justices, they shall, upon such Conviction, commit the Party to the Common Gaol of the said County, there to remain without Bail or Mainprize, until he, she, or they shall have made a true and perfect Account, and Payment as aforesaid, or until he, she, or they shall have compounded and agreed with the said Trustees for the same, and have paid such Composition-money (which Composition the said Trustees, or any Five or more of them, are hereby authorized and impowered to make) and such Receiver, Collector, or other Person, so to be committed for not accounting, or for not paying over the Monies in his, her, or their Hands, shall remain and continue under such

Trustees to allow Officers Salaries.

Officer refusing or neglecting to account,

Justices upon Complaint to enquire into the Default;

and commit the Offender to Gaol;

until he shall conform, or compound with the Trustees.

such Commitment, and shall not be discharged or admitted to Bail upon his, her, or their accounting as aforesaid, until he, she, or they also shall pay over the Money which on such Account or Composition as aforesaid, shall appear to be due unto such Person or Persons, as the said Trustees, or any Five or more of them, shall appoint to receive the same.

Surveyors may dig Gravel, &c. in Waste Grounds, &c.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Surveyor or Surveyors to be appointed for the said several Districts respectively, and such Persons as he or they respectively shall appoint, to dig, gather, and carry away, out of any River or Brook, or out of, or from the Waste or Common of or in any Parish, Town, Village, or Hamlet, within the said several Districts, any Gravel, Furze, Heath, Sand, Stones, or other Materials, proper and convenient for repairing and amending of the Roads within the said Districts; and for want of sufficient Gravel, Furze, Heath, Sand, Stones, or other Materials, in such Brooks, Rivers, Wastes, or Commons, then to dig, gather, take, and carry away the same, in and out of any River, Brook, Waste, or Common, of any neighbouring Parish, Town, Village, or Hamlet, in any other County or Counties, without paying any thing for the same; such Surveyor or Surveyors levelling or causing to be levelled, all such Holes and Pits where any such Materials as aforesaid, shall be digged, gathered, or taken, and from whence the same shall be carried away; and where there is not sufficient of such Materials in any such Rivers, Brooks, Commons, or Waste Grounds, as aforesaid, it shall and may be lawful for such Surveyor or Surveyors, by Orders of the said Trustees, within their several Districts respectively, or any Five or more of them, to dig and gather such Materials in, and carry the same out of the several Grounds of any Person or Persons (not being the Ground whereon any Houses stand, or ancient Meadow Ground, not plowed in the Memory of Man, or a Garden, Yard, or Park, Paddock, planted Walk or Walks, or Avenue to any House, or any Piece or Parcel of Ground, set apart, or used, as a Plantation or Nursery for Trees) where such Materials are or may be found, and from time to time, to carry away the same, or so much thereof, as the said Surveyor or Surveyors, shall judge necessary for repairing and amending the Roads aforesaid, paying such Rates for such Materials, and for the Damage done to the Owners and Occupiers respectively of the Grounds where and from whence the same

without paying for the same; levelling the Pits;

and where there is not sufficient of such Materials to be had there, they may be taken from private Grounds;

making Satisfaction to the Owners of the Ground.

shall

5

shall be digged, gathered, or carried away, or over which the same shall be carried, as the said Trustees respectively, or any Five or more of them, shall adjudge reasonable; and in case of any Difference concerning the same, between such Owners or Occupiers, and the said Trustees, touching such Damages as aforesaid, the Justices of the Peace at their next General Quarter Sessions, to be holden in and for such County wherein the Place from whence such Materials shall have been taken, or the major Part of them then present, shall and may adjudge, assess, and finally determine the same.

Justices to determine Differences.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for such Surveyor or Surveyors, and such Person or Persons as he or they shall appoint (by the Direction of the said Trustees respectively, or any Five or more of them, under their Hands) from time to time, to remove and prevent all Annoyances on or in any Part of the Roads within their respective Districts, by Filth, Dung, Straw, Ashes, Rubbish, or otherwise, and to turn any Watercourses, Sinks, or Drains, running into, along, or out of, the said Roads, to the Prejudice thereof; and to cleanse, open, scour, drain, deepen, or enlarge, any Ditch or Watercourse adjoining to the said Roads; and to cut down, lop, or top any Trees or Bushes growing in the said Roads, or within Twenty Feet of such respective Roads, and to take and carry away the same (the Owners or Occupiers of the Premisses where such Annoyances as aforesaid shall happen to be, neglecting to remove the same) and to cut down such Trees or Bushes, or to remove such other Annoyances for the Space of Twenty Days next after Notice in Writing given for that Purpose, under the Hands of the said Trustees, or any Five or more of them.

Surveyors may remove Annoyances, &c.

scour Ditches,

and lop or top Trees, &c.

the Owners neglecting to remove the same after Notice.

And it is hereby enacted and declared, That the Charges and Expences of such Works to be done by, or by Order of such Surveyors respectively, for or towards the removing or preventing such Annoyances as aforesaid, shall be reimbursed to the said Surveyor or Surveyors, by such Owners or Occupiers neglecting to cut down such Trees or Bushes, or to remove such other Annoyances as aforesaid, and shall and may in case of Refusal, be levied of the Goods and Chattles of such Owners or Occupiers, by Warrant under the Hands and Seals of the said Trustees, or any Five or more of them, or under the Hand and Seal, or Hands and Seals, of One or more Justice or Justices of the Peace for the County wherein that Part of the Road shall lie, rendering the Overplus

Surveyors to be reimbursed the Charges.

and to levy the same by Distress and Sale.

(if any) after all Charges paid (such Charges to be settled by the said Trustees, or any Five or more of them, or by the said Justice or Justices) and if after Removal of any of the said Annoyances, any Person or Persons shall again occasion any Annoyances, by Filth, Dung, Straw, Ashes, or otherwise, upon the said Roads, or by turning into the same, any Watercourse, Sink, or Drain, to the Prejudice thereof, every Person so offending, and being thereof convicted, upon Oath of One or more Witness or Witnesses, before the said Trustees, or any Five or more of them, or before any One or more Justice or Justices of the Peace for the County where the Offence shall be committed (which Oath the said Trustees, or any Five or more of them, or the said Justice or Justices is and are hereby impowered and required to administer) shall for every such Offence, forfeit and pay to the said Trustees, the Sum of Forty Shillings, in Manner hereafter mentioned, and applied for and towards repairing the said Roads.

Penalty on a Second Offence.

