Anno ſexto

Georgii III. Regis.

An Act to enable *Thomas Kymer* Eſquire, to make a navigable Cut or Canal from *Little Gwendraeth River*, near the Town of *Kidwely*, to the *Great Foreſt* and *Pwll Llygod*, in the County of *Carmarthen*.



WHEREAS Thomas Kymer Eſquire, is ſeiſed of ſeveral Veins of Stone-Coal and Culm, ſituate at the Great Foreſt and Pull Llygod, in the County of Carmarthen, which now are, and for ſeveral Years paſt have been, worked by the ſaid Thomas Kymer, and great Quantities of Coal and Culm have been conveyed from the ſaid Works down Great Gwendraeth River to Kidwely River, and from thence conveyed by Ships and other Veſſels to ſeveral Ports and Places in this Kingdom and Ireland, to be uſed in the drying of Malt, burning of Lime, and for other Purpoſes: And whereas Great Gwendraeth River is navigable from the ſaid Works only Preamble.

only at Spring Tides, and running in most Parts thereof over a wide Sand, is subject to perpetual Changes in its Course, on which Account the Delivery of Coals and Culm from the said Works, into Ships in the said River of Kidwely, is rendered very uncertain, and Ships are frequently detained there many Days for want of Lading, to the great Prejudice of the Owners thereof, and the Publick in general: And whereas a navigable Cut or Canal is capable of being made from Little Gwendraeth River, near the Town of Kidwely, to the Great Forest and Pwll Llygod aforesaid, by which Means Ships and other Vessels may at all Times and Seasons be constantly and regularly supplied with Coals and Culm from the said Works, and the said Thomas Kymer is willing and desirous, at his own Expence, to make and maintain such navigable Cut or Canal; but as the same cannot be effected without the 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,

Thomas Kymer, &c. impowered to make a Cut or Canal,

That the said Thomas Kymer, his Heirs and Assigns, shall be, and he and they is and are hereby fully authorized and impowered from time to time, and at all Times hereafter, at his and their own proper Costs and Charges, to make and maintain a navigable Cut or Canal, passable and portable for Boats, Barges, and other Vessels, at all Times and Seasons, from or near a certain Place called Ythyn Frenig, situate on a certain Common called Morfa Mawr, and near the lower End of Little Gwendraeth River, within the Limits of the Borough of Kidwely, to the Great Forest and Pwll Llygod, in the Parishes of Langendeirn and Pembrey, in the County of Carmarthen, and to supply the said Cut or Canal, whilst the same shall be making, and when made, with Water from such Brooks or Streams as communicate with, or shall run into the said Cut or Canal, or shall be found near any Part of the said Cut or Canal, and to continue and use the said Navigation in such Manner as he and they shall think fit; and for that Purpose he and they, and his and their Agents, Servants, Workmen, and Labourers, is and are hereby authorized and impowered, in, upon, or through the Lands and Grounds of the King's Majesty, His Heirs or Successors, or of any other Person or Persons,

Persons, Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, to dig, cut, trench, sough, and remove Earth, Stone, Rubbish, Trees, Roots of Trees, and all other Obstructions, for the making, using, maintaining, and repairing the said Cut or Canal, and Towing Paths on the Sides thereof, and for the making, using, maintaining, and repairing of such Trenches, Passages, Gutters, and Watercourses, as shall be necessary and proper to convey such Water as aforesaid to and from the said Cut or Canal, and for the raising, strengthening, and supporting the Banks of such Cut or Canal, and Towing Paths, and such Trenches, Passages, Gutters, and Watercourses respectively; and for the making of Weirs and convenient Places for discharging the Water from the said Cut or Canal, and for the making of such Back Drains, Gutters, or Trenches, as shall be necessary or proper to prevent any Damage to the Lands or Grounds adjoining or lying near the said Cut or Canal, by the oozing or flowing of Water from or out of the same, and for the making, maintaining, enlarging, opening, or altering, any Roads, Ways, Passages, Cuts, Locks, Trenches, Sluices, or other Conveniences, to or from the said Cut or Canal, for the conveying, and also Cranes, Weighing Beams, and other Engines, for the loading or unloading of Coals, Culm, Timber, Stone, and other Goods to and from the same; and to inclose and appropriate such Parts of the said Lands and Grounds adjoining to the said Cut or Canal, as shall be necessary or proper for Houses, Warehouses, Wharfs, Quays, or Docks, and to make, maintain, repair, and alter any Bridges, Arches, or Passages, over, under, or through the said Cut or Canal, or the said Trenches, Passages, Gutters, Water-courses, and Sluices respectively, which shall communicate therewith; and also to divert or alter the Course of Great Gwendraeth River, at any Place between a certain Bridge called Spudder Bridge, and any Part of the Great Forest and Pwll Llygod aforesaid, and to make a new Bed or Beds, Course or Courses, for Great Gwendraeth River, in the Stead of the former Beds or Courses, and to make Quays or proper Places for the Reception of Ships Ballast, for the better Preservation of the Navigation in Little Gwendraeth and Kidwely River, at such Place or Places as shall be found necessary and convenient for that Purpose; and to make and set up such Posts, Rails, Hedges, Ditches, Banks, and other

Fences on the Sides of the said Cut or Canal, in such Places as he or they shall judge necessary for separating and dividing the Towing Paths from the adjoining Lands; and also to place and lay any Earth, Stone, Materials, or Things necessary to be got or used, in or upon Account of the several Matters and Works aforesaid, on the Lands or Grounds near to the Place or Places where such Works, or any of them, shall be making, erecting, altering, or repairing, and to do and perform all such other Matters and Things necessary or proper for the making, maintaining, and easy and convenient Use of such Cut or Canal, as he the said Thomas Kymer, his Heirs or Assigns, shall think fit; he the said Thomas Kymer, his Heirs or Assigns, his or their Agents, Workmen, or Servants, first making Satisfaction, in Manner herein after-mentioned, to the respective Owners of, and Persons interested in, such Lands or Grounds as shall be used, removed, or prejudiced, in or by the Execution of any of the Powers hereby granted.

and to survey and set out Lands.

