

ANNO SEPTIMO & OCTAVO

VICTORIÆ REGINÆ.

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CAP. XCI.

An Act to consolidate and amend the Laws relating to Turnpike Trusts in *South Wales*.

[9th *August* 1844.]

WHEREAS Her Majesty was, on the Seventh Day of *October* in the Year One thousand eight hundred and forty-three, pleased to issue a Commission to certain Persons therein named, directing them, amongst other things, to make a full and diligent Inquiry into the State of the Laws as administered in *South Wales* which regulate the Maintenance and Repair of Turnpike Roads, Highways, and Bridges: And whereas the said Commissioners made their Report to Her Majesty, bearing Date the Sixth Day of *March* in the Year One thousand eight hundred and forty-four: And whereas the said Commissioners, by their said Report, among other things, recommended that the Debts then chargeable upon the several Turnpike Trusts in *South Wales* should be ascertained and redeemed, and also that the several Trusts in each of the respective Counties then existing should be consolidated and placed under uniform Management and Control; and that the Laws and Regulations relating to the Collection and Application of Tolls should be revised and amended: And whereas it is expedient that these and certain other Recommendations of the said Commissioners should be adopted, with certain Modifications thereof: Be it therefore enacted by

by the Queen'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,

Appointment of Commissioners.

That it shall be lawful for the Lord High Treasurer, or the Commissioners of Her Majesty's Treasury for the Time being, or any Three or more of them, by any Writing under their Hands, to appoint any competent Persons, not being more than Three in Number, to be Commissioners for carrying this Act into execution, One of whom shall be in manner aforesaid appointed Chief Commissioner for the Time being, and upon any Vacancy in the Number of Commissioners appointed, either by Removal or by Death or otherwise, to appoint some other fit Person to supply the same; and the said Commissioners for the Time being, and each and every of them, are and is hereby vested with the same Powers and Authorities as if he or they had been named in this present Act, and had been thereby appointed a Commissioner or Commissioners for executing the Trusts reposed in him or them by this Act: Provided always, that the Powers hereby given to such Commissioners shall absolutely cease and determine on the Twenty-ninth Day of *September* in the Year One thousand eight hundred and forty-five, or on such earlier Day as the said Lord High Treasurer, or the Commissioners of Her Majesty's Treasury, shall think fit to declare the same to be determined, and Notice of the Determination of the said Commission shall be published in the *London Gazette*.

Duration of Commission.

Style and Powers of Commissioners;

II. And be it enacted, That the said Commissioners shall be styled "The Commissioners for consolidating and adjusting the Turnpike Trusts in *South Wales*," and the Powers and Authorities hereby vested in such Commissioners shall include and comprise the Six Counties following; (that is to say,) the Counties of *Glamorgan*, *Brecknock*, *Radnor*, *Carmarthen*, *Pembroke*, and *Cardigan* respectively; and the said Commissioners or any Two of them may sit from Time to Time and at such Place or Places as they may deem expedient as a Board of Commissioners, and all Acts, Matters, and Things done by any Two of such Commissioners acting in execution of this Act shall be valid and effectual; and the said Chief Commissioner shall have a casting Vote in all Matters to be decided by such Board, in addition to his own Vote; and the said Commissioners shall cause a Seal to be made, and all Orders, Regulations, Awards, or other Instruments made or executed by or by the Authority of the said Commissioners acting as such Board, or Copies thereof, purporting to be sealed with such Seal, shall be received in Evidence in all Courts, and by all Judges, Justices, and others, without further Proof thereof; and all Orders, Regulations, Awards, and other Instruments so made as aforesaid by the said Commissioners acting in execution of this Act shall be binding and conclusive on all Parties, and to all Intents and Purposes whatsoever, and shall not be removed or removable by Certiorari, or by any other Writ or Process, into any of Her Majesty's Courts of Record at *Westminster*, any Law or Statute to the contrary thereof in anywise notwithstanding.

to have a Common Seal.

Orders, &c. of Commissioners to be binding, and not to be removed by Certiorari.

Secretary, &c. to be appointed.

III. And be it enacted, That it shall be lawful for the said Board of Commissioners to be appointed by virtue of this Act, with the Con-

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sent of the Lord High Treasurer or Commissioners of Her Majesty's Treasury, to appoint a fit and proper Person to be their Secretary, and from Time to Time at their Discretion to remove the Secretary for the Time being, and appoint another in his Stead; and it shall be lawful for the said Board of Commissioners, with the like Consent as aforesaid, from Time to Time to appoint such Accountant or Accountants, Clerk or Clerks, or other Officers as may be necessary to assist in carrying the Provisions of this Act into execution, and from Time to Time at their Discretion to remove the said Accountant or Accountants, Clerk or Clerks, or other Officers, and to appoint other Persons, with the like Consent, in their Stead.

Salaries and Allowances to Commissioners and their Officers.

IV. And be it enacted, That the Salaries and Allowances of the said Commissioners to be appointed by virtue of this Act, and of their Secretary, and of the Accountants, Clerks, or other Officers to be appointed by virtue thereof, shall be from Time to Time regulated by the Lord High Treasurer, or by the said Commissioners of Her Majesty's Treasury: Provided always, that the said Lord High Treasurer, or the said Commissioners of Her Majesty's Treasury, may allow to any Commissioner, Secretary, Accountant, Clerk, or other Officers any such reasonable travelling and other Expences as may be incurred by them respectively in the Performance of their Duties under this Act, in addition to their Salaries or Allowances respectively; and the said Salaries, Allowances, and Expences shall be paid out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*.

Commissioners to proceed through South Wales.

V. And be it enacted, That the said Commissioners or any Two of them shall, on some Day or Days between the First Day of *August* and the Thirty-first Day of *December* in this present Year, sit as a Board for the Execution of this Act at the several Towns or Places, or within a convenient Distance thereof, within each of the said Counties before mentioned respectively, at which the Trustees or Commissioners of any Turnpike Trusts have been, before the passing of this Act, accustomed to hold their regular Meetings for transacting the Business relating to such Trusts: Provided always, that the said Commissioners shall cause Notice to be given of the several Days and Times at which they shall determine to hold their Sittings at the said several Towns or Places in each of the said Counties respectively, by causing One or more Advertisements thereof to be inserted in some Newspaper or Newspapers circulating in such County Twenty-one Days at least before the Time fixed for holding any Sitting under this Act: Provided also, that in case the Trustees of any Trust within any of the said Counties shall have heretofore been accustomed to hold their Meetings at Two or more Places alternately, it shall be lawful for the said Commissioners at their Discretion to sit at One or more of such Places as they shall deem convenient; and the said Commissioners shall have Power to adjourn their Sittings from Time to Time, and from Place to Place, as may be found necessary.

Notice to be given by Advertisement.

Inquiry to be made by Commissioners into Circum-

VI. And be it enacted, That the said Commissioners or any Two of them, sitting as aforesaid, shall make full and diligent Inquiry into the Management, Revenue, Debts, Condition, and Circumstances of the

stances of all Trusts, their Debts, &c.

the several Turnpike Trusts lying or partly lying within each of the said Counties respectively, and shall examine and ascertain the Amount, Nature, and Value of all Debts due or claimed to be due by or from any Turnpike Trust which shall have been contracted under the Powers and in conformity with the Provisions of any Act of Parliament relating to such Trust, and shall inquire how much of such Debts consists of unpaid Interest, and for what Period such Interest shall be in arrear, and all such other Particulars respecting the same, and respecting the Administration of such Trusts and the Roads comprised in the same respectively, as the said Commissioners shall deem necessary in order to the Execution of the several Powers and Duties hereby vested in them; and the said Commissioners shall then require all Persons being or claiming to be Creditors or Mortgagees of the Tolls of the said several Turnpike Trusts to produce or cause to be produced before the said Commissioners all Mortgages, Deeds, Contracts, or other Securities in respect of which such Creditors or Mortgagees claim to be entitled to any Principal Monies or Interest out of the Tolls of such Trusts, and the said Commissioners shall examine and compare the said Mortgages or other Securities with the Registers thereof, and shall take a full and particular Account of the same; and in case it shall appear to the said Commissioners, by the Books kept by the Clerk or Treasurer to any Trust, or by any other Evidence satisfactory to the said Commissioners, that any Person is a *bonâ fide* Creditor or Mortgagee of the Tolls of such Trust, though the Mortgage or Security before granted or assigned to such Person in respect thereof may have been lost, mislaid, or destroyed, it shall be lawful for the said Commissioners to include such Person in the List of Creditors or Mortgagees of such Trust in respect thereof;

Commissioners to summon Witnesses and call for Papers.

and the said Commissioners are hereby empowered, by Summons under their Hands, to require the Attendance of all Clerks, Surveyors, Treasurers, and other Officers of any of the said Trusts, as well as of all other Persons whom they may think fit to call before them upon any Question or Matter connected with or relating to the Subject of the said Inquiry, and also to examine all such Persons, and to require the Production of all Books, Contracts, Agreements, Accounts, Maps, Plans, Acts of Parliament, Papers, and Documents, or Copies thereof, in anywise relating thereto; and the said Commissioners may, if they shall think fit, require any Person whom they shall examine with respect to any of the Matters aforesaid to make or subscribe a Declaration of the Truth of the Matters respecting which such Person shall have been or shall be examined: Provided always, that no such Person shall be obliged by any such Summons to go or travel more than Twenty Miles from the Place of his usual Abode.

Penalty for giving false Evidence.

VII. And be it enacted, That if any Person being examined by the said Commissioners, or the Arbitrators or Umpire after mentioned, under the Authority of this Act, shall wilfully and corruptly give false Evidence, or shall subscribe a false Declaration, or if any Person shall wilfully refuse to attend in obedience to the Summons of the said Commissioners, or shall wilfully refuse to give Evidence, or to make and subscribe such Declaration as aforesaid, or shall wilfully alter, suppress, conceal, destroy, or refuse to produce any Books, Contracts, Agreements, Accounts, Writings, Plans, Maps, Acts of Parliament,

Parliament, Papers, or Documents, which may be required to be produced before the said Commissioners, every Person so offending shall be deemed guilty of a Misdemeanor.

Commissioners to record their Proceedings.

VIII. And be it enacted, That the said Commissioners acting as aforesaid under the Authority of this Act, and the Arbitrators and Umpire after mentioned, shall make or cause to be made a full and particular Record in Writing of their Proceedings, and of all such Matters and Things in the course of the several Examinations and Inquiries herein-before directed to be made by them, as they shall deem essential.

Commissioners to ascertain and estimate all Debts;

IX. And be it enacted, That so soon as the said Examination and Inquiry into the Affairs and Finances of any of the said Trusts respectively shall have been made as aforesaid, and all such Evidence as the said Commissioners shall deem necessary shall have been heard and received touching the same, the said Commissioners shall forthwith proceed to determine respecting the Claims of the several Persons being or claiming to be Mortgagees or Creditors of such Trust, and shall estimate and determine the fair and actual Value of every One hundred Pounds of Debt secured by Mortgage or Assignment of or other Charges on the Tolls of such Trust, and also the Value, if any, of every One hundred Pounds of Interest remaining due upon any such Mortgage Debts, excluding nevertheless all such Interest as shall have been due and in arrear for more than Six Years previous to the First Day of *August* in this present Year, which said last-mentioned Interest the said Commissioners shall in all Cases deduct and disallow; and as to any Turnpike Trusts wherein are comprised any Roads or Portions of Roads locally situated in Two or more Counties, the said Commissioners shall decide in what Manner and according to what Proportions the Debts outstanding upon such Trusts shall be apportioned and made chargeable upon each of such Counties respectively, and the said Commissioners shall thereupon make their Award in Writing under their Hands and Seals, and shall specify therein the Names of all such Persons as they shall have determined to be entitled to any Monies, in respect of Principal or Interest, as Mortgagees or Creditors of such Trust, together with the Sums to which in the Judgment of the said Commissioners the said Persons shall be respectively entitled, according to the Value of their respective Debts; and the said Commissioners shall forthwith deliver their said Award to the Clerk of such Trust, and the said Clerk shall, within Three Days from the Delivery of such Award, give or send Notice in Writing to the several Persons therein specified as Creditors of such Trust, or to the lawful Representatives or Agents of such Persons, of the Sums thereby awarded to them respectively, according to the Tenor and Effect of the said Award; provided that all Notices directed by this Act to be served or given, except such as are to be given by Advertisement in any Newspaper, may be sent by Post.

and to award the Sums and Names of Persons to whom due.

Sums due to Infants and Lunatics may be awarded to

X. And be it enacted, That where any Monies shall be due to any Infant, the Award may be made for the Payment of the Sum therein specified to the Parent or Guardian of such Infant, or if there shall be no Parent or Guardian, then to any Trustee or Trustees for such Infant;

Guardians and Committees, &c.

Infant; and if any Monies shall be due to a Lunatic or Idiot, then the Award may be made for such Payment to the Committee of such Lunatic or Idiot; and where any Monies shall be due to any Person in trust for others, the Award may be made for such Payment to the Trustee or Trustees; or in case of the Refusal to act or Incapacity of such Trustee or Trustees, then the said Commissioners, by their said Award, or by any Writing under their Hands and Seal, may appoint another or other Trustees for the Purpose of receiving such Payment.

Persons dissatisfied with Award how to appeal.

XI. And be it enacted, That in case any Person so adjudged to be entitled to any Monies as a Mortgagee or Creditor of any such Turnpike Trust (or the Executor, Administrator, Parent, Guardian, Trustee, or Committee of any such Person, in case the Person so adjudged to be entitled shall have died, or shall be a Minor, Cestuique Trust, Lunatic, or Idiot,) shall be dissatisfied with the Amount determined by the Award of the said Commissioners to be payable in respect of the Debt due to such Person, then such Person, or such Executor, Administrator, Guardian, Trustee, or Committee, shall, within Twenty-one Days from the Receipt of the said Notice of Award, signify his Dissent from such Award by Notice in Writing to be served upon the Clerk of the said Trust; and the said Clerk shall, within Three Days after the Expiration of the said Twenty-one Days, transmit a List of the Names of all such Dissentients to the said Commissioners or to their Secretary; and all such Creditors or Persons authorized to act on their Behalf who shall fail to give Notice of Dissent within the Time hereby limited shall not afterwards be at liberty, except only in the Case herein-after described, to question or object to such Award; and the said Award shall be binding and conclusive upon all such Creditors and Persons to all Intents and Purposes whatsoever.

Commissioners to appoint Time and Place for Arbitration.

XII. And be it enacted, That in case any Creditor mentioned in such Award, or Person authorized to act on behalf of such Creditor, shall have duly given Notice of such Dissent as aforesaid, and the same shall have been duly certified by the Clerk of such Trust to the said Commissioners, the said Commissioners shall thereupon appoint some convenient Time and Place, whereof they shall cause not less than Fourteen Days Notice to be given by Advertisement in One or more Newspapers circulating in any County wherein such Trust shall be situate, for determining the Claims of all dissentient Parties by Arbitration, according to the Provisions herein-after contained.

Arbitrators how to be selected.

XIII. And be it enacted, That the said Dissentients shall attend before the said Commissioners in Person, or by their Agents, at the Time and Place which shall have been so appointed as aforesaid, and the Majority in Number of such Dissentients, if more than Two, and if Two or One, then such Two or One, shall elect and appoint some One fit and competent Person, not being in anywise interested in the Subject Matter of such Award, to be an Arbitrator on their or his Behalf, and shall signify the Appointment of such Arbitrator to the Commissioners; and the Commissioners, if they shall approve of such Appointment, shall thereupon nominate One other indifferent Person to be an Arbitrator on their Part; provided always, that the said Dissentients

shall have no Power to revoke the Appointment of the Arbitrator by them appointed after the same shall have been signified to and approved by the Commissioners; and in case the said Dissentients shall refuse or neglect to appoint such Arbitrator, then it shall be lawful for the said Commissioners to appoint One Arbitrator to act on behalf of both Parties, and in such Case the Award or Determination of such One Arbitrator shall be final and conclusive, in the same Manner as if Two Arbitrators had been appointed and had concurred in the same.

If Arbitrator shall die, another to be appointed.

XIV. And be it enacted, That if before the Matters referred to such Arbitrators shall have been determined any Arbitrator appointed by either Party shall die, or become incapable or refuse or neglect to act as Arbitrator, the Party by whom such Arbitrator was appointed may appoint in manner aforesaid some other indifferent Person to act in his Stead.

If Arbitrator differ, an Umpire to be named.

XV. And be it enacted, That in case the said Arbitrators so to be appointed as aforesaid shall be unable to agree upon and determine the Matters referred to them, they shall jointly nominate and appoint some third Person, to be approved by the said Commissioners, to act as Umpire, or if the said Arbitrators cannot agree in such Appointment, then an Umpire shall be named by One of Her Majesty's Principal Secretaries of State; and the Decision of such Umpire on the Matters so referred shall be final.