And, for rendering the Roads so intended to be made or amended more convenient and commodious; be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the Surveyor or Surveyors so appointed, for and within the said several Districts respectively, in pursuance of this Act, by Order of the Trustees acting within the said Districts respectively, or any Seven or more of them, to make or cause to be made Causeways, and to cut and make Drains, through any Grounds lying near or more convenient to the said Road; and to make and erect, and keep in Repair, Arches of Brick, Timber, or Stone thereupon; and to divert and turn the said Roads and Highways through any Part of the Land, Commons, or Waste Grounds, situate as aforesaid; and also to divert and turn any Rivulet, Brook, or Watercourse, near or contiguous to the said Road, so as to make the same run in a straighter Course or Direction, to prevent the overflowing and destroying the same; and also to widen any of the narrow Parts of the said Roads, by opening, clearing, and laying into the same, any Grounds of any Person or Persons lying contiguous or near such Roads, not being an House, Garden, Yard, Park, Paddock, planted Walk, or Avenue to an House; and also to cause Ditches or Trenches to be made in such Places, and in such Manner as such Surveyor or Surveyors, by Order of the said Trustees, or any Seven or more of them, shall adjudge necessary, for the better diverting, turning, amending, and keeping the said Roads in good Repair; making

Surveyors may make Causeways,

cut Drains,

and make a temporary Road,

such

such reasonable Satisfaction to the Owners or Occupiers of such Ground, which shall be so used in diverting or turning the said Roads, or laid in, or unto the same, or through which any such Drain or Drains shall be cut, or on which any such Arch or Arches, Bridge or Bridges, shall be made, for the Damages which he, she, or they, shall or may thereby sustain, as shall be adjudged by the said Trustees, or any Seven or more of them; and in case any Difference shall arise between the said Trustees, and such Owners or Occupiers respectively, concerning the same, then it shall and may be lawful to and for the Justices of the Peace, or the major Part of them, at the next General Quarter Sessions to be holden for the County in which the Matter in Dispute shall lie, to hear, adjudge, and finally determine the same.

making Satisfaction to the Owners of the Grounds.

Justices to determine Differences.

Provided always, That in case the ancient and former Way over any Ground, shall, by virtue or in pursuance of this Act, be turned or diverted, the Inhabitants of the Township, Parish, or Hamlet, wherein the old Road which shall thereby be left or discontinued shall lie, shall not be obliged to Repair such old Road, unless the said old Road lead to some other Village, Town, or Place than the new Road doth.

If the old Way shall be diverted, Inhabitants not liable to repair the same, unless it lead to some Place different from the new Road.

And whereas a certain Foot Way or Path from a Place called Piccadilly, above the Village of Saint Arvan's, lies over certain Fields or Grounds, in the Parish of Saint Arvan's aforesaid, at a considerable Distance from the high Road or Carriage Way between Monmouth and Chepstow, and it would be more convenient for Persons driving or having the Care of Horses and Carriages, that the Foot Way should lie near to the said High Road; now it is hereby enacted and declared, That the said Foot Way or Path, from Piccadilly and Saint Arvan's aforesaid, to Chepstow, now used over the said Fields, shall, after the passing this Act cease, and be disused; and that instead thereof, the said Foot Way or Path be used, and proceed directly down from Piccadilly to the said Village of Saint Arvan's, on the Right hand Side of the Lane leading thereto, and thence in like Manner to the said Town of Chepstow.

The old Foot Way from *Piccadilly*, &c. to *Chepstow*, to be disused, and one to be made leading directly from *Piccadilly*, &c. on the Right Hand Side of the Lane to *Saint Arvan's*, &c.

And whereas it may happen that some Person or Persons, Bodies Politick, Corporate, Collegiate, Feoffees in Trust, or others, are seized or possessed of some Lands, Grounds, Tenements, or Hereditaments, which, according to the Powers given by this present Act, may, by the respective Trustees, be thought necessary or proper to be taken in, and added to, the said Roads, or some of them, either for extending, widening, enlarging, diverting,

verting, turning, altering, or amending the same, as aforesaid; and they may be willing to treat and agree to sell such Land, Ground, Tenements, and Hereditaments, for the Purposes aforesaid, but are incapable of selling, granting, or conveying the same, by reason of Infancy or other Disabilities; be it therefore enacted by the Authority aforesaid, That it shall and may be lawful to and for all Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, and all Feoffees in Trust, Executors, Administrators, Guardians, or other Trustees whatsoever, for or on Behalf of any Infants, Femes Covert, or Cestuique Trusts, and for all and every Person and Persons whatsoever, who are or shall be seised, possessed of, or interested in, any such Land, Grounds, Tenements, or Hereditaments, to treat, contract, and agree, with the said Trustees, within their respective Districts, or any Five or more of them, for Satisfaction to be made respectively for such their Land, Ground, Tenements, and Hereditaments, or any Part thereof, or their Interest therein, for the Purposes aforesaid, and to sell and convey the same, as Occasion shall be or require; and that all Contracts, Agreements, Sales, and Conveyances, which shall be so made, shall be valid to all Intents and Purposes; any Law, Statute, Custom, or Usage, or any other Matter or Thing whatsoever to the contrary thereof in any wise notwithstanding; and that all Feoffees in Trust, Executors, Administrators, Guardians, and Trustees, Corporations Corporate or Collegiate, Aggregate or Sole, and all other Persons are, and shall be, hereby indemnified for what they shall do by virtue or in pursuance of this Act.

Bodies Politick, or Corporate, &c. impowered to sell Lands to be taken into the Roads.

And it is hereby further enacted, That if any such Owner, Proprietor, Occupier, Body Politick, Corporate, or Collegiate, or other Person or Persons interested in such Lands, Grounds, Tenements, or Hereditaments, upon convenient Notice to them given, or left in Writing at the Dwelling-house or Place of Abode of such Person or Persons, or of the Head Officer or Officers of such Bodies Politick, Corporate, or Collegiate, or at the House of the Tenant in Possession of the Lands, Ground, Tenements, and Hereditaments, so to be taken into and added to the said Roads as aforesaid, or into which such Way, Path, or Road, as aforesaid, shall be diverted, turned, or altered, as aforesaid, shall, by the Space of Twenty Days after such Notice given or left as aforesaid, neglect or refuse to treat, or shall not agree in the Premisses, or, by reason of Absence, shall be prevented from treating, then, and in every or any such Case,

Persons neglecting to treat for the Sale of such Lands;

the said Trustees, within their several Districts, or any Five or more of them, shall cause it to be enquired into, and ascertained, by and upon the Oaths of a Jury of Twelve indifferent Men, of one, some, or all of the Parishes in which the said Road lies (which Oath the said Trustees, or any Five or more of them, are hereby impowered and required to administer) what Damages such Owners, Occupiers, or Proprietors, or other Person or Persons interested or concerned therein, shall or may suffer or sustain for or by reason of the taking in, or adding of, any such Land, Ground, Tenements, or Hereditaments, into the said Roads, or any of them, and what Recompence and Satisfaction such Owners, Occupiers, Proprietors, or other Person or Persons suffering thereby, shall respectively have, by Reason or on Account thereof; and for that Purpose, and in order thereto, the said Trustees, or any Five or more of them, are hereby impowered and required, from time to time, as it shall be necessary or requisite, to summon and call before them all and every Person and Persons whatsoever, who shall be thought necessary or proper to be examined as Witness or Witnesses, touching or concerning the Premisses, and shall examine all such Witnesses before the said Jury upon Oath (which Oath the said Trustees, or any Five or more of them, are hereby impowered and required to administer) and they shall also order and cause the said Jury to view the said Places in Question, and to use all other lawful Ways and Means, as well for their own as the said Jury's Information in the Premisses, as they the said Trustees, or any Five or more of them, shall think fit: And after the said Jury shall have so inquired of, ascertained, and settled such Damages and Recompence, they the said Trustees, or any Five or more of them, shall thereupon order, adjudge, and determine, the said Sum or Sums of Money so assessed by the said Jury to be paid to the said Owners, Occupiers, or Proprietors of the said Lands, Grounds, Tenements, and Hereditaments, or other Persons interested therein, according to such the Verdict, or Inquisition and Judgement 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, against all Parties or Persons whatsoever, claiming in Possession, Reversion, Remainder, or otherwise, their Heirs and Successors, as well absent as present, Infants, Feme-coverts, and Persons under any other Disabilities whatsoever, Bodies Politick, Corporate, and Collegiate, as well as all and every

The Damage and Recompence to be assessed by a Jury.