And be it further enacted, That it shall and may be lawful to and for the said Thomas Kymer, his Heirs, or Assigns, and to and for his or their Agents or Servants, from time to time, and at all Times hereafter, to enter upon the Lands or Grounds of the said several Persons, Bodies Politick, Corporate, or Collegiate, through which the said Cut or Canal is intended to be made, in order to survey and take a Level of the same, and so set out and ascertain such Parts thereof, as they shall think necessary or proper, for the making such navigable Cut or Canal, and other the Matters and Conveniences aforesaid; the said Thomas Kymer, his Heirs, or Assigns, his and their Agents or Servants, making Satisfaction for the Damage they shall do thereby to the Occupiers of such Lands or Grounds, in case the same shall exceed the Sum of One Shilling.

All Persons impowered to convey Lands, &c.

And be it further enacted, That after any such Parts of the said Lands or Grounds shall be so set out and ascertained for making the said Cut or Canal, and other the Purposes and Conveniences herein before-mentioned, it shall and may be lawful for all Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, Lords of Manors, Husbands, Guardians, Trustees, and Feoffees in Trust, Committees, Executors, Administrators, and all other Trustees whatsoever, not only for and on behalf of themselves, their Heirs and Successors, but also for and on behalf of their Cestuique Trusts,

Truſts, whether Infants or Iſſue unborn, Lunaticks, Ideots, Femes-covert, or other Perſon or Perſons, and to and for all Femes-covert, who are or ſhall be ſeiſed or intereſted in their own Right, and to and for all and every other Perſon and Perſons whomſoever, who are or ſhall be ſeiſed, poſſeſſed of, or intereſted in, any Lands or Grounds which ſhall be ſo ſet out and aſcertained as aforeſaid, or any Part thereof, to contract for, ſell, and convey, unto the ſaid Thomas Kymer, his Heirs, and Aſſigns, or to ſuch Perſon or Perſons as he or they ſhall nominate, all or any Part of ſuch Lands or Grounds which ſhall, from time to time, be ſo ſet out and aſcertained as aforeſaid; and that all ſuch Contracts, Agreements, Sales, Conveyances, and Aſſurances, ſhall be valid and effectual in Law to all Intents and Purpoſes whatſoever; any Law, Statute, Uſage, or Cuſtom, to the contrary thereof in any wiſe notwithſtanding; and all Bodies Politick, Corporate, or Collegiate, and all Perſons whatſoever, ſo conveying as aforeſaid, are hereby indemnified for what he, ſhe, they, or any of them, ſhall reſpectively do by Virtue and in Purſuance of this Act; and that all ſuch Contracts, Agreements, Sales, Conveyances, and Aſſurances, ſo to be made as aforeſaid, ſhall, at the Expence of the ſaid Thomas Kymer, his Heirs, or Aſſigns, be inrolled by the Clerk of the Peace for the ſaid County of Carmarthen; and true Copies thereof ſhall be allowed to be good Evidence in all Courts whatſoever.

And, for the better and more effectual Execution of the Purpoſes of this Act, be it further enacted, That Sir Thomas Stepney, Sir William Manſell, Sir William Owen, Sir John Mordaunt Cope, Baronets; Richard Vaughan, John Stepney, George Rice, Charles Philipps, Hugh Owen, Thomas C. Hayton, John Jennings, Owen Brigſtock, Griffith Price, Lewis Rogers, Edward Rees, Robert Brigſtock, Eugene Vaughan, John Vernon Vaughan, Charles Owen, John Brown, Edward Brown, William Clayton, Edward Dalton, Howell Gwynne, Cornwallis Maude, Robert Banks Hodgkinſon, Gwynne Davies, George Lloyd Meares, John Ravenſcroft, Daniel Lloyd, John Adams, Pennoyre Watkins, Thomas Evans, William Bevan, George Bevan, William Rees, Albert Davids, George Philipps, William Jones, Richard Powell, William Lloyd, David Edwards, Charles Owen, Evan Davies, Morgan Lloyd, Edward Price Lloyd, Evan Griffiths, Eſquires; the Reverend Jeremy Pemberton, the Reverend John Manſell, the Reverend David Williams, the

Commiſſioners Names,

the Reverend John Harris, Clerks; Richard Philipps of Kidwely, Walter Pugh, John Bevan of Pengay, George Roberts of Penlan, Owen Roberts of Kidwely, and James Price, Gentlemen; shall be, and they and their Successors to be elected in Manner herein after-mentioned, are hereby appointed Commissioners for the settling, determining, and adjusting, all Questions, Matters, and Differences, which shall or may arise between the said Thomas Kymer, his Heirs, or Assigns, and the several Proprietors of, and Persons interested in, any Lands or Grounds that shall or may be affected or prejudiced by the Execution of any of the Powers hereby granted; and they the said Commissioners, or any Five or more of them, are hereby impowered, by Writing under their Hands and Seals, with the Consent of the Parties concerned, to determine and adjust what Sum or Sums of Money shall be paid by the said Thomas Kymer, his Heirs, or Assigns, to such Bodies Politick, Corporate, or Collegiate, Person or Persons respectively, who shall be so intitled or interested as aforesaid, for the absolute Purchase of the Lands or Grounds which shall be so set out and ascertained as aforesaid for making the said Cut or Canal, or any Part thereof, and other the Purposes herein mentioned; and also to determine and adjust the Recompence to be made for any Damages which may or shall be at any Time or Times whatsoever sustained by any Proprietors of, or Person or Persons interested in, any Lands, Grounds, Tenements, or Hereditaments, for or by reason of the making, repairing, or maintaining, the said Cut or Canal, Trenches, Passages, Gutters, Water-courses, Roads, Ways, or Sluices, or supplying the same or any of them with Water as aforesaid; or by the flowing, leaking, or oozing, of the Water over or through the Banks of the said Cut or Canal, Trenches, or Sluices, or over or through any Passages, Gutters, or Water-courses, which shall be made pursuant to the Powers hereby given for conveying and communicating Water to or from the said Cut or Canal, or by Reason or Means of the Execution of any of the Powers herein contained, by the said Thomas Kymer, his Heirs, or Assigns, his or their Agents, Servants, or Workmen, in case such Price or Value, Damages, and Recompence respectively, cannot be settled, adjusted, and agreed for, by and between the said Thomas Kymer, his Heirs, and Assigns, and such Proprietors of, and Persons interested

and Power.