Powers of Arbitrators.

XVI. And be it enacted, That the said Arbitrators, or their Umpire, shall inquire and determine what Sums of Money shall be paid to the said Dissentients in respect of their Debts, and shall have the same Powers and Authorities for the Purpose of the said Arbitration as are herein-before given to the said Commissioners touching the examining of Witnesses, as well the Persons on whose Behalf any such Arbitration shall have been instituted as others, and touching the Production of any Books, Papers, Contracts, Writings, or Documents which they or he shall deem necessary for the Purpose of such Arbitration.

Award of Arbitrators.

XVII. And be it enacted, That the said Arbitrators, or their Umpire, shall make their or his Award in Writing touching all the several Matters referred, under their Hands and Seals or Hand and Seal, and shall forthwith deliver one Copy or Duplicate thereof to the said Commissioners, and another Copy or Duplicate thereof to the Clerk of such Trust; and such Clerk shall forthwith give Notice to the said Persons on whose Behalf such Arbitration shall have been instituted of the Tenor and Effect of such Award; and such Award shall be final, conclusive, and binding on the said Persons, and on all other Persons whomsoever, and shall have the same Force and Effect as any Award made by the said Commissioners in pursuance of this Act.

Expences of Arbitration how to be borne.

XVIII. And be it enacted, That the said Commissioners shall allow to any Person acting as Arbitrator or Umpire, according to the Provisions of this Act, such Sums for his Services and Loss of Time therein as the said Commissioners shall deem reasonable; and the said Sums, and all other Expences incurred in and about such Arbitration, shall

shall be borne and paid as follows; (that is to say,) if the Sum awarded by such Arbitrators or Umpire to be paid to the Parties dissenting from the Award of the said Commissioners shall be a greater Sum than the Sum specified in the said last-mentioned Award, then all the said Costs, Charges, and Expences attending the Proceedings before the said Arbitrators or Umpire shall be paid in like Manner as other Charges and Expences which shall be incurred by the said Commissioners, or by their Authority, in carrying this Act into execution; and in case the Sum or Sums awarded by such Arbitrators or Umpire shall not be a greater Sum or Sums than the Sum or Sums specified in the Award of the said Commissioners, then such Costs, Charges, and Expences as aforesaid shall be borne and paid rateably by the several Parties on whose Behalf the said Arbitration shall have been instituted: Provided always, that all Costs, Charges, and Expences to be borne by such Parties may, in default of their paying the same, be paid in like Manner as other Charges and Expences incurred in the Execution of this Act as aforesaid; and in that Case the same shall be fairly and rateably apportioned by the said Commissioners among the said Parties respectively, and the same shall be deducted from the Payments thereafter to be made to such Parties in respect of the several Sums awarded to them, according to the Provisions herein-after contained.

Awards, Advertisements, and other Instruments to be free of Stamp Duty.

XIX. And be it enacted, That no Award or other Instrument relating to or arising out of any Arbitration which shall take place in pursuance of this Act, and no Advertisement which, in pursuance of this Act and by Direction of the said Commissioners, shall be inserted in the *London Gazette* or in any Newspaper, shall be chargeable with any Stamp Duty.

Provision in case of Creditors not applying within Time limited.

XX. And be it enacted, That in case any Person claiming to be a Mortgagee or Creditor of any Turnpike Trust shall, by reason of Absence from the Realm, or any other unavoidable and necessary Cause, fail to give Notice to the Commissioners of such Mortgage or Debt within the Time and according to the Regulations herein-before limited and provided, or in case any Person who shall have been proved to the Satisfaction of the Commissioners to be a Mortgagee or Creditor of any Turnpike Trust, and with respect to whose Mortgage or Debt any Award shall have been made by the Commissioners shall, by reason of such unavoidable and necessary Cause as aforesaid, fail to give Notice of Dissent from such Award within the Time and according to the Regulations herein-before limited and provided, it shall nevertheless be lawful for the said Commissioners, upon the Application of such Person at any Time within Twelve Months from the passing of this Act, provided they shall be satisfied with the Cause alleged, to receive Evidence of such Mortgage or Debt, and to make their Award respecting the same as herein-before directed, or otherwise to direct an Arbitration to be instituted, as the Case may be, according to the Regulations herein-before contained, at such Time and Place, and on such Terms and Conditions, with reference to the Circumstances of the Case, as to the said Commissioners shall appear just and reasonable: Provided always, that all Parties omitting to give such Notice or to make such Application within Twelve Months from the

Creditors after Twelve Months to be barred,

the passing of this Act shall be thereafter finally barred and concluded from any further Application, Appeal, or other Proceeding with respect to any such Debt or Mortgage, or with respect to any Award of the Commissioners concerning the same.

Commissioners to report Result of Awards to Secretary of State.

XXI. And be it enacted, That the said Commissioners, so soon as they shall have made the said Examination and Inquiry herein-before directed to be made into the Condition, Circumstances, and Affairs of the several Turnpike Trusts in all or any of the said Six Counties, and so soon as they shall have estimated and ascertained the Sums payable to the several Creditors of the said Trusts respectively, and shall have made or caused to be made the several Awards concerning the same, shall make a full and particular Report, under their Hands and Seal, to One of Her Majesty's Principal Secretaries of State, and shall therein specify in detail the Sums by them or by their Authority awarded to be due and payable to the several Creditors of each of the said Trusts respectively, and also the total or aggregate Sums which they shall have determined to be chargeable in respect of such Debts to or upon each of the said Counties respectively, and shall also make such further Report or Returns respecting any other Matters and Things thereto appertaining as the said Commissioners shall deem necessary, or as One of Her Majesty's said Principal Secretaries of State shall require; and the said Commissioners shall also make such other and additional Reports from Time to Time respecting any Matters and Things by them done in the Execution of this Act, or relating to the same, as Her Majesty's said Principal Secretary of State shall require.

Sums awarded to be paid by Public Works Loan Commissioners.

XXII. And be it enacted, That when the said Commissioners shall have made their Report of the Sums awarded to be paid to the said Creditors in respect of their said Debts and Interest, and such Report shall have been approved of by One of Her Majesty's Principal Secretaries of State, then it shall be lawful for the Commissioners for carrying into execution an Act passed in the Second Session of the Fifth Year of the Reign of Her present Majesty, intituled *An Act to authorize the Advance of Money out of the Consolidated Fund to a limited Amount for carrying on Public Works and Fisheries, and Employment of the Poor; and to amend the Acts authorizing the Issue of Exchequer Bills for the like Purposes*, (and which said Commissioners are herein-after designated as the Public Works Loan Commissioners,) in manner after mentioned, to cause to be paid the several Sums of Money so fixed by such Awards respectively to the Parties entitled to receive the same under the said Awards, together with Interest thereon after the Rate of Three *per Centum per Annum* from the Date of the said Awards respectively to the Day which shall be appointed by the said Public Works Loan Commissioners for the Payment thereof; and the Payment to the Persons named in such Awards respectively, their Executors, Administrators, or Assigns, or to the Parent or Guardian of any Infant, or to the Committee of any Lunatic or Idiot, shall be a valid and effectual Payment and Discharge of and in respect of such Monies so awarded, and of all Claims of such Persons in respect of the same.

5 & 6 Vict. c. 9.

Sum not exceeding 225,000*l.* to be charged upon the Consolidated Fund for the Purposes of this Act.

XXIII. And be it enacted, That for the Purpose of providing a Fund for such Payments the Commissioners of Her Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland* for the Time being are hereby empowered, by Warrant under the Hands of any Three or more of them, to direct to be charged upon and paid out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, or out of the growing Produce thereof from Time to Time, to the Commissioners for the Reduction of the National Debt, a Sum or Sums of Money not exceeding Two hundred and twenty-five thousand Pounds, to be by them held in trust for the Purposes hereafter mentioned.

Commissioners for the Reduction of National Debt to be Trustees of South Wales Turnpike Trust Fund, and to cause separate Account to be opened at the Bank of England for the Purpose.

XXIV. And be it enacted, That the Commissioners for the Time being for the Reduction of the National Debt shall be and they are hereby appointed Trustees on the Part of the Public for holding the said Monies to be issued and paid out of the Consolidated Fund as aforesaid, and they shall cause a separate Account to be opened at the Bank of *England* with them for such Purpose, under the Title of "The Commissioners for the Reduction of the National Debt on account of the *South Wales* Turnpike Trust Fund," which Account the Governor and Company of the Bank of *England* shall and they are hereby required to open in their Books accordingly, and to which Account shall be carried all such Monies as shall be issued and paid out of the Consolidated Fund for the Purposes aforesaid; and there shall be provided and kept in the Office of the said Commissioners for the Reduction of the National Debt a Book or Books, in which all the Monies transferred to the Account of the said last-mentioned Commissioners by virtue of this Act shall be entered and kept separate and apart from all other Monies; and such Monies shall be by them held subject to the Disposal and Orders of the said Public Works Loan Commissioners for the Purposes of Payments to be made by them in pursuance of this Act.

Bank of England to open Account with Public Works Loan Commissioners under this Act.

XXV. And be it enacted, That the Governor and Company of the Bank of *England* shall and they are hereby required to open an Account in their Books with the Public Works Loan Commissioners, under the Title of "The Commissioners for the Issue of Loans for Public Works and Fisheries, *et cetera*, (*South Wales* Turnpike Trusts,)" and to the Credit of which Account shall be carried all Principal Monies and Interest which shall from Time to Time become payable in respect of the Monies herein-after directed to be secured to such last-mentioned Commissioners, and shall be paid to the Cashiers of the said Bank of *England*, upon such or the like Certificates, under the Hands of the said last-mentioned Commissioners, as by the said recited Act is provided or referred to in the Case of Payments to be made into the Bank as therein is provided, or as near thereto as the Difference of Circumstances will admit.

Money paid into Bank to the Account of Public Works Loan Commis-

XXVI. And be it enacted, That all and every Sum and Sums of Money which shall be paid into the Bank of *England* to the Account of the last-mentioned Commissioners, under or by virtue of this Act, shall from Time to Time, immediately on such Payments being made to the said Account, be transferred by the Governor and Company of

the Bank of *England* to the Account kept by the said Bank of *England* with Her Majesty's Exchequer, and when so transferred shall be carried to and made Part of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*.

sioners under this Act to make Part of Consolidated Fund.

XXVII. And be it enacted, That when and so soon as the said last-mentioned Commissioners shall have determined upon any Amount of Money to be paid under the Provisions of this Act, the said Commissioners or any Three or more of them shall forthwith certify such Amount to the Commissioners for the Reduction of the National Debt for the Time being; and at the Foot of every such Certificate the Secretary of the said Public Works Loan Commissioners shall state the Name or Names of the Person or Persons by whom every such Certificate is to be presented to the said Commissioners for the Reduction of the National Debt; and upon every such Certificate being produced to the Officer of the said Commissioners for the Reduction of the National Debt, the Comptroller General or Assistant Comptroller, or Chief Clerk acting under the said last-named Commissioners, shall upon the Back of every such Certificate endorse and sign an Order for the Payment of the Sum mentioned in every such Certificate to the Person or Persons named at the Foot of every such Certificate, or to One of such Persons, and which Order of such Officer previously to the issuing thereof shall be entered by the Clerk or other proper Officer, and shall be countersigned by the Actuary or other Check Officer acting under the said last-named Commissioners, and shall be addressed to the Governor and Company of the Bank of *England*; and such Cashiers or one of them shall upon the Production of every such Order pay the Sum mentioned therein to the Person or Persons mentioned in every such Order; and the Signature of such Person or Persons, jointly or severally, shall be a sufficient Discharge to the said Commissioners for the Reduction of the National Debt, and to the said Governor and Company respectively; provided the total Amount directed to be paid by such Certificate or Certificates respectively shall not at any Time exceed the Amount for the Time being standing to the Credit of the said Account of the said Commissioners for the Reduction of the National Debt under the Provisions of this Act.

Amount of Monies to be paid by Public Works Loan Commissioners under this Act to be certified to the Comsioners for the Reduction of the National Debt.

XXVIII. And be it enacted, That the Commissioners for the Reduction of the National Debt shall cause to be made up, for Examination and Audit, an annual Account to the Thirty-first Day of *December* in each Year of the Receipts, Payments, and Balances on the said Account so directed to be kept by them in respect of the said "*South Wales* Turnpike Trust Fund" as aforesaid, and shall deliver the same to the Commissioners for auditing the Public Accounts.

Commisfor the Reduction of the National Debt to furnish annual Account of Fund for Audit.

XXIX. And be it enacted, That an Account shall be made up on the Twenty-fifth Day of *March* and the Twenty-ninth Day of *September* in every Year of the Monies which shall have been paid by the said Public Works Loan Commissioners as aforesaid, together with Interest thereon from the respective Days of Payment up to the said Twenty-fifth Day of *March* or the Twenty-ninth Day of *September*, as the Case may be, distinguishing the same so as to show the Amount paid

Amount paid by Public Works Loan Commissioners under this Act, with Interest, to be repaid by half-yearly

Annuity for Thirty Years.

paid to Creditors on Tolls within each of the aforesaid Counties respectively, together with such Interest as aforesaid; and thereupon the said Commissioners for carrying this Act into execution, in consideration of the Sums so respectively paid to the Creditors on the Tolls of each of the said Counties respectively, together with such Interest as aforesaid, shall charge the County Roads Fund herein-after mentioned, and the Rates to be levied in aid thereof as after mentioned, with the Payment to the said Public Works Loan Commissioners, on account of the *South Wales* Turnpike Trust Fund, of such an Annuity as shall be equal to Five Pounds and Five Shillings for every Sum of One hundred Pounds so paid as aforesaid by the last-named Commissioners, together with such Interest as aforesaid in respect of each separate County, and so in proportion for any fractional Part of One hundred Pounds paid, such Annuity to be payable from the said Twenty-fifth Day of *March* or the Twenty-ninth Day of *September* up to which such Account shall have been made, for the Term of Thirty Years, and to be paid half-yearly, and without Deduction, on the Twenty-fifth Day of *March* and the Twenty-ninth Day of *September* in every Year, and the first Payment to be made on such of the said half-yearly Days of Payment as shall next happen after such Charge shall have been made, and so as the County Roads Fund aforesaid, and such Rates in aid thereof as aforesaid of each County, be charged with such an Annuity as aforesaid in respect of the Sums paid to the Creditors on the Tolls within that County, and such Interest thereon as aforesaid, and no more.

When Powers of the Commissioners have ceased, the Charge to be executed by Secretary of State.

XXX. And be it enacted, That with respect to any Monies to be paid by the Public Works Loan Commissioners after the Powers hereby given to the Commissioners for carrying this Act into execution shall have ceased, then such Charge as aforesaid shall be made and executed by One of Her Majesty's Principal Secretaries of State.

Charges to be in such Form as Public Works Loan Commissioners shall direct.

XXXI. And be it enacted, That all such Charges to be made as aforesaid shall be made and prepared in such Form as the said Public Works Loan Commissioners shall from Time to Time order or direct, and, when executed by the Parties hereby authorized to make such Charges, shall be valid in the Law, and shall be made to the Secretary for the Time being of the said Commissioners last mentioned, and in all respects as by the said recited Act of the Fifth Year of the Reign of Her present Majesty, and the Acts therein recited, is directed and provided with regard to Securities and Charges to be made to the Secretary for the Time being of the Commissioners last mentioned; and all Provisions and Directions in the said recited Act and the Acts therein recited shall apply to such Charges or Securities to be made in pursuance of this Act in such Manner as if the same were herein repeated; and the Fact of the Secretary of the said Commissioners being a Party to such Charge shall be deemed conclusive Evidence of the same having been prepared in the Form prescribed by and under the Order and Direction of the said last-mentioned Commissioners.

Mortgages of Tolls held by Public

XXXII. Provided always, and be it enacted, That nothing in this Act contained shall authorize the Commissioners for carrying this Act into

into execution to award to the Commissioners for carrying into execution the said recited Act of the Fifth Year of the Reign of Her present Majesty, or to any of the Commissioners for carrying into execution any of the several Acts therein recited, in respect of any Mortgage or other Charge on the Tolls of any Turnpike Trust in *South Wales* heretofore made to any such Commissioners respectively, or their Secretary, and to which no other Fund or Payment is now by any Law or Statute made applicable, any Sum less than the full Amount which shall be due thereon for Principal and Interest up to the Day of the Date of such Award as aforesaid; but all such Principal Monies and Interest which shall be so due shall be awarded in full to the said Public Works Loan Commissioners, or their Secretary for the Time being, in lieu of such Debts and Interest being valued in manner herein-before specified with respect to such other Debts or Charges and Interest so as aforesaid directed to be valued, and shall be paid accordingly.

Works Loan Commissioners to be paid in full.

