Anno tricesimo tertio

# Georgii II. Regis.

An Act for repairing the Roads from the Town of *Brecon* to the Parish of *Brobury*, and to *Whitney Passage* in the County of *Hereford*; and for building a Bridge over the River *Wye* at *Bredwardine Passage* in the same County.

WHEREAS the high Roads leading from the Town of Brecon, through the Town of Hay in the County of Brecon, to the Parish of Brobury in the County of Hereford; and also through the Town of Hay aforesaid, to a Place called Whitney Passage in the said County of Hereford, are in divers Places, by reason of the deep Soil thereof, and the many heavy Carriages passing through the same, become very ruinous, and in the Winter Season so deep and miry, that Travellers and Carriages cannot pass without great Danger; and the said Roads cannot, by the ordinary Course provided by the Laws now in being for repairing the Highways in this Kingdom, be effectually amended and kept in Repair, without the further Aid of Parliament: May it therefore please Your Majesty, that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That Edward Allen Gentleman, James Allen, Henry Allen, Williams Allen, Clerks; Francis

Preamble.

Trustees Names.

Francis Anneſley, Joſeph Arndell, Harcourt Aubrey, John William Aubrey, Eſquires; James Ballard, John Bankes, Thomas Bayly, Gentlemen; Charles Bodenham, Shuckburgh Boughton, Eſquires; Thomas Bowen Gentleman, William Bridges, James Brome, John Cotterel Brook, Eſquires; John Caldecott Gentleman, John Cam Eſquire, Francis Campbell M. D. Samuel Careleſs Gentleman, Thomas Carpenter Eſquire, Thomas Chambers, William Chinn, Thomas Church, Thomas Clarke, Joſias Clerke Gentlemen; Price Clutton Eſquire, Richard Coke Clerk, Howorth Cook Eſquire, Thomas Cook, Bartholomew Cooke, Gentlemen; Velters Cornewall Eſquire, Edward Cox Gentleman, William Danſey, Richard Davies, Eſquires; William Davies, Pryce Davies, Thomas Davies, Clerks; Richard Davies, Edward Davies, Charles Davies, and William Davies, Gentlemen; John Delahay Eſquire, George Devereaux Gentleman, Iſaac Donithorne Clerk, Edmund Eckley Gentleman, Edward Edwards Clerk, Jonathan Elliott Gentleman, Owen Evans Eſquire, Francis Eves Gentleman, William Felton Clerk, Thomas Foley Eſquire, Robert Foley Clerk, William Garnons Gentleman, John Geers Eſquire, Henry Geers Clerk, Thomas Giles Clerk, Thomas Gomond Gentleman, Richard Gorges, Robert Minors Gouge, Edward Greenly, William Gregory, William Cope Gregory, Eſquires; John Gwillim Gentleman; Thomas Gwyllym, Marmaduke Gwynn the elder, Howell Gwynne, Marmaduke Gwynn the younger, Eſquires; John Gwynn, Howell Gwynn, Gentlemen; John Harcourt Eſquire, James Lloyd Harris, Charles Haywood Gentleman, George Heathcote, James Hereford, Eſquires; Lewis Higgins, Robert Higgins, Thomas Higgins, Gentlemen; William Holmes Gentleman, Richard Hopton, Richard Cope Hopton, Chandos Hoſkyns, Eſquires; Henry Probert Howorth Clerk, John Hughes, Thomas Hughes, Evan Hughes, John Hunt, Eſquires; Thomas James Eſquire, Edward James, Gabriel Jeffreys, Roger Jones, John Jones Gentleman, John Jones Clerk, Lacon Lambe Gentleman, Theophilus Lane Eſquire, James Lane Gentleman, Scudamore Lechmere Eſquire, Euſtance Lewis, Aythan Lewis the elder, Aythan Lewis the younger, William Lewis, Gentlemen; John Bullock Lloyd, John Lloyd, Eſquires; Percival Lloyd Gentleman, Charles Lloyd, Francis Lloyd, Clerks; George Lomax Gentleman, William Maddox, Timothy Markham, Eſquires; John Maybrey Gentleman, John Medley Eſquire, John Meredith, Henry Mitchell, Eſquires; Richard Moore Gentleman, Sir John Morgan Baronet, Thomas Morgan,

gan the elder, William Morgan, Thomas Morgan the younger, Esquires; Walwyn Morgan, Charles Morgan, William Morgan, Clerks; William Owsley Gentleman, James Parry Esquire, John Parry Clerk, John Pattesshall, Thomas Penoyre, Hugh Penry, Thomas Phillips, John Phillips, Thomas Phillips, Esquires; Thomas Phillips Gentleman, Charles Powell, John Powell, Waston Powell, Esquires; Jervase Powell Clerk, William Powell, John Powell, Gentlemen; Robert Price, Thomas Price, Esquires; Charles Price Clerk, John Price, Rice Price, Gentlemen; Samuel Prosser Clerk, William Ravenhill, Robert Read, Arnold Russell, Gentlemen; Thomas Russell Clerk, Anthony Sawyer Esquire, Sayer LL. D. William Scourfield, Charles Fitzroy Scudamore, John Scudamore, Esquires; Thomas Seaborne Gentleman, Walwyn Shepheard, John Simons, Richard Smyth, Esquires; John Smyth, David Smyth, Gentlemen; Thomas Symonds Esquire, Robert Symonds, William Symonds, Gentlemen; George Terry Gentleman, John Thomas Clerk, Charles Vaughan the elder, Charles Vaughan the younger, Esquires; James Walwyn Esquire, Richard Waring Clerk, Penoyre Watkins, Thomas Watkins, James Watkins the elder, James Watkins the younger, Thomas Weale, Samuel Weale, Gentlemen; Richard Wellington Esquire, Henry Wellington, James Wellington, Gentlemen; John Whitmore Esquire, Thomas Wickens Clerk, John Wilkins Gentleman, William Willim Clerk, Sir Edward Williams Baronet, Penry Williams, Henry Williams, Esquires; Thomas Williams, John Williams, David Williams, John Williams of Glasebury, Edward Williams, Clerks; Thomas Williams, Richard Williams, Thomas Williams, Robert Williams, George Williams, Lewis Williams, Henry Williams, Roger Williams, William Winston, John Wood, Gentlemen; John Woodcock Clerk, Cave Woodhouse Esquire, James Woodhouse, John Woodhouse, Daniel Wynter, Gentlemen; William Wynter Clerk, and Robert Dobyns Yate Esquire; shall be, and they are hereby nominated and appointed Trustees for surveying, ordering, widening, turning, altering, amending, and keeping in Repair, the said Roads, and for putting in Execution all and every the Powers in and by this Act given and granted relating to the said Roads; and that they, or any Five or more of them, or such Person or Persons as they, or any Five or more of them, shall authorize and appoint, shall and may build and erect, or cause to be built and erected, a Gate or Gates, Turnpike or Turnpikes, in, upon, cross, or on the Side of any Part or Parts of the said Roads, and also

Trustees may erect Turnpikes and Toll-houses;

and take the following Tolls thereat.

also a Toll-house or Toll-houses in or upon the same; and shall and may demand and take the Tolls following, before any Coach or other Carriage, Horse, Mare, Gelding, or any Sort of Cattle, Calves, Hogs, Sheep, or Lambs, shall be permitted to pass through any or either of such Gate or Gates, Turnpike or Turnpikes; that is to say,

The Tolls.

For every Horse, Mare, Gelding, or other Beast of Burthen, laden or unladen, and not drawing, Three Pence.

For every Horse, Mare, Gelding, or other Beast of Draught, drawing any Coach, Chariot, Waggon, Cart, or other Carriage whatsoever, Six Pence.

For every Score of Cattle, One Shilling and Eight Pence.

And for every Score of Calves, Swine, Sheep, and Lambs, Ten Pence, and so in proportion for any greater or less Number.

Which said respective Sums of Money shall be demanded and taken in the Name of, or as, a Toll; and the Money so to be collected shall be, and is hereby, vested in the said Trustees; and the same, and every Part thereof, shall be disposed of and assigned to and for the several Uses and Purposes, and in Manner herein after mentioned and directed.

Tolls vested in the Trustees.

Application of the several Tolls.

Provided always, and be it enacted, That all such Toll, or Share or Proportion of the said Toll, as shall be collected or received at any Gate or Gates to be erected between the said Town of Hay and the Parish of Brobury in the County of Hereford, or between the said Town of Hay and Whitney-passage in the same County, shall be applied to the Repair of the Roads lying in the said County of Hereford; and all such Toll, or Share or Proportion of the said Toll, as shall be collected or received at any Gate or Gates to be erected between the said Towns of Brecon and Hay, shall be applied to the Repair of the Road leading from the said Town of Brecon through the said Town of Hay.

Road from *Hay* to the Parish of *Brobury* to be first repaired.

And whereas the Road leading from Hay to the Parish of Brobury aforesaid, Part of the said Road intended to be repaired, was anciently the Post Road from Hereford to Hay; be it further enacted by the Authority aforesaid, that the said Road from Hay to the Parish of Brobury aforesaid, be repaired and amended before the said other Road from Hay to Whitney-passage.

Provided

Exemptions from Tolls.

Provided always, and it is hereby enacted and declared, That no Person or Persons shall be charged with any of the Tolls aforesaid, for passing through any of the Gates or Turnpikes to be erected by virtue of this Act, for any Carriage laden with Stones, Bricks, Lime, Timber, Wood, Gravel, or other Materials for repairing the said Roads, or for building or repairing the Bridge herein after mentioned, or any Houses, Out-houses, or Erections, in the Towns of Hay or Brecon aforesaid; or for any Dung, Mould, or Compost (except Lime, which is intended to pay the Tolls and Duties hereby laid) for manuring of Lands or Gardens; or for any Carts, or other Carriages carrying any Hay, Fodder, or Corn in the Straw, to be laid up in the Houses, Outhouses, Barns, or Yards, of or belonging to the Inhabitants of the several Parishes, Townships, or Places, through which the said Roads hereby intended to be repaired, do lead; nor for any Ploughs, Harrows, or other Implements of Husbandry, or any other Things whatsoever belonging to or employed by such Inhabitants in Husbandry, manuring or stocking of Lands lying near the said Roads (except Lime as aforesaid) nor for any Person or Persons residing in the Parishes or Places in which the said Roads do lie, who shall pass through the said Gates or Turnpikes 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 or be buried in any of the Parishes in which the said Roads do lie; or for any Horses, Geldings, Mares, or Cattle, going to, or returning from, Pasture or Watering Places; or for any Post-horses carrying the Mail or Packet; or for the Horses of Soldiers who are upon their March; or for Carts, Waggons, or other Carriages attending them, or laden with their Arms or Baggage; or for Horses, Carts, or Waggons, travelling with Vagrants sent by legal Passes.

No Toll on Election Days.