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ed in, the said Lands and Grounds as aforesaid: And if the said Thomas Kymer, his Heirs, or Assigns, or his or their Agent or Agents, or any such Bodies Politick, Corporate, or Collegiate, Trustee or Trustees, or other Person or Persons, so interested or intitled as aforesaid, shall refuse to submit any such Matter to the Determination of the said Commissioners, or shall be dissatisfied with any Determination which shall be by them made as aforesaid; and if any such Body Politick, Corporate, or Collegiate, Trustee or Trustees, or other Person or Persons, intitled or interested as aforesaid, shall refuse to receive, upon due Tender thereof made, such Purchase-money, or such Recompence as shall be so determined to be paid, or shall upon Notice, in Writing, given to the principal Officer or Officers of such Body Politick, Corporate, or Collegiate, or to such Trustee or Trustees, Person or Persons respectively, or left at the Places of his, her, or their, Abode, or with the Tenant or Tenants, Occupier or Occupiers, of such Lands or Grounds, for the Space of Twenty Days next after such Notice, neglect or refuse to treat, or shall not agree with the said Thomas Kymer, his Heirs, or Assigns, or by reason of Absence shall be prevented from treating; then and in such Case the said Commissioners, or any Five or more of them, shall, and they are hereby impowered and required, from time to time, to issue out a Warrant or Warrants, under their Hands and Seals, to the Sheriff of the County of Carmarthen, or in case such Sheriff shall happen to be interested in the Matter in Question, or any ways related to any of the Parties interested therein, then to One of the Coroners of the said County, commanding such Sheriff or Coroner respectively to impanel, summon, and return, a Jury; and the said Sheriff or Coroner respectively is hereby required accordingly to impanel, summon, and return, a Jury of Twenty four sufficient and indifferent Men, qualified according to the Laws of this Realm, to be returned for Trials of Issues joined in his Majesty's Courts at Westminster, or in the Courts of Great Sessions in Wales, to appear before the said Commissioners, or any Five or more of them, at such Time and Place as in such Warrant or Warrants shall be appointed, not being less than Nine, nor more than Twenty Days after such Warrant shall be served upon the said Sheriff or Coroner respectively: And in case a sufficient Number of Jurymen shall not appear at the Time and Place which shall be appointed as aforesaid, the said Sheriff or Coroner shall return

If Parties refuse to treat, or shall not agree,

Juries may be impanelled to settle to Difference.

other honest and indifferent Men of the Standers-by, or that can speedily be procured to attend that Service, being so qualified as aforesaid, to make up the said Jury to the Number of Twelve, and all Persons concerned may have their lawful Challenges against any of the said Jurymen: And the said Commissioners, or any Five or more of them, are hereby impowered, by Warrant or Warrants under their Hands and Seals, from time to time, as Occasion shall require, to summon and call before them all and every such Person and Persons as shall be thought necessary to be examined as Witnesses touching the Matters in Question; and the said Commissioners, or any Five or more of them, may order and authorize the said Jury, or any Six or more of them, to view the Place or Places, or Matters in Controversy; which Jury (upon their Oaths, to be administered by the said Commissioners, or any Five or more of them, and those Oaths, as well as the Oaths to such Person or Persons as shall be called upon to give Evidence, the said Commissioners, or any Five or more of them, are hereby impowered to administer) shall enquire of, assess, and ascertain the Sum or Sums of Money to be paid for the Purchase of such Lands or Grounds, or the Recompence to be made for the Damages that may or shall be so sustained as aforesaid; and the said Commissioners, or any Five or more of them, shall give Judgement for such Purchase-monies or Recompence, so to be assessed by such Juries; which said Verdict and the Judgement thereupon pronounced by the said Commissioners, or any Five or more of them, shall be binding and conclusive to all Intents and Purposes, against the King's Majesty, His Heirs and Successors, and against all Bodies Politick, Corporate, or Collegiate, and all Persons whomsoever.

Penalties on Sheriff, &c. making Default.

Provided always, and be it further enacted, That if any such Sheriff or Coroner, or his Deputy or Agent, shall make Default in the Premisses, every such Person shall, for every such Offence, forfeit the Sum of Ten Pounds: And if any Person so summoned and returned as aforesaid, on such Jury, shall not appear, or appearing refuse to be sworn, or being sworn, refuse to give his Verdict, or in any Manner wilfully neglecting his Duty, contrary to the true Intent of this Act; or if any Person so summoned to give Evidence, shall not appear, or appearing refuse to be sworn or examined, or to give Evidence; every Person so offending respectively, having no reasonable Excuse, to be allowed by the said Commissioners, or any Five or more of them, shall,

for

for every such Offence, forfeit and pay the Sum of Five Pounds, to be levied by virtue of any Warrant or Warrants under the Hands and Seals of the said Commissioners, or any Five or more of them, by Distress and Sale of the Goods and Chattles of the Person or Persons so offending; rendering the Overplus to the Owner thereof, after such Penalty and the Charges of such Distress and Sale shall be deducted.

Commissioners may apportion the Monies:

And be it further enacted, That the said Commissioners, or any Five or more of them, may and are hereby impowered to settle what Shares and Proportions of the Purchase-monies, or Recompence for Damages, which shall be so agreed for between the Parties, or determined and adjusted by the said Commissioners, or any Five or more of them, or assessed by the said Juries, in Manner respectively as aforesaid, shall be allowed to any Tenant or other Person having a particular Estate, Term, or Interest in the Premisses, for his, her, or their respective Interests therein, except in such Cases where the same are herein after directed to be laid out and invested in the Purchase of Lands, Tenements, or Hereditaments. Exception.

Judgements, &c. to be kept by the Clerk of the Peace.

And be it further enacted, That all the Determinations of the said Commissioners, or any Five or more of them, which shall be submitted to and acquiesced in by the Parties concerned, and also the said Verdicts and Judgements, being first signed by Five or more of the Commissioners, who shall be present at the making of such Determinations, or the taking of such Verdicts, and pronouncing such Judgements respectively, shall be transmitted, at the Expence of the said Thomas Kymer, his Heirs or Assigns, to the Clerk of the Peace for the said County of Carmarthen, and kept amongst the Records of the Quarter Sessions of the Peace for the said County; and shall be deemed to be Records of the said Quarter Sessions, to all Intents and Purposes; and the same, or true Copies thereof, shall be allowed to be good Evidence in all Courts whatsoever; and all Persons shall have Liberty to inspect the same, as also the Inrollments of such Contracts, Agreements, Sales, and Conveyances, as aforesaid, paying for every such Inspection the Sum of One Shilling, and to take Copies thereof, paying for every such Copy, not exceeding Two hundred Words, the Sum of Six Pence; and so in Proportion for any greater Number Words.

Expences of Juries how to be paid.