XXXIII. And be it enacted, That it shall be lawful for the Commissioners of Her Majesty's Treasury for the Time being, by Warrant under the Hands of any Three or more of them, from Time to Time to direct the Payment of any Part of the Monies by the said recited Act of the Fifth Year of the Reign of Her Majesty authorized to be paid to the Commissioners for the Time being for the Reduction of the National Debt (as in the said Act is provided) to be paid into the Bank of *England* to the Account kept by the said Bank of *England* with Her Majesty's Exchequer, and when so paid the same shall be carried to and made Part of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, so as such Sums so to be paid shall not exceed the Amount of the Sums from Time to Time to be advanced for the Purposes of this Act.

Monies advanced under 5 Vict. c. 9. may be paid into Consolidated Fund on account of Monies issued thereout under this Act.

XXXIV. And be it enacted, That all Local Acts of Parliament for making, repairing, or regulating any Turnpike Road or Roads within any of the said Counties respectively shall, so far as relates to the several Turnpike Roads locally situated within the said Counties respectively, be repealed by virtue of this Act; and the Repeal of every such Local Act respectively shall date and take effect from and after such Day as the said Commissioners, by Order under their Hands and Seal, and whereof Notice shall twice be published in the *London Gazette*, shall appoint and declare with respect to such Local Act or Acts as shall be specified in such Order respectively; and the Provisions of this Act herein-after contained for consolidating the several Trusts in each of the said Counties, and for altering and remodelling the Management of the same, shall thenceforward come into full Operation and Effect: Provided always, that the Repeal of the said Acts shall not have the Effect of reviving any former Acts which have been repealed by those Acts or any of them, but such former Acts shall continue repealed in the same Manner as if this Act had not been passed.

All Local Acts to be repealed from a Day to be declared by Commissioners.

XXXV. And be it enacted, That the said Commissioners shall, so soon as the said Inquiry herein-before directed to be made into the Debts and Circumstances of the several Turnpike Trusts shall have been

Justices in Quarter Sessions to elect Members of

County Roads Board.

been completed, cause a Notice in Writing to be addressed to the Clerk of the Peace of each of the said Counties respectively, and Her Majesty's Justices of the Peace acting in and for each of the said Counties respectively shall, at their General Quarter Sessions of the Peace to be held for such County next after the Date of such Notice, or if the regular Time for holding such General Quarter Sessions shall not happen within Thirty Days from such Date, then at some General Sessions to be duly summoned for that Purpose, according to the Regulations now in force for the summoning of the same, and to be held within Thirty Days from the Date of such Notice, elect and appoint not less than Six nor more than Twelve fit and competent Persons, being Justices of the Peace acting in and for the said County, to be Members of the Board to be constituted in pursuance of this Act for the Management and Control of all Turnpike Roads lying within each of the said Counties respectively; and in case the said Justices shall, at their said General or Quarter Sessions which shall be held next after the said Notice, or in pursuance thereof, elect a less Number than Twelve Persons to be Members of the said Board, then it shall be lawful for the said Justices from Time to Time, at any subsequent General Quarter Sessions, to elect so many other Persons, being Justices as aforesaid, as, together with the said Persons before elected, shall not exceed the said Number of Twelve; and whenever any of the Persons who shall have been so elected respectively shall die or resign, or if any of the said Persons shall absent themselves from the Meetings of the said Boards for the Space of Twelve Months, the said Justices of the Peace shall, at their General Quarter Sessions held next after such Vacancy shall have occurred, elect and appoint another or other Person or Persons in the Room of the Person or Persons who shall have died or resigned as aforesaid: Provided always, that Notice of any Election to take place in pursuance of this Act shall in all Cases be given by the Clerk of the Peace for such County, by inserting an Advertisement thereof in One or more of the Newspapers circulating in such County Fourteen Days at least before the said General Quarter Sessions at which such Election is intended to take place.

Certain Persons in each County to be ex-officio Members of County Roads Boards.

XXXVI. And be it enacted, That in each of the said Counties respectively the several Persons herein next mentioned shall be *ex officio* Members of the said Board; that is to say, the Lord Lieutenant and the Vice Lieutenant (if any) of such County for the Time being, all eldest Sons of Peers, and all Members of Her Majesty's Privy Council, who shall respectively reside in such County, or be rated in respect of any Property therein, and all Members of the House of Commons who shall have been elected to serve in Parliament for such County, or for any Borough or Place therein, and the Chairman of Quarter Sessions for such County for the Time being.

Style and Powers of County Roads Boards.

XXXVII. And be it enacted, That the said Board to be constituted by virtue of this Act in each of the said Counties respectively shall be styled "The County Roads Board," and shall, subject to the Provisions and Restrictions herein-after contained, have the Superintendence, Control, and Management of all Turnpike Roads, and Parts of

Turnpike Roads, situated in any of the said Counties respectively, which shall have been heretofore regulated by any Local Act or Acts of Parliament to be repealed in pursuance of this Act, and which shall be determined by the said Commissioners in manner herein-after provided to be maintainable as Turnpike Roads in any of the said Counties respectively.

Provisions of General Turnpike Acts how far to be applicable.

XXXVIII. And be it enacted, That the several Powers, Provisions, and Regulations of the Acts mentioned in the First Schedule to this Act annexed (and which are herein-after called the General Turnpike Acts) shall, except so far as the same are varied, altered, or repealed by this Act, continue to apply to all Roads which shall hereafter be maintained, pursuant to the said Determination of the said Commissioners, as Turnpike Roads within any of the said Counties respectively; and all Powers, Privileges, Rights, Exemptions, Penalties, Restrictions, and Liabilities belonging or appertaining, by virtue of the said General Turnpike Acts or any of them, to any Trustees or Commissioners acting in execution of any Local Act for regulating any Turnpike Roads, shall, except so far as the same are varied, altered, or repealed by this Act, or are repugnant or contradictory thereto, apply to all Persons who shall be Members of any of the said County Roads Boards, and also, so far as the same shall be found applicable, to all Members of any District Boards to be constituted by virtue of this Act in manner herein-after provided.

Existing Officers of Trusts to account.

XXXIX. And be it enacted, That in each of the said Counties respectively the present Collectors of Tolls, Surveyors, Clerks, and all other Officers and Persons who shall have received any Tolls or other Money under or by virtue of any Local Act for regulating Turnpike Roads to be repealed in pursuance of this Act, shall, so soon as they shall be required by the County Roads Board acting in and for the County to which the Road or Roads included in such Local Act shall respectively be determined to belong, account for, pay, and deliver over such Tolls or other Money to the said County Roads Board, or to some Person to be by the said County Roads Board appointed for that Purpose, in the same Manner as they are by the said General Turnpike Acts required to do to the Trustees by or under whom they have been appointed, and shall be subject to the like Provisions and Penalties for enforcing the Production of such Account, and such Payment and Delivery over, as they would have been subject to under the said General Turnpike Acts if they had refused or neglected to produce, pay, or deliver over the same as thereby required to the said Trustees: Provided always, that in case any Road or Roads included in any Turnpike Trust shall lie in more than One of the said Counties, the Officers acting under the Local Act regulating the same shall pay and deliver over the Monies in their Hands, and other Property of or belonging to such Trust as aforesaid, in such Proportion between Two or more such County Roads Boards as the said Commissioners shall order and direct.

Provision as to existing Leases of Tolls.

XL. And whereas many Persons may at the Time of the Repeal of the said Local Acts be Farmers of the Tolls arising on Turnpike Roads, and may hold Leases or Contracts with the Trustees acting in

in execution of such Acts, which Leases or Contracts may be unexpired at the Time of such Repeal: And whereas the Rates of such Tolls, and the Distances within which the same shall be payable, may be altered by virtue of this Act, and the Roads to which such Contracts relate may be situated in different Counties, and may be placed by virtue of this Act under different Management and Control; be it therefore enacted, That it shall be lawful for the County Roads Board acting in and for the County wherein the Roads to which such Leases or Contracts relate shall lie, upon Application made to such Board by such Farmer of Tolls, Lessee, or Contractor, to release and discharge such Farmer, Lessee, or Contractor from such Lease or Contract, and the same shall thenceforth become void and of no Effect as to the Residue of the Term or Time then to come and unexpired therein, any thing contained in such Lease or Contract to the contrary notwithstanding: Provided always, that it shall be lawful for the said County Roads Board to make such Composition and Agreement with the Parties interested therein for Apportionment of Rents or Payments, and also to make such Compensation or Allowance to the said Parties, as to the said County Board shall seem just and reasonable: Provided also, that in case the Roads to which such Leases, Contracts, or Agreements relate shall lie, as to Part thereof, in more than One of the said Counties, then such Apportionment of Rent or Payment shall be made, and such Compensation and Allowance shall be paid, as between the several County Boards interested therein, in such Manner and according to such Rules and Proportions as the said Commissioners shall determine.

Debts due to Trust to be vested in County Roads Boards.

XLI. And be it enacted, That all Persons who shall, at the Time of the Repeal of any of the said Local Acts to be repealed in pursuance of this Act, owe any Sum or Sums of Money to the Trustees theretofore acting under such Local Act shall pay the same, as soon as they shall be required so to do, to the County Roads Board acting in and for the County wherein the Roads theretofore regulated by such Local Act shall lie, instead of such Trustees; and such County Roads Board shall have the same Benefit of all Bonds and Securities, and of all other Remedies for recovering and obtaining Payment of such Sums respectively, as the said Trustees might or could have had in case this Act had not been passed, or in case such Sums of Money had been originally due and owing to such County Roads Board; and all Sums of Money (other than such Sums of Money as have been advanced on the Security of the Tolls of any Turnpike Road) which at the Time of the Repeal of any of the said Local Acts shall be owing from the Trustees theretofore acting under any such Local Act, and which shall have been *bonâ fide* incurred, applied, or expended in the Execution of any such Local Acts, shall be paid to the Parties thereto entitled by such County Roads Board, instead of such Trustees, and such Trustees shall be and are hereby discharged therefrom: Provided always, that where any such Sums of Money shall be due to or by the Trustees of any Turnpike Road or Roads which shall lie, as to Part thereof, in more than One of the said Counties, the same shall be payable to or by the County Roads Boards of the several Counties respectively in which the said Roads shall lie, according to such Rules and Proportions as the said Commissioners shall determine.

XLII. And

Roads and Property of Trusts vested in County Roads Boards.

XLII. And be it enacted, That all and every Turnpike Roads and Road regulated by any Local Act to be repealed in pursuance of this Act, and all Turnpikes, Toll Houses, Gates, Weighing Machines, Carts, Watch-boxes, Lamps, Lamp Posts, and other Erections and Buildings on the said Roads, which shall have been erected under the Powers of the said Local Acts or any of them, or of any former Acts for the making or repairing of the said Roads respectively, or of the said General Turnpike Acts, shall from and after the Repeal of the said Local Acts respectively be and remain vested in the several County Roads Boards acting in and for the several Counties wherein such Roads respectively shall lie, in like Manner and to the same Extent as they are now respectively vested in the Trustees acting in execution of such Local Acts; and all the Estate, Right, Title, and Interest of the several Trustees acting in execution of the said Local Acts to be repealed in pursuance of this Act of and in all Lands, Houses, Quarries, Gravel Pits, or other Hereditaments whatsoever purchased for widening, improving, altering, or repairing the said Roads or any of them, and of and in all Estates devised or settled in trust for the Repair of the said Roads or any of them, or charged with any Payments in respect thereof, shall from and after the Repeal of the said Local Acts respectively be and remain vested in the County Roads Boards of the several Counties in which the said Turnpike Roads shall respectively lie: Provided always, that where any such Turnpike Road or Roads shall lie, as to Part thereof, in any Two or more Counties, such Estate, Right, Title, and Interest shall be divided and apportioned between them according to such Rules and Proportions, and on such Principles of Division, as the said Commissioners shall determine.

Materials to be the Property of the County to which they shall be adjudged by Commissioners to belong.

Property how to be laid in Indictments.

XLIII. And be it enacted, That all Materials, and all Tools or Implements, purchased or provided for the Repair of any Turnpike Road or Roads regulated by any Local Act to be repealed in pursuance of this Act, and which at the Time of the Repeal of the said Acts respectively shall belong to the Trustees acting in the Execution thereof, shall from thenceforth belong to and be the Property of the County Roads Board or Boards of the County or Counties which the said Commissioners shall, by their Order, determine to be entitled to the same, or shall be divided between any Two or more such Boards in such Proportion as the said Commissioners shall determine; and in any Action, Suit, or other Proceeding brought or instituted by or on behalf of any County Roads Board for or in respect of or in anywise relating to the said Roads, Materials, or other Estate or Effects, or any other Property, Real or Personal, which shall hereafter belong to any County Roads Board, or in any Bill of Indictment preferred by or by the Direction of any County Roads Board against any Person or Persons who shall dig up, break or pull down, take or carry away, spoil, injure, or destroy, any of the said Roads, Lands, Materials, or other Estate and Effects or other Property as aforesaid, it shall be sufficient to state generally such Roads, Lands, Materials, or other Estate, Effects, or Property to be the Property of such County Roads Board, and it shall not be necessary to specify the Names of any Member or Members of the same.

County Roads Boards to take possession of Roads and other Property.

XLIV. And be it enacted, That, as soon as conveniently may be after the Repeal of the said Local Acts respectively, the County Roads Board in each of the said Counties respectively may, by themselves or by such Person or Persons as they shall appoint in that Behalf, take possession of all the said Turnpike Roads, and of all Lands and other Property hereby vested in the said County Boards respectively; and the said several Trustees acting under the Authority of the said Local Acts to be repealed in pursuance of this Act shall surrender and give up to the said County Roads Boards respectively, or to the Persons whom they shall respectively appoint in that Behalf, the Roads for which they shall respectively be Trustees, together with all Lands and other Property hereby vested in the said County Roads Boards which shall then be in the Possession of the said Trustees respectively, and also the Title Deeds of such Lands and other Property, and all Leases and Counterparts of Leases thereof, and all other Instruments, Books, Papers, Accounts, Vouchers, Writings, and all other Matters and Things, in the Possession of such Trustees respectively, or of their respective Clerks, Treasurers, Surveyors, Collectors, or other Officers, relating to the said Roads respectively; and the said Trustees shall also deliver to the said County Roads Boards, or other Person appointed by them in that Behalf, Accounts of all Balances in their Hands or in the Hands of any Bankers or other Persons for the Use of the said Roads, and shall pay over or transfer such Balances to or to the Credit of the respective Treasurers of the said County Roads Boards hereafter to be appointed; and any Trustee, Clerk, Treasurer, Surveyor, Collector, or other Officer of any Trustees who shall refuse or neglect to surrender or give up to such County Roads Board, or to the Person appointed by them in that Behalf, any Road, Land, or other Property, or to deliver an Account of or pay over or transfer any Balance, pursuant to the Directions in this Act contained, for the Space of One Month after he shall have been required so to do by Order of such County Roads Board, shall be guilty of a Misdemeanor.

Mortgagees not to take possession of Tolls.

XLV. And be it enacted, That from and after the Repeal of the said Local Acts respectively no Mortgagee of the Tolls of any Turnpike Trust in any of the said Counties shall have any Right to sue for, recover, or take possession of any Tolls, Toll Gate, or Lands mentioned in any Mortgage Deed relating thereto, or to sue for any Principal Sums lent to such Trust, or any Part thereof, or any Interest thereon, any thing contained in the said General Turnpike Acts, or in any other Act, notwithstanding.

Mortgagees in possession to deliver up possession, and to account to County Roads Boards.

XLVI. And be it enacted, That every Mortgagee or other Person who shall, previously to the Repeal of the said Local Acts respectively, have taken possession of any Tolls, Toll House, or Toll Gate of or upon any Turnpike Road in any of the said Counties, or of any Lands or Tenements the Rents and Profits whereof are appropriated to the Repair of any such Turnpike Road, shall, on some Day to be hereafter appointed by the County Roads Board acting in and for that County in which any such Toll Gates or Lands shall lie, deliver up to such County Roads Board, or to such Person as the said Board shall appoint, Possession of all such Tolls, Toll Houses, or Lands, and shall

shall at the same Time render to the said County Roads Board, or to such other Person as aforesaid, an exact Account of all the Tolls received by such Mortgagee, or by any other Person for his Use and Benefit, or by his Authority, and also of the Manner in which he shall have applied such Tolls; and in case he shall not give up possession as aforesaid, or shall remain in possession of the said Tolls, Toll Houses, and Lands, or any of them respectively, after the Time so appointed by such County Roads Board as aforesaid, he shall forfeit and pay to such Board the Sum of Fifty Pounds for every Day that he shall thereafter continue in possession, over and above all Tolls which he shall receive while so continuing in possession; and in case he shall fail to render an Account as aforesaid, or shall wilfully render an Account wrong or false in any respect as herein-before mentioned, he shall forfeit and pay to the said County Roads Board the Sum of Fifty Pounds for every Day after such Failure to account, or to render a true and correct Account, as aforesaid, until such Account be rendered or made right, and until such Balance as may be due from such Mortgagee or other Person upon such Account shall be paid: Provided always, that in all Actions of Ejectment for the Recovery of any Tolls, Toll Houses, or Lands which shall be pending at the Time of the Repeal of the said Local Acts respectively, the Parties instituting such Actions shall be entitled, in case they shall obtain a Verdict therein, to such Costs of Suit as if this Act had not been passed; and that the County Roads Board of any County comprising any Turnpike Roads, for the Recovery of the Tolls or Toll Gates on which any Action of Ejectment shall be so pending, shall be at liberty, immediately after the Repeal of the said Local Acts respectively, to apply to one of the Judges of the Superior Courts at *Westminster* to order that such Actions be stayed on Payment to the Parties instituting such Actions of the Costs thereof only, and such Judge shall make such Order accordingly.