Witnesses may be summoned and examined upon Oath.

Verdict of the Jury to be final.

every other Person and Persons whomsoever; and all and every such Owners, Occupiers, and Proprietors, and all and every Person or Persons any ways interested in such Land, Ground, Tenements, and Hereditaments, shall thereby be from thenceforth to all Intents and Purposes barred and divested of all Right, Title, Claim, Interest, and Property of, in, to, or out of the same.

And, for the summoning or returning such Jury or Juries, be it further enacted by the Authority aforesaid, That the said Trustees, within their several Districts respectively, or any Five or more of them, are hereby impowered to issue out their Warrant to the Sheriff of the County where such Ground so intended to be taken in, and added to, the said Road, lies, thereby requiring him to impanel, summon, and return, an indifferent Jury of Twenty four Persons to appear before the said Trustees, or any Five or more of them, at such Time and Place as in such Warrant shall be appointed; whereupon, such Sheriff is hereby required to impanel, summon, and return, such Twenty four Persons accordingly; and out of the Persons so impanelled, summoned, and returned, or out of such of them as shall so appear, the said Trustees, or any Five or more of them, shall choose Twelve, who, being sworn, shall be the Jury for the Purposes aforesaid.

Trustees to issue their Warrants to the Sheriff, &c. of the County to impanel a Jury.

Provided always, and be it further enacted by the Authority aforesaid, That all Persons concerned shall, from time to time, have their lawful Challenges against any of the said Jurymen when they come to be sworn; and that the said Trustees, or any Five or more of them, acting in the Premisses, shall have Power, from time to time, to set any reasonable Fine or Fines on such Sheriff or Sheriffs, his or their Deputy or Deputies, Bailiffs, or Agents, making Default in the Premisses; and on any of the Persons that shall be summoned and returned on such Jury, not appearing, or refusing to be sworn on the said Jury, and being so sworn, and refusing, and not giving their Verdict concerning the same, or in any other Manner wilfully neglecting their Duties therein, contrary to the true Intent and Meaning of this Act; and on any Person or Persons who being required to give Evidence before the said Jury touching the Premisses, shall refuse to be examined, or to give Evidence touching the same; and, from time to time, to set such Fine or Fines, not to exceed the Sum of Five Pounds upon any One Person; and, from time to time, to levy such Fine or Fines by Distress and Sale of the Goods and Chattles of such Person, by Warrant from any Five

Jury may be challenged.

Trustees may impose a Fine on Sheriff, &c. making Default in the Premisses.

Fine not to exceed 5 l.

or more of the said Trustees; the same to be applied towards repairing that Part of the said Road on which such Jury shall be summoned.

And be it further enacted by the Authority aforesaid, That all and every such Sum or Sums of Money, Consideration, Recompence, or Satisfaction, to be agreed for, ascertained, or assessed, as aforesaid, shall be, and are hereby charged and chargeable upon all Tolls and Monies which shall be raised, received, collected, or borrowed, for the Purposes of this present Act, within that District wherein the Lands and Grounds so to be purchased are situate, lying, and being, and shall be paid thereout accordingly to the Persons respectively intitled thereto, or to their respective Agents; and that upon Payment or Tender thereof to the said Persons so respectively intitled thereto, and in case of Refusal to accept the same, then upon leaving the same in the Hands of the Clerk to the Trustees acting within such District respectively for the time being, for the Use of the Person or Persons to whom the said Trustees, or any Five or more of them, shall appoint the same to be paid; and after Twenty Days Notice thereof given to such Person or Persons, it shall and may be lawful for the said Trustees, or any Seven or more of them, their Surveyors, Workmen, Servants, and Agents, to take into and add to the said Road, such said Ground, Lands, or Tenements, and to do all and every such Act, Matter, and Thing, with relation to the said Ground, Lands, Tenements, and Hereditaments, so taken into and added, or to be taken into and added to the said Road, and to ditch and fence the same, as the said Trustees, or any Seven or more of them, shall think fit; and the said Ground, Lands, or Tenements, so taken, or to be taken, in, when the same shall be so ditched and fenced as aforesaid, shall, to all Intents and Purposes whatsoever, from thenceforth become and be, and shall be deemed and taken to be, a publick and common Highway, and be from thenceforth Part of the said Roads hereby directed to be made and repaired for ever, and shall be repaired, and kept in Repair, by such Ways and Methods, and in all Respects in such Manner, as other Highways are by Law to be repaired and kept in Repair; and after such Purchase shall be made as aforesaid, and the same shall be made Part of the said Roads, and compleatly repaired and finished, the Lands and Grounds comprised in, or constituting the old or former Road, in lieu whereof, the Land or Ground for which such new Road or Way shall be purchased, or

Money allowed for Lands, &c. how to be charged and tendered.

Lands, &c. purchased to be made Part of the Roads,

and esteemed as publick Highways.

Old Road may be sold.

tained, and made, as aforesaid, shall or may be sold or disposed of by the said Trustees, or any Seven or more of them, to such Person or Persons as shall be willing to become Purchasers thereof, for the best Price that can be reasonably had or gotten for the same; and the Money arising by such Sale, shall be applied and disposed of for repairing and amending the said Roads; and such Conveyance or Conveyances to be made of the said Lands and Grounds comprized in the said old Road, being executed by the said Trustees, within their several Districts, or any Seven or more of them, and inrolled with the Clerk of the Peace for such County wherein such old Road lies, shall be good and effectual in the Law, to all Intents and Purposes whatsoever.

Money arising by Sale thereof how to be applied.

Trustees not to act where interested.

Provided always, That no Person or Persons shall sit or act a Trustee or Trustees, in any Case relating to the contracting for or purchasing of any Ground, Lands, Tenements, and Hereditaments, so to be taken into the said Road, where he or they are concerned in Interest; and that the said several Trustees, shall, at the several Meetings for putting this Act in Execution, bear their own Charges and Expences.

Trustees to bear their own Expences.

Surveyors may make a temporary Road;

And be it enacted by the Authority aforesaid, That it shall and may be lawful for the said Surveyor or Surveyors, by Order of the said Trustees within the said several Districts, or any Seven or more of them, to make or cause to be made a Road or Way through, over, or along, any Grounds adjoining to any narrow or ruinous Part or Parts of the said Roads hereby intended to be repaired (not being the Grounds whereon any Houses or Buildings stand, or a Garden, Yard, Park, Paddock, planted Walk or Walks, or Avenue to an House, or any Piece or Parcel of inclosed Ground, planted, set apart, and used as a Plantation or Nursery of Trees) to be made use of by all Passengers with Horses, Coaches, Carriages, or otherwise, as a publick Highway, whilst the old, narrow, or ruinous Road is repairing, and till such Time as it shall be convenient and safe for Passengers and Carriages to travel and go along the said Road intended to be repaired, and no longer; making such Satisfaction to the Owners or Occupiers of such Grounds respectively, through, over, or along which said temporary Road or Roads shall be made, for the Damage such Owners and Occupiers respectively shall or may sustain thereby, as shall be adjudged by the said Trustees, or any Seven or more of them; and in case any Difference shall happen between such Owners or Occupiers, and the said Trustees, touching such Damages, that then it shall and

making Satisfaction to the Owners of the Grounds.

