ANNO UNDECIMO

Georgii III. Regis.

An Act for repairing and widening ſeveral Roads leading to the Town of *Lantriſſent*; and alſo the Road leading from *Newbridge*, to a Place called *The Old Furnace*; all in the County of *Glamorgan*.

WHEREAS the Road leading from the Town of Lantriſſent to Croesfaen, being Part of the Road leading from the Town of Lantriſſent to the Town of Cardiff; the Road leading from Lantriſſent to Velin Vawr, being Part of the Road leading from Lantriſſent to Cowbridge; the Road leading from Lantriſſent to the Village of Lanharran, being Part of the Road leading from Lantriſſent to the Town of Bridgend; the Road leading from Lantriſſent, ſtrait over the Middle of the Kymdda, to Hewl y Sarn, and from thence to Cummar Bridge and Fordamus, being Part of the Road leading from Lantriſſent to the ſeveral Villages of Aberdare, Lanwonno, and Yſtradyvoduck; the Road leading from Lantriſſent to Newbridge; the Road leading from Lantriſſent aforeſaid to the Gate leading to Garth-mailog, being Part of the Road leading from Lantriſſent to the Village of Landyvoduck; the Road leading from Lantriſſent to Rhyd y Bade Helig; the Road leading from Lantriſſent to Rhyd y Bade Ycha; and alſo the Road leading from Crofta or Croesfaen, through Hewl Claudd Coch, to the Sycamore Tree, being Part of the Road leading from Preamble.

from the Town of Lantriſſent to the Port of Barry; the Road leading from Old Furnace to the Bridge over the Taffe at Merthirtidvill, and from thence to the Confines of the County of Brecon, being Part of the Road leading from the Town of Cardiff to Merthirtidvill; are in a very ruinous Condition, narrow in many Places, and incommodious to Paſſengers, and cannot be effectually repaired, widened, and rendered commodious for Paſſengers by the preſent Methods provided by Law; 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,

Truſtees Names.

That Sir Thomas Aubrey of Lantrythyd Baronet, John Aubrey, Thomas Aubrey the younger, Richard Aubrey, John Bartlett Allen of Lanwonno, Anthony Bacon, Chriſtopher Baſſett of Laneley, the Reverend Thomas Baſſett Clerk, the Reverend John Baſſett of Bonvikſtone Clerk, John Baſſett, William Baſſett, John Bevan of Treverûg, the Reverend Thomas Bruce of Duffrin Clerk, Thomas Childs, Thomas David of Cummar, Morgan David of Yſtradyvoduck, John David of Coed y Lay the Reverend Mathew Deere Clerk, Morgan David of Lanwonno, Richard David of Lantriſſent, Jenkin David of Kellivion, Thomas Edwards of Cardiff, Morgan Edward of Yſtradyvoduck, William Edwards, the Reverend Powell Edwards Clerk, John Edmondes of Cowbridge, Thomas Evan of Lantwitt Vairdre, Jenkin Evan of Mardû, Thomas Evan of Blaen Llecha, Richard Evans of Fairwater, the Reverend Richard Evans Clerk, James Evans, Charles Fewtrell, Grant Gibbon of Newton, William Gibbon of Cowbridge, the Reverend Samuel Gwinnett of Cottrell Clerk, Francis Gwynn of Lanſannor, Griffith Griffiths Clerk, John Gueſt, John Hanbury of Kilvachfargoed, William Harris, William Humphreys of Garth-hall, William Hurſt of Cabalva, Thomas Howell of Gellyhaidd, Thomas Howell of Caerphilly, John Harding, Richard Howell of Rhew-velan, Samuel Hughes of Aberdare, David Jenkins of Rhewinda, Robert Jones of Fonmon Caſtle, Hugh Jones of Gellywaſted, Richard Jenkins of Marlas, Richard Jenkins of Cardiff, Llewellin John of Brinwith, John Jenkin Kevenglaes, Daniel Jenkins of Yſtradyvoduck, Edward Jenkins, Lewis Jenkins of Aber y Van, the Reverend Owen Jenkins of Cardiff Clerk, John Llwellin of Coedruglin, the Reverend Wyndham Lewis Clerk, Hopkin Llewellin of Yſtradyvoduck, Thomas Lewis of Lanſthen, William Lewis, Daniel Lewis of Merthirtidvill, William

Lewis of Caer-lan, Edward Mathew of Aberamman, John Mathews of Meiros, Thomas Mathews of Landaff, Thomas Morgan of Tredegar, Charles Morgan, John Morgan, Herbert Mackworth of Gnoll, David Morgan of Pant y Scawen, Thomas Morgan of Trane, Thomas Morgan of Kilfinidd, Edward Morgan of Eglwis y Llan, Edward Morgan of Penrees, Edward William Morgan of Aberdare, Evan Morgan of Havod, Thomas Morris of Bedrangell Yſtradyvoduck, John Morgan of Landaff, the Reverend Gervaſe Powell of Lanharren Clerk, Samuel Price of Park, John Price of Park, Thomas Pritchard of Yſtradyvoduck, William Price of Furnace, Thomas Price of Caerphilly, Nicholas Price, William Price of Watford, John Perkins of Saint y Nill, Thomas Pryce of Duffrin, James Pritchard of Tallygarn, Evan Pritchard of Collenna, William Richards Powell of Genau'r Glyn, Richard Phillips, Thomas Pilkington, Charles Price, James Price, the Reverend Robert Rickards Clerk, Michael Richards of Cardiff, John Richards of Cardiff, William Richards of Cardiff, the Reverend Thomas Richardſon Clerk, Theophilus Richard of Aberdare, Thomas Rees of Merthin, John Samuel of Bonvilſtone, Robert Savours of Cardiff, Thomas Smith of Cardiff, Thomas Manſell Talbot of Margam, William Thomas of Lanbradach, Thomas Thomas, Edmund Traherne of Caſtella, William Thomas of Duffrinfrood, Edward Turbervill of Hendre Skiddan, James Thomas the elder, James Thomas the younger of Garth, Reynold Deere Thomas of Penlline, Evan Thomas of Kill-ely, Edward Thomas of Llan, John Thomas of Coed y Goraſs, William Thomas of Lanſiarran, Rees Thomas of Aberdare, Daniel Thomas of Perth y Gleiſon, Sir Charles Kemys Tynte of Kevenmably, William Turbervill of Wattrell, the Reverend Edward Thomas of Bonvilſtone Clerk, William Thomas of Lanblethian, Edward Thomas of Llanvabon, John Thomas of Tû yn y Coed, the Honourable George Venables Vernon of Britton Ferry, Stephen White of Miſkin, John White, Thomas Jacob White, Richard White, Morgan Williams of Pendoylon, Thomas Williams of Moyndû, George Williams of Aberpergwm, Thomas William of Blaen Ammanvawr, Thomas Williams of Llanwanno, William Williams, John Williams of Coed y Goraſs, Daniel Williams of Merthirtidvill, David William Watkin of Aberdare, Rowland William of Gwerllon, Thomas William of Genau Glyn, and their Succeſſors, to be appointed in the manner herein-after mentioned, ſhall be, and they are hereby appointed Truſtees for putting this Act in Execution.

Election of new Trustees:

And be it further enacted, That as often as any Trustee by this Act appointed, or their Successors, shall happen to die, or refuse to act in the Execution of the Powers hereby granted, it shall be lawful for the surviving or remaining Trustees, or any Seven or more of them, under their Hands and Seals, to appoint any Person a Trustee in the Room of the Trustee so dying or refusing to act; and the Person so appointed shall and may act in the Execution of this Act as fully as any Trustee hereby appointed is impowered to act.

Their Qualification.

And be it further enacted, That no Person shall be capable of acting as a Trustee in the Execution of this Act, unless he shall, in his own Right, or in the Right of his Wife, be in the actual Possession or Enjoyment or Receipt of the Rents and Profits of Lands, Tenements, and Hereditaments, of the clear yearly Value of Forty Pounds, or shall be Heir-apparent of some Person having such Estate of the clear yearly Value of Eighty Pounds within the County of Glamorgan, or possessed of a personal Estate to the Amount or Value of Eight hundred Pounds within the several Hundreds of Caerphilly, Miskin, Cowbridge, and Dynaspowis: And if any Person hereby deemed incapable to act shall presume to Act, every such Person shall for every such Offence forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall inform and sue for the same, to be recovered in any of his Majesty's Courts of Record at Westminster, by Action of Debt, or on the Case, wherein no Essoin, Protection, or Wager of Law, or more than One Imparlance, shall be allowed; and the Person so prosecuted shall prove that he is so qualified, or otherwise shall pay the said Penalty, without any other Proof or Evidence on the Part of the Prosecutor than that such Person hath acted as a Trustee in the Execution of this Act.

Penalty on Persons acting if not qualified.

Time and Place of Trustees First Meeting.

