Anno ſeptimo

Georgii III. Regis.

An Act for repairing and widening ſeveral Roads in the County of *Brecon*.



WHEREAS the ſeveral Roads herein after mentioned and deſcribed; that is to ſay, The High Road leading from the Confines of the County of Carmarthen, at or near the Fourteenth Mile Stone, to Trecaſtle, thence to the Confines of the ſaid County of Carmarthen, leading to Tal-y-Sarn, thence over Rhyd y Bru Bridge, through the Town of Brecon, through the Pariſh of Llanſanctffraed by Tal y Brynn, and through the Pariſh of Llangaſty tal y Llynn, to the Confines of the County of Monmouth, in the Road to Abergavenny; and alſo the Road from Pont Neth Fechan, through Brecon, by the Cappel Dyffryn Honddu, to Builth; from Brecon, by Pont-Stickill, to the Confines of the County of Glamorgan; from the Road leading to Pont Neth Fechan, to Rhyd y Bru Bridge; from the Pont Neth Fechan Road, on Mynydd Iltid, to the Gader; from Cappel Dyffryn Honddu, over Preamble.

over New Bridge, on Irvon, to the Confines of the County of Cardigan; and alſo the Road from the Town of Brecon, by Battle and Pontfaen, to Merthyr Church; and from Nant y Feen, through Talgarth, by the Three Cocks, to Builth, to the Confines of the County of Carmarthen at Ludlow Fach; and from a certain Place called Ty coch Fach into that Road; from Talgarth, through Broin-llys, to Llys-wen; from Talgarth, by the White Hart at the Bwlch, over New Bridge, to Llangunider, Pont-Llwyd, Milgago, Blaen Rummey, Rhyd y Blew, Rhyd y Clydach, Pen-Llan Gwilim, Pen Pedwar Heol, to Crickhowell; from Crickhowell, through Llangunider, to Derwen y Groes, in the Parish of Llanvigan; from Llangunider, by Cefn Onne, by Clydach Gwybedog, to Gwar y Cae; Three Miles from Brynich, through Llanfihangel tal y Llyn, towards Llangors; and from the Town of Brecon, through the Watton, the Parish of Llanfrynach, and Penkelley, to the Confines of the County of Glamorgan, in the Road towards Merthyr-tidvill; and alſo Three Miles on the Road over Pen-cerrig Cochion, towards Talwen; Three Miles towards Trallwng; and from the Two Mile Stone on the Road from Brecon to Builth, to Sarney Common, all within the County of Brecon, are in a very ruinous Condition, and in many Places impaſſable for Wheel Carriages in Winter, and the ſaid Roads are, in general, deep, narrow, and founderous, and cannot, by the ordinary Courſe of Law now in being for repairing the Highways of this Kingdom, be effectually amended, widened, and kept in good Repair, unleſs ſome Proviſions are made by Parliament for theſe Purpoſes: May it therefore pleaſe Your Majeſty, that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That John William Awbrey, John Bartlet Allen, Edward Allen, Eſquires; James Gough Awbrey, Henry Allen, James Allen, Williams Allen, Joſeph Bennet, Clerks; the Bailiff, Recorder, Aldermen, Town Clerk, and Common Council of the Borough of Brecon, for the time being; John Bevan, Herbert Bowen, Eſquires; William Baylis, John Banks, James Ballard, Thomas Bayly, Hugh Bold the younger, Gentlemen; Richard Combe, Robert Craig, Chriſtopher Chambre, John Chambre, Peter Chabbert, Eſquires; Bartholomew Coke, Thomas Coke, Edward Davies, John Davies, William Davies, William Davies the younger, Gentlemen; Richard Davies, George Devereux, Stedman Davies,

Truſtees Names.

Davies, Charles Davies, Henry Davies, Eſquires; Richard Davies, Thomas Davies, William Davies, Edward Edwards, Clerks; Thomas Evans, John Evans, Evan Evans, Eſquires; David Evans, Evan Evans, Francis Eves, Samuel Evans, John Edwards, Gentlemen; John Frew Clerk, William Frew the younger, Marmaduke Gwynne, Roderick Gwynne, Howell Gwynne, Marmaduke Gwynne of Eardiſley Park, Roderick Gwynne, Marmaduke Gwynne the younger, Sackville Gwynne, Thynne Howe Gwynne, Marmaduke Gwynne the younger of Eardiſley Park, Howell Gwyn, William Greenly, William Gwyn, Eſquires; John Gwynn of Hay, John Gwynn of Neath, William Gwynn, John Gunter, David Gwillim, Gentlemen; David Griffiths, Thomas Harcourt Gwillim, William Games, Henry Probert Howorth, Edward Hughes, John Hughes, Clerks; the honourable James Howe, John Hanbury, John Harcourt, Richard Cope Hopton, Samuel Hughes, Thomas Hughes, Edward Davies Howorth, Edward Howorth, Charles Hay, Eſquires; Howell Harris, Thomas Harris, Gentlemen; Thomas James, Benjamin James, Walter Jeffreys, Thomas Jones, Richard Jeffreys, David Jones, Morrice Jervis the younger, John Jones, Eſquires; Benjamin Jeffreys, David Jones of Builth, David Jones of Llanynis, David Jones of Llanwrthwl, John Jones of the ſame, John Jones of Maeſmynis, Peter Jones the elder, Thomas James, Roger Jones, Edward Jones, Iſaac Jones, Thomas Jones, William Jones, John Jones, Hugh Jones, John Jones, Clerks; John Loyd, John Bullock Lloyd, Eſquires; Sir Herbert Lloyd Baronet, Thomas Lewis of Harpton, Thomas Lewis Lloyd, Morgan Lloyd, Edward Price Lloyd, Robert Saint John Lucas, Eſquires; Aythan Lewes, Euſtace Lewes, William Lewis, John Lawrence, Rees Lloyd, James Lewis, David Lloyd, George Lomax, Gentlemen; Charles Lloyd, Francis Lloyd, Philip Lewis, Thomas Lewis, William Morgan, John Morgan, Clerks; Sir John Meredith Knight, Thomas Morgan, Thomas Morgan the younger, Charles Morgan, John Morgan, Charles Milborne, James Morgan, Henry Mitchel, Edward Mathew, Eſquires; John Mayberry, Theophilus Morgan, Thomas Morgan, George Morgan, Hugh Meredith, Thomas Mitchel, Llewellin Morgan, Mathew Meaſe, Thomas Meredith, Rees Meredith, Edward Meredith, Gentlemen; William Owſley Eſquire, Charles Powell, Gabriel Powell, Eſquires; Gabriel Powell the younger, Hugh Penry, Hugh Powell, Meredith Price, James Parry, John Powell of Llanhamlach, John Powell of Llangeney, John Price, Lewis Pryce, Thomas Pen-