Justices to determine Differences relating thereto.

may

may be lawful to and for the Justices of the Peace at their next General Quarter Sessions, or at their Second Quarter Sessions at the furthest, to be holden for the County in which such temporary Road shall lie, or the major Part of them present at such Quarter Sessions, and they are hereby required to hear, settle, adjudge, and finally determine the same.

And, forasmuch as the Money to be collected by the Receipts of the Tolls or Duties by this Act made payable, as aforesaid, will not for some Time be sufficient for the speedy repairing of the said Roads; be it further enacted by the Authority aforesaid, That the said Trustees within their several Districts respectively, or any Nine or more of them, at some Meeting or Meetings to be held within Two Months after their First Meeting, shall and may, and they are hereby impowered, from time to time, to borrow any Sum or Sums of Money, not exceeding Two thousand Pounds for any One District, as they, or any Nine or more of them, shall think fit; and by Writing under their Hands and Seals, to grant or assign over, by Way of Mortgage, the Tolls and Duties arising within such respective Districts, or any Part or Parts thereof, and the yearly or other Income of such respective Tolls, or any Part thereof, for any Time or Times during the Continuance of this Act, as a Security for the Repayment of such Sum or Sums of Money as shall be so borrowed, to the Person or Persons, and his, her, and their Trustees, who shall advance and lend the same, at legal or less Interest; and shall and may, and they are hereby authorized and impowered at any subsequent Meeting or Meetings to be held within Twelve Months after such Meeting, where the First Sums of Money may be borrowed as aforesaid, then and there finally to determine and declare what further Principal Sum or Sums of Money the said Trustees, in their respective Districts, shall have Occasion to borrow; which Sum or Sums of Money then declared to be further wanted, together with the Sum or Sums of Money before borrowed on the Credit of the Tolls to be collected and paid within the said respective Districts, shall be the Whole of the Monies so to be borrowed by virtue of this Act, without the previous Consent of the prior Lenders of Money on the Credit of the Tolls of such respective District, in Writing under their Hands respectively first had and obtained, so as Notice in Writing be for that Purpose affixed upon all the Turnpikes or Toll-gates within such Districts respectively, at least Twenty Days before the borrowing; and which said

Tolls may be assigned for Money borrowed.

20 Days Notice to be given of borrowing Money.

Mortgages or Securities, shall and may from time to time, be assigned, transferred, and set over, by the Person or Persons possessed of, and intitled to the same for the time being, by any Writing or Writings under his, her, or their Hand and Hands, indorsed on such respective Mortgage or Mortgages, or Securities respectively, attested by One or more credible Witness or Witnesses, or by any other Instrument, signed and attested as aforesaid: And such Mortgages, Securities, Assignments, Instruments, and Indorsements respectively, shall not, nor shall any of them be liable to, or charged or chargeable with, any of the Stamp Duties, but shall be produced and notified to the Clerk or Clerks, Treasurer or Treasurers, to the Trustees, acting within the District or Division wherein the Tolls comprized in or affected by such Mortgages or Securities, do respectively arise, within Five Days next after the Date of every such Mortgage, Security, or Assignment respectively; and such Clerk or Clerks, Treasurer or Treasurers, shall cause an Entry or Memorial to be made of such Assignment, containing the Date and Parties Names, and Sums of Money, therein mentioned, and thereby intended to be secured, in a Book to be kept for that Purpose; for which the said Clerk or Clerks, Treasurer or Treasurers, shall be paid such Sum or Sums of Money, not exceeding Two Shillings, as the said Trustees, or any Nine or more of them, shall order and direct; and after such Entry made, every such Assignment shall intitle such Assignee, his, her, or their Executors, Administrators, and Assigns, to the Benefit thereof, and Payment of the Principal Money and Interest therein mentioned, and thereby intended to be secured: And also that it shall and may be lawful to and for the said Trustees, within their respective Districts, to borrow any One or more Sum or Sums of Money not less than Twenty Pounds, of any Person or Persons as shall be willing to advance the same, and upon Receipt thereof to execute respective Deeds Poll unto each of the Person or Persons so advancing such Sum of Money respectively; each of which said Deeds Poll shall purport, that the Sum of Money therein mentioned, with legal or less Interest for the same, is payable out of the said Tolls, to the Person named in such respective Deed Poll, or the Bearer thereof; and which said Deeds Poll respectively shall be sealed with such Seal, as the said Trustees within their several Districts respectively, or any Nine or more of them, at such Meeting, shall direct; and the said Trustees so assembled, or any Five or more of them, shall also sign their Names to each of the said Deeds Poll,

Assignments to be entered in a Book.

Clerk's Fee.

which

which signing and sealing shall be attested by the Clerk of such Trustees, or in any other Manner, as the said Trustees within their said several Districts respectively, or any Nine or more of them, at such Meeting shall think necessary and direct.

Deed Poll deemed good Security.

And it is hereby further enacted and declared, That any of the said Deeds Poll so to be executed, shall be an effectual Security both in Law and Equity upon the said Tolls charged therewith respectively, as to intitle the Lender to the Sum so advanced, with such Interest for the same, to be paid half-yearly, or otherwise, as in such Deed Poll shall be mentioned and expressed, as Part of such Sum or Sums of Money as the said Trustees are hereby impowered and directed to borrow and take up, as aforesaid, for the Purposes of this Act; and the Clerk of the said Trustees respectively, shall, in such Book or Books as aforesaid, make Entries of the Dates of the said Deeds Poll, and the Names of the Persons advancing the Sums thereby secured, and also of the Person signing and attesting the same respectively; and

Entry to be made thereof.

Books may be inspected *gratis*.

every Person and Persons willing to advance and lend any Sum or Sums of Money upon the Credit of the said Tolls, shall and may have free Liberty to inspect the said Books, at his and their Wills and Pleasures, without paying any Fee or Reward for the same; and the Clerk to the said Trustees respectively, is hereby required to produce the said Books to any such Person or Persons, upon Request, upon Pain of forfeiting for every Neglect or Refusal thereof, the Sum of Forty Shillings.

All Creditors deemed as such in an equal Degree.

And it is hereby further enacted and declared, That there shall be no Preference given to the Persons advancing any of the said Sums of Money, in respect of the Priority of advancing the same respectively; but that all Lenders and Proprietors in the said Deeds Poll shall be, and are hereby declared to be, Creditors on the said Tolls in an equal Degree one with another.

Trustees signing the Deeds, &c. not subjected thereby to the Payment thereof.

Provided, That nothing herein contained shall extend, or be construed to extend, to charge or subject the said Trustees, or Persons appointed to receive the said Money, or any Part thereof, to any Payment of the same, by reason of their or any of their signing the said Entries, or signing or sealing the said Deeds Poll, or any or either of them.

Writings to be without Stamps.

Provided also, That the said Deeds Poll, or any of them, shall not be liable to be stamped, nor be subject to any Duty or Duties on that Account.