And be it further enacted, That the said Trustees, or any Five or more of them, shall meet together at the George Inn at Lantrissent on Monday the Thirteenth Day of May next after the passing of this Act, and shall proceed to the Execution of this Act, and shall and may then adjourn themselves from Time to Time, and afterwards meet at the same or any other Place or Places in one or either of the Parishes through which such Roads shall lead, as the said Trustees, or any Five or more of them, shall think proper; and if it shall happen that there shall not appear at any Meeting appointed to be held by the said Trustees a sufficient Number of Trustees to Act at such Meeting, or to adjourn to any other Time and Place,

Notice to be given of subsequent Meetings.

Place, then the Clerk to the said Trustees shall, by Notice fixed on all the Turnpikes which shall be erected by virtue of this Act at least Seven Days before the next Meeting, appoint the said Trustees to meet at the same Place on that Day Fortnight on which such last Meeting was appointed to be held; and the said Trustees, at all their Meetings, shall defray their own Charges and Expences. Trustees to defray their own Expences.

And be it further enacted, That no Person shall be capable of acting as a Trustee under the Authority of this Act, who shall hold any Place of Profit arising out of the Tolls hereby granted. Trustees not to hold Places of Profit.

And be it further enacted That any Trustee or Trustees appointed in or by virtue of this Act, who shall be a Justice or Justices of the Peace, may, and is, and are hereby authorised 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 a Trustee or Trustees. Trustees may act as Justices.

And be it further enacted, That the said Trustees, or any Seven or more of them, shall and may, and they are hereby authorised and impowered to cause to be erected One or more Gate or Gates, Turnpike or Turnpikes, and Toll-house or Toll-houses, in, upon, across, or on the Side or Sides of any Part or Parts of the said Roads, and to cause to be demanded and taken at each of the said Gates or Turnpikes the following Tolls or Duties, before any Carriage or Cattle shall be permitted to pass the same; that is to say, Trustees may erect Turnpikes, &c.

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

For every Horse, Mare, Gelding, Mule, Ass, or other Beast of Draught, drawing any Carriage going for or laden with Lime, Dung, Manure, or other Compost for the manuring of Land (except as is herein-after excepted) Two-pence.

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

For every Drove of Oxen or Neat Cattle, Ten-pence per Score, and so in proportion for a greater or lesser Number.

For every Drove of Calves, Sheep, Lambs, or Swine, Five-pence per Score, and so in proportion for a greater or lesser Number.

Which said respective Sums of Money shall be demanded and taken in the Name of or as a Toll, and shall be paid to such Person or Persons as the said Trustees, or any Seven or more of them, shall appoint to collect the same; and the Money so to be raised is hereby vested in the said Trustees, and shall be applied in such Manner as is herein-after mentioned: And if any Person or Persons subject to the Payment of any of the said Tolls, shall, after Demand thereof made, neglect or refuse to pay the same, it shall be lawful for the Person or Persons appointed to collect the said Tolls to seize and distrain any Horse or Horses, or other Cattle or Beast, upon which such Toll is by this Act imposed, or any of the Goods or Chattels of such Person or Persons so neglecting or refusing; and if such Toll, and the reasonable Charges of such Seizure and Distress, shall not be paid within the Space of Five Days, the Person or Persons so seizing and distraining shall and may sell the Horses, Cattle, Beasts, or Goods so seized and distrained, returning the Overplus (if any) upon Demand to the Owner thereof, after such Tolls, and all reasonable Charges, shall be deducted.

No Toll to be taken at certain Places till 1000 *l.* be advanced for and laid out in Repair of the Roads.

Provided always, and be it further enacted, That no Gate, Turnpike, or Toll-house shall be erected on, across, or on the Side of any of the Roads leading from the Town of Lantrissent to a Place called Croesfaen, and from Crofta or Croesfaen, through Hewl Claudd Coch, to the Sycamore Tree; from Lantrissent to Velin Vawr, from Lantrissent to the Village of Lanharran, from Lantrissent to Cummar Bridge and Fordamus, from Lantrissent to Newbridge, and from Lantrissent to Garth-mailog, and from Lantrissent to Rhyd y Bade Helig, and Rhyd y Bade Ycha, before or until such Time as the Sum of One thousand Pounds shall have been advanced and lent upon the Credit of the Tolls or Duties by this Act granted, and shall be actually and bona fide laid out and expended in the repairing and amending of the Roads aforesaid, in the Proportions following; that is to say, The Sum of Three hundred Pounds on the Road leading from Lantrissent to Croesfaen; the Sum of Fifty Pounds on the Road leading from Lantrissent to Velin Vawr; the Sum of One hundred and fifty Pounds on the Road leading from Lantrissent to Lanharran; the Sum of Three hundred Pounds on the great Lime Road leading from Lantrissent to Cummar Bridge and Fordamus; the Sum of

of One hundred Pounds on the Road leading from Lantriſſent to Newbridge; and the Sum of One hundred Pounds on the Roads leading from Lantriſſent to Rhyd y Bade Helig, and Rhyd y Bade Ycha and Garthmailog: And that no Gate, Turnpike, or Toll-houſe ſhall be erected on, acroſs, or on the Side of the ſaid Road leading from Old Furnace, over Graig Evan Lleyſon Common, to the Bridge over the Taffe at Merthirtidvill, and from thence to the Confines of Brecon, before or until ſuch Time as the further Sum of Five hundred Pounds ſhall have been advanced and lent upon the Credit of the Tolls or Duties by this Act granted, and ſhall be actually, and bona fide laid out and expended in there pairing and amending of the ſaid Road; out of which ſaid Sum of Five hundred Pounds, the Sum of Two hundred and Fifty Pounds ſhall, in the firſt Place, be laid out and expended on ſuch Part of the Road as leads from the Old Furnace, beginning at the Old Furnace aforeſaid, and from thence to come gradually on towards the Confines of the County of Brecon, as aforeſaid.

Expences of the Act to be defraved out of the firſt Money ariſing by the Tolls.

And be it further enacted, That out of the Firſt Money ariſing by the Tolls or Duties which ſhall be collected by virtue of this Act, or out of the Firſt Money which ſhall be borrowed on the Credit thereof, after the Sum of One thouſand Five hundred Pounds ſhall have been laid out in repairing and amending the ſeveral Roads herein particularly mentioned, the ſaid Truſtees, or any Five or more of them, ſhall, in the firſt Place, pay and diſcharge the Expences and Charges of procuring and paſſing of this Act.

Application of the Tolls.

And be it further enacted by the Authority aforeſaid, That the ſaid Tolls or Duties, and the Money to be borrowed on the Credit thereof, over and above the One thouſand Five hundred Pounds herein before particularly directed to be laid out, and the Expences and Charges of procuring and paſſing this Act, and all Penalties, Forfeitures, and other Profits to ariſe, accrue, or be incurred within, or to be collected or received from or upon the Roads hereby intended to be repaired, excepting as is herein after excepted, ſhall go and be applied and diſpoſed of by the ſaid Truſtees, or any Seven or more of them, at any Meeting held in purſuance of this Act, in the amending, widening, altering, making, and repairing ſuch Roads as the ſaid Truſtees, or any Seven or more of them, at ſuch Meeting, ſhall direct and appoint.

1000*l.* may be borrowed on the Credit of the Tolls.

Provided always, That in caſe any Perſon or Perſons ſhall be willing to lend or advance any Sum or Sums of

of Money on the Credit of the Tolls aforesaid, not exceeding One thousand Pounds, to be laid out in amending, widening, altering, making, and repairing the Road leading from the Old Furnace over Craig Evan Lleyson Common to Merthir Bridge, and from thence to the Confines of the County of Brecon, after the Sum of Five hundred Pounds herein before directed to be laid out on the said Road shall have been bona fide expended and laid out as aforesaid; that then, and in such Case, the Trustees herein before appointed, or any Seven or more of them, at any such Meeting as aforesaid, are hereby directed and required to take up the said Sum of One thousand Pounds, or any Part thereof, as the same shall or may be lent or advanced, and shall, in the first Place, lay out the same for the Purposes of amending, widening, altering, making, and repairing the said Road leading from the Old Furnace by Merthir, to the Confines of the County of Brecon aforesaid, until the Whole shall be sufficiently completed; but no greater Sum or Sums of Money shall at any One Time be taken upon the Security of the said Tolls in Manner aforesaid, for the Purposes of amending, widening, altering, making, and repairing the said Road leading from the Old Furnace by Merthir, to the Confines of Brecon, than so much as can or may be contracted for to execute the Purposes aforesaid, at the Time of borrowing such Sum or Sums of Money, unless the said Trustees, or any Seven or more of them, at any such Meeting as aforesaid, shall think it otherwise convenient.

Trustees may erect Toll-gates, &c.