noyre, Thomas Phillipps, Thomas Phillipps of Pontywall, Thomas Harcourt Powell, Thomas Powell, Thomas Price, William Prytherch, Eſquires; Daniel Price, Charles Prichard, William Perrot, David Powell, John Price, John Prichard, Roger Price, Roger Price the younger, Thomas Phillipps, Thomas Powell of Builth, Thomas Powell of Brecon, Thomas Powell of Llanywern, William Powell, William Parry, Thomas Price, William Prytherch, Richard Price, Francis Price, Rice Price, Daniel Prytherch, David Price, Samuel Price of Llanvechen, Thomas Price of Builth, John Price of Cwmwhefry, Gentlemen; Awbrey Price, Gervas Powell, Gregory Parry, Hugh Price, John Powell, Morgan Powell, Rice Price, Thomas Payne, Price of Hereford, William Powell, Charles Price, Robert Rumſey, Clerks; John Roberts, Henry Rumſey, Benjamin Shaw, William Scourfield, Henry Scourfield, Francis Scourfield, Eſquires; Thomas Stephens, John Spencer, John Thomas, Gentlemen; Sir Charles Kemeys Tynte Baronet, Edward Thomas, John Thomas, Clerks; Chauncy Townſend, Evan Thomas, Henry Thomas, Eſquires; Charles Vaughan, Charles Vaughan the younger, Henry Vaughan, Eſquires; William Vaughan, Charles Vaughan, Gentlemen; Sir Edward Williams Baronet, George Williams, Henry Wellington, John Hanbury Williams, John Wilkins, Penry Williams, Philip Williams, Richard Williams, Pennoyre Watkins, William Williams, Henry Williams, Thomas Watkins, Eſquires; Robert Williams, Daniel Wynter, David Williams, Henry Williams of Crickhowell, Thomas Wilkins, John Wilkins, George Price Watkins, Llewellin Williams, Thomas Williams, Thomas Williams Apothecary, William Wynſtone, William Wynſtone the younger, James Watkins, Walter Watkins, Thomas Williams of Bergavenny, William Watkins, Thomas Williams, William Weale, Gentlemen; Thomas Williams, David Williams, Edward Williams, John Williams, John Williams of Glaſbury, William Williams of Llangunider, William Wynter, and Jacob Wood, Clerks; ſhall be, and they are hereby nominated and appointed, Truſtees for the ſurveying, ordering, widening, and repairing, the ſaid Roads, and for keeping the ſame in Repair, and for putting this Act, and all the Powers hereby given, in Execution.

Time and Place of Truſtees Meeting.

And be it further enacted by the Authority aforeſaid, That a General Meeting ſhall be held by the Truſtees hereby nominated and appointed for putting this Act in Execution, or by any Nine or more of them, at the Guildhall in the Town of Brecon, upon the Third Monday

day after the Paſſing of this Act: And the ſaid Truſtees, ſo aſſembled at ſuch General Meeting, ſhall and may then and there, or at any other General Meeting or Meetings to be afterwards held by them, or any Five or more of them, either adjourn themſelves to and appoint any other Time or Times, Place or Places, for any ſubſequent General Meeting, or ſubdivide themſelves, and adjourn to and appoint ſuch other Time or Times, Place or Places, in or near the ſaid ſeveral Roads, in order to put this Act in Execution, as to the ſaid Truſtees aſſembled at any ſuch General Meeting, or the major Part of them, ſhall ſeem requiſite and expedient: And that the Truſtees at all their Meetings ſhall defray their own Charges and Expences. Truſtees may ſubdivide themſelves.

And be it further enacted and declared, That after ſuch Subdiviſion of the ſaid Truſtees ſhall be made and appointed at any ſuch General Meeting as aforeſaid, the ſeveral Truſtees, who, by the Tenor and true Meaning of this Act, ſhall be qualified, authorized, and impowered, to act, or any Five or more of them reſpectively, ſhall and may, at their firſt Meeting in purſuance of this Act, or at any other Meeting or Meetings, adjourn to and appoint any other Time or Times, Place or Places, in or near the ſaid ſeveral Roads, as to the ſaid ſeveral Truſtees aſſembled reſpectively, or any Five or more of them, ſhall ſeem requiſite and expedient. Truſtees may adjourn their Meetings.

And be it further enacted and declared, That no Perſon ſhall be qualified or capable to act as a Truſtee in any Caſe in the Execution of this Act, unleſs he ſhall be in his own Right, or in Right of his Wife, in the actual Poſſeſſion, Enjoyment, or Receipt of the Rents and Profits, of Lands, Tenements, or Hereditaments, of the clear yearly Value of Fifty Pounds, ſituate, lying, and being in the County of Brecon, clear of all Incumbrances whatſoever; or ſhall be Heir Apparent of ſome Perſon having an Eſtate of the clear yearly Value of One hundred Pounds; or be poſſeſſed of, or intitled to, a Perſonal Eſtate of the Value of One thouſand Pounds over and above Payment of all juſt Debts: And in caſe any Perſon or Perſons ſhall ſit or act, not having ſuch Eſtate as aforeſaid, every Perſon ſo ſitting or acting ſhall forfeit the Sum of Fifty Pounds to any Perſon or Perſons who ſhall inform and ſue for the ſame; to be recovered, with full Coſts of Suit, in any of His Majeſty's Courts of Record at Weſtminſter, or Court of Great Seſſions of the County of Brecon, by Action of Debt, or on the Caſe, wherein no Eſſoin, Protection, or Wager of Law, ſhall be allowed; and Qualification of Truſtees. Penalty on Perſons acting if not qualified.

upon any ſuch Suit or Proſecution the Proof of ſuch Qualification ſhall lie upon the Perſon ſo ſued or proſecuted.