Lands or Persons liable to Repair of any Roads to continue liable.

XLVII. And be it enacted, That in every Case where any Hundred, Parish, Hamlet, or Place, or any particular Person or Persons, Body or Bodies Politic or Corporate, or any Lands, Tenements, or Hereditaments, is or are now by Law chargeable with or towards the repairing or maintaining of any Turnpike Road or Roads regulated by any Local Act to be repealed in pursuance of this Act, or any Part thereof, or any Bridges, Causeways, Drains, or Sewers upon or in the same, the Inhabitants of every such Hundred, Parish, Hamlet, or Place, and every such Person, Body Politic or Corporate, and the Owners and Proprietors, Feoffees and Trustees, of such Lands, Tenements, and Hereditaments respectively, shall, except such as are expressly exempted by this Act, still remain chargeable with or towards the repairing or maintaining of such Roads, Bridges, Causeways, Drains, and Sewers respectively, in like Manner as they would have been in case this Act had not been passed; and all Bodies Politic or Corporate, Trustees, and other Persons, who, by reason of any Act of Parliament, Grant, Deed, Charter, Will, or otherwise, are liable to pay or apply any Sums of Money whatsoever arising from the Rent of Lands, Tenements, or Hereditaments, or the Interest arising from any Monies in the Funds, or otherwise, in, for, or towards the Repair or Improvement of the said Roads or any of them, shall, except as aforesaid,

said, from Time to Time account for and pay over such Sum or Sums of Money, Rents, or Interest to the said County Roads Boards acting in and for the County in which such Roads shall lie, or to the respective Treasurers of such Boards for the Time being, or otherwise as the said Boards shall respectively order in that Behalf, and the said Boards shall apply such Sum or Sums of Money, Rent, or Interest in, for, or towards the Repair or Improvement of the said Roads respectively: Provided always, that in all Cases in which the Liability to pay any Sum or Sums of Money as aforesaid shall be in respect of the Repair or Improvement of any Turnpike Road or Roads lying, as to Part thereof, in more than One of the said Counties, such Sum or Sums of Money shall be paid to or to the Account of the several County Roads Boards acting in and for the respective Counties in which such Road or Roads shall lie, according to such Rules and Proportions as the said Commissioners for carrying this Act into execution shall determine.

County Roads Boards may continue existing Toll Gates.

XLVIII. And be it enacted, That the said County Roads Boards acting in and for each of the said Counties respectively may, subject to the Restrictions herein-after contained, continue all or any of the Toll Gates, Toll Bars, and Toll Houses in any of the said Counties erected by virtue of any of the Local Acts to be repealed in pursuance of this Act, or by virtue of any former Act relating to any Turnpike Roads within or partly within any of the said Counties, and may, subject as aforesaid, erect such other Toll Gates, Toll Bars, and Toll Houses in, upon, or across, or at the Sides of such Parts of any of the Turnpike Roads within any of the said Counties respectively as the said County Boards shall think proper and expedient, and from Time to Time may repair, renew, and rebuild, as Occasion shall require, such Toll Gates, Toll Bars, and Toll Houses, and cause all such other Erections, Buildings, and other Conveniences to be made and put up, as in their Opinion shall be necessary and proper for the collecting and levying of the Tolls herein-after authorized to be taken upon the said Turnpike Roads, or for any other Purposes connected therewith.

County Roads Boards may remove Toll Gates.

XLIX. And be it enacted, That it shall be lawful for the County Roads Board of any of the said Counties respectively, when and so often as they shall think proper, to cause any of the Toll Gates, Toll Bars, or Toll Houses, or other Erections or Buildings appertaining thereto, already erected or to be hereafter erected in, upon, across, or on the Side of any of the said Turnpike Roads, to be removed to, and erected in, upon, across, or on the Side of such other Parts of the said Turnpike Roads or any of them, or otherwise wholly to be removed or taken away, as the said County Roads Board shall respectively from Time to Time order and direct.

Rates of Toll to be taken under this Act.

L. And be it enacted, That from and after the Repeal of the said Local Acts respectively it shall be lawful for the County Roads Board of any of the said Counties respectively, or their respective Lessees, Collectors, or Agents, and they are hereby authorized, to demand, receive, and take, on or at the Side of the said several Turnpike Roads in their respective Counties, before the Horse or other Animal, Carriage

Carriage or other Vehicle, in respect of which any Toll shall be payable, shall be allowed to pass through any Gate or Bar erected or to be erected upon, across, or on the Side of the said Roads, the several Tolls specified in the Second Schedule hereto annexed, subject to the Restrictions and Exemptions in this Act mentioned, and also to the Restrictions, Exemptions, and Provisions in the said General Turnpike Acts mentioned, except so far as the same are varied, altered, or repealed by this Act: Provided always, that the same Rate or Rates of Toll for every Horse or other Animal not drawing, and for every Horse or other Animal drawing, any Carriage or Vehicle of the same Class or Description according to the said Second Schedule, shall, subject as herein-after is mentioned, be respectively taken and received at every Gate and Bar within the same County.

Equal Tolls to be taken at all Gates in same County.

LI. And be it enacted, That from and after the Repeal of the said Local Acts respectively no higher or different Rate of Toll shall in any Case be taken or demanded upon any Turnpike Roads within any of the said Counties respectively by reason of any Regulation or Distinction relating to the Breadth, Size, Form, or Construction of the Wheels of any Carriage, Cart, or other Vehicle used or employed upon such Roads, but one and the same uniform Rate of Toll according to the Second Schedule hereunto annexed, and subject to the Provisions and Exemptions of this Act, shall in all Cases be taken in respect of each several Description of Carriage or Vehicle in the said Second Schedule mentioned, without reference to the Dimensions or Construction of the Wheels thereof, any thing contained in the said General Turnpike Acts or in any other Act to the contrary notwithstanding: Provided always, that nothing herein contained shall be construed to repeal, vary, alter, or affect any Regulations in the said General Turnpike Acts or any of them contained with respect to any additional Tolls or Penalties thereby imposed or made chargeable on any Carriage, Cart, or other Vehicle by reason of or in proportion to the Weights carried or conveyed in any such Carriage, Cart, or other Vehicle respectively.

Distinction as to Breadth of Wheels to be abolished.

LII. And be it enacted, That from and after the Repeal of the said Local Acts respectively when any Toll shall have been once taken in respect of any Horse or other Animal not drawing, or of any Horse or other Animal drawing, any Carriage or Vehicle, at any Toll Gate or Bar within any of the said Counties, no Toll shall thereafter be taken in respect of the same Horse or other Animal, or in respect of the same Carriage or other Vehicle, on the same Day (to be computed from Twelve of the Clock of the Night to Twelve of the Clock in the next succeeding Night), for repassing through the same Gate or Bar, or for passing or repassing through any other Gate or Bar in the same County, within the Distance of Seven Miles from the Gate or Bar at which such Toll shall have been taken, such Distance measured along Turnpike Roads only, nor for passing or repassing through any Gate or Bar in any other of the said Counties adjoining, within the Distance of Two Miles from the Gate or Bar at which such Toll shall have been taken, to be measured as aforesaid, along and in respect of Turnpike Roads within either of such Counties, nor within

Toll once paid to clear Seven Miles in same or Two in an adjacent County.

within One Mile, measured as aforesaid, from the Boundary of such Counties.

Where any Toll payable within the specified Distance is a higher one, the Difference only to be paid.

LIII. Provided always, and be it enacted, That in case any Horse or other Animal, Carriage or other Vehicle, shall be subject to a higher Rate of Toll on repassing through the same Gate or Bar as aforesaid, or on passing or repassing through any other Gate or Bar, within the said Distances respectively before specified, by reason of a different Use made of the same Horse or other Animal, or of the Carriage or other Vehicle drawn by the same, or by reason of a Toll larger than the Toll first paid being payable in any other of the said Counties adjoining, then and in every such Case the Difference only between the Toll so first paid and such larger Toll shall be paid on such subsequent passing or repassing.

Provision as to Stage Coaches and Stage Waggons.

LIV. And be it enacted, That from and after the Repeal of the said Local Acts respectively the Tolls authorized to be taken by this Act shall be paid in respect of all Horses or other Animals drawing any Stage Coach, Stage Waggon, or other Stage Carriage conveying Passengers or Goods for Hire or Reward, the same being customarily used and employed to convey Passengers or Goods for Hire or Reward, for every Time of passing or repassing through any Toll Gate or Bar at which such Tolls shall be payable: Provided always, that in every Case in which Toll shall have been taken at any Toll Gate or Bar in respect of any such Stage Coach, Stage Waggon, or other Stage Carriage, no second or other Toll shall be taken in respect thereof, by reason of any Change of the Horses drawing the same, at any Toll Gate or Bar either in the same or in any adjoining County within the Limits of this Act at which such second or other Toll would not have been payable if such Horses had not been changed.

Post Horses to be charged on every fresh Hiring.

LV. And be it enacted, That the Tolls hereby made payable shall be paid for any Horse or Horses or other Animals drawing any Post Chaise or other Carriage travelling for Hire as often as a new Hiring shall take place, in the same Manner as if no previous Payment of Toll in respect of such Horses or other Animals had been made on the same Day.

Exemptions from Toll.

LVI. And be it enacted, That all Exemptions from Tolls enacted and contained in the said General Turnpike Acts or any of them shall be and the same are hereby extended to this Act, and made applicable thereto, in the same Manner as if the same had been expressly re-enacted herein.

Exemptions of General Turnpike Acts explained and extended.

LVII. And whereas Doubts have arisen with respect to the Construction of certain Portions of the said General Turnpike Acts relating to such Exemptions from Toll: And whereas Toll has been paid or demanded in certain Cases, and with respect to certain Matters and Things which it is expedient should be exempted therefrom; and it is also expedient that such Doubts as aforesaid should be removed; be it therefore enacted, That from and after the Repeal of the said Local Acts respectively no Toll shall be taken on any Turnpike Road within

within any of the said Counties for any Horse or other Animal carrying, drawing, or conveying any agricultural Produce which shall have grown or arisen on Land or Ground in the Occupation of, or cultivated, used, or enjoyed by, the Owner of any such agricultural Produce, and which shall not have been bought, sold, or otherwise profitably exchanged or disposed of, nor be going to be bought, sold, or otherwise profitably exchanged or disposed of, or for any Sheep going to be washed or returning therefrom, or for any Horse or other Animal drawing or not drawing which shall not go or pass more than Three hundred Yards along or upon such Turnpike Road, whether the whole or any Part of such Three hundred Yards shall have been traversed before passing through any Gate or Bar, or shall be traversed after passing through the same.

Exemptions not to be defeated on account of Regulations as to Breadth of Wheels, or as to Weight.

LVIII. And be it enacted, That none of the said Exemptions from Toll in the said General Turnpike Acts or in this Act contained shall be in anywise qualified, restrained, or taken away by reason of any Regulation or Distinction with respect to the Size, Form, Construction, or Dimensions of the Wheels of any Carriage, Cart, or other Vehicle used or employed upon any Turnpike Roads within the Limits of this Act, or by reason of any Regulations as to Weight contained in the said General Turnpike Acts or any of them.

Lime to be charged Half Toll.

LIX. And be it enacted, That from and after the Repeal of the said Local Acts respectively it shall not be lawful to demand or take on any Turnpike Road within any of the said Counties respectively, for or in respect of any Horse or other Animal employed in carrying, drawing, or conveying any Lime to be used for the Purposes of Manure, more than One Half of the Tolls which would be otherwise payable in respect of such Horse or other Beast drawing any such Carriage or Vehicle according to the said Second Schedule to this Act annexed.

Toll not to be taken within Limits of Towns.

LX. And be it enacted, That from and after the Repeal of the said Local Acts respectively no Toll shall be taken, and no Money arising from Tolls on any Turnpike Roads shall be laid out, on any Road or Roads, or Part of any Road or Roads, which by or under any Local Act of Parliament in force for the Time being for the Improvement of any City, Borough, or Town, or any Part or Parts thereof, is or are repaired or maintained by any Commissioners or Trustees for executing such Local Act, nor in paving, repairing, or cleansing any Street, Road, or Highway within the Limits of any City or Market or Borough Town for which there shall not be any such Local Act as aforesaid, and which said Limits shall be fixed and determined for the Purposes of this Act, with respect to every such City or Market or Borough Town respectively, by the said Commissioners upon the Report and Recommendation of the County Roads Board acting in and for the County to which any such City or Market or Borough Town shall belong; and no Street, Road, or Highway comprised within such Limits, or maintained by any such Local Commissioners as aforesaid, shall be deemed or held to be a Turnpike Road to any Intent or Purpose within the Meaning of this Act.

LXI. And

Toll Tables to be affixed at all Gates.

LXI. And be it enacted, That the County Roads Board of each of the said Counties respectively shall and they are hereby required to put up or cause to be put up, and afterwards to be continued, at every Toll Gate and Toll Bar within such County, a Table, painted in distinct and legible Black Letters on a Board with a White Ground, or in White Letters on a Board with a Black Ground, containing at the Top thereof the Name of the Gate or Bar at which the same shall be put up, and also a List of all the Tolls payable at such Gate or Bar under the Authority of this Act; and such Table shall specify the several Sorts or Descriptions of Vehicles in respect of which any different Rates of Tolls shall be payable, and also a List of all the Gates or Bars which shall be wholly or partially cleared by the Payment of Toll at such Toll Gate or Bar; and any Lessee of Tolls who shall collect or receive any Tolls at any Gate or Bar at which such Table of Tolls shall not be affixed as aforesaid shall be liable to forfeit and pay a Sum not less than Forty Shillings *per Diem* for every Day during which he shall continue to collect Tolls without such Table being affixed: Provided always, that no Lessee of Tolls shall be liable to any Forfeiture or Penalty under this Act by reason of such Table of Tolls not being affixed as aforesaid, in case it shall appear to the Justice or Justices before whom Information or Complaint in such Case shall be made that such Table has been, by some other Person, without the Privity of such Lessee, unlawfully removed or destroyed, and that sufficient Time has not elapsed for restoring or supplying the same: Provided also, that in case any County Roads Board shall omit to provide a proper Table of Tolls according to the Requirement of this Act, it shall be lawful for the Lessee of Tolls at any such Toll Gate or Bar, of his own Authority, to cause such Table to be made and affixed, and in that Case such Lessee shall be entitled to deduct the Expences necessarily incurred by him in providing such Table of Tolls from the Monies next payable by him to the said County Roads Board in respect of the Rent of such Toll Gate or Bar, and the said County Roads Board shall allow such Deduction upon Receipt of the Residue of the said Rent, and the said Lessee shall be acquitted and discharged of so much Money as the said Expences shall amount to, in the same Manner as if the same had been actually paid to the said Board.

Penalty for Want of Toll Table.

County Roads Boards empowered to reduce Tolls in Schedule.

LXII. And be it enacted, That it shall be lawful for the County Roads Board of each of the said Counties respectively, at any Time, with the Consent of the Commissioners to be appointed by virtue of this Act, or, after such Commission shall have determined, of One of Her Majesty's Principal Secretaries of State, to lessen and reduce the said Tolls specified in the said Second Schedule to this Act annexed, and again at any Time, with the like Consent, to advance the same, so that the Tolls payable in any of the said Counties do not at any Time exceed the Rates specified in the said Second Schedule, and so that in every such County the said Tolls be always advanced or reduced according to one uniform Scale and Proportion, as to the several Descriptions of Horses or Beasts, Carriages or Vehicles, chargeable therewith: Provided nevertheless, that it shall be lawful for the said County Roads Board of any of the said Counties respectively, when and for so long as they shall think proper, to reduce the Toll payable for any Horse or other Animal drawing Peat or Fern to any Sum

Sum not less than One Half of the Sum otherwise chargeable under the said Second Schedule, without reducing any other Toll at the same Time: Provided also, that the entire Sum of One Halfpenny shall be taken in lieu of any fractional Part thereof which would otherwise become payable in consequence of any advancing or reducing of the said Tolls: Provided also, that no Alteration in the said Tolls, either by advancing or reducing the same, shall be made to take effect until One Calendar Month at the least after Notice of the same shall have been given by Advertisement twice published in One or more Newspapers circulating in the County to which the same shall relate.