And be it further enacted, That it shall and may be lawful to and for the said Trustees, or any Seven or more of them, to cause to be erected a Toll-gate or Toll-gates, and Toll-house or Toll-houses, on the Side or Sides of any Part or Parts of the said Roads or Highways, and there cause to be taken and levied such Tolls as are by this Act made payable at any other Toll-gate erected by virtue hereof, so that the same do not extend to a second Charge upon any Person passing through any other Toll-gate by virtue of this Act in one and the same Day.

Turnpikes, &c. vested in Trustees.

Provided always, That no Gate or Turnpike shall be erected by virtue of this Act upon the Road leading from Croesfaen to Clun Bridge, being Part of the Road leading from Lantrissent to Cardiff, or between the Old Furnace and Port y Bello, being Part of the Road leading from the Old Furnace to the Confines of Brecon.

And

And be it further enacted, That the said Toll-gates and Toll-houses, and the Materials of which the same shall consist, and all Materials which shall be provided by the said Trustees, or by their Surveyor or Surveyors, for repairing the said Roads, and all Mile Stones which shall be set up on the said Roads, shall be, and they are hereby vested in the said Trustees; and they, or any Five or more of them, are hereby authorised and impowered to bring, or cause any Action or Actions to be brought in the Name of their Treasurer or Clerk, or to prefer and order and direct the prefering Indictments against any Person or Persons who shall dig up, break, or pull down, steal, take, or carry away, spoil, injure, or destroy any Toll-gate or Toll-house which shall be erected by virtue of this Act, or any Part thereof, or any of the Materials of which the same shall be built or consist, or any of the Materials which shall be provided for the repairing of the said Roads. Materials, &c. vested in the Trustees.

And be it further enacted, That if any Person shall have paid the Toll by this Act granted for the passing of any Cattle or Carriage through any Gate or Turnpike erected by virtue of this Act, the same Person, upon producing a Note or Ticket, denoting such Payment, shall be permitted to pass through the same Gate or Turnpike with the same Cattle or Carriage, Toll-free, at any Time or Times during the same Day, to be computed from Twelve of the Clock in one Night to Twelve of the Clock in the next Night; which said Note or Ticket the Collector of the Tolls is hereby required to give gratis upon the Payment of such Toll. Tolls to be paid but once a Day.

And be it further enacted, That it shall be lawful for the said Trustees, or any Seven or more of them, by and with the Consent of the Person or Persons intitled to One Half of the Money borrowed on the Credit of the Tolls, to lessen the Tolls hereby granted, or any Part thereof, for such Time as the said Trustees, or any Seven or more of them, shall think proper; and such Tolls, so lessened, shall be collected, recovered, and applied in the same Manner as the Tolls hereby granted are directed to be collected, recovered, and applied. Trustees may reduce the Tolls.

And be it further enacted, That it shall and may be lawful to and for the said Trustees, or any Seven or more of them, by Writing under their Hands and Seals, to demise, lease, and to Farm-let the Tolls arising at the respective Toll-gates, to any Person or Persons willing to take or farm the same, for any Term of Years, not exceeding Three Years, for the best Rent or Price which Trustees may let the Tolls.

which can be got for the same, to be paid Quarterly, or otherwise, to the said Trustees, or any Five or more of them, or their Treasurer; which Money, so to be paid, shall be applied and disposed of as the Tolls granted by this Act are directed to be applied and disposed of, and to no other Use or Purpose whatsoever; and Notice of the Time and Place of Meeting for letting the said Tolls, or any Part thereof, shall be given by the Clerk to the Trustees, by affixing the same in Writing on all the Turnpikes which shall be erected by virtue of this Act, at least One Month before any such Meeting.

Trustees may compound for Tolls.

And be it further enacted, That it shall and may be lawful for the said Trustees, or any Seven or more of them, from Time to Time, as often as they shall think fit, to compound with any Person or Persons using to travel through all or any of the Gates or Turnpikes erected by virtue of this Act, with any Carriage or Cattle, for any Sum of Money for or in lieu of the Payment of the Tolls hereby granted; which Composition-money shall be instantly paid to the said Trustees, or any Seven or more of them, or to such Person as they shall appoint to receive the same.

Exemptions from Toll.

And be it further enacted, That no Toll shall be demanded or taken for any Cattle loaded with, or drawing any Carriage laden with Materials for repairing any Road or Highway, or going or returning laden with or unladen for Iron Ore, not using or travelling the said Roads more than Half a Mile; or for any Cattle loaded with, or drawing any Carriage laden with Hay, Straw, or Corn in the Straw, Dung, or other Compost, for manuring of Land (Lime only excepted), not sold or disposed of, but to be laid up in the Houses, Out-houses, Barns, Yards, or Backsides of the Owners thereof, or upon the Lands belonging to the same; or drawing or carrying any Plough, Harrow, or other Implement of Husbandry; or for any Cattle drawing the Coach or other Carriage of any Person or Persons, or from Passengers on Horseback, going to or returning from any Election of a Knight or Knights of the Shire, or Member or Members to serve in Parliament for the County of Glamorgan, or a Burgess or Burgesses for the Borough of Cardiff, or either of them; or going on Sundays to or from their Parish-church, or other Place or Places of religious Worship they usually resort to; or attending the Funeral of any Person who shall die and be buried in any Parish through which the said Road leads; or for any Cattle going to or returning from Pasture or Water; or for any Cattle which shall cross

the said Road only; or for any Post Horse or Cattle drawing any Carriage with the Mail; or for the Horses of any Officers and Soldiers on their March; or for any Cattle drawing the Carts or Carriages attending them; or for the Horses of any Officers of the Militia for the County of Glamorgan going to or returning from their annual Exercise, or for any Cattle drawing any Carts or Carriages laden with the Arms or Baggage belonging to the said Militia; or for Horses or Cattle drawing Carriages travelling with Vagrants sent by Passes.

Penalty on illegal Claims.

Provided always, and be it further enacted, That if any Person shall claim and take the Benefit of any of the Exemptions aforesaid, not being intitled to the same, such Person shall, for every such Offence, forfeit and pay the Sum of Forty Shillings, One Moiety whereof shall be paid to the Informer, and the other Moiety shall be applied in repairing the said Roads.

Penalty on giving or receiving Tickets to evade the Tolls.

And be it further enacted, That if any Person occupying any Land near to any Toll-gate erected in pursuance of this Act, shall permit or suffer any Person or Persons to pass through any Gate, Passage, or private Way with any Cattle; or if any Person shall with any Cattle pass through any such Gate, Passage, or private Way; or if any Person shall take off, or cause to be taken off, any Horse or Beast from any Carriage on either Side of any Gate or Turnpike erected by virtue of this Act, or shall unload, or cause to be unladen, on any Fair or other Day, any Carriage or Cattle; or if any Person shall forcibly pass through any such Toll-gate with any Cattle, whereby the Payment of any of the Tolls by this Act granted shall be avoided; every Person so offending, in each of the Cases aforesaid, shall, for every such Offence, forfeit and pay any Sum not exceeding the Sum of Forty Shillings for the First Offence, and any Sum not exceeding Ten Pounds for the Second Offence.

Trustees may borrow Money on the Credit of the Tolls.

And, for the more speedy repairing, widening, turning and altering the said Roads, be it further enacted, That it shall and may be lawful to and for the said Trustees, or any Seven or more of them, from Time to Time, upon the Credit of the Tolls by this Act granted, to borrow and take up at lawful Interest, any such Sum or Sums of Money, as they, or any Seven or more of them, shall think needful, not exceeding the Sum of Six thousand Pounds; and may, and they are hereby impowered to mortgage or assign over the said Tolls, or any Part thereof, by any Writing or Writings on

Vellum or Parchment, ſigned by Seven or more Truſtees, and witneſſed by the Clerk to the ſaid Truſtees, to any Perſon or Perſons, for any Term or Number of Years, as a Security or Securities for the ſeveral Sums of Money that ſhall be ſo borrowed, and the Intereſt thereof; which ſaid Sums of Money to ſo be borrowed (the Charges of procuring and paſſing this Act in the Manner aforeſaid being thereout firſt paid) ſhall be laid out and applied in and for the repairing, widening, turning, and altering the ſaid Roads, and other the Purpoſes of this Act.

Aſſignments may be tranſferred.

And be it further enacted, That all and every Perſon and Perſons to whom any Mortgage or Mortgages, Aſſignment or Aſſignments, of the ſaid Tolls, or any Part thereof, ſhall be made, or who ſhall be intitled to the Money thereby ſecured, and his, her, and their Aſſignee or Aſſignees, may and is, and are hereby impowered, from Time to Time, to tranſfer or aſſign over ſuch Security or Securities, and all the Monies that ſhall be due thereon, to any other Perſon or Perſons, by Indorſement on the Back thereof, witneſſed by Two Witneſſes, or by any other Writing or Writings under his, her, or their Hand and Seal, or Hands and Seals, which ſhall be executed in the Preſence of Two or more credible Witneſſes.