Truſtees may erect Turnpikes and Toll-houſes,

And be it further enacted by the Authority aforeſaid, That the ſeveral Truſtees appointed, and to be appointed reſpectively, by and in purſuance of this Act, or any Five or more of them reſpectively, or ſuch Perſon or Perſons as they, or any Nine of them reſpectively, ſhall for that Purpoſe nominate and appoint, ſhall and may, and they are hereby authorized and impowered to erect and ſet up, or cauſe to be erected and ſet up, One or more Gate or Gates, Turnpike or Turnpikes, Toll-houſe or Toll-houſes, in, upon, acroſs, or on the Side of, any Part or Parts of the ſaid Roads, as to the ſaid Truſtees reſpectively, or any Nine or more of them, ſhall ſeem requiſite and proper; and to receive and take thereat reſpectively, before any Coach, Berlin, Landau, Chariot, Calaſh, Chaiſe, Hearſe, Litter, Waggon, Wain, Cart, Sledge, or other Carriage, Horſe, Mare, Mule, Aſs, or any Sort of Cattle, ſhall be permitted to paſs through the ſaid Turnpike or Turnpikes, Toll-gate or Toll-gates reſpectively, the ſeveral Tolls and Duties following; that is to ſay,

and take the following Tolls thereat.

The Tolls.

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

For every Horſe, Mare, Gelding, Mule, or other Beaſt of Draught, drawing any Sledge, the Sum of One Penny Half Penny.

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

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

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

Which ſaid reſpective Sum or Sums of Money ſhall be demanded and taken in the Name of or as a Toll or Duty; and the Money ſo to be raiſed and collected ſhall be and is hereby veſted in the ſaid reſpective Truſtees; and the ſame and every Part thereof ſhall be paid, applied,

Tolls veſted in Truſtees,

plied, diſpoſed of, and aſſigned, to and for the ſeveral Uſes, Intents, and Purpoſes, and in ſuch Manner as is herein after-mentioned: And it ſhall and may be lawful to and for ſuch Perſon or Perſons as the ſaid Truſtees, or any Five or more of them, ſhall, from time to time, nominate and appoint, to demand and take the Tolls hereby granted and made payable, and to levy the ſame upon any Perſon or Perſons who ſhall, after Demand thereof made, neglect or refuſe to pay ſuch Tolls as aforeſaid, by Diſtreſs of any Horſe or Horſes, or other Cattle or Goods, or of any Carriage, upon which ſuch Tolls are by this Act impoſed, or by Diſtreſs of any other of the Goods or Chattles of ſuch Perſon or Perſons who ought to pay the ſame, and to detain and keep the ſame, until ſuch Tolls, with the reaſonable Charges of diſtraining and keeping the ſame, ſhall be paid: And it ſhall and may be lawful to and for ſuch Perſon and Perſons, after the Space of Five Days next after ſuch Diſtreſs ſo taken, to ſell the Cattle, Carriage, or Goods, ſo diſtrained, returning the Overplus (if any ſhall be) upon Demand, to the Owner thereof, after ſuch Tolls, and the reaſonable Charges of diſtraining and ſelling the ſame, ſhall be deducted and paid.

Tolls may be levied by Diſtreſs.

Diſtreſs may be ſold after 5 Days.

Provided always, That no Gate or Turnpike or Toll-houſe ſhall be erected by virtue of this Act between the Town of Crickhowell and the County of Monmouth.

Proviſo.

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

Application of the Monies.

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

This Act not to extend to the Repair of Pavements, &c.

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

Perſons liable to repair Bridges, &c. to continue ſo.

And be it further enacted by the Authority aforeſaid, That all and every Perſon or Perſons, who, by reaſon of Cuſtom or Tenure, are chargeable towards repairing or amending the ſaid Road, or any Part thereof, or any Bridges, Drains, or Sewers, in or upon the ſame, ſhall ſtill remain chargeable, and ſhall repair and amend ſuch Bridges, Drains, Sewers, and Parts of the ſaid Road, in ſuch Manner as he, ſhe, or they, was or were obliged to do or ought to have done before the paſſing of this Act.

Penalty on permitting private Paſſage, &c.

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

or giving or receiving Tickets, &c.

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

And be it further enacted, That if any Perſon or Perſons ſhall at any Time unload, or cauſe to be unladen, any Sort of Goods or Merchandize; or take off, or cauſe to be taken off, any Horſe or Horſes from any Coach, Chariot, Berlin, Landau, Chaiſe, Calaſh, Chair, Hearſe, or Litter, or any Horſe or Horſes, Or or Oxen, or other Beaſt of Draught, from any Wain, Waggon, Cart, or other Carriage, at or before the ſame ſhall come to any of the Gates or Turnpikes to be erected by virtue of this Act; or ſhall put on any Horſe or Horſes, or Cattle, after the ſame ſhall have paſſed through ſuch Gates or Turnpikes, with an Intent to avoid paying any of the ſaid Tolls or Duties hereby impoſed; or ſhall conceal

to avoid paying the Tolls.

ceal or ſecrete any Goods or other Things chargeable with or liable to pay any of the Tolls aforeſaid; or ſhall put or leave in any Houſe or Place, any Coach, Chariot, Berlin, Landau, Chaiſe, Chair, Wain, Waggon, Cart, or any other Carriage, Horſe, Gelding, Mare, or any other Cattle, chargeable with or liable to pay the ſaid Tolls or Duties, with an Intent as aforeſaid; each and every Perſon or Perſons ſo offending in any of the Caſes aforeſaid, and being thereof convicted upon Oath, by the Teſtimony of One or more credible Witneſs or Witneſſes, before any One or more Juſtice or Juſtices of the Peace for the County of Brecon, which Oath the ſaid Juſtice or Juſtices is and are hereby impowered to adminiſter, ſhall, for every ſuch Offence reſpectively, forfeit and pay to the ſaid Truſtees, or to their Treaſurer for the time being, the Sum of Five Pounds; which Sum, in caſe the ſame be not forthwith paid, ſhall be levied by Diſtreſs and Sale of the Offender's Goods, by Warrant under the Hand and Seal, or Hands and Seals, of the ſaid Juſtice or Juſtices, rendering the Overplus to the Owner on Demand, after deducting the reaſonable Charges of making ſuch Diſtreſs and Sale, to be ſettled by the ſaid Juſtice or Juſtices.

Exemptions from Tolls.