Provided always, and be it further enacted, That in all Cases where any Verdict shall be given for a greater Sum than the Sum which had been previously offered by

or on the Behalf of the said Thomas Kymer, his Heirs or Assigns, or than had been determined and assessed by the said Commissioners, for or in respect of any such Lands, Grounds, or Damages as aforesaid, that then all the Expences of summoning such Jury, and of taking such Inquest, shall be defrayed by the said Thomas Kymer, his Heirs or Assigns; but if any Verdict shall be given for no more or a less Sum than had been previously offered by or on the Behalf of the said Thomas Kymer, his Heirs or Assigns, or than had been determined or assessed by the said Commissioners as aforesaid, then and in every such Case all the Expences of summoning such Jury, and of taking such Inquest, shall be defrayed by the Owners of, or Persons interested in, the Lands or Grounds in Question; and such Expences, so ascertained, shall be deducted and taken out of the Monies so assessed and adjudged.

Upon Payment or Tender of the Monies, the Lands, *&c.* to vest in *Thomas Kymer*, Esq; *&c.*

And be it further enacted, That upon Payment of such Sum or Sums of Money as shall be contracted or agreed for between the Parties, or determined and adjusted by the said Commissioners, or any Five or more of them, or assessed by such Juries in Manner respectively as aforesaid, for the Purchase of any such Lands or Grounds as aforesaid, to the Proprietors thereof, or other Persons intitled to receive such Money respectively, or legal Tender thereof made to such Proprietor or Proprietors, or other Person or Persons, or to the principal Officer or Officers of any such Body Politick, Corporate, or Collegiate; or if he, she, or they, cannot be found, or shall refuse to accept such Money, upon Payment thereof to such Person or Persons as the said Commissioners, or any Five or more of them, shall, by Writing under their Hands appoint, for the Use of, and to be paid upon Demand, without Fee or Reward, to such Proprietors or Persons respectively as aforesaid; then, and in such Cases, such Lands and Grounds respectively, and the Fee Simple and Inheritance thereof, shall from thenceforth be vested in, and become for ever the sole Property of the said Thomas Kymer, his Heirs and Assigns, and used and enjoyed by him and them as his and their own proper Estate and Inheritance; and all Bodies Politick, Corporate, and Collegiate, Corporations Aggregate or Sole, Husbands, Guardians, Trustees, Feoffees in Trust, Committees, and all other Trustees, Infants, Lunaticks, Ideots, Femes Covert, Tenants in Tail, and their Heirs, Successors, Executors, and Administrators, and all others claiming or to claim in Possession, Reversion, Remainder, Expectancy,

or

or otherwise, any Title to, or Interest in or upon such Lands or Grounds, shall be from thenceforth, to all Intents and Purposes whatsoever, divested of all Right, Title, Claim, Interest, or Property of, in, to, or out of the same: And this Act shall be sufficient to indemnify, as well the said Commissioners as the said Thomas Kymer, his Heirs and Assigns, his and their Agents, Servants, and Workmen, for what they, any, or either of them, shall do by virtue or in pursuance of the Powers hereby granted.

In Default of Payment, how the Monies are to be recovered.

And be it further enacted, That in case the said Thomas Kymer, his Heirs or Assigns, shall make Default in Payment of the Sum or Sums of Money, which shall be so determined or assessed for Damages to be sustained as aforesaid, by a certain Day to be appointed by the said Commissioners, or any Five or more of them, it shall and may be lawful for the Person or Persons intitled thereto to recover the same, with Full Costs of Suit, by Action of Debt in any of His Majesty's Courts of Record at Westminster, or in the Court of Great Sessions to be held for the said County of Carmarthen, wherein no Essoin, Protection, Privilege, Wager of Law, or more than One Imparlance shall be allowed.

Provided always, and be it further enacted, That in case the Damages and Costs, herein before provided to be satisfied, shall not be paid and satisfied within the Space of Three Months after the same shall be so determined or assessed as aforesaid, that then, and in such Case, it shall and may be lawful to and for the said Commissioners, or any Five or more of them, upon Complaint made to them, by or on the Behalf of the Person or Persons sustaining such Damages, to issue their Warrant or Warrants under their Hands and Seals, directed to the Sheriff of the said County of Carmarthen, or to the Bailiffs of the Borough of Kidwely, thereby authorizing and impowering him or them, within their respective Liberties and Jurisdictions, to raise and levy upon the Coals or Boats of the said Thomas Kymer, his Heirs or Assigns, upon the said Cut or Canal, or the Wharfs or Quays adjoining or near thereto, the Damages so to be determined or assessed as aforesaid, and all the Costs and Charges relating thereto.

New Works not subject to Laws of Sewers.

And be it further enacted, That the said Cut or Canal, or any Works whatsoever, to be made by virtue of the Powers hereby granted, shall not be subject to the Controul, Direction, Survey, or Order, of any Commissioner of the Sewers, or to any Law or Statute re-

lating to Sewers; any thing in any former Law or Statute contained to the contrary notwithstanding.

Qualification of Commissioners.

And be it further enacted, That no Person shall act as a Commissioner, or be sworn to serve on any Jury, in any Case where he shall be any ways interested or concerned in the Matter in Question; nor shall any Commissioner act in the Execution of this Act, unless he shall be seised in his own Right, or in Right of his Wife, and not as a Mortgagee or Mortgagees, at the Time of such his Acting, of an Estate of Freehold in Lands, Tenements, or Hereditaments, of the yearly Value of Fifty Pounds, or possessed of a Personal Estate of the Value of One thousand Pounds: And if any Person so made incapable, shall presume to act as a Commissioner, every such Person shall, for every such Offence, forfeit the Sum of Fifty Pounds to any Person who shall sue for the same, to be recovered with Double Costs of Suit, by Action at Law, in His Majesty's Court of Great Sessions to be held for the said County of Carmarthen; and each Person so prosecuted, shall prove that he is so qualified, or otherwise shall pay the said Sum of Fifty Pounds, without any other Proof or Evidence on the Part of the Prosecutor, than that such Person hath acted as a Commissioner in the Execution of this Act.

Towing Paths to be fenced from the adjoining Lands.