Provided also, and it is hereby further enacted, That all Coaches, Berlins, Landaus, Chariots, Chaises, Calashes, Chairs, Litters, and Passengers on Horseback, shall pass and repass through the said Turnpike-gate or Gates, Toll-free, on the Day or Days on which there shall be any Election or Elections of a Knight or Knights of the Shire or Shires to serve in Parliament for the said Counties of Hereford and Brecon, or either of them, and on the Day before and the Day after every such Election respectively; such Coaches, Berlins, Landaus, Chariots, Chaises, Calashes, Chairs, Litters, and Passengers on

Horseback,

Horseback, going to, or returning from, such respective Elections, and not otherwise.

Tolls to be paid but Once a Day.

Provided always, and it is hereby enacted and declared, That no Person or Persons passing through any Turnpike or Turnpikes where the said Tolls shall be taken, and having paid the full Toll as aforesaid, at any Gate or Turnpike to be erected by virtue of this Act, and producing a Note or Ticket that such Toll was paid (which Note or Ticket the Receiver or Receivers, Collector or Collectors thereof, is and are hereby required to give gratis) shall be liable to pay any Toll the same Day at any other Gate or Turnpike to be erected upon the said Roads, such Person or Persons producing such Note or Ticket at the latter Gate or Turnpike; and no Person or Persons, having passed through any of the said Gates or Turnpikes, and who shall return the same Day before Twelve of the Clock at Night, with the same Coach, Waggon, Cart, or other Carriage, Horse, Mare, Gelding, or any Sort of Cattle, for which such Tolls have been paid, and producing a Note or Ticket as aforesaid, that such Toll has been paid, shall be liable or compellable to pay the said Tolls more than Once the same Day.

Trustees to proportion the Tolls.

Provided always, and be it further enacted and declared by the Authority aforesaid, That if there shall be Two or more Gates or Turnpikes erected in, cross, or on the Side of, the said Roads, then and in such Case the Tolls hereby granted shall be divided and allotted into so many Parts, Shares, and Proportions, as the said Trustees, or any Seven or more of them, shall direct, and such Parts thereof shall be taken and received at such and so many of the said Gates or Turnpikes as by the said Trustees, or their Successors, or any Seven or more of them, shall be ordered and appointed for that Purpose: And no Person or Persons, having paid such Share or Proportion of the said Toll as shall be so directed at any Turnpike or Gate, and who shall return through the same Turnpike or Gate the same Day before Twelve of the Clock at Night, with the same Coach, or other Carriage, Horse, Mare, Gelding, or other Sort of Cattle, for which such Share of the said Toll has been paid, and producing a Note or Ticket of the Payment thereof (which Note or Ticket is hereby required to be given gratis by the Receiver or Receivers, Collector or Collectors aforesaid) shall be liable or compellable to pay such Share of the said Toll again the same Day.

No Gate to be erected between *Hay Bridge* and the Town.

Provided always, and it is hereby enacted, That no Gate or Turnpike shall be erected between the Bridge called Hay Bridge, and the Town of Hay aforesaid; and

every Person or Persons having passed over the said Bridge called Hay Bridge, and paid the Toll or Pontage payable there, and producing a Note or Ticket of the Payment thereof, and passing with the same Coach, Waggon, Cart, or other Carriage, Horse, Mare, Gelding, or other Sort of Cattle, the same Day before Twelve of the Clock at Night, through the Road leading from the said Town of Hay, to a Place called Dishpool Lane in the said County of Brecon, or going with any empty Waggon or Cart for Lime, and returning with the same loaded with Lime through any of the said Gates or Turnpikes the same Day, shall be free from Payment of any Toll in respect thereof; and every Person or Persons coming through the said Road from Dishpool Lane, and having paid the Toll, or any Share thereof, hereby granted coming into the said Town of Hay, and passing over the said Bridge called Hay Bridge, with the same Coach, Waggon, Cart, or other Carriage, Horse, Mare, Gelding, or other Sort of Cattle, the same Day before Twelve of the Clock at Night, upon producing a Note or Ticket of such Payment, the Collector or Collectors of the Toll or Pontage payable at the said Bridge, shall and may allow, out of the said Toll or Pontage, such Sum, for which such Note or Ticket shall be given, and shall thereupon be intitled to receive the same from the Collector or Collectors, Receiver or Receivers, to be appointed by this Act, to whom such Sum was paid, provided the same be demanded within Twenty Days next following; and such Sum and Sums shall be ascertained, by producing such Note or Ticket, Notes or Tickets, and also by the Oath of the Collector or Collectors of the said Toll or Pontage, of his having actually allowed such Sum or Sums, before a Justice of the Peace of the said County of Brecon; and if any Dispute shall arise concerning any of the Matters aforesaid, such Justice may hear and determine the same in a summary Way; and if either Party shall think himself aggrieved by the Order of such Justice, it shall and may be lawful for the Justices of the Peace of the said County of Brecon, upon an Appeal to them at their next General Quarter Sessions to be held for the said County, finally to settle and determine the same.

and Persons having paid Pontage at the said Bridge, and going through *Dishpool Lane*, are to pass Toll-free;

and Persons having paid Toll at *Dishpool Lane*, &c.

are to be allowed the same in Payment of the Pontage for passing the Bridge.

Disputes to be determined in a summary Way.

And it is hereby further enacted, That it shall and may be lawful for the said Trustees, or any Five or more of them, or such Person or Persons as they, or any Five or more of them, under their Hands and Seals, shall from time to time nominate and appoint, to demand and take the Tolls herein before granted, or such Shares and Proportions

Tolls may be levied by Distress and Sale.

portions thereof as aforesaid, and to levy the same upon any such Person or Persons who shall, after Demand thereof made, neglect or refuse to pay the same, by Distress of any of the Goods, Cattle and Chattles of such Person or Persons, who ought to pay the same, and to detain such Goods, Cattle, and Chattles, until such Tolls, or Shares or Proportions thereof, with the reasonable Charges of such Distress shall be paid; and such Person or Persons so distraining shall and may, after the Space of Five Days after such Distress made and taken, sell the Goods so distrained, returning the Overplus (if any there be) upon Demand to the Owner thereof, after such Tolls, or Shares or Proportions thereof, and reasonable Charges for distraining, keeping, and selling the same, shall be deducted and paid.

Distress may be sold after 5 Days.

Trustees may lease the Tolls.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Trustees, or any Seven or more of them, from time to time, by Writing under their Hands and Seals, to assign, demise, or set out the Tolls and Duties aforesaid, or any Part thereof, to any Person or Persons whatsoever, from Year to Year, or for any Part of the Term hereby granted, not exceeding Three Years, upon Ten Days Notice in Writing, to be affixed on all the Turnpike-gates, and also upon the several Market-houses in Hereford, Brecon, and Hay, and upon publick Bidding to the highest Bidder, and for the best Price such Trustees can get for such Tolls and Duties, or any Part thereof, payable at such Times, and under such Covenants, as they the said Trustees, or any Seven or more of them, shall think fit, and to be paid to the said Trustees, or any Five or more of them, or to such Person or Persons as they, or any Five or more of them, shall appoint to receive the same; which Money so to be paid shall be applied and disposed of for amending the said Roads and the other Purposes herein mentioned.

Trustees may contract for repairing the Roads.

Provided always, and it is hereby enacted and declared, That the said Trustees, or any Seven or more of them, shall, and they are hereby impowered to contract with any Person or Persons for repairing, amending, and widening 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 or Persons so contracting with the said Trustees, or any Seven or more of them.

And be it further enacted by the Authority aforesaid, That if any Person or Persons whatsoever owning, renting,

ing,

ing, or occupying, any Lands or Grounds, shall knowingly or wittingly permit or suffer any Person or Persons to pass through the same with any Carriage, Cattle, or other Thing, hereby made liable to pay Tolls, whereby the Payment of the Toll by this Act laid, or any Part thereof, shall or may be avoided, every Person so offending, and also the Person or Persons thereby avoiding the Payment of the said Toll, or any Part thereof, and being thereof convicted upon Oath before the said Trustees, or any Three or more of them, or before One or more Justice or Justices of the Peace for the County where such Offence shall be committed (which Oath the said Trustees, or any Three or more of them, or any One of the said Justices, are hereby impowered to administer) shall, for every such Offence, forfeit and pay to the said Trustees, or to the Survivors of them, or to their Treasurer, the Sum of Twenty Shillings respectively, which shall be levied, in case the same be not forthwith paid, by Distress and Sale of the Offender's Goods, Cattle, or Chattles, returning the Overplus.

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

And be it further enacted by the Authority aforesaid, That if any Person or Persons shall, at any Time during the Continuance of this Act, take off, or cause to be taken off, any Horse or Horses, Mare, Gelding, or other Cattle, from any Coach, or other Carriage, at or before the same shall come to any of the Gates or Turnpikes to be erected by virtue of this Act, with an Intent to avoid paying any of the Tolls or Duties aforesaid, or any Part thereof; or shall put or leave in any House or Place any Coach, or other Carriage, Horse, Mare, Gelding, or any other Cattle, chargeable with, or liable to pay, the said Tolls, or any Part thereof, with such Intent as aforesaid, each and every Person so offending, and being thereof lawfully convicted, shall, for every such Offence, forfeit and pay to the Trustees appointed to put this Act in Execution, or to the Survivors of them, or to their Treasurer for the time being, the Sum of Twenty Shillings, which shall be levied, in case the same be not forthwith paid, by Distress and Sale (returning the Overplus) and applied as the Tolls granted by this Act are to be applied.

Penalty on Persons taking off Horses, &c. to avoid paying the Tolls.

And, for preventing Frauds and Abuses in the said Tolls, be it further enacted by the Authority aforesaid, That if any Person or Persons having paid the Tolls by this Act laid, or any Share or Proportion thereof, and having a Note or Ticket, Notes or Tickets, as the said Trustees, or any Five or more of them, shall direct to be given, shall dispose of the same to any Person or Persons, in order to avoid the Payment of any of the said Tolls,

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

or any Part thereof, every such Person so disposing of such Note or Ticket, Notes or Tickets, and also the Person or Persons receiving the same, being thereof convicted by Oath before the said Trustees, or any Three or more of them, or before One or more Justice or Justices of the Peace for the County or Place where such Offence shall be committed (which Oath the said Trustees, or any Three or more of them, or any One of the said Justices, are hereby impowered to administer) shall respectively forfeit, for every such Offence, the Sum of Twenty Shillings, One Moiety whereof shall go to the Informer, and the other Moiety shall be applied towards amending the said Roads.

Application of the Monies.

And be it further enacted by the Authority aforesaid, That out of the First Money arising by the Tolls or Duties which shall be collected at the several Gates or Turnpikes so to be erected, or out of the First Money borrowed on the Credit thereof, the Trustees, or any Seven or more of them, shall, in the First Place, pay and discharge all the Expences and Charges incident to and attending the obtaining and passing this Act of Parliament, and also the Charges and Expences of putting up and erecting such Gates, Turnpikes, and Toll-houses, as they shall think proper, on the said Roads; and, after paying the said Expences and Charges, then the Monies arising by the Tolls and Duties aforesaid, or which shall be borrowed on the Credit of such Tolls and Duties, shall be applied for and towards the repairing the said Roads, and other necessary Charges attending such Repairs, and other the Purposes directed by this Act, in such Manner and Proportions as the said Trustees, or any Seven or more of them, shall from time to time direct.