Entries to be made of all Aſſignments.

Provided always, and be it further enacted, That regular and proper Entries of all and every ſuch Mortgage or Mortgages, Aſſignment or Aſſignments, or Tranſfers of any Securities of the ſaid Tolls or Duties to be made or executed in purſuance of this Act, either by the ſaid Truſtees, or their Aſſignees or Mortgagees, containing the Dates thereof, and of the Names, Additions, and Places of Abode, of the ſeveral Parties thereto, and the ſeveral Sums and Terms of Years therein mentioned and contained, and other the material Contents thereof, and the Names, Additions, and Places of Abode of the Witneſſes to the Execution thereof, ſhall, from Time to Time, be entered in Writing by the Clerk or Clerks to the ſaid Truſtees, in a Book or Books to be kept for the Buſineſs of the ſaid Turnpikes, within the Space of Twenty-one Days next after ſuch Aſſignments, Tranſfers, or Securities, ſhall be executed reſpectively; and the Clerk or Clerks ſhall be paid Five Shillings by the reſpective Perſons in whom ſuch Mortgages, Aſſignments, Tranſfers, or Securities, ſhall be veſted for each and every of ſuch Entries, and no more; and ſuch Aſſignments, Tranſfers, or Securities, after they ſhall have been reſpectively entered in the Book or

Books

Books of the said Commissioners in Manner aforesaid, shall intitle the Person or Persons to whom they shall be respectively made, and his, her, or their respective Executors, Administrators, and Assigns, to the Benefit of the Security or Securities so assigned or transferred; and all Persons so intitled shall, at all seasonable Times, have free Access and Liberty to inspect such Book or Books, without Fee or Reward.

Notice to be given of borrowing Money.

Provided always, and be it further enacted, That no Money shall be borrowed by the said Trustees, or any of them, upon the Credit of the Tolls hereby granted, except at the First Meeting of the said Trustees, unless Notice in Writing for that Purpose, under the Hand or Hands of the said Trustees, or any Five or more of them, or of their Clerk or Clerks for the Time being, be fixed upon the Door of the Parish Church of Lantrissent, at least Twenty Days before the borrowing of such Money.

All Creditors deemed equal in Degree.

And be it further enacted, That no Preference shall be given to the Persons advancing any Part or Parts of the Money borrowed upon the Credit of the Tolls hereby granted, in respect to Priority of advancing his, her, or their Part or Parts thereof; but that all Lenders and Proprietors of the said Mortgages or Assignments, shall be, and are hereby declared Creditors on the said Tolls in an equal Degree one with another: Provided always, That nothing herein contained shall extend, or be construed to extend, to subject the said Trustees, or any of them, or the Person or Persons appointed to receive the said Money, or any Part thereof, by reason of their, or any of their signing or sealing any of the said Mortgages or Assignments, to the Payment of any Money thereby secured.

Creditors how to be paid.

And be it further enacted, That in case Two-thirds in Number and Value of the Persons who shall lend or advance Monies on the Credit of the said Tolls or Duties, or his, her, or their Assignee or Assignees, shall be desirous to be repaid the Money due to them, and deliver a Notice in Writing signed by them, signifying such their Desire, to the Clerk or Clerks to the said Trustees, at some Meeting of the said Trustees; that then, and in such Case, unless the Principal and Interest Money then due, or to grow due, to them on the Security of the said Tolls or Duties shall be fully paid or tendered to, and be refused by such Creditors so signing such Notice, within One Year after the Delivery thereof as aforesaid, it shall and may be lawful to and for the said

said Creditors to receive and collect, or cause to be received and collected, the Tolls or Duties by this Act granted, and to apply the same rateably and proportionably to the Payment of their Principal and Interest, until the same shall be discharged.

Trustees may appoint Officers,

and remove them and appoint others.

And be it further enacted, That the said Trustees, or any Seven or more of them, may appoint such Officers and other Persons as they shall think necessary to employ in the Execution of this Act; and such Officers and other Persons, and any of them, from Time to Time may remove, and appoint others, in case of Death or such Removal; and all and every such Officers and other Persons who shall, at any Time or Times, have, receive, or pay any Sum or Sums of Money on account of, or relating to, the repairing, widening, turning, altering, and keeping in Repair the said Roads, shall, from Time to Time (when thereunto required by the said Trustees, or any Five or more of them) make and render to the said Trustees, or any Five or more of them, a true, exact, and perfect Account in Writing, under their respective Hands, upon Oath, to be taken before Two or more of the said Trustees (which Oath Two of the said Trustees are hereby impowered to administer) of all Monies which he, they, and every of them respectively shall to that Time have received, paid, and disbursed by virtue of this Act, or by reason of their respective Offices: And in case any Money so received shall remain in their or any of their Hands, the same shall be paid to the said Trustees, or any Five or more of them, or to such Person as they shall appoint to receive the same: And in case any such Officer or other Persons shall not make and render, or shall refuse to verify upon Oath such Account, or to make such Payment as aforesaid, then any One or more Justice or Justices of the Peace for the County where such Officer or other Person shall reside, shall make Enquiry concerning such Default in a summary Way, as well by Confession of the Parties themselves, as by the Testimony of One or more Witness or Witnesses upon Oath (which Oath the said Justice or Justices is and are hereby impowered and required to administer); and if any such Officer or other Person shall be convicted of all or any of the Offences aforesaid, such Justice or Justices shall commit the Offender to the Common Gaol of the County or Place where the Offence shall be committed, there to remain without Bail or Mainprize until he or they shall make and render a full, true, and perfect Account and Payment

Officers to account upon Oath.

ment as aforesaid, or until he or they shall have compounded and agreed with the said Trustees, or any Five or more of them, and shall have paid such Composition to the said Trustees, or any Five or more of them, or to such Person or Persons as they shall appoint to receive the same; which Composition the said Trustees, or any Five or more of them, are hereby impowered to make.

Clerks, &c. to deliver up Papers and Writings.

And be it further enacted, That if any Clerk, Collector, or other Person employed by the said Trustees, or any Five or more of them, shall refuse or neglect to deliver up, within Ten Days after being thereunto required, all the Books, Papers, and Writings, in his or their Custody or Power relating to the Trusts and Powers hereby granted to the said Trustees, any One or more Justice or Justices of the Peace for the County wherein any such Clerk, Collector, or other Person shall reside or be found, shall, upon the Complaint of any Five or more of the said Trustees, make Enquiry of and concerning such Default in a summary Way; and upon Proof thereof made before such Justice or Justices by the Oath of any One or more credible Witness or Witnesses, or by Confession of the Party complained of, shall commit such Clerk, Collector, or other Person so making Default, by Warrant under his or their Hand and Seal, or Hands and Seals, to the Common Gaol of such County, there to remain without Bail or Mainprize, until he shall deliver, or cause to be delivered, to the said Trustees, or any Five or more of them, or to their Order, all and every such Books, Papers, and Writings, or until he shall give such Satisfaction to the said Trustees, or any Five or more of them, as they shall think reasonable concerning the said Books, Papers, and Writings.

Treasurer to give Security.

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

Penalty on Officers demanding more than Fees.

And be it further enacted by the Authority aforesaid, That if any Treasurer or Treasurers, Clerk or Clerks, Collector or Collectors, Surveyor or Surveyors, or other Officer or Officers, Servant or Servants, which shall or may hereafter be appointed by the said Trustees in the Execution

of this Act, or any Part thereof, shall exact, demand, take, or accept any Fee or Reward whatsoever, other than such Salaries and Rewards as shall be appointed, allowed, and approved of by such Trustees as aforesaid, for or on account of any Thing done or to be done by virtue of this Act, or for forbearing to do any Thing ordered or directed by the Commissioners for putting this Act in Execution, or on any account whatsoever relating to the Execution thereof, or shall any-way be concerned or interested in any Bargain made or to be made by such Trustees, or any of them, for any of the Purposes intended by this Act; every Person so offending shall for ever be incapable of being employed under this Act, and shall, moreover, forfeit and pay the Sum of One hundred Pounds, to any Person or Persons who shall sue for the same, by Action of Debt, Bill, Plaint, or Information, in any of His Majesty's Courts of Record, within Six Calendar Months next after the Offence committed; wherein no Protection, Essoin, or Wager of Law, or more than One Imparlance, shall be allowed.

No Victualler, &c. to hold any Place of Profit.

And be it further enacted, That no Person keeping an Inn, Ale-house, or other House of publick Entertainment, or who shall sell Ale, Wine, Brandy, or other Spirituous Liquors by Retail, shall be capable of holding any Place of Trust or Profit under this Act.