And be it further enacted, That the said Thomas Kymer, his Heirs and Assigns, shall, at his and their own proper Charges, divide and separate, and keep constantly divided and separated, the Towing Paths on each Side of the said Cut or Canal, and navigable Trenches or Passages, or such Part or Parts thereof as shall be found necessary, with a sufficient Post and Rail, Hedge, Ditch, Trench, Bank, or other Fence, to be set and made on Lands or Grounds which shall be purchased by, conveyed to, or vested in, him or them, as aforesaid, from the Lands or Grounds adjoining to such Towing Paths (Marsh, Waste, or Common Lands only excepted); and also shall, at his and their own Charges, make, erect, and set up, and from time to time maintain and support such convenient Gates, Bridges, and Stiles, in and over all the Hedges and Fences to be by them so made on the Sides of such Towing Paths as aforesaid, and also such Bridges, Arches, and Passages, over, under, or through the said Cut or Canal, and the said Trenches, Streams, and Watercourses, and of such Dimensions, and in such Manner, as the said Commissioners, or any Five or more of them, shall from time to time judge necessary and appoint, for the Use of Travellers over the Highways, or the Owners and Occupiers

of

of the Lands, Grounds, or Hereditaments, adjoining to such Cut or Canal, Trenches, Streams, Watercourses, and Towing Paths, or any of them respectively; and the said Thomas Kymer, his Heirs and Assigns, shall not make the said Cut or Canal, or any Trench or Watercourse, or any Part thereof, in or across any common Highway, publick Bridle-way, or Foot-path, until such Time as he or they shall, at his or their own proper Charges, have made and perfected such Bridge or Bridges over, or Arch or Arches under, the Places where the said Cut or Canal, Trench or Watercourse respectively, shall be intended to be made for such Road, Way, or Path, and of such Dimensions, and in such Manner, as the said Commissioners, or any Five or more of them, shall adjudge proper; and all such Bridges, Arches, and other Conveniences, so to be made, shall from time to time be supported, maintained, and kept in sufficient Repair by the said Thomas Kymer, his Heirs or Assigns.

Bridges to be made and supported at the Expence of *Thomas Kymer*.

And be it further enacted, That in case the said Thomas Kymer, his Heirs or Assigns, or his or their Agents, shall fail or neglect to make, erect, and set up such Gates, Bridges, and Stiles, in and over the Fences on the Sides of the said Towing Paths, or such Bridges, Arches, and Passages over, under, or through, the said Cut or Canal, and the said Trenches, Streams, and Watercourses, as aforesaid, for the Use and Convenience of the respective Owners or Occupiers of the Lands adjoining thereto, or to maintain and support such Gates, Bridges, Stiles, Arches, and Passages, when made, erected, and set up, of such Dimensions, and in such Manner, as the said Commissioners, or any Five or more of them, shall from time to time direct or appoint, for the Space of Three Months next after the respective Times to be appointed for those Purposes by the said Commissioners, or any Five or more of them; then, and in every such Case, it shall and may be lawful to and for every or any of the said Owners or Occupiers of the said adjacent Lands or Grounds, who shall find themselves or himself aggrieved by such Failure or Neglect, to make, erect, and set up, all such Gates, Stiles, Bridges, Arches, and Passages, as the said Commissioners, or any Five or more of them, shall have before directed or appointed to be made, erected, and set up, by the said Thomas Kymer, his Heirs or Assigns, as aforesaid, and to maintain, repair, and support the same, from time to time, as Occasion shall require; and all the reasonable Costs and Charges thereof, to be settled and allowed by the said Commissioners, or any Five or more of them,

shall be repaid to the respective Owners or Occupiers of the said adjacent Lands, who shall have so made and erected, or maintained, repaired, or supported, the said Gates, Stiles, Bridges, Arches, and Passages, by the said Thomas Kymer, his Heirs or Assigns, within the Space of Twenty Days next after the same shall have been so settled and allowed, and an Account and Demand shall have been delivered and made thereof; and in Default of Payment of the said Costs and Charges within the Time aforesaid, the said Commissioners, or any Five or more of them, shall, and they are hereby impowered and required, by Warrant under their Hands and Seals, or the Hands and Seals of any Five or more of them, to levy the said Costs and Charges by Distress and Sale of the Goods and Chattles of the said Thomas Kymer, his Heirs and Assigns, in or upon the said Cut or Canal, or the Wharfs, Quays, or Warehouses adjoining or near to the same, to and for the Use of such Person or Persons who shall have so laid out and expended the same as aforesaid, rendering to the said Thomas Kymer, his Heirs and Assigns, or his or their Agents or Overseers of the said Cut or Canal, the Overplus, if any such there be, after deducting the reasonable Charges of making such Distress and Sale, to be settled by the said Commissioners, or any Five or more of them; or otherwise every or any of the said Owners or Occupiers of Lands, who shall have made, erected, or set up, or maintained or repaired any such Gates, Stiles, Bridges, Arches, and Passages, as aforesaid, upon the Failure or Neglect of the said Thomas Kymer, his Heirs or Assigns doing the same, or paying the said Costs and Charges as aforesaid, shall and may have such and the like Remedy against the said Thomas Kymer, his Heirs or Assigns, for the Recovery of such Costs and Charges, by Action at Law, to be commenced and prosecuted in such Manner as in other Cases is in and by this Act mentioned and directed.

Owners of Land impowered to make Bridges at their own Expence.

And be it further enacted, That if the Owners or Occupiers of any Lands, through which the said intended Cut or Canal shall be made, do or shall, at any Time or Times thereafter, find, upon Experience, that the several Gates, Stiles, Bridges, Arches, and Passages, which the said Commissioners, or any Five or more of them, shall have limited or directed to be made by the said Thomas Kymer, his Heirs or Assigns, in, upon, over, under, or through the said Cut or Canal, or the Towing Paths thereof, are insufficient either in their Number or Situation for the commodious Use and Occupation

cupation of their respective Lands and Grounds on both Sides, or on either Side of the said Cut or Canal, that then and so often, or in any such Case, it shall and may be lawful to and for every or any of such Owners or Occupiers of the said Lands for the time being, with the Consent and Approbation of the said Thomas Kymer, his Heirs or Assigns, or his or their Agent or Agents, upon Request made to him or them for that Purpose, or in case of his or their Refusal, for the Space of Ten Days after such Request, then with the Consent and Approbation of the said Commissioners, or any Five or more of them, to make, fix, and erect, at their own Costs and Charges, One or more Gate or Gates, Stiles, Bridges, Arches, or other Communications, of the same or the like Construction with others made and erected by the said Thomas Kymer, his Heirs or Assigns, on, in, and over the said Cut or Canal, or Towing Paths thereof, in such Place or Places as shall be found and judged most necessary and convenient for the better Use, Cultivation, Improvement, or Occupation thereof; and to repair and support the same at their own like Costs and Charges, as Occasion shall require, so as the Navigation of, in, or upon the said Cut or Canal be not prevented or obstructed thereby for any longer Space of Time, or in any other Manner, than the same will necessarily be by any of the other Gates, Stiles, Bridges, or Communications, to be made or erected in or over the same Cut or Canal by the said Thomas Kymer, his Heirs or Assigns, as aforesaid.