Tolls may be assigned for Money borrowed.

Provided also, and be it further enacted by the Authority aforesaid, That the said Trustees, or any Seven or more of them, shall and may, and are hereby impowered, from time to time, to borrow and take up at Interest, any Sum or Sums of Money upon the Credit of the said Tolls and Duties, and, from time to time, by Writing or Writings under their Hands and Seals, to assign over or mortgage the said Tolls and Duties, or any Part thereof, for any Time or Term during the Continuance of this Act, as a Security for any Sum or Sums of Money so to be borrowed; which said Tolls and Duties so to be assigned or mortgaged shall be a Security for Repayment of such Sum or Sums of Money so to be borrowed, and shall be repaid out of the Money arising by the said Tolls or Duties, with legal or less Interest for the same; which Money so borrowed (after paying and

discharging the Expences of obtaining this present Act of Parliament) shall be applied and disposed of as the said Tolls and Duties are by this Act directed to be applied and disposed of: But no Money shall be borrowed by the Trustees on the Credit of the Tolls or Duties aforesaid, after any Turnpike or Turnpikes shall be erected by virtue of this Act, unless Notice in Writing be given for that Purpose, by affixing the same upon such Turnpike Gate or Gates so erected, and on the Market-houses in Hereford, Brecon, and Hay aforesaid, at least Twenty Days before the borrowing such Money. Notice to be given of borrowing Money.

And be it further enacted by the Authority aforesaid, That the Right and Property of all and every the Gates, Turnpikes, and Toll-houses, Posts, Rails, and other Things appertaining thereto, which shall be erected by virtue of this Act, shall be vested in the said Trustees; and they, or any Five or more of them, are hereby authorized and impowered to dispose thereof as they shall think proper, and to bring Actions or Indictments in their Names, or in the Name or Names of their 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, or damage, such Gates, Turnpikes, and Toll-houses, Posts, Rails, and other Things appertaining thereto, or any or either of them. Turnpikes and Toll-houses, &c. vested in the Trustees.

And be it further enacted by the Authority aforesaid, That the said Trustees, or any Seven or more of them, shall meet at the House known by the Sign of The Three Horse Shoes, now kept by Richard Hancock, in Bredwardine aforesaid, on the First Day of July next, and shall then and there choose and elect a Treasurer or Treasurers, Clerk or Clerks, Surveyor or Surveyors, Receiver or Receivers, Collector or Collectors, and such other Officers as they shall think proper for carrying this Act into Execution; and shall then and there, or at any other Meeting or Meetings which shall be by them, or any Five or more of them, afterwards held, adjourn themselves to, and appoint any other Time or Times, Place or Places, in or near the said Roads, for any subsequent Meeting or Meetings, as the said Trustees, or any Five or more of them, at any of their said Meetings, shall direct or appoint: And if it shall happen that there shall not appear at any Meeting which shall be appointed to be held by the said Trustees, a sufficient Number of Trustees to act at such Meeting, and to adjourn to another Day; then, and in such Case, the Clerk to the said Trustees, by Notice in Writing under his Hand, to be affixed on the said Turnpike Gate or Gates, and on the respective Market-houses Time and Place of Trustees Meeting. Trustees may appoint Officers. Meeting to be adjourned. In Default of a sufficient Number to act, Notice to be given of another Meeting.

houses in Hereford, Brecon, and Hay, at least Ten Days before the next Meeting, shall appoint the said Trustees to meet at the House where the Meeting of the said Trustees was appointed to be held, or at some other convenient House near the said Roads, on that Day Fortnight on which such last Meeting of the said Trustees was appointed to be held; and that the said Trustees, at their first and all other subsequent Meetings, shall defray their own Charges and Expences; and the said Trustees, or any Seven or more of them, shall take such Security for the due Execution of the respective Offices, as they shall approve of; which Securities shall be lodged with such Person as the said Trustees, or any Seven or more of them, shall direct. And the said Trustees, or any Seven or more of them, may, and are hereby impowered to 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. Notice of such Election being first given and fixed on all the Turnpike-gates, and on the Market-houses in Hereford, Brecon, and Hays of the Time and Place of such Meeting, at least Ten Days before such Election; and shall and may, out of the Monies arising by the said Tolls, make such Allowance to the Clerk or Clerks, Treasurer or Treasurers, Receiver or Receivers, Collector and Collectors, Surveyor and Surveyors, and other Officers by them so appointed, for his and their Care and Pains, as to the said Trustees, or any Seven or more of them, shall seem proper.

Trustees to defray their own Expences.

Trustees may remove Officers, and appoint others.

Trustees to allow Officers Salaries.

Officers to account upon Oath.

And be it further enacted by the Authority aforesaid, That all and every such Collectors and Receivers, Clerks, Treasurers, Surveyors, and other Officers, who shall be appointed as aforesaid, and all and every other Person and Persons whatsoever, who shall have or receive any of the Monies which shall be raised by virtue of this Act, shall, from time to time, when and as often as he or they shall be thereunto required by the said Trustees, or any Five or more of them, produce, render, and give up to the said Trustees, or any Five or more of them, full, true, and fair Accounts in Writing, under their Hands, of all the Monies which shall have been by them respectively received, and how, to whom, and for what, such Monies, and every Part thereof, hath been paid or applied, together with proper Receipts and Vouchers for such Payments; and shall, and are hereby respectively required to pay all such Monies, as, upon the Ballance of such Accounts, shall appear to be in their respective Hands, to such Person or Persons as the said Trustees, or any

Five or more of them, shall direct; and that all and every the Persons so accounting as aforesaid, shall, if required, upon Oath (which Oath the said Trustees, or any Five or more of them, are hereby impowered to administer) verify their said Accounts, and all the Items and Articles thereof, and the several Receipts and Payments therein contained; and if any or either of the said Officers or Persons shall neglect or refuse to make or give such Account or Payment as aforesaid; then, and in either of the said Cases, upon Complaint made of any such Neglect or Refusal as aforesaid, to any Two or more Justices of the Peace for the County or Place where such Officer or Officers, Person or Persons, so neglecting or refusing, shall live or reside, such Justices may, and are hereby authorized and required, by a Warrant or Warrants under their Hands and Seals, to cause the Officer or Officers, Person or Persons, so refusing or neglecting, to be brought before them, and upon his or their appearing, or not being to be found, to hear and determine the Matters of such Complaint in a summary Way, and to settle the said Account or Accounts; and if it shall appear to such Justices, that any of the Monies, which shall have been raised or received by virtue of this Act, shall be in the Hands of such Officer or Officers, Person or Persons, such Justices may, and are hereby authorized and impowered, upon Non-Payment thereof, by a Warrant or Warrants under their Hands and Seals, to cause such Money to be levied by Distress and Sale of the Goods of such Officer or Officers, Person or Persons respectively; and if no Goods of such Officer or Officers, Person or Persons, can be found, sufficient to answer and satisfy the said Money, and the Charges of such Distress and Sale, or if such Officer or Officers, Person or Persons, shall not appear before the said Justices at the Time and Place by them appointed for that Purpose, upon Notice thereof in Writing being delivered to such Officer or Officers, Person or Persons, or left at their last Place or Places of Abode respectively, or, if appearing, shall refuse or neglect to give or deliver to the said Justices such Account or Accounts of their Receipts and Payments as aforesaid, or to verify the Truth of the said Account or Accounts, any of the Items and Articles thereof, upon Oath as aforesaid, or to produce or deliver up to the said Justices the several Receipts and Vouchers relating to such Accounts respectively, and to the Items and Articles thereof, or to pay the Ballance which shall appear to be due from them respectively as aforesaid, then, and in either of the said Cases, the said

Officers not making Account and Payment,

Justices to enquire into the Default,

Justices

Justices may, and are hereby authorized and required, by a Warrant or Warrants under their Hands and Seals, to cause such Officer or Officers, Person or Persons, to be committed to the Common Goal of the said Counties respectively, there to remain until he or they shall have delivered in and settled his or their respective Accounts, and verified the Items thereof as aforesaid, and shall have produced and delivered up the Receipts and Vouchers relating to such Accounts respectively, and shall have paid all the Money which shall appear to be in his or their respective Hands, and the reasonable Charges attending the same, or shall have compounded with the said Trustees, or any Five or more of them, for the same, and paid the Money which shall be thereby stipulated to be paid; which said Compositions and Money the said Trustees, or any Five or more of them, are hereby authorized and impowered to make and receive.

and commit the Offender to Gaol, until he shall conform.

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

And be it further enacted and declared by the Authority aforesaid, That such of the Trustees, appointed or to be appointed in or by virtue of this Act for repairing and amending the said Roads, as shall be a Justice or Justices of the Peace, may and is and are hereby authorized and impowered to act as a Justice or Justices of the Peace in the Execution of the Powers and Authorities hereby given to any Justice or Justices of the Peace, notwithstanding his or their being such Trustee or Trustees, except in such Matters and Things in which he or they shall be personally interested, in any or either of which said Matters and Things such Person or Persons shall not be intitled or impowered to act either as a Trustee or Justice.

On Death, &c. of Trustees, others to be chosen.

And, for continuing a sufficient Number of Trustees to put this Act in Execution with respect to the said Roads, be it further enacted by the Authority aforesaid, That when and as often as any such Trustees hereby appointed, or hereafter to be appointed, shall die, remove, or refuse to act, it shall and may be lawful to and for such of the said Trustees for the time being as shall survive and remain, or any Seven or more of them, by any Writing or Writings under their Hands and Seals, from time to time, during the Continuance of this Act, to elect, nominate, and appoint, One or more fit Person or Persons living in either of the said Counties of Hereford or Brecon, in the Room or Place of such Trustee or Trustees so dying, removed, or refusing to act; and such Person and Persons so elected, nominated, and appointed, shall be joined with such surviving or remaining Trustees in Execution of all and every the Powers in them reposed

by

by virtue of this Act; and Notice of the Time and Place of Meeting for the Election of such new Trustee or Trustees shall be given by the Clerk or Clerks to the said Trustees for the time being, who is and are hereby required to fix, or cause to be fixed, such Notice in Writing at or on all the Turnpike-gates which shall be erected by virtue of this Act, at least Twenty Days before the Meeting for such Election; and at or on the Market-houses in Hereford, Brecon, and Hay; and such Election shall be made between the Hours of Eleven of the Clock in the Forenoon and Five of the Clock in the Afternoon; and all and every such Person and Persons, as shall be chosen and appointed to be joined with such surviving or remaining Trustees, shall be vested with all Powers, Authorities, Rights, and Interests, and shall and may, and they are hereby authorized and impowered to act, to all Intents and Purposes, in as full, large, and ample a Manner, as the said Trustees nominated by this Act are hereby invested, authorized, and impowered to act and to do. 20 Days Notice to be given of such Election.