And be it further enacted, That none of the Tolls or Duties granted or directed to be taken, ſhall be demanded or taken at any of the Turnpikes or Toll-gates erected, or to be erected, in purſuance hereof, for any Waggons, Carts, Carriages, Horſes, or Beaſts of Burden, going or returning unladen, or laden with Dung, or other Compoſt for manuring of Lands, out of any of the Towns through which the ſaid Roads, or any of them, paſs; nor for any Waggons, Carts, Carriages, Horſes, or Beaſts of Burden, laden with, carrying, or going for Stones, Timber, Wood, Gravel, or other Materials, for erecting or repairing any Houſes or other Buildings in any of the ſaid Towns, or for repairing the ſaid Roads; or for any Waggons, Wains, Carts, or Carriages, carrying any Hay or Straw; nor for any Plows, Harrows, or other Implements of Husbandry; or for any Rubbiſh, Filth, or Nuſance, carrying out of any of the ſaid Towns in the ſaid Roads, for the better cleanſing the ſame; or for any Horſes, Mares, Geldings, Cattle, or Sheep, belonging to any of the Inhabitants of ſuch Pariſhes, Townſhips, or Places, which ſhall paſs through any of the ſaid Turnpikes or Toll-gates in going to or returning from Paſture, or Common of Paſture, Watering-places, Horſe-ſhoers, or Farriers,

riers, not uſing the ſaid reſpective Roads more than One Mile; or for any Poſt-horſes carrying the Mail or Packet; or for the Horſes of Soldiers paſſing who are upon their March, or for Carts, Waggons, or Carriages, attending them, laden with Arms or Baggage; or for Horſes, Carts, or Waggons, travelling with Vagrants; or for any Coaches or other Carriages, or Perſons on Horſeback, going to or returning from any Election of a Knight of the Shire, or Coroner, for the County of Brecon, or either of them, at or on the Days or Times of ſuch Elections, or on the Day before or Day after ſuch Elections, or going to or returning from Church: And further, that none of the Tolls or Duties granted or directed by this Act, ſhall be demanded or taken at any of the ſaid Turnpikes or Toll-gates, during the Space of Seven Years from the paſſing of this Act, for any Horſe, Mule, or Aſs, going for or returning with Coal or Lime, to be carried on their Backs, and not drawn, or after the Expiration of that Term, unleſs the major Part of the Commiſſioners preſent ſhall direct the Payment of the Tolls in reſpect of ſuch Coal and Lime Horſes, not exceeding One Penny for each Horſe, Mule, or Aſs, upon a Meeting to be for that Purpoſe had on Three Months previous Notice, to be ſet up on all the Gates to be erected in purſuance of this Act.

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

And be it further enacted and declared by the Authority aforeſaid, That the ſaid Truſtees, or any Nine or more of them reſpectively, are hereby authorized and impowered, from time to time (in caſe it ſhall appear requiſite and expedient) to leſſen the ſeveral Tolls and Duties hereby granted and made payable, and to order and direct ſuch Tolls and Duties, ſo to be leſſened and reduced, to be collected, received, taken, laid out, and applied, for the Purpoſes of this Act, in ſuch Manner, Parts, and Proportions, as they ſhall think fit, ſo as ſuch Reduction be no Prejudice to, or be with the Conſent of, the Perſon or Perſons ſeverally who ſhall have advanced any Money ſecured thereby; and to advance the ſame again, ſo as ſuch Advance do not exceed the Rates aforeſaid, as Occaſion ſhall require; any thing herein contained to the contrary notwithſtanding.

and raiſe them again.

Tolls to be paid but Once a Day.

Provided alſo, That no Perſon, who ſhall have paid the Toll or Duty hereby granted for the Paſſage of any Carriage or Cattle through any Gate or Turnpike erected by virtue of this Act, ſhall be ſubject or liable the ſame Day to the Payment of any other Toll or Duty, for paſſing with the ſame Carriage or Cattle through any other Gate or Turnpike erected by virtue hereof, within

within Ten Miles of the Gate or Turnpike where ſuch Perſon ſhall have paid ſuch Toll or Duty, ſuch Perſon producing a Note or Ticket denoting ſuch Payment; which Ticket, the Collector of the Tolls is hereby required to give gratis.

Truſtees may appoint Officers;

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

and remove them, and appoint others.

Officers to account upon Oath.

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

Truſtees to allow Officers Salaries.

Officers refuſing to account,

Juſtices may enquire into the Default;

and commit the Offender,

till Payment or Compoſition made.

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

Surveyors may dig Gravel, &c.

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

without paying for the ſame.

Materials may be taken from private Grounds;

making Satisfaction to the Owners.

Juſtices to determine Differences.

tween such Owners and Occupiers, and the said Trustees, touching such Damages as aforesaid, the Justices of the Peace at their next General Quarter Sessions, to be holden in and for such County wherein the Place from whence such Materials shall have been taken, or the major Part of them then present, shall and may adjudge, assess, and finally determine the same.

Surveyors may remove Annoyances in the Road, &c.

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

and cut down Trees;

the Owners neglecting to remove the same after Notice;

Charges to be reimbursed to the Surveyors,

And be it hereby enacted and declared, That the Charges and Expences of such Works to be done by, or by Order of such Surveyors respectively, for or towards the removing or preventing such Annoyances as aforesaid, shall be reimbursed to the said Surveyor or Surveyors by such Owners or Occupiers neglecting to cut down such Trees or Bushes, or to remove such other Annoyances as aforesaid; and shall or may, in case of Refusal, be levied out of the Goods and Chattles of such Owners or Occupiers, by Warrant under the Hands and Seals of the said Trustees, or any Five or more of them, or under the Hand and Seal, or Hands and Seals of One or more Justice or Justices of the Peace for the said County, rendering the Overplus (if any) after all Charges paid (such Charges to be settled by the said Trustees, or any Five or more of them, or by the said Justice or Justices) and if after Removal of any of the said Annoyances, any Person or Persons shall

to be levied by Distress and Sale.

Penalty on a Second Offence.

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

And, for rendering the Roads ſo intended to be made or amended more convenient and commodious; be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for the Surveyor or Surveyors to be appointed in purſuance of this Act, by Order of the Truſtees, or any Seven or more of them, to make or cauſe to be made Bridges and Cauſeways, and to cut and make Drains through any Grounds lying near or more convenient to the ſaid Roads, and to make, erect, and keep in Repair, Arches of Brick, Timber, or Stone thereupon, and to divert and turn the ſaid Roads and Highways through any Part of the Lands, Commons, or Waſte Grounds, ſituate as aforeſaid; and alſo to divert and turn any Rivulet, Brook, or Watercourſe, near or contiguous to the ſaid Road, ſo as to make the ſame run in a ſtraiter Courſe or Direction, to prevent the overflowing and deſtroying the ſame; and alſo to widen the ſaid Roads, by opening, clearing, and laying into the ſame, any Grounds of any Perſon or Perſons lying contiguous to or near ſuch Roads (not being an Houſe, Garden, Yard, Park, Paddock, planted Walk, or Avenue to an Houſe) and alſo to cauſe Ditches or Trenches to be made in ſuch Places, and in ſuch Manner as ſuch Surveyor or Surveyors by Order of the ſaid Truſtees, or any Seven or more of them, ſhall adjudge neceſſary, for the better diverting, turning, amending, and keeping the ſaid Roads in good Repair; making ſuch reaſonable Satisfaction to the Owners or Occupiers of ſuch Ground, which ſhall be ſo uſed in diverting or turning the ſaid Roads, or laid in or unto the ſame, or through which any ſuch Drain or Drains ſhall be cut, or on which any ſuch Arch or Arches, Bridge or Bridges, ſhall be made, for the Damages which he, ſhe, or they, ſhall or may thereby

Surveyors may make Cauſeways, and cut Drains, &c.

and widen the narrow Parts of the Road,

making Satisfaction to the Owners.