Meetings of County Roads Boards.

LXIII. And be it enacted, That the County Roads Boards acting in and for each of the said Counties respectively shall hold not less than Four regular Meetings in each Year, including the General Annual Meeting herein-after referred to, at some convenient Place or Places within each of the said Counties respectively, and may adjourn themselves to meet at any other Place or Places within such Counties respectively, and at such Time or Times, as the said County Roads Boards, or the major Part of the Members thereof present at any Meeting respectively, shall appoint; and all Acts, Orders, Proceedings, Matters, and Things by this Act authorized or directed to be done by the said County Roads Boards, or by the said General Turnpike Acts authorized or directed to be done by any Trustees or Commissioners of Turnpike Roads, shall and may, except so far as the same are altered, varied, or repealed by this Act, be made, done, and exercised by the major Part of the Members of the said County Roads Boards who shall be present at the respective Meetings to be held by virtue of this Act, or of the said General Turnpike Acts, the whole Number present together at any such Meeting of any County Roads Board not being less than Five: Provided always, that at any Meeting of any County Roads Board which shall be held for the Purpose of letting to farm the Tolls of any District or Districts of any County, such Tolls may be lawfully let, and all Acts and Proceedings relating to such letting of Tolls at such Meeting shall be valid and effectual, although not more than Three Members of such County Roads Board shall be present at such Meeting; and the Time and Manner of holding and convening and also of giving Notice of any Special or Extraordinary Meeting of such Board which it may be thought necessary to hold upon any Emergency shall be regulated as nearly as may be according to the Provisions and Regulations of the said General Turnpike Acts with respect to the like Meetings of Trustees or Commissioners of any Turnpike Roads.

Power of Adjournment.

Three to be Quorum when Tolls are to be let.

Tolls may be let at any Meeting without putting them up at the Sum before realised.

LXIV. And be it enacted, That whenever any Tolls shall hereafter be let to farm by virtue of the Powers given by this or by any other Act or Acts of Parliament, it shall not be necessary, in the Notice to be given according to the Provisions of the said General Turnpike Acts previously to such letting, to specify the Sum which the said Tolls shall have produced during any Time previous to such letting, nor to state that the said Tolls will be put up at the Sum which they were let for or produced during any such previous Time; and the County Roads Board acting in and for each County may and they are hereby authorized to let such Tolls at every General Meeting to be

be held in pursuance of this Act for the best Price they may then be enabled to obtain for the same, without being compelled to put up the said Tolls at the Sum for which they were at any previous Time let, or to have any second or other Meeting for letting the same, any Law or Custom to the contrary notwithstanding.

Repeal of Part of 3 G. 4. c. 126.

LXV. And whereas by an Act of Parliament passed in the Third Year of King *George* the Fourth, intituled *An Act to amend the general Laws now in being for regulating Turnpike Roads in that Part of* Great Britain *called* England, it is enacted, "that the Trustees or Commissioners of every Turnpike Road shall and they are hereby required, at their General Annual Meeting in each Year, to examine, audit, and settle the Accounts of the respective Treasurers, Clerks, and Surveyors appointed by them, and to require such Treasurers, Clerks, and Surveyors to produce their Books, Accounts, Papers, and Vouchers, and to examine into the Revenues and Debts, distinguishing Bond from Simple Contract Debts, of the several Roads for which they shall act as Treasurer, Clerk, or Surveyor; and when the Account of the said several Treasurers, Clerks, and Surveyors shall be settled and allowed by the Trustees or Commissioners present at such Meeting, the same shall be signed by the Chairman of such Meeting; and if any Treasurer, Clerk, or Surveyor shall refuse or neglect to produce his Accounts, or any Book, Paper, or Voucher required to be produced by him, such Treasurer, Clerk, or Surveyor shall be dealt with according to the Provisions herein-before contained with regard to Officers refusing to account or deliver up Books or Papers, or pay over any Money in their Hands; and when and as soon as the said Accounts of the said respective Treasurers, Clerks, and Surveyors shall be audited, allowed, and signed, the Clerks to the Trustees or Commissioners holding such Meeting shall forthwith make out a Statement of the Debts, Revenues, and Expenditure received or incurred on account of the Trust for which the Meeting shall be held, in the Form contained in the Schedule to this Act annexed, which said Statement shall be submitted to the Trustees or Commissioners assembled at such Meeting, and when approved by the Majority of them shall be signed by the Chairman of the said Meeting; and the said Statement being so approved and signed, the said Clerk shall, within Thirty Days thereafter, transmit the same to the Clerk of the Peace of the County in which the Road, or the major Part thereof, to which the said Statement relates, shall lie; and if any Clerk shall refuse or neglect to make out such Statement as aforesaid, or to transmit the same within the Time herein-before mentioned, every Clerk so offending shall for such Offence forfeit and pay the Sum of Fifty Pounds, to be recovered as herein-after directed:" And whereas by the same Act it is enacted, "that the Clerk of the Peace of every County to whom such Statements shall be transmitted shall, on receiving such Statements, cause the same to be produced to the Justices assembled at the Quarter Sessions to be held next after the Receipt thereof, and also to be registered and kept amongst the Records of the Quarter Sessions of the County for which such Clerk of the Peace shall act; and the said Statements so to be transmitted to the said respective Clerks of the Peace shall, when registered, be open to the Inspection of all and every Person and Persons whatsoever,

who may take Extracts therefrom or Copies thereof, paying to the Clerk of the Peace in whose Custody the same shall be the Sum of Five Shillings for each Inspection, and the Sum of Sixpence for every Seventy-two Words of such Extract or Copy taken;" be it enacted, That so much of the said Act passed in the Third Year of King *George* the Fourth as is herein-before recited shall, so far as relates to the said Counties respectively, be and the same is hereby repealed.

Repeal of Part of 3 & 4 W. 4. c. 80.

LXVI. And whereas by an Act passed in the Session held in the Third and Fourth Years of King *William* the Fourth, intituled *An Act requiring the annual Statements of Trustees or Commissioners of Turnpike Roads to be transmitted to the Secretary of State, and afterwards laid before Parliament*, it is enacted, "that the several and respective Clerks to the said Trustees or Commissioners holding such annual Meetings respectively as aforesaid shall, within Thirty Days from the passing of this Act, transmit to One of His Majesty's Principal Secretaries of State for the Time being Copies of all such annual Statements so already sent by them respectively to the Clerks of the Peace as aforesaid, and shall also transmit to One of His Majesty's Principal Secretaries of State for the Time being Copies of all such general annual Statements for any future Year or Years so directed to be transmitted to the Clerks of the Peace as aforesaid, within Thirty Days after the same shall have been so approved and signed as aforesaid; and if any such Clerk to the said Trustees or Commissioners shall refuse or neglect to transmit such Copies of such annual Statements within the Time herein-before prescribed for that Purpose, then and in every such Case every such Clerk so offending shall for every such Offence forfeit any Sum not exceeding Ten Pounds, nor less than Five Pounds, at the Discretion of any Justice or Justices of the Peace before whom Complaint of such Offence shall be made:" And whereas by the same Act it is enacted, "that from and after the Expiration of the present Year the Trustees and Commissioners of every Turnpike Road shall hold their General Annual Meeting on or before the Twenty-fifth Day of *March* in every future Year, and not at any other Time, any thing in the said recited Acts or either of them to the contrary notwithstanding;" be it enacted, That so much of the said recited Act passed in the Session held in the Third and Fourth Years of King *William* the Fourth as is herein-before recited shall, so far as relates to the said Counties respectively, be and the same is hereby repealed.

Annual General Meeting of County Roads Boards.

LXVII. And be it enacted, That the several County Roads Boards of and for each of the said Counties respectively shall and they are hereby required to hold One General Meeting in every Year in each of the said Counties, for auditing and examining the Accounts relating to the several Roads under their Management, on some Day or Days to be appointed for the same by each County Roads Board respectively at their first Meeting to be held after the passing of this Act, or at some subsequent regular Meeting of the said Board, and which said annual General Meeting shall always take place in each of the said Counties respectively in the Months of *January* or *February* in each Year; and the Times of holding such annual General Meetings in the said Counties respectively shall be so fixed and

and arranged with reference one to another as to enable the General Superintendent of County Roads, to be appointed as herein-after mentioned by virtue of this Act, to be present at such annual General Meeting in each of the said several Counties successively; and if at any Time they shall not be so fixed and arranged respectively as aforesaid, it shall be lawful for the said Commissioners, or, after the said Commission has determined, for One of Her Majesty's Principal Secretaries of State, by their or his Order directed to any County Roads Board, to alter the Time appointed for holding the said annual General Meeting in any of the said Counties, and to appoint such other Time for holding the same as may be found convenient.

Business to be transacted at annual General Meeting.

LXVIII. And be it enacted, That the said last-mentioned Meeting shall be called and known as the "annual General Meeting of the County Roads Board;" and the said Boards respectively shall at the said Meeting in each Year examine, audit, and settle the Accounts of the respective Treasurers, Clerks, Surveyors, Collectors, and other Officers appointed by them respectively, and shall then, or at any other Time as may be found necessary, be authorized to require such Treasurers, Clerks, Surveyors, Collectors, and other Officers to produce their Books, Accounts, Papers, and Vouchers, and shall also audit, examine, and settle the Accounts of the several District Roads Boards, to be appointed in manner herein-after mentioned, in each of the said Counties respectively, and of the several Officers acting under such District Roads Boards, and shall also receive and examine the several Estimates, Reports, and Accounts which shall be made and submitted to the said County Roads Boards by the General Superintendent of County Roads herein-after mentioned: Provided always, that if any Treasurer, Clerk, Surveyor, Collector, or other Officer shall refuse or neglect to produce his Accounts, or any Book, Paper, or Voucher required by any such County Roads Board, or by the General Superintendent of County Roads herein-after mentioned, to be produced by him, such Treasurer, Clerk, Surveyor, Collector, or other Officer shall be dealt with according to the Provisions contained in the said General Turnpike Acts with respect to Officers refusing to account or deliver up Books or Papers, or pay over Money in their Hands, to the Trustees or Commissioners appointed by or acting under any Local Act.

General Superintendent of County Roads to be appointed.

LXIX. And be it enacted, That it shall be lawful for One of Her Majesty's Principal Secretaries of State, by any Writing under his Hand, to appoint a fit and proper Person (or Two fit and proper Persons, if required,) to superintend the Management, Maintenance, and Repair of all the several Turnpike Roads within the said Counties respectively, and from Time to Time, at the Discretion of the said Principal Secretary of State, to remove the said Person from such Office, and appoint another in his Stead.

His Office and Duties; to overlook Management of Roads;

LXX. And be it enacted, That the said Person so to be appointed as aforesaid shall be called "The General Superintendent of County Roads for *South Wales*," and shall from Time to Time examine, inspect, and overlook the Management and Repairs of the several Turnpike

Turnpike Roads within each of the said Counties respectively, and the Execution of all Alterations, Improvements, and Works relating to the same, and shall have the Superintendence and Control of all Surveyors and other Officers employed by or under the several District Boards in each County herein-after referred to, and shall be entitled to be present at and to take part in the Proceedings and Business transacted at all Meetings of the several County Roads Boards, and also of the several District Roads Boards herein-after referred to, within any of the said Counties respectively, and to inspect and examine all the Accounts, Books, and other Documents of or relating to the same, and shall attend the said annual General Meetings of the said County Roads Boards in each of the said Counties respectively, and shall examine, audit, and check, and ascertain the Legality of, all Accounts, Bills, Charges, and Vouchers which shall be presented to or laid before such County Roads Boards at such annual General Meetings, and shall also prepare and submit to them, at such Meetings, a general Statement of the Debts, Revenue, and Expenditure incurred or received in and for the Year preceding on account of the several Turnpike Roads within each of the said Counties respectively; and shall also prepare and submit to the said County Roads Boards respectively, at such Meetings, an Estimate of the Revenue and Expenditure on account of the said Roads to be received or incurred in and for the ensuing Year, specifying in such Statements and Estimates the Amount and Proportion of Revenue and Expenditure received or incurred or to be received or incurred in respect of the several Districts to be constituted by virtue of this Act in each of the said Counties respectively, according to the Provisions herein-after contained, and shall sign such Statements and Estimates respectively; and so soon as the said Statements and Estimates shall have been submitted to and examined by such County Roads Boards shall transmit the same or Copies thereof to the said Commissioners, or, after the said Commission shall have determined, to One of Her Majesty's Principal Secretaries of State, to be by them or him laid before both Houses of Parliament, according to the Provisions of the said General Turnpike Acts, and shall also cause the same to be published in One or more of the Newspapers circulating in the County; and shall also from Time to Time, and whenever he shall be required by any County Roads Board so to do, prepare and submit to such County Roads Board an Estimate or Estimates of the probable Expence to be incurred in respect of any proposed Improvement, Alteration, or Work relating to the Roads under the Management of such Board, and shall make such further Reports from Time to Time to the said County Roads Board, or to the said Commissioners, or to the said Secretary of State, respecting the Management and Administration of any Roads hereby placed under his Charge or Control, as he shall be required by them or any of them to do.

to attend Meetings of County and District Boards;

to examine Accounts at annual Meetings;

to prepare Statements and Estimates;

to transmit Statements and Estimates to Commissioners;

and to report from Time to Time.

LXXI. And be it enacted, That every County Roads Board shall cause a Book to be kept by their Clerk, in which such Clerk shall enter or cause to be entered true and regular Accounts of all Sums of Money received and expended for the Purposes of this Act, and of the

Books to be kept, and to be open to Inspection.

the several Matters for which such Sums of Money shall have been received or expended; and the said Board shall cause Notes, Minutes, or Copies, as the Case may require, of all the Orders and Proceedings of such Board at the several Meetings thereof to be duly entered in Books to be from Time to Time provided for that Purpose, and such Books shall be Evidence in all Proceedings at Law or in Equity, without further Proof of the Contents thereof, and shall at all seasonable Times be open to the Inspection of all Members of such Boards and of all District Boards within the same County, and of every Person paying any Rate by this Act authorized to be made, without any Fee being demanded for such Inspection; and all such Members and Persons respectively shall be entitled, at seasonable Times, to take Copies or Extracts from the said Books, without paying any Fee for the same; and if, on Request made for that Purpose, the Clerk of any County Roads Board shall refuse to permit any of such Members or Persons respectively to inspect any such Books, or to take Copies or Extracts therefrom as aforesaid, such Clerk shall for every such Refusal forfeit and pay a Sum not exceeding Five Pounds.

First Meeting of County Roads Boards when to be held.

LXXII. And be it enacted, That the first Meeting of each and every County Roads Board to be held in and for the said Counties respectively shall take place on such Day or Days, and at such Place within each of the said Counties respectively, as the said Commissioners by their Order shall direct.

Chairman and Vice Chairman of County Roads Boards to be appointed.

LXXIII. And be it enacted, That the County Roads Board of each County respectively at such first Meeting assembled shall, in the first place, elect and appoint Two fit and proper Persons, being Members of such Board, to be the Chairman and Vice Chairman respectively of such Board; and the said Chairman, or in his Absence the said Vice Chairman, shall preside at all Meetings to be thereafter held of such Board, and shall have a casting Vote in addition to his own Vote; and in case at any Meeting the said Chairman and Vice Chairman shall both be absent, then some other Member of such Board, to be chosen by the major Part of the Members present at the Time being, shall preside as Chairman for such Meeting; and whenever any Chairman or Vice Chairman shall die or resign, or shall refuse to act, the said County Roads Board shall, at their General Meeting to be held next after such Death, Resignation, or Refusal, elect and appoint some other fit and proper Person, being a Member of the said Board, in his Stead.

Clerk and Treasurer to be appointed.

LXXIV. And be it enacted, That every County Roads Board shall at such first Meeting respectively elect and appoint a fit and proper Person to be the Clerk of such Board, and shall also appoint a Treasurer to the said Board; and the said Board shall at their said first Meeting, or afterwards, from Time to Time appoint such Number of Surveyors as in their Judgment shall be required to overlook the Management and Repairs of the several Turnpike Roads in their County, and shall also determine the Salaries to be paid to such Clerk and Surveyors respectively out of the County Toll Fund herein-after mentioned; and the said Board may from Time to Time at their Discretion

cretion remove the said Clerk or Treasurer or Surveyors, and so often as the said Offices or either of them shall become vacant shall elect other fit and proper Persons for the same.

County Roads Boards to fix Times of Meeting, and make other Regulations.