Provided also, and be it further enacted by the Authority aforesaid, That no Person whatsoever shall be qualified to act as a Trustee in any Case in the Execution of this Act, with respect to the said Roads, except in swearing other Trustees, unless he shall be in his own Right, or in the 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 One hundred Pounds above Reprizes, or possessed of, or intitled to, Personal Estate alone, or Real and Personal Estate together, to the Amount or Value of Two thousand Pounds, over and above Payment of his Debts; and unless the Person or Persons claiming to have One hundred Pounds a Year, or Two thousand Pounds Personal Estate alone, or Real and Personal Estate together as aforesaid, shall take and subscribe the Oath following; or, being of the People called Quakers, an Affirmation to the Purport of the said Oath, before any Two or more of the said Trustees (who are hereby authorized and required to administer the same) before he takes upon himself to act in the said Trust and Authorities by this Act granted; which Oath or Affirmation shall be in the Words, or to the Effect, following; that is to say, Qualification of Trustees.

I *A. B* do swear, (*or, being of the People called* Quakers, *do affirm*) That I truly and *bona fide* am in my own Right, or in the Right of my Wife, in the actual Possession and Enjoyment, or Receipt of the Rents and Profits

Profits of Lands, Tenements, and Hereditaments, of the clear yearly Value of One hundred Pounds above Reprizes, or possessed of, or intitled to, Personal Estate alone, or Real and Personal Estate together, to the Amount or Value of Two thousand Pounds, over and above Payment of any Debts.

*So help me* GOD.

Penalty on acting, if not qualified.

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

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

And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the Surveyor or Surveyors, to be appointed as aforesaid, and such Persons as he or they shall appoint, to dig, gather, or carry away, any Gravel, Furze, Heath, Sand, Stone, or other Materials (except Lime-stone from such Quarries where Kilns are or shall be at such Time erected for burning of Lime) out of any Brook, River, Waste, or Common, of or in any Parish, Town, Village, or Hamlet, wherein the said Roads, or any of them, do lie; and for want of sufficient Materials there, to dig, gather, take, and carry away the same (except as aforesaid) out of any Brook, River, Waste or Common, of any neighbouring Parish, Town, Village, or Hamlet, without paying any Thing for the same; such Surveyor or Surveyors levelling, or causing to be levelled, or otherwise securing, 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 Order of the said Trustees, or any Five or more of them, to dig and gather such Materials (except as aforesaid) in, and carry the same out of, the Grounds of any Person or Persons (not being the Ground whereon any Houses stand, or a Garden, Orchard, Yard, or Park, 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

without paying for the same.

if sufficient Materials cannot be had there, they may be taken from private Grounds;

Materials are or may be found, and from time to time to carry away the same, paying such Rates for such Materials, and for the Damage done to the Owners and Occupiers respectively of the Grounds where the same shall be digged or carried away, or over which the same shall be carried, out of the Tolls hereby granted, as the said Trustees, or any Five or more of them, shall judge reasonable: And in case of any Difference between such Owners or Occupiers and the said Trustees touching such Damages as aforesaid, the Justices of the Peace for the County where the Damage shall be done, at their next General Quarter Sessions to be holden in and for such County, or the major Part of them then present, shall and may finally determine the same.

making Satisfaction to the Owners.

Justices to determine Differences.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the Surveyor and Surveyors, and such Person or Persons as he or they shall appoint (by the Direction of the said Trustees, or any Five or more of them, under their Hands) from time to time, to remove and prevent Annoyances on any Part of the said Roads by Filth, Dung, Ashes, Rubbish, Watercourses, Sinks, or Drains, running into 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 in the Hedges or Banks adjacent, or in any Ground of any Person or Persons, not being a Garden, Orchard, Yard, Park, or Nursery for Trees, or Part of any Walk or Avenue to any House, and to take, carry away and sell the same, and apply the Money in repairing the said Roads; and in case the Owners and Occupiers shall neglect to cut down, lop, or top such Trees or Bushes, or to remove such other Annoyances as aforesaid, for the Space of Thirty Days after Notice in Writing given for that Purpose, or left at the Capital or Mansion-house belonging to the Owners or Occupiers of the Land on which the same shall stand, under the Hands of Five or more of the said Trustees; the Charges whereof shall be reimbursed to the said Surveyor or Surveyors by such Owners or Occupiers neglecting to cut down such Trees or Bushes, or to remove such Annoyances as aforesaid; and if after Removal of any such Annoyances, any Person or Persons shall again offend in the like Kind, every such Person or Persons so offending, and being thereof convicted upon Oath, or Affirmation of any of the People called Quakers, before One or more Justice or Justices of the Peace for the County or Place where such Offence shall be committed (who is and are hereby impowered

Surveyors may remove Annoyances in the Road, &c.

and cut down Trees, &c.

the Owners neglecting to remove the same after Notice;

Charges to be reimbursed the Surveyor.

Penalty of a Second Offence.

impowered to administer such Oath or Affirmation) shall for every such Offence forfeit and pay unto the said Trustees, or to their Treasurer for the time being, the Sum of Twenty Shillings, to be levied by Distress and Sale of the Offender's Goods and Effects.

Surveyors may make Causeways,

And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Surveyor or Surveyors, and such Person and Persons as they shall appoint, by Order of the said Trustees, or any Five or more of them, to make or cause to be made, Causeways, and cut and make Drains through any Grounds lying contiguous to the said Roads, and to make

erect Bridges, &c.

and erect Arches and Bridges upon the said Roads, and also to widen any of the narrow Parts of the said Roads, by opening, clearing, and laying into the same, any Ground of any Person or Persons lying contiguous thereto (not being the Ground whereon any House or Houses stand, or Orchard or Garden, planted Walk, or Avenue to an House already planted, or Nursery for Trees) and also to cause Ditches or Trenches to be made, in such Manner as such Surveyor or Surveyors, by Order of the said Trustees, or any Five or more of them, shall judge necessary for the better amending and keeping the Roads aforesaid in good Repair, making such reasonable Satisfaction to the Owners or Occupiers of such Grounds respectively, as shall be so laid in or unto the said Roads, or through which any Drain or Drains shall be cut or made, or on which any Causeway or Causeways, Arch or Arches, Bridge or Bridges, shall be made, for the Damages which such Owners or Occupiers respectively shall or may thereby sustain, as shall be adjudged by the said Trustees, or any Five or more of them: And in case any Differences shall happen between such Owners and Occupiers and the said Trustees, touching such Damages, then it shall and may be lawful to and for the Justices of the Peace, at their next General Quarter Sessions, or at their Second Quarter Sessions at farthest, to be holden for the County or Place where such Roads and Grounds respectively lie, or the major Part of them then present, to hear, settle, adjudge, and finally determine the same; and if any Owner or Owners, Occupier or Occupiers, of any Watercourse or Watercourses, Ditch or Ditches, adjoining to the said Roads, shall neglect or refuse to scour and cleanse such Watercourse or Watercourses, or to make such Ditch or Ditches so deep and in such Manner as the Surveyor or Surveyors appointed or to be appointed by virtue of this Act shall from time to time judge proper and convenient, after thirty Days Notice shall be given

making Satisfaction to the Owners of such Grounds.

Justices to determine Differences.

If the Owners shall neglect to scour their Ditches, after due Notice given for that Purpose,

for

for that Purpose by such Surveyor or Surveyors, or such Person or Persons as he or they shall appoint, to such Owner or Owners, Occupier or Occupiers, it shall and may be lawful to and for such Surveyor or Surveyors to cleanse the same; and by Warrant from any Five or more of the Trustees for the time being, to levy the Charge thereof upon the Goods and Chattles of the Owner or Owners, Occupier or Occupiers of such Watercourse or Watercourses, Ditch or Ditches, by Distress and Sale of his, her, or their Goods and Chattles, rendering the Overplus, if any be, after the Charges of such Distress and Sale thereout deducted, to the said Owner or Owners, Occupier or Occupiers, when by him, her, or them demanded. the Surveyors may set Men to work thereon, and levy the Charges.

And be it further enacted by the Authority aforesaid, That in case the said Trustees, or any Seven or more of them, shall judge it to be necessary to turn or alter any Part or Parts of the said Roads, and to take the Ground of any Person or Persons convenient and necessary for making a more commodious Road over the same, it shall and may be lawful for the said Trustees, or any Seven or more of them, and they shall have full Power and Authority to treat and agree with the Owner or Owners, Occupier or Occupiers, of such Land and Ground over which such new Road is intended to be made (not being Land whereon any House or Houses stand, or Orchard, Garden, planted Walk, or Avenue to any House already planted, or Nursery for Trees) and upon Payment of such Sum or Sums of Money as shall be so agreed upon, and acknowledged to be received, under the Hand and Seal, or Hands and Seals, of the Owner or Owners, Occupier or Occupiers thereof, such Ground shall, from thenceforth, be deemed and taken to be Part of the said Road, and remain for the Purpose aforesaid, as fully and effectually as if the same had been sold and conveyed by Deed of Feoffment, Bargain and Sale, Fine or Recovery, or any other Conveyance or Assurance in the Law whatsoever. Trustees may contract for the Purchase of Lands to be taken into the Roads.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful for any Body or Bodies Politick and Corporate, Aggregate or Sole, Feoffee or Feoffees in Trust, Mortgagee or Mortgagees in Possession, Executors, or Administrators, or Guardians of Infants, or other Person or Persons whatsoever, who shall be seised or possessed of, or interested in, such Land or Ground, to sell and convey the same for the Purpose aforesaid: And if it shall happen that such Body or Bodies Politick or Corporate, Trustee or Trustees, Mortgagee or Mortgagees, Bodies Politick, &c. may treat for the Sale of Lands, &c. Where Persons shall refuse or neglect to treat,

gers, or other Person or Persons whatsoever, shall refuse to treat or agree for the same, it shall and may be lawful for the said Trustees or any Seven or more of them, and they are hereby impowered to issue out a Warrant or Warrants, Precept or Precepts, to the Sheriff of such County wherein such Ground happens to lie, and who is hereby authorized and required to impanel and return before the said Trustees, or any Seven or more of them, a Jury of able and disinterested Men, qualified according to the Laws of this Kingdom, to serve on Juries for Trials of Issues joined in any of His Majesty's Courts of Record at Westminster, at such Time and Place as in such Warrant or Warrants, Precept or Precepts, shall be appointed; which said Jury, upon their Oath to be administered by the said Trustees, or any Seven or more of them (which Oath they, or any Seven or more of them, are hereby impowered and required to administer) and to inquire into, and assess, such Damage and Recompence as they shall judge fit to be awarded to the Owner or Owners, Occupier or Occupiers, of such Land or Ground, and for their respective Estates and Interest in the same, and the said Trustees, or any Seven or more of them, shall think necessary to be converted to the Purpose aforesaid; and upon such Verdict of the said Jury, the said Trustees, or any Seven or more of them, shall give Judgement for such Sum so assessed by the said Jury, and shall, upon Examination of Witnesses upon Oath, and by all other lawful Means, examine, hear, and determine, all Controversies and Matters whatsoever, touching any Matter or Thing relating to the aforesaid Premisses, or any Part thereof; and such Verdict of the said Jury, and Judgement of the said Trustees, or any Seven or more of them, and their Successors, and the legal Payment or Tender of the Sum or Sums of Money so to be assessed and adjudged, shall be final and binding, to all Intents and Purposes whatsoever, against the said Parties, their Heirs or Successors, Executors, Administrators, and Assigns, and all others claiming under him, her, or them, or any of them respectively, and shall be a full Authority for the said Trustees, or any Seven or more of them, to enter upon, use, possess, and enjoy, such Land and Ground for the Purpose aforesaid.