Houses not to be taken down, or Timber, &c. cut, unless such as are ascertained for the Purposes of this Act.

And be it further enacted, That nothing in this Act contained shall extend, or be construed to extend, to impower the said Thomas Kymer, his Heirs or Assigns, or his or their Agents, Servants, or Workmen, to take down or damage any House, Out-house, or other Building or Edifice whatsoever, or to cut down any Timber, Wood, Brushwood, or Underwood, upon any of the Estates or Lands through or into which the said navigable Cut or Canal, Trenches, Sluices, Roads, Passages, or Conveniencies, or any Part thereof respectively, shall be made or carried; except such Timber, Wood, Brushwood, or Underwood, as shall grow or be in or upon the Lands or Grounds which shall be set out and ascertained, taken or used, for the making the said navigable Cut or Canal, Towing Paths, Trenches, Sluices, Roads, Passages, or Conveniences respectively as aforesaid; and that the Proprietors of the respective Lands or Grounds on which such Timber, Wood, Brushwood, and Underwood, shall grow at the Time of

passing this Act, their Heirs or Assigns, shall have it in their Option, to take such Timber, Wood, Underwood, and Brushwood, respectively, when fallen or cut down by the said Thomas Kymer, his Heirs or Assigns, at such Price or Value as the same respectively shall have been estimated to, or purchased by, the said Thomas Kymer, his Heirs or Assigns: But in case the same shall not have been estimated to, or purchased by him or them, upon a Valuation separate and distinct from the Lands or Grounds upon which the same respectively shall grow, then at such Price or Value as shall be agreed on for that Purpose between such Proprietors and the said Thomas Kymer, his Heirs or Assigns, or his or their Agents; or in case of any Difference in settling and ascertaining the same, then at such Price or Value as the said Commissioners, or any Five or more of them, shall direct and appoint.

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

And be it further enacted, That when any Commissioner hereby appointed, or to be elected in Manner hereinafter mentioned, shall die or refuse to act, the surviving or remaining Commissioners, or any Five or more of them, shall, and they are hereby impowered from time to time, by Writing under their Hands and Seals, to be recorded by the Clerk of the Peace for the said County of Carmarthen, to elect and appoint some other Person qualified as aforesaid, in the Place of every Commissioner so dying, or refusing to act; and all such Commissioners so appointed, shall, from the Time of their Appointment, have the like Authority in all Things relating to the Execution of this Act, as if they had been expressly named and appointed Commissioners by this Act; Notice of the Time and Place of Meeting for the Appointment of every such new Commissioner being first given in One of the Gloucester Weekly Journals, or fixed on the Outward Door of the Guildhall of the Borough of Kidwely, Ten Days at least before such Meeting, and the Intention to proceed to such Election expressed in such Notice.

Meetings of Commissioners how to be held.

And be it further enacted, That the First Meeting of the said Commissioners shall be held at the House now in the Occupation of Abraham Hughes, known by the Sign of the Pelican in Kidwely aforesaid, on the Twenty first Day after the Day of the passing of this Act: And that the said Commissioners, or any Five or more of them, assembled at such Meeting, and at any subsequent Meeting or Meetings whatsoever to be held in pursuance of this Act; may from time to time adjourn themselves to meet at such Time and Times, Place

and Places, as they, or any Five or more of them, shall think proper: And the said Commissioners, or any Five or more of them, assembled at their First or any Meeting which shall be held by Adjournment, may make such Orders or Regulations for holding their Meetings, and also for appointing General Meetings, as they, or any Five or more of them, shall think proper; and from time to time may alter, vary, and repeal, such Orders and Regulations, as to them, or any Five or more of them, shall seem necessary; and that no Meeting shall be held unless Notice thereof shall be first fixed upon the Outward Door of the Guildhall of the Borough of Kidwely, or published in the Glocester or some other of the nearest Journals, at least Ten Days before the holding thereof; except the Commissioners assembled at any Meeting shall adjourn to the succeeding Day, or, if such succeeding Day shall be Sunday, to the Day after; and that the said Commissioners, or any Five of them, shall not have Power to do any Matter or Thing in the Execution of this Act, otherwise than at Meetings to be held in pursuance of this Act, or of the Orders or Regulations to be made by the said Commissioners, or any Five or more of them, as aforesaid; except only as to the summoning of Meetings, in Manner herein aftermentioned; and that no Order or Determination shall be made, unless the Majority of the Commissioners present at such Meetings respectively shall concur therein; such Majority not being less than the respective Numbers by this Act authorized to make such Orders or Determinations.

Commissioners may summon Meetings upon Application.

And be it further enacted, That upon the Request of the said Thomas Kymer, his Heirs or Assigns, his or their Agent or Agents, authorized by him or them to make such Request, or upon the Application of the Principal Officer or Officers of any Body Politick, Corporate, or Collegiate, or of any Guardian, Trustee, or any other Person, on Oath made before any Justice of the Peace for the said County of Carmarthen, by such Head Officer or Officers, Person or Trustee respectively, that any Lands or Grounds belonging to, or rented or occupied by, such Body Politick, Corporate, or Collegiate, or such Person or Trustee hath sustained Damage, setting forth and specifying where and by what Means such Damage hath been sustained, and that no Recompence or Satisfaction hath been agreed for, settled, or ascertained for the same (which Oath any such Justice of the Peace is hereby impowered to administer) it shall be lawful for any Five or more of the said Commissioners, and

and they are hereby impowered, although they shall not be assembled at a Meeting to be held by virtue of this Act, from time to time, and at all Times, upon such Request, or upon Application and Oath made as aforesaid, by Notice in Writing signed by them, and published on the Door of the Guildhall, or in such Journal as aforesaid, to summon a Meeting of the said Commissioners, at such Time and Place as shall be mentioned in such Notices, for the settling and ascertaining such Damages as herein before directed.

No Meetings to be held at above a certain Distance from the Canal.

Provided always, That no Meeting whatsoever of the said Commissioners shall be held at any Place above the Distance of Nine Miles from some Part of the said Cut or Canal.

Bodies Politick, &c. may sell or convey in Exchange Pieces of Land separated by the Navigation.