ſuſtain, as ſhall be adjudged by the ſaid Truſtees, or any Seven or more of them: And in caſe any Difference ſhall ariſe between the ſaid Truſtees, and ſuch Owners or Occupiers reſpectively concerning the ſame, then it ſhall and may be lawful to and for the Juſtices of the Peace, or the major Part of them, at the next General Quarter Seſſions to be holden for the ſaid County, to hear, adjudge, and finally determine the ſame.

If the old Road be diſcontinued, Inhabitants not liable to repair the ſame.

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

Road from *Rhyd y Maen* to *Uſk Bridge* may be ſold, exchanged, or ſtopt up.

And whereas the Highway leading from Rhyd y Maen in the River Uſk, by the Green, to Uſk Bridge, will, by means of the Road herein before deſcribed through the Watton, through Llanfrynach and Penkelly, be uſeleſs, and of no publick Convenience or Utility, but rather an Incumbrance on the ſaid Truſts; be it therefore enacted and declared, That the ſaid Highway, after paſſing this Act, ſhall ceaſe and be diſuſed; and that the ſaid Truſtees ſhall have Power to ſell and diſpoſe, or otherwiſe exchange, the ſaid Highway for other Lands, or otherwiſe to ſtop up the ſame.

Bodies Politick, *&c.* impowered to contract, *&c.* with the Truſtees for the Purchaſe of Lands to be taken into the Roads, *&c.*

And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for all Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, and all Feoffees in Truſt, Executors, Adminiſtrators, Guardians, or other Truſtees whatſoever, for or in Behalf of any Infants, Femes-covert, or Ceſtuique Truſts, and for all and every Perſon and Perſons whatſoever, who are or ſhall be ſeized, poſſeſſed of, or intereſted in, any Lands, Grounds, Tenements, or Hereditaments whatſoever, to treat, contract, and agree, with the ſaid Truſtees, or any Five or more of them, for Satisfaction to be made reſpectively for ſuch their Land, Ground, Tenements, or Hereditaments, or any Part thereof, for their Intereſt therein, for the Purpoſes aforeſaid, and to ſell and convey the ſame as Occaſion ſhall be or require; and that all Contracts, Agreements, Sales, and Conveyances, which ſhall be ſo made, ſhall be valid to all Intents and Purpoſes; any Law, Statute, Cuſtom, or Uſage, or any other Matter or Thing whatſoever, to the contrary thereof in and wiſe notwithſtanding: And that all Feoffees in Truſt, Executors, Adminiſtrators,

Adminiſtrators, Guardians, and Truſtees, Corporations Aggregate or Sole, and all other Perſons, are and ſhall be hereby indemnified for what they ſhall do by virtue or in purſuance of this Act.

Perſons neglecting to treat for the Sale of ſuch Lands;

And be it further enacted, That if any ſuch Owner, Proprietor, Occupier, Body Politick, Corporate, or Collegiate, or other Perſon or Perſons, intereſted in ſuch Lands, Grounds, Tenements, or Hereditaments, upon Notice to them given or left in Writing at the Dwelling-houſe, or Place of Abode, of ſuch Perſon or Perſons, or of the Head Officer or Officers of ſuch Bodies Politick, Corporate, or Collegiate, or at the Houſe of the Tenant in Poſſeſſion of the Lands, Grounds, Tenements, or Hereditaments, ſo to be taken into, and added to, the ſaid Roads as aforeſaid, or into which ſuch Way, Path, or Road, as aforeſaid, ſhall be diverted, turned, or altered, as aforeſaid, ſhall, by the Space of Twenty Days after ſuch Notice given or left as aforeſaid, neglect or refuſe to treat, or ſhall not agree in the Premiſſes, or, by reaſon of Abſence, ſhall be prevented from treating; then, and in every or any ſuch Caſe, the ſaid Truſtees, or any Five or more of them, ſhall cauſe it to be enquired into, and aſcertained, by and upon the Oath of a Jury of Twelve indifferent Men of One, ſome, or all of the Pariſhes in which the ſaid Road lies (which Oath the ſaid Truſtees, or any Five or more of them, are hereby impowered and required to adminiſter) what Damages ſuch Owners, Occupiers, or Proprietors, or other Perſon or Perſons, intereſted or concerned therein, ſhall or may ſuffer or ſuſtain for or by reaſon of the taking in, or adding, any ſuch Land, Ground, Tenements, and Hereditaments, to the ſaid Roads, or any of them, and what Recompence and Satisfaction ſuch Owners, Occupiers, Proprietors, or other Perſon or Perſons, ſuffering thereby, ſhall reſpectively have, by reaſon or on account thereof; and for that Purpoſe, and in order thereto, the ſaid Truſtees, or any Five or more of them, are hereby impowered and required, from time to time, as it ſhall be neceſſary or requiſite, to ſummon and call before them all and every Perſon and Perſons whatſoever, who ſhall be thought neceſſary and proper to be examined as Witneſs or Witneſſes touching or concerning the Premiſſes; and ſhall examine all ſuch Witneſſes before the ſaid Jury upon Oath (which Oath the ſaid Truſtees, or any Five or more of them, are hereby impowered and required to adminiſter) and they ſhall alſo order and cauſe the ſaid Jury to view the ſaid Places in queſtion, and to uſe all other lawful Ways and

Jury to ſettle the Recompence.