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

Verdict of the Jury to be binding and conclusive.

Provided always, and be it further enacted, That all and every Person or Persons concerned shall have all lawful Challenges against any Jurymen that shall be impanelled and returned as aforesaid, when they come to be sworn: And the said Trustees, or any Seven or more of them, shall have Power, from time to time, to impose any

Jurors may be challenged.

any Fine on the Sheriffs of the said Counties of Hereford and Brecon, or either of them, his or their Deputy or Deputies, Bailiffs, or Agents, who shall make Default in any of the Premisses, and on any Person or Persons returned and summoned to serve on such Jury as aforesaid, who shall not appear, or who shall refuse to be sworn on such Jury, or, being sworn, to give his or their Verdict, or in any other Manner wilfully neglect their Duty; and on any Person or Persons, who, being required to give Evidence touching the Premisses, shall neglect or refuse to appear, or, appearing, shall refuse to give Evidence; so as such Fine to be laid as aforesaid do not exceed the Sum of Ten Pounds upon any One Person for One Offence; and all such Fines shall be applied to and for the same Uses as the Tolls and Duties hereby granted are respectively to be applied.

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

Fine not to exceed 10 *l.*

And be it further enacted, That the said Trustees, or any Five or more of them, shall cause the said Roads to be measured, and Stones or Posts to be set up in or near the Sides of such Roads, each Stone or Post to be placed at the Distance of One Mile from another, with Letters and Figures thereon, denoting the Distance of every such Stone or Post from such Place as to the said Trustees, or any Five or more of them, shall seem meet; and if any Person or Persons shall voluntarily or maliciously break or remove any of the said Stones or Posts, or any Part thereof, or shall obliterate or deface any of the Words, Figures, Letters, or Marks, which shall be engraved or inscribed thereon, and shall be convicted thereof by the Confession of the Party, or on the Oath of One or more credible Witness or Witnesses before One or more Justice or Justices of the Peace for the said County or Place respectively where such Offence shall be committed, every such Person so offending shall forfeit and pay the Sum of Forty Shillings, to be levied by Distress and Sale, of the Goods and Chattles of every such Offender, by Warrant under the Hand and Seal, or Hands and Seals, of such Justice or Justices before whom such Conviction shall be made, such Forfeiture to be applied, One Moiety thereof in repairing or replacing such Stones or Posts, and in repairing the said Roads, and the other Moiety thereof shall be applied to and for the Use of the Informer; and in case the Person or Persons so offending and convicted shall have no Goods or Chattles, then it shall and may be lawful to and for any One or more of such Justice or Justices, by Warrant under his Hand and Seal, or their Hands and Seals, to commit such Person or Persons to the Common

Roads to be measured, and Mile-stones erected.

Penalty on defacing Mile-stones, &c.

to be levied by Distress and Sale;

and for want of Distress, the Offender to be committed.

Gaol

mon Goal, or House of Correction, for the County where such Offence is committed, for any Time not exceeding Three Months, nor less than One Month, and such Person and Persons shall not be discharged until he, she, or they, shall have paid the said Sum of Forty Shillings, or until the Expiration of the Term for which he, she, or they, shall be so committed.

Persons chargeable to the Repairs of the Roads to continue so.

Provided always, and be it further enacted by the Authority aforesaid, That all and every Person and Persons, Lands and Tenements, chargeable towards repairing and amending the said Roads, or any Part thereof, shall still remain chargeable with the Repairs thereof; and all and every Person and Persons shall do their respective Duties in the said Parishes, Townships, or Places, in such Manner as he, she, or they ought to have done before the passing this Act.

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 lead, touching what Part of the Statute-work, in any Parish, Place, or Division, ought to be done on the said Roads, be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for any Two or more Justices of the Peace, for the County or Place wherein such Parishes, Townships, or Places, shall respectively lie, upon Application made to them by the said Turnpike Surveyor, to adjudge and determine what Part or Proportion of the Statute-work shall be done in or upon the Roads aforesaid, by the Inhabitants of each or any of the Parishes, Townships, or Places, in which the said Roads hereby directed to be amended do lie.

Justices to determine Differences relating to Statute-work.

Trustees may compound with Parishes, &c. for Statute-work.

Provided always, and be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Trustees, or any Seven or more of them, 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 Repairs of any Part of the said Roads, 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, and Hereditaments, chargeable as aforesaid.

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, Townships or Places, in which the said Roads intended to be repaired do lie, shall yearly, and every year, during the Continuance of this Act, within Ten Days after Demand made to him or them in Writing by the Turnpike Surveyor or Surveyors, give and deliver to the said Turnpike Surveyor or Surveyors, an exact List, or Account in Writing, under his or their Hands, of all and every Person and Persons in the said respective Parishes, Townships, or Places, who are by Law chargeable with any Statute-work, and what Sort of Duty each Person is chargeable with: And the said Parish Surveyor or Surveyors for the time being respectively, within Ten 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 Roads, shall summon or give publick Notice thereof to the Person or Persons so chargeable as aforesaid: And if any Parish Surveyor or Surveyors shall neglect to do as they are hereby required to do, he or they, for every Neglect or Refusal, shall forfeit and pay the Sum of Forty Shillings: 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 (each Team or Teams not to contain less than Four good Horses or Beasts of Draught, with One Person to attend the same) to do and perform such their respective Days Work on the said Roads; he, she, or they, so neglecting or refusing, shall respectively forfeit and pay the Sum of Twenty Shillings for each Default: And if any Labourer, or other Person so chargeable towards repairing the said Roads, 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, she, or they, shall respectively forfeit and pay the Sum of One Shilling for each of the said Days such Labourer, or other Person or Persons, shall make such Default.

Surveyors to deliver in List of Persons liable to do Statute-work

Penalty on Surveyors Neglect;

and on Persons not performing Statute-work.

Provided always, and be it further enacted and declared, That no Trees or Timber shall be tushed, hauled, or dragged, upon or along the said Roads, or any Part thereof,

Penalty on hauling Timber, otherwise than with Wheel Carriages.

thereof, unless One End of such Trees and Timber at least shall be supported by and carried upon the Wheels of Carts, Waggons, or other Carriages; and if any Person or Persons shall rush, haul, or drag, any Trees or Timber thereon, without supporting or carrying the One End thereof upon Wheels, then the Owner or Owners of such Trees or Timber shall, for every such Offence, forfeit the Sum of Forty Shillings, One Moiety to be applied to the Informer, and the other Moiety towards amending the said Roads.

Commencement and Continuance of the Tolls.

And be it further enacted by the Authority aforesaid, That the Tolls and Duties hereby granted for passing through the said Turnpike-gate or Gates, shall commence and take place from and after the Twenty fourth Day of June, One thousand seven hundred and sixty, and shall continue and be paid (subject nevertheless to such Reduction as herein after mentioned) from thence for and during the Term of Twenty one Years, and from thence to the End of the then next Session of Parliament; but if at any Time before the Expiration of the said Term of Twenty one Years, all the said Roads shall be sufficiently amended and repaired, and so adjudged by the Justices of the Peace for the respective Counties in which such Roads lie, at their Quarter Sessions to be holden next after Easter, that then, and from Adjudication made, and Repayment of all such Monies as shall have been advanced, lent, borrowed, or taken up on the Credit of the said Tolls, with the Interest for the same, and the Costs and Charges thereof, and of obtaining this Act of Parliament, the aforesaid Tolls and Duties shall cease and determine; any thing herein contained to the contrary in any wise notwithstanding.

And whereas the said Road leading from the Town of Brecon to the Parish of Brobury aforesaid, through and cross the River Wye, at a Place called Bredwardine Passage in the said County of Hereford, is very dangerous, and often impassable, and at all Times very inconvenient and unsafe for the Passage of Carriages: And, for the more certain, safe, and speedy passing the said River, and for making a safe and near Communication between the said Towns of Brecon and Hay, and the City of Hereford, it will be necessary that a Bridge should be built and erected upon and over the said River Wye, at or near the said Place called Bredwardine Passage; be it further enacted by the Authority aforesaid, That James Allen, Williams Allen, Clerks; Harcourt Aubrey Esquire, Francis Annesley Esquire, James Ballard, Thomas Bayly, Gentlemen; Charles Bodenham, Shuckburg Boughton,

Trustees for building the Bridge.

William Bridges, James Brome, John Cotterel Brook, Esquires; John Caldecott Gentleman, John Cam Esquire, Francis Campbell M. D. Samuel Careless Gentleman, Thomas Carpenter Esquire, Thomas Chambers, William Chinn, Thomas Church, Thomas Clarke, Josias Clerke, Gentlemen; Price Clutton Esquire, Richard Coke Clerk, Howorth Cook Esquire, Thomas Cooke Gentleman, Velters Cornewall Esquire, Edward Cox Gentleman, William Dansey Esquire, William Davies Clerk, John Delahay Esquire, Isaac Donithorne Clerk, Edmund Eckley, Jonathan Elliot, Gentlemen; William Felton Clerk, Thomas Foley Esquire, Robert Foley Clerk, William Garnons Gentleman, John Geers Esquire, Henry Geers Clerk, Thomas Giles Clerk, Thomas Gomond Gentleman, Richard Gorges, Robert Minors Gouge, Edward Greenly, William Gregory, William Cope Gregory, Esquires; John Gwillim Gentleman, Thomas Gwillim Esquire, James Lloyd Harris, Charles Haywood, Gentlemen; George Heathcote, James Hereford, Esquires; Lewis Higgins, Robert Higgins, Thomas Higgins, Gentlemen; William Holmes Gentleman, Richard Hopton, Richard Cope Hopton, Chandos Hoskyns, John Hunt, Esquires; Edward James Gentleman; John Jones Clerk, Lacon Lambe Gentleman, Theophilus Lane Esquire, James Lane Gentleman, Scudamore Lechmere Esquire, Percival Lloyd Gentleman, William Maddox, Timothy Markham, John Medley Esquires; Richard Moore Gentleman, Sir John Morgan Baronet, Walwyn Morgan, Charles Morgan, Clerks; John Parry Clerk, John Patteshall, Thomas Penoyre, Thomas Phillipps, Esquires; John Powell Gentleman, Robert Price Esquire, Samuel Prosser Clerk, William Ravenhill, Robert Read, Arnold Rusel, Gentlemen; Thomas Rusel Clerk, Anthony Sawyer Esquire, Sayer M. D. Charles Fitzroy Scudamore, John Scudamore, Esquires; Thomas Seaborne Gentleman, Walwyn Shepheard, John Simons, Richard Smyth, Esquires; John Smyth, David Smyth, Gentlemen; Thomas Symonds Esquire, Robert Symonds, William Symonds, Gentlemen; George Terry Gentleman, James Walwyn Esquire, Richard Waring Clerk, James Watkins the elder, James Watkins the younger, Thomas Weale, Samuel Weale, Gentlemen; John Whitmore Esquire, Thomas Wickens, William Willim, Clerks; John Wood Gentleman, John Woodcock Clerk, Cave Woodhouse Esquire, James Woodhouse, John Woodhouse, Gentlemen; and Robert Dobyns Yate Esquire, and also the Thirty one Chief Citizens, otherwise called The Common Council of the City of *Hereford*, and their Successors, shall be, and they are hereby constituted and appointed

appointed Trustees for designing, erecting, ordering, building, and compleating such Bridge, and for maintaining, preserving, and supporting the same when built.