LXXV. And be it enacted, That every County Roads Boards respectively shall at such first Meeting determine and appoint the Times and Places for holding their General Meetings to be held in pursuance of this Act, and shall also from Time to Time determine and agree upon such Rules and Regulations for the Guidance of their own Proceedings at such Meetings, and otherwise, as they shall deem expedient.

County Roads Board to report upon County Roads, and make Recommendations respecting them; what shall be Turnpike Roads; what shall cease to be maintained by County; Division of County into Districts.

LXXVI. And be it enacted, That the said County Roads Boards respectively shall at their said first Meeting, with the Aid and Advice of the said General Superintendent of County Roads, make a full Examination and Inquiry into the Limits, Extent, Condition, and Circumstances of all the several Turnpike Roads within or partly within their respective Counties which shall, at the Time of the passing of this Act, be regulated by or comprised in any Local Act for making or regulating Turnpike Roads therein; and shall also examine and consider, with the Aid and Advice aforesaid, what Portions (if any) of such Turnpike Roads it may be expedient thereafter to maintain and continue as Main Turnpike Roads; and what Portions (if any) of such Roads it may be expedient wholly to reject and discontinue as Turnpike Roads, so that the same may thereafter be subject to the Laws now in force concerning Highways; and also what Division or Arrangement of the several Roads which they shall deem proper to be maintained as Turnpike Roads within their respective Counties it may be expedient to make for the Purpose of District Management, as herein-after provided; and the said County Roads Boards respectively shall, as soon as may be, in pursuance of the said Inquiry, make or cause to be made a full and particular Report in Writing to the Commissioners for carrying this Act into execution respecting the several Matters herein-before directed to be examined and considered by them, together with such other Recommendations and Suggestions as may be necessary for any other Purposes of this Act, or as they may deem essential to the due Execution thereof.

Commissioners to make Orders respecting Distribution and Arrangement of County Roads.

LXXVII. And be it enacted, That the said Commissioners shall, upon due Consideration of such Reports and Recommendations respectively, make such Determination respecting the Premises as to them shall seem meet, and shall, by their Orders to be made under their Hands and Seal, direct, with respect to each of the said Counties respectively, what Portions of the said Roads regulated by or comprised in any Local Act as aforesaid shall thereafter continue to be maintained as Turnpike Roads, and also what Portion thereof (if any) shall be wholly rejected and discontinued as Turnpike Roads; and the said Commissioners shall also, by their said Order, direct such and so many Districts as in their Judgment shall be necessary to be formed and constituted in each of the said Counties respectively in which they shall deem the Formation of such Districts to be expedient for the separate Management and Repair of the several Turnpike Roads within the said Districts, according to the Regulations herein-

herein-after contained: Provided always, that in case in any of the said Counties the said Commissioners shall not deem it expedient to constitute any such Division of Districts as aforesaid, then the Management and Repair of all the Turnpike Roads within such County, and all Powers and Things necessary thereto, shall belong, and shall be carried on, done, and executed by or under the Direction of the County Roads Board of such County.

Plan of County Roads to be made by Authority of Commissioners.

LXXVIII. And be it enacted, That the said Commissioners, in pursuance of their said Orders as aforesaid, shall cause a Map or Plan to be made for each of the said Counties, wherein shall be distinctly set out and delineated the several Roads thereafter to be maintained in and for such County as Turnpike Roads, as well as the several Districts into which such County shall be divided, and to which the said Turnpike Roads shall thenceforth respectively be annexed and belong; and the said Map or Plan, or a Copy thereof, stamped with the Seal of the said Commissioners, shall be deposited with the Clerk of every County Roads Board respectively, and shall be received as Evidence, and shall be referred to, in all Suits, Controversies, and Disputes touching the Limits, Boundaries, Situation, or Classification of any such Roads or Districts respectively: Provided always, that the said Map or Plan may be altered or amended by Authority of the said Commissioners, or, after such Commission has determined, of One of Her Majesty's Principal Secretaries of State, if it should become necessary so to do, through the Operation of any of the Provisions herein-after contained.

Plan may be amended.

Roads rejected by Commissioners to become Highways.

LXXIX. And be it enacted, That all such Roads or Portions of Roads within any of the said Counties respectively as the said Commissioners, by their Order as aforesaid, shall direct to be discontinued as Turnpike Roads shall thenceforth cease to be repaired or maintained as such, and no Tolls shall be collected thereon, and all Toll Gates or Toll Bars now standing thereon shall be removed, and the said Roads shall thenceforth be repaired and maintained according to the Laws for the Time being in force relating to Highways, or by the Parties otherwise liable by Law to repair the same.

County Roads Boards to make special Reports in certain Cases.

LXXX. And be it enacted, That it shall be lawful for the said County Roads Boards respectively, at any of their regular Meetings to be held under the Authority of this Act, with the Aid and Advice of the said General Superintendent of County Roads, to make or cause to be made any special Report to the said Commissioners, or, after the said Commission shall have determined, to the said Secretary of State, and by such Report to recommend that any Roads or Portions of Roads theretofore maintained as Turnpike Roads should cease to be so maintained, or that any Deviation or Diversion of or from the Course of any such Roads should be made, or that any other Alteration, Improvement, or Work should be executed, other than for the ordinary Maintenance and Repair of such Roads, and whereof the probable Expence, according to the Estimate of the said General Superintendent, would exceed One hundred Pounds; and thereupon it shall be lawful for the said Commissioners, or, after the said Commission shall have determined, for the said Secretary of State, by their

their or his Authority, to order that such Recommendations respectively or any of them be carried into effect, and that such Additions, Diversions, Deviations, Alterations, Improvements, or other Works be made and executed as the said Commissioners or the said Secretary of State respectively may approve; and the said County Roads Boards respectively shall then have full Power to make and execute the same out of the Monies or on the Credit of the County Toll Fund herein-after mentioned, subject to the Restrictions and Limitations herein-after contained: Provided always, that no such special Report as aforesaid relating to any such Addition, Diversion, Deviation, Alteration, Improvement, or other Work shall be made, adopted, or agreed to at any Meeting of any County Roads Board unless Notice of the proposed Undertaking or Work to which such Report shall have reference, and of the estimated Cost thereof, shall have been previously given by Advertisement twice published in some or one of or more of the Newspapers circulating in the County to which the same shall relate Twenty-one Days at least before such Meeting of the said County Roads Board.

Restrictions on borrowing by County Roads Boards.

LXXXI. And be it enacted, That no Money shall be hereafter raised or borrowed for any Purpose whatsoever by or on account of any County Roads Board, or by or on account of any Person or Body of Persons acting in the Execution of this Act, upon the Credit of the Tolls to be raised and collected in any of the said Counties, or upon the Credit of any County Road Fund or County Road Rate herein-after referred to, save and except upon such Terms and Conditions as to the Repayment thereof as will necessarily provide for the Extinction of the Debt thereby created, both in respect of the Principal Monies borrowed and of Interest for the same, before the Expiration of Twenty-one Years from the Time of borrowing such Monies, nor without the Consent of the said Commissioners, or, after the said Commission shall have determined, of the said Secretary of State.

Local Boards to be appointed, called "District Roads Boards."

How to be constituted.

LXXXII. And be it enacted, That the Maintenance and Repairs of the several Turnpike Roads situate and being within the several Districts which shall be marked out and defined in each of the said Counties respectively by the said Commissioners, according to the Provisions herein-before contained, shall, subject to the Superintendence and Authority of the said County Roads Boards and of the said Commissioners as aforesaid, be placed under the Care and Management of local Boards, to be styled "District Roads Boards," and which shall be constituted in manner following; (that is to say,) the said Commissioners shall, so soon as any District shall have been marked out and defined as aforesaid, by Order under their Hands and Seal, nominate and appoint a certain Number, not exceeding Ten in any one District, of fit and proper Persons, not being Justices of the Peace, qualified as herein-after next mentioned, to be Members of such District Roads Board; and every Person who shall reside within such District, and who in his own Right or in right of his Wife shall be the Owner or Occupier, or shall be in the actual Possession of the Rents or Profits, of any Lands, Tenements, or Hereditaments, whether Freehold or Copyhold, within the County wherein such District is situated, which shall be rated or rateable to the Relief of the Poor in

the Parishes or Places in which the same shall lie at not less than Eighty Pounds *per Annum*, shall be duly qualified to be and be capable of being appointed a Member of such Board; and whenever any of the said Persons who shall have been so nominated and appointed by the said Commissioners as aforesaid shall die or resign, or shall absent himself for Twelve Months from the Meetings of the said Board, or shall cease to be qualified in respect of Residence and Estate or Interest as aforesaid, then the other Members of such Board shall elect other fit and proper Persons, qualified as herein-before described, to be Members of such Board in their Stead; and whenever any of such last-mentioned Persons shall die or resign, or be absent as aforesaid, or shall cease to be qualified as aforesaid, the Vacancy or Vacancies thereby occasioned shall be from Time to Time supplied by Election in like Manner; and all Her Majesty's Justices of the Peace residing within or acting at any Petty Sessions within any such District shall be *ex officio* Members of such District Roads Board.

If Commissioners deem it expedient, they may appoint additional Members.

LXXXIII. And be it enacted, That in case in any of the said Counties the said Commissioners shall not deem it expedient to constitute any such Division of Districts for the Purpose of District Management as aforesaid, then the said Commissioners shall, by their Order as aforesaid, nominate and appoint certain Persons, not less than Six nor more than Twelve in Number, to be additional Members of the County Roads Board of such County, who shall be chosen in manner following; that is to say, an equal Number of such Persons shall be chosen in respect of each Hundred of such County, and shall be Persons resident within such Hundred respectively, and qualified in respect of Property in such County in like Manner as is herein-before provided with respect to the Qualification of Members of District Boards; and whenever any of the Persons who shall have been so nominated by the said Commissioners as aforesaid shall die or resign, or shall cease to be qualified in respect of Residence and Estate or Interest as aforesaid, then the said County Roads Board shall elect other fit and proper Persons, resident and qualified as herein-before described, in their Stead, and all other Vacancies which shall thereafter occur shall be from Time to Time supplied by Election in like Manner; provided that among the Persons so from Time to Time constituted as additional Members of such County Road Boards there shall always be Two Persons at least, resident and qualified as aforesaid, for and in respect of each Hundred of such County.

Manner of choosing additional Members.

Persons hereafter chosen as Members of District Boards shall cease to be Members by Rotation, and their Vacancies to be filled up.

LXXXIV. And be it enacted, That the Persons who shall hereafter be appointed as Members of District Boards, or as additional Members of County Roads Boards in Counties having no District Boards, shall after certain Periods cease to be Members of the same respectively by Rotation, and the Vacancies thereby occasioned shall in either Case be supplied from Time to Time in manner following; that is to say, of the Persons who shall have been originally nominated by the said Commissioners as Members thereof respectively Three Persons (who shall be selected by Ballot) shall at the Expiration of Three Years from the Time of such Nomination cease to be such Members, and at the Expiration of Four Years from the said Time a like Number of such Persons (to be also selected by Ballot) shall cease in like Manner, and

and at the Expiration of Five Years from the said Time the Residue of the said Persons who shall have been so originally nominated as aforesaid shall cease to be Members of such Board respectively in like Manner; and in every such Case, and at each of such Periods as aforesaid, for the Purpose of supplying the Vacancies which shall then arise, the other Members of such Boards respectively shall elect an equal Number of fit and proper Persons, qualified as herein-before described, to be Members of such Boards in their Stead; provided that at the Expiration of every Year successively after the said Fifth Year those Persons who shall have been elected as aforesaid, and shall have served for the Period of Three Years from such Election as Members of District Boards, or as additional Members of County Roads Boards, shall respectively cease to be such Members, and the Vacancies thereby occasioned shall be from Time to Time supplied by Election in like Manner; and all Persons who shall have been elected at any Time after the passing of this Act to supply any casual Vacancies in such Boards, occasioned by Death, Resignation, or otherwise as aforesaid, shall at the Expiration of Three Years from their said Election cease to be Members thereof, and the Vacancies thereby occasioned shall be from Time to Time supplied by Election in like Manner.

Declaration to be made by Members of District Boards.

LXXXV. And be it enacted, That no Person shall be qualified to act as a Member of any District Roads Board unless and until he shall in the Presence of One of Her Majesty's Justices of the Peace acting in and for the County to which such District Board shall belong, or of any Two Persons who shall have duly qualified themselves to act as Members of such District Roads Board, make and subscribe the Declaration following; (that is to say,)

'I *A. B.* do solemnly and sincerely affirm, That I will truly and impartially, according to the best of my Judgment and Ability, execute and perform the several Powers, Authorities, and Trusts reposed in me by virtue of an Act passed in the Session held in the Seventh and Eighth Years of Her Majesty Queen *Victoria*, intituled *An Act to consolidate and amend the Laws relating to Turnpike Trusts in* South Wales.'

And if any Person shall act as a Member of any District Board before he shall have made and subscribed the said Declaration, every such Person shall for every such Offence forfeit and pay the Sum of Fifty Pounds, with full Costs of Suit, to any Person or Persons who shall inform or sue for the same in any of Her Majesty's Courts of Record at *Westminster*.

County Roads Boards to appoint Officers of District Boards.

LXXXVI. And be it enacted, That the said County Roads Board acting in and for each of the said Counties respectively shall, at their Meeting to be held next after the Division of such County into Districts shall have been determined and declared by the said Commissioners as aforesaid, elect and appoint such Number of fit and proper Persons as they shall deem necessary, not exceeding the Number of the Districts into which such County shall have been divided, to be the Clerks to the several District Roads Boards acting in and for such Districts respectively, and shall from Time to Time fix and appoint the

the Salaries to be paid out of the said County Toll Fund to such Clerks respectively; and such County Roads Board may at any subsequent Meeting appoint such new and additional Clerks, not exceeding in the whole such Number as aforesaid, as they may from Time to Time deem necessary, and may fix the Salaries to be paid to them respectively, and also at any such Meeting, at their Discretion, make Orders for the Removal of any such Clerk, and whenever any such Clerk shall be removed, or shall die or resign, or refuse to act, may at any subsequent Meeting appoint some other fit and proper Person in his Stead.

Powers and Duties of District Boards.

LXXXVII. And be it enacted, That the District Roads Board for each District respectively shall have Power to direct and superintend all Matters and Things relating to the maintaining, repairing, and draining of the several Turnpike Roads within such District, and also the maintaining and repairing the Turnpike Gates, Toll Bars, and Toll Houses belonging to the same, and also the Execution of any Work or Improvement which shall respectively have been placed under the Direction and Superintendence of such District Roads Board by the County Roads Board acting in and for the same County, and to direct and superintend the Expenditure of all Monies, and the Use and Application of all Materials and Things, which shall be appropriated to such District by the Order of the said County Roads Board; and the Acts, Orders, Regulations, and Proceedings of such District Roads Boards, as to all the Matters and Things aforesaid, shall be binding and effectual; and such District Roads Boards shall cause Accounts to be kept of the Expenditure and Application of such Monies and Materials as aforesaid, and of all Debts incurred by them, and of the Balance of Money and Materials remaining at their Disposal, and the Clerk of any District Roads Board shall, as often as he shall be required so to do, deliver or transmit such Accounts to the said General Superintendent of County Roads, to be by him submitted to the County Roads Board of such County.

Money and Materials to be placed at the Disposal of District Boards.

LXXXVIII. And be it enacted, That it shall be lawful for the County Roads Board of each County, by their Order, to assign and place to the Credit or at the Disposal of the several District Roads Boards in each County respectively such Sum or Sums of Money out of the County Toll Fund herein-after mentioned, and such Quantity of Materials or other necessary Things purchased out of the said County Toll Fund, as the said General Superintendent, by his Estimate, to be laid before the said County Roads Board at their annual General Meeting as herein-before provided, shall certify to be necessary and sufficient for the ordinary Maintenance and Repairs of the several Turnpike Roads within such Districts respectively; and it shall also be lawful for the said County Roads Board, by their Order as aforesaid, to place under the Control and Superintendence of the said District Roads Boards respectively, subject to the Restrictions and Limitations herein-before made and provided, any Works or Improvements to be done or executed in or upon any of the Roads within such Districts respectively; and for the Purpose of enabling them to carry on and execute such Works and Improve-

ments to place to their Credit or at their Disposal such Monies, Materials, and other Things as aforesaid as the said General Superintendent, by his Estimate, shall certify to be necessary and sufficient for the Performance thereof.

First and other Meetings of District Boards.