Witneſſes may be ſummoned, and examined upon Oath.

and Means, as well for their own as the ſaid Jury's Information in the Premiſſes, as they the ſaid Truſtees, or any Five or more of them, ſhall think fit: And after the ſaid Jury ſhall have ſo inquired of, aſcertained, and ſettled, ſuch Damages and Recompence, they the ſaid Truſtees, or any Five or more of them, ſhall thereupon order, adjudge, and determine, the ſaid Sum or Sums of Money, ſo aſſeſſed by the ſaid Jury, to be paid to the ſaid Owners, Occupiers, or Proprietors, of the ſaid Lands, Grounds, Tenements, and Hereditaments, or other Perſons intereſted therein, according to ſuch the Verdict or Inquiſition and Judgement of the ſaid Jury; which ſaid Verdict or Inquiſition, and Judgement, Order, or Determination, ſo had and made, ſhall be final, binding, and concluſive, to all Intents and Purpoſes, againſt all Parties or Perſons whatſoever claiming in Poſſeſſion, Reverſion, Remainder, or otherwiſe, their Heirs and Succeſſors, as well abſent as preſent, Infants, Femes-coverts, and Perſons under any other Diſabilities whatſoever, Bodies Politick, Corporate, and Collegiate, as well as all and every Perſon and Perſons whomſoever: And all and every ſuch Owners, Occupiers, and Proprietors, and all and every Perſon or Perſons any ways intereſted in ſuch Land, Ground, Tenements, and Hereditaments, ſhall thereby be, from thenceforth, to all Intents and Purpoſes, barred and diveſted of all Right, Title, Claim, Intereſt, and Property, of, in, to, or out of the ſame.

Verdict of the Jury to be final.

Truſtees to iſſue Warrants to the Sheriff to impanel a Jury.

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

Juries may be challenged.

Provided always, and be it further enacted by the Authority aforeſaid, That all Perſons concerned ſhall from time to time have their lawful Challenges againſt any of the ſaid Jurymen when they come to be ſworn: And

that the said Trustees, or any Five or more of them, acting in the Premisses, shall have Power, from time to time, to set any reasonable Fine or Fines on such Sheriff or Sheriffs, his or their Deputy or Deputies, Bailiffs or Agents, making Default in the Premisses, and on any of the Persons that shall be summoned and returned on such Jury, not appearing, or refusing to be sworn on the said Jury, and being so sworn, and refusing and not giving their Verdict concerning the same, or in any other Manner wilfully neglecting their Duties therein, contrary to the true Intent and Meaning of this Act, and on any Person or Persons who, being required to give Evidence before the said Jury touching the Premisses, shall refuse to be examined or to give Evidence touching the same; and from time to time to set such Fine or Fines, not to exceed the Sum of Five Pounds, upon any One Person; and from time to time to levy such Fine or Fines by Distress and Sale of the Goods and Chattles of such Person, by Warrant from any Five or more of the said Trustees; the same to be applied towards repairing the said Roads.

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

Fine not to exceed 5 Pounds.

And be it further enacted by the Authority aforesaid, That all and every such Sum or Sums of Money, Consideration, Recompence, or Satisfaction, to be agreed for, ascertained, or assessed as aforesaid, shall be and are hereby charged and chargeable upon all Tolls and Moneys which shall be raised, received, collected, or borrowed, for the Purposes of this present Act, and shall be paid thereout accordingly to the Persons respectively intitled thereto, or to their respective Agents; and that upon Payment or Tender thereof to the said Persons so respectively intitled thereto, and in case of Refusal to accept the same, then upon leaving the same in the Hands of the Clerk to the Trustees for the time being, for the Use of the Person or Persons to whom the said Trustees, or any Five or more of them, shall appoint the same to be paid; and after Twenty Days Notice thereof given to such Person or Persons, it shall and may be lawful for the said Trustees, or any Seven or more of them, their Surveyors, Workmen, Servants, and Agents, to take into and add to the said Road, such said Ground, Lands, or Tenements, and to do all and every such Act, Matter, and Thing, with relation to the said Ground, Lands, Tenements, and Hereditaments, so taken into and added, or to be taken into and added to the said Road, and to ditch and fence the same, as the said Trustees, or any Seven or more of them, shall think fit; and the said Ground, Lands, or Tenements, so

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

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

and eſteemed a publick Highway.

taken, or to be taken in, when the ſame ſhall be ſo ditched and fenced as aforeſaid, ſhall, to all Intents and Purpoſes whatſoever, from thenceforth become and be, and ſhall be deemed and taken to be, a publick and common Highway, and be from thenceforth Part of the ſaid Roads hereby directed to be made and repaired for ever, and ſhall be repaired and kept in Repair by ſuch Ways and Methods, and in all Reſpects in ſuch Manner, as other Highways are by Law to be repaired and kept in Repair; and after ſuch Purchaſe ſhall be made as aforeſaid, and the ſame ſhall be made Part of the ſaid Roads, and completely repaired and finiſhed, the Lands and Grounds comprized in or conſtituting the old or former Road, in lieu whereof the Land or Ground for which ſuch new Road or Way ſhall be purchaſed, obtained, and made, as aforeſaid, ſhall or may be ſold or diſpoſed of by the ſaid Truſtees, or any Seven or more of them, to ſuch Perſon or Perſons as ſhall be willing to become the Purchaſer or Purchaſers thereof, for the beſt Price that can be reaſonably had or gotten for the ſame; and the Money ariſing by ſuch Sale ſhall be applied and diſpoſed of for repairing and amending the ſaid Road; and ſuch Conveyance or Conveyances ſo to be made of the ſaid Lands and Grounds comprized in the ſaid old Road, being executed by the ſaid Truſtees, or any Seven or more of them, and inrolled with the Clerk of the Peace for the ſaid County, ſhall be good and effectual in the Law to all Intents and Purpoſes whatſoever.

Old Road may be ſold.

Tolls may be aſſigned for Money borrowed.

And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Truſtees, or any Seven or more of them, from time to time, upon the Tolls hereby made payable, to borrow and take up, at legal or leſs Intereſt, any Sum or Sums of Money not exceeding Ten thouſand Pounds, as they or any Seven or more of them ſhall think neceſſary; and they may, and are hereby authorized, to leaſe, mortgage, or aſſign over, the ſaid Tolls and Tollhouſes, or any Part or Parts thereof, to any Perſon or Perſons for any Term or Number of Years, as a Security or Securities for the ſeveral Sums of Money which ſhall be ſo borrowed, and the Intereſt thereof as aforeſaid, by the following Words of Aſſignment under the Hands of the ſaid Truſtees, or any Seven or more of them, or by any other proper Words for that Purpoſe; that is to ſay,

By

BY virtue of an Act made in the Seventh Year of the Reign of His Majeſty King *George* the Third, for repairing ſeveral Roads in the County of *Brecon*, We of the Truſtees for putting the ſaid Act in Execution, in Conſideration of the Sum of do aſſign unto *A. B.* his Executors, Adminiſtrators, and Aſſigns, ſuch Proportion of the Tolls ariſing by virtue of the ſaid Act, as the ſaid Sum of ſhall bear to the whole Sum advanced on the Credit thereof; to hold to the ſaid *A. B.* his Executors, Adminiſtrators, and Aſſigns, from this Day of in the Year of our Lord until the ſaid Sum of with Intereſt at the Rate of *per Centum per Annum*, ſhall be repaid. Witneſs our Hands this Day of

Form of Aſſignment.