Surveyors to take Materials from waste Ground, without paying for the same,

And be it further enacted, That the Surveyor or Surveyors appointed by the said Trustees, or any Five or more of them, or any Person or Persons appointed by such Surveyor or Surveyors, may and is, and are hereby authorised and impowered to cut, dig, gather, take, and carry away, or cause to be cut, digged, gathered, taken, and carried away, any Materials proper for repairing of Roads in, upon, or out of or from any River or Brook, Waste or Common, in any Parish, Town, or Place in, adjoining to, or lying near the Roads aforesaid, to be used in repairing the said Roads, without paying any Thing for the same, they the said Surveyors, or other Persons filling up the Pits and Holes, and levelling the Ground, or making a sufficient Fence, to prevent any Misfortune or Accident happening in the Pits or Holes from whence such Materials shall be taken, or causing the same to be done; and if a Quantity of Materials sufficient for that Purpose cannot be found in or upon such Rivers or Brooks, Wastes or Commons, then, and in such Cases, to cut, dig, gather, take, and carry away, or cause to be cut, digged, gathered, taken, and carried away, any Quantity or Quantities of Materials proper and

levelling the Ground, &c.

If none be there, then out of private Ground,

and sufficient for that Purpose, in, upon, or out of and from any Lands or Grounds of any Person or Persons where the same may be had or found, to be used towards repairing the said Roads, (such Lands and Grounds not being a Yard, Garden, Orchard, Park, Paddock, Avenue, Wood, Coppice, or Nursery) they the said Surveyor or Surveyors, or other Person or Persons paying, or offering to pay, to the respective Owners or Occupiers of such Lands or Grounds such Damage for getting and carrying away the said Materials, and for carrying the same over their Grounds, as the said Trustees, or any Five or more of them, shall think reasonable: And in case of any Difference between the said Trustees, Surveyors, or Person or Persons by them appointed as aforesaid, and the said Owners and Occupiers, or any or either of them, concerning the said Damages, any Two or more Justices of the Peace for the County where the said Materials shall be so cut, digged, gathered, taken, and carried away, shall and may, on Ten Days Notice thereof to be given by the said Surveyor or Surveyors to the said Owner or Owners, Occupier or Occupiers, or by them the said Owner or Owners, Occupier or Occupiers, to the said Surveyor or Surveyors, to be left at their respective Places of Abode with some or One of their respective Families, hear, settle, and determine the Matters of the said Damages; and the Judgement or Order of the Justices therein shall be final and conclusive to all Parties.

making Satisfaction.

Justices may determine Differences.

And be it further enacted, That the said Trustees, or any Five or more of them, or the said Surveyor or Surveyors, or any Person or Persons by them or either of them appointed or employed, may and is, and are hereby authorised and impowered to make, or cause to be made, Causeways in or along the Sides of any Part or Parts of the said Roads, and to cut, or cause to be cut, any Drains or Watercourses, in, through, or across any Lands or Grounds, in order to drain, or prevent the said Roads, or any Part or Parts thereof, from being overflowed; provided such Drains or Watercourses shall not in any-wise hurt or damage any Lead, Coal, or other Mine, or any of the Works, Engines, or Devices belonging to the same; and erect Bridges over such Drains or Watercourses where necessary, and also such other Bridges as they shall think necessary; and also to make, or cause to be made, a Road or Way by, through, or over the adjoining Grounds of any narrow or ruinous Parts of the said Roads hereby intended to be repaired, (not being

Surveyors may make Causeways,

and also may make temporary Roads.

being the Scite of or Ground whereon any House or Houses stand, or planted Walk, Yard, Park, Paddock, or Avenue to any House) to be made use of by all Passengers with Carriages and Cattle, or otherwise, as a publick Road, whilst the old or ruinous Road is repairing, and till such Time as it shall be convenient and safe for Carriages and Cattle to pass the same, making such reasonable Satisfaction to the Owners or Occupiers of such Lands or Grounds for the Damages they shall thereby sustain, as to the said Trustees, or any Five or more of them, shall seem reasonable.

Surveyors may remove Annoyances,

And be it further enacted, That it shall and may be lawful for the said Surveyor or Surveyors, and such Person or Persons as he or they shall appoint, to remove all Annoyances on the said Roads, and to cut down Trees or Bushes growing in the said Roads, the Owner or Occupiers neglecting to cut down such Trees or Bushes, or to remove such Annoyances, for the Space of Ten Days after Notice given in Writing for that Purpose under the Hand or Hands of the said Surveyor or Surveyors, the Charges whereof shall be reimbursed to the said Surveyor or Surveyors by such Owners or Occupiers neglecting to cut down such Trees or Bushes, or to remove such Annoyances as aforesaid; and in case such Owners or Occupiers shall not upon Demand pay and reimburse to the Surveyor or Surveyors such Charges as aforesaid, it shall and may be lawful for such Surveyor or Surveyors, by Warrant under the Hand and Seal or Hands and Seals of One or more Justice or Justices of the Peace for the said County of Glamorgan, from Time to Time, to levy the Charges thereof upon such Owners or Occupiers, by Distress and Sale of his and their Good and Chattels, rendering the Overplus, if any be, to the Owners or Occupiers thereof, upon Demand, after all Charges paid: And if, upon the Removal of any of the said Annoyances, any Person or Persons shall again offend in the like Manner, every such Person so offending, and being thereof convicted upon Oath before Two or more Justices of the Peace for the said County, shall, for every such Offence, forfeit and pay to the said Trustees, or any Five or more of them, the Sum of Forty Shillings, to be levied and recovered in Manner aforesaid.

Owners neglecting to remove the same after Notice,

and be reimbursed their Charges.

Penalty on a Second Offence.

Owners neglecting to scour their Watercourses,

And be it further enacted, That if any Person or Persons who of Right ought to scour and cleanse any Ditch, Drain, or Watercourse, which shall adjoin to or lead into or out of any Part or Parts of the said Roads, shall not

not in a proper Manner cause the same to be scoured or cleansed within the Space of Ten Days next after Notice in Writing shall for that Purpose be given to him, her, or them respectively, or shall be left at his, her, or their respective Place or Places of Abode by the said Surveyor or Surveyors, then the said Surveyor or Surveyors may cause such Ditches, Drains, and Watercourses to be scoured and cleansed, and pay for the scouring and cleansing the same; and if the said Person or Persons shall not repay the Money paid by such Surveyor or Surveyors upon Demand thereof upon him, her, or them respectively made, either in Person, or by Writing to be left at his, her, or their respective Place or Places of Abode, the said Money, and every Part thereof, upon the Proof of the cleansing and scouring the said Ditches, Drains, or Watercourses, and Payment of the said Money, and Demand thereof made, and Nonpayment thereof as aforesaid, by the Oath of One or more Witness or Witnesses, before any Justice of the Peace for the County or Place where such Person or Persons respectively shall live, shall and may, by Warrant or Warrants under the Hand and Seal of such Justice, be levied by Distress and Sale of the Goods and Chattels of such Person or Persons, rendering the Overplus (if any be) to the Owner or Owners thereof, upon Demand, after all Charges paid.

Surveyors may cleanse the same.

And be it further enacted, That in case the said Trustees, or any Five or more of them, shall at any Time or Times, during the Continuance of this Act, think proper to widen, turn, or alter any Part or Parts of the said Roads for the better Accommodation of Passengers, that then the said Trustees, or any Five or more of them, shall have full Power and Authority to treat, contract, and agree with the several Owners, Proprietors, Occupiers of, and Persons interested in any Lands, Grounds, or Hereditaments, for the Purchase of any such Lands, Grounds, or Hereditaments, or for the Loss or Damage such Owners, Proprietors, Occupiers, and Persons interested, or any of them, shall or may anyways sustain by such widening, turning, or altering any Part of such Roads; and out of the Tolls by this Act granted, or out of any Money to be borrowed on the Credit thereof, to pay for such Lands, Grounds, or Hereditaments, and for such Loss or Damage, such Sum or Sums of Money as shall be agreed upon between such Owners, Proprietors, Occupiers, and Persons interested as aforesaid; and the said Trustees, or any Five

Trustees may contract for the Purchase of Lands, &c.

or more of them, and also the Costs and Charges attending such Agreement and Purchase.