Provided always, and it is hereby declared and enacted, That none of the Tolls or Duties granted or directed to be

Persons and Things exempted from the Tolls.

levied by this Act, shall be demanded or taken at any of the Turnpikes or Toll-gates erected or to be erected in pursuance thereof, for any Coaches of or belonging to the Royal Family; or for any Waggons, Carts, Carriages, Horses, or Beasts of Burthen, laden with, or carrying, any Stones, Bricks, Timber, Wood, Gravel, or other Materials for repairing the said Road; or for any Carts, Wains, Waggons, or other Carriages, carrying any Hay, or Corn in the Straw, not being for Sale, but to be laid up in the Houses, Outhouses, Barns, or Yards, of or belonging to the respective Inhabitants of the several Parishes, Townships, or Places, in which the said Roads hereby intended to be repaired do respectively lie; nor for any Ploughs, Harrows, or any other Implements of Husbandry; or for any Rubbish, Filth, or Nuisance, carrying out of any of the Towns in the said Roads for the better cleansing the same, and to be laid down in some proper Place within the Distance of Half a Mile of the said Town; or from any Person or Persons residing in any of the said Parishes, Townships, or Places, who shall pass through the said Turnpikes on Horseback, or in Coaches, Chariots, or Chaises, to and from Church, Chapel, or other Places of Religious Worship, on Sundays, or who shall attend the Funeral of any Person or Persons who shall die and be buried in any of the said Parishes or Places respectively; or for any Horses, Geldings, Mares, or Cattle, belonging to any of the Inhabitants of such Parishes, Townships, or Places, which shall pass through any of the said Turnpikes or Toll-gates in going to, or returning from, Pasture, Watering-places, Horse-shoers, or Farriers; or for any Post-horses carrying the Mail or Packet; or for the Horses of Soldiers passing upon their March; or for Carts, Carriages, or Waggons, attending them, or laden with their Arms or Baggage; or for Horses, Carts, or Waggons, travelling with Vagrants sent by Passes; or for any Coaches, Berlins, Landaus, Chariots, Calashes, Chaises, Litters, and Passengers on Horseback, going to, or returning from, any Election of a Knight or Knights of the Shire for the said Counties of Monmouth and Gloucester, or either of them, at or on the Days and Times of such Election.

Horses, &c. loaden with Lime or Coal, exempted from paying Toll in *Abergavenny* Hundred for 3 Years;

Provided also, and it is hereby further enacted and declared, That no Tolls or Duties shall be demanded or taken at any of the Turnpikes or Toll-gates to be erected within the Hundred of Abergavenny, for any Horses or Beasts of Burthen, carrying or loaden with, or going for, Lime or Coal, during the Space of Three Years, to be computed from the Commencement of this Act; and that

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the Trustees acting for the said District of Usk, or any Nine or more of them, shall and may, if they think it proper and requisite, order and direct that no Tolls or Duties shall be demanded or taken for any Horses or Beasts of Burthen, carrying or loaded with, or going for, Coal, at any of the Turnpikes or Toll-gates to be erected or set up within the Hundred of Uske.

Trustees for *Usk* may grant a like Exemption.

Provided always, That after the Expiration of the said Three years, it shall and may be lawful to and for the Trustees acting for and within the said Two Districts respectively, or any Nine or more of them, to revive the said Tolls and Duties, or to reduce the same respectively, in such Manner as to the said Trustees respectively, or any Nine or more of them, shall seem requisite and expedient.

After 3 Years, the Tolls may be revived or reduced.

And be it further enacted by the Authority aforesaid, That the Right and Property of all and every the Turnpikes and Toll-houses which shall be erected and built by virtue of this Act, shall be vested in the said Trustees appointed to put the same into Execution, within the said several Districts respectively as aforesaid; and the said Trustees respectively, or any Nine or more of them, are hereby authorized and impowered to dispose thereof as they shall think proper; or to bring Actions, and to prefer Bills of Indictment, in their Names, or in the Name or Names of their respective Clerk or Clerks, Treasurer or Treasurers, or any One or more of them, against any Person or Persons who shall steal, take away, break down, damage, or spoil, such Turnpikes or Toll-houses, or any of them, so erected and built as aforesaid.

Turnpikes and Toll-houses vested in the Trustees.

And, for preventing Differences which may arise between the said Trustees and the Surveyors of the Highways for the time being, for the several Parishes or Places through which the Roads aforesaid do respectively lead, touching what Part of the Statute-work in any Parish or Township ought to be done on the Roads by this Act directed to be repaired, be it further enacted by the Authority aforesaid, That it shall and may, yearly, and every Year, during the Continuance of this Act, be lawful for any Seven or more of the said Trustees, acting within the said Districts respectively, at any of their publick Meetings, upon Application made to them by the Turnpike Surveyor or Surveyors within the said Districts respectively, to adjudge and determine what Part or Proportion of the said Statute-work shall be done upon the said Roads by the Inhabitants of the several Parishes and Townships within the said Districts respectively, not exceeding Four Days; any Law or Usage to the contrary in any wise notwithstanding.

Trustees may determine the Statute-work to be done on the Roads.

Trustees may compound with Persons for Statute-work.

Provided also, and be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Trustees within their respective Districts, or any Seven or more of them, from time to time, during the Continuance of this Act, to compound and agree with any of the Parishes or Townships to which the said Roads do belong, or with any of the Possessors or Occupiers of such Lands, Tenements, or Hereditaments, as are or shall be liable or chargeable to the Repair of any Part of the said Road, for a certain Sum of Money, or otherwise, by the Year, as the said Trustees, or any Seven or more of them, shall think reasonable, in lieu of the Statute or other Work to be done by such Parish or Parishes, Township or Townships, or by such Possessor or Possessors, Occupier or Occupiers of such Lands, Tenements, or Hereditaments, chargeable as aforesaid: Copies of all which Compositions or Agreements so to be made by the said Trustees, as aforesaid, shall be entered at Length in a Book or Books to be kept for that Purpose, by the said Clerk or Clerks, Treasurer or Treasurers; which said Book or Books shall and may at all seasonable Times, be seen and perused by any Person or Persons whomsoever, without Fee or Reward.

Compositions to be entered in a Book.

Parish Surveyors, &c. to deliver in Lists of Persons liable to do Statute-work.

And be it further enacted by the Authority aforesaid, That the respective Surveyor or Surveyors of the Highways for the time being, of all and every the Parish and Parishes, within the said respective Districts, wherein the Roads to be repaired, do respectively lie, shall yearly, and every Year, during the Continuance of this Act, within Six Days after Demand made to him or them in Writing, by the Turnpike Surveyor or Surveyors appointed or to be appointed by the said Trustees of that District respectively, or any Five or more of them, give and deliver to the said Turnpike Surveyor or Surveyors, an exact List or Account in Writing, under his or their Hands, of the Christian and Surnames of all and every Person and Persons in the said respective Parishes, who are by Law chargeable towards repairing the Roads, in any of the said Parishes, and shall set forth and specify in such Lists what each Person is respectively chargeable with, for and towards the same; and the said Parish Surveyor or Surveyors for the time being respectively, within Six Days after Notice shall be given them, or either of them, by the said Turnpike Surveyor or Surveyors, of the Time when, and how many of the Persons so chargeable as aforesaid, he or they would have to do such their respective Statute or Days