Their First Meeting.

And be it further enacted by the Authority aforesaid, That the said Trustees, or any Five or more of them, shall meet together at the House known by the Sign of The Three Horse Shoes, now kept by Richard Hancock, in Bredwardine aforesaid, on the Twenty first Day of July next, and shall then adjourn themselves, and afterwards meet there, or at any other Place, as the said Trustees, or any Five or more of them, shall think proper or convenient, as often as it shall be necessary for putting the Powers herein after contained into Execution: And if it shall happen, that there shall not appear at any Meeting, which shall be appointed to be had or held by the said Trustees, a sufficient Number of Trustees to act at such Meeting, and to adjourn to another Day; in such Case, the Clerk of the said Trustees shall, by publick Notice in Writing, to be placed or set up on the Market House of the City of Hereford in the County of Hereford, at least Fourteen Days before the next Meeting, appoint the said Trustees to meet at the Place where the Meeting of the Trustees was so appointed to be held, or any other convenient Place within the City of Hereford, or elsewhere.

Adjournments and future Meetings;

May appoint in what Manner the Bridge shall be built.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Trustees, or any Seven or more of them, and they are hereby impowered to design, assign, and lay out, how and in what Manner the said intended Bridge shall be made, erected, built and compleated, and the Ways and Passages to and from the same, and to preserve and keep in Repair such intended Bridge, Ways, and Passages, from time to time, and to make, contract, and do all Matters and Things necessary for carrying on and effecting the Purposes aforesaid, and to cause the same to be effectually done and perfected accordingly.

Penalty on wilfully destroying or damaging the Bridge.

And, for preventing wilful and malicious damaging or destroying the said Bridge, or any Part thereof, or hindering or interrupting the Building of the same; be it enacted by the Authority aforesaid, That if any Person or Persons shall wilfully and maliciously blow up, pull down, or destroy the said Bridge, or any Part thereof, or attempt so to do, or unlawfully, and without Authority from the said Trustees or their Successors, remove or take away any Works thereunto belonging, or in any wise direct or procure the same to be done, whereby the said Bridge, or the Works thereof, may be damaged, or

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the Lives of the Passengers endangered, such Offender or Offenders, being lawfully convicted, shall be adjudged guilty of Felony, and shall suffer Transportation for Seven Years, as in any other Case of Felony.

Materials thereof vested in the Trustees.

And be it enacted by the Authority aforesaid, That all Timber, Stones, Bricks, Planks, Piles, Iron, and all other Materials, which shall be made use of or towards building or making the said Bridge, or in or about the same, or for maintaining, repairing, or supporting the same, or for making the said River deeper, shall always be deemed to belong and appertain to, and be the Property of, the said Trustees and their Successors.

Trustees impowered to treat with Owners of Lands,

And be it further enacted by the Authority aforesaid, That the said Trustees, or any Seven or more of them, shall have full Power and Authority to treat and agree with the Owners and Occupiers of such Lands and Grounds on each Side of the said River, as they, or any Seven or more of them, shall judge necessary for erecting the said Bridge upon, and for making proper and convenient Roads, Ways, and Passages to the said Bridge, and rendering the Roads, Ways, and Passages thereto more commodious; and upon Payment of such Sum or Sums of Money so agreed upon, and acknowledged to be received by the Owner or Owners, Occupier or Occupiers thereof, under his or their Hand and Seal, or Hands and Seals, the said Trustees, or any Seven or more of them, are hereby authorized to appoint Workmen to take and fence in such Lands and Grounds; and the same shall from thenceforth be and remain for the Purposes aforesaid, to all Intents and Purposes, as if the same had been sold by Deed of Feoffment, Bargain, and Sale, or by Fine and Recovery, or any other Conveyance or Assurance in the Law whatsoever.

and with Corporations, &c.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful for any Body or Bodies Politick and Corporate, Aggregate or Sole, Feoffee or Feoffees in Trust, Mortgagee or Mortgagees in Possession, Executors or Administrators, Guardians of Infants, or other Person or Persons whatsoever, who shall be seised or possessed of, or interested in, any such Lands or Grounds, to sell and convey the same for the Purposes aforesaid; and if it shall happen that such Body or Bodies Politick or Corporate, Trustee or Trustees, Mortgagee or Mortgagees, or other Person or Persons whatsoever, shall refuse to treat or agree for the same, it shall and may be lawful for the said Trustees, or any Seven or more of them, and they are hereby impowered to proceed to assess the Value thereof by a Jury of the County of Hereford,

Where Persons refuse to treat, &c. for Sale of such Lands, &c.

Jury to settle the Recompence.

in the same Manner and with the same Powers as are herein before directed for assessing and valuing the Lands and Grounds, and Recompence to be made to the respective Owners thereof, which shall be taken for turning, altering, or making any new Roads in this Act before mentioned; and the Verdict of the Jury and Judgement of the said Trustees, and their Successors, thereupon to be given, and the legal Payment or Tender of the Sum or Sums of Money so assessed and adjudged, shall be binding to all Intents and Purposes whatsoever, against the said Parties, their Heirs and Successors, Executors, Administrators, and Assigns, and all others claiming or to claim, by, from, or under him, her, or them, or any of them respectively, and shall be a full Authority for the said Trustees, or any Seven or more of them, to enter upon, use, possess, and enjoy such Lands and Grounds for the Purposes aforesaid.

Verdict of the Jury to be final and conclusive.

Consideration Money how to be paid.

And be it further enacted by the Authority aforesaid, That all Sums of Money, or other Consideration, Recompence or Satisfaction, to be paid or made, pursuant to any such Agreement, Verdict, Judgement, or Determination, shall be, and are hereby charged and chargeable upon the Tolls and other Money herein after appointed to be received and raised, and shall be paid thereout accordingly.

Trustees may determine the Recompence to be made to Mr. *Cornewall*,

Provided also, and be it further enacted, That the said Trustees, or any Nine or more of them, shall be, and are hereby impowered and required, before the said Bridge shall be compleatly finished and made passable, to settle, assess, and determine what Recompence shall be made to Velters Cornewall Esquire, his Heirs or Assigns, or his Lessee or Lessees, his, her, or their Assigns, for and in respect of his and their Property and Interest in the Ferry which passes across the said River Wye, at the said Place called Bredwardine Passage, which Recompence shall be determined and adjusted by the said Trustees, in Manner following; that is to say, The said Trustees, or any Nine or more of them, shall and may, and are hereby authorized to settle and agree with the said Velters Cornewall, his Heirs or Assigns, Lessee or Lessees, his, her, or their Assigns, or any of them, by Writing or Writings under their respective Hands and Seals, what Recompence and Satisfaction shall be made for his, their, or any of their Right, Property, or Interest in the said Ferry: And in case such Recompence cannot be settled by Agreement between the said Trustees and the said Velters Cornewall, his Heirs or Assigns, Lessee or Lessees, his, her, or their Assigns, then the said Trustees shall proceed to assess the

same by a Jury of the County of Hereford, in the same Manner, and with the same Powers as are herein before directed for the assessing the Damages for the said Lands or Grounds; and the Verdict of such Jury, and the Judgement of the said Trustees thereupon, shall be final and conclusive: And the said Trustees are hereby required to cause such Recompence to be paid out of the Monies intended to be raised by the Tolls hereby made payable for passing over the said Bridge, or to be borrowed on the Credit thereof, within One Month after the said Bridge shall be erected and made passable.

Provided also, and be it further enacted, That the said Trustees, or any Nine or more of them, shall be, and are hereby impowered and required, before the said Bridge shall be compleatly finished and made passable, to settle, assess, and determine, what Recompence shall be made to Robert Price Esquire, his Heirs or Assigns, or his Lessee or Lessees, his, her, or their Assigns, for and in respect of his and their Property and Interest in the Ferry which passes across the said River Wye, at a Place called Byford; and also to settle, assess, and determine, what Recompence (if any) shall be made to any other Person or Persons, his, her, or their Lessee or Lessees, Heirs or Assigns, for and in respect of his, her, and their Property and Interest in any Boat or Ferry passing over the said River; which Recompence shall be determined and adjusted by the said Trustees, in the same Manner, and with the same Powers, and the Recompence to be paid in the same Manner as is herein before directed in respect to the said Ferry at Bredwardine. and Mr. *Price*;

And be it further enacted by the Authority aforesaid, That the said Trustees, or any Seven or more of them, shall and may, by themselves, their Servants, Agents, Workmen, and others, from time to time, and at all Times hereafter, do all Matters and Things necessary or convenient for building, maintaining, continuing, and perfecting the said Bridge, and the navigable Passages under the same, or for the Improvement or Prosecution thereof, doing as little Damage as may be, and first giving Satisfaction to the respective Owners and Proprietors of such Lands, Tenements, or Hereditaments, as shall be made use of for every or any of the Purposes aforesaid, or that in any wise shall be prejudiced or damaged by the carrying on the building, preserving, and continuing, or maintaining the said Bridge, or the said Navigation; such Satisfaction and Damages to be ascertained in the Manner herein before directed, according to the true Intent and Meaning of this Act, and to be raised and paid and do all Things necessary for building the Bridge.

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out of the Tolls and Money herein after appointed to be paid.

And, for the raising Money for building the said Bridge, and the repairing, preserving, and supporting the same, and the Ways and Passages thereto, from time to time, and the purchasing such Lands and Grounds as aforesaid; be it enacted by the Authority aforesaid, That there shall be paid to the Receiver or Receivers, Collector or Collectors, to be nominated and appointed as herein after mentioned, for Pontage, in the Nature of a Toll, before any Passage over the said Bridge shall be permitted, the several Sums following; that is to say,

The Tolls.

For every Horse, Mare, Gelding, or other Beast of Burden, laden or unladen, and not drawing, One Penny.

For every Horse, Mare, Gelding, or other Beast of Draught, drawing any Coach, Chariot, Waggon, Cart, or other Carriage whatsoever, Three Pence.

For every Score of Cattle, Ten Pence.