And whereas it may happen that some Persons, or Bodies Politick, Corporate or Collegiate, Corporations Aggregate or Sole, Feoffees in Trust, or others, are or may be seised or possessed of Lands, Grounds, or Hereditaments, which may by the said Trustees be thought necessary or proper to be taken in and added to the said Roads, or through which the said Roads may be turned; and such Persons, or Bodies Politick, Corporate or Collegiate, Corporations Aggregate or Sole, or Feoffees, may be willing to treat or agree for the Sale of such Lands, Grounds, or Hereditaments, but may be incapable of granting or conveying the same, by reason of Infancy or other Disability: Be it therefore further enacted, That it shall and may be lawful to and for all Bodies Politick, Corporate or Collegiate, Corporations Aggregate or Sole, and all Feoffees in Trust, Executors, Administrators, Husbands, Guardians, or other Trustees whatsoever, for or on Behalf of any Infants, Femes-covert, or Cestuique Trusts, and for all and every Person and Persons whomsoever, who are or shall be seised, possessed of, or interested in any such Lands, Grounds, or Hereditaments, to treat, contract, and agree with the said Trustees, or any Five or more of them, for the Purchase of such Lands, Grounds, or Hereditaments, or for their Interest therein, for the Purposes aforesaid, and to sell and convey the same as Occasion shall be and require: And all Contracts, Agreements, Sales, and Conveyances which shall be so made shall be valid to all Intents and Purposes whatsoever; any Law, Statute, Usage, or any other Matter or Thing to the Contrary thereof in any-ways notwithstanding: And all Bodies Politick, Corporate, Aggregate or Sole, and all Feoffees in Trust, Executors, Administrators, Husbands, Guardians, and Trustees, and all other Persons, are and shall be hereby indemnified for what they shall do by virtue or in pursuance of this Act.

Incapacitated Persons may treat.

And be it further enacted, That if any such Owner, Proprietor, Occupier, Bodies Politick, Corporate or Collegiate, Corporations Aggregate or Sole, Trustees, or other Person or Persons interested in any such Lands, Grounds, or Hereditaments, upon Notice to them given, or left in Writing at the Dwelling-house or Houses, or Place or Places of Abode of such Person or Persons,

Where Persons refuse to treat, &c.

or

or of the Head Officer or Officers of such Bodies Politick, Corporate or Collegiate, Corporations Aggregate or Sole, or at the House of the Tenant in Possession of the Lands, Grounds, or Hereditaments so to be taken in and added to the said Roads, or into or through which such Road is to be widened, turned, or altered, as aforesaid, shall, by the Space of Fifteen Days after such Notice given or left as aforesaid, neglect or refuse to treat, or shall not agree in the Premises, or by reason of Absence shall be prevented from treating; then, and in every or any such Case the said Trustees, or any Five or more of them, shall cause it to be inquired into and ascertained by and upon the Oaths of a Jury of Twelve indifferent Men of the County wherein such Lands, Grounds, or Hereditaments shall lie; (which Oath any Two or more of the said Trustees are hereby impowered and required to administer) what Damages will be sustained by, and what Recompence and Satisfaction shall be made to such Owners, Proprietors, Occupiers, or other Person or Persons interested for or upon account of the taking of such Lands, Grounds, or Hereditaments into the said Roads, or of turning such Road into or through any such Lands, Grounds, or Hereditaments; and in order thereto the said Trustees, or any Five or more of them, are hereby impowered and required from Time to Time, as Occasion shall be or require, to summon and call before the said Jury, and examine upon Oath, all and every Person and Persons whosoever, who shall be thought necessary and proper to be examined as a Witness or Witnesses, touching or concerning the Premises, (which Oath any Two or more of the said Trustees are hereby impowered to administer); and they shall order and cause the said Jury to view the said Places in question, if there be Occasion, and use all lawful Ways and Means, as well for their own as for the said Jury's better Information in the Premises, as they the said Trustees, or any Five or more of them, shall think fit; and after the said Jury shall have inquired of, ascertained, and settled such Damage and Recompence, they the said Trustees, or any Five or more of them, shall thereupon order, adjudge, and determine the said Sum or Sums of Money so assessed by the said Jury to be paid to the said Owners, Proprietors, or Occupiers of, or other Persons interested in the said Lands, Grounds, or Hereditaments, according to such Verdict or Inquisition of the said Jury; which said Verdict or Inquisition, and Judgement, Order,

Jury to assess the Recompence on Oath.

Verdict of Jury to be binding and conclusive.

Order, or Determination so had and made, shall be final, binding, and conclusive to all Intents and Purposes, against all Person and Persons whatsoever claiming in Possession, Reversion, Remainder, or otherwise, their Heirs and Successors, as well absent as present, Infants, Femes-covert, and Persons under any other Disability whatsoever, Bodies Politick, Corporate or Collegiate, Corporations Aggregate or Sole, as well as all other Person or Persons whomsoever; and all and every such Owners, Proprietors, and Occupiers, and all and every Person and Persons interested in such Lands, Grounds, or Hereditaments, shall, upon Payment or Tender of the Sum or Sums of Money so assessed as aforesaid, be thereby, from thenceforth, to all Intents and Purposes, divested of all Right, Title, Claim, Interest, and Property of, in, to, or out of the same; and for the summoning and returning such Jury or Juries, the said Trustees, or any Five or more of them, are hereby impowered to issue out their Warrant or Warrants to the Sheriff of the County wherein such Lands, Grounds, or Hereditaments shall lie, thereby commanding and requiring him to impannel, summon, and return an indifferent Jury of Twenty-four Persons to appear before the said Trustees, or any Five or more of them, at such Time and Place as in such Warrant shall be appointed; and the said Sheriff, or his Deputy or Deputies, is and are hereby required to impannel, summon, and return such Number accordingly; and out of the Persons so impannelled, summoned, and returned, or out of such of them as shall appear upon such Summons, the said Trustees, or any Five or more of them, shall swear, or cause to be sworn, Twelve, who shall be the Jury for the Purposes aforesaid; and in Default of a sufficient Number of Jurymen, the said Sheriff, or his Deputy or Deputies, shall return other honest and indifferent Men, of the Standers-by, or that can speedily be procured to attend that Service, to the Number of Twelve; and all Persons concerned shall have their lawful Challenges against any of the said Jurymen, when they come to be sworn; and the said Trustees, or any Five or more of them, acting in the Premises, shall have full Power, from Time to Time, to impose any reasonable Fine or Fines on such Sheriff, his Deputy or Deputies, Bailiffs or Agents, making Default in the Premises, and on any of the Persons who shall be summoned and returned on such Jury, and shall not appear, or who shall refuse to be sworn on the said Jury,

Trustees to issue their Warrants to the Sheriff for impannelling a Jury.

Jurors may be challenged.

Trustees may impose Fines.

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Jury, or being so sworn, refusing to give, or not giving their Verdict, or in any other Manner wilfully neglecting their Duty therein, contrary to the true Intent and Meaning of this Act; and on any of the Persons who, being required to give Evidence before the said Jury touching the Premises, shall refuse or neglect to appear, or appearing shall refuse to be sworn and give Evidence; and from Time to Time to levy such Fine or Fines, in the same Manner as any other Forfeiture or Penalty herein before mentioned is hereby directed to be levied, so that no such Fine shall exceed the Sum of Five Pounds upon any One Person for One Offence; and all such Fines shall be applied for such Uses, and in such Manner, as the Tolls granted by this Act are to be applied.

Fine not to exceed 5*l.*

And be it further enacted, That in case any Jury or Juries, to be summoned and sworn pursuant to the Authority of this Act, shall give in and deliver a Verdict or Assessment for more Monies, as a Recompence or Satisfaction for the Right, Interest, or Property of any Person or Persons in any such Lands, Grounds, or Hereditaments, or for any such Loss or Damage than what shall have been agreed to and offered by the said Trustees, or any Five or more of them, before the summoning or returning the said Jury or Juries, as a Recompence or Satisfaction for any such Right, Interest, or Property in any such Lands, Grounds, or Hereditaments, or Loss or Damage as aforesaid; that then, and in such Case, the Costs and Expences of summoning and maintaining the Jury and Witnesses, concerning the ascertaining and determining the Value of any such Right, Property, or Interest, or Losses or Damages sustained as aforesaid, shall be borne and paid by the said Trustees, or any Five or more of them, out of the Tolls or Duties hereby granted, or out of any Money to be borrowed upon the Credit thereof; but if any Jury or Juries, so to be summoned and sworn as aforesaid, shall give in and deliver a Verdict or Assessment for no more or for less Monies than shall have been agreed to and offered by the said Trustees, or any Five or more of them, before the summoning and returning the said Jury or Juries, as a Recompence or Satisfaction for any such Right, Interest, or Property in any such Lands, Grounds, or Hereditaments, or Losses or Damages as aforesaid, that then the Costs and Expences of summoning and maintaining the said Jury and Witnesses shall be borne

Jury assessing for more Money than offered, Expence to be borne by Trustees;

but if for no more or less Money, Expences to be borne by the Persons complaining.

and paid by the Perſon or Perſons with whom the ſaid Truſtees ſhall have ſuch Controverſy or Diſpute.

Monies aſſeſſed to be charged on Tolls.