Copies of which ſaid Aſſignments ſhall be entered in a Book or Books to be kept for that Purpoſe by the Clerk or Clerks to the ſaid Truſtees; and all and every Perſon and Perſons to whom ſuch Aſſignment or Aſſignments ſhall be made as aforeſaid, or who ſhall be intitled to the Monies thereby ſecured, may from time to time aſſign or transfer his, her, or their Right and Intereſt therein, to any Perſon or Perſons, endorſing thereon, before Two credible Witneſſes, the following Words, or Words to the like Effect:

Aſſignments may be transferred.

I Do transfer this Aſſignment, with all my Right to the Principal and Intereſt hereby ſecured, and now due, unto *C. D.* his Executors, Adminiſtrators, and Aſſigns. Witneſs my Hand the Day of

Form of Transfer.

Which ſaid Aſſignment or Tranſfer ſhall be produced to the ſaid Clerk or Clerks, who ſhall make an Entry in a Book or Books to be kept for that Purpoſe, containing the Date and material Contents thereof, with the Names, Additions, and Places of Abode, of the Witneſſes; for which the ſaid Clerk or Clerks ſhall be paid the Sum of One Shilling, by the Perſons in whom ſuch Security ſhall veſt, and no more.

Clerk's Fee.

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 this Act, or 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 all the Turnpikes to be erected

Notice to be given of borrowing of Money.

erected by virtue of this Act, at least Twenty Days before the borrowing of such Money.

All Creditors to be deemed equal in Degree.

And be it further enacted, That there shall no Preference be given to the Persons advancing any Part or Parts of the said gross Sum, in respect to Priority of advancing his, her, or their Part or Parts thereof; but that all Lenders and Proprietors in the said Deeds Poll, so far as the said gross Sum shall extend, shall be, and are hereby declared to be, Creditors on the said Tolls, in an equal Degree one with another.

No further Money to be borrowed without Consent of the Proprietors of the Deeds Poll.

And be it further enacted, That it shall not be lawful to borrow any further Sum of Money on the Credit of the said Tolls or Duties beyond the gross Sum so first resolved to be raised, without the Consent of the Proprietors of the said Deeds Poll, to be signified by their Subscription on the Face of the said Deeds Poll, to be witnessed by the Clerk or Clerks to the said Trustees, and of a proper Entry for that Purpose in the Book wherein such Entries shall be made as aforesaid, or unless the Monies due to the Proprietors of the said Deeds Poll, or such of them as shall not give their Consent, shall be first paid off and discharged; and that then and in such Case it shall be lawful for the said Trustees, or any Five or more of them, at a Meeting or Meetings to be held for that Purpose, to borrow such other and further Sum and Sums of Money on the Security of the said Tolls as they shall think proper, not exceeding the said Ten thousand Pounds, and to pursue the same Method as is herein before enacted.

Trustees not subject to the Payment of Debts contracted upon this Act.

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 the said Entries, or signing or sealing the said Deeds Poll, to the Payment of any Money thereby secured.

Clause for paying off Creditors.

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 Two Thirds of the Possessors of the said Deeds Poll, and who shall continue Creditors thereof, 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

such Notice, within One Year after the Delivery thereof as aforesaid, it shall and may be lawful to and for the 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.

Property of Turnpikes, &c. vested in the Trustees.

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

Penalties and Forfeitures how to be recovered.

And be it further enacted, That all Penalties and Forfeitures by this Act incurred, touching which no other Provision is herein made for the Recovery thereof, shall be levied and recovered by Distress and Sale of the Offender's Goods and Chattles, by Warrant or Warrants under the Hand and Seal, or Hands and Seals, of One or more Justice or Justices of the Peace of the County or Town where the Offence was committed; which Warrant or Warrants the said Justice or Justices are hereby impowered and required to grant upon the Information of One or more credible Witness or Witnesses upon Oath (which Oath such Justice or Justices is and are hereby impowered to administer) and the Money when recovered, after rendering the Overplus (if any) to the Party or Parties whose Goods and Chattles shall be so distrained (the Charges of such Distress and Sale being first deducted) shall go and be applied, if not otherwise directed to be applied by this Act, towards amending the said Roads; and in case sufficient Distress cannot be found, and such Penalties and Forfeitures shall not be paid, it shall and may be lawful for such Justice or Justices, by Warrant under his or their Hand and Seal, or Hands and Seals, to commit such Offender or Offenders to the House of Correction of the County or Place where the Offence shall be committed, there to remain for the Space of One Calendar Month.

Proceedings to be entered in a Book.

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

Books may be read in Evidence.

Perſons aggrieved may appeal to the Quarter Seſſion.

Notice of Appeal to be given.

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

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

Recognizance to be entered into.

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 preſent Act, ſhall be quaſhed or vacated for want of Form only, or be removed or removeable by Certiorari, or any other Writ or Proceſs whatſoever, into any of His Majeſty's Courts of Record at Weſtminſter, or Great Seſſions for the County of Brecon; any thing herein contained to the contrary notwithſtanding: 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 unlawful, nor the Party or Parties making the ſame 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 on the Caſe.

Proceedings not to be quaſh'd for want of Form,

nor removable by *Certiorari*.

Diſtreſs not unlawful for want of Form;

nor the Parties diſtraining deemed Treſpaſſers *ab initio*.

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 behalf of the Party diſtraining before ſuch Action brought.

Plaintiff not to recover, if Tender of Amends hath been made.

And

Writings to be without Stamps.

And be it further enacted, That no Nomination, Appointment, Information, Order, Judgement, Conviction, Warrant, Mortgage, 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 Juſtices of the Peace, or exhibited before them, or any of them, touching, concerning, or in Execution of any Power or Authority hereby veſted in them, ſome or One of them reſpectively, or Transfer of any of the Securities aforeſaid, which ſhall be made by any Perſon or Perſons, ſhall be charged or chargeable with any Stamp-duty whatſoever.

Commencement and Continuance of this Act.

And be it further enacted, That this Act, and 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.