And for every Score of Calves, Swine, Sheep, and Lambs, Five Pence; and so in Proportion for any greater or less Number.

And for every Foot-passenger, One Halfpenny.

Which said respective Sums of Money shall and may be demanded and taken in the Name of Pontage, or as a Toll or Duty, and shall commence as soon as the said Bridge is compleated; and all Monies which shall be raised by the said Tolls or Duties, or which shall be borrowed on the Credit thereof, are hereby vested in the said Trustees; and the same and every Part thereof shall be paid, applied, disposed of, and assigned to and for the several Uses, Intents and Purposes, and in such Manner as is herein after mentioned and directed.

Tolls vested in the Trustees.

And whereas the said Road leading from the Towns of Brecon and Hay, to the Parish of Brobury aforesaid, branches out into several Parts near the said River, so that in the Summer Season Persons may ford through the same in shallow Places thereof, and avoid paying any Toll at the said Bridge; for Remedy thereof, be it enacted, That it shall and may be lawful for the said Trustees, or any Seven or more of them, to erect a Gate or Gates, Toll-house or Toll-houses, on the said Road, at any Place not exceeding the Distance of Three Furlongs from the said Bridge, as well as at either End of the said Bridge, for taking and receiving the Toll or Pontage hereby granted for passing the said Bridge.

Trustees may erect Gates 3 Furlongs from the Bridge:

Provided always, and it is hereby enacted and declared, That it shall and may be lawful for all and every the Inhabitants and Occupiers of Lands or Tenements in the Parishes

Parishes of Bredwardine, Moccas, a[illegible] in the said County of Hereford, [illegible] pass and repass at all Times, with all [illegible] Carriages, Horses, Cattle, and other Things whatsoever, through any Gate or Gates which shall be erected on the said Road for taking the Toll or Pontage hereby granted, without paying any such Toll or Pontage, unless such Person or Persons, Carriages, Horses, Cattle, or other Things, shall pass over the said Bridge, in which Case the said Toll or Pontage shall be paid by and from them, as well as by any other Person or Persons whatsoever.

But the Inhabitants of redwardine, Bredwardine, and Preston, not to pay unless they go over the Bridge.

Provided always, and it is hereby enacted, That no Person or Persons having passed over the said Bridge, or through any Gate or Gates to be erected for collecting the said Toll or Pontage, and having paid the said Toll or Pontage or either of them, and producing a Note or Ticket that such Toll or Pontage was paid (which Note or Ticket the Collector or Collectors, Receiver or Receivers thereof, are hereby required to give gratis) and passing or repassing the same Day, before Twelve of the Clock at Night, with the same Coach, or other Carriages, or any Sort of Cattle, Calves, Hogs, Sheep, or Lambs, through the same or any other Gate to be erected as aforesaid for collecting the said Toll or Pontage, shall be liable to pay the said Toll or Pontage again the same Day: And the said Trustees and their Successors, or any Five or more of them, are hereby impowered by themselves, or by any Person or Persons by them, or any Five or more of them, thereto authorized, to levy the Tolls or Duties hereby required to be paid for passing over the said Bridge, or through any Gate or Gates to be erected for collecting the same, upon any Person or Persons who shall, after Demand thereof made, neglect or refuse to pay the same as aforesaid, or to deny or hinder any Passage over the said Bridge, or through such Gate or Gates, until Payment thereof; which Toll or Duty shall and may be levied by Distress of any Horse or Horses, or other Cattle, Goods, or Effects, of such Person or Persons as ought to pay the same; and all such Horses, or other Cattle, Goods, and Effects, may be kept and detained, until such Toll or Duty, with the reasonable Charges of such Distress, Keeping, and Detaining, shall be paid; and it shall be lawful for the Person or Persons so distraining, after the Space of Five Days after such Distress made or taken, to sell the Cattle, or other Goods or Effects, so distrained for Payment of the said Toll or Pontage, rendering to the Owner or Owners thereof the

Tolls to be paid but Once a Day;

and may be levied by Distress and Sale.

Overplus, upon Demand, after Satisfaction of the said Toll or Pontage, and the reasonable Charges in or about making such Distress and Sale, and keeping the same, shall be deducted and paid.

Penalty on Persons permitting, or going thro' private Passages, &c.

And, for preventing Frauds and Abuses in the said Toll or Pontage, be it further enacted by the Authority aforesaid, That if any Person or Persons owning or occupying any Land, shall knowingly or wittingly permit any Person or Persons to pass through the same with any Carriage, Cattle, or other Thing, liable to pay Toll or Pontage at either of the said Gate or Gates, whereby the Payment of the said Toll or Pontage shall or may be avoided; or if any Person or Persons having paid the Toll or Pontage for passing over the said Bridge, or through any Gate or Gates to be erected for collecting thereof, and having such Note or Ticket, Notes or Tickets, as the said Trustees, or any Five or more of them, shall direct to be given, shall dispose of the same to any other Person or Persons, in order to avoid the Payment of the said Toll or Pontage, every such Person so disposing of such Note or Ticket, Notes or Tickets, and the Person receiving the same, being thereof convicted upon Oath 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 said County of Hereford (which Oath the said Trustees, or any Five or more of them, or the said Justice or Justices, are hereby impowered to administer), shall respectively forfeit and pay the Sum of Twenty Shillings for every such Offence, to be recovered and levied in the same Manner as the other Penalties herein before mentioned are directed to be levied; One Moiety whereof shall go to the Informer, and the other Moiety shall be applied for the same Purposes as the Money to be received for Pontage is directed to be applied.

Tolls may be assigned for Money borrowed.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Trustees, or any Seven or more of them, from time to time, by Writing under their Hands and Seals, to assign, lease, demise, lett, farm, or set out, the Tolls hereby granted and made payable for passing over the said Bridge, or any Part thereof, to any Person or Persons whatsoever, from Year to Year, or for any Part of the Term hereby granted, not exceeding Three Years, upon Ten Days Notice in Writing, to be affixed on the Markethouses in Hereford and Hay, 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,

Trustees, or any Seven or more of them, shall think fit, and to be paid to the said Trustees, or any Seven or more of them, or to such Person or Persons as they, or any Seven or more of them, shall appoint to receive the same; which Money, so to be paid, shall be applied and disposed of for and towards repairing the said Bridge, and the other Purposes herein mentioned, and to no other Use or Purpose whatsoever.

Surveyors may take Gravel, &c. from Waste Grounds, &c.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Trustees, or any Five or more of them, or any Person or Persons employed by them, or any Five or more of them, to dig, take, and carry away, or cause to be dug, taken, and carried away, any Gravel, Sand, Stone, or other Materials for erecting and repairing the said Bridge, out of any Waste or Common Ground, within any of the Parishes near the said intended Bridge, without paying or making any Satisfaction for the same; and also in the Grounds of any Person or Persons whatsoever (not being a Garden, Orchard, Yard, Meadow, Park, Paddock, planted Walk or Walks, or Avenue to an House, or a Nursery for Trees) where any such Materials are or may be found, and, from time to time, to carry away such and so much thereof as he or they shall think necessary, making a reasonable Satisfaction for the same.

without paying for the same;

and in private Grounds,

making Satisfaction to the Owners.

Trustees may appoint Officers.

And, to the end the said Tolls may be duly collected and accounted for, be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Trustees, and their Successors, or any Five or more of them, at any Time or Times hereafter, by any Writing or Writings under their Hands and Seals, to nominate and appoint such Person or Persons to be Treasurer or Treasurers, Receiver or Receivers, Collector or Collectors, of the said Tolls, and such other Officers and Clerks, as they shall think fit: And all Persons by this Act liable to pay the said Tolls, or any of them, are hereby required to pay the same, after the Rates aforesaid, to such Receiver or Receivers, Collector or Collectors; and all such Receivers and Collectors shall respectively pay the same into the Hands of such Person and Persons as the said Trustees, or their Successors, or any Five or more of them, shall, from time to time, direct and appoint; and shall also upon Oath, if thereunto required by the said Trustees and their Successors, or any Five or more of them, before One or more Justice or Justices of the Peace of the said County of Hereford (which Oath such Justice or Justices is and are hereby impowered and required to administer) from time to time, give in a true, exact, and

Officers to account upon Oath, &c.

perfect

perfect Account in Writing, under their respective Hands, of all Monies which they, 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; for which Oath no Fee or Reward shall be taken, nor shall the same be wrote upon any Stamp: And the said Trustees, or any Five or more of them, shall and may, out of the Tolls and Duties hereby granted and made payable for passing over the said intended Bridge, make such Allowances unto such Receiver and Receivers, Collector and Collectors, and all other Officers and Persons to be employed by or under the said Trustees, for their Care and Pains in the Execution of their respective Offices, as the said Trustees, or any Five or more of them, shall think fit and reasonable: And in case any such Receiver or Receivers, Collector or Collectors, of the last-mentioned Tolls, shall not make such Account and Payment as by this Act directed, according to the Orders and Directions of the said Trustees, or any Five or more of them, then such Justice or Justices aforesaid shall commit the Party or Parties to the Common Goal of the said County of Hereford, until they shall have made a true Account and Payment as aforesaid.

Trustees to allow Officers Salaries.

Officers refusing to account;

to be committed.

And be it further enacted by the Authority aforesaid, That the Treasurer or Treasurers, Receiver or Receivers, Collector or Collectors, or other Officers to be appointed by the Trustees, for erecting, building, and repairing the said Bridge, shall, before he or they enter upon their respective Offices, give such Security for the due Execution thereof to the said Trustees, or any Five or more of them, as to the said Trustees, or any Five or more of them, shall seem meet.

Treasurer, &c. to give Security.

And, for continuing a sufficient Number of Trustees for building, erecting, maintaining, and supporting, the said Bridge, and for putting in Execution all and every the Powers hereby granted or given relating thereto; be it enacted by the Authority aforesaid, That when and as often as any of the Trustees hereby appointed, or hereafter to be appointed, for building and supporting the said Bridge, shall die, remove, or refuse to act, it shall and may be lawful for such of the said Trustees for the time being as shall survive and remain, or any Seven or more of them, by any Writing or Writings under their Hands and Seals, from time to time, during the Continuance of this Act, to elect, nominate, or appoint, One or more fit Person or Persons living in the Counties of Hereford, in the Room or Place of such Trustee or Trustees so dying, removed, or refusing to act; and such Person

On Death, &c. of Trustees, others to be chosen.

and Persons so elected, nominated, and appointed, shall be joined with such surviving or remaining Trustees in Execution of all and every the Powers in them reposed by virtue of this Act; and Notice of the Time and Place of Meeting for the Election of such new Trustee or Trustees shall be given by the Clerk or Clerks to the said Trustees for the time being, who is and are hereby required to fix, or cause to be fixed, such Notice in Writing on the Market-house at Hereford, at least Twenty Days before the Meeting for such Election; and such Election shall be made between the Hours of Eleven of the Clock in the Forenoon and Five of the Clock in the Afternoon: And all and every such Person and Persons, as shall be chosen and appointed to be joined with such surviving or remaining Trustees, shall and may, and they are hereby authorized and impowered to act, to all Intents and Purposes, in as full, large, and ample Manner, as the said Trustees nominated by this Act are hereby authorized and impowered to act and to do. or

20 Days Notice to be given of such Election.

And be it further enacted by the Authority aforesaid, That all and every such Sum and Sums of Money, as shall be raised or received by the Tolls hereby granted and made payable for passing over the said Bridge, or through any Gate to be erected for collecting thereof, or which shall be advanced or borrowed on the Credit thereof, shall be applied and disposed of for building and erecting the said intended Bridge, with such Materials, and in such Manner, as the said Trustees, or any Seven or more of them, at any General Meeting, shall direct, and for supporting, repairing, and amending the same; the necessary Charges of managing, collecting, and receiving the said Tolls from time to time being first deducted.