Work, so adjudged or appointed as aforesaid, in or upon any Part or Parts of the said Road, shall summon or give publick Notice thereof to the said Person or Persons so chargeable, as aforesaid; and if any Parish Surveyor or Surveyors aforesaid, shall neglect or refuse to do as they are hereby required and directed to do, he or they for every such Neglect or Refusal, shall forfeit and pay the Sum of Forty Shillings; to be levied and recovered in such Manner, as any other Forfeiture or Penalty is by this Act directed to be levied and recovered; which said Sum of Forty Shillings, shall be applied towards repairing that Part of the said Road in which such Forfeiture shall accrue: And if any Person or Persons keeping a Team or Teams, Draught or Draughts, Cart or Carts, and chargeable towards repairing the said Roads, shall after such Summons or publick Notice, neglect or refuse to send their respective Teams, Draughts, or Carts, to do and perform such their respective Days Work on the said Road, he, she, or they, so neglecting or refusing, shall respectively forfeit and pay the Sum of Ten Shillings for every Team, Draught, or Cart, making Default each of the said respective Days; and if any Labourer or other Person or Persons so chargeable towards repairing the said Road, shall at any Time neglect or refuse (after such Summons or publick Notice) to do and perform the said appointed Days Work on the said Roads, he or they shall respectively forfeit and pay Eighteen Pence for each of the said Days such Labourer or other Person or Persons shall make Default; and if any Person or Persons (who shall, according to such Summons or publick Notice as aforesaid) come to work as Labourers, or be sent with any Team, Draught, or Cart, to work on the said Roads, are found idle or negligent by the said Turnpike Surveyor or Surveyors respectively where the Work is to be done, in such Case, the said Turnpike Surveyor or Surveyors may, and is and are hereby impowered and required to remove and turn him or them off who shall be found idle and negligent, as aforesaid, and it shall be esteemed and taken as if such Person or Persons had not come as a Labourer, or had not come with or sent any Team, Draught, or Cart, to work on the said Road; and he, she, or they, shall be subject and liable to do their respective Days Work so ordered and appointed as aforesaid, as if such Labourer or Team had not come at all.

Penalty on Surveyors neglecting to deliver in such Lists;

and on Persons not performing Statute-work.

And be it further enacted by the Authority aforesaid, That the said Trustees within the said several Districts, or any Five or more of them, shall, and they are hereby

Trustees may compound with Travellers.

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by impowered, from time to time, as they shall see convenient or think fit, to compound or agree by the Year with any Person or Persons using to travel through the Turnpike or Turnpikes to be erected on the said Roads, with any Waggon, Wain, Cart, Horse, Gelding, Ware, or other Beast of Burthen, for any Sum or Sums of Money; such Composition to be paid quarterly, and One Quarter's Payment always to be made before-hand, or to cease and determine in Default thereof: Copies of all which Compositions or Agreements so to be made by the Trustees aforesaid, shall be entered at Length in a Book or Books to be kept for that Purpose by the said Clerk or Clerks, Treasurer or Treasurers; which said Book or Books shall and may be seen and perused at all reasonable Times, by any Person whomsoever, without Fee or Reward.

Composition-money how to be recovered.

Provided always, and be it further enacted by the Authority aforesaid, That in case any Composition-money agreed to be paid in lieu of any Statute or Days Work of the Inhabitants of any Parish, Township, or Hamlet, wherein the Road to be amended by virtue of this Act doth lie, shall not be paid within Ten Days next after the same shall become payable according to such Composition or Agreement, then it shall and may be lawful for any Justice of the Peace of the County wherein such Person or Persons so compounding as aforesaid shall reside, by Warrant under his Hand and Seal, to impower the Person authorized by the said Trustees, or any Five or more of them, to receive such Composition-money, and Oath being first made that the same has been demanded, and remains unpaid (which Oath such Justice is hereby authorized and required to administer) to levy the same of the Goods of the Person and Persons so having compounded in respect of the said Statute or Days Work, or of the Surveyors of the Highways for the time being of such Parish, Township, or Hamlet, in respect of whose Statute or Days Work such Composition shall be made, returning the Overplus after the Charges of such levying, detaining, and selling, thereout first deducted.

Surveyors, &c. paying the Composition-money to be reimbursed.

Provided always, and be it enacted by the Authority aforesaid, That if any of the Surveyors of the Highways of and for such Parish, Township, or Hamlet, for which any such Composition shall be made for any Statute or Days Work as aforesaid, shall pay the Composition-money; or in case such Composition-money shall be levied on him in the Manner herein before provided, all and every such Surveyor and Surveyors, shall and may be re-imbursed the Composition-money he shall so pay, or which

which shall be so levied on him, together with the Charges of levying, detaining, and selling the same, in such Manner as by the Laws now in being Surveyors of the Highways of this Kingdom are to be reimbursed the Monies by them expended in buying Materials for mending Highways.

Reservation of Rights.

Provided always, and it is hereby enacted and declared, That nothing herein contained, shall prejudice, defeat, or interrupt, the Right or Claim of any Person or Persons, Bodies Politick or Corporate, to any such Tolls or Duties as have been usually had and lawfully taken, upon any Part of the said Road.

Recompence to be made to ancient Proprietors of Tolls.

And it is hereby enacted and declared, That it shall and may be lawful to and for the several Trustees, acting within the said several Districts respectively, or any Seven or more of them, out of the Tolls and Duties arising and made payable by this Act, within their said Districts, to make such Recompence and Compensation to the Owners and Proprietors of ancient Tolls arising within such Districts respectively, as by and between the said Trustees and such Owners and Proprietors respectively shall be agreed upon; and that during such Time as such Recompence and Compensation shall continue to be made, the said ancient Tolls shall be vested in the said Trustees respectively, for the Purposes of this Act.

Penalties and Forfeitures how to be recovered and applied.

And be it further enacted by the Authority aforesaid, That all Penalties and Forfeitures by this Act incurred (touching which no other Provision is herein made) shall be levied and recovered by Distress and Sale of the Offender's Goods and Chattles, by Warrant or Warrants under the Hand and Seal, or Hands and Seals, of the Trustees, acting within the said Districts respectively wherein the Offence shall happen, or any Five or more of them, which Warrant or Warrants the said Trustees respectively, or any Five or more of them, are hereby impowered and required to grant, upon the Information of One or more credible Witnesses upon Oath (which Oath such Trustees are hereby impowered and required to administer) and the Money when recovered, after rendering the Overplus (if any) to the Party or Parties whose Goods or Chattles shall be so distrained and sold (the Charge of such Distress and Sale being first deducted) shall go and be applied and laid out (if not otherwise directed to be applied by this Act) towards amending that Part of the said Roads in which such Penalty shall incur.

Proceedings, &c. to be entered in a Book.

And be it further enacted by the Authority aforesaid, That the said Trustees appointed or to be appointed to put this Act in Execution, within the said several Di-

ostrict respectively, shall during the Continuance thereof, take Care to have all Receipts, Payments, Debts, Orders, and Contracts, had or made, or contracted or entered into, for, upon, or on account of, the making and amending, widening, diverting, or turning the said Roads, and all other the Proceedings of them the said Trustees, to be forthwith fairly written, and entered in One or more Book or Books to be kept for that Purpose, by the said Clerk or Clerks, Treasurer or Treasurers; which said Book or Books, shall or may be seen and perused at all seasonable Times, without Fee or Reward, by any Person or Persons whomsoever; and also that any of the said Trustees so appointed, shall and may take Copies of all or any Part thereof, paying for every Copy not exceeding Three hundred Words, Six Pence, and so proportionably for any greater or lesser Number of Words; and that all such Orders so entered, shall be signed by the Clerk to the said Trustees, at any Meeting of any Five or more of the Trustees aforesaid assembled, as the Case shall require, and such Orders shall be deemed and taken to be Original Orders, as if the same were under the Hands and Seals of any Five or more of the Trustees; which said Book or Books, and also the said Book directed to be kept for registering or entering the said Assignments, Transfers, and Compositions, shall and may be produced and read in Evidence in all Cases of Appeals, Suits, or Actions, touching any Thing done in pursuance and by the Authority of this Act.