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

And be it further enacted, That no Perſon be capable of holding any Place of Profit ariſing out of the Tolls or Duties hereby granted, who ſhall ſell any Ale, Beer, Cyder, Perry, Wine, or any other Sort of Spirituous Liquors by Retale.

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 and may, and they are hereby required to cauſe the ſaid Roads to be meaſured, and Stones or Poſts to be ſet up thereon or near the Sides of the ſaid Roads, each Stone or Poſt at the Diſtance of One Mile from each other, denoting the Diſtance of every ſuch Stone or Poſt from ſuch Place, as to the ſaid Truſtees ſhall ſeem meet, and alſo to ſet up Directing Poſts on Croſs Roads: And if any Perſon or Perſons ſhall voluntarily and maliciouſly break any of the ſaid Stones or Poſts, or any Part thereof, which ſhall be ſo erected or ſet up, or ſhall obliterate or deface any of the Words, Figures, Letters, or Marks which ſhall be engraved or inſcribed thereon, and ſhall be convicted thereof by the Confeſſion of the Party, or by the Oath of One or more credible Witneſs or Witneſſes before One or more Juſtice or Juſtices of the Peace for the ſaid County or Town where the Offence ſhall be committed; every ſuch Perſon or Perſons ſo offending, ſhall reſpectively forfeit and pay the Sum of Forty Shillings for each Stone or Poſt ſo voluntarily or maliciouſly broke, obliterated, or defaced; One Half whereof ſhall be paid to the Informer or Informers to

Penalty on defacing Mile-ſtones, &c.

and for his and their own Use and Benefit, and the other Half shall be applied in repairing the Road in the District where the Offence shall be committed.

And, for continuing a sufficient Number of Trustees for putting this Act in Execution, be it further enacted, That when and as often as any Trustee or Trustees shall die, remove, or refuse to act, it shall and may be lawful for the surviving Trustees, or any Nine or more of them, by any Writing or Writings under their Hands and Seals, from time to time, to nominate or appoint One or more fit Person or Persons in the Room of such Trustee or Trustees so dead, removed, or refusing to act; Notice of the Time and Place of Meeting for the Election of all and every such Trustee or Trustees, being affixed in Writing on all the Toll-gates or Turnpikes to be erected by virtue of this Act, at least Fifteen Days before the Meeting for such Election; and every Person or Persons who shall, from time to time, be so chosen and appointed, is and are hereby impowered to act, to all Intents and Purposes, in as full and ample Manner as the said Trustees hereby nominated are impowered to act.

On Death or Removal of Trustees, others to be chosen.

15 Days Notice of Election to be given.

And be it further enacted, That it shall and may be lawful to and for the said Trustees, or any Eleven or more of them, from time to time, by Writing under their Hands and Seals, to assign, lease, demise, let, or farm out, the said Tolls or Duties, or any Part thereof, to any Person or Persons who shall be willing to take or farm the same, from Year to Year, or for any Part of the said Term hereby granted, not exceeding Three Years; One Month's Notice whereof in Writing shall be affixed on all the Turnpike-gates to be erected by this Act, and upon publick Bidding to the highest Bidder, and for the best Price such Trustees can get for such Tolls or Duties, or any Part thereof, payable at such Times and under such Covenants as they the said Trustees, or any Nine or more of them, shall think fit; and to be paid to the said Trustees, or any Five or more of them, or to such Person or Persons as they, or any Five or more of them, shall appoint to receive the same; which Money so to be paid shall be applied and disposed of for repairing the said Roads, and the other Purposes herein mentioned, and to no other Use or Purpose whatsoever.

Trustees may lease, &c. the Tolls.

And be it further enacted, That the said Trustees, or any Five or more of them, shall, and they are hereby impowered, under their Hands or Seals, to contract with any Person or Persons for the repairing, amend-

Trustees to contract for repairing the Roads,

ing, and widening the Roads, or any Part thereof, and also for the erecting and ſetting up Mile-ſtones and Poſts in, upon, or on the Sides of the ſaid Roads, or any Part thereof, in ſuch Manner, and for ſuch Sum and Sums of Money, as ſhall be agreed upon by and between the ſaid Truſtees, or any Five or more of them, and ſuch Perſon and Perſons ſo contracting with the ſaid Truſtees, or any Five or more of them.

and erecting Mile-ſtones.

No Turnpike to be removed without Order of Truſtees.

Provided always, That no Gate or Turnpike to be erected or ſet up in, acroſs, or on the Side or Sides of the aforeſaid Roads, ſhall be taken down or removed, or any other new Gate or Turnpike ſhall hereafter be erected or ſet up in, acroſs, or on the Side or Sides of any Part of the ſaid Roads, except by Order of the ſaid Truſtees, or any Nine or more of them, at a Meeting for that Purpoſe to be appointed, whereof One Month's Notice ſhall be given in Writing by the Clerk to the Truſtees, to be fixed on the Turnpike Gates to be erected on the ſaid Roads.

Penalty on drawing Timber otherwiſe than upon Wheel Carriages.

And be it further enacted, That if any Perſon or Perſons, during the Continuance of this Act, ſhall hale or draw, or cauſe to be haled or drawn, any Timber in, upon, or along the Roads hereby intended to be repaired, or any Part thereof, otherwiſe than and except upon Wheels or Carriages, every ſuch Perſon or Perſons, ſo offending, for every ſuch Offence ſhall forfeit and pay the Sum of Forty Shillings.

Limitation of Actions.

And be it further enacted, That if any Action or Suit ſhall be commenced againſt any Perſon or Perſons for any Thing done in purſuance of this Act, every ſuch Action or Suit ſhall be commenced within Six Months next after the Fact committed, and not afterwards; and ſhall be laid and brought ſo as to be tried in the Counties of Brecon or Hereford, and not elſewhere: And the Defendant or Defendants in ſuch Action or Suit ſhall and

General Iſſue.

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 the ſame ſhall appear ſo to be done, or that ſuch Action or Suit ſhall be brought in any other County, Place, or Places, then the Jury ſhall find for the Defendant or Defendants; and upon ſuch Verdict, or if the Plaintiff or Plaintiffs ſhall become nonſuited, or diſcontinue his or their Action or Actions after the Defendant or Defendants ſhall have appeared; or if upon Demurrer Judgement ſhall be given againſt the Plaintiff or Plaintiffs, the Defendant and Defendants ſhall and may recover Treble

Treble Coſts.

Coſts,

Coſts, and have ſuch Remedy for the ſame as any Defendant or Defendants hath or have in any Caſe by Law.

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

FINIS.