And be it further enacted, That all and every Sum and Sums of Money ſo aſſeſſed as aforeſaid, is hereby charged upon the Monies which ſhall be raiſed by virtue of this Act, and ſhall be paid thereout accordingly by the ſaid Truſtees, or any Five or more of them, or their Treaſurer, to the Perſons reſpectively intitled thereto, or to their Agents; and that upon Payment or Tender thereof to ſuch Perſons or their Agents, and in caſe of Refuſal to accept the ſame, then upon leaving the ſame in the Hands of the Treaſurer to the ſaid Truſtees for the Uſe of ſuch Perſons, ſuch Lands, Grounds, or Hereditaments ſhall be laid into and made Part of the ſaid Roads, and ſhall, to all Intents and Purpoſes whatſoever, become and be, and be deemed and taken to be a publick and common Highway, and be from thenceforth Part of the ſaid Roads for ever after, and ſhall be repaired and kept in Repair by ſuch Ways and Methods, and in all Reſpects in ſuch Manner as the old Road ſo widened, altered, or turned was and ought to have been kept in Repair; and after ſuch new Road ſhall be completed, the Lands and Grounds comprized in or conſtituting the old or former Road, unleſs the ſame ſhall lead to any other Place or Places not comprized within the Deſcription of this Act, ſhall be veſted in the ſaid Truſtees, and ſhall or may be ſtopped up or left unrepaired, or ſhall or may be by them, or any Five or more of them, ſold and diſpoſed of to ſuch Perſon or Perſons as ſhall be willing to become the Purchaſer or Purchaſers thereof, for the beſt Price that can be got for the ſame; and the Money ariſing by ſuch Sale ſhall be applied and diſpoſed of for the repairing the ſaid Roads, and other the Purpoſes of this Act; and the Sale or Conveyance and Conveyances to be made of ſuch Lands or Grounds, being executed by the ſaid Truſtees, or any Five or more of them, and inrolled with the Clerk of the Peace for the ſaid County of Glamorgan, ſhall be good and effectual in the Law to all Intents and Purpoſes whatſoever.

Lands, when purchaſed, to be made Part of the Road, and kept in Repair as ſuch.

Old Road may be ſold.

Application of the Money.

Lead Ore, Coal, &c. reſerved to the former Proprietors.

And be it further enacted, That the Property of all Lead Ore, Coal, and other Minerals to be had and found in any Part or Parts of the ſaid old Road, which ſhall be turned or diverted as aforeſaid, or in the Lands, Grounds, or Hereditaments which ſhall be cut through and laid into the ſaid Road hereby intended to be made, ſhall be, and are hereby reſerved, continued, and veſted

to

to and in the Person or Persons intitled to the same, at the Time the said old Road, or any Part or Parts thereof, shall be so diverted, or the said Lands, Grounds, or Hereditaments, shall be cut through and laid into the said Road hereby intended to be made, his, her, and their Heirs and Assigns, and the Person or Persons intitled to the said Dye, Coal, and Minerals, shall be, and are hereby impowered to enter into the said old Road so diverted, or the said Road so made, and to dig, sink, raise, and carry away the same Dye, Coal, and Minerals, by themselves and their Workmen, Horses, Carts, and Carriages, for their own proper Use and Benefit, committing no Act to the Danger of any Person travelling the said Roads, and doing as little Damage to the said Road as may reasonably be, and filling up all Pits and Holes, and removing and levelling all Banks and Hillocks that shall be made upon Account of the same Mines and Works, to the Satisfaction of the said Trustees; or any Five or more of them; any Thing herein contained to the Contrary notwithstanding.

No House, &c. to be damaged in altering the Road.

And be it further enacted, That in widening, turning, altering, or diverting any Part or Parts of the said Roads, nothing shall be done which shall or may in any-ways injure or damage any House or Building, or any Yard, Garden, Orchard, Park, Plantation, or Nursery of Trees, or any Walk of Trees, or Avenue to any House, or any Coal, Lead, or other Mine, or any Watercourse, Engine, or other Device belonging to the same, unless the Owner or Proprietor thereof shall consent thereto.

Persons liable to repair the Roads to continue so.

And be it further enacted, That all and every Person and Persons, Towns, Parishes, Hamlets, and Places, and the Inhabitants thereof, Bodies Politick and Corporate, who, before the making of this Act hath or have used, or of right ought, by reason of the Tenure of any Lands or Hereditaments, or on any other Account or Accounts, to repair any Part or Parts of the Roads hereby intended to be repaired, or any Bridge or Bridges, shall, notwithstanding this Act, be subject and liable to, and charged and chargeable with the repairing and keeping in repair the same Parts of the same Roads, and such Bridge or Bridges, in the same Manner as they and every of them hath or have heretofore usually done or ought to do; and that the Inhabitants of and Occupiers of Lands, Tenements, and Hereditaments, in the several Towns, Parishes, Hamlets, and Places through which the Roads hereby intended to be repaired do lie, who, by the Laws and Statutes of this Realm, are or shall

shall be obliged or liable to perform the Work in the Highways for the repairing thereof, commonly called Statute-work, shall still be subject and liable to do and perform the same Work, and shall and are hereby required to do and perform such and so many Days Work in such Parts of the Roads by this Act directed to be repaired, and lying within the said Towns, Parishes, Hamlets, or Places in which such Inhabitants respectively shall live, or shall occupy any Lands, Tenements, or Hereditaments, as the said Trustees, or any Five or more of them, shall direct or appoint, not exceeding Three Days Work in any One Year; and at such Time, and in such Manner, as the Surveyor or Surveyors by them authorised shall direct or appoint.

Surveyor to give in Lists of Persons liable to do Statute-work.

And, to the End that the said Trustees may know the Inhabitants of and Occupiers of Lands, Tenements, and Hereditaments in all the Towns, Parishes, Hamlets, and Places through which the said Roads lead, who are liable to do Statute-work in their Highways, and what Sort of Duty they ought respectively to do, be it further enacted, That the Surveyors of the Highways of and for every of the said Towns, Parishes, Hamlets, and Places, shall, and they are hereby required, at the first Meeting of the said Trustees after the first Day of January in every Year, or at any other Meeting of the said Trustees, if thereunto required by the said Trustees, or any Five or more of them, during the Continuance of this Act, Ten Days Notice of such Meeting being affixed on all the Toll-gates erected by virtue of this Act, to deliver in to the said Trustees true and perfect Lists in Writing, under their respective Hands, of the Names of all the Inhabitants of and Occupiers of Lands, Tenements, and Hereditaments in such Towns, Parishes, Hamlets, and Places respectively, who are liable to do their Statute-duties in and upon the said Highways; and shall in such Lists, and every of them, distinguish and set forth which of such Inhabitants and Occupiers shall, and by this Act shall be deemed to keep a Team or Teams, and which of them are Labourers only, or do not, or by this Act are not deemed to keep a Team or Teams.

Penalties on Surveyors not giving in such Lists,

And be it further enacted, That if the Surveyor or Surveyors of the several Towns, Parishes, Hamlets, or Places through which the said Roads lead, shall not deliver in to the said Trustees Lists of the Inhabitants of and Occupiers of Lands, Tenements, and Hereditaments, in their said several Towns, Parishes, Hamlets, or Places, at such Times, and in such Manner, as by this

this Act is required and directed to be delivered, such Surveyor or Surveyors, and every of them, shall forfeit and pay for every such Default any Sum not exceeding the Sum of Five Pounds: And if any or either of the Inhabitants of, or Occupiers of, Lands, Tenements, or Hereditaments, in the said several Towns, Parishes, Hamlets, or Places, being obliged or liable by Law to do Statute-work in and upon the said Highways, shall not do such Statute-work in and upon the said Roads, at such Times and Places, and in such Manner as they shall, by the Surveyor or Surveyors appointed by the said Trustees, be directed or appointed to do, such Inhabitants and Occupiers, and every of them, shall, for every such Neglect or Default, forfeit and pay the several Sums herein-after mentioned; that is to say, Every such Inhabitant or Person who shall keep, or by virtue of this Act shall be deemed to keep a Team or Teams, for every Day's Work for each Team the Sum of Ten Shillings, and every other Inhabitant or Person not keeping, and not being by virtue of this Act deemed to keep a Team, for every Day's Work the Sum of One Shilling and Sixpence; and if any Person or Persons who shall come to work as a Labourer or Labourers, or be sent with any Team, Draught, or Cart, to work on the said Roads for the Repairs thereof, commonly called Statute-work, is or are found idle or negligent, or shall not properly perform such Statute-work, the Turnpike Surveyor or Surveyors may and is and are hereby impowered and required to remove and discharge such Person or Persons; and it shall be deemed and taken as if such Person or Persons had not come or sent any Team, Draught, or Cart, to work on the said Roads, and he, she, or they, shall be subject and liable to the said respective Forfeitures, as if he, she, or they, had neglected or refused to do or perform the said respective Day's Work.

and on Persons not performing Statute-work.

And be it further enacted, That the said Trustees, or any Five or more of them, may, and are hereby authorised and impowered to compound with any Person or Persons, Bodies Politick or Corporate, for the Repairs to be by them done upon the said Roads, and also with the several Inhabitants of, and Occupiers of Lands, Tenements, and Hereditaments, in the several Towns, Parishes, Hamlets, and Places, through which the said Roads, or any Part or Parts thereof lead, for the several Days Statute-work to be by them respectively done upon the said Roads, at and for such Sum or Sums of Money, by the Year or otherwise, as they the said

Trustees may compound for Statute-work.