LXXXIX. And be it enacted, That the several District Roads Boards to be appointed and constituted in manner aforesaid shall meet first at such Time and Place as the said Commissioners shall, by their Order, appoint for them respectively, and shall from Time to Time hold other Meetings not less in Number than Six in each Year, for executing the several Powers and Duties hereby vested in them, at such Times, and at such convenient Place or Places within their respective Districts, as the said Commissioners, upon the Report and Recommendation of the County Roads Board acting in and for the County to which any such District Roads Board shall belong, shall order and appoint; and all Acts, Matters, and Things executed or done by any District Roads Board, in pursuance of this Act, at any such Meeting, the whole Number present at the Time being not being less than Three, shall be valid and effectual; and for the Purpose of adjourning and voting at all such Meetings, and generally for the Regulation of their Proceedings at all such Meetings, as to all such Things as may be done by such District Roads Boards, the several Provisions of the said General Turnpike Acts, except so far as the same may be altered, varied, or repealed by the Provisions of this Act, shall be applicable to the Meetings of the said last-mentioned Boards.

District Boards to appoint Chairman and Vice Chairman.

XC. And be it enacted, That every District Roads Board, at their said first Meeting, shall in the first place elect and appoint Two fit and proper Persons, being Members of such Board, to be the Chairman and Vice Chairman respectively of such Board for Three Years; and the said Chairman, or in his Absence the said Vice Chairman, shall preside at all Meetings of such Board, and shall have a casting Vote in addition to his own Vote; and in case at any Meeting such Chairman and Vice Chairman shall both be absent, then such other Member as shall be chosen by the major Part of the Members present for the Time being shall preside as Chairman of such Meeting; and whenever any Chairman or Vice Chairman shall die or resign, or shall refuse to act, such Board shall, at their regular Meeting to be held next after such Death, Resignation, or Refusal, elect and appoint some other Member or Members of such Board in his Stead.

District Boards to elect Two of their own Members to serve on County Board.

XCI. And be it enacted, That every District Roads Board shall at their said first Meeting after the passing of this Act, and afterwards in every Year at the regular Meeting of such Board which shall take place next before the Thirty-first Day of *December* in each Year, elect and appoint Two fit and proper Persons, being Members of such Board, to serve for the Year then next ensuing as Members of the County Roads Board acting in and for the same County to which such District Roads Board shall belong, and the said Persons so elected shall thereupon become and be duly qualified and lawful Members of such County Roads Board, and shall have all the same Rights, Powers, and Authorities as any other Members of the same; and in case the Persons so elected, or either of them, shall die, resign,

or refuse to act, then it shall be lawful for the said District Roads Board, at their next regular Meeting after such Death, Resignation, or Refusal, to elect and appoint One or more fit and proper Persons in their or his Stead: Provided always, that nothing herein contained shall prevent the said District Roads Boards from re-electing the same Persons, or either of them, for the Year next ensuing, nor from electing as a Member of such County Roads Board any Person who may have previously been chosen to serve as such Member by any other District Roads Board.

Members of County and District Boards not to be interested in Contracts.

XCII. And be it enacted, That no Person shall be capable of acting as a Member of any County Roads Board, or of any District Roads Board, in any Case in which he shall be personally interested within the Meaning and according to the Provisions and subject to the Penalties declared and enacted in the said General Turnpike Acts, and the Provisions in the said Acts contained, by which it is declared unlawful for the Trustees or Commissioners of any Turnpike Roads under any Local Act to hold any place of Profit under such Act, or to be concerned or engaged in any Contract for making or repairing, or in any way relating to, the Road or Roads for which they shall respectively act, shall, together with all Exceptions, Restrictions, Penalties, and Clauses thereto relating, be applicable, except so far as the same may be varied, altered, or repealed by this Act, to all Members of County Roads Boards and District Roads Boards respectively appointed under or acting in execution of this Act.

Members of County and District Boards may act as Justices.

XCIII. Provided always, and be it enacted, That no Person shall be incapable of acting as a Justice of the Peace in any Matter relating to the Execution of this Act by reason of his being a Member of any County Roads Board, or of any District Roads Board.

Application of Tolls.

XCIV. And be it enacted, That from and after the Repeal of the said Local Acts respectively the Tolls to be collected on the several Turnpike Roads in each and every of the said Counties by virtue of this Act shall be respectively accounted for, and paid to the Treasurer of the County Roads Board, and shall form in each County One common Fund, to be called the "County Roads Fund," and the said County Roads Fund shall be administered and applied, subject to the Provisions and Restrictions herein-before contained, by the said County Roads Board, and shall be applicable in the first place to the Payment of such Annuity as shall be charged upon such County Roads Fund, and such Rates as aforesaid, according to the Provisions herein-before contained; and the Treasurer of every County Roads Board respectively is hereby directed and required, from and out of the first Monies which shall come to his Hands, to pay such Annuity so charged as aforesaid when and as the same shall become due according to this Act; and, subject to such Payment, the said County Roads Fund shall be applicable to the Repair, Maintenance, Management, and Improvement of the several Turnpike Roads within such County, and to the Salaries of the Officers of the several County and District Boards respectively, and to such other just and necessary Expences as may be incurred in and about the Management of the

said Turnpike Roads, and in execution of the Powers and Provisions of this Act.

If County Roads Fund prove insufficient for the Purposes required, County Roads Board shall certify the Amount required to Quarter Sessions.

XCV. And be it enacted, That in case it shall appear to any County Roads Board acting in and for any of the said Counties respectively, at the annual General Meeting of such Board to be held under this Act, upon comparing the estimated Receipts and Expenditure of and for such County in respect of Turnpike Roads for the Year next ensuing, which shall be made out and submitted to such Board by the said General Superintendent as aforesaid, that the said County Roads Fund will in the Year next ensuing be insufficient for the several Purposes to which the same is by this Act made applicable, such County Roads Board shall thereupon proceed to determine what Amount of Money will be necessary and sufficient, in addition to such County Roads Fund, to meet and supply the several Purposes aforesaid; and the said County Roads Board shall then certify the Sum of Money necessary as aforesaid by a Certificate in Writing, to be signed by the Chairman of the said Board at their said Meeting, and which shall be forthwith transmitted by the Clerk of such Board to the Clerk of the Peace or Deputy Clerk of the Peace for such County; and the said Clerk of the Peace, or his Deputy, shall produce the said Certificate to the Justices of the Peace for such County at their General Quarter Sessions assembled which shall be held next after he shall have received the same: Provided always, that the Sum so certified by any County Roads Board to be required in aid of such County Roads Fund shall in no Case exceed the yearly Sum which shall be payable by way of Annuity as aforesaid to the said Public Works Loan Commissioners by the County in which such Sum shall be required.

Justices in Quarter Sessions to make a Rate to supply the Amount required.

XCVI. And be it enacted, That the Justices of such County in such General Quarter Sessions assembled shall, for the Purpose of raising the Monies specified in such Certificate, make a fair and equal Rate, to be called "the County Road Rate," and for that Purpose shall assess and tax the whole of such County according to a certain Pound Rate of and upon the full and fair annual Value of all Messuages, Lands, Tenements, and Hereditaments within the said County, to be computed according to the Valuation for the Time being acted upon in assessing the County Rate of such County, which said County Road Rate shall be levied, collected, and paid in the same Manner, and by the same Persons, and under the same Powers, Provisions, and Authorities, as any County Rate now by Law authorized to be collected from the Persons liable to contribute to the same; Provided always, that whenever the said County Road Rate shall be collected together with and as Part of the ordinary County Rate, the Warrants issued by the said Justices to the High Constables, and by the High Constables to the Overseers and others required by Law to collect the County Rates, shall state how much is levied for the ordinary County Rate, and how much for the said County Roads Rate, and the said Rates shall be levied accordingly.

Provision for levying Road Rate in

XCVII. And be it enacted, That for the Purpose of obtaining the Sum which ought to be contributed towards the said County Roads Rate

Places not contributing to County Rate.

Rate by any Liberty or Franchise not contributing to the County Rate of any such County, it shall be lawful for the said Justices so assembled as aforesaid to make a Rate, in just and equal Proportion to the Pound Rate to be levied upon Property liable to the County Rate as aforesaid, upon all Property within any Liberty or Franchise which shall be liable to any Liberty Rate, or Rate in the Nature of a County Rate therein, according to the Valuation of such Property acted upon, and for the Time being, in assessing the said Liberty Rate, or Rate in the Nature of a County Rate, in such Liberty or Franchise; and the said Justices shall thereupon issue their Warrant under the Hands of Two or more of them, by which Warrant they shall require the Treasurer, or other Person having the Receipt of any Liberty Rate, or Rate in the Nature of a County Rate, within such Liberty or Franchise, to pay to the Treasurer of such County, out of the Monies collected by way of Liberty Rate, or Rate in the Nature of a County Rate, the Amount mentioned in such Warrant; and every such Warrant shall specify the Rate in the Pound at which the Sum therein mentioned shall be computed.

Justices of any Liberty or Franchise to make a Rate upon the same.

XCVIII. And be it enacted, That the Justices of such Liberty or Franchise shall order a Rate to be made, at the Rate mentioned in the said Warrant, upon the Property so liable as aforesaid within such Liberty or Franchise, which shall be levied and collected therein as Part of the Liberty Rate, or Rate in the Nature of a County Rate, to which such Liberty or Franchise is liable, in like Manner as the said County Road Rate is herein-before directed to be levied and collected in such Parts of any County as are liable to any County Rate, and shall be paid over by the Treasurer, or other Person having the Receipt of any Liberty Rate, or Rate in the Nature of a County Rate, within such Liberty or Franchise, within Forty Days from the Receipt of such Warrant, to the Treasurer of the County from the Justices of which such Warrant shall have issued.

In case of Default, or if there is no Rate applicable within such Liberty or Franchise, Justices of the County empowered to act.

XCIX. And be it enacted, That if Payment shall not be made within the said Forty Days, according to the Exigency of the said Warrant, or if there shall be no Person to whom such Warrant can be directed, or no Liberty Rate, or Rate in the Nature of a County Rate, to which the Inhabitants of such Liberty or Franchise contribute, or if for any other Reason it shall seem more convenient to the said last-mentioned Justices, it shall be lawful for them to levy upon any Liberty or Franchise the full Amount of the Rate to which they shall have determined such Liberty or Franchise to be liable as aforesaid; and for the Purpose of levying and collecting such Rate the said Justices shall have, for the Purposes of this Act, within every such Liberty or Franchise respectively, the same Powers which they have for levying and collecting County Rates within the Limits of their own Commission, and such Rate may be levied and collected by the like Methods and subject to the same Right of Appeal as are applicable to any County Rate collected within the Parts of any County liable to the same; and the High Constable of every Hundred or other Division in which such Liberty or Franchise shall be wholly or in part locally situated, on the Receipt of a Warrant to that Effect, under the Hands of Two or more of the said Justices, shall collect the said Rate; and the Overseers of

the

the Poor, or in default of Overseers, or in case there shall be no separate Rate for the Relief of the Poor in any Portion of such Liberty or Franchise, then such Person or Persons as the said Justices in Quarter Sessions assembled shall appoint for that Purpose, in every Parish or Place to which such Liberty or Franchise or any Part thereof shall belong, upon Receipt of a Warrant to that Effect from the said High Constable, shall pay the Amount assessed upon their Parish or Place respectively, or upon that Part of it which is liable thereto, in like Manner, and subject to the like Penalties in case of Default, as if such Liberty or Franchise were, for the Purpose of a County Rate, and for all other Intents and Purposes, a Part of such County.

Power to inspect Rates and Returns.

C. And be it enacted, That the Treasurer of any of the said Counties, or any Person having an Order for that Purpose under the Hand of such Treasurer, may inspect any Liberty Rate, or Rate in the Nature of a County Rate, made or to be made for any Liberty or Franchise locally situate within such County, and may also inspect any Returns relating to any of the Parishes or Places the Inhabitants of which shall be liable to be rated as aforesaid, which have been or are to be delivered in pursuance of any of the Acts relating to County Rates, and may take Copies or Extracts of or from any such Rates or Returns without Payment of any Fee or Reward; and if any Person having the Custody of any such Rate or Return shall wilfully neglect or refuse to permit any such Treasurer or other Person authorized as aforesaid to inspect the same, or to take Copies of or Extracts from the same, for Two Days after such Order shall have been produced and shown to him, or a Copy thereof left at his usual Place of Abode, he shall, on Conviction thereof before any Two Justices of the Peace, forfeit and pay for every such Offence such Sum, not exceeding Ten Pounds, as they shall think meet.

Occupier paying Road Rate may deduct it from Rent paid to his Landlord.

CI. And whereas it is expedient that the Charge to be created in respect of such County Road Rate should be imposed upon the Owners and Proprietors of Land within the said Counties respectively; be it therefore enacted, That any Person who shall occupy any Lands or Tenements in any of the said Counties, or in any Liberty or Franchise locally situated therein, having any Interest not amounting to a Freehold Interest in the same, and not being Tenant thereof for any Term exceeding Thirty Years certain from the Commencement of such Term, who shall be called upon to pay any Monies in respect of such Rate, shall be entitled to demand a Receipt in Writing for the same, and upon producing such Receipt shall be entitled to deduct from the Rent next payable to the Landlord or Person under whom he holds or occupies such Lands or Tenements so much as he shall have paid on account of such Rate during the same Period in respect of which such Rent shall be due and payable, and such Landlord or other Person shall allow such Deduction upon receipt of the Residue of the said Rent; and such Occupier, Lessee, or Tenant shall be acquitted and discharged of so much Money as he shall have paid in respect of such Rate in the same Manner as if the same had been actually paid to such Landlord or other Person.

Road Rate to be paid over by County Treasurer to Treasurer of County Roads Board.

CII. And be it enacted, That the Treasurer of any County in which such Rate shall have been levied as aforesaid shall, so soon as the same shall have been collected, pay over all Monies received in respect of the same to the Treasurer of the County Roads Board acting in and for such County, and such Monies when so paid over shall form a Part of the County Roads Fund for such County, and shall be applicable as such to the several Purposes to which the said County Roads Fund is herein-before directed to be applied.

County Roads Board may make Orders on Parishes to carry or draw Materials for Turnpike Roads.

CIII. And be it enacted, That it shall be lawful for any County Roads Board, at any regular Meeting held under this Act, if in their Judgment, with reference to the State of the County Roads Fund, and the State and Condition of the Roads in their County, or otherwise, it shall be necessary or expedient so to do, to determine what Proportion, if any, of the Carriage or Haulage of Materials required to be carried or drawn for the Purpose of making or repairing any Turnpike Roads in such County shall be done and performed by or at the Cost of the Inhabitants of any Parish, Township, or Place in which any Part of such Roads shall be locally situate, and in pursuance of such Determination to make such Order in Writing as to them shall seem meet, which said Order shall be signed by the Chairman of such Meeting, and shall be addressed and delivered to any Surveyor of Highways of the Parish, Township, or Place to which such Order shall relate: Provided always, that no such Order shall be valid which shall require or direct the Performance of any other Kind of Work, Labour, or Duty, except as is herein-before mentioned, or which shall require or direct the Payment of any Money, or the Supply of any Materials by or at the Cost or Charge of the Inhabitants of any such Parish, Township, or Place.

Surveyor of Turnpike Roads to pay for Work done in drawing Materials, and to be repaid out of Highway Rate.

CIV. And be it enacted, That the Surveyor of Turnpike Roads of the District wherein shall be comprised the Road or Roads with respect to which such Carriage or Haulage shall be required as aforesaid shall fix a certain fair and reasonable Rate or Scale of Prices to be allowed for the Carriage or Conveyance of Materials according to the Weight or Measurement thereof, and according to the Distance to be traversed in carrying or conveying the same, and shall contract and agree with any Inhabitant or Inhabitants of the said Parish or Place having the requisite Means or Ability for performing the same for the carrying and conveying of such Materials as may be required, in pursuance of the said Order of the said County Roads Board; and when such Carriage or Conveyance shall have been done and performed then the said Surveyor shall pay to such Inhabitant or Inhabitants the Price or Rate fixed as aforesaid in respect of the same; and all Monies so paid by such last-mentioned Surveyor shall be repaid to him by the Surveyor of Highways to whom any such Order as aforesaid shall have been addressed, out of the Monies collected or to be collected by him as and for the Highway Rate of the Parish, Township, or Place to which such Order shall relate, and the said Surveyor of Turnpike Roads shall give to the said Surveyor of Highways Receipts in Writing for all Monies so paid.

CV. And

Disputes respecting Carriage of Materials to be referred to Two Justices.

CV. And be it enacted, That in case the said Surveyor of Turnpike Roads shall be unable to agree with any Inhabitant thereof for the Performance of such Carriage and Conveyance of Materials as aforesaid, or in case any Dispute shall arise between such Surveyor and any Inhabitant of such Parish, District, or Place respecting the Liability of such Inhabitant to perform such Carriage and Conveyance as aforesaid, or respecting the Price or Sum by the said Surveyor to be allowed for such Carriage or Conveyance, or otherwise, then and in every such Case it shall be lawful for any Two or more Justices of the Peace acting in and for the County in which such Parish, District, or Place shall be, upon Application made to them by such Surveyor, or by such Inhabitant, to hear and determine the said several Matters in dispute, and the said Justices may either order that such Inhabitant shall perform some certain Portion of such Carriage or Conveyance, or that the Rate or Scale to be allowed for such Carriage or Conveyance shall be altered or amended, or shall make such other Order respecting the Premises as Justice shall require, and such Order shall be final and conclusive as to all Matters therein specified; and any such Inhabitant who shall have been commanded by such Order to perform any Carriage or Conveyance of Materials, and who shall neglect or refuse to obey such Order for Seven Days after he shall have received Notice of the same, shall for every such Offence forfeit and pay a Sum not exceeding Forty Shillings.