Books may be perused gratis.

and may be produced, and read in Evidence.

Provided always, and be it further enacted by the Authority aforesaid, That in case any Collector or Collectors, Receiver or Receivers, or other Person or Persons, shall think him, her, or themselves aggrieved by any thing done in pursuance of this Act, it shall and may be lawful to and for him, her, or them, within the Space of One Month, to appeal to the Justices of the Peace, at their next General Quarter Sessions of the Peace to be held for the County or Counties where the Matter in Question shall arise, who are hereby authorized and required to take Cognizance thereof, and to hear and determine the Complaint or Complaints of any Person or Persons so aggrieved, and if they see Cause shall and may, by Order of such Sessions, mitigate at their Discretion, but not to less than One Half, all or any the Penalties or Forfeitures incurred by the Party or Parties complaining, or vacate or set aside the Conviction or Convictions, and set the Party or Parties at Liberty, or otherwise may ratify and confirm the same, with such Costs as to them in their Discretion shall seem reasonable,

Persons aggrieved may appeal to the Quarter Sessions.

and

and to levy by their Order or Warrant, such Costs so awarded, by Distress and Sale of the Goods and Chattles of any Person or Persons who shall refuse to obey the same, and for want of sufficient Distress, to commit the Party or Parties to the Common Goal of the said respective Counties of Monmouth and Glouceſter, wherein such Appeal shall be heard and determined, for any Time not exceeding Six Weeks, or until Payment of such Costs shall be made; but the Person or Persons so appealing as aforesaid, shall, and they are hereby directed to give Notice in Writing to the Treasurer or Treasurers, for the time being, of the Tolls and Duties granted by this Act, where the Offence was committed, of such their Intention of bringing or prosecuting any Appeal, Ten Days before such Quarter Sessions, and shall within Five Days after such Notice given, enter into a Recognizance before One or more Justice or Justices of the Peace, of and for such County where such Appeal shall lie, with Two sufficient Sureties, with Condition to try such Appeal at the Quarter Sessions of the Peace which shall be held for such County, next and immediately after giving Notice of such Appeal, shall, at the then next General Quarter Sessions be there heard, and finally determined.

Notice of an Appeal to be given.

Provided always, and be it further enacted by the Authority aforesaid, That no Order made touching or concerning any of the Matters aforesaid, or any other Proceedings to be had touching the Conviction or Convictions of any Offender or Offenders against this present Act, shall be quashed or vacated for want of Form only, or be removed or removeable by Certiorari, or any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at Westminster; any thing herein contained to the contrary notwithstanding.

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

And it is hereby further enacted and declared, That no Nomination, Appointment, Information, Order, Judgement, Conviction, Warrant, or other Determination whatsoever, under the Hand and Seal, or Hands and Seals, of any of the Trustees of this Act, or under the Hand and Seal, or Hands and Seals of, or exhibited before any Justice or Justices of the Peace, touching, concerning, or in Execution of any Power or Authority hereby vested in them, some or any of them respectively, shall be charged or chargeable with any Stamp Duty whatsoever,

Writings to be without Stamps.

and

Trustees, with Consent of the Creditors, may lessen the Tolls.

And it is hereby further enacted and declared by the Authority aforesaid, That the said Trustees within the said several Districts, or any Nine or more of them respectively, are hereby authorized and impowered, from time to time (in case it shall appear requisite and expedient) to lessen the several Tolls and Duties hereby granted and made payable, and to order and direct such Tolls and Duties, so to be lessened and reduced, to be collected, received, taken, laid out, and applied, for the Purposes of this Act, in such Manner, Parts, and Proportions, as they shall think fit, so as such Reduction be no Prejudice to, or be with the Consent of, the several Persons who shall have advanced any Money secured thereby; any thing herein contained to the contrary in any wise notwithstanding.

Commencement and Continuance of this Act.

And be it further enacted by the Authority aforesaid, That the Tolls or Duties hereby granted shall take Place from and after the First Day of May, One thousand seven hundred and fifty eight, and shall continue and be paid from thenceforth (subject to such Reduction as aforesaid) for and during the Term of Twenty one Years, and from thence to the End of the then next Session of Parliament.

If the Road shall be sufficiently amended before the Expiration of the Term granted by this Act, and Debts paid, Tolls to be applied in building Bridges.

Provided always, That if at any Time before the Expiration of the said Term, any Part of the Roads lying and being within any of the said Districts respectively, shall be sufficiently amended and repaired, and so adjudged by the Trustees acting within the said Districts respectively, or the major Part of them, at any of their Meetings to be held for the Purpose of this Act; and all such Monies as shall have been borrowed on the Credit of the said Tolls and Duties arising within such District, and the Interest thereof, and the Costs and Charges of obtaining this Act, shall have been paid and satisfied; then, and in such Case, and from thenceforth, the Tolls and Duties granted and made payable within such Districts respectively, shall be applied and disposed of for and towards erecting and building a Stone Bridge or Bridges in the Room and Stead of any Wooden Bridge or Bridges now repaired and maintained by the County within such District respectively, as to the Trustees for the Roads of each such District so sufficiently repaired as aforesaid, shall seem requisite.

County liable to be assessed till such Bridges shall be built and completed.

But it is hereby enacted and declared, That after the Building of any such Stone Bridge shall be begun, and, in the mean Time, until the same shall be completed, the County or Counties wherein such Bridge is situate, shall contribute to, and be chargeable with, such yearly Payment, or Sum of Money, for repairing and maintaining such

such Bridge, as the Charges and Expences attending the same hath, at an Average, communibis Annis, amounted for Twelve Years then next foregoing; any thing herein contained to the contrary notwithstanding.

Trustees who are in Commission of the Peace, may act as Justices.

And be it further enacted and declared by the Authority aforesaid, That it shall and may be lawful to and for any of the said Trustees appointed or to be appointed to put this Act in Execution, who is, are, or shall be, in the Commission of the Peace for the several Counties of Monmouth and Gloucester, to act as a Justice or Justices of the Peace in all Cases, Matters, and Things, as may be necessary for the more speedy and effectual putting in Execution the several Authorities and Powers in this Act mentioned and contained.

No Trustee to accept of any Place of Profit arising from the Tolls.

Provided always, and be it further declared and enacted, That no Person or Persons appointed or to be appointed by this Act a Trustee or Trustees for putting this Act in Execution, shall have or accept of any Place or Employment of Profit arising out of it, or by reason of any Tolls or Duties by this Act laid or granted; but such Person or Persons shall be incapable of acting as a Trustee or Trustees from the Time of accepting, and during the Enjoyment, of such Place or Employment as aforesaid; and also, that no Innkeeper, or other Person, who shall sell any Ale, Beer, Cyder, Perry, Wine, or any Sort of Spirituous Liquors by Retail, shall act as a Trustee in the Execution of this Act, or be capable of taking, holding, or enjoying, any Place of Trust or Profit under this Act.