And whereas the Property of some of the Landowners may be separated and divided into small Parcels, by making the said intended Cut or Canal, which may render the Occupation and Enjoyment thereof very inconvenient, expensive, and troublesome; For Remedy whereof, be it enacted, That it shall and may be lawful to and for all Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, Husbands, Guardians, Trustees, and Feoffees in Trust, Committees, Executors, Administrators, and all other Trustees whatsoever, not only for and on Behalf of themselves, their Heirs and Successors, but also for and on Behalf of their Cestuique Trusts, whether Infants or Issue unborn, Lunaticks, Idiots, Femes Covert, or other Person or Persons, and to and for all Femes Covert who are or shall be seised or interested in their own Right, and to and for all and every other Person or Persons whomsoever, who are or shall be seised, possessed of, or interested in, any Lands, Tenements, or Hereditaments, through which the said intended Cut or Canal shall be made, by and with the Consent of the said Commissioners, or any Five or more of them, to be testified by any Writing or Writings to be by them sealed and delivered in the Presence of, and attested by, Two or more credible Witnesses, to contract for, sell, and dispose of, or to convey in Exchange in lieu of other Lands, all or any Part of such Lands, Tenements, or Hereditaments, as aforesaid, through which the said intended Cut or Canal shall be made, to any Person or Persons whomsoever, for such Price or Prices in Money, or any other Equivalent, as to the said Commissioners, or any Five or more of them, shall seem reasonable; and that all such Contracts, Agreements, Sales, Conveyances, and Assurances, shall be valid and effectual in Law to all Intents

and

and Purposes whatsoever; any Law, Statute, Usage, or Custom, to the contrary thereof in any wise notwithstanding: And that all Bodies Politick, Corporate, or Collegiate, and all Persons whatsoever, so conveying or exchanging as aforesaid, are and shall be hereby indemnified for what he, she, they, or any of them, shall respectively do by virtue and in pursuance of this Act: And that all such Lands, Tenements, and Hereditaments, so sold, or exchanged and conveyed, pursuant to the Power and Authority hereby given, shall be and remain for ever thenceforth freed and absolutely discharged of and from all and every the Uses, Trusts, Estates, Powers, Provisoes, and Declarations, in and by any Settlement thereof limited, expressed, and declared: And that all and every Sum and Sums of Money which shall be received as and for the Purchase of any such Lands, Tenements, or Hereditaments, as aforesaid, shall be laid out, as soon as conveniently may be, in the Purchase of other Lands, Tenements, and Hereditaments, in Fee-simple: And the Lands, Tenements, and Hereditaments, so to be purchased, or which shall be received in Exchange by virtue hereof, shall be conveyed unto such Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees, or other Trustees, who shall stand seised and be possessed of and in the same, to and for such Uses, Estates, Intents, and Purposes, and under and subject to such Trusts, Limitations, Remainders, and Contingencies, as the Lands or Grounds so exchanged or sold as aforesaid were limited, settled, and assured, at the Time such Exchange or Sale was made; and in the mean Time, and until such Purchase and Purchases shall be made, the said Money shall be placed out by such Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees, or other Trustees, Person or Persons, in some of the Publick Funds, or on Government or real Securities, in the Names of Two or more Persons, the One to be nominated by the Party or Parties interested therein, and the other by the said Commissioners, or any Five or more of them; and the Interest arising or to be produced from such Funds or Securities shall be paid to such Person or Persons respectively as would, for the time being, be intitled to the Rents and Profits of such Lands, Tenements, and Hereditaments, so to be purchased, in case the same were purchased and

settled pursuant to the Tenor and true Meaning of this Act.

Penalty on destroying Works, &c.

And be it further enacted, That if any Person or Persons shall wilfully and maliciously, and to the Prejudice of the said intended navigable Cut or Canal, break, throw down, damage, or destroy, any Banks or other Works, to be erected or made by virtue of this Act, or do any other wilful Hurt or Mischief to obstruct, hinder, or prevent the carrying on, completing, supporting, and maintaining, the said intended Navigation, such Person or Persons shall be adjudged guilty of Felony; and every such Felon shall be subject and liable to the like Pains and Penalties as in Cases of Felony; and the Courts, by and before whom such Person or Persons shall be tried and convicted, shall and hereby have Power and Authority to transport every such Felon, for the Space of Seven Years, in like Manner as other Felons are directed to be transported by the Laws and Statutes of this Realm.

Commissioners not to be obliged to take Notice of Complaints, unless Application has been first made to *Thomas Kymer*, or his Agents.

And be it further enacted, That the said Commissioners shall not, nor shall any of them be obliged, by virtue of this Act, to receive or take Notice of any Complaint or Complaints, to be made by any Person or Persons whomsoever, for any Injury or Damage by him, her, or them, sustained, or supposed to be sustained, by virtue of this Act, unless Application hath been or shall be made in relation thereto, by or on Behalf of such Person or Persons, to the said Thomas Kymer, his Heirs, or Assigns, or to his or their known Agent or Agents, within the Space of Six Calendar Months next after the Time that such Injury or Damage shall be alledged to have been sustained.

Writings to be without Stamps.

And be it further enacted, That no Summons, Order, Determination, Verdict, Judgement, Warrant, Contract, Agreement, or other Writing whatsoever, under the Hand and Seal, or Hands and Seals, of any Justice or Justices of the Peace, or of the said Commissioners, or any of them, or any other Person or Persons whatsoever, in pursuance of or in relation to the Execution of this Act, shall be charged or chargeable with any Stamp or Duty whatsoever; and that no Proceedings, to be had or taken in pursuance of this Act, shall be quashed or vacated for want of Form.

Rights of Lords of Manors saved.

And be it further enacted, That nothing herein contained shall defeat or prejudice any Rights or Privileges of any Lord or Lords, Owners, or Proprietors, of any Manors or Royalties through which the said Cut or Canal, Trenches, Passages, or Watercourses, or any

of

of them, shall be made, to Fish or Fowl therein respectively; any Thing herein contained to the contrary notwithstanding.

Penalty on Persons throwing Ballast, &c. into the Canal.

And be it further enacted, That if any Person or Persons shall throw any Ballast, Gravel, Stones, or Rubbish, into any Part of the said Cut or Canal, or any Trench or Trenches, Watercourse or Watercourses, to be made or maintained by virtue of this Act, every such Person shall, for every such Offence, forfeit and pay the Sum of Twenty Shillings.

Punishment on Persons giving false Evidence.