Penalty.

Llandilo Rhynws Bridge and Towey Suspension Bridge to become County Bridges.

CVI. And whereas a certain public Bridge called the *Llandilo Rhynws* Bridge has been erected over the River *Towey* in the County of *Caermarthen*, and the same has been maintained and repaired under the Provisions of a certain Local Act of Parliament to be repealed in pursuance of this Act as aforesaid: And whereas a certain other Bridge over the same River called the *Towey* Suspension Bridge, and in the same County, has been erected and maintained under the Provisions of a certain other Local Act to be in like Manner repealed; be it enacted, That all Debts due to any Mortgagees or Creditors in respect of the said Bridges or either of them, or secured upon the Tolls thereof respectively, shall be dealt with, estimated, and redeemed by the said Commissioners in manner herein-before directed with respect to the Debts of all Turnpike Trusts in the said County, but that from and after the Repeal of the said last-mentioned Local Acts respectively the same shall become to all Intents and Purposes County Bridges, and shall be repaired and maintained by and at the Charge of the said County of *Caermarthen*, in like Manner as any County Bridges ought now by Law to be maintained and repaired.

Wych Tree Bridge to become a County Bridge.

CVII. And whereas a certain public Bridge called "The *Wych Tree* Bridge" in the said County of *Glamorgan* has been erected and maintained under the Provisions of a certain Local Act of Parliament to be repealed in pursuance of this Act; be it enacted, That all Debts due to any Mortgagees or Creditors in respect of the said Bridge, or secured upon the Tolls thereof, shall be dealt with, estimated, and redeemed by the said Commissioners in manner aforesaid, but that from and after the Repeal of the said last-mentioned Local Act the said last-mentioned Bridge shall become to all Intents and Purposes a County Bridge,

Bridge, and shall be repaired and maintained by and at the Charge of the said County of *Glamorgan*, in like Manner as any County Bridges ought now by Law to be repaired and maintained.

Commissioners to treat the Wych Tree Trusts as if heretofore consolidated with the Swansea District.

CVIII. And whereas the Trustees acting in execution of the Local Act regulating the said *Wych Tree* Bridge and Avenues leading thereto have heretofore agreed with the Trustees of the *Swansea* District of Roads in the said County of *Glamorgan* for the Consolidation of the said *Wych Tree* Trust with the said *Swansea* District, and the Arrangements necessary to such Consolidation have been partly carried into effect, and such Arrangements have been *bonâ fide* made by the said Trustees, and would if this Act had not been passed have been beneficial to the said County; be it enacted, That the said *Wych Tree* Trust, and the Accounts, Debts, and Liabilities thereof, shall be treated, considered, and dealt with by the said Commissioners in their said Inquiry, and in estimating the said Debts, in like Manner to all Intents and Purposes as if the said *Wych Tree* Trust had been heretofore by Law consolidated with the *Swansea* District.

Loughor Bridge to be maintained as a County Bridge between the Counties of Glamorgan and Caermarthen jointly.

CIX. And whereas a certain public Bridge called the *Loughor* Bridge has been erected over a certain River or Estuary called the *Loughor* River, which divides the said County of *Caermarthen* from the said County of *Glamorgan*, and the same has been maintained and repaired under the Provisions of a certain Local Act of Parliament to be repealed in pursuance of this Act: And whereas the said last-mentioned Bridge is useful and beneficial to both of the said last-mentioned Counties respectively; be it therefore enacted, That all Debts due to any Mortgagees or Creditors in respect of the said last-mentioned Bridge, or secured upon the Tolls thereof, shall be dealt with, estimated, and redeemed as aforesaid by the said Commissioners; and when the total Amount or Value of the said Debts shall have been by them fixed and determined a Sum equal to One Fourth Part thereof shall be charged by the said Commissioners, according to the Provisions of this Act, upon the said County of *Glamorgan*, and the Residue thereof shall be charged in like Manner upon the said County of *Carmarthen*; and after the said Local Act regulating the said last-mentioned Bridge shall have been repealed as aforesaid the said Bridge, so soon as it shall have been certified under the Hand of the General Superintendent of County Roads to be appointed under this Act to be in good and sufficient Repair, which Repair, if required, shall be done at the Cost and Charge of the said County of *Carmarthen*, shall become a County Bridge, and shall be repaired and maintained in equal Share and Proportion, and at the joint Charge and Expence of the Counties of *Carmarthen* and *Glamorgan*, in like Manner as any County Bridges ought now by Law to be repaired and maintained, and each of the said Counties shall be and continue severally liable in respect of One Moiety of the said Bridge and of the Repairs thereof.

Part of the Debt of Rumney Bridge Trust to be borne

CX. And whereas a certain public Bridge called the *Rumney* Bridge has been erected over the River *Rumney*, which divides the said County of *Glamorgan* from the County of *Monmouth*, and the same has been maintained and repaired under the Provisions of a

certain Local Act of Parliament to be repealed in pursuance of this Act: And whereas the said last-mentioned Bridge has been and is useful and beneficial to both of the said last-mentioned Counties respectively; be it therefore enacted, That all Debts due to any Mortgagees or Creditors in respect of the said last-mentioned Bridge, or secured upon the Tolls thereof, shall be dealt with, estimated, and redeemed by the said Commissioners as aforesaid in like Manner as the Debts of any Turnpike Trust in the said County of *Glamorgan*: Provided nevertheless, that the Sum of One thousand Pounds shall be paid and contributed for and towards the Redemption and Payment of the said Debts by the Trustees appointed under and acting in execution of a certain Act of Parliament made in the Second Year of His late Majesty King *William* the Fourth, intituled *An Act for diverting, altering, repairing, maintaining, and improving the several Turnpike Roads within the District of* Newport *in the County of* Monmouth, which said Sum of One thousand Pounds shall, after the Repeal of the Local Act regulating the said Bridge, be due and payable by and from the said last-mentioned Trustees unto or to the Account of the County Roads Board acting in and for the said County of *Glamorgan*; and the said Trustees are hereby authorized and empowered to charge the Tolls of the said *Newport* Turnpike Trust with the Payment to the said last-mentioned County Roads Board of such an Annuity as shall be equal to Five Pounds and Five Shillings for every One hundred Pounds of the said Principal Sum of One thousand Pounds, together with Interest thereon, and so in proportion for every fractional Part of One hundred Pounds, such Annuity to be payable for the Term of Thirty Years, commencing from a certain Day to be named by the said Commissioners for carrying this Act into effect, after the Repeal of the Local Act regulating the said Bridge, and to be paid half-yearly and without Deduction on certain Days to be fixed by the said Commissioners, the first Payment whereof shall be made on such of the said half-yearly Days of Payment as shall next happen after such Annuity shall have commenced and become payable as aforesaid; and after the said Local Act regulating the said last-mentioned Bridge shall have been repealed as aforesaid the said Bridge shall (so soon as it shall have been certified under the Hand of the General Superintendent of County Roads to be appointed under this Act to be in good and sufficient Repair, such Repairs to be done at the Cost and Charge of the said County of *Glamorgan*,) become a County Bridge, and shall be thenceforth repaired and maintained in equal Share and Proportion, and at the joint Charge and Expence of the said Counties of *Glamorgan* and *Monmouth*, in like Manner as any County Bridges ought now by Law to be repaired and maintained, and each of the said Counties shall be and continue severally liable in respect of One Moiety of the said Bridge, and of the Repairs thereof; and no Part of the said Repairs or of the Expence thereof shall be thereafter required to be done or contributed by any Person or Persons, or by the Inhabitants of any Parish or Place, heretofore liable or accustomed to repair the same.

by the Newport Turnpike Trust.

2 & 3 W. 4. c. xiv.

Rumney Bridge to be maintained as a County Bridge between the Counties of Glamorgan and Monmouth jointly.

Act not to apply to Hay Bridge, nor to Haverfordwest or Boughrood Bridges.

CXI. And be it enacted, That nothing in this Act contained shall extend or apply to a certain Bridge erected over and across the River *Wye* called the *Hay* Bridge, and which is situated on or between the Confines of the said County of *Radnor* and of the said County of *Brecknock*, nor to a certain other Bridge lately erected over and across the River *Dungleddau* at or in the Town and County of *Haverfordwest*, nor to a certain other Bridge erected over and across the said River *Wye* called the *Boughrood* Bridge, and which is situated on or between the Confines of the said County of *Brecknock* and of the said County of *Radnor*, nor to any Local Act or Acts of Parliament for making, erecting, maintaining, or regulating the said last-mentioned Bridges respectively, any thing herein-before contained to the contrary thereof in anywise notwithstanding.

Provision as to Portion of Road in Rhayader and Llangerrig Trust. 10 G. 4. c. iv.

CXII. And whereas a certain Portion of Road heretofore made and maintained under a certain Local Act of Parliament passed in the Fourth Year of the Reign of King *George* the Fourth, intituled *An Act for making and maintaining a Road from* Rhayader *in the County of* Radnor *to* Llangerrig *in the County of* Montgomery, is locally situated in the said last-mentioned County of *Montgomery;* be it enacted, That from and after the Repeal of the said last-mentioned Local Act the said last-mentioned Portion of Road shall, for the Purpose of this Act, and for the Purpose of maintaining the same, be annexed to and become Part of the next adjoining District of Roads of and belonging to the said County of *Montgomery;* and all the Powers, Clauses, and Provisions of an Act passed in the Session held in the Fourth and Fifth Years of the Reign of King *William* the Fourth, intituled *An Act for improving and maintaining certain Roads in the Counties of* Montgomery, Merioneth, Salop, *and* Denbigh, shall apply to and include such last-mentioned Portion of Road, in like Manner as if the same had been expressly mentioned and comprised in the said Act: Provided always, that it shall not be lawful for the Trustees, or other Persons acting in execution of the said last-recited Act, to erect or maintain any Toll Gate or Toll Bar, or to collect or cause to be collected any Toll, upon, across, or at the Side of the said Portion of Road, any thing in the said last-recited Act to the contrary notwithstanding.

4 & 5 W. 4. c. xxxi.

Recovery and Application of Penalties.

CXIII. And be it enacted, That all Fines and Penalties imposed by this Act shall be recovered and applied in the same Manner as Fines and Penalties imposed by the said General Turnpike Acts or any of them; and the several Clauses and Provisions in the said last-mentioned Acts contained respecting the Recovery and Application of Penalties shall be applicable for the Purposes of this Act as if the same were expressly re-enacted herein.

Interpretation of Act.

CXIV. And be it enacted, That in construing this Act the following Words and Expressions shall have the several Meanings herein-after assigned to them, unless there be something in the Subject or Context repugnant to such Constructions; (that is to say,)

Words

Words importing the Singular Number shall include the Plural Number, and Words importing the Plural Number shall include the Singular Number:

The Word "Person" shall include Corporation, whether sole or aggregate:

Words importing the Masculine Gender shall include Females:

The Word "Lands" shall include all Messuages, Tenements, and Hereditaments:

The Word "Parish" shall include Townships, Tithings, Rapes, Vills, Wapentakes, Divisions, Liberties, Market Towns, Franchises, Hamlets, Precincts, Chapelries, or other like Districts:

The Words "General Quarter Sessions" shall include General or Quarter Sessions, or Adjournments thereof:

The Words "Justices of the Peace" shall include Justices of the Peace of any County, Borough, Liberty, Precinct, County of a Town, or Town Corporate:

The Words "Turnpike Roads" shall include all Roads, Ways, Streets, Lanes, Causeways, or Bridges, or Parts thereof, mentioned or comprised in any Local Act of Parliament, in, upon, or at the Sides of which Tolls are authorized by such Act to be collected, and which Tolls are applicable to the Debt charged upon the same, and to the Maintenance or Repair of such Roads, Ways, Streets, Lanes, Causeways, or Bridges:

The Words "Turnpike Trust" shall include all and every Turnpike Road or Roads, or Parts thereof, the Tolls of which are applicable to the Debt charged upon such Tolls only, or to the Maintenance of such Road or Roads only, or Parts thereof, whether regulated or not by the same Act or Acts of Parliament, with any other Road or Roads, or Parts thereof:

The Word "Trustees" shall be held to include Commissioners and all Persons appointed to put in execution any Local Act or Acts for regulating Turnpike Roads;

The Word "Tolls" shall include all Monies payable under any Act regulating Turnpike Roads, or forming Part of the Revenue of any Turnpike Roads;

The Words "Toll Gates" shall include Toll Bars, Toll Houses, and all other Erections, Buildings, and Things built, set up, or made for any Purpose connected with the Collection of Tolls:

The Word "Mortgage" shall include all Deeds, Tallies, Bonds, Assignments, or other Instruments by which any Principal Sum of Money is secured upon any Tolls, or by which any Tolls or Toll Gates, or any Part or Proportion thereof, are assigned, in consideration of any Principal Sums of Money advanced to any Trustees of Turnpike Roads, and all Assignments of such Deeds, Assignments, or other Instruments;

The Word "Mortgagee" shall include all Persons holding or entitled to hold any such Mortgages, Tallies, Deeds, Bonds, Assignments, or other Instruments or Assignments, or Transfers thereof as aforesaid;

The

The Word "Month" shall mean Calendar Month; and where any Number of Days is specified, the same shall be reckoned exclusively of the Days to and from which Computation is directed to be made.

Act may be amended this Session.

CXV. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

SCHE-

SCHEDULES to which the foregoing Act refers.

FIRST SCHEDULE.

An Act passed in the Third Year of the Reign of King George the Fourth, intituled "An Act to amend the general Laws now in being for regulating Turnpike Roads in that Part of Great Britain called England."

An Act passed in the Fourth Year of the Reign of King George the Fourth, intituled "An Act to explain and amend an Act passed in the Third Year of the Reign of His present Majesty, to amend the general Laws now in being for regulating Turnpike Roads in that Part of Great Britain called England."

An Act passed in the Session held in the Seventh and Eighth Years of the Reign of King George the Fourth, intituled "An Act to amend the Acts for regulating Turnpike Roads in England."

An Act passed in the Ninth Year of the Reign of King George the Fourth, intituled "An Act to amend the Acts for regulating Turnpike Roads."

An Act passed in the Session held in the First and Second Years of the Reign of King William the Fourth, intituled "An Act to amend the Acts for regulating Turnpike Roads in England, so far as they relate to certain Exemptions from Toll."

An Act passed in the Session held in the Second and Third Years of the Reign of King William the Fourth, intituled "An Act to explain certain Provisions in Local Acts of Parliament relating to Double Toll on Turnpike Roads."

An Act passed in the Session held in the Third and Fourth Years of King William the Fourth, intituled "An Act requiring the annual Statements of Trustees or Commissioners of Turnpike Roads to be transmitted to the Secretary of State, and afterwards laid before Parliament."

An Act passed in the Session held in the Fourth and Fifth Years of the Reign of King William the Fourth, intituled "An Act to amend an Act of the Third Year of King George the Fourth, for regulating Turnpike Roads in England, so far as the same relates to the Weights to be carried upon Waggons with Springs."

SECOND SCHEDULE.

RATE of TOLL to be taken in the COUNTIES to which this Act refers.

	£	s.	d
For every Horse or other Beast drawing any Coach, Chariot, Berlin, Landau, Landaulet, Barouche, Chaise, Phaeton, Vis-a-vis, Calash, Curricle, Car, Chair, Gig, Hearse, Caravan, Litter, or any such like Carriage -	0	0	6

	£	s.	d.
For every Horse or other Beast, except Asses, drawing any Waggon, Wain, Cart, or other such like Carriage - - - - - - - - - -	0	0	4
For every Ass drawing any Cart, Carriage, or other Vehicle - - - - - - - - -	0	0	2
For every Horse or Mule, laden or unladen, and not drawing - - - - - - - - -	0	0	1½
For every Ass, laden or unladen, and not drawing -	0	0	0½
For every Drove of Oxen, Cows, or neat Cattle, the Sum of Ten-pence per Score, and so in proportion for any greater or less Number.			
For every Drove of Calves, Hogs, Sheep, or Lambs, the Sum of Five-pence per Score, and so in proportion for any greater or less Number.			
For every Carriage drawn or impelled by Steam, or other Power other than Animal Power, having Two Wheels - - - - - -	0	1	0
And for every such last-mentioned Carriage having more than Two Wheels - - -	0	2	0

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