Trustees, or any Five or more of them, and such Person or Persons, Bodies Politick or Corporate, or Inhabitants or Occupiers respectively, shall agree upon; which said Money shall be instantly paid to the said Trustees, or any Five or more of them, or to their Appointment.

Bridges to be repaired.

Provided always, and be it further enacted, That all County Bridges, over which any of the said Roads lead, shall be repaired and kept in Repair, in the same Manner as they were repaired and kept in Repair before the passing of this Act.

Penalty on drawing Timber, &c.

And be it further enacted, That if any Person or Persons shall hale or draw, or cause to be haled or drawn, along any Part of the said Roads, any Tree or Trees, Piece or Pieces of Timber, or any Stone or Stones (except Mill Stones) otherwise than upon Wheel-carriages or Sledges, every such Person or Persons shall, for every such Offence, forfeit and pay any Sum not exceeding the Sum of Forty Shillings.

Roads to be measured, and Mile-stones erected.

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 Mile-stones to be set up on the Sides of the said Roads, with Inscriptions to be made thereon, denoting the Number of Miles and Distance of Places; and also Posts at the several Roads leading out of the Roads hereby directed to be repaired, with Inscriptions to be made thereon, denoting to what Place or Places the said Roads respectively lead: And if any Person or Persons shall wilfully or designedly break or pull down, dig up, injure, deface, or destroy, any or either of the Stones or Posts that shall be so set up, or erase, obliterate, or deface, any of the Inscriptions which shall be made thereon, or cause the same to be done; every such Person so offending, shall forfeit and pay any Sum not exceeding the Sum of Ten Shillings for each Stone or Post so wilfully and designedly broken, obliterated, defaced, or pulled down.

Penalty on defacing Mile-stones.

Penalties and Forfeitures how to be recovered and applied.

And be it further enacted, That all Penalties and Forfeitures by this Act imposed (the Manner of levying and recovering whereof is not otherwise particularly directed) shall be levied by Distress and Sale of the Offender's Goods and Chattels, by Warrant under the Hand and Seal, or Hands and Seals, of One or more Justice or Justices of the Peace for the County wherein such Offender shall dwell; which Warrant the said Justice or Justices is and are hereby impowered and required

to

to grant, upon the Information of any One or more credible Witness or Witnesses upon Oath, (which Oath the said Justice or Justices is and are hereby impowered and required to administer without Fee or Reward); and the Penalties and Forfeitures, when recovered, after rendering the Overplus (if any be) when demanded, to the Party or Parties whose Goods and Chattels shall be so distrained and sold (the Charges of such Distress and Sale being first deducted) shall be paid to the said Trustees, or any Five or more of them, or their Treasurer, and shall be applied (if not otherwise directed to be applied by this Act) for and towards the amending the said Roads, and other the Purposes of this Act; and in case sufficient Distress cannot be found, and such Penalties or Forfeitures shall not be paid, it shall and may be lawful for such Justice or Justices, and he and they is and are hereby authorised and required, by Warrant under his or their Hand and Seal, or Hands and Seals, to commit such Offender or Offenders to the Common Gaol of the County or Place, for any Time not exceeding Three Months.

Persons aggrieved may appeal to the Quarter-Sessions.

And be it further enacted, That if any Person or Persons shall think him, her, or themselves aggrieved, by any Act, Order, or Judgement, of any Justice or Justices of the Peace, which shall by him or them be done, made, or awarded by virtue of this Act, or in the Execution of any of the Powers hereby to him or them given, such Person or Persons may appeal to the Justices of the Peace, at the next General Quarter-Session of the Peace, for the County or Place where the Matter or Thing, for or by reason of which such Act, Order, or Judgement, shall be so done, made, or awarded, and which shall be holden next after the doing, making, or awarding of such Act, Order, or Judgement, he, she, or they causing Six Days Notice in Writing of such Appeal, and of the Cause or Matter thereof, to be given to the Person or Persons on whose Oath or Oaths, or other Evidence, such Act, Order, or Judgement, shall be so done, made, or awarded, and to some or One of the Collectors or Receivers of the said Tolls; which said Justices at their Session, upon due Proof of such Notice being given, shall proceed in, and hear and determine the Causes and Matters of the said Appeals, and every of them; and the Orders and Judgements of the said Justices shall be final and conclusive to all Parties concerned or interested therein.

And

Distress not to be deemed unlawful for Want of Form;

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

nor the Parties distraining deemed Trespassers *ab initio*, for subsequent Irregularity.

Proviso.

Provided always, That no Plaintiff or Plaintiffs shall recover in any Action, for any such Irregularity as aforesaid, if Tender of Amends hath been made by or on the Behalf of the Party distraining before such Action brought.

Proceedings to be entered in a Book.

And be it further enacted, That full, true, and fair Accounts and Entries of all Monies which shall be collected and received, laid out, expended, and paid by virtue of this Act, and of all Orders, Acts, Matters, Proceedings, and Things, which shall be done by the said Trustees, in the Execution of the Powers hereby to them given, shall, from Time to Time, be duly and regularly entered in a Book or Books, which shall be kept for those Purposes by the Clerk or Clerks to the said Trustees; and all such Entries, when so made and signed by Five or more Trustees, at any publick Meeting held in pursuance of this Act, shall be good and valid in Law to all Intents and Purposes, and may be produced as Evidence in any of His Majesty's Courts of Law or Equity.

Writings to be without Stamps.

And be it further enacted, That no Nomination, Appointment, Information, Order, Judgement, Conviction, Warrant, Mortgage, or Assignment, Transfer, or other Security for the borrowing of Money, or other Writing whatsoever, under the Hand and Seal, or Hands and Seals of, or only signed by, any Trustee or Trustees for putting this Act in Execution, or by any Justice or

or Justices of the Peace, or exhibited before them, or any of them, touching, concerning, or in Execution of any of the Powers or Authorities hereby vested in such Trustee or Trustees, Justice or Justices of the Peace, or any of them, or Transfer or Assignment of any of the Securities aforesaid made by any Person or Persons, shall be charged or chargeable with any Stamp-duty whatsoever; any Law to the Contrary notwithstanding.

No Order to be repealed, unless Nine Trustees present.

And be it further enacted, That no Order made by the said Trustees, or any Five or more of them, in, for, or concerning the executing the Trusts, Powers, and Authorities of this Act, or any of them, shall be revoked, repealed, or set aside by any subsequent Order of the said Trustees, unless Nine Trustees shall be present, and consent thereto.

No Trustee to act but at a publick Meeting.

And be it further enacted, That no Trustee or Trustees hereby nominated or appointed, or hereafter to be nominated, chosen, or appointed to put this Act, or any of the Powers therein, in Execution, shall act, or be authorised or impowered to do any Act therein, or under the same, except at a publick Meeting or Meetings to be held in pursuance of this Act.

Commencement and Continuance of this Act.

And be it further enacted, That the Tolls or Duties, and Powers hereby granted, shall commence and have Continuance from the passing hereof for and during the Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament.

Limitation of Actions.

And be it further enacted, That if any Action or Actions, Suit or Suits, shall be brought against any Person or Persons for any Thing done in pursuance of this Act, or in relation to the Matters herein contained, such Actions and Suits, and every of them, shall be commenced within Six Months next after the doing the Matter or Thing for which such Action or Actions, Suit or Suits, shall be so brought, and not afterwards; and shall be brought, laid, and tried in the County or Place where such Cause of Action shall arise, and not in any other County or Place; and that the Defendant or Defendants in such Actions and Suits, and every of them, may plead the General Issue, and give this Act and the Special Matter in Evidence at any Trial or Trials which shall be had thereupon; and that the Matter or Thing for which such Action or Actions, Suit or Suits, shall be so brought, was done in pursuance and by the Authority of this Act; and if the said Matter or Thing shall appear to have been so done, or if any such Action or Suit shall not have been commenced within the

General Issue.

Time before for that Purpose limited, or shall be laid in any other County or Place than as aforesaid, then the Jury or Juries shall find for the Defendant or Defendants therein; and if a Verdict or Verdicts shall be found for such Defendant or Defendants, or if the Plaintiff or Plaintiffs in such Action or Actions, Suit or Suits, shall become nonsuit, or suffer a Discontinuance of such Action or Actions; or if upon any Demurrer or Demurrers in such Action or Actions, Judgement shall be given for the Defendant or Defendants therein; then, and in either of the Cases aforesaid, such Defendant or Defendants shall have Treble Costs, and shall have such Remedy for the Recovery thereof as any Defendant or Defendants hath or have for his, her, or their Costs in any other Cases by Law.

Treble Costs.

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

FINIS.