No Victualler, &c. capable of being a Trustee.

Roads to be measured and Mile-stones erected.

Provided also, and it is hereby further enacted, That the said Trustees, or any Five or more of them, within their respective Districts, shall and may, and they are hereby required, to cause the said Road to be measured, and Stones or Posts to be set up thereon, or near the Sides of the said Road, each Stone or Post at the Distance of One Mile from another, and denoting the Distance of every such Stone or Post from such Place as to the said Trustees shall seem meet: And if any Person or Persons shall voluntarily and maliciously break any of the said Stones or Posts, or any Part thereof, which shall be so erected or set up; or shall obliterate or deface any of the Words, Letters, Figures, or Marks, which shall be engraved or inscribed thereon, and shall be convicted thereof by the Confession of the Party, or by the Oath of One or more credible Witness or Witnesses, before One or more Justice or Justices of the Peace for the said respective Counties of Monmouth and Gloucester, every such Person or Persons so offending, shall respectively forfeit and pay the Sum of Forty Shillings for each Stone or Post so voluntarily or

Penalty on defacing Mile-stones, &c.

maliciously broke, obliterated, or defaced, to be levied of the Goods and Chattles of every such Offender or Offenders, by Warrant under the Hand and Seal, or Hands and Seals of such Justice or Justices before whom such Conviction shall be made, the same to be paid to such Informer and Informers to and for his and their own Use and Benefit; and in case the Person or Persons so offending and convicted shall have no Goods and Chattles, then it shall and may be lawful to and for any One or more such Justice or Justices, by Warrant under his Hand and Seal, or their Hands and Seals respectively, to commit such Person or Persons to any House of Correction in such County where such Offence was committed, there to remain for any Time not exceeding One Month.

For want of Distress, Offender to be committed.

In Default of a sufficient Number to act, Notice to be given of future Meetings.

And it is hereby further enacted and declared, That in case at any Time appointed for the Meeting of the Trustees of any of the said Districts respectively, a sufficient Number of Trustees to act at such Meeting shall not meet and attend, then the Clerk or Clerks to the said Trustees, shall and may, by publick Notice in Writing to be fixed at all the Turnpikes within the said District, at least Seven Days before the next Meeting, appoint the said Trustees to meet at the House where the last Meeting was appointed to be held, or at some other convenient House in or near the said Road.

On Death or Removal, others to be chosen.

And for continuing a sufficient Number of Trustees for putting this Act in Execution, during the Continuance thereof; be it further enacted by the Authority aforesaid, That when and as often as any Trustee or Trustees within the said several Districts, shall die, remove, or refuse to act, it shall and may be lawful for the surviving Trustees acting for such District, or any Seven or more of them, by any Writing or Writings under their Hands and Seals, from time to time, and at all Times hereafter during the Term aforesaid, at their next Meeting, to nominate or appoint One or more fit Person or Persons resident within such District, in the Room of such Trustee or Trustees so deceased, removed, or refusing to act, Notice of the Time and Place of Meeting for the Election of all and every such Trustee or Trustees, being affixed in Writing at all the Toll-gates or Turnpikes to be erected within such District respectively by virtue of this Act, at least One Month before the Meeting for such Election; and all and every such Person and Persons as shall, from time to time, be chosen and appointed, is and are hereby impowered to act, to all Intents and Purposes, in as full and ample Manner, as

Notice to be given of future Elections of Trustees.

the said Trustees hereby nominated, are impowered to act.

Trustees may lease, &c. the Tolls.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Trustees, within the said several Districts respectively, or any Nine or more of them, from time to time, by Writing under their Hands and Seals (without any Stamp thereupon) to assign, lease, demise, let, or farm out the Tolls arising and payable within such District respectively, or any Part thereof, to any Person or Persons who shall be willing to take or farm the same, from Year to Year, or for any Part of the said Term hereby granted, not exceeding Three Years, One Month's Notice in Writing to be affixed on all the Turnpike-gates to be erected by this Act, and upon publick bidding, to the highest Bidder, and for the best Price such Trustees can get for such Tolls, or any Part thereof, payable at such Times, and under such Covenants, as they the said Trustees, or any Nine or more of them, shall think fit, and to be paid to the said Trustees, or any Nine or more of them, or to such Person or Persons as they, or any Nine or more of them, shall appoint to receive the same; which Money to be paid, shall be applied and disposed of for repairing the said Road, and the other Purposes herein mentioned, and to no other Use or Purpose whatsoever.

Trustees may contract for repairing the Roads.

Provided always, and it is hereby enacted and declared by the Authority aforesaid, That the said Trustees within the said several Districts respectively, or any Seven or more of them, shall, and they are hereby impowered under their Hands and Seals (without any Stamp Duty thereupon) to contract with any Person or Persons for the repairing, amending, and widening the Roads within such District, or any Part thereof, and also for the erecting and setting up Mile-stones or Posts at, upon, or on the Sides of the said Roads, or any Part thereof, in such Manner, and for such Sum or Sums of Money, as shall be agreed upon by and between the said Trustees, or any Seven or more of them, and such Person and Persons so contracting with the said Trustees, or any Seven or more of them.

No Turnpike to be removed but by Order of the Trustees.

Provided always, That no Gate or Turnpike to be erected and set up in, cross, or on the Side of, the aforesaid Roads, as by this Act is directed, shall be taken down or removed, or any other new Gate or Turnpike shall hereafter be erected or set up in, cross, or on the Side of, any Part of the said Roads, except by Order of the Trustees having the Care of the same Roads respectively, or any Nine

Nine or more of them, at a Meeting for that Purpose to be appointed; whereof One Month's Notice shall be given in Writing by the Clerk of that Part of the Road wherein such Turnpike shall be taken down, removed, or to be set up, to be fixed on all the Turnpike-gates to be erected on the said respective Roads by virtue of this Act.

Limitation of Actions.

And be it further enacted by the Authority aforesaid, That if any Action or Suit shall be commenced against any Person or Persons for any Thing to be done in pursuance of this Act, every such Action or Suit shall be brought within Six Months next after the Fact committed, and not afterwards; and shall be laid and brought in such of the said several Counties of Monmouth and Gloucester, in which the Cause or Causes of Action shall arise, and not elsewhere; and the Defendant or Defendants, in such Action or Suit, shall and may plead the General Issue, Not Guilty, and give this Act, and the Special Matter, in Evidence at any Trial to be had thereupon; and that the same was done in pursuance of, and by the Authority of, this Act; and if the same shall appear so to be done; or that such Action or Suit shall be brought in any other County, Place, or Places; that then the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall become Nonsuited, or discontinue his Action, after the Defendant or Defendants shall have appeared; or if, upon Demurrer, Judgement shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall and may recover Treble Costs, and have such Remedy for the same, as any Defendant or Defendants hath or have in any Case by Law.

General Issue.

Treble Costs.

Publick Act.

And be it further enacted by the Authority aforesaid, That this Act shall be deemed, adjudged, and taken to be a Publick Act; and be judicially taken Notice of as such, by all Judges, Justices, and other Persons whatsoever, without specially pleading the same.

FINIS.