Application of the Monies.

And be it further enacted by the Authority aforesaid, That there shall be provided and kept by the Treasurer or Treasurers, Collector or Collectors, Receiver or Receivers, to be nominated and appointed pursuant to this Act, One or more Book or Books, in which all Monies received by virtue of this Act, or for any the Purposes thereof, and all Payments and Disbursements out of the same by Order or Direction of the said Trustees, or any Five or more of them, (all which Orders and Directions shall be under their Hands in Writing) shall from time to time be fairly set down and entered, truly expressing the Time when, and the Names of the Persons respectively from or by whom, the same were so received or disbursed, or for what Uses or Purposes; and that Four Times at least in every Year, to wit, at the Feast of Saint Michael the Archangel, the Nativity of our Lord

Treasurer to keep Books of Account.

Christ, the Annunciation of the Blessed Virgin Mary, and the Feast of Saint John the Baptist, the Account from the said Books shall be fairly drawn and stated, and signed by the said Treasurer or Treasurers, Receiver or Receivers, and delivered by him or them to the said Trustees; which said Trustees, or any Five or more of them, are hereby impowered to discharge such Treasurer or Treasurers, Receiver or Receivers, Collector or Collectors, in accounting, of all such Monies as he or they shall so as aforesaid fairly and truly account for, and the said Accounts, together with Copies of all Contracts or Agreements from time to time made by the said Trustees for any of the Purposes of this Act, shall be delivered for safe Custody to such Person as the said Trustees, or any Five or more of them, shall direct and appoint.

Trustees may borrow Money on Credit of the Tolls.

And, to the End a sufficient Sum of Money may be speedily raised for building, erecting, and compleating the said Bridge, and for better securing such Money so to be raised; be it further enacted by the Authority aforesaid, That it shall and may be lawful for the said Trustees and their Successors, or any Seven or more of them, and they are hereby impowered, by any Deed or Writing under their Hands and Seals, to convey and assure the Tolls arising from the said Bridge, or any Part thereof, as a Security for any Sum or Sums of Money by them to be borrowed for the Ends and Purposes aforesaid, to any Person or Persons, Bodies Politic or Corporate, that shall or will lend or advance the same for securing the Repayment thereof with Interest.

Trustees may lend Money, and contract for building the Bridge;

And be it enacted by the Authority aforesaid, That any of the said Trustees for the time being, or their Successors, are and shall be capable, and they are hereby enabled and made capable, as well to advance and lend any Sum or Sums of Money, as also to undertake, contract, and agree for the Erecting and Building the said Bridge, or any Part thereof, as fully and effectually, to all Intents and Purposes, as any other Person or Persons whatsoever; any thing herein contained to the contrary notwithstanding.

and may assign the Tolls to the Contractors.

And for the more effectually enabling the said Trustees, as speedily as may be to compleat and perfect the said Work; be it enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Trustees, or any Seven or more of them, at any Time or Times to convey or assign over, for any Term or Number of Years, all or any of the Tolls, Revenues, Profits, or Incomes, of or belonging to the said Bridge, or which shall in any wise arise, accrue, or belong to the same, unto such Per-

son or Persons as will undertake, contract, and agree to erect and build the said Bridge, and to preserve and keep the same in good and sufficient Repair, for so long Time as the Trustees shall think fit, provided such Person or Persons shall give sufficient Security so to do, to the Satisfaction of the said Trustees, or any Seven or more of them; any thing herein contained to the contrary notwithstanding.

Trustees not to act where interested.

Provided always, That no Person or Persons whatsoever shall sit or act as a Trustee or Justice in any Case wherein he, or they are in any wise directly or indirectly interested, or concerned of or in the Matter or Matters in Question.

Bridge to be extraparochial.

And be it enacted by the Authority aforesaid, That the said Bridge shall not be rated or assessed for or towards the Land Tax, the Repairs of Highways, Poors-rate, Church-wardens, or any other Parish-rate whatsoever, nor shall be deemed or taken to be a County Bridge, so as to subject the County of Hereford to the repairing or supporting the same; but shall be deemed extraparochial to all Intents and Purposes whatsoever.

Writings to be without Stamps.

Provided always, and be it further enacted by the Authority aforesaid, That no Nomination, Appointment, Information, Order, Judgement, Conviction, Warrant, Conveyance, or other Writing whatsoever, under the Hand and Seal, or Hands and Seals, of any Trustee or Trustees for putting this Act or any Part thereof in Execution, or any Justice or Justices of the Peace, touching the Execution of any Power or Authority hereby vested in such Trustees or Justices of the Peace, shall be charged with any Stamp Duty whatsoever.

Penalties and Forfeitures how to be recovered and applied.

And be it further enacted by the Authority aforesaid, That all Penalties and Forfeitures (touching which no other Provision is by this Act made) shall be levied by Distress and Sale of the Offenders Goods, Cattle, and Effects, by Warrant under the Hands and Seals of One or more of his Majesty's Justices of the Peace, for the said Counties of Hereford and Brecon, which Warrant or Warrants the said Justice or Justices are hereby impowered and required to issue, upon the Information of One or more credible Witness or Witnesses, upon Oath (which Oath the said Justice or Justices are hereby impowered and required to administer without Fee or Reward) and the Penalties and Forfeitures, after rendering the Overplus (if any be) upon Demand to the Party or Parties whose Goods or Chattles shall be distrained (the Charges of such Distress and Sale being first deducted)

shall

shall be applied and laid out, if not otherwise disposed of by this Act, for such and the same Uses and Purposes as the respective Tolls hereby laid and made payable are respectively applicable.

Books may be read in Evidence.

Provided always, and be it further enacted by the Authority aforesaid, That all Orders, Agreements, Assignments, Transfers, and other Proceedings of the said respective Trustees, entered in a Book or Books, to be kept by the respective Clerks to the said respective Trustees, at any Meeting of Five or more of the said respective Trustees, shall and may be produced and read in Evidence, in all Cases of Appeal, Suits, or Actions, touching any thing done in pursuance and by the Authority of this Act.

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

Provided always, and it is hereby further enacted by the Authority aforesaid, That the said Trustees for the said Roads and Bridge, or any Seven or more of them, are hereby authorized and impowered, from time to time, in case it shall appear to be requisite and expedient, to lower or sink the several Tolls and Duties hereby respectively vested in them as aforesaid; and to order and direct such Tolls and Duties so to be reduced and lowered, 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 Money on the Credit of the said respective Tolls, or who at the Time of such Reduction shall have any Money secured thereby; but such Reduction shall not be made, unless Notice in Writing be given for that Purpose, by affixing the same upon the Market-houses at Hereford, Brecon, and Hay, at least Twenty Days before making such Reduction, any thing herein contained to the contrary in any wise notwithstanding.

and raise them again.

Provided always, That if at any Time after such Reduction of the Tolls aforesaid, the Tolls so reduced shall not be found sufficient to answer the Purposes intended by this Act, that then it shall and may be lawful to and for the said respective Trustees, within their respective Districts or Jurisdictions, or any Seven or more of them, to raise the said Tolls, or any of them, to the respective Sum or Sums herein before by this Act directed to be taken and paid; any thing herein before contained to the contrary notwithstanding.

Assignments may be transferred.

And be it further enacted by the Authority aforesaid, That all and every Person and Persons, to whom any Assignment or Assignments shall be made by the said respective Trustees, or any Five or more of them, as a

Security

Security for any Sum or Sums of Money by any Person or Persons whatsoever to be lent and advanced on the Credit and for the Purposes mentioned in this Act, or who shall be intitled to the Money thereby secured, shall and may from time to time, by proper Words of Assignment, to be indorsed on his, her, or their Assignments, or by any other Writing or Writings under his, her, or their Hand and Seal, or Hands and Seals (to be duly executed in the Presence of Two or more credible Witnesses) assign or transfer his, her, or their Right, Title, Interest, or Benefit to the Principal or Interest-money thereby secured, or any Part thereof, to any Person or Persons whomsoever; which said Transfer or Assignment shall be produced and notified to the respective Clerk or Clerks, Treasurer or Treasurers, appointed, or to be appointed by the said respective Trustees, or any Five or more of them, within Three Months after the Date thereof, who shall cause an Entry or Memorial to be made of such Assignments or Transfers, containing the Date, Parties Names, and Sums of Money therein mentioned to be transferred in the said Book or Books to be kept for entering the said original Assignment, for which the said Clerk or Clerks, Treasurer or Treasurers, shall be paid the Sum of Two Shillings and Six Pence, and no more: And after such Entry made, such Assignment shall intitle such Assignee, his, her, and their Executors, Administrators, and Assigns, to the Benefit thereof, and Payment thereon; and such Assignee or Assignees, his, her, and their Executors and Administrators, may in like Manner assign, and so toties quoties, and it shall not be in the Power of such Person or Persons, who shall make such Assignment, to make void, release, or discharge the same, or any Monies thereby due, or any Part thereof.

Entries to be made of all Assignments.

Clerk's Fee.

And be it further enacted by the Authority aforesaid, That no Order made by the said respective Trustees, in or concerning the Execution of this present Act, at any publick Meeting, shall be revoked, reversed, or altered at any subsequent Meeting, unless the Number of Trustees revoking, reversing, or altering the same, shall exceed the Number of Trustees by whom such Order was made, and unless the Person or Persons applying to revoke, reverse, or alter any such Order, shall give Notice in Writing to the Clerk of the said Trustees, to be by him fixed up at the Gates or Turnpikes One Month at least before such Application shall be made, that he or they intend to make such Application.

No Order to be reversed, but by a greater Number than made it.

Provided always, and be it enacted by the Authority aforesaid, That if any Action or Suit shall be commenced against

Limitation of Actions.

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 the County of Hereford or Brecon; 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 and by the Authority of this Act: And if the same shall appear so to be done, or if such Action or Suit shall be brought after the Time before limited for bringing the same as aforesaid; or shall be brought in any other County, that then the Jury shall find for the Defendant or Defendants: And upon such Verdict or Verdicts; or if the Plaintiff or Plaintiffs shall become Nonsuited, or discontinue his, her, or their 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 or 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.

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 all other Persons whatsoever, without specially pleading the same.

Publick Act.

FINIS.