And be it further enacted, That all and every Person or Persons, who, in any Examination to be taken by virtue of this Act, shall give false Evidence before the said Commissioners, or any of them, or before any Justice or Justices of the Peace, shall and may be prosecuted for the same, and, upon Conviction thereof, shall be subject to such Punishments and Disqualifications as any Person or Persons can or may be subject to for wilful and corrupt Perjury by any of the Laws or Statutes of this Realm.

Proceedings to be enter'd in a Book.

And be it further enacted, That all the Orders and Proceedings of the said Commissioners shall be regularly entered in a Book or Books to be kept for that Purpose; and such Entries, being signed by such Number of the said Commissioners as are impowered by this Act to make such Orders, or carry on such Proceedings, shall be deemed Originals, and be admitted in Evidence in all Courts whatsoever: And the said Commissioners, or any Five or more of them, may appoint such Person, out of Three to be nominated by the said Thomas Kymer, his Heirs, or Assigns, as they shall think proper, as a Clerk, and, from time to time, to remove any Person and appoint another, out of Three to be nominated as aforesaid, in his Stead; which Clerk shall be paid, for his Care and Trouble in the Execution of such Office, by the said Thomas Kymer, his Heirs, or Assigns.

Penalties and Forfeitures how to be recovered and applied.

And be it further enacted, That all the pecuniary Penalties and Forfeitures hereby inflicted, the Recovery whereof is not herein before directed, shall, in all Cases where such Penalties or Forfeitures do not exceed the Sum of Five Pounds, be recovered by Distress and Sale of the Offender's Goods and Chattles, by a Warrant or Warrants under the Hand and Seal, or Hands and Seals of any Justice or Justices of the Peace, for the said County of Carmarthen; and in case such Offence shall be committed within the Liberties of the Borough of Kidwely, then by Warrant or Warrants under the

the Hand and Seal, or Hands and Seals, of the Mayor or any Justice or Justices of the Peace for the said Borough: And in case sufficient Distress shall not be found, it shall be lawful for any such Justice or Justices to commit such Offender or Offenders to the Common Gaol or House of Correction of the said County or Borough respectively, there to remain without Bail or Mainprize, for any Time not exceeding One Month; and all such Penalties and Forfeitures shall be paid, One Moiety thereof to the Informer, and the other Moiety to the Poor of the Parish or Place where the Offence shall be committed; and that all such Penalties or Forfeitures as exceed the Sum of Five Pounds, shall and may be recovered with Double Costs of Suit, by such Person or Persons as shall for that Purpose be appointed to sue for the same by the said Commissioners, or any Five or more of them, by Action of Debt in any of His Majesty's Courts at Westminster or in the Court of Great Sessions to be holden for the said County of Carmarthen, wherein no Essoin, Protection, Privilege, Wager of Law, or more than One Imparlance shall be allowed: All which said last-mentioned Penalties and Forfeitures shall be paid into the Hands of the said Commissioners, or any Five or more of them, or to their Clerk, and shall be used and employed for the Maintenance and Relief of the Poor of the Borough and Parish of Kidwely, and of the several Parishes of Langendeirn and Pembrey, in such Proportions and in such Manner and Form as the said Commissioners, or any Five or more of them, shall from time to time direct and appoint.

Persons aggrieved may appeal to the Quarter Sessions.

And be it further enacted, That all Persons who shall think themselves aggrieved by the Order or Judgement of any Justice or Justices of the Peace, upon Account of any Offence committed, or supposed to be committed against this Act, within the County of Carmarthen, may appeal to the Justices of the Peace for the said County of Carmarthen, at any General or Quarter Sessions of the Peace, to be held within the Space of Four Months after such Cause of Appeal shall happen; and all Persons who think themselves aggrieved by the Order or Judgement of any Justice or Justices of the Peace upon Account of any Offence committed or supposed to be committed against this Act within the Liberties of the Borough of Kidwely, may appeal to the Justices of the Peace for the said Borough of Kidwely at any General or Quarter Sessions of the Peace to be held within the Space of Four Months after such Cause of Appeal shall happen; the Person or Persons so appealing first giving

Security to the Satisfaction of the said Justice or Justices to prosecute such Appeal with Effect, and to pay the Costs, which shall be ascertained by the said General Quarter Sessions, in case such Order or Judgement shall be affirmed: And the Justices at such General or Quarter Sessions are hereby authorized and required to hear and determine such Appeal, and to make such Order therein, and to award such Costs as to them shall seem just; which Order shall be final and conclusive to all Parties, and shall not be removed or removeable by any Writ of Certiorari, or otherwise, into any of His Majesty's Courts of Record at Westminster, or elsewhere.

Commissioners may act as Justices.

And be it further enacted, That each of the said Commissioners, who shall be in the Commission of the Peace for the said County of Carmarthen, or who shall be a Justice of the Peace for the said Borough of Kidwely, for the time being, shall and may, and is hereby impowered to act as a Justice of the Peace in the Execution of this Act, notwithstanding his being a Commissioner.

Limitation of Actions.

And be it further enacted, That no Action, Suit, or Information, shall be commenced or prosecuted, against any Person or Persons for any thing done or to be done in pursuance of this Act, or in executing any of the Powers or Authorities, or any of the Orders or Directions, made, given, or directed, in, by, or under this Act, unless such Action, Suit, or Information, shall be commenced or brought within Six Calendar Months next after the Fact committed, and not afterwards, and shall be laid and brought in the County of Carmarthen, or the next adjoining English County, and not elsewhere; and the Defendant or Defendants in such Action or Suit shall and may plead the General Issue, 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 it shall appear so to be done, or that such Action, Suit, or Information, was commenced or brought after the Time limited in that Behalf, or was brought in any other County than as aforesaid, then and in such Case the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs, Prosecutor or Prosecutors, shall become Nonsuit, or forbear Prosecution, or discontinue his, her, or their Action or Actions, Suit or Suits, after the Defendants shall have appeared; or if, upon Demurrer, Judgement shall be given against the Plaintiff or Plaintiffs, then the Defendant or Defendants shall and may recover Treble Costs, and have

General Issue.

Treble Costs.

the like Remedy for the ſame as when Coſts by Law are awarded.

Publick Act. And be it further enacted, That this Act ſhall be allowed in all Courts whatſoever as a Publick Act; and all Judges, Juſtices, and other Perſons are hereby required to take Notice thereof as ſuch, without ſpecially pleading the ſame.

